

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, November 12, 2020 at 7:00 PM**  
**City Hall, First Floor, Council Chambers**  
**825 W. Irving Blvd., Irving, Texas 75060**

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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 November 12, 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](mailto: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), **1-877-853-5257** (Toll Free) or +1 346 248 7799 or online at <https://zoom.us/j/95823349018> Meeting ID: 958 2334 9018

Organizational Service Announcements

Invocation

Pastor Ben Dailey, Calvary Church

Pledge of Allegiance

Proclamations and Special Recognitions

Citizens' Forum

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

Public Hearing: Items 1 through 50

## **CITY COUNCIL AGENDA**

### **1 City Operations Update**

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This meeting can be adjourned and reconvened, if necessary, the following regular business day.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 551.087 of the Texas Government Code.

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

This facility is physically accessible and parking spaces for the disabled are available. Accommodations for people with disabilities are available upon request. Requests for accommodations must be made 48 hours prior to the meeting. Contact the City Secretary's Office at 972-721-2493 or Relay Texas at 7-1-1 or 1-800-735-2988.

# CONSENT AGENDA

2 **Approving Work Session Minutes for Thursday, October 22, 2020**

3 **Approving Regular Meeting Minutes for Thursday, October 22, 2020**

4 **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 December 10, 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, and subsequently ratified and extended the Declaration until November 12, 2020.

## Recommendation

The resolution be approved.

5 **Resolution - Authorizing Additional Expenditures to Lloyd Gosselink Rochelle & Townsend, P.C., in an Amount Not to Exceed \$24,810.00 for Litigation Against Charter Communications VI, LLC, D/B/A Spectrum Cable Regarding Underpayment of Cable Services Franchise Fees**

## Administrative Comments

1. This items is recommended by the City Manager's Office, Financial Services Department, and the City Attorney's Office.
2. **Impact:** This action will allow the City to continue pursuing litigation along with 25 other cities to recover past underpayment of cable services franchise fees by Spectrum Cable ("Spectrum") and establish the proper method of accounting for such fees in the future.

3. On June 28, 2018, by Resolution No. RES-2018-211, the City Council authorized the City to join other cities in litigation against Spectrum. Subsequently, a suit was filed by all of the cities collectively, in a single case, against Spectrum.
4. In July 2018, by Administrative Award No. 5942, the City engaged Lloyd Gosselink Rochelle & Townsend, P.C., for legal work associated with this matter, in an amount not to exceed \$33,937.50. The legal fees are paid on a pro-rata basis. The cities will be seeking recovery of legal and consulting fees associated with the suit.
5. Funding in the amount of \$25,810 is available in the City Attorney's Office budget within the General Fund.

**Recommendation**

The resolution be approved.

**6 Resolution - Approving a Memorandum of Understanding Between the Cities of Irving, Fort Worth, Frisco, Grand Prairie, Haltom City and Hurst, for Participation in the DFW First Responders Critical Incident Stress Management Network**

**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 Memorandum of Understanding among participating local government jurisdictions including the City of Irving, the City of Frisco, the City of Grand Prairie, the City of Haltom City, and the City of Hurst, establishes permissions and guidelines for use of peer support services during times of crisis.
3. No funding is required.

**Recommendation**

The resolution be approved.

**7 Resolution - Approving an Agreement with Single-Source Provider Parsons Transportation Group, Inc. in a Total Amount Not to Exceed \$207,635.00 to Purchase Touch Free Temperature Screening Kiosks and Printers**

**Administrative Comments**

1. This item is recommended by the Code Enforcement Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** Reduced risk of infection through use of body temperature screening systems at public building entries. Dated labels and/or wrist bands will indicate customer has normal body temperature.

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. The funding for the purchase of 48 free standing, touchless DetectWise Kiosks; 24 wrist band printers; and 24 label printers in the amount of \$207,635.00 is available through the CARES Act Grant Fund (20302201 600201).
6. The funds used for the purchase of these systems are expected to be reimbursed through the CARES Act Program.

**Recommendation**

The resolution be approved.

**8 Resolution - Approving Addendum to Agreement with Overdrive, Inc. for Its Digital Platform Services in the Total Estimated Amount of \$50,000.00**

**Administrative Comments**

1. This item is recommended by the Library Services Department.
2. **Impact:** Use of the Overdrive delivery platform supports Irving Connects, the city's smart city initiative by allowing the Library to provide 24/7 access to a collection of digital materials (including eBooks, eAudiobooks, video and magazines for checkout which may be accessed through personal digital services such as smart phones, tablets, e-readers and computers. Overdrive is one of several electronic content services provided to supply library customers with a wide variety of electronic publications and media. Multiple digital vendors are required, as each service covers a limited number of publishers, types of content, formats or supported end-user devices. Overdrive offers a customized website and the popular Libby app for accessing and downloading digital materials. Both the website and the app are integrated with the Library's Polaris system for real-time patron authentication.
3. **This contract addendum increases the amount of the contract (4/1/2020 – 3/31/21) with Overdrive from \$82,000.00 to \$132,000.00.** This increase is necessary because of the impact of the COVID-19 pandemic. In FY 19/20, the Library experienced an increase of 84% in usage of digital materials (ebooks, e-audiobooks, etc.), including the Overdrive service. In order to meet demand, funds were shifted to allow for increased purchases of digital material, requiring this increase in buying capacity in order to continue monthly purchases through the end of the contract.
4. Overdrive provides a unique service model not present in other digital platforms that offers downloads in the Kindle format and compatibility with all generations of the

Amazon Kindle.

5. The Overdrive service allows the Library to continue a partnership with the Irving Independent School District (IISD) for digital lending. IISD students have the ability to use their Overdrive Sora student app to seamlessly access and check out materials from the Irving Public Library collection.
6. Other unique features of the Overdrive service include a multi-lingual user interface option for library users and a Local Content feature providing the ability to upload locally-produced and self-published digital content into a platform for lending.
7. Funding for Fiscal Year 2020-2021 is available in the Library Services Department budget within the General Fund.

<u>Vendor</u>	<u>Contract Term</u>	<u>Total Est. Expenditure</u>	<u>Fiscal Year (s)</u>
<u>Overdrive</u>	<u>4/1/2020 – 3/31/2021</u>	<u>\$50,000.00</u>	<u>2020-21</u>
	<b><u>Total</u></b>	<b><u>\$50,000.00</u></b>	

**Recommendation**

The resolution be approved.

**9 Resolution - Awarding a Contract to MART, Inc., in the Amount of \$80,270.00, for the Champion Trails Bridge Deck Replacement Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and the Parks Recreation Department. It supports Strategic Objective 4.5 - Implement enhancements to cultural and recreational facilities.
2. **Impact:** This work will replace the damaged, rotten and aging wooden decks for three pedestrian bridges on the Champion Trails. The three impacted bridges are Keenan’s Crossing, Spring Trail Park and Birds Fort Trail Park.
3. **This item was presented to the Parks and Recreation Advisory Board on October 12, 2020 and it will be discussed at the Transportation & Natural Resource Committee on November 12, 2020.**
4. Bids were received from 5 bidders. 2 bidders were non-responsive. MART, Inc. submitted the lowest responsive responsible bid of \$80,270.00. The amount bid was \$5,270.00 (6.5%) above the project estimate. Staff recommends awarding the

total bid amount.

5. Funding in the amount of \$80,270.00 is available in the Self-Insurance Fund.

**Recommendation**

The resolution be approved.

**10 Resolution - Awarding a Contract to Northstar Construction, LLC, in the Amount of \$228,787.00, for the Northwest Park Pedestrian Bridge Replacement Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and the Parks Recreation Department. It supports Strategic Objective 4.5 - Implement enhancements to cultural and recreational facilities.
2. **Impact:** This work will replace the flood damaged and aging steel pedestrian inside Northwest Park nearest to Cheyenne Street. The replacement bridge will be wider to accommodate maintenance equipment, have a concrete deck for longevity and provide an accessible route from the building to the playground for persons with disabilities.
3. **This item was presented to the Parks and Recreation Advisory Board on October 12, 2020 it will be discussed at the Transportation & Natural Resource Committee on November 12, 2020.**
4. Bids were received from 11 bidders. 4 bidders were non-responsive. Northstar Construction, LLC submitted the lowest responsive responsible bid of \$228,787.00. The amount bid was \$53,787.00 (23.5%) above the project estimate. Staff recommends awarding the total bid amount.
5. Minority- and/or Women-owned Business (M/WBE) participation in this award is 7.0%.
6. Funding in the amount of \$228,787.00 is available in the Self-Insurance Fund.

**Recommendation**

The resolution be approved.

**11 Resolution - Awarding a Contract to Humphrey & Morton Construction Co., Inc., in the Amount of \$334,590.00, for the Delaware Creek Channel Repair Project at Pioneer Drive**

**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 contract supports The Drainage Solutions for a Better Tomorrow Program.** The work to be performed under this contract is to remove and replace reinforced concrete channel side slope and channel bottom. Project will include chain link and wood fence replacement along the east side of the Delaware Creek channel. Sidewalk replacement will occur along the west side of Campana Court and the W Pioneer Drive intersection.
3. This project is part of the Municipal Drainage Utility program, and is needed to address cracks in the concrete channel side slope and the channel bottom.
4. Bids were received from 5 bidders Humphrey & Morton Construction Co., Inc., submitted the lowest responsive responsible bid of \$334,590.00. This is \$290,190.00 (46.45%) below the project estimate.
5. Funding in the amount of \$334,590.00 is available in the Municipal Drainage Utility Fund.

**Recommendation**

The resolution be approved.

**12 Resolution - Approving Change Order No. 3 to the Contract with Taurus Commercial, Inc., in the Amount of \$10,290.54 for the Georgia Farrow Recreation Center Expansion Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and the Parks and Recreation Department. It supports Strategic Objective 4.5 - Implement enhancements to cultural and recreational facilities.
2. **Impact:** This Change Order #3 will provide waterproofing and flashing on the north end of the existing gymnasium building slab.
3. **This it will be discussed at the Transportation & Natural Resource Committee on November 12, 2020.**

4. The original contract, \$3,646,075.00, is being funded by the U.S. Department of Housing and Urban Development using a Section 108 Loan and is subject to all Federal laws and regulations.
5. The items for this Change Order is 0.2% of the original contract and is being funded through the Park Improvement Bond Fund which became available this fiscal year.
6. For many years, the gymnasium has had water seepage into the gymnasium due to poor exterior drainage and waterproofing past its life cycle. The base bid of the expansion project called for the existing flashing to be replaced on the east wall of the existing gymnasium. During this process it was discovered the existing waterproofing was in poor condition. This change order will provide demolition of any existing waterproofing material and flashing on the north end of the existing gymnasium building slab. It will also install new waterproofing materials, new flashing and provide weep holes in the exterior brick veneer.
7. Funding in the amount of \$10,290.54 is available within Park Improvement Bond Fund.

