

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, November 10, 2022 at 7:00 PM**  
**City Hall, First Floor, Council Chambers**  
**825 W. Irving Blvd., Irving, Texas 75060**

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Citizens that would like to provide a presentation to Council must submit their presentation(s) to Information Technology no later than 2:00 p.m. on the Tuesday prior to the work session or council meeting at [councilpubpres@cityofirving.org](mailto:councilpubpres@cityofirving.org).

Organizational Service Announcements

Invocation

Pastor Leon Adkins, Berean Memorial 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 45

**CITY COUNCIL AGENDA**

**1 City Operations Update**

**CONSENT AGENDA**

**2 Approving Work Session Minutes for Thursday, October 27, 2022**

**3 Approving Regular Meeting Minutes for Thursday, October 27, 2022**

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

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

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

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

**4 Ordinance - Amending Ordinance No. 2022-10634 Providing Budget Adjustment #1 to the 2022-23 Fiscal Year Budget**

**Administrative Comments:**

1. This item has been recommended by the Financial Services Department.
2. Budget Adjustments are needed in the following funds: Tree Mitigation Fund, Property – Self Casualty Insurance Fund, Irving Golf Club Fund, General Non-Bond CIP Fund, Local Law Enforcement Blk Grant Fund, Texas Hwy Safety Grants Fund and Miscellaneous Grants Fund.
3. The adjustments have been proposed by city staff and have been reviewed and recommended by Budget staff and Financial Services.
4. Total Budgeted Revenues = \$4,437,487 Total Budgeted Expenditures = \$4,783,477 = and Total Fund Balance Net Impact = (\$345,990).

**Recommendation:**

The ordinance be adopted.

**5 Resolution - Approving the City of Irving's Legislative Program for the 88Th Texas Legislative Session**

**Administrative Comments**

1. This item is recommended by the City Manager's Office.
2. **Impact:** Approval of this item will establish the City of Irving's Legislative Program for the 88<sup>th</sup> Texas Legislative Session.

**Recommendation**

The resolution be approved.

**6 Resolution - Reimbursing the City of Irving for Capital Expenditures for Projects in Advance of the Fiscal Year 2022-23 General Obligation Bond Sale, Sale of Tax Notes, Water and Sewer Revenue Bond Sale, Municipal Drainage Utility Certificates of Obligation, and Solid Waste Services Certificates of Obligation, in an Amount Not to Exceed \$115,725,000**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.

2. **Impact:** This resolution provides that any funds advanced for the projects listing in Attachment A will be reimbursed with proceeds from the FY 2022-23 General Obligation Bond sale, sale of Tax Notes, Water and Sewer Revenue Bond sale, and Municipal Drainage Certificates of Obligation sale, and Solid Waste Services Certificates of Obligation.
3. The City wishes to begin capital projects approved in the FY 2022-23 Budget in effort to expedite the design and construction of projects.
4. The proposed reimbursement resolution allows the city to be reimbursed for eligible costs for the projects listed in Attachment A.
5. Any funds advanced for the General Obligation projects listed in Attachment A will be from currently available funds in the General Fund or various project funds and those funds will be reimbursed in proceeds from the General Obligation Bonds issued in FY 2022-23. The total amount to be issued is \$62,200,000.
6. Any funds advanced for the Tax Notes vehicle and equipment purchases listed in Attachment A will be from currently available funds in the Vehicle and Equipment Replacement Fund or the General Fund and those funds will be reimbursed with proceeds from the Tax Notes issued in FY 2022-23. The total amount to be issued is \$875,000.
7. Any funds advanced for the Water and Sewer Revenue Bonds will be using currently available funds in Water and Sewer Operating Fund and the Water and Sewer Non-Bond CIP Fund and reimbursing those funds once the Water and Sewer Revenue Bonds are issued in FY 2022-23. The total amount to be issued is \$24,650,000.
8. Any funds advanced for the Municipal Drainage Utility Certificates of Obligation will be using currently available funds in the Municipal Drainage Utility Operating Fund and Municipal Drainage Non-Bond CIP Fund and reimbursing those funds once the Municipal Drainage Utility Certificates of Obligation are issued in FY 2022-23. The total amount to be issued is \$20,000,000.
9. Any funds advanced for the Solid Waste Services Certificates of Obligation will be using currently available funds in the Solid Waste Services Operating Fund and reimbursing those funds once the Solid Waste Services Certificates of Obligation are issued in FY 2022-23. The total amount to be issued is \$800,000.

