

AGENDA
Irving City Council Regular Meeting
Thursday, June 9, 2022 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

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.

Organizational Service Announcements

Invocation

Pastor Darrell Sneed, Ben Washington Baptist 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 58

CITY COUNCIL AGENDA

- 1 City Operations Update**
- 2 Public Hearing - Public Hearing #1 on the 2022-23 City of Irving Fiscal Year Budget**

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. In accordance with Fiscal Year 2022-23 Budget Calendar, public hearings have been scheduled for June 9, 2022 and June 30, 2022 prior to City Council meetings.

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.

3. Notice of the public hearings have been published in the City Spectrum and on the City's website.
4. Public comments can also be submitted through the city website.

Recommendation

Input be taken under advisement.

CONSENT AGENDA

- 3 Approving Work Session Minutes for Thursday, May 05, 2022**
- 4 Approving Regular Meeting Minutes Thursday, May 05, 2022**
- 5 Resolution - Approving Amendment No. 1 to Memorandum of Understanding Among Participating Local Governments and Dallas County to Participate in the Techshare.Juvenile Program**

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This Memorandum of Understanding (MOU) is entered by and among participating local governments of the State of Texas, on behalf of the Dallas County District Attorney's Office, pursuant to and under authority of the Interlocal Cooperation Act, chapter 791 of the Texas Government Code to share Criminal Justice Information (CJI) through the Dallas County Techshare.Juvenile.
3. Participating in this MOU allows the Irving Police Department to electronically file and share their criminal cases with the District Attorney.
4. This item requires no funding.

Recommendation

The resolution be approved.

6 Resolution - Suspending the June 17, 2022 Effective Date of Oncor Electric Delivery Company's Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; and Approving Cooperation with the Steering Committee of Cities Served by Oncor

Administrative Comments

1. This item is recommended by the City Manager's Office and the City Attorney's Office.
2. **Impact:** Approval of the resolution would suspend the June 17, 2022 effective date of Oncor's rate increase for the maximum period allowed by law. This will allow the City, working in conjunction with the Steering Committee of Cities Served by Oncor, to review Oncor's application for a rate increase. The review will assess whether the filing complies with law, and determine what further strategy, including settlement, to pursue.
3. Oncor Electric Delivery Company ("Oncor" or "the Company") filed an application with the Public Utility Commission (PUC) on or about May 13, 2022, with cities that retain original jurisdiction, including Irving, seeking to increase system-wide transmission and distribution rates by approximately \$251 million, which is an increase of roughly 4.5% over current revenues. Oncor is requesting that the City approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. If approved, a residential customer using 1,300 kWh per month would see a bill increase of about \$6.02 per month.
4. The City of Irving is a member of a 169-city coalition known as the Steering Committee of Cities Served by Oncor ("Steering Committee" or "OSCS"). The Steering Committee has been in existence since the late 1980s and took on a formal structure in the early 1990s when cities served by the former Texas Utilities Company gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments.
5. A rate request made by an electric utility cannot become effective until at least 35 days following the filing of an application. The resolution would allow the City to suspend the rate change for 125 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, Oncor's rate request is deemed administratively approved.**
6. Although Oncor has increased rates many times over the past few years, this is the first comprehensive base rate case for the Company since March 2017.
7. If a settlement is reached between OSCS and Oncor before the 125-day deadline is reached, then the Public Utility Commission has no jurisdiction over the agreed-upon rates. A resolution approving that settlement will have to be approved by the City Council before the 125-day period expires.

8. If no settlement is reached, the PUC can impose its own judgment and rate structure.

Recommendation

The resolution be approved.

7 Resolution - Approving the Event Promotion and Marketing Agreement with Audacy Texas, LLC, for Promotion and Marketing of City or Irving Special Events Held at Levy Event Plaza in 2022

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of this Promotion and Marketing Agreement will allow Audacy to promote/advertise 2022 City-wide special events at Levy Event Plaza on its affiliated radio stations, websites, and social media posts.
3. Through this agreement the city will receive a value of approximately \$375,000 worth of advertising at no charge.
4. Subject to city approval, Audacy will have the right to sell sponsorship and booth packages for each event.
5. There is no funding requirement in conjunction with this agreement.

Recommendation

The resolution be approved.

8 Resolution - Awarding an Annual Contract to RabCup Corp., in an Amount Not to Exceed \$250,000.00 for 4th of July Water Screen Display Engagement Shows and Approving the Expenditure in the Estimated Amount of \$192,432.50 for the 2022 Show.

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** The water show will enhance the city's Independence Day celebration at Levy Event Plaza and will provide a unique experience to the public by bringing artistic concepts to life using specialized software combined with audiovisual technologies.

3. One response to a Request for Proposals (RFP) for these services was received on May 13, 2022. Rabcup Corp., is recommended for award based on staff's evaluation of the criteria as published in the RFP.
4. This award establishes an annual contract in an amount not to exceed \$250,000.00 to provide professional services to design, deliver and operate a themed water screen equipment feature system, projection mapping, and audio & visual solutions at Levy Event Plaza for City of Irving's Independence Day celebration. The initial term of the contract will run through April 30, 2023. The contract is subject to consideration for three, one-year renewal options.
5. Funding for the Fiscal Year 2021-22 event in the estimated amount of \$192,432.50 is available in the Parks & Recreation Department budget within the General Fund.

Recommendation

The resolution be approved.

9 Resolution - Approving Agreement with Dallas County Utility and Reclamation District for Access/Use of District Property Along Lake Carolyn for the 2022 City of Irving Independence Day Firework Show

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of the Dallas County Utility and Reclamation District agreement for access/use of district property will permit the Parks and Recreation Department to proceed with the 2022 Independence Day Fireworks Show.
3. City Council has approved funding to support the expansion and enhancements to citywide special events.
4. If the estimated number of participants and spectators exceeds 2,500 during any day of the special event or any portion of the event is to take place on city property, City of Irving Special Events team will coordinate with Risk Management to procure and keep in full force and effect, for the duration of the event, insurance written by an insurance company and approved by the State of Texas Department of Insurance.
5. The 2022 Independence Day Firework Show will take place on Lake Carolyn, on Monday, July 4, 2022, 6:00 p.m. to 10:00 p.m.

Recommendation

The resolution be approved.

10 Resolution - Approving a Professional Services Agreement Between the City of Irving and Mackenzie Eason & Associates, LLC, in the estimated amount of \$100,000, for Recruitment Services

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 6.2 – Recruit, retain and develop a diverse municipal workforce.
2. **Impact:** The use of recruitment services will identify potential candidates to assist with filling current vacant positions that have been difficult to fill.
3. The following positions have been identified for recruitment services:
 - a. Senior Civil Engineer (Capital Improvement Program)
 - b. Assistant Director (Capital Improvement Program)
 - c. Senior Civil Engineer (Water Utilities)
4. In an effort to expedite recruitment, Human Resources vetted the firm after receiving recommendations of successful recruitment from the City of Fort Worth and the City of Arlington. The RFQ process was waived.
5. This service will be funded by a cost savings from the vacancy of these positions.
6. Funding in the amount of \$66,700.00 is available in the Capital Improvement Program General Fund Budget and \$33,300.00 is available within the Water and Sewer System Fund.

Recommendation

The resolution be approved.

11 Resolution - Approving a Contract of Sale between the City of Irving and Trinity River Authority of Texas (TRA), in the amount to be received of \$14,595.00, for the Sale of a Permanent Sanitary Sewer Easement, a Permanent Access Easement, and a Temporary Construction Easement to TRA

Administrative Comments

1. This item has been recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater, and storm water systems.
2. **Impact:** The sale of easements is necessary for TRA to perform replacement of a large sanitary sewer pipeline within the central regional wastewater system for a project called Bear Creek Interceptor Relief Phase 1.

3. The permanent sanitary sewer easement is 50 foot wide (2.72 Acres), the permanent access easement is 25 foot wide (0.142 Acres), and the temporary construction easement is 37 foot wide (0.319 Acres) on property located at 2000 Hunter Ferrell Road.
4. Trinity River Authority of Texas submitted an appraisal and request to purchase the easements for \$14,595.00.

Recommendation

The resolution be approved.

12 Resolution - Approving an Expenditure with Insituform Technologies, LLC, in the Amount of \$1,097,055.00, for the IH-635 and Valley View Lane Wastewater Improvements Project through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the Water Utilities Department wastewater system improvements. This project will replace 1,300-feet of deteriorated 36-inch clay wastewater main with a new 36-inch Cured in Place Pipe.
3. This project impacts residential properties along Valley Ranch Parkway from Ranchview Drive to E. La Villita Boulevard along the westbound frontage road of IH-635 and Crossing Valley View Lane.
4. This project utilizes State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard) Contract #635-21 for Cured in Place Pipe for Pipeline Rehabilitation which expires on February 28, 2023. The \$1,097,055.00 price is \$190,945 (15%) below the engineers estimate.
5. Funding in the amount of \$1,097,055.00 is available within the Sanitary Sewer Bond Fund.