**Recommendation**

The resolution be approved.

**13 Resolution - Supporting the Continuation of Funding the Conflans Road Extension Project and Confirming that Funds Have Been Allocated for Irving's Local Match Needed to Fund the Project**

**Administrative Comments**

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** This Resolution re-affirms Irving's commitment to fund the design and construction of the Conflans Road project between SH 161 and Valley View Lane. This reaffirmation further transmits Irving's commitment to the North Central Texas Council of Governments, Regional Transportation Council Irving's support for the project.
3. This item will be discussed at the Transportation and Natural Resources Committee on November 12, 2020.

**Recommendation**

The resolution be approved.

**14 Resolution - Authorizing the Agreement Between the City of Irving and SMG for Management and Food and Beverage Service for a Term Concluding on September 30, 2035 for the Irving Convention Center.**

**Administrative Comments**

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** The contract positively impacts City of Irving residents, visitors and businesses by generating additional community revenues through providing professional management services for the convention center which generates additional visitor spending in Irving.
3. Although the current agreement does not expire until September 30, 2030, the ICVB is recommending approving the agreement at this time with SMG that will begin November 12, 2020, in order to provide access to sufficient capital to appropriately maintain and support the facility due to the significant downturn in the hotel tax revenues that provide funding for the ICC from the ICVB budget.
4. This revised agreement is for a term beginning November 12, 2020 and expiring September 30, 2035.
5. The Irving Convention Center continues to receive positive reviews and ratings from customers, covering the range of services provided. Food and beverage services remain highly rated, noted as a point of positive distinction, and serve as a frequent reason for repeat business.
6. SMG will provide an investment of \$2,000,000.00 with the execution of this agreement for projects at the Center at the discretion of the City of Irving/Irving Convention and Visitors Bureau, with an established disbursement schedule. SMG would amortize its investment on a 15-year non-cash basis. If SMG is not renewed at any time during the amortization period, SMG would be owed the unamortized balance of the investment.
7. The ICVB Board of Directors unanimously approved the extension of this agreement at its August 24 meeting to continue with SMG to continue to provide facility management services and food and beverage services for the Irving Convention Center under revised terms for a period ending on September 30, 2035. In addition, the agreement continues to provide appropriate protections for the City, and maintains a management fee schedule and incentives allowable by IRS Revenue Procedure 97-13.
8. The contract assumes a revised management fee schedule with \$165,000 annually for the first year, \$205,000 the second year (FY 2022-23) and \$265,000 in year three (2023-24 FY) and then adjusted annually by CPI each year. There are no changes to the structure of the management incentive. The Food & Beverage management fee will be 5% of gross food and beverage sales, and a new Food & Beverage management incentive of up to 2% will be included.
9. Funding for the facility management services for the Irving Convention Center

provided by SMG is budgeted annually in the ICVB General Fund.

**Recommendation**

The resolution be approved.

**15 Resolution - Authorizing the Irving Convention and Visitors Bureau to Purchase Advertising Space in the Media in the Amount of \$465,000.00 for Fiscal and Calendar Year 2021**

**Administrative Comments**

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** The contract positively impacts City of Irving residents, visitors and businesses by generating additional community revenues through a targeted advertising program promoting the city of Irving as a premier destination.
3. Funding in the amount of \$350,000 and \$115,000 in CARES Act Funding is available in the Irving Convention & Visitors Bureau budget within its General Fund.
4. The advertising schedule independent of the CARES Act Funding includes traditional and digital media in both the trade and leisure markets. Messaging will be focused primarily on the meetings trades and specialty publications within that segment, promoting Irving hotels and the Irving Convention Center for meetings and events, and will include third-party lead generation outlets. Leisure messaging will primarily include the Texas Tourism co-operative program and focusing on the 150-500 mile “drive-to” markets.
5. For Fiscal Year 19-20, ICVB budgeted \$400,000 for targeted advertising; not all funds were spent, due to the COVID-19 pandemic; and as a result, \$230,000 was carried forward to Fiscal Year 20-21.
6. For Fiscal Year 20-21, ICVB budgeted \$350,000 for targeted advertising, which includes the \$230,000 amount carried forward from Fiscal Year 19-20.
7. The final advertising schedule will be determined based on proposals submitted and the evaluation of these, to select those that best address the primary objectives of the 2020-21 ICVB Marketing Plan. Budgeting is done on a fiscal year basis; however, the media schedule primarily is placed on a calendar year with funds encumbered as commitments are made, and thus crossing fiscal years.
8. Additionally, ICVB received \$115,000 in CARES Act funding to publicize the resumption of activities and steps taken to ensure a safe experience with the reopening due to the public health emergency. These funds are specific to a strategic campaign targeting trade organizations who hold meetings and events.

Some of these funds will be expended in the current calendar year, with the balance expended in the 2021 calendar year.

9. US Treasury guidelines indicate funds may be used to remarket the recipient's convention facilities and tourism industry if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to the public health emergency. Treasury's guidance also notes that goods maybe purchased for use after the deadline if: bought in bulk under normal circumstances; some of the goods are needed for use before the deadlines; and the expense occurs before the deadline.
10. Past ICVB advertising conversion studies reported the following impacts and return on investment: for each \$1 the ICVB spent on advertising, \$31 was spent by travelers in Irving businesses. (Irving Conversion Study, Smart Business, 2000.)

### **Recommendation**

The resolution be approved.

## **16 Resolution - Approving an Amended and Restated Economic Incentive Agreement Between the City of Irving and Pioneer Natural Resources USA, Inc., in an Amount Not to Exceed \$625,000.00**

### **Administrative Comments**

1. This item is recommended by the Office of Economic Development.
2. **Impact:** Approval of this Amended and Restated Economic Incentive Agreement will provide Pioneer Natural Resources USA, Inc., one additional year to meet the minimum required qualifications for retaining the company's existing employees and adding new jobs in the Hidden Ridge development area of the City of Irving.
3. **This amended and restated economic development incentive agreement was discussed in Executive Session of the Irving City Council Work Session on October 22, 2020.**
4. The company has established its corporate headquarters office at 777 Hidden Ridge. The 750,000+ square foot office building was completed in late 2019. The company has relocated 1,090 current Irving employees to the new facility and plans to hire 320 additional employees within ten years of meeting the minimum required qualifications of this agreement.
5. The city, along with the Greater Irving Las Colinas Chamber of Commerce, has worked with Pioneer Natural Resources to attract the company's expansion project to Irving. The site will anchor the Hidden Ridge development area anticipated to attract a mix of commercial, office and residential uses. The Economic Incentive

Agreement sets out the terms of the grant for retention of the existing 1,090 jobs and the attraction of 320 new jobs.

6. At minimum qualification levels, the project will consist of 750,000 gross square feet of leased office space; 1,090 full-time employees existing with the company in Irving at an average salary of \$110,000; and tangible personal property of \$15,000,000.
7. There are two components to the Economic Incentive Agreement. Upon qualifying, Pioneer Natural Resources will receive:
  - A. Grant A. Cash grant not to exceed \$545,000 to be made in three payments. The first payment of \$181,666 will be made after the company meets minimum eligibility; the second payment will be made four years after minimum eligibility; and the third payment will be made seven years after minimum eligibility.
  - B. Grant B. Cash grant not to exceed ~~\$160,000~~80,000 to be made in three payments at a rate of ~~\$500~~250 per new job in Irving with an average salary of ~~\$90,000~~100,000 with a maximum of 320 new jobs. The first payment of ~~\$55,000~~27,500 will be made four years after minimum eligibility provided company creates 110 new jobs, second payment of ~~\$50~~25,000 seven years after minimum eligibility provided company creates an additional 100 jobs and third payment of ~~\$55,000~~27,500 ten years after minimum eligibility provided company creates an additional 110 jobs for a total of 320 new jobs.
8. Pioneer Natural Resources must maintain a minimum eligibility of 750,000 gross square feet of office space, employment of 1,090 full time positions with an average salary of \$110,000, and taxable value of tangible personal property of \$15,000,000.

### **Recommendation**

The resolution be approved.

## **17 Resolution - Approving an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG) in the Amount of \$20,251.50 to Provide 2021 Digital Orthophotography and LiDAR**

### **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.** Purchasing the 2021 digital orthophotography and LiDAR will replace outdated aerial imagery and LiDAR used extensively by several city departments. Updates are essential to show the latest development on the ground to generate maps used for operations, project design, economic development, presentations and investigations.
3. **This item will be discussed with the Transportation and Natural Resources**

**Committee on November 12, 2020.**

4. The digital orthophotography and LiDAR are heavily used in the CIP planning and design process for water, sewer, drainage and street projects. It provides elevation and location information related to features such as sidewalks, buildings, parking lots, driveways, fences, lakes, streams, and tree canopy that are factored into engineering decisions.
5. The updated digital orthophotography and LiDAR also provide field employees a better spatial reference when trying to locate city assets that may be difficult to see or find such as sewer manholes and water system valves.
6. The total cost for 2021 is \$20,251.50 and the funding breakdown is as follows:

Water and Sewer System Fund:	\$10,125.75 (50%)
General Fund:	\$10,125.75 (50%)
7. Funding in the amount of \$20,251.50 is available within the Water and Sewer System Fund and the General Fund.

**Recommendation**

The resolution be approved.

**18 Resolution - Ratifying Payments Made to SYB Construction Company, Inc., in the Total Amount of \$382,288.20 for Emergency Replacement of Approximately 300 Feet of 16-inch Water Main at Perry Street and Irving Heights Drive and Repair of a 16-inch Water Main South of the Trinity Railway Express (TRE) Right-of-Way Near Loop 12**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** The emergency repairs minimized disruption of water supply and preserved fire protection for residential and commercial customers.
3. **This item will be presented to the Transportation & Natural Resources Committee on November 12, 2020.**
4. A leaking 16-inch water main at Perry Street and Irving Heights Drive was declared an emergency by Water Utilities Director Todd Reck on August 4, 2020 in order to restore the reduced water supply available to residents in this area and preserve fire protection. During this initial repair, it was discovered that additional pipe and valves required replacement and another leak near Loop 12 required repair to maintain water service and protect public health and safety.
5. The initial impacted water line at Perry Street and Irving Heights Drive is 55 years old and was discovered during the attempted repair to be in poor condition due to heavy corrosion. Approximately 300 feet of pipe was replaced once it was

determined that the pipe could not be repaired. This line is critical due to its proximity to the Perry Road Elevated Storage Tank which provides water throughout the southeast part of Irving.