**Recommendation**

The resolution be approved.

**7 Resolution - Amending Authorized City of Irving Representatives in the Texas Local Government Investment Pool ("TexPool")**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will allow named City staff to conduct transactions in the Texas Local Government Investment Pool (TexPool).
3. The City currently utilizes TexPool as an authorized investment under the Texas Public Funds Investment Act, as amended from time to time.
4. The Authorized Representatives named in the resolution will be able to deposit, withdraw, transfer, and take necessary actions appropriate for the investment of City funds.
5. The resolution names the Chief Financial Officer, Finance Director, Treasury Manager, and Treasury Administrator as Authorized Representatives from the City. This is consistent with the Approved City Investment Policy.
6. The amendment being made is to add the new Treasury Manager per a recent staffing change.

**Recommendation**

The resolution be approved.

**8 Resolution - Amending Authorized City of Irving Representatives in the Texas Short Term Asset Reserve Program ("TexSTAR")**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will allow named City staff to conduct transactions in the Texas Short Term Asset Reserve Program (TexSTAR).
3. The City currently utilizes TexSTAR as an authorized investment under the Texas Public Funds Investment Act, as amended from time to time.
4. The Authorized Representatives named in the resolution will be able to deposit, withdraw, transfer, and take necessary actions appropriate for the investment of City funds.
5. The resolution names the Chief Financial Officer, Finance Director, Treasury Manager, and Treasury Administrator as Authorized Representatives from the City. This is consistent with the Approved City Investment Policy.
6. The amendment being made is to add the new Treasury Manager per a recent

staffing change.

**Recommendation**

The resolution be approved.

**9 Resolution - Approving an Amendment to the Congregate Meals Agreement Between the City Irving and Visiting Nurses Association (VNA) to Provide Meals at the Heritage Senior Center in an Amount Not to Exceed \$60,000.00.**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of this Amendment will allow program participants at Heritage Senior Center to continue receiving daily nutritional meals and services at no cost to the participant.
3. The Amendment extends the original agreement dated October 1, 2014, between the City of Irving and The Visiting Nurses Association (VNA), to continue providing meals at a rate of \$3.93 per meal for the period of October 1, 2022 through September 30, 2023.
4. The nutritional service provided by VNA is an important component to improve the quality of life for our senior citizens.
5. There were 22,968 meals served in FY2020-21, and 12,168 in FY2021-22. The FY2020-21 total represents a 50% increase over the historical average due to the COVID 19 pandemic and the temporary addition of home delivered meal service; however, monthly meal service returned to average numbers in FY2021-22.
6. Reimbursement for the cost of these meals is funded by Title III state funding obtained through a grant from Dallas Area Agency on Aging, a Dallas County entity.
7. Funding in the amount of \$60,000 is available in the Miscellaneous Grants Fund budget within the FY2022-23 Grants Fund.

<b>Vendor</b>	<b>Contract Term</b>	<b>Total Estimated Expenditure</b>	<b>Fiscal Year(s)</b>
Visiting Nurses Association	10/1/22 – 9/30/23	\$60,000	2022-23

**Recommendation**

The resolution be approved.

**10 Resolution - Approving a Letter of Authorization and an Amendment to the Interlocal Agreement Between the City of Irving and the North Central Texas Council of Governments, in the Amount of \$8,898.00, for the Regional Stormwater Management Program**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and stormwater systems.
2. **Impact:** Participation in this program meets the Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) permit requirements for municipal stormwater discharges.
3. The Interlocal Agreement for the Stormwater Management Program has been amended to extend the original Agreement Term (effective October 1, 2017 through September 30, 2022), by one (1) year. The amended term will expire on September 30, 2023. The Interlocal Agreement requires annual Letter of Authorization to provide the following:
  - Fiscal Year 2023 funding in the amount of \$8,898.00 for the Regional Stormwater Management Program, which provides for administrative and implementation assistance.
4. Funding for this annual expenditure was approved by the adoption of the FY 22-23 Municipal Drainage Utility (MDU) budget.
5. Funding in the amount of \$8,898.00 is available in the Municipal Drainage Utility Fund.

**Recommendation**

The resolution be approved.

**11 Resolution - Authorizing the Preparation and Filing of an Application for Financial Assistance from the Texas Water Development Board (TWDB) Flood Infrastructure Funding (FIF) Program for the West Irving Creek Channel 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 stormwater systems.