Recommendation

The resolution be approved.

13 Resolution - Awarding a Contract to Gomez Floor Covering, Inc., in the Amount of \$50,000.00 for Replacement of Tile Flooring at the Animal Care Campus and at the Criminal Justice Center

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports: Strategic Objective 2.5 – Support Strategic Investments in City facilities.
2. **Impact:** This project will provide for the replacement of the tile flooring at two City facilities. The current floor tile at these facilities is worn out and has exceeded its service life.
3. Approval of this contract will allow for the replacement of worn-out flooring at the Animal Care Campus and the Criminal Justice Center providing for easier maintenance of those facilities and improving the condition of those buildings.
4. Bids were received from 2 bidders. Gomez Floor Covering, Inc. submitted the lowest responsive responsible bid of \$50,000.00.
5. Funding of this item has been requested from the American Rescue Plan Act (ARPA) funds received by the City; the City's ARPA team has reviewed this request and recommends the use of ARPA funds for this expenditure.
6. Funding in the amount of \$50,000.00 is available within the American Rescue Plan Act (ARPA) Fund.

Recommendation

The resolution be approved.

14 Resolution - Awarding a Contract to MART, Inc., in the Amount of \$545,840.00 for the 2022 Miscellaneous Demolition Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.3 – Expand, Extend and Maintain the major thoroughfare network and Strategic Objective 3.2 – Create a thriving downtown.
2. **Impact: This contract supports The Road to the Future Program and The Drainage Solutions for a Better Tomorrow Program.** The work to be performed under this contract is to demolish a total of six (6) City owned buildings.
3. The following locations will be demolished under this contract:
 - 129 South Main Street – It is necessary to demo this location due to the

structure failure. Removal will assist with economic expansion of the downtown area.

- 1029 Hadrian and 1032 W. Northgate - Both locations were purchased for the MacArthur - Metker to Byron Nelson Way RTTF project to be demolished for a dedicated Right-Turn Lane.
 - 540 Cedar – A tri-plex purchased as part of the Cedar Drive RTTF project to construct a cul-de-sac which would allow for a Fire Truck to negotiate maneuvers around the bulb of the street.
 - 401 E. Irving Boulevard – As part of the Irving Reconstruction Project, it is necessary to build a dedicated right-Turn Lane at Britain Road.
 - Briery Yard – Two City portable buildings which need to be demolished to allow for installation of a future structure.
4. Bids were received from two (2) bidders. Mart Inc. submitted the lowest responsive responsible bid of \$545,840.00. This is \$14,160.00 (2.53%) below the project estimate.
5. Funding in the amount of 148,710.00 is available in the Self-Insurance Fund; funding in the amount of \$53,670.00 is available in the Non-Bond CIP Fund; funding in the amount of \$282,800.00 is available in the Street Improvement Bond Fund; and funding in the amount of 60,660.00 is available in the Municipal Drainage Utility C.O. Fund.

Recommendation

The resolution be approved.

15 Resolution - Awarding a Contract to SYB Construction Company, Inc. in the Amount of \$1,885,876.85, for the Norma & Onetta Drive Water & Wastewater Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program and Water Utilities Department. It supports Strategic Objective 2.4: Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the priority replacements for the Water Utilities Department. This project impacts approximately 52 residential properties and will improve water and wastewater systems.
3. This project will replace 1,350 linear feet of 8-inch water line and 2,000 linear feet of 8-inch wastewater line along Norma Drive from Parkside Avenue to Onetta Drive

and along Onetta Drive from Brown Drive to S. Tanglewood Drive.

4. Bids were received from three (3) bidders. SYB Construction Company, Inc. submitted the lowest responsive responsible bid of \$1,885,876.85. This is \$70,733.15 (3.62%) below the funding allocated for this project.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 100%.
6. Funding in the amount of \$1,885,876.85 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

16 Resolution - Awarding a Contract to Lindamood Demolition, Inc. in the Amount of \$198,447.00 for Demolition of Old Central Fire Station and Adjacent Community Building

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Fire Department. It supports Strategic Objective 4.1 – Safeguard public safety, security and health.
2. **Impact:** This project will provide for the demolition of the Old Central Fire Station and the adjacent Community Building.
3. The demolition will clear the site for the construction of the new Central Fire Station. In an effort to preserve the history of the original Fire Station, a portion of the existing brick will be salvaged to be used in the construction of the New Central Fire Station.
4. Bids were received from 3 bidders. Lindamood Demolition, Inc. submitted the lowest responsive responsible bid of \$198,447.00.
5. Funding for this project, in the amount of \$198,447.00 is available through the Fire Station Non Bond CIP Fund.

Recommendation

The resolution be approved.

17 Resolution - Approving an Expenditure with Garland/DBS, Inc., in the Amount of \$589,926.00, for Human Services Building Roof Replacement, through a Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with the National Intergovernmental Purchasing Alliance Company dba Omnia Partners, Public Sector (Omnia Partners)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports: Strategic Objective 2.5 – Support Strategic Investments in City facilities.
2. **Impact:** Replacing the roof at the Human Services building will provide for a weather tight roof that will protect the integrity of the building and its contents.
3. The roof at the Human Services building has exceeded its useful life and is in need of replacement. Replacing the roof will protect the structure of the building and will maintain the building's integrity for years to come.
4. The contract allows 60 days for completion for this project.
5. This project utilizes a MICPA with Racine County, Wisconsin and Omnia Partners, Contract #PW1925 for Roofing Supplies and Services, Waterproofing, and Related Products and Services, which expires on October 14, 2024.
6. Funding in the amount of \$589,926.00 is available within the Human Services Facilities Bond Fund.

Recommendation

The resolution be approved.

18 Resolution - Awarding a Contract to Gibson & Associates, Inc. in the Amount of \$278,275.00 for the Las Colinas Blvd. East - Bridge Drainage Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.3 – Expand, Extend and Maintain the major thoroughfare network.
2. **Impact: This contract supports The Road to the Future Program.** The work to be performed under this contract is to resolve low point water ponding on the bridge decking.
3. It has been determined that the six (6) individual bridges on Las Colinas Blvd. have settled a bit over the years. The bridge decking at each bridge has a low point where water ponds due to storm water and/or irrigation over spray.

4. Bids were received from three (3) bidders. Gibson & Associates Inc. submitted the lowest responsive responsible bid of \$278,275.00. This is \$14,725.00 (4.91%) below the project estimate.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 6%.
6. Funding in the amount of \$278,275.00 is available within the Street Improvement Bond Fund.

Recommendation

The resolution be approved.

19 Resolution - Approving a Sales Contract with Oscar Sosa and wife Amalia Vega, in the amount of \$51,098.09, for the acquisition of a Warranty Deed at 900 Bowman Street for the West Irving Creek Drainage Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater, and storm water systems.
2. **Impact: This contract supports Drainage Solutions for a Better Tomorrow.** This deed acquisition is necessary for the improvement of drainage for the West Irving Creek Drainage Project.
3. The deed is 12,506 square feet located at 900 Bowman Street, owned by Oscar Sosa and wife Amalia Vega.
4. Funding in the amount of \$51,098.09 is available within the Municipal Drainage Utility C.O. Fund.

Recommendation

The resolution be approved.

20 Resolution - Approving an Agreement with Sole Source Provider Donelson Construction Company, LLC., in a Total Estimated Amount of \$221,422.48 for Installation of Modified Aggregate Quick Set (MAQS) Surfacing and PressurePave Systems.

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department. It supports Strategic Objective 2.3 – Expand, Extend and maintain the major thoroughfare network.
2. **Impact:** This purchase will allow staff to pilot installation of Modified Aggregate Quick Set Surfacing and PressurePave Systems.
3. Modified Aggregate Quick Set Surfacing and PressurePave Systems is a patented resurfacing process that is being pilot tested on a limited number of local neighborhood streets within the city this year.
4. Funding in the amount of \$221,422.48 is available in the Traffic and Transportation budget within the General Fund.

Recommendation

The resolution be approved.

21 Resolution - Ratifying the Payment Made to Precision Pump Systems in the Total Amount of \$88,614.75 for Emergency Repair to Pump No. 5 at the Lake Chapman Pump Station

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** Emergency repairs to Pump No. 5 at the Lake Chapman Pump Station became necessary when the pump became inoperable last December in order to preserve and protect the public health and safety of both Irving residents and the 29 customer cities, towns and utilities served by the Upper Trinity Regional Water District.
3. The pump became inoperable due to an issue with the 1750 horsepower pump motor which required that the motor be removed and disassembled for necessary analysis and repair. This pump is critical when Lewisville Lake is in flood stage and the larger pumps at the lake cannot be utilized. An emergency was declared by the Water Utilities Department Director on December 20, 2021 in order to proceed with this repair so that the pump would be operable by the onset of the rainy season.

4. Precision Pump Systems was already under contract with the city to replace the top portion of the shafts for both Pump No. 4 and Pump No. 5 at the Lake Chapman Pump Station and was therefore able to immediately mobilize to remove the motor, determine the extent of the required repairs, and complete them.
5. Funding in the amount of \$88,614.75 was available in the Water-Sewer Operating Fund.