6. During the time of the replacement of the line at Perry St, a second leak was detected on a nearby 16-inch waterline that feeds water from Perry Elevated Storage Tank to the east side of Loop 12. This main runs along the railroad right-of-way between Irving Heights and Wildwood in a heavily wooded area. In order to make this repair and maintain water service to impacted customers, two valves were also replaced at Irving Heights just north of Perry Street.
7. SYB Construction Company, Inc., was able to mobilize immediately and perform the necessary repairs to replace and repair the failing water lines.
8. Funding in the amount of \$382,288.20 was available in the Water Utilities Non-Bond CIP Fund.

### **Recommendation**

The resolution be approved.

## **19 Resolution - Approving Amendment No. 7 to the Tyler License and Services Agreement Between the City of Irving and Tyler Technologies, Inc., in the Total Amount of \$144,900.00 for the Purchase of Time Clocks for the Enterprise Resource Planning (ERP) Replacement Project**

### **Administrative Comments**

1. This item is recommended by the Information Technology Department and Human Resources Department.
2. **Impact:** The City is current implementing Phase 2 of the Tyler Munis ERP software project. This amendment allows for the purchase of 60 time clocks from Tyler that will be used by city staff through the ERP's timekeeping function. This hardware purchase is critical for the completion of the Munis ERP project.
3. Council approved the original implementation, hardware and software contract in the total estimated amount of \$2,859,807.00 on June 28, 2018.
4. Approval of this amendment will provide for the purchase of the time clocks in the total estimated amount of \$144,900.00.
5. Funding in the amount of \$144,900.00 is available within the Infrastructure Fund.

### **Recommendation**

The resolution be approved.

**Bids & Purchasing Items  
Items 20-37**

**20 Resolution - Approving the Attached Facilities Solutions Agreement and Authorizing As-Needed Expenditures with Cintas Corporation No. 2 in the Estimated Annual Amount of \$175,000.00 for the Rental of Field Employee Uniforms, Shop Towels, Mops and Mats through a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners**

**Administrative Comments**

1. This item is recommended by the Financial Services Department – Purchasing Division.
2. **Impact:** Uniform rental services are provided for employees in Fleet Operations, Solid Waste Services, Streets Operations, and Water Utilities whose uniforms are exposed to grease, asphalt, sewage, garbage, etc., and will benefit from cleaning at high temperatures and automatic replacement by the vendor for normal wear and tear. In addition, rental of shop towels, mops and mats ensures that these necessary implements are readily available for staff use and maintained in optimum condition.
3. A Vendor/Member contract between the City of Irving and Cintas Corporation No.2, which expires on October 31, 2023, was approved on July 18, 2019 by RES-2019-260. This contract supports the utilization of OMNIA Partners Contract No. R-BB-19002 for Facilities Management Products and Solutions.
4. This item establishes a three-year contract for the continuation of providing uniform rental services as well as the rental of shop towels, mops and mats in the estimated annual amount of \$175,000.00. The current contract expires on November 30, 2020.
5. Funding for Fiscal Year 2020-21 is available in various departmental budgets within various funds, while funding for Fiscal Years 2021-22, 2022-23, and 2023-24 is subject to budget appropriation.

<b>Vendor</b>	<b>Spending Term</b>	<b>Total Estimated Amount</b>	<b>Fiscal Year(s)</b>
Cintas Corporation No. 2	12/1/20 – 11/30/23	\$145,000.00	2020-21
		\$175,000.00	2021-22
		\$175,000.00	2022-23
		\$ 30,000.00	2023-24
<b>TOTAL</b>		<b>\$525,000.00</b>	

**Recommendation**

The resolution be approved.

**21 Resolution - Approving Addendum No. 2 to the Agreement for Actuarial Services between the City of Irving and Gabriel, Roeder, Smith & Company (GRS) in the Total Estimated Amount of \$50,000 for Additional Retirement Plans Consulting Services**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** GRS is the actuary for the city's Supplemental Benefit Plan (SBP) and for the Texas Municipal Retirement System (TMRS), as well as being recently involved in providing comparisons between the benefits received by the Fireman's Relief and Retirement Fund (FRRF) participants and the combined SBP and TMRS benefits received by other city employees. This experience makes them uniquely suited to provide their expertise in response to Council questions during the Fiscal Year 22 Employee and Retiree Compensation and Benefits Discussion Series for which discussion presentations began in October 2020.
3. In November 2018, the city entered into an agreement with GRS to provide actuarial services with regard to its retirement benefit plans which include TMRS, SBP, and FRRF. This agreement was subsequently revised by Amendment No. 1 in August 2019 in order to add consulting services for recommending, understanding and analyzing the impact proposed changes to these plans might have on the city's contribution rates. Amendment No. 2 is needed in order for GRS to provide additional assistance with questions and concerns regarding the plans which may come up during the aforementioned discussion series.
4. Funding in the total estimated amount of \$50,000.00 is available in the Non-Departmental Budget within the General Fund.

**Recommendation**

The resolution be approved.

**22 Resolution - Approving and Accepting the Bid of Dallas Backup Inc., dba Onstage Systems in the Total Estimated Amount of \$133,039.99 for Stage, Sound, Lighting, Video and Special Effects Production for City of Irving Special Events**

**Administrative Comments**

1. This item is recommended by Parks and Recreation Department.
2. **Impact:** This contract provides the necessary equipment and expertise to enhance the special events for the enjoyment of the residents of the City of Irving.
3. This award establishes an annual contract for the continuation of providing stage, sound, lighting, video and special effects production for City of Irving special events.

The contract is subject to two, one-year renewal options.

4. A solicitation for Best Value bids was issued on September 4, 2020 seeking responses from qualified providers. Four submissions were received. Dallas Backup Inc., dba Onstage Systems is recommended for award as the respondent receiving the highest scores based on staff's evaluation of the Best Value criteria established in the specifications.
5. Funding for Fiscal Year 2020-21 is available within the Parks and Recreation Department budget within the General Fund, while funding for Fiscal Year 2021-22 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Expenditure	Fiscal Year(s)
Dallas Backup Inc., dba Onstage Systems	11/13/20 – 10/31/21	\$123,039.99	2020-21
		\$ 10,000.00	2021-22
<b>TOTAL</b>		<b>\$133,039.99</b>	

**Recommendation**

The resolution be approved.

**23 Resolution - Renewing the Contract with Viking Rentals in the Total Estimated Annual Amount of \$115,670.00 for Portable Restroom Rental and Cleaning Services**

**Administrative Comments**

1. This item is recommended by the Parks & Recreation, Solid Waste Services and Water Utilities Departments.
2. **Impact:** This service helps to support a high level of customer service by providing clean restroom facilities for patrons at public parks, at athletic events, and at city-sponsored special events. This contract also provides restroom facilities for city staff at the Hunter Ferrell Landfill and at a materials storage site for Water Utilities.
3. This renewal establishes a two-year contract for the continuation of providing portable restroom rental and cleaning services. The current contract term expires

on December 31, 2020. This is the second and final two-year renewal option.

4. Funding for Fiscal Year 2020-21 is available in the Parks & Recreation Department budget within the General Fund, and in the Solid Waste Enterprise and Water & Sewer System Funds, while funding for Fiscal Years 2021-22 and 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Viking Rentals	1/1/21 – 12/31/22	\$ 43,376.00	2020-21
		\$ 57,835.00	2021-22
		\$ 14,459.00	2022-23
<b>TOTAL</b>		<b>\$115,670.00</b>	

**Recommendation**

The resolution be approved.

**24 Resolution - Approving Amendment No. 1 to the Professional Services Agreement between the City of Irving and 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 Department.
2. **Impact: This annual contract supports Road to the Future and Drainage Solutions for a Better Tomorrow**, 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 12, 2020.**
4. Utilization of these services during the current contract term has been approximately \$425,000.00 to date.
5. This renewal establishes the continuation of an annual contract to provide sub-surface utility exploration (potholing). The original contract was awarded as the result of a negotiated agreement with the respondent receiving the highest

evaluation criteria score through a Request for Qualifications process. This is the first one-year renewal option. The current contract expires December 25, 2020.

- Funding for Fiscal Year 2020-21 is available in various project funds, while funding for Fiscal Year 2021-22 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Criado & Associates, Inc.	12/26/20 – 12/25/21	\$500,000.00	2020-21
		\$100,000.00	2021-22
<b>TOTAL</b>		<b>\$600,000.00</b>	

**Recommendation**

The resolution be approved.

**25 Resolution - Approving Amendment No. 1 to the Professional Services Agreement between the City of Irving and Walter P. Moore & Associates, Inc., in the Total Estimated Annual Amount of \$300,000.00 for Structural Engineering Services**

**Administrative Comments**

- This item is recommended by the Capital Improvement Program Department.
- Impact: This annual contract supports Road to the Future, Drainage Solutions for a Better Tomorrow**, and various CIP projects. This annual contract will allow for the analysis of structural integrity, design of structural engineered members and/or components for bridges, retaining walls, parking garages, large custom storm water junction boxes, etc. These individual services can be requested for CIP projects, City facilities, Parks projects, etc.
- This item will be discussed with the Transportation & Natural Resources Committee on November 12, 2020.**
- Utilization of these services during the current one-year contract term has been approximately \$204,000.00 to date.
- This renewal establishes the continuation of a contract to provide structural engineering services. The original contract was awarded as the result of a negotiated agreement with the respondent receiving the highest evaluation criteria score through a Request for Qualifications process. This is the first of two, two-year renewal options. The current contract expires December 25, 2020.

6. Funding for Fiscal Year 2020-21 is available in various project funds, while funding for Fiscal Years 2021-22 and 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Walter P. Moore & Associates, Inc.	12/26/20 – 12/25/22	\$225,000.00	2020-21
		\$300,000.00	2021-22
		\$ 75,000.00	2022-23
<b>TOTAL</b>		<b>\$600,000.00</b>	

**Recommendation**

The resolution be approved.

**26 Resolution - Approving As-Needed Expenditures with Glass Doctor of North Texas in an Amount Not to Exceed \$175,000.00 for Glass and Storefront Repair Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department – Facilities Maintenance Division and the Parks & Recreation Department.
2. **Impact:** Approval of this item will allow the city to procure as-needed glass and storefront repair services quickly and efficiently in order to maintain the security and safety of city facilities.
3. A Vendor/Member contract between the City of Irving and Glass Doctor of North Texas was approved on January 17, 2019 by RES-2019-21. The contract supports utilization of BuyBoard Contract No. 577-18 for Building Maintenance, Repair, & Operations (MRO) Supplies & Equipment, which has been renewed by BuyBoard through November 30, 2021.
4. **This item will be discussed with the Transportation & Natural Resources Committee on November 12, 2020.**
5. Funding is available in various departmental budgets within various funds.
6. Because this contract runs from December 2020 through November 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.