2. **Impact:** This resolution will authorize the City of Irving to apply for 0% interest financing with a grant component for construction of the West Irving Creek Channel Project from the Texas Water Development Board (TWDB) and to designate a representative for applications and appearances.
3. The West Irving Creek Channel Project was identified in the Five-Year MDU Plan for replacement due to maintenance and capacity problems. The project is in design at this time and the construction is currently estimated at a cost of \$45 Million.
4. The application will request 0% interest debt financing from TWDB's Flood Infrastructure Fund (FIF) of \$38.7 Million, of which \$6.3 Million will become grant funds.
5. The TWDB provides loans at below-market interest rates and partial principal forgiveness for projects that qualify. If the application is approved, the City would issue approximately \$38.7 Million of Combination Tax and Surplus Revenue Certificates of Obligation to the TWDB in 2023.

### **Recommendation**

The resolution be approved.

## **12 Resolution - Approving the Contract with Lewis Marketing Partners for Media Buying and Digital Media Strategy Services for the Irving Convention & Visitors Bureau for a One-Year Term in the Total Estimated Amount of \$56,000.00**

### **Administrative Comments**

1. This item is recommended by the Irving Convention & Visitors Bureau (ICVB) and supports Strategic Goal No. 3: Economic Development.
2. **Impact:** Media Buying and Digital Media Strategy Services directly enhance the efforts of the ICVB to promote the city as a destination for visitors, conventions and meetings.
3. Lewis Marketing Partners (LMP) will provide media buying and digital media strategy services to the ICVB on an annual basis, with a 10 percent fee assessed based on the media buying budget, plus any associated expenses.
4. The services LMP provides are part marketing art and science, part content strategy, part research and part technology. Additionally, LMP provides a unique set of qualifications that are key for target segmentation, category, value proposition, positioning and brand strategy; this is a key asset to our Marketing and Communications initiatives.
5. The Irving Convention and Visitors Bureau represents a \$3.04 billion-per-year

hospitality industry, which welcomes 4.1 million visitors and generates \$64.7 million in taxes annually. The Irving Convention and Visitors Bureau is funded solely through hotel tax collections, and the restrictions on gatherings, and traveler apprehension about safety have had a direct impact on the Irving Convention and Visitors Bureau's ability to attract conferences, conventions and visitors.

6. This contract will run January 1, 2023, through December 31, 2023.
7. Funding in the amount of \$56,000 is provided by American Rescue Plan Act (ARPA) funds, which have been transferred to the ICVB General Fund.
8. ARPA funds are available to address the negative economic impacts of the pandemic, including aid to impacted industries such as tourism, travel and hospitality. Aid is also available to help reopen travel businesses and organizations that were closed during the pandemic, to respond to the negative economic impacts of the pandemic, and to replace lost public sector revenue and cover government revenue losses that were due to the pandemic, such as hotel occupancy taxes and convention center revenues.
9. The Irving Convention and Visitors Bureau's Hotel Occupancy revenues have declined significantly since March 2020 due to the COVID-19 pandemic. Per the formula in the Act, the ARPA Calculation of Loss to date for the ICVB and ICC total \$10,860,521 for FY 20-21 and \$11,460,519 for FY 21-22.

<b>Vendor</b>	<b>Contract Term</b>	<b>Total Estimated Amount</b>	<b>Fiscal Year(s)</b>
Lewis Marketing Partners	1/1/23 – 12/31/23	\$56,000.00	2022-23
<b>TOTAL</b>		<b>\$56,000.00</b>	

**Recommendation**

The resolution be approved.

**13 Resolution - Authorizing the Irving Convention and Visitors Bureau to Purchase Advertising Space in the Media in the Amount of \$560,000.00 for Fiscal and Calendar Year 2023**

**Administrative Comments**

1. This item is recommended by the Irving Convention and Visitors Bureau (ICVB) and supports Strategic Goal No. 3: Economic Development.
2. **Impact:** The contract positively impacts City of Irving residents, visitors and businesses by generating additional community revenues through a targeted advertising program promoting the city of Irving as a premier destination.