Recommendation

The resolution be approved.

22 Resolution - Authorizing Payment to Tyler Technologies in the Amount of \$312,853.00 for Munis Enterprise Resource Planning (ERP) Software Annual Maintenance

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Software maintenance for Munis will allow for continued legal licensed use of the software, software support and updates.
3. The original contract was awarded as the result of a negotiated agreement with the vendor receiving the highest evaluation criteria score through a Request for Proposals process.
4. Funding in the amount of \$312,853.00 is available in the Technology Fund.

Recommendation

The resolution be approved.

Bids & Purchasing Items

Items 23 - 47

23 Resolution - Authorizing As-Needed Expenditures with Staples Contract & Commercial, Inc., in the Total Estimated Amount of \$200,000.00 for Office Supplies through Sourcewell

Administrative Comments

1. This item is recommended by the Financial Services Department – Purchasing Division.
2. **Impact:** Utilization of the Vendor/Member contract between the City of Irving

and Staples Contract & Commercial, Inc., for utilization of Sourcewell Contract No. 012320-SCC Office Supplies, which expires April 6, 2024, will allow for as-needed purchases of office supplies.

- Funding for Fiscal Year 2021-22 is available in various departmental budgets within various funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Spending Term	Total Estimated Amount	Fiscal Year(s)
Staples Contract & Commercial, Inc.	6/10/22 – 4/6/23	\$100,000.00	2021-22
		\$100,000.00	2022-23
TOTAL		\$200,000.00	

Recommendation

The resolution be approved.

24 Resolution - Renewing the Annual Contract with Red Wing Shoe Store in the Total Estimated Amount of \$105,000.00 for Work Boots for Field Employees

Administrative Comments

- This item is recommended by the Financial Services Department – Purchasing Division and the Human Resources Department.
- Impact:** Renewal of this contract will allow the City to continue to procure work boots which prevent injuries for employees in departments with field operations work. Specific exposures have been assessed to provide the best foot protection for employees based on their working conditions. This type of personal protective equipment improves the safety for these employees.
- This renewal establishes the continuation of an annual contract to provide work boots for city employees with an increase in contract value of approximately 10% to accommodate the properly documented price escalation requested by the vendor. This is the second and final, one-year renewal option. The current contract expires on June 30, 2022.
- Departments using the protective footwear include Water Utilities, Solid Waste Services, Parks & Recreation, Traffic & Transportation, and other general government departments.
- Funding for Fiscal Year 2021-22 is available in various departmental budgets within

various funds, while funding for Fiscal Year 2022-23 is subject to budget appropriations.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Red Wing Shoe Store	7/1/22 – 6/30/23	\$ 35,000.00	2021-22
		\$ 70,000.00	2022-23
TOTAL		\$105,000.00	

Recommendation

The resolution be approved.

25 Resolution - Renewing the Contracts with Green Planet, Inc., US Ecology Houston, and W. Two Plus, Inc., and Approving Expenditures with Green Planet, Inc., and W. Two Plus, Inc., for Categories a and C, Respectively, in the Estimated Amount of \$275,000.00 for Regulated Environmental Services for a Two-Year Period

Administrative Comments

1. This item is recommended by the Human Resources Department and the Fleet Services Division.
2. **Impact:** Regulated Environmental Risk Services are necessary to the City of Irving’s field operations and are required to keep the City of Irving safe and compliant with hazardous substances regulations per the Texas Commission on Environmental Quality (TCEQ) and Texas State Department of Health Services (TSDHS).
3. This contract includes the following components: Component A, hazardous waste pickup, transport, and disposal; Component B, emergency standby response for hazardous materials incidents; and Component C, fuel storage tank regulatory testing, maintenance, and management. While Components A and C are utilized for specific ongoing annual services for which estimated spending is shown below, all three components are subject to utilization in emergency situations and any emergency expenditures of \$50,000 or more individually will be brought to Council for ratification when the emergency services are complete.
4. This renewal establishes the continuation of contracts for regulated environmental risk services. The original contracts were awarded to the respondents receiving the

highest evaluation criteria score through a Request for Proposals process. This is the only two-year renewal option for these contracts, which expire on June 30, 2022.

5. The award amount for Component A has increased to cover additional services required by Water Utilities for the removal of sodium hypochlorite in conjunction with preventative maintenance required for chlorine booster pumps.
6. The award amount for Component C has also increased due to additional TCEQ testing requirements and documented increases in the cost of parts used in performance of these services of up to 49%.
- 7 Funding for Fiscal Year 2021-22 for Components A and C is available in various departmental budgets within various funds, and in the Municipal Drainage Utility, Garage, and Self-Insurance funds and funding for emergency usage of all categories is available in the Self-Insurance Fund, while funding for Fiscal Years 2022-23 and 2023-24 is subject to budget appropriation.

Vendor	Component	Contract Term	FY 2021-22 Est. Amt.	FY 2022-23 Est. Amt.	FY 2023-24 Est. Amt.	TOTAL EST. AMT
Green Planet, Inc.	A	7/1/22 – 6/30/24	\$ 6,250	\$ 25,000	\$ 18,750	\$ 50,000
US Ecology Houston, Inc.	B		Emergency Basis Only	Emergency Basis Only	Emergency Basis Only	Emergency Basis Only
W. Two Plus, Inc.	C		\$28,125	\$112,500	\$ 84,375	\$225,000
TOTAL			\$34,375	\$137,500	\$103,125	\$275,000

Recommendation

The resolution be approved.

26 Resolution - Rejecting the Single Bid Response for Fire Hose

Administrative Comments

1. This item is recommended by the Fire Department.
2. **Impact:** As-needed purchases of fire hose are necessary to replace aging hose which is an essential component of firefighting.
3. One bid was received in response to ITB No. 095L-22F for Fire Hose. However, staff recommends rejecting the single bid due to previous billing issues with the bidder. The department will explore other feasible procurement options that comply

with state law.

Recommendation

The resolution be approved.

27 Resolution - Approving As-Needed Expenditures with RCB Ventures, LLC, dba Tri-Tex Grass in the Total Estimated Amount of \$70,000.00 for Purchases, Repairs and Installation of Grass Sod, Sprigs and Turf Grass through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** Approval of this contract will allow for the purchase, repair and/or installation of grass sod or sprigs, and turf grass at soccer, football, baseball, softball, and cricket sports fields, as well as golf course tee boxes, fairways, and greens. Continuous maintenance and enhancements are essential to provide quality recreational facilities for the citizens of Irving. This contract will allow the department to quickly respond to issues requiring the repair of damaged turfgrass areas due to pests, disease, flood and/or freeze damage, etc.
3. A Vendor/Member contract between the City of Irving and RCB Ventures, LLC, dba Tri-Tex Grass, was approved on August 5, 2021, by Resolution No. 2021-275. The contract supports the utilization of BuyBoard Contract No. 641-21 for Indoor and Outdoor Sports Surfaces, Repair and Renovation, and Gym Floor Refinishing, which has been renewed through May 31, 2023, by BuyBoard.
4. Funding for Fiscal Year 2021-22 is available in the Parks & Recreation Department budget within the General Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
RCB Ventures, LLC, dba Tri-Tex Grass	6/1/22 – 5/31/23	\$10,000.00	2021-22
		\$60,000.00	2022-23
TOTAL		\$70,000.00	

Recommendation

The resolution be approved.

28 Resolution - Approving As-Needed Expenditures with SiteOne Landscape Supply, LLC, in the Total Estimated Amount of \$120,000.00 for Purchase of Ground Maintenance Materials, Greenhouse Supplies, Irrigation Parts, Supplies and Installation through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** Approval of this item will allow the city to purchase grounds maintenance materials to improve the grounds in parks and athletic fields and greenhouse supplies to support the horticultural and urban forestry operations.
3. A Vendor/Member Contract between the City of Irving and SiteOne Landscape Supply, LLC, was approved on July 22, 2021, by Resolution No. 2021-258. The contract supports the utilization of BuyBoard Contract No. 611-20, for Grounds Maintenance Equipment, Irrigation Parts, Supplies and Installation, which has been renewed through May 31, 2023, by BuyBoard.
4. Funding for Fiscal Year 2021-22 is available in the Parks & Recreation Department budget within the General Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
SiteOne Landscape Supply, LLC	6/1/22 – 5/31/23	\$ 25,000.00	2021-22
		\$ 95,000.00	2022-23
TOTAL		\$120,000.00	

Recommendation

The resolution be approved.

29 Resolution - Renewing the Contract with Greener Pastures Landscaping, LLC, in the Total Estimated Amount of \$495,204.00 for Mowing & Litter Control on TxDOT Rights of Way

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** Landscape maintenance services help to enhance the visual impression of the city by providing mowing and litter control on TxDOT Rights of Way I-635,

Loop 12 and Hwy 114.