<b>Vendor</b>	<b>Contract Term</b>	<b>Estimated Amount</b>	<b>Fiscal Years</b>
Glass Doctor of North Texas	12/1/20 – 11/30/21	\$155,000.00	2020-21
		\$ 20,000.00	2021-22
<b>TOTAL NOT TO EXCEED AMOUNT</b>		<b>\$175,000.00</b>	

**Recommendation**

The resolution be approved.

**27 Resolution - Rejecting All Proposals for Waterproofing Exterior of Irving City Hall**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** Waterproofing the City Hall building will repair voids in the exterior surface of the building and will prolong the life of the building, and changing the color of the building and parking garage will provide the opportunity to rejuvenate the City Hall complex.
3. In March 2020, Request for Proposals (RFP) No. 097D-20F was issued for Waterproofing Exterior of Irving City Hall. Seven responses were received and evaluated; however, the award was put on hold due to budgetary constraints associated with the COVID-19 pandemic.
4. Although funding is now available to proceed with this work, in the interim it has been decided that it would be favorable to change the color of the City Hall building and parking garage structure, something that was not part of the scope as presented in the original specifications.
5. Staff recommends rejection of all proposals in order to revise the scope and reissue the RFP.

**Recommendation**

The resolution be approved.

**28 Resolution - Authorizing As-Needed Expenditures with Holt Texas, LTD., in the Total Estimated Amount of \$70,000.00 for As-Needed Equipment Rentals through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Solid Waste Services and Parks & Recreation departments.
2. **Impact:** Approval of this item will allow Solid Waste Services to rent various equipment in order to stay in compliance with TCEQ requirements for waste disposal and onsite projects at the landfill. It will also allow the Parks & Recreation Department to rent specialty equipment for various projects and obtain electrical generators for city sponsored special events. This contract will also be available to additional departments with potential heavy equipment rental needs such as Traffic & Transportation and Water Utilities.
3. A Vendor/Member contract between the City of Irving and Holt Texas Ltd., was approved on August 2, 2018 by RES-2020-286. This contract supports the utilization of BuyBoard Contract No. 565-18 for Rental Services for Construction, Other Equipment & Vehicle Rentals, which has been renewed by BuyBoard through June 30, 2021.
4. Funding for Fiscal Year 2020-21 is available in the Parks & Recreation Department budget within the General Fund, the Solid Waste Enterprise Fund, and in various other departmental budgets within various funds.

Vendor	Spending Term	Total Estimated Amount
Holt Texas, Ltd.	11/13/20 – 6/30/21	\$ 70,000.00

**Recommendation**

The resolution be approved.

**29 Resolution - Approving the Purchase from Associated Supply Company, Inc., for a 2021 Skid Steer Case TV450B Compact Track Loader in the Total Estimated Amount of \$105,233.29 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and

approved by the Fleet Services Division.

2. **Impact:** Addition of a supplemental vehicle will increase effectiveness and better support the needs of city departments and the residents of Irving.
3. A Vendor/Member contract between the City of Irving and Associated Supply Company, Inc., was approved on January 30, 2020 by RES-2020-42. This contract supports the utilization of BuyBoard Contract No. 597-19 for Construction, Road, Bridge, Ditching, Trenching, Utility and Other Equipment, which expires on November 30, 2020.
4. Funding in the amount of \$105,233.29 is available in the Municipal Drainage Fund.

Vendor	Item Description (Quantity)	Total Estimated Expenditure	Fund
Associated Supply Company, Inc.	2021 Skid Steer - Case TV450B Compact Track Loader (1)	\$105,233.29	Municipal Drainage

**Recommendation**

The resolution be approved.

**30 Resolution - Approving the Purchase from Interstate Trailers, Inc., for Three 2021 Interstate Model 40DLA Trailers in the Total Estimated Amount of \$65,602.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Parks & Recreation and Capital Improvement Program departments and approved by the Fleet Services Division.
2. **Impact:** The purchase shown below will allow for replacement of older equipment in order to reduce equipment downtime as well as adding supplemental equipment to increase effectiveness, and better support the needs of the Parks & Recreation and Capital Improvement Program departments and residents of Irving.
3. A Vendor/Member contract between the City of Irving and Interstate Trailers, Inc., was approved on May 6, 2020 by Administrative Award No. 6747. The contract supports utilization of BuyBoard Contract No. 599-19 for Refuse Bodies, Trailers, and Other Bodies, which expires on November 30, 2020.
4. Funding is available in the Vehicle & Equipment Replacement and Municipal Drainage funds.
5. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Expenditure	Fund
Parks & Recreation	2021 Interstate Model 40DLA Trailer (2)	20009 59917	\$43,062.00	Vehicle & Equipment Replacement

6. Supplemental trailer purchase is as follows:

Department	Item Description (Quantity)	Total Expenditure	Fund
Capital Improvement Program	2021 Interstate Model 40DLA Trailer (1)	\$22,540.00	Municipal Drainage

**Recommendation**

The resolution be approved.

**31 Resolution - Approving the Purchase from Sam Pack's Five Star Ford of Various Vehicles in the Total Estimated Amount of \$396,758.00 through an Interlocal Cooperative Purchasing Agreement with Tarrant County**

**Administrative Comments**

1. This item is recommended by Fire, Parks & Recreation, Information Technology, Code Enforcement, Traffic & Transportation and Capital Improvement Program 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 and to increase effectiveness and better support the needs of city departments and the residents of Irving.
3. A Vendor/Member contract between the City of Irving and Sam Pack's Five Star Ford, was approved on January 30, 2020 by RES-2019-45. This contract, which supports the utilization of Tarrant County Contract No. 2019-041 for Pickups, Vans and Utility Vehicles, was renewed by Tarrant County through January 14, 2021.
4. Funding is available in the Vehicle & Equipment Replacement Fund.
5. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Expenditure	Fund
Fire	2020 Ford F-350 SRW Long Wheel Base-Red (1)	05170	\$ 55,515.00	Vehicle & Equipment Replacement
Parks & Recreation	2020 Transit 15 Passenger Van (3)	07109 07125 07099	\$ 114,513.00	
Capital Improvement Program	2020 F250 Regular Cab Service Body (2)	19084 19085	\$ 81,334.00	
Information Technology	2020 F150 Crew Cab 2WD (1)	23009	\$31,960.00	
	2020 Transit Cargo 1/2 Ton Low Roof (1)	23003	\$25,418.00	
Code Enforcement	2020 Ford F-150 Regular Cab (2)	28014 28017	\$55,412.00	
Traffic & Transportation	2021 F250 Extended Cab Truck (1)	21074	\$32,606.00	
<b>TOTAL</b>			<b>\$396,758.00</b>	

**Recommendation**

The resolution be approved.

**32 Resolution - Approving the Purchase of Four Dump Trucks from MHC Kenworth in the Total Estimated Amount of \$437,670.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by Traffic & Transportation Department – Streets Division, Capital Improvement Program Department and Parks & Recreation Department and approved by the Fleet Services Division.
2. **Impact:** The purchase shown below will allow for replacement of older equipment in order to reduce equipment downtime as well as adding supplemental equipment to increase effectiveness, and better support the needs of the Capital Improvement Program Department, Parks & Recreation Department and Traffic & Transportation Department – Streets Division and the residents of Irving.
3. These purchases are supported by a Vendor/Member contract between the City of Irving and MHC Kenworth utilizing BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor, which expires on November 30, 2020.

4. Funding is available in the Vehicle & Equipment Replacement and Municipal Drainage funds.
5. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Est. Expenditure	Fund
Traffic & Transportation – Streets Division	2021 T370 Kenworth With Godwin Dump Body (1)	18112	\$103,812.60	Vehicle & Equipment Replacement
Parks & Recreation	T370 Kenworth with 10/12 yard Warren Dump Body (1)	07081	\$116,664.60	
	T370 Kenworth with 5-6 9 yard Warren Dump Body (1)	07082	\$100,328.20	
<b>TOTAL</b>			<b>\$320,805.40</b>	

6. Supplemental vehicle purchase is as follows:

Department	Item Description (Quantity)	Total Est. Expenditure	Fund
Capital Improvement Program	T370 Kenworth with 10-12 yard Dump Truck (1)	\$116,864.60	Municipal Drainage Fund

**Recommendation**

The resolution be approved.

**33 Resolution - Approving the Purchase of Various Vehicles from Rush Truck Center of Texas, LP, in the Total Estimated Amount of \$1,250,595.82 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by Parks & Recreation, Solid Waste Services and Water Utilities 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 and provide the departments with critical resources to maintain optimal services for the Irving community.
3. These budgeted replacements are made in accordance with the city’s vehicle and equipment replacement policy and are supported by a Vendor/Member contract between the City of Irving and Rush Truck Centers of Texas, LP, utilizing BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor, which expires on November 30, 2020.
4. Funding is available in the Vehicle & Equipment Replacement, Water & Sewer System, and Solid Waste Operating funds.

5. Budgeted replacements are as follows:

Department	Item Description (Qty)	Replaces City Tag #	Total Est. Expenditure	Fund
Parks & Recreation	Hino 155/M4 Dump (1)	07114	\$ 76,372.71	Vehicle & Equipment Replacement
	Hino 155/M4 Landscape (2)	07153 07151	\$147,932.00	
Water Utilities	2020 Peterbilt 348 Vaccon Jetter (1)	32239	\$480,075.25	Water & Sewer System
Solid Waste Services	2021 Peterbilt 567/ 27 yd Heil Rear Loader (2)	06219 06222	\$546,215.86	Solid Waste Operating
<b>TOTAL</b>			<b>\$1,250,595.82</b>	

**Recommendation**

The resolution be approved.

**34 Resolution - Approving the Purchase from Caldwell Country Chevrolet of Various Vehicles in the Total Estimated Amount of \$2,140,999.11 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by Capital Improvement Program, Parks & Recreation, Inspections, Police, Water Utilities, Solid Waste Services, Traffic & Transportation departments, and Traffic & Transportation Department – Streets Division 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 enhance mobility for the safe and effective transit of motorists throughout the City of Irving.
3. A Vendor/Member contract between the City of Irving and Caldwell Country Chevrolet was approved on October 21, 2020 by Administrative Award No. 7005. The contract supports utilization of BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor, which expires on November 30, 2020.
4. Funding is available in the Vehicle & Equipment Replacement, Non-Bond CIP and Water and Sewer System funds.

5. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Expenditure	Fund	
Inspections	2021 Chevrolet 1500 Silverado 4X2 CC10903 Double Cab, 4.3L, V6(1)	11115	\$ 30,345.00	Vehicle & Equipment Replacement	
Police	2021 Chevrolet 2500 Silverado 4X2 CC25903 Double Cab, 6.6L, V8 (2)	04429 04430	\$121,474.00		
	2021 Tahoe PPV 7X3 CC15706, 5.3L, V8 – K9, Tactical and Patrol (15)	N/A	\$792,381.67		
	2021 Tahoe PPV CC 15706, 5.3L, V8 (2)	N/A	\$ 91,734.44		
	2021 Chevrolet Traverse LS 1NB56, 3.6L, V6 (7)	N/A	\$202,580.00		
Parks	2021 Chevrolet 1500 Silverado 4X2 Crew Cab CC1090 (1)	07206	\$ 37,537.00	Vehicle & Equipment Replacement	
	2021 Chevrolet Silverado 3500 Regular Cab CC31003 (1)	07155	\$ 64,928.00		
Department	Item Description (Quantity)	Replaces City Tag #	Total Expenditure	Fund	
Parks	2021 Chevrolet 2500 HD Silverado 4X2 Regular Cab, (2)	07176 07110	\$ 71,544.00	Vehicle & Equipment Replacement	
Streets	2021 Chevrolet 2500 HD Silverado CC20903 (5)	18125 18128 18129 18130 18131	\$202,023.00		
CIP	2021 Chevrolet 2500 Silverado 4X4 Crew Cab CC20903 (1)	19063	\$ 44,132.00		
Water	2021 Chevrolet Silverado 3500 Double Cab CC31003 (3)	32194 32197 32246	\$173,343.00		
	2021 Chevrolet 1500 Silverado 4X2 Crew Cab CC10903 (2)	32174 32221	\$ 63,062.00		
Water	2021 Chevrolet 5500 Medium Silverado CC56403 4X4 Crew Cab (1)	32133	\$ 81,625.00		
	2021 Chevrolet Traverse LS 1NB56 (1)	32196	\$ 40,870.00		
Traffic	2021 Chevrolet Silverado 4500 Medium 4X4 Crew Cab CC56403 truck (1)	21070	\$ 83,115.00		
Solid Waste	2021 Chevrolet 2500 HD 4X2 Crew Cab CC20903 (1)	06215	\$ 40,305.00		Non-Bond CIP
<b>TOTAL</b>			<b>\$2,140,999.11</b>		

**Recommendation**

The resolution be approved.

**35 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Siddons-Martin Emergency Group, LLC, through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Fleet Services Division and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Siddons-Martin Emergency Group, LLC, for the utilization of H-GAC Contract No. FS12-19, which expires November 30, 2021, will allow the city to procure fire apparatus equipment under the best possible terms and conditions for the city.
3. Approval of this contract supports the purchase of the fire apparatus as presented in the following item on this agenda as well as any future purchases from this vendor through the designated H-GAC contract for the specified contract term.

**Recommendation**

The resolution be approved.

**36 Resolution - Approving the Purchase from Siddons-Martin Emergency Group, LLC, for a 2021 Pierce Dash PUC Pumper in the Total Estimated Amount of \$774,169.06 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 the pumper 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 the shop personnel required to service the pumper.

3. The pumper will replace City Tag No. 05160 – a 2010 Spartan Gladiator. Siddons-Martin Emergency Group, LLC is applying a pre-payment discount of \$22,206.00 and a preferred customer discount of \$60,317.94 for a total discount of \$82,523.94.
4. 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. FS12-19 which expires on November 30, 2021 and is presented as the previous item on this agenda.
5. Funding in the amount of \$774,169.06 is available in the Vehicle & Equipment Replacement Fund.

Vendor	Item Description	Total Expenditure	Fund
Siddons-Martin Emergency Group, LLC	2021 Pierce Dash PUC Pumper	\$774,169.06	Vehicle & Equipment Replacement

**Recommendation**

The resolution be approved.

**37 Resolution - Approving Expenditures with SHI Government Solutions for Annual Software Subscription Renewals and Support for Malwarebytes in the Total Estimated Amount of \$103,830.00 and for AutoCAD in the Total Estimated Amount of \$48,840.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Information Technology Department and the Capital Improvement Program Department.
2. **Impact:** This item allows for the purchase of annual software subscription renewals that keeps the city software legally licensed and under support.
3. Malwarebytes software and support is critical to the City’s cyber security program. This software includes functionality that provides proactive threat mitigation and scanning capabilities of potential malware that could be introduced into the city’s network. It is installed on city servers and on employee computers and laptops in order to mitigate cyber security risk for the city through proactive identification and quarantining of network and endpoint malware threats.

4. AutoCAD software is used by the city's engineers to design infrastructure projects, to analyze hydraulics and flow of utility lines, and to review plan documents submitted by consultants and developers. It is also used by the city's survey team to import and manipulate topographic data collected in the field.
5. These expenditures are supported by a Vendor/Member contract between the City of Irving and SHI Government Solutions, Inc., which was approved by RES-2020-33 on January 16, 2020 for utilization of BuyBoard Contract No. 579-19 for Technology Equipment, Products, Services & Software. The current contract expires on December 31, 2020.
6. Funding in the amount of \$103,830.00 is available in the Technology Fund, and funding in the amount of \$48,840.00 is available in the Capital Improvement Program budget within the General Fund.

### **Recommendation**

The resolution be approved.

### **End of Bids**

## **38 Ordinance - Amending Chapter 16B Entitled "Convention and Visitors Bureau and Arts Center" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Amending the Qualifications of Members and Terms of Office**

### **Administrative Comments**

1. This item has been recommended by the Irving Convention and Visitors Bureau.
2. **Impact:** Amending the qualifications of members will provide for broader participation on the Board of Directors by the industry.
3. With the AT&T Byron Nelson moving to McKinney with a long-term commitment, the Irving Convention and Visitors Bureau Board of Directors has requested the non-voting ex officio seat on its board previously held by the Salesmanship Club of Dallas Byron Nelson tournament be changed to a Hospitality Industry At-Large position.
4. Upon adoption of these changes by the City Council, the Bylaws for the Irving Convention and Visitors Bureau Board of Directors will be updated correspondingly for review and adoption by the Board.

### **Recommendation**

The ordinance be adopted.

## INDIVIDUAL CONSIDERATION

- 39 Ordinance - Public Hearing and First Reading – an Ordinance Forgiving the Differential in Municipal Drainage Utility Fees Paid on Approximately 3,400 Accounts; Authorizing City Staff to Begin Billing the Correct Current Rate on January 1, 2021; Providing for Penalty; Providing a Severability Clause; Providing a Savings Clause; and Providing an Effective Date**

### Administrative Comments

1. This item has been recommended by the Capital Improvement Department.
2. **Impact:** City staff audit and review found 3,400 accounts with incorrect Municipal Drainage Utility codes and fee charges. These MDU codes and fee charges were incorrectly entered as a lesser charge category upon creation of accounts on previous Customer Service System. This ordinance will forgive the differential in fees paid and authorize staff to begin billing the correct current rate on January 1<sup>st</sup>, 2021.
3. Funding is not required.

### Recommendation

The ordinance be adopted.

- 40 Resolution - Approving the Allocations of the Community Development Block Grant COVID-19 Funds to Non-Profit Organizations in the Amount of \$254,336**

### 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 August 3, 2020 through August 21, 2020. The Housing and Human Services Board sub-committee reviewed all the submitted applications and recommended funding all the requests totaling \$254,336.
7. Funding in the amount of \$254,336 is available in the Outside Services budget within the Community Development Block Grant COVID-19 Fund.

### **Recommendation**

The resolution be approved.

## **ZONING CASES AND COMPANION ITEMS**

- 41 Ordinance - Zoning Case ZC20-0040 - Considering a Proposed Zoning Change from S-P-2 (Generalized Site Plan) District for ML-20 (Light Industrial) Uses to S-P-2 (Generalized Site Plan) District for ML-20 (Light Industrial) and Restaurant with Outdoor Seating Uses - Approximately 2.4 Acres Located at 3090 Rock Island Rd - Service First Mechanical, LLC, Owner/Applicant**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 2, 2020 – Favorable 9-0.
2. The property was rezoned from C-N to S-P-2 for ML-20 uses in February 2006 to allow a reduction in the side yard setback. It is developed with a 5,261 sq. ft. single story industrial office building. The applicant is planning to construct additional buildings on the site which may include restaurants with outdoor seating and/or drive through service. **The proposed rezoning would retain all the remaining permitted uses in the ML-20 (Light Industrial) district and allow restaurants with drive-through lanes and outdoor seating.**
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 being for mixed-use commercial areas along major corridors with opportunities for residential and commercial infill and reinvestment. The requested use is in conformance with the Comprehensive Plan.
4. The applicant is proposing a S-P-2 zoning with a Generalized Concept Plan to add additional uses and to remove certain allowed uses under the ML-20 (Light Industrial) District requirements with the following variances:

Uses to be Added	Uses To Be Removed
<ul style="list-style-type: none"> <li>a. Café or Restaurant</li> <li>b. Restaurant with Drive through service</li> <li>c. Restaurant with outdoor dining (limited to a distance of 100 feet from south property line)</li> <li>d. Outside storage as an accessory use</li> </ul>	<ul style="list-style-type: none"> <li>a. Railroad passenger and freight station</li> <li>b. Motor freight and trucking terminals</li> <li>c. Automotive repair garage</li> <li>d. Gasoline service station</li> <li>e. Outside storage as a primary use</li> </ul>

Variances	Required	Provided
Side Yard Setback	15 feet	5 feet <b>Exception Required (approved in 2006 case)</b>
Rear Yard Setback	30 feet	60 feet Meets/Exceeds
Distance between detached buildings	30 feet	10 feet <b>Exception Required</b>

5. The proposed Generalized Site Plan illustrates four (4) additional buildings of approximately 5,000 sq. ft. on the site; however the ultimate development could provide more or fewer structures under the allowed zoning. In addition to the standard development notes, **the site plan also notes the additional following limitations:**

- a. **Outside storage shall not be permitted within 100 feet of the south property line.**
- b. **Dumpsters and mechanical equipment shall not be permitted within 60 feet of the south property line.**
- c. **No building signage on south end of the building nearest the south property line.**
- d. **No overnight parking of semi-trucks and trailers nearer than 70 feet from the residential property.**
- e. **No building shall exceed 35 feet in height within 200 feet of the south property line.**

6. The proposed use will be compatible with the surrounding uses in the area with the City's warehouse and parking lot to the east, a telephone switching station to the west, and the City's Briery Yard for vehicle storage and maintenance to the north across the railroad. The area is primarily used for warehouse and industrial type

uses along this portion of Rock Island, with the only residential being to the south.