3. Funding in the amount of \$560,000 is provided by American Rescue Plan Act (ARPA) funds, which have been transferred to the ICVB General Fund.
4. ARPA funds are available to address the negative economic impacts of the pandemic, including aid to impacted industries such as tourism, travel and hospitality. Aid is also available to help reopen travel businesses and organizations that were closed during the pandemic, to respond to the negative economic impacts of the pandemic, and to replace lost public sector revenue and cover government revenue losses that were due to the pandemic, such as hotel occupancy taxes and convention center revenues.
5. The Irving Convention and Visitors Bureau's Hotel Occupancy revenues have declined significantly since March 2020 due to the COVID-19 pandemic. Per the formula in the Act, the ARPA Calculation of Loss to date for the ICVB and ICC total \$10,860,521 for FY 20-21 and \$11,460,519 for FY 21-22.
6. The advertising schedule includes traditional and digital media in both the trade and leisure markets. Messaging will be focused primarily on the meetings trades and specialty publications within that segment, promoting Irving hotels and the Irving Convention Center for meetings and events, and will include third-party lead generation outlets. Leisure messaging will include the Texas Tourism co-operative program and focus on the 150-500 mile "drive-to" markets, as well as targeted staycation and regional event-driven messaging.
7. The final advertising schedule will be determined based on proposals submitted and the evaluation of these, to select those that best address the primary objectives of the 2022-23 ICVB Marketing Plan. Budgeting is done on a fiscal year basis; however, the media schedule primarily is placed on a calendar year with funds encumbered as commitments are made, and thus crossing fiscal years.
8. Past ICVB advertising conversion studies reported the following impacts and return on investment: for each \$1 the ICVB spent on advertising, \$31 was spent by travelers in Irving businesses. (Irving Conversion Study, Smart Business, 2000.) Based on the results received from similar advertising campaign components conducted with ARPA funds, for every \$1 spent, \$76.85 was generated in Potential Economic Value and/or direct hotel referrals.

### **Recommendation**

The resolution be approved.

**14 Resolution - Approving Change Order No. 3 to the Citywide Communications System Maintenance Agreement Between the City of Irving and Motorola Solutions, Inc., to add Point-To-Point - Backhaul**

**Administrative Comments**

1. This item is recommended by the Information Technology (IT) Department.
2. **Impact:** The Citywide Communication System agreement provides hardware, software, maintenance and technical support necessary to maintain the city’s radio communications network. This change order allows adding point to point - backhaul.
3. The original maintenance agreement was approved by Council on December, 8, 2011 for a ten-year term beginning in 2015. The addition of this subscription would result in a total additional cost of \$59,188.80.
4. The yearly contract cost after change order No. 3 breaks down as follows. The Change Order Additional Cost would be the added cost each year through the remainder of the contract. The first year includes \$3,000 to backdate the contract change to September 2022. The requested budget number would be our total Motorola maintenance budget request each year with the addition.

<b>Motorola Contract Year &amp; FY</b>	<b>2022 FY 2023</b>	<b>2023 FY 2024</b>	<b>2024 FY 2025</b>
<b>Change Order Additional Cost</b>	\$21,000	\$18,720	\$19,468.80
<b>Requested Budget</b>	\$1,095,552	\$1,109,503	1,167,354.80

5. There is still a savings from change order No. 1 which will still be used to purchase bank repairs, onsite training and a the ongoing Critical Connect subscription.

**Recommendation**

The resolution be approved.

**15 Resolution - Approving Expenditure with Axon Enterprise, Inc., in the Amount of \$186,120.00 for the Criminal Investigations Interview Room Audio Video System.**

**Administrative Comments**

1. This item is recommended by the Information Technology Department and the Police Department. It supports Strategic Objective 4.2: Leverage information technology to drive efficient and responsive service delivery.

2. **Impact:** The police department currently has nine interview rooms with an audio-visual recording system in need of replacement. These rooms are located at the Criminal Justice Center and the Family Advocacy Center. The current system is outdated and has shown to be increasingly difficult to troubleshoot and repair. It also does not interface with Evidence.com.
3. The police department has a current contract with Axon Enterprise, Inc. allowing for the capture of audio video evidence to include automatic uploading to their evidence data management system. Evidence.com is the interface utilized to share case file information with the Dallas County Court System. This is important because the current system requires our investigators to download the interview evidence to their desktop and then upload into Evidence.com. This process creates choke points where we have lost evidence due to corrupt hard drives and other factors in the process. Waiting for large files to download and or upload also creates time management issues related to administrative duties which takes away from investigating criminal offenses.
4. An RFI for this project was completed in January 2022. This project specifically stated, "Consideration should be given to interface abilities with other systems such as evidence.com." Axon Enterprise, Inc. is the single source provider with direct interface abilities with evidence.com making them the best choice for this project. Furthermore, our existing relationship with Axon contributed to an ability to negotiate a lower price from the original quote submitted during the RFI process.
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 \$186,120.00 is available within the American Rescue Plan Act (ARPA) Fund.