3. This renewal establishes the continuation of a contract to provide mowing and litter control on city rights of way and public properties. This is the second and final, two-year renewal option. The current contract expires on June 30, 2022.
4. Funding for Fiscal Year 2021-22 is available in the Parks & Recreation Department budget within the General Fund, while funding for Fiscal Years 2022-23 and 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Greener Pastures Landscaping, LLC	7/1/22 – 6/30/24	\$ 74,722.00	2021-22
		\$247,602.00	2022-23
		\$172,880.00	2023-24
TOTAL		\$495,204.00	

Recommendation

The resolution be approved.

30 Resolution - Approving and Accepting the Bids of Emami Enterprises, Inc., and M.A.N.S. Distributors, Inc., in the Total Estimated Amount of \$220,700.00 for Janitorial Supplies

Administrative Comments

1. This item is recommended by the Parks & Recreation and the Capital Improvement Program departments.
2. **Impact:** Approval of this award will allow City departments to procure janitorial supplies needed to maintain a safe and healthy atmosphere and meet the City's Green Initiative goals. Group I includes paper products such as EcoLogo certified paper towels containing 100% recycled fiber and toilet tissue made from 100% recycled fiber meeting or exceeding EPA guidelines for post-consumer content; Group II includes conventional janitorial supplies such as brushes, mops, soaps, all-purpose cleaners, bug spray, gloves, etc.; Group III provides environmentally friendly janitorial supplies; and Group IV provides non-stock janitorial items that can be purchased directly by City departments.
3. This award establishes an annual contract for the continuation of providing janitorial supplies. This contract is subject to two, one-year renewal options.
4. M/WBE participation in this award is 100%.

5. Funding for Fiscal Year 2021-22 is available in various departmental budgets within various funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Group	Contract Term	Estimated Expenditures FY 2021-22	Estimated Expenditures FY 2022-23	Total Estimated Expenditure
Emami Enterprises, Inc.	1, 3 & 4	6/10/22 - 5/31/23	\$60,000.00	\$120,000.00	\$180,000.00
M.A.N.S. Distributors, Inc.	2		\$14,000.00	\$ 26,700.00	\$ 40,700.00
TOTAL			\$74,000.00	\$146,700.00	\$220,700.00

Recommendation

The resolution be approved.

31 Resolution - Approving and Accepting the Bids of Turf Aggregates, LLC, dba Turf Materials, and SiteOne Landscape Supply, LLC, in the Total Estimated Amount of \$120,000.00 for Parks Ground Maintenance Materials

Administrative Comments

1. This item has been recommended by Parks & Recreation and Capital Improvement Program departments.
2. **Impact: This item supports the Drainage Solutions for a Better Tomorrow program.** Approval of this item will allow the city to purchase grounds maintenance materials for the maintenance of park grounds, athletic fields, and drainage channels to meet the standards established for the long-term sustainability for each department’s specific areas of responsibilities.
3. This award establishes annual contracts for the continuation of providing park grounds maintenance materials. The contract is subject for two, one year renewal options.
4. The lowest responsive, responsible bidders for items 1, 2, and 4-13 are recommended for award as shown below. The department will issue a separate bid for item 3, red dog cinders, as no responsive bids were received for this item.
5. Funding for Fiscal Year 2021-22 is available in the Parks & Recreation Department budget within the General Fund and in the Municipal Drainage Utility Operating Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Item#	Contract Term	Est. Expenditure FY 2021-22	Est. Expenditure FY 2022-23	Total Estimated Expenditure
Turf Aggregates, LLC dba Turf Materials	2, 5, 6, 9-13	6/10/22 – 5/31/23	\$26,416.00	\$52,835.00	\$79,251.00
SiteOne Landscape Supply, LLC	1, 4, 7-8		\$12,818.00	\$25,636.00	\$38,454.00
TOTAL			\$36,890.00	\$78,471.00	\$120,000.00

Recommendation

The resolution be approved.

32 Resolution - Cancelling the Contract with Global Building Maintenance, Inc., for Custodial Services for the Irving Arts Center

Administrative Comments

1. This item is recommended by the Irving Arts Center.
2. **Impact:** Custodial services ensure that Irving Arts Center facilities are clean and attractive for clients as well as patrons of various events.
3. Due to issues with contract fulfillment, it is necessary to cancel and rebid this contract.
4. Global Building Maintenance, Inc., was duly notified of the contract cancellation on May 2, 2022 pursuant to contract requirements.

Recommendation

The resolution be approved.

33 Resolution - Approving As-Needed Expenditures with Gomez Floor Covering, Inc., dba GFC Contracting in the Total Estimated Amount of \$353,000.00 for Flooring Purchases, Installation and 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 and Parks & Recreation departments.
2. **Impact:** Approval of this contract will allow the city to purchase carpet and tile flooring, stage floor finishing, concrete polishing, grinding and staining services. Flooring damage must be addressed quickly and efficiently to maintain the appearance, cleanliness, and safety of City facilities.
3. A Vendor/Member contract between the City of Irving and Gomez Floor Covering, Inc., dba GFC Contracting was approved on July 22, 2021, by RES-2021-259. The contract supports the utilization of BuyBoard Contract No. 642-21 for Carpet and Tile Flooring, Stage Floor Refinishing, Concrete Polishing, Grinding and Staining, which has been renewed through May 31, 2023, by BuyBoard.
4. Upcoming projects under this contract will include flooring replacement at the Heritage Senior Center.
5. Funding for Fiscal Year 2021-22 is available in various departmental budgets within various funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Gomez Floor Covering, Inc., dba GFC Contracting	6/1/22 - 5/31/23	\$125,000.00	2021-22
		\$228,000.00	2022-23
TOTAL		\$353,000.00	

Recommendation

The resolution be approved.

34 Resolution - Approving a Professional Services Agreement with Half Associates, Inc., in an Amount Not to Exceed \$600,000.00 for Right-of-Way Acquisition and Real Estate Appraisal Services Associated with Roadway Projects

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact: This item supports the Road to the Future program.** Approval of this agreement with Half Associates, Inc., for right-of-way acquisition services and real estate appraisal services associated with roadway projects will allow city staff to proceed with ongoing and future CIP projects in a timely and effective manner.
3. Right-of-way acquisition services are related to the purchase of various real property interests to accommodate multiple currently pending and future as-needed CIP projects. The right-of-way acquisitions will primarily involve securing easements, properties in fee, temporary construction licenses, and other real estate interests including, but not limited to water, wastewater, drainage and other right-of-way from residential and commercial properties in the City of Irving. Right-of-way acquisitions must be made in accordance with (i) the city's Charter, which requires the Mayor signature on all conveyances made or any entered into by the city (ii) on a form approved by City Attorney's office; and (iii) in accordance with sections 16-27 of the city's Code of Ordinances.
4. Real estate appraisal services are related to the as-needed appraisal of real property or a real property interest owned or held by the city, and the acquisition of various types of easements and other real property interests for ongoing and future CIP infrastructure projects. Real estate appraisal services may be required by the city on a case-by-case basis in accordance with the city's needs. The appraisal of real property or a real property interest may be required to determine the fair market value or appraisal value for the sale or exchange of real property or a real property interest owned or held by the city, and may be required for general real estate acquisitions, as needed by the city, and right-of-way acquisitions, and for compliance with TxDOT, FHA, FHWA, and other state and/or federal laws, rules, and regulations.
5. A Request for Proposals was issued for these services with the intent to award three contracts associated with Water/Wastewater, Road to the Future, and Drainage Solutions for a Better Tomorrow projects respectively, and proposals were received from 17 firms. Of those firms, Half Associates, Inc. was determined to be one of three most highly qualified providers with reasonable fees for right-of-way acquisition services and real estate appraisal services and will generally be assigned to complete these services for projects associated with roadway projects; however, they may also be called upon to provide assistance within the other two categories should the designated firms not have the capacity to accommodate the city's needs at any given time.

6. Funding for Fiscal Year 2021-22 is available in various project funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.
7. Because this annual contract runs from June 2022 through June 2023, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Half Associates, Inc.	6/9/2022 – 6/8/23	\$300,000.00	2021-22
		\$300,000.00	2022-23
TOTAL AMOUNT NOT TO EXCEED		\$600,000.00	

Recommendation

The resolution be approved.

35 Resolution - Approving a Professional Services Agreement with HDR Engineering, Inc., in an Amount Not to Exceed \$600,000.00 for Right-of-Way Acquisition and Real Estate Appraisal Services Associated with Drainage Projects

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact: This item supports the Drainage Solutions for a Better Tomorrow program.** Approval of this agreement with HDR Engineering, Inc., for right-of-way acquisition and real estate appraisal services associated with drainage projects will allow city staff to proceed with ongoing and future CIP projects in a timely and effective manner.
3. Right-of-way acquisition services are related to the purchase of various real property interests to accommodate multiple currently pending and future as-needed CIP projects. The right-of-way acquisitions will primarily involve securing easements, properties in fee, temporary construction licenses, and other real estate interests including, but not limited to water, wastewater, drainage and other right-of-way from residential and commercial properties in the City of Irving. Right-of-way acquisitions must be made in accordance with (i) the city's Charter, which requires the Mayor's signature on all conveyances made or any entered into by the city; (ii) on a form approved by City Attorney's office; and (iii) in accordance with sections 16-27 of the city's Code of Ordinances.