7. A total of 21 public notices were mailed. Staff has received two (2) responses in support and none in opposition to this request.
8. Since the proposed zoning provides additional restaurant opportunities for the adjacent commercial and residential in the area and is in conformance with the Comprehensive Plan, staff can support this request.
9. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

### **Recommendation**

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

## **42 Ordinance - Zoning Case ZC20-0045 - Considering a Proposed Zoning Change from C-C (Community Commercial) District 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) Uses - Approximately 1,132 Sq. Ft. Located at 3711 N. Belt Line Rd - Muda Mangal Foods, LLC, DbA Cafe Mandu, Applicant; RNDM Investments, LLC, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 2, 2020 – Favorable 9-0.
2. The subject property is a 1,132 square foot lease space in a multi-tenant retail center. The multi-tenant building is part of an approximately 2.38-acre retail center with shared parking. **The applicant is proposing rezoning to allow an existing restaurant to sell alcoholic beverages for on-premises consumption.** The sale of alcoholic beverages for on-premises consumption is allowed only in the S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) district.
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 with opportunities for residential and commercial infill and reinvestment. The requested zoning is in conformance with the Comprehensive Plan.
4. The restaurant area has 36 interior seats. A total of 15 parking spaces are required at one space for each 2.5 seats. These spaces can be provided from the existing 127 spaces that exist within the shopping center. No outdoor seating is proposed.
5. The proposed request meets all of the S-P-1 for R-AB zoning district requirements.

6. A total of nine (9) public notices were mailed. Staff has received one (1) response in support and none in opposition to this request.
7. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

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

- 43 Ordinance - Zoning Case ZC20-0049 - Considering a Comprehensive Plan Amendment Changing the Recommended Future Land Use from "Mid-Density Residential" to "Compact Neighborhood" and a Zoning Change from M-FW (Freeway) District to C-N (Neighborhood Commercial) District on Tract 1 and S-P-2 (Generalized Site Plan) District for R-ZLa (Zero Lot Line) Uses on Tract 2 - Approximately 7.9136 Acres Located at the Northeast Corner of State Highway 161 and Walnut Hill Ln - JDJR Engineers & Consultants, Inc, Applicant; Casey Harrington, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 2, 2020 – Favorable 9-0, subject to reserving at least 16,000 square feet for HOA lot area in Tract 2. The stipulation of the Planning and Zoning Commission has been met.
2. The property is currently vacant. **The applicant is planning to develop the property with Tract 1: one (1) lot for C-N (Neighborhood Commercial) district uses with no variances, and Tract 2: zero lot line single family lots including common area lots with variances to the R-ZLa (Zero Lot Line) district regulations.**
3. Comprehensive Plan Analysis
  - a. The 2017 Imagine Irving Comprehensive Plan (IICP) Future Land Use Map recommends *Mid-Density Residential* uses for this property. This land use category is described as follows: Moderate density residential areas with some mix of uses; predominantly two and three story buildings either entirely residential or residential with ground floor non-residential uses; pedestrian-designed buildings and streets. Net units per acre: 25-50  
  
The requested use is not in conformance with the Comprehensive Plan.
  - b. **The proposed Future Land Use amendment is to Compact Neighborhood.** This land use category is described as follows: Predominantly single-family homes with a diverse mix of building types including small lot cottage homes, clustered courtyard homes, townhouses,

rowhouses, and small-scale apartment buildings; some mix of non-residential uses, especially at intersections and commercial corners. Net units per acre: 10-40

- c. The 2017 Imagine Irving Comprehensive Plan requires that if an area that is designated and/or developed as residential desires to transition to a different residential use, the City of Irving should require the following:
- i. The area is physically appropriate (i.e., size, shape, etc.) for the proposed residential use.
  - ii. The area provides adequate access and parking capacity required for the proposed residential development.
  - iii. The rezoning will not create any foreseeable negative impacts on the adjacent uses.
  - iv. The area is physically appropriate (i.e., size, shape, etc.) for non-residential use.
  - v. The area is adjacent to nonresidential zoning and not separated from other nonresidential zoning by a major thoroughfare (or larger) or the nonresidential use is part of a mixed-use development.
  - vi. The rezoning does not allow non-residential traffic to negatively impact established and proposed future neighborhoods, schools, and/or parks.
  - vii. The rezoning does not leave any residual tracts of residentially zoned property or an area designated for residential uses on the generalized Future Land Use Map that cannot be developed in residential uses.
  - viii. The rezoning provides for an appropriate transition between non-residential and residential uses through separation by distance, screening, or land use, if positive integration of residential and non-residential land uses cannot be accomplished.
  - ix. The rezoning provides for an appropriate transition between non-residential and residential uses through separation by distance, screening, or land use, if positive integration of residential and non-residential land uses cannot be accomplished.
  - x. The non-residential use is the same intensity or is compatible in density and intensity with the existing or adjacent/surrounding land uses.

The applicant has provided a letter of justification for the requested amendment that states the size and shape of the property is suitable for both uses, it has appropriate access and parking, the non-residential traffic will not interfere with the residential traffic, and the proposed development does not leave any tracts isolated and unusable and is compatible with the adjacent

townhouse development with similar variances.

- d. **This Compact Neighborhood use category will accommodate both the requested zero lot line homes on Tract 2 and the neighborhood commercial uses on Tract 1.** The applicant has provided a letter of justification for the requested amendment that states the size and shape of the property is suitable for both uses, it has appropriate access and parking, the non-residential traffic will not interfere with the residential traffic and the proposed development does not leave any tracts isolated and unusable and is compatible with the adjacent townhouse development.

4. Zoning Analysis

- a. The property is currently zoned M-FW (Freeway) District. The property is also in the State Highway 161 Overlay District Segment 2C which does not allow residential uses of any kind by right.
- b. The owner wants to rezone Tract 1 for C-N (Neighborhood Commercial) uses and Tract 2 for development of zero lot line single family residential lots with the following variances to the R-Z1a (Zero Lot Line) district requirements:

	Required	Provided
Minimum Lot Depth	90 feet	85 feet
Minimum Rear Yard Setback	10-feet for 1-story 15 feet for 2-stories	10 feet for 1 or 2 stories
Maximum Lot Coverage By Principal Building	60 %	70 %

- c. The proposed S-P-2 generalized site plan notes that all other requirements of the R-Z1a (Zero Lot Line) District will be met. Each home will provide a two car garage and two parking spaces on the driveway within the 25 ft. setback as required by the district.
  - d. Tract 1 is proposed to be zoned C-N (Neighborhood Commercial) District with no variances or exceptions necessary for the development.
5. Since the proposed zoning on Tract 2 is for zero lot line home development with only two variances and will be compatible with the adjacent townhouse development, and since the proposed neighborhood commercial zoning on Tract 1 is a compatible transition between the residential zoning and State Highway 161, staff can support this request.
  6. A total of 44 public notices were mailed. Staff has received one (1) response in support and four (4) responses in opposition to this request. The opposition represents 2.46% of the land area within 200 feet of the subject property. Since this

is less than 20%, per state law a ¾-vote is not required for approval.

7. The Planning and Zoning Commission questioned how the HOA lots are to be used. After discussion, the applicant agreed to provide 16,000 sq. ft. of HOA lot area at the time of platting.
8. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

### **Recommendation**

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

- 44 Ordinance - Zoning Case ZC20-0050 - Considering a Comprehensive Plan Amendment Changing the Recommended Future Land Use from "Residential Neighborhood" to "Compact Neighborhood" and a Zoning Change from M-FW (Freeway) District to S-P-2 (Generalized Site Plan) District for R-ZLa (Zero Lot Line) Uses on Tract 1 and C-N (Neighborhood Commercial) District on Tract 2 - Approximately 12.18 Acres Located at 4201 N. Belt Line Rd - JDJR Engineers & Consultants, Inc, Applicant; Casey Harrington, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 2, 2020 – Favorable 8-1 (Commissioner Collins, nay), subject to reserving a minimum of 9,000 square feet of HOA lot area in Tract 1. The stipulation of the Planning and Zoning Commission has been met.
2. The property is currently vacant. **The applicant is planning to develop the property with Tract 1: zero lot line single family lots including common area lots with variances to the R-Zla (Zero Lot Line) regulations, and Tract 2: two (2) lots for C-N (Neighborhood Commercial) district uses with no variances.**
3. Comprehensive Plan Analysis
  - a. The 2017 Imagine Irving Comprehensive Plan (IICP) Future Land Use Map recommends *Residential Neighborhood* uses for this property. These land use category is described as predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses. The requested use is not in conformance with the Comprehensive Plan.
  - b. **The proposed Future Land Use amendment is to *Compact Neighborhood*.** This land use category is for predominantly single-family homes with a diverse mix of building types including small lot cottage homes, clustered courtyard homes, townhouses, rowhouses, and small-scale

apartment buildings. Some mix on non-residential uses, especially at intersections and commercial corners. Net units per acre: 10-40.

- c. The 2017 Imagine Irving Comprehensive Plan requires that if an area that is designated and/or developed as residential desires to transition to a different residential use, the City of Irving should require the following:
- i. The area is physically appropriate (i.e., size, shape, etc.) for the proposed residential use.
  - ii. The area provides adequate access and parking capacity required for the proposed residential development.
  - iii. The rezoning will not create any foreseeable negative impacts on the adjacent uses.
  - iv. The area is physically appropriate (i.e., size, shape, etc.) for non-residential use.
  - v. The area is adjacent to nonresidential zoning and not separated from other nonresidential zoning by a major thoroughfare (or larger) or the nonresidential use is part of a mixed-use development.
  - vi. The rezoning does not allow non-residential traffic to negatively impact established and proposed future neighborhoods, schools, and/or parks.
  - vii. The rezoning does not leave any residual tracts of residentially zoned property or an area designated for residential uses on the generalized Future Land Use Map that cannot be developed in residential uses.
  - viii. The rezoning provides for an appropriate transition between non-residential and residential uses through separation by distance, screening, or land use, if positive integration of residential and non-residential land uses cannot be accomplished.
  - ix. The rezoning provides for an appropriate transition between non-residential and residential uses through separation by distance, screening, or land use, if positive integration of residential and non-residential land uses cannot be accomplished.
  - x. The non-residential use is the same intensity or is compatible in density and intensity with the existing or adjacent/surrounding land uses.