### **Recommendation**

The resolution be approved.

### **Bids & Purchasing Items Items 16-34**

- 16 Resolution - Approving Additional Spending with W. W. Grainger, Inc., in the Total Estimated Amount of \$75,000.00 for Maintenance, Repair, Operating Supplies, Industrial Supplies and Related Products and Services through Sourcewell**

### **Administrative Comments**

1. This item is recommended by the Financial Services Department – Purchasing

Division.

2. **Impact:** Approval of this item will allow the city to continue purchasing maintenance and hardware supplies through utilization of Sourcewell Contract No.121218-WWG.
3. A Vendor/Member contract between the City of Irving and W.W. Grainger, Inc., was approved by RES-2020-20 on January 16, 2020 to support this contract for Facility MRO (Maintenance, Repair & Operations), Industrial & Building Supplies with Related Equipment, Accessories & Services which expires on January 25, 2023.
4. Additional authorization in the amount of \$75,000.00 to complete the current spending term which expires January 25, 2023 is needed due to the rising cost of MRO supplies.
5. Funding for Fiscal Year 2022-23 is available in various departmental budgets within various funds.

<b>Vendor</b>	<b>Spending Term</b>	<b>Total Estimated Amount</b>
W. W. Grainger, Inc.	11/11/22-1/25/23	\$ 75,000.00

**Recommendation**

The resolution be approved.

**17 Resolution - Approving a Master Services Agreement between the City of Irving and Securus Technologies, Inc., for an Annual Contract to Provide Jail Inmate Phone Services**

**Administrative Comments**

1. This item is recommended by the Police Department.
2. **Impact:** Inmates' use of the jail phone system and purchase of pre-paid phone cards provides a source of revenue for the city.
3. This award establishes an annual contract for the continuation of providing jail inmate phone services. The award is for one year with two, two-year renewal options.
4. A Request for Proposals (RFP) was issued on May 3, 2022, for a Jail Inmate Phone System. One proposal was received in response to this RFP. The proposal submitted by Securus Technologies, Inc., has been determined by staff to be reasonable and acceptable based upon the evaluation criteria established in the RFP.
5. The vendor will be compensated 31% of revenues received on all local and

intrastate calls. The city's net revenue from this contract averages approximately \$20,000.00 per year.

6. Revenue received as a result of this contract is deposited in the General Fund.

**Recommendation**

The resolution be approved.

**18 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Facilities Solutions Group, Inc. (FSG), and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$150,000.00 for Replacement, Installation, and Repairs of Scoreboards and Digital Signage 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 the Financial Services Department - Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and FSG for utilization of BuyBoard Contract No. 678-22 for Scoreboards, Signage, Digital Display Products, and Installation Services, which expires on September 30, 2023, will provide purchase and installation of new signage, as well as allowing the city to address the repair and/or replacement of aging equipment such as scoreboards and digital signages at parks, athletic fields and recreation facilities.
3. Approval of this contract will support the purchase of a new Kiosk that will be installed at Heritage Park through the new Smart City initiatives, as the city takes steps towards bringing technology to parks.
4. Funding for Fiscal Year 2022-23 is available in the Park Improvement Bond Fund and in the Parks & Recreation Department budget within the General Fund.

<b>Vendor</b>	<b>Contract Term</b>	<b>Total Estimated Amount</b>
Facility Solutions Group, Inc.	11/11/22 – 9/30/23	\$150,000.00

**Recommendation**

The resolution be approved.

**19 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Facility Solutions Group, Inc. (FSG), and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$200,000.00 to Provide Parks and Sports Field Energy Saving Lighting Products and Installation Services, 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 the Financial Services Department - Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and FSG for utilization of BuyBoard Contract No. 677-22 for Parks and Sports Field Lighting Products and Installation Services, which expires on September 30, 2023, will provide repairs and/or replacement of lighting systems at Parks & Recreation facilities. This contract will ensure that these facilities are equipped with safe, essential, and progressive lighting components for the residents of Irving.
3. Approval of this contract will support the as-needed purchases of repairs and/or replacement of lighting systems and components that may be needed for parks, sports fields or courts, facility security lighting, etc.
4. Funding for Fiscal Year 2022-23 is available in the Parks and Recreation Department budget within the General Fund and in the Park Improvement Bond Fund.

Vendor	Contract Term	Total Estimated Amount
Facility Solutions Group, Inc.	11/11/22 – 9/30/23	\$200,000.00

**Recommendation**

The resolution be approved.