4. Real estate appraisal services are related to the as-needed appraisal of real property or a real property interest owned or held by the city, and the acquisition of various types of easements and other real property interests for ongoing and future CIP infrastructure projects. Real estate appraisal services may be required by the city on a case-by-case basis in accordance with the city’s needs. The appraisal of real property or a real property interest may be required to determine the fair market value or appraisal value for the sale or exchange of real property or a real property interest owned or held by the city, and may be required for general real estate acquisitions, as needed by the city, and right-of-way acquisitions, and for compliance with TxDOT, FHA, FHWA, and other state and/or federal laws, rules, and regulations.

5. A Request for Proposals was issued for these services with the intent to award three contracts associated with Water/Wastewater, Road to the Future, and Drainage Solutions for a Better Tomorrow projects respectively, and proposals were received from 17 firms. Of those firms, HDR Engineering, Inc. was determined to be one of three most highly qualified providers with reasonable fees for right-of-way acquisition services and real estate appraisal services and will generally be assigned to complete these services for projects associated with drainage projects; however, they may also be called upon to provide assistance within the other two categories should the firms designated for those categories not have the capacity to accommodate the city’s needs at any given time.

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

7. Because this annual contract runs from June 2022 through June 2023, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year’s additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
HDR Engineering, Inc.	6/9/22 – 6/8/23	\$300,000.00	2021-22
		\$300,000.00	2022-23
TOTAL AMOUNT NOT TO EXCEED		\$600,000.00	

Recommendation

The resolution be approved.

36 Resolution - Approving a Professional Services Agreement with Array Technologies, Inc., in an Amount Not to Exceed \$600,000.00 for Right-of-Way Acquisition and Real Estate Appraisal Services Associated with Water/Wastewater Projects

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact:** Approval of this agreement with Array Technologies, Inc., for right-of-way acquisition services and real estate appraisal services associated with water/wastewater projects will allow city staff to proceed with ongoing and future CIP projects in a timely and effective manner.
3. Right-of-way acquisition services are related to the purchase of various real property interests to accommodate multiple currently pending and future as-needed CIP projects. The right-of-way acquisitions will primarily involve securing easements, properties in fee, temporary construction licenses, and other real estate interests including, but not limited to water, wastewater, drainage and other right-of-way from residential and commercial properties in the City of Irving. Right-of-way acquisitions must be made in accordance with (i) the city's Charter, which requires the Mayor signature on all conveyances made or any entered into by the city (ii) on a form approved by City Attorney's office; and (iii) in accordance with sections 16-27 of the city's Code of Ordinances.
4. Real estate appraisal services are related to the as-needed appraisal of real property or a real property interest owned or held by the city, and the acquisition of various types of easements and other real property interests for ongoing and future CIP infrastructure projects. Real estate appraisal services may be required by the city on a case-by-case basis in accordance with the city's needs. The appraisal of real property or a real property interest may be required to determine the fair market value or appraisal value for the sale or exchange of real property or a real property interest owned or held by the city, and may be required for general real estate acquisitions, as needed by the city, and right-of-way acquisitions, and for compliance with TxDOT, FHA, FHWA, and other state and/or federal laws, rules, and regulations.
5. A Request for Proposals was issued for these services with the intent to award three contracts associated with Water/Wastewater, Road to the Future, and Drainage Solutions for a Better Tomorrow projects respectively, and proposals were received from 17 firms. Of those firms, Array Technologies, Inc. was determined to be one of three most highly qualified providers with reasonable fees for right-of-way acquisition services and real estate appraisal services and will generally be assigned to complete these services for projects associated with water/wastewater projects; however, they may also be called upon to provide assistance within the other two categories should the designated firms not have the capacity to accommodate the city's needs at any given time.

6. Funding for Fiscal Year 2021-22 is available in various project funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.
7. Because this annual contract runs from June 2022 through June 2023, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Array Technologies, Inc.	6/9/2022 – 6/8/23	\$300,000.00	2021-22
		\$300,000.00	2022-23
TOTAL AMOUNT NOT TO EXCEED		\$600,000.00	

Recommendation

The resolution be approved.

37 Resolution - Renewing the Annual Contract with Consolidated Electrical Distributors, Inc., Dba Wildcat Electric Supply (Assigned from Tiger Electric Supply, Inc., Dba Wildcat Electric Supply, Inc.) in the Total Estimated Amount of \$350,000.00 to Provide Valmont Traffic Signal Poles, Roadway Lighting, and Steel Poles with Dual and Single Arm Assemblies

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department.
2. **Impact:** Purchase of Valmont poles and assemblies will provide matching interchangeability with existing infrastructure equipment and foundations necessary for the safety of the motorists and to maintain the city's traffic signal system.
3. This contract was originally awarded to Tiger Electric Supply, Inc. dba Wildcat Electric Supply. The city received a notice of company acquisition by Consolidated Electrical Distributors, Inc. from the vendor on September 2, 2021 and a contract assignment followed.
4. This renewal establishes the continuation of an annual contract for providing Valmont traffic signal and roadway lighting steel poles with dual and single arm assemblies. The current contract expires on June 30, 2022. This is the first of two, one-year renewal options.
5. Funding for Fiscal Year 2021-22 is available in the Traffic & Transportation

Department budget within the General Fund and in the Street Improvement Bond Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Consolidated Electrical Distributors Inc., dba Wildcat Electric Supply	7/1/22-6/30/23	\$125,000.00	2021-22
		\$225,000.00	2022-23
TOTAL		\$350,000.00	

Recommendation

The resolution be approved.

38 Resolution - Renewing the Annual Contract with Badger Meter, Inc., in the Total Estimated Amount of \$1,450,000.00 for Positive Displacement Water Meters

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** Approval of this item allows Water Utilities to replace aging and malfunctioning water meters to support continuation of the Advanced Meter Infrastructure Project.
3. The award amount for this contract has been increased 10% to accommodate the vendor’s request for pricing escalation, which has been documented in accordance with the contract terms and accepted by Water Utilities and is within the 25% allowed by State law.
4. This renewal establishes the continuation of an annual contract to provide positive displacement water meters. The current contract expires June 30, 2022. This is the first of two, one-year renewal options.
5. Funding for Fiscal Year 2021-22 is available in the Water-Sewer Operating and Non-Bond CIP funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Expenditure	Fiscal Year(s)
Badger Meter, Inc.	7/1/22 – 6/30/23	\$ 460,000.00	2021-22
		\$ 990,000.00	2022-23
TOTAL		\$1,450,000.00	

Recommendation

The resolution be approved.

39 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Chastang Enterprises-Houston LLC dba Chastang Autocar through the State of Texas Local Government Statewide Purchasing Cooperative Program (BuyBoard)

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 Chastang Enterprises-Houston LLC dba Chastang Autocar for utilization of BuyBoard Contract No. 601-19 which expires on November 30, 2022, will allow the city to procure vehicles, heavy duty trucks, parts and service labor.
3. Approval of this item allows for the purchase of a severe-duty roll-off truck as presented in the following item on this agenda as well as any future purchases from this vendor through the designated BuyBoard contract during the specified contract term.

Recommendation

The resolution be approved.

40 Resolution - Approving the Purchase from Chastang Enterprises-Houston LLC dba Chastang Autocar of a 2023 Autocar DCX64R Conventional Cab & Chassis with Gal Fab UOR75K Roll-Off Hoist and a 2023 Autocar DCX64 Conventional Chassis with Petersen TL-3 Knuckle Boom and Dump Body Truck in the Total Estimated Amount of \$584,540.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by Solid Waste Services Department and approved by the Fleet Services Division.
2. **Impact:** The purchase show below from Chastang Enterprises-Houston LLC dba Chastang Autocar will allow for replacement of older equipment to reduce downtime, increase effectiveness, and better support the needs of the department and residents of Irving.
3. This purchase is supported by a Vendor/Member contract between the City of Irving and Chastang Enterprises-Houston LLC dba Chastang Autocar utilizing BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor, which expires on November 30, 2022, and is presented as a previous item on this agenda.
4. These budgeted replacement is in accordance with the city’s vehicle and equipment replacement policy for City Tag No. 06237, a 2015 Freightliner M2106 truck; and Tag No. 06224, a 2011 Freightliner LT8500 boom truck.
5. Funding is available in the Solid Waste Services Vehicle & Equipment Replacement Fund.
6. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Est. Expenditure
Solid Waste Services	2023 Autocar DCX64R Conventional Cab & Chassis with Gal Fab UOR75K Roll-Off Hoist (1)	06237	\$260,620.00
	2023 Autocar DCX64 Conventional Cab & Chassis with Petersen TL-3 Knuckle Boom and Dump Body Truck (1)	06224	\$323,920.00
TOTAL			\$584,540.00

Recommendation

The resolution be approved.