The applicant has provided a letter of justification for the requested amendment that states the size and shape of the property is suitable for both uses, it has appropriate access and parking, the non-residential traffic will not interfere with the residential traffic and the proposed development does not leave any tracts isolated and unusable and is compatible with the adjacent townhouse development with similar variances.

- d. **This Compact Neighborhood use category will accommodate both the requested zero lot line homes on Tract 1 and the neighborhood commercial uses on Tract 2.**

4. Zoning Analysis

- a. The property is currently zoned M-FW (Freeway) District. The property is also within the State Highway 161 Overlay District Segment 2C, which does not allow residential uses of any kind by right. The property is adjacent to a 100 foot wide electric transmission right of way to the north.
- b. The owner is proposing to rezone Tract 2 for neighborhood commercial uses and Tract 1 for development of zero lot line single family residential lots with the following variances to the R-Z1a (Zero Lot Line) district requirements:

	Required	Provided
Minimum Lot Depth	90 feet	85 feet
Minimum Rear Yard Setback	10 feet for 1-story 15 feet for 2-stories	10 feet for 1 or 2 stories
Maximum Lot Coverage By Principal Building	60 %	70 %

- c. The proposed S-P-2 generalized site plan notes that all other requirements of the R-Z1a (Zero Lot Line) District will be met. Each home will provide a two car garage and two parking spaces on the driveway within the 25 ft. setback as required by the district.
- d. Tract 2 is proposed to be zoned C-N (Neighborhood Commercial) District with no variances or exceptions necessary for the development.
- e. A significant portion of the development site is within the floodplain. The below items are not zoning issues but have been provided to the applicant and will need to be addressed at the time of platting and/or resolved prior to development of the site:
  - i. The houses will need to be removed from the floodplain with a LOMR-F for each structure.
  - ii. The road cannot be encroaching into the floodway or floodplain.
  - iii. The development will need a retaining wall that the City will not maintain.
  - iv. Lot 9 will also have a privately maintained retaining wall.
  - v. Emergency access must be available during a 100 year flood.
  - vi. Address the sheet flows through the properties.

5. Since the proposed zoning on Tract 1 is for zero lot line home development with variances consistent with adjacent single family development, the proposed neighborhood commercial zoning and is compatible to surrounding zoning, and since all floodway and floodplain issues must be resolved prior to platting the development, staff can support this request.
6. A total of 28 public notices were mailed. Staff has received no responses in support and nine (9) responses in opposition to this request. The opposition represents 5.04% 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.
7. The Planning and Zoning Commission questioned how the HOA lots are to be used. After discussion, the applicant agreed to provide 9,000 sq. ft. of HOA lot area at the time of platting.
8. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

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

**45 Ordinance - Zoning Case ZC20-0053 - Considering a Zoning Change From S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) and Hotel Uses to S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) and Hotel Uses - Approximately 4.81 Acres Located at 2350 Valley View Ln - JDJR Engineers & Consultants, Inc, Applicant; Kapas Hospitality II LLC, Owner; Barbosa Professional Services, Agent**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 2, 2020 – Favorable 9-0.
2. The applicant is proposing to revise the existing approved Site Plan for hotel to reduce the number of rooms from 175 to 125, and reduce the meeting space from 2,000 square feet to 1,450 square feet.
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, with parking in front with buildings set back from the street. **The requested zoning is in conformance with the Comprehensive Plan.**

4. On September 19, 2019, the City Council approved a 5-story Avid/Staybridge Suites hotel on the subject lot. The hotel was approved to have 175 rooms, 2,000 square feet of meeting room, and no full-service restaurant. It was granted 25% reductions in the required parking count for on-site parking. The rest of the parking was to be provided in an Oncor easement.
5. The applicant is requesting approval for a 125-room hotel. This hotel includes approximately 1,450 square feet of meeting space along with the fitness center as previously approved. This hotel has a significantly reduced lobby/"great room" area than previously approved. The building is in the same general location with a slightly different footprint.
6. Approximately 1/3 of the site (along the western side of the property) is encumbered by a 140-foot wide Oncor easement that contains overhead power lines. A 40-foot wide gas easement traverses the northern portion of the site. The applicant has an approved reduction of the required landscape buffer along State Highway 183 from 30 feet to 20 feet to meet fire lane requirements.
7. A total of 137 parking spaces would be required with no variances, at one space for each of the 125 rooms, and eight spaces for each 1,000 square feet of meeting space. The applicant proposes to provide 101 spaces on site and outside the Oncor easement. Additionally, a total of 36 spaces will be provided in the Oncor easement with their approval. The site plan includes a note stating shuttle service to both area airports will be provided.
8. In late 2019 and early 2020, the Irving Convention and Visitors Bureau (ICVB) and City Planning staff made several recommendations for changes to the Hotel Development Standards. Before staff could follow up with meetings with representatives of the hotel industry, the COVID-19 pandemic arrived, and staff was unable to proceed with preparation of an ordinance. These recommendations were predicated on the idea that these would be the minimum requirements for approval by the City Council. While these changes were not formally adopted by the Council, they can still be used to evaluate the appropriateness of certain requested variances to the current hotel standards.

	<b>Required</b>	<b>Recommended by ICVB</b>	<b>Previously Approved</b>	<b>Proposed</b>
<b>Room Count</b>	200 rooms	125 rooms	175 rooms	<b>125 rooms</b>
<b>Meeting Space</b>	5,000 sq. ft.	500 sq. ft. outside Urban Center	2,000 sq. ft.	<b>1,450 sq. ft.</b>
<b>Restaurant</b>	Full service restaurant (Breakfast and Dinner)	Continental breakfast, and pantry with food available for purchase	Continental breakfast, and pantry with food available for purchase	<b>Continental breakfast, and pantry with food available for purchase</b>
<b>Parking</b>	One space for room  Eight spaces for each 1,000 sq. ft. of meeting space	One space for room  Eight spaces for each 1,000 sq. ft. of meeting space	0.75 spaces per room (25% reduction)  Six spaces per 1,000 sq. ft. of meeting space (25%) reduction  143 spaces provided outside the Oncor easement.  Total of 202 spaces, including 59 in the Oncor easement	<b>0.75 spaces per room= 94 spaces</b>  <b>Six spaces per 1,000 sq. ft. of meeting space= 7 spaces</b>  <b>101 spaces provided outside the Oncor easement.</b>  <b>Total of 137 spaces, including 36 in the Oncor easement</b>
<b>Number of Stories</b>	NA		5	<b>5</b>
<b>Landscape Buffer</b>	30 ft.		20 ft.	<b>20 ft.</b>
<b>Pool</b>	NA		Outside	<b>Outside</b>

9. While the meeting space and restaurant variances are significant, they meet or exceed the minimum standards recommended by the ICVB.
10. The proposed hotel is expected to meet all the remaining requirements for the development of a hotel, including Fire code.
11. Since the proposed variances meet or exceed the minimum standards recommended by the ICVB, including the minimum of 125 rooms, staff can support this request.
12. A total of 14 public notices were mailed. Staff has received no responses in support

or in opposition to this request.

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

### **Recommendation**

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

- 46 Ordinance - Zoning Case ZC20-0055 and Multifamily Concept Plan MF20-0003 - Considering a Comprehensive Plan Amendment Changing the Recommended Future Land Use from "Business District" to "Mid-Density Residential," a Zoning Change from FWY (Freeway) District and S-P-2 (Generalized Site Plan) for C-C (Community Commercial) District and Travel Services Uses to S-P-2 (Generalized Site Plan) District for R-MF-2 (Multifamily) Uses, and Multifamily Concept Plan MF20-0003 - Approximately 11.019 Acres Located at 4701 W. Royal Lane - Avion Management Company, LLC, Owner; CSE, Applicant (Postponed Indefinitely on October 22, 2020)**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 5, 2020 – Favorable 8-0 (Commissioner Kliner, absent).
2. The applicant is requesting a Comprehensive Plan Amendment, zoning change, and Multifamily Concept Plan to develop the property with a **392-unit multifamily development** with a density of 35.57 units/acre, including 38 efficiencies, 213 one-bedroom units, and 141 two-bedroom units.
3. Comprehensive Plan Amendment
  - a. The 2017 Imagine Irving Comprehensive Plan (IICP) recommends *Business District* uses for the subject property. Flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking.
  - b. The proposed Future Land Use amendment is to Mid-Density Residential. This land use category is for moderate density residential areas with some mix of uses. Predominantly two- and three-story buildings, either entirely residential, or residential with ground floor non-residential uses. Pedestrian-design buildings and streets. Net units per acre: 25-50
  - c. The 2017 Imagine Irving Comprehensive Plan requires that if an area that is designated and/or developed as non-residential desires to transition to a

residential use, the City of Irving should require the following:

- i. The area is physically appropriate (i.e., size, shape, etc.) for residential use.
- ii. The area is adjacent to a residential neighborhood shown on the generalized Future Land Use Map and is not separated from the neighborhood by a major thoroughfare (or larger), or the residential use is a part of a mixed-use development.
- iii. The rezoning will not result in a shortage of land designated for non-residential development.
- iv. The rezoning does not leave a residual tract of non-residentially zoned property that does not conform to the generalized Future Land Use Map, or that negatively affects the proposed residential use.
- v. The rezoning provides for an appropriate transition between residential and non-residential uses through separation by distance, screening, or land use (i.e., creek, four-lane roadway, etc.), if integration of residential and non-residential land uses into a mixed use environment is not achievable.

The applicant has provided a letter of justification for the requested amendment that states the proposed uses are acceptable in this location because it will provide affordable housing in an area with a large employment base, with the intent to create a mix of uses with residential and future commercial development that work together. The applicant explains that the residential and park like environment will help to attract future business.

**Staff disagrees that this area is suitable for residential uses** based on the applicant's "Community Framework" plan which illustrates that the support services which are essential elements for residential uses are not in close proximity to this proposed development. The nearest school is 2.5 miles away, the nearest medical facility is 1.5 miles, the nearest retail is 1.6 miles and the nearest park is 1.8 miles away.

The plan itself illustrates that the proposed development will be surrounded by typical commercial uses including hotels, warehousing, manufacturing, and offices which are not conducive to a residential development which is not part of a planned mixed-use development. It is also not adjacent to a residential neighborhood, and is separated from other residential by a major thoroughfare, Royal Ln. Additionally, it is not an appropriate transition between residential and non-residential development.