**20 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Lea Park & Play, Inc., and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$395,000.00 for Purchase and Installation of Playground and Park Equipment, and Playground Surfacing Services 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 the Financial Services Department - Purchasing Division.

2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Lea Park & Play, Inc., for utilization of BuyBoard Contract No. 679-22 for Parks and Recreation Equipment, Products, and Installation Services, which expires on September 30, 2023, will allow the city to purchase and install playground and park equipment and to utilize playground surfacing services to provide quality recreational facilities to the residents of Irving.
3. Approval of this contract supports as-needed purchase and installation of playground and park equipment such as picnic tables, park benches, shade shelters, etc. through the designated BuyBoard contract for the specified contract term.
4. This contract will be utilized for purchase and installation of a small play unit as part of the Oak Meadows Park Development Project as included in the 2019 Parks Master Plan.
5. Funding for Fiscal Year 2022-23 is available in the Park Improvement Bond Fund and in the Parks & Recreation Department budget within the General Fund.

Vendor	Contract Term	Total Estimated Amount
Lea Park & Play, Inc.	11/11/22 – 9/30/23	\$395,000.00

**Recommendation**

The resolution be approved.

**21 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Kompan, Inc., and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$420,000.00 for Purchase and Installation of Sport Fitness and Playground Equipment through a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department and the Financial Services Department - Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Kompan, Inc., for utilization of Omnia Partners Contract No. 2017001135 for

Playground and Outdoor Fitness Equipment, Site Accessories, Surfacing, and Related Products and Services, which expires on June 30, 2024, will allow the city to purchase playground and outdoor fitness equipment, site accessories, surfacing, and related products and services to maintain and provide recreational facilities to the residents of Irving.

3. Approval of this contract supports as-needed purchase and installation of fitness and playground equipment and accessories through the designated Omnia Partners contract for the specified spending term.
4. This contract will be utilized for installation of an exercise unit as part of the Oak Meadows Park Development Project as included in the 2019 Parks Master Plan.
5. Funding for Fiscal Year 2022-23 is available in the Park Improvement Bond Fund and in the Parks & Recreation Department budget within the General Fund.

Vendor	Spending Term	Total Estimated Amount
Kompan, Inc.	11/11/22 – 6/30/23	\$420,000.00

**Recommendation**

The resolution be approved.

**22 Resolution - Approving As-Needed Expenditures with Baker & Taylor, LLC, Ingram Library Services LLC, and Midwest Tape, LLC, in an Amount Not to Exceed \$550,000.00 for Library Books and Audio/Video Materials with Electronic Ordering Interface through the State of Texas Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Library Services Department.
2. **Impact:** This contract supplies library books and audio/video materials through use of an electronic ordering interface compatible with the library’s current system in order to offer patrons a wide variety of resources.
3. Choice of library materials ordered is driven by library patron demand and usage, and stock of best sellers and other popular items can vary greatly from supplier to supplier based upon the needs of their various customers. Approval of this item will



facilitate the ability to make these as-needed purchases of high demand print and audio/visual materials in a more timely fashion, as well as providing the necessary processing services to allow these items to be placed into circulation in city libraries.

4. These purchases are supported by Vendor/Member contracts between the City of Irving and Baker & Taylor, LLC, Ingram Library Services LLC, and Midwest Tape, LLC, which were approved by Resolutions No. 2020-313, 2020-314, and 2020-315 respectively on September 3, 2020. These contracts utilize State of Texas Contract No. 715-M2 for Publications, Audiovisual Materials, Books, Textbooks, and Ancillary Service which has been renewed through October 31, 2023.
5. Funding for Fiscal Year 2022-23 is available in the Library Services Department budget within the General Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.
6. Because this contract runs from November 2022 through October 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	FY 2022-23 Est. Amt.	FY 2023-24 Est. Amt.	Total Est. Amt.
Baker & Taylor, LLC	11/1/22 – 10/31/23	\$500,000.00	\$ 50,000.00	\$550,000.00
Ingram Library Services LLC				
Midwest Tape, LLC				

**Recommendation**

The resolution be approved.