41 Resolution - Approving the Purchase from Bucher Municipal North America, Inc., for a 2023 Bucher VT652 Vacuum Street Sweeper with a Dual Engine Design 8.5 Cu. Ft. Hopper and a 415-gallon Water Tank in the Total Estimated Amount of \$306,346.00 through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department and approved by the Fleet Services Division.
2. **Impact:** The purchase shown below from Bucher Municipal North America, Inc., will allow for replacement of older equipment to reduce downtime, increase effectiveness, and better support the needs of the department and residents of Irving.
3. A Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Bucher Municipal North America, Inc., was approved on December 10, 2020, by Resolution No. 2020-479, utilizing H-GAC Contract No. SW04-20 for Sweeping Equipment, which has been renewed through March 31, 2023 by H-GAC.
4. The budgeted replacement is in accordance with the City’s vehicle and equipment replacement policy for City Tag No. 18134, a 2013 Freightliner Sweeper. Bucher Municipal North America, Inc., is applying a premier customer discount of \$12,654.00 to this purchase.
5. Advance funding for this item which is a planned replacement for Fiscal Year 2022-23 was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
6. Funding is available in the Vehicle & Equipment Replacement Fund.
7. Budgeted replacement is as follows:

Vendor	Item Description	Replaces City Tag #	Total Est. Expenditure
Bucher Municipal North America, Inc.	2023 Bucher VT652 Vacuum Sweeper Truck, Dual Engine 8.5 cu ft Hopper, 415-gallon Water Tank	18134	\$319,000.00
	Premier Customer Discount		(\$ 12,654.00)
TOTAL			\$306,346.00

Recommendation

The resolution be approved.

42 Resolution - Approving the Purchase from Caldwell Country Chevrolet, LLC for Various Vehicles in the Total Estimated Amount of \$772,186.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Police, Fire and Solid Waste Services departments and approved by the Fleet Services Division.
2. **Impact:** The purchase of this replacement vehicle will allow for replacement of an older vehicle 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 has been renewed through November 30, 2022 by BuyBoard.
4. The budgeted replacement is in accordance with the city’s vehicle and equipment replacement policy for various police vehicles; City Tag No.05114, a 2002 Ford truck; and Tag No. 06225, a 2012 Ford truck.
5. Advance funding for this item which is a planned replacement for Fiscal Year 2022-23 was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
6. Funding is available in the Vehicle & Equipment Replacement Fund and in the Solid Waste Services Vehicle & Equipment Replacement Fund.
7. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag#	Total Est. Expenditure	Fund
Police	2022 or newer Chevrolet Tahoe PPV’s CC10706 (12)	TBD	\$678,016.00	Vehicle & Equipment
Fire	2023 Chevrolet 2500HD Silverado truck CC20903, 4X2 crew cab (1)	05114	\$ 47,345.00	
Solid Waste Services	2023 or newer Chevrolet 2500HD Silverado truck CC20903, 4X2 crew cab (1)	06225	\$ 46,825.00	Solid Waste Services Vehicle & Equipment Replacement
TOTAL			\$772,186.00	

Recommendation

The resolution be approved.

43 Resolution - Approving the Purchase from Sam Pack's Five Star Ford Ltd., for a 2022 or Newer Ford F750 Two-Door Cab/Chassis with a 1,500 to 2,000-gallon Wachs Tanker Body in the Total Estimated Amount of \$114,871.88 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Parks & Recreation Department and approved by the Fleet Services Division.
2. **Impact:** This purchase will allow for the replacement of an older vehicle 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 Sam Pack's Five Star Ford Ltd., was approved on July 8, 2021, by Administrative Award No. 7274. The contract supports utilization of BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts, and Service Labor, and has been renewed through November 30, 2022.
4. The budgeted replacement is in accordance with the city's vehicle and equipment replacement policy for City Tag No. 07172, a 2009 Ford F650.
5. Advance funding for this item which is a planned replacement for Fiscal Year 2022-23 was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
6. Funding is available in the Vehicle & Equipment Replacement fund.
7. Budgeted replacement is as follows:

Vendor	Item Description	Replaces City Tag #	Total Est. Expenditure
Sam Pack's Five Star Ford, Ltd.	2022 or newer Ford F750 two-door cab/chassis with a 1,500 to 2,000-gallon Wachs tanker body	07172	\$114,871.88

Recommendation

The resolution be approved.

44 Resolution - Approving the Purchase from Associated Supply Company, Inc., for a 2023 or Newer Case DV209D Asphalt Roller in the Total Estimated Amount of \$174,771.49 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department and approved by the Fleet Services Division.
2. **Impact:** The purchase shown below from Associated Supply Company, Inc., will allow for replacement of older equipment to reduce downtime, increase effectiveness, and better support the needs of the department and 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 Resolution No. 2020-42. This contract supports the utilization of BuyBoard Contract No. 597-19 for Construction, Road, Bridge, Ditching, Trenching, Utility and Other Equipment, which has been renewed through November 30, 2022 by BuyBoard.
4. The budgeted replacement is in accordance with City’s Vehicle & Equipment Replacement Policy for City Tag No. 18114, a 2007 CAT roller.
5. Advance funding for this item which is a planned replacement for Fiscal Year 2022-23 was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
6. Funding is available in the Vehicle & Equipment Replacement Fund.
7. Budgeted Replacements are as follows:

Department	Item Description	Total Est. Expenditure
Traffic & Transportation	2023 or newer Case DV209D asphalt roller	\$174,771.49

Recommendation

The resolution be approved.

45 Resolution - Approving and Accepting the Bids of Western Marketing, Inc., dba Reladyne LLC, Dial Lubricants, Inc., Jack Ray Oil Company, and Atlantic Petroleum & Mineral Resources, Inc., in Not to Exceed Amount of \$220,000.00 for Automotive Fluids and Lubricants

Administrative Comments

1. This item is recommended by the Fleet Services Division.
2. **Impact:** Approval of this contract will ensure a continuous supply of automotive fluids and lubricants necessary for the upkeep and maintenance of fleet vehicles and equipment with minimum downtime, allowing city departments to better serve the residents, businesses, and visitors throughout the City of Irving.
3. This award establishes an annual contract for the continuation of providing automotive fluids and lubricants. This contract is for one year with two, one-year renewal options.
4. The specifications for this solicitation included the requirement of providing pricing for alternates based on the unit of measure (UOM). It was determined that Line Items No. 1, 4, 7 and 15 were not cost-effective in terms of UOM and city received better pricing for these items through Line Items No. 2, 5, 8, and 14.
5. Funding for Fiscal Year 2021-22 is available in the Garage Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.
6. Because this contract runs from June 2022 through April 2023, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Item(s)	Contract Term	Est. Exp. FY 2021-22	Est. Exp. FY 2022-23	Total Est. Expenditure
Western Marketing, Inc., dba Reladyne LLC	2,6,9-13	6/10/22 – 4/30/23	\$32,200.00	\$ 64,500.00	\$ 96,700.00
Dial Lubricants, Inc.	5 and 8		\$27,000.00	\$ 51,550.00	\$ 78,550.00
Jack Ray Oil Company	3		\$13,450.00	\$ 26,900.00	\$ 40,350.00
Atlantic Petroleum & Mineral Resources, Inc.	14		\$ 1,500.00	\$ 2,900.00	\$ 4,400.00
TOTAL			\$74,150.00	\$145,850.00	\$220,000.00

Recommendation

The resolution be approved.

46 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Motorola Solutions, Inc. and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$1,200,000.00 for Radio Communications and Emergency Response Equipment through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

Administrative Comments

1. This item is recommended by the Information Technology Department and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Motorola Solutions, Inc., for utilization of H-GAC contract #RA05-21, which expires July 31, 2023, will allow the city to purchase radio communication, emergency response, and mobile interoperability equipment.
3. Motorola radios are used by Police and Fire on a daily basis to communicate. This contract will allow the purchase of new and replacement radios and accessories used by these departments to provide critical first responder services to residents, visitors, and businesses in the City of Irving. This contract will also be used to purchase infrastructure and installation parts to support the Public Safety radio system and vehicle radio equipment installations.
4. Funding for Fiscal Year 2021-22 is available in various departmental budgets within various funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Motorola Solutions, Inc.	6/10/22 – 7/31/23	\$ 450,000.00	2021-22
		\$ 750,000.00	2022-23
TOTAL		\$1,200,000.00	

Recommendation

The resolution be approved.

47 Resolution - Renewing the Annual Contract with cingl Telecommunications, L.L.C., in the Total Estimated Amount of \$350,000.00 for Network Cabling Services

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** This contract includes network cabling services necessary for new telephone, computer, printer, and security installations. It also includes cabling necessary for existing and new Capital Improvement Program (CIP) projects.
3. This renewal establishes the continuation of an annual contract to provide network cabling services. This is the first of two, one-year renewal options. The current contract expires August 31, 2022.
4. Funding for Fiscal Year 2021-22 is available in various departmental budgets within various funds, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
cingl Telecommunications, L.L.C.	9/1/22 – 8/31/23	\$ 23,500.00	2021-22
		\$326,500.00	2022-23
TOTAL		\$350,000.00	

Recommendation

The resolution be approved.