- d. Finally, Strategy 1.5.10 of the Land Use + Urban Design section of the 2017 IICP states "Protect land designated for commercial and industrial uses along major corridors, highways or adjacent to the airport from residential encroachment". **The requested change to Mid-Density Residential on**

**the Future Land Use Map as well as the companion request for rezoning do not support this goal.**

4. Zoning Analysis

- a. The Community Framework Plan shows the site completely surrounded by commercial uses. The DART Belt Line and DFW stations are over 2 miles from the site and the DFW airport over a mile away. A small retail store is over a mile away with the nearest large retail being over 3 miles away. All existing school facilities are more than 2 miles away. The nearest recreational park is over a mile away as well as any health facilities. All of these distances are unwalkable for residents of this development.
- b. The applicant is proposing to rezone the property to S-P-2 (Generalized Site Plan) district for R-MF-2 uses with the following variances:

<b>52-59 Multifamily Regulations</b>	<b>Required</b>	<b>Provided</b>
Minimum Front setback along private street	15 ft plus 5 ft for each story above the first floor 30 ft.	5 ft
Maximum Height	36 ft or 3 stories	55 ft or 4 stories
Minimum Distance between buildings	End to End and Face to End 30 ft	25 ft
Maximum Building Length	200 ft	350 ft
Parking	<del>648 parking spaces</del> <b>640 parking spaces per revised plan received 11/2/20</b>	644 parking spaces including private garages and adjacent tandem spaces <del>1.5% parking variance</del> <b>No parking variance requested per revised plan received 11/2/20</b>
Minimum perimeter landscape area on side or rear property lines adjacent to other multifamily or non-residentially zoned land and private drives	8-ft wide landscape area	5-ft wide landscape area
Minimum parking setback	No parking shall be allowed in the front yard	Parking to be allowed within front setback

- c. The Multifamily Concept Plan must provide 30% open space for the total property, of which 25% is required to be useable open space designed for outdoor living and recreation. Additionally, 25% of the net floor area is

required to be dedicated for children's open space, which is an area specifically designed and allocated for children and youth recreational facilities and improvements. **The Multifamily Concept Plan meets these requirements.**

- d. The Multifamily Concept Plan shows two entrances off of Royal Lane. The primary road through this part of the development is indicated to be a private street in order to provide both parallel and head-in parking. While the interior driveways for the multifamily development are gated, the private street itself is not gated. Traffic staff has indicated a *public* street would not allow on-street parking in the proposed configuration.
  - e. A 24-foot wide grass-crete fire lane is shown between buildings A and D with removable bollards for access. This fire lane must be able to adequately support the weight of a fire apparatus, as required by Fire Code.
  - f. Of the 644 parking spaces being provided, 88 are within individual garages with 88 tandem parking spaces behind the garage door. Additionally, 8.7% of the total number of parking spaces (and 12% of the non-tandem surface parking spaces) are compact spaces. While this meets the ordinance requirements, staff believes this is a high number of compact spaces, and has encouraged the applicant to find ways to reduce the number of compact spaces at the time of building permit should this development be approved.
  - g. Amenities include a pool courtyard, amenity courtyard, a fitness/clubhouse, a dog area, linear park and plaza grove.
  - h. The property is within the 65 DNL Noise Contour Boundary for DFW Airport. Accordingly, any construction must meet building code requirements for noise attenuation.
  - i. The property will need to be platted prior to development.
5. **In summary, the proposed multifamily development is not in keeping with the Comprehensive Plan. It is not near another residential area and does not meet several of the criteria for converting from a nonresidential to a residential use.** While the applicant may build some retail and restaurants in the future, even if these were built it would not provide significant retail services in the area to support the residential development.
6. On October 22, 2020, the applicant requested indefinite postponement of this case. They subsequently requested that the case be placed on the November 12, 2020 hearing date. **The case has been properly re-advertised and new notices were mailed for this hearing date that included the residents who called in to the October 22 Council hearing as listed on the minutes of that meeting.**
7. A total of ten (10) public notices were mailed for the original public hearing. A total of 42 public notices were mailed for the November 12 public hearing, including all that had called in to speak at the October 22, 2020 public hearing. Staff has

received eight (8) responses in support. Staff has received three (3) responses and two (2) emails in opposition to this request, including a letter from DFW Airport. The written opposition is not within 200 feet of the subject property; therefore, a ¾-vote is not required for approval.

8. On November 2, 2020, staff received a revised Zoning Site Plan and Multifamily Concept Plan that includes the following changes from the version previously presented to the City Council:
  - a. Eliminated all 3-bedroom units (replaced with 2-bedroom units)
  - b. Updated the parking requirement to reflect the elimination of the 3-bedroom units
  - c. Eliminated the parking variance request
9. This item support Strategic Objective 3.5 – Effectively plan and manage land use.
10. Staff does not believe multi family is an appropriate use at this location and is not consistent with the Future Land Use map of the Comprehensive Plan.

**Recommendation**

The ordinance be denied.

**47 Ordinance - Zoning Case ZC20-0057 - 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 Hotel 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 Hotel Uses - Approximately 2.645 Acres Located at 455 E. John Carpenter Fwy - Shreem Las Colinas, LLC, Owner/Applicant**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 2, 2020 – Favorable 9-0.
2. The property is currently vacant. On September 19, 2019, the City Council approved Ordinance No. 2019-10265 rezoning the property 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 Hotel. The approved site plan allows the development of two separate hotels (an 8-story 143 room Cambria hotel and a 13-story 150 room Indigo hotel), connected by a 2nd floor outdoor plaza and underground two-level parking garage. Both buildings included the accessory use of the sale of alcoholic beverages for on-premises consumption.

3. **The applicant is requesting a new S-P-1 Site Plan zoning district to remove one of the hotels and include a variance to the required parking.** Since the pandemic has greatly affected the hotel industry, the owner believes the proposed change to remove one of the hotels would make it a more viable project for the property.
4. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. This land use category is described as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings with pedestrian-designed streets and buildings, high quality design and materials and reduced parking requirements.” The proposed use is in conformance with the Comprehensive Plan.
5. In late 2019 and early 2020, the Irving Convention and Visitors Bureau (ICVB) and City Planning staff made several recommendations for changes to the Hotel Development Standards. Before staff could follow up with meetings with representatives of the hotel industry, the COVID-19 pandemic arrived, and staff was unable to proceed with preparation of an ordinance. These recommendations were predicated on the idea that these would be the minimum requirements for approval by the City Council. While these changes were not formally adopted by the Council, they can still be used to evaluate the appropriateness of certain requested variances to the current hotel standards.
6. The amended site plan proposes a 6-story (90-ft. tall), 150 room hotel with a 90-seat full-service restaurant with 3,300 sq. ft. of meeting space and 155 surface parking spaces. Below are the differences between the approval plan and proposed plan.

	<b>Hotel Development Standards</b>	<b>IVCB Proposed Hotel Amendments</b>	<b>Approved 2019 Plan</b>	<b>Proposed Amended Plan</b>
<b>Height</b>	8 Stories preferred (per 2013 Sasaki Las Colinas Urban Center Master Plan)	All hotels and motels located within the Urban Business Overlay District or within Planned Unit Development (PUD) 6 shall be a minimum of six (6) stories high.	8-story hotel (Cambria) and 13 story hotel (Indigo) connected by a 2 <sup>nd</sup> floor outdoor plaza	<b>6-stories (Tower is 90 feet tall – similar to 8 stories)</b>
<b>Rooms</b>	200 rooms	All hotels or motels shall provide a minimum of one hundred twenty-five (125) sleeping rooms	143 rooms (Cambria) and 150 rooms (Indigo)	<b>150 rooms (1 hotel)</b>
<b>Meeting Or Conference Rooms</b>	Combined minimum area of five thousand (5,000) square feet	Minimum 3,500 sq. ft. contiguous meeting space in Urban Center and PUD 6	4,922 sq. ft. (Cambria) and 4,616 sq. ft. (Indigo)	<b>3,300 sq. ft.</b> contiguous meeting space (5,140 sq. ft. inclusive of pre-function space)
<b>Parking</b>	1 space per room 8/1000 sq. ft. for meeting rooms  1 space/5 restaurant seats	0.65 spaces/room with an independent parking study	400 parking spaces required  351 spaces provided (0.88 spaces/room) (12% variance)	199 parking spaces required  155 spaces provided ( <b>0.78 spaces/room</b> ) (22% variance)
<b>Restaurant</b>	Full-service (open to general public for at least breakfast and dinner)	All hotels and motels shall provide guests with a minimum of a continental breakfast and a pantry with food items available for purchase. The pantry must include freezer items	50 seats and 100 seats in two full service restaurants	<b>90 seat full service restaurant</b>

<b>Swimming &amp; Recreation</b>	1,000 sq. ft.	All hotels or motels shall provide a minimum combined area of at least one thousand (1000) square feet of recreational space which may include a swimming pool, exercise rooms, sport courts, spas or game rooms	992 sq. ft. Fitness Center (Cambria) and  2,742 sq. ft., including 1,822 sq. ft. pool and 920 sq. ft. Fitness Center (Indigo)	<b>3,695 sq. ft. Swimming Pool and Deck Provided</b>  <b>650 sq. ft. Fitness Center</b>
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7. The applicant is requesting a 20% parking reduction due to providing an airport shuttle service that will pick-up and drop-off guests at D/FW Airport, and the increased use of ridesharing platforms.
8. The property is platted and the landscaping shall be provided as shown on the attached landscape plan.
9. The 2013 Sasaki Plan accepted by Council recommends 8-stories for this area. While the proposed building is only six (6) stories, the 90-foot tall tower section is equivalent to an eight (8) story building.
10. Since the new variances exceed the minimum requirements recommended by the ICVB to the Council in 2019, and a section of the building is equivalent to eight stories tall, staff can support this request.
11. A total of 11 public notices were mailed. Staff has not received any responses in support and has received one (1) response in opposition to this request. The opposition represents 9.16% of the land within 200 feet of the subject property. Since this is less than 20%, a ¾-vote is not required for approval.
12. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

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

## APPOINTMENTS AND REPORTS

- 48 Resolution - Confirming the Reappointment of Benny Hayes by the City Manager as a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to Fill a Three-Year Term Expiring November 2023**

### **Administrative Comments**

1. This item is recommended by the City Manager's Office.
2. **Impact:** This Commission's decisions are final on cases dealing with Fire and Police personnel and continuity of service on this board is an asset to the process.
3. City Manager Chris Hillman recommends the reappointment and confirmation of Benny Hayes to a three-year term expiring in 2023 on the Civil Service Commission. This is a three member board.

### **Recommendation**

The resolution be approved.

- 49 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 10.
4. The terms for most of these appointments expire in November 2022.

### **Recommendation**

The resolution be approved.

- 50 Mayor's Report**

### **Adjournment**