**23 Resolution - Authorizing As-Needed Expenditures in the Total Estimated Amount of \$400,000.00 for Minor Concrete Construction Services with C&J's Designs and Solutions of East Texas, LLC, through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact:** Approval of this contract will allow the city to address infrastructure issues that necessitate concrete replacement and as-needed repairs to existing city facilities efficiently.
3. A Vendor/Member contract between the City of Irving and C&J's Designs and Solutions of East Texas LLC., was approved on May 18, 2022 by Administrative

Award No. 7807. The contract supports the utilization of TIPS Contract No. 220107, for trades, labor, and materials (2 Part with JOC), Part 1 only, which expires on March 31, 2027.

4. CIP is seeking authorization in the total estimated amount of \$400,000.00 for as-needed expenditures for the spending term beginning on November 11, 2022 and running through March 31, 2024. These expenditures will support the handling of as-needed small to medium sized concrete projects such as installation and repair of sidewalks and stoops, as well as other concrete related items such as retaining walls, drive approaches, and exterior slabs, in a timely and cost-effective manner.
5. Funding for Fiscal Year 2022-23 is available in various departmental budgets within various funds, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Spending Term	Total Estimated Amount	Fiscal Year(s)
C&J's Designs and Solutions of East Texas LLC.	11/11/22 - 3/31/24	\$275,000.00	2022-23
		\$125,000.00	2023-24
<b>TOTAL</b>		<b>\$400,000.00</b>	

**Recommendation**

The resolution be approved.

**24 Resolution - Approving a Professional Services Agreement Between the City of Irving and Leetex Group, LLC, in an Amount Not to Exceed \$450,000.00 for Davis Bacon Compliance Monitoring**

**Administrative Comments**

1. This item is recommended by the Housing & Redevelopment, Traffic & Transportation, and Capital Improvement Program (CIP) departments.
2. **Impact:** Approval of this agreement with Leetex Group, LLC, for Davis-Bacon compliance monitoring will provide the City with professional services that will ensure compliance with the Davis-Bacon and Related Acts (DBRA).
3. The DBRA requires that all federally-funded or assisted contracts in excess of \$2,000, for construction, alterations, and/or repair of public buildings or public works contain provisions stating that Contractors and Subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in

the area. Minimum wages are based on the wages the Secretary of Labor determines prevailing for the classes of laborers and mechanics, type of project, and geographic location the work is being performed.

4. The DBRA includes but is not limited to the following provisions: (1) requires the Contractor or Subcontractor to pay all mechanics and laborers no less often than once a week; (2) prohibits deductions or rebates from wages earned by laborers and mechanics; (3) requires the Contractor or Subcontractor to pay DBRA wages to all laborers and mechanics employed on the site of the work regardless of any contractual relationship alleged to exist between the laborers and mechanics and the Contractor or Subcontractor; and (4) requires that the scale of wages to be paid be posted in a prominent and accessible place at the work site.
5. A Request for Proposals was issued for these services, and proposals were received from seven (7) firms. Of those firms, Leetex Group, LLC was chosen as the respondent scoring the highest points based on the evaluation criteria established in the RFP.
6. Approval of this item establishes an annual contract for the continuation of providing Davis Bacon compliance monitoring services. It includes two, two-year renewal options.
7. Minority- and/or Women-Owned Business Enterprise participation in this award is 100%.
8. Funding for Fiscal Year 2022-23 is available in various project funds, while funding for Fiscal Year 2023-24 is subject to budget appropriation.
9. Because this annual contract runs from November 2022 through November 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.

<b>Vendor</b>	<b>Contract Term</b>	<b>Estimated Expenditure</b>	<b>Fiscal Year(s)</b>
Leetex Group, LLC	11/10/22 – 11/9/23	\$374,500.00	2022-23
		\$ 75,500.00	2023-24
<b>TOTAL AMOUNT NOT TO EXCEED</b>		<b>\$450,000.00</b>	

**Recommendation**

The resolution be approved.

**25 Resolution - Renewing the Contract with Fannin Tree Farm Sales, LLC, in the Total Estimated Amount of \$204,224.00 for Tree Mitigation Services**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact: This item supports the Road to the Future and Drainage Solutions for a Better Tomorrow programs.** This contract provides for installation of new 3- to 4-inch caliper trees to replace those trees removed as the result of capital improvement projects in accordance with the City of Irving’s Tree Mitigation Policy. The CIP Department estimates that approximately 200 vouchers will be issued to residents annually due to the increase in road and drainage projects underway.
3. Tree voucher value is calculated based upon the average price of tree species identified as Tier 1 trees within the bid specifications and has been determined to be \$510.56 per tree.
4. This item establishes the continuation of an annual contract to provide tree vouchers to residents under the guidelines of the city’s Tree Mitigation Program. This is the second and final of two, two-year renewal options. The current contract expires December 31, 2022.
5. Funding for Fiscal Year 2022-23 is available in various project budgets within various funds, while funding for Fiscal Years 2023-24 and 2024-25 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Amount	Fiscal Year
Fannin Tree Farm Sales, LLC	1/1/2023 – 12/31/2024	\$ 76,584.00	2022-23
		\$102,112.00	2023-24
		\$ 25,528.00	2024-25
<b>TOTAL</b>		<b>\$204,224.00</b>	

**Recommendation**

The resolution be approved.