End of Bids

48 Ordinance - Amending Section 3 of Ordinance ORD-2022-10584 by Removing Barbara Cardwell Career Prep as an Election Day Vote Center Location for the Runoff Election to be Held on June 18, 2022

Administrative Comments

1. This item has been recommended by the City Secretary’s Office.
2. **Impact:** On May 17, 2022, City Council ordered the runoff election for City Council Place 1. Section 3 of the order listed the Election Day vote center locations. Based on low voter turnout, the proposed amendment removes Barbara Cardwell Career Prep as a vote center for the June 18, 2022 runoff election.

Recommendation

The ordinance be adopted.

49 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of a 15' Sight Easement at 1532 Hux Ct., as part of Pecan Park Estates No. 2 Lot 28, Block C, Owned by Luis A. Valdez Jacome

Administrative Comments

1. This item has been recommended by the Capital Improvement Program and the Traffic and Transportation Department.
2. **Impact:** The abandonment is requested by Luis A. Valdez Jacome, to allow for the installation of a fence.
3. The 15' sight easement runs along the south end of the property which hinders the owner from installing and extending a privacy fence to the property line. The abandonment of this easement will allow the owner to extend his fence line.
4. Traffic engineering has confirmed that they take no exceptions to the abandonment of this easement.

Recommendation

The ordinance be adopted.

INDIVIDUAL CONSIDERATION

50 Resolution - Take Appropriate Action Concerning Request of Employee Grayson Holder for City to Continue Paying Full Salary While on Workers Compensation Leave

Administrative Comments

1. This item is requested for Council consideration by employee Grayson Holder.
2. **Impact:** Approval of this item would require the City to continue paying full salary to Mr. Holder while on workers' compensation leave past the mandatory 1-year period. Denial of this item would result in Mr. Holder receiving 54% of his salary as temporary income benefits through workers' compensation pay, with the remainder to be counted as sick leave (approximately 18 hours per week).
3. **The City Council was briefed on this item in Executive Session on May 5, 2022.**
4. Per Section 143.073 of the Texas Local Government Code, a civil service employee on workers' compensation may request the governing body to extend the line of duty illness or injury leave at full or reduced pay.
5. On April 9, 2022, Mr. Holder submitted a written request to the City Council to consider extending his pay under Texas Local Government Code Section 143.073.
6. Regardless of Council action on this item, Mr. Holder is still on approved workers' compensation leave and receiving 54% of his salary as temporary income benefits.

This item only addresses the remaining approximately 46% of his salary, which will either be covered by the City continuing to pay his full salary or by Mr. Holder using accrued sick leave while he continues to be off of work.

7. If approved, funding in the amount of \$43,920 is available in the Police budget within the General Fund.

Recommendation

Council take appropriate action, if any, upon hearing consideration of the request.

ZONING CASES AND COMPANION ITEMS

- 51 Resolution - Sign Variance 2022-04-1976 - Considering a Sign Variance to Allow Modifications to the Required Materials for Monument Signs and to Allow Modifications to the Maximum Height of a Projecting Sign - Property Located at 200 East Las Colinas Boulevard - Entos Design, Applicant - Parmenter Realty Partners, Owner**

Administrative Comments

1. The applicant is seeking approval of two sign variances to allow (1) a new monument sign without the required brick, stone or similar materials encasing the metal cabinet, and (2) a new projecting sign to exceed the maximum height by 21 feet to be 33 feet in height.
2. The property is located at 220 E. Las Colinas Boulevard. Both signs are on the east side of the property.
3. The proposed monument sign is 12 feet tall and 3.75 feet wide. Per Section 7-2, a 12-ft. tall monument sign is allowed on lots over 3 acres. In lieu of the brick enclosure, the applicant is proposing an architectural metal sign with interior lighting. The proposed sign is located in a utility easement, approximately 5 feet from the property line, near the northern entrance to the parking garage off E. Las Colinas Boulevard. If the variance is approved, the applicant will need to secure an Easement Encroachment License Agreement with the City.
4. The proposed monument sign replaces an existing sign. The existing sign is 6 feet tall and 4 feet wide, is enclosed with masonry material, and is also located within a utility easement.
5. A second, existing monument sign near the south driveway will be removed, and no new signage is proposed in this area.
6. Chapter 7, Section 7-3 (7)e of the City of Irving Land Development Code states, "Structures shall be made of brick, stone or similar materials. Such materials shall

be used to frame the sign in such a way as to completely surround the sign area. No part of the metal may be left exposed.”

7. The proposed projecting sign will also be on the east side of the garage at the northernmost driveway. The sign will be 33 feet tall, with the bottom of the sign being 28.25 feet from the ground and the top of the sign being 61.25 feet from the ground. The sign will have interior illumination and will match the appearance of the proposed monument sign.
8. Chapter 7, Section 7-3 (11) of the City of Irving Land Development Code limits the total height of a projecting sign to 12 feet.
9. The applicant’s letter of justification states that the proposed variances (1) do not violate the intent of the sign ordinance, (2) do not adversely affect the surrounding properties, (3) do not adversely affect public safety, and (4) is necessary due to special conditions unique to this property. To this last point, the applicant notes that they have prepared preliminary enhancements to the ground-level and canal-level retail/restaurant/office spaces for the owner.
10. The signs will require approval by the Las Colinas Association.
11. Staff believes the monument sign meets the intent of the ordinance, which is to have a high-quality monument sign with an attractive appearance. Additionally, staff believes the proposed height of the projecting sign is appropriate considering the scale of the structure it will be mounted on and the neighboring properties. Accordingly, staff can support this request.

Recommendation

The resolution be approved.

52 Ordinance - Special Fence Project Plan SFP22-0001 - Considering a Variance to Chapter 15 of the City of Irving Land Development Code to Construct an Eight-Foot Tall Cedar Within the Side Yard Setback on a Corner Reverse Frontage Lot - Property Located at 1302 Dory Lane - Gabriel Barrios, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission recommended **Approval** on May 16, 2022 by a **vote of 9-0**.

Commissioners in support: Cronenwett, Patel, McPhail, Burns, Collins, Prichard, Haacke, Spurlock, Joy.

2. The subject property is a 0.30-acre single-family lot. **The applicant is requesting a special fence project plan to construct an eight-foot-tall wood fence within the side setback on a reverse frontage lot.**
3. The site is currently developed with a single-family home and is zoned R-7.5 “Single-Family Residential”.
4. In June of 2021, the applicant applied and was issued a building permit to construct an 8-foot wooden fence right at the 15-foot side setback. In December of 2021, the applicant received a notice of violation from the Inspections Department as the fence that was under construction did not follow the approved dimensions and encroached one (1) foot into the 15-foot side setback.
5. Per Chapter 15-12 of the Land Development Code (Fence Height – Reverse Frontage Lot), a reverse frontage lot (a lot whose rear yard is the side yard of an adjacent lot) may have a 4-foot-tall fence with 50% visibility directly along the side property line. If the property owner wishes to have a taller fence or a solid fence, it is only allowed if placed at least 15 feet from the property line. The subject property is a reverse frontage lot relative to the church property to the south.
6. The following variance is being requested:

	Required	Proposed
Side Yard Setback of a Solid Fence on a Corner Lot (Sec. 15-12 (Fences))	15 Feet	14 Feet (1-Foot Variance)

7. The fence is a solid, cedar structure with a sliding gate across the existing 16 ft. driveway. There are no other nearby houses in this lot configuration. No other properties in the area appear to have similar eight-foot tall fences across the length of the side yard that encroaches into a projected yard.
8. In March of 2022, the Transportation Department visited the site and met with the applicant. Upon inspection, staff determined the fence does not cause any traffic visibility issues.
9. The applicant explains that the reason for the request is to provide an additional measure of safety and security due to high crime and theft.
10. Staff believes that an eight-foot-tall fence that is 14 feet from the property line is compatible with the surrounding neighborhood. Since there are no traffic visibility issues, staff can support this request.
11. A total of 24 public notices were mailed. Staff received three (3) responses in support and none in opposition to this request.

Recommendation

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

53 Ordinance - ZC22-0014 - Considering a Zoning Change from C-P "Commercial Park", C-N "Neighborhood Commercial" and State Highway 161 Overlay District to S-P-2 (C-W) "Generalized Site Plan - Commercial Warehouse" and State Highway 161 Overlay District to Allow a Maximum Building Height of 50 Feet - Approximately 4.34 Acres Located at 4445 West Northgate Drive - J&J Lott Irving LLC, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission recommended **Approval** on May 16, 2022 by a **vote of 9-0**.

Commissioners in support: Cronenwett, Patel, McPhail, Burns, Collins, Prichard, Haacke, Spurlock, Joy.

2. The subject property is a 4.34-acre vacant lot. The applicant is requesting to rezone the property to S-P-2 (C-W) "Generalized Site Plan – Commercial Warehouse" and State Highway 161 Overlay District **to allow development of warehouse distribution uses**.

3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Business District** uses for this property. This land use category is described as a flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking. **The requested zoning is in conformance with the Comprehensive Plan.**

4. The property is divided into two separate zoning districts: C-P "Commercial Park" on the northern half, and C-N "Neighborhood Commercial" on the southern half. The entire property is also within the State Highway 161 Overlay District.

5. Section 2.5.11 (Commercial Warehouse) of the Unified Development Code requires that the maximum height for a principal structure in the C-W district be two (2) stories or 30 feet, whereas the applicant is proposing a 50-foot maximum height.

6. The following variance is being requested:

	Required	Proposed
Height of Principal Structure (Section 2.5.11)	2 stories or 30 feet	50 feet

7. While C-W "Commercial Warehouse" has a 30-foot maximum height for principal structures, other nearby distribution warehouses have been approved and constructed in excess of 30 feet. Warehouse structures are typically 45-55 feet in height.

8. The development will comply with all other requirements of the C-W "Commercial Warehouse" district and the State Highway 161 Overlay District.

9. The proposed zoning is compatible with the surrounding uses on the north side of W. Northgate Drive, and no single-family residential development is in the area. The

use is allowed by right under the State Highway 161 Overlay District, since the lot is more than 300 feet from the State Highway 161 right-of-way. Accordingly, staff can support this request.

10. A total of nine (9) public notices were mailed. Staff has not received any responses in support or in opposition to this request.

Recommendation

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

54 Ordinance - ZC22-0015 - Considering a Zoning Change from FWY "Freeway" and State Highway 161 Overlay District to S-P-2 (C-W) "Generalized Site Plan - Commercial Warehouse" and State Highway 161 Overlay District to Allow a Maximum Building Height of 50 Feet and Exceptions to the Location of Warehouse Uses and Required Parking - Approximately 7.64 Acres Located at 4335 West Northgate Drive - J&J Lott Irving LLC, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission recommended **Approval** on May 16, 2022 by a **vote of 9-0**.

Commissioners in support: Cronenwett, Patel, McPhail, Burns, Collins, Prichard, Haacke, Spurlock, Joy.

2. The subject property is a 7.64-acre vacant lot. The applicant is requesting to rezone the property to S-P-2 (C-W) "Generalized Site Plan – Commercial Warehouse" and State Highway 161 Overlay District **to allow development of warehouse distribution uses.**

3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Business District** uses for this property. This land use category is described as a flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking. **The requested zoning is in conformance with the Comprehensive Plan.**

4. Segment 2-A of the State Highway 161 Overlay District does not allow warehouse and industrial uses by right on a lot that is within 300 feet of State Highway 161. The subject property has frontage on the highway at the intersection with Northgate Drive. Additionally, the overlay district does not allow more than 25% of the required parking to be located between the building and State Highway 161. The applicant is requesting up to 50% of the required parking be allowed in this area.

5. Section 2.5.11 requires that the maximum height for a principal structure to be 30 feet, whereas the applicant is proposing a 50-foot maximum height. While C-W “Commercial Warehouse” has a 30-foot height maximum for principal structures, other nearby distribution warehouses have been approved and constructed in excess of 30 feet. Warehouse structures are typically 45-55 feet in height.
6. The following variances are being requested:

	Required	Proposed
Height of Principal Structure (Section 2.5.11)	2 Stories or 30 Feet	50 Feet
Minimum distance of warehouse and industrial uses from SH 161 (Section 2.3.3 (b))	300 feet	0 feet
Maximum parking between building and SH 161 (Section 2.3.3 (d))	25%	50%

7. Staff can support placing additional parking between the building and State Highway 161, since this will allow the truck bays to be to the side or rear, out of view from the highway.
8. The development will comply with all other requirements of the C-W “Commercial Warehouse” district and the State Highway 161 Overlay District.
9. The proposed zoning is compatible with the similar surrounding warehouse uses on the north side of W. Northgate Drive, and no single-family residential development is in the area. Given the changes in the corridor since the overlay district was originally approved, staff is examining where warehouse and industrial uses may be appropriate in the State Highway 161 corridor. Staff believes the proposed zoning is appropriate at this location and can support this request.
10. A total of nine (9) public notices were mailed. Staff has not received any responses in support or in opposition to this request.

Recommendation

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

55 Ordinance - ZC22-0018 - Considering a Zoning Change from S-P-2 (C-C) "Generalized Site Plan - Community Commercial" and State Highway 183 Overlay District to S-P-1 (C-C) "Detailed Site Plan - Community Commercial" and State Highway 183 Overlay District to Allow a Commercial Canopy to Encroach into the Front Yard Setback - Approximately 1.35 Acres Located at 2525 North Belt Line Road - Mayse & Associates, Inc., Applicant; Seritage SRC Finance, LLC, Owner

Administrative Comments

1. The Planning and Zoning Commission recommended **Approval** on May 16, 2022 by a **vote of 9-0**.

Commissioners in support: Cronenwett, Patel, McPhail, Burns, Collins, Prichard, Haacke, Spurlock, Joy.

2. The subject property is a 1.35-acre lot that is located along N. Belt Line Rd. in front of the former Sears site at Irving Mall. The applicant is requesting to rezone the property to S-P-1 (C-C) "Detailed Site Plan – Community Commercial" and State Highway 183 Overlay District **to allow a canopy to encroach approximately 5 feet into the front yard setback**. The purpose of the canopy is to cover the menu board and ordering for the drive through service.

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. This lot was rezoned in February of 2019 to S-P-2 (C-C) "Generalized Site Plan – Community Commercial with variances regarding surplus parking, a landscape buffer and a reduced parking setback from Belt Line Rd.

5. The applicant applied for a building permit in November of 2021. Construction of a proposed canopy as part of the project is on hold until this zoning case is resolved.

6. Section 33A-2 of the Land Development Code requires a building setback line of 30 feet from Belt Line Road. Although the primary building is located behind the required setback, the applicant is proposing to construct a canopy detached from the main building that would extend 5'-6 3/8" past the setback.

7. The following variance is being requested:

	Required Front Yard Building Setback (Section 33A-2)	Proposed Setback
Distance	30 feet	24 feet, 5.625 inches (5-foot and 6.375-inch Variance)

8. The proposed development meets the minimum parking requirements, and the proposed canopy will not encroach into the required 20-foot landscape setback. The

development will comply with all other requirements of the C-C “Community Commercial” district and the State Highway 183 Overlay District.

9. A total of 7 public notices were mailed. Staff has not received any responses in support or in opposition to this request.

Recommendation

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

56 Ordinance - ZC22-0020 - Considering a Zoning Change from ML-20 "Light Industrial" to C-W "Commercial Warehouse" - Approximately 0.74 Acres Located at 1306 N. Union Bower Road - Iglesia Evangelica El Divino Maestro, Inc, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission recommended **Approval** on May 16, 2022 by a **vote of 9-0**.

Commissioners in support: Cronenwett, Patel, McPhail, Burns, Collins, Prichard, Haacke, Spurlock, Joy

2. The subject property currently has an existing church structure on the south portion of the lot. The applicant is requesting a zoning change **to construct a new church structure on the north portion of the lot.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Industrial** uses for this property. This land use category is described as light to heavy industrial and manufacturing. **Since religious institution uses are allowed in any future land use category, the requested zoning is conformance with the Comprehensive Plan.**
4. While churches are allowed within any zoning district, the C-W “Commercial Warehouse” district allows for smaller front, side, and rear yard setbacks.

Zoning District Requirements	ML-20	C-W
Front Yard Setback	30 feet	20 feet
Side Yard Setback	15 feet	6 feet
Rear Yard Setback	30 feet	6 feet

5. This request does not include any variances from the C-W “Commercial Warehouse” district; therefore, a site plan is not required. All landscaping and

parking requirements must be met.

6. Since the proposed request is in conformance with the Comprehensive Plan, is appropriate for the area, and meets the applicant's needs, staff can support this request.
7. A total of 12 public notices were mailed. Staff has not received any responses in support or opposition to this request.

Recommendation

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

APPOINTMENTS AND REPORTS

57 Resolution - Appointment and Reappointments to the Hospital Authority Board to Fill Two-Year Terms Expiring June 30, 2024

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The City Council appoints five of the eleven members on the Irving Hospital Authority Board.
3. Members on the Hospital Authority Board are eligible to serve four, two-year terms. One member has served four terms and is no longer eligible for appointment. The Nominating Committee and Board of Directors have submitted a letter of recommendation.
4. There are three members eligible for reappointment. The Board of Directors submitted a letter recommending that Mark P. Andrews and Dr. Padmavathy Uppalapati, M.D. be reappointed to the Board. Board member Susie Fan was recently appointed to the board on October 14, 2021 to an unexpired term and will also be reappointed to serve a full term.

Recommendation

The resolution be approved.

58 Mayor's Report

Adjournment