**26 Resolution - Renewing the Annual Contract with CCGMG, LLC Series B in the Total Estimated Amount of \$2,300,000.00 for Concrete Repair of Sidewalks, Utility Cuts, Streets, and Alleys**

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation Department.
2. **Impact: This contract supports the Road to the Future program.** It will supplement the Streets Operations staff for as-needed concrete repair and maintenance of sidewalks, utility cuts, streets and alleys required for structural integrity and to enhance safety for citizens and motorists.
3. In order to accommodate the price increase submitted by the vendor, which has been reviewed and accepted by Traffic & Transportation, the contract amount has been increased by 25% over the initial award amount, which is in accordance with the maximum percentage increase allowed by State law.
4. This renewal establishes the continuation of an annual contract to provide concrete repair services. This is the first of two, one-year renewal options. The current contract expires on November 30, 2022.
5. Funding for Fiscal Year 2022-23 is available in the Street Improvement Bond Fund and in the Traffic & Transportation Department budget within the General Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
CCGMG, LLC Series B	12/1/22 – 11/30/23	\$ 2,000,000.00	2022-23
		\$ 300,000.00	2023-24
<b>TOTAL</b>		<b>\$ 2,300,000.00</b>	

**Recommendation**

The resolution be approved.

**27 Resolution - Approving and Accepting the Bid of Sub-Aquatics, Inc., in the Total Estimated Amount of \$102,000.00 for a Breathing Air Trailer**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** A mobile breathing air trailer provides clean, safe air to workers having to spend time in confined workplaces which can present hazardous gases harmful to

humans.

3. This 12-foot by 7-foot enclosed trailer contains six storage cylinders that will provide clean air continuously for up to four hours to personnel operating in hazardous conditions.
4. This purchase is a life-cycle replacement for a 1994 Breathing Air Systems trailer, operating under equipment number 58007.
5. Funding in the total estimated amount of \$102,000.00 is available in the Water-Sewer Operating Fund.

**Recommendation**

The resolution be approved.

**28 Resolution - Renewing the Annual Contract with Incircle Management, Inc., in the Total Estimated Amount of \$78,000.00 for Mowing, Litter Control, and Landscape Maintenance for Water Utilities**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** This contract allows Water Utilities to ensure all of the water and wastewater facilities in Irving are maintained with continuous mowing and litter control.
3. Although rates have remained the same for services, the contract value has been increased to add additional services at locations that are very visible to the public. These sites include the Las Colinas Urban Center lift station and the Hackberry and MacArthur pump stations.
4. This item establishes the continuation of an annual contract to provide mowing, litter control, and landscape maintenance for water utilities facilities throughout the City of Irving. This is the first of two, one-year renewal options. The current contract expires November 30, 2022.
5. Funding for Fiscal Year 2022-23 is available in the Water-Sewer Operating Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Amount	Fiscal Year
Incircle Management, Inc.	12/1/22 – 11/30/23	\$65,000.00	2022-23
		\$13,000.00	2023-24
<b>TOTAL</b>		<b>\$78,000.00</b>	

**Recommendation**

The resolution be approved.

**29 Resolution - Authorizing As-Needed Expenditures in the Total Estimated Amount of \$172,000.00 for the Purchase of Vehicle Management Devices, Global Positioning System (GPS), and Monitoring Services from Fleet Solutions, LLC, dba USA Fleet Solutions, a Reseller of Geotab, Inc., through Sourcewell**

**Administrative Comments**

1. This item is recommended by the Fleet Services Division.
2. **Impact:** Approval of this item will allow for the continuation of monitoring the city’s fleet, which increases the efficiency of both the Fleet Services Division and the departments and provides accountability regarding vehicle safety, security, and utilization.
3. A Vendor/Member contract between the City of Irving and Fleet Solutions, LLC, dba USA Fleet Solutions, a reseller of Geotab, Inc., was approved on May 2, 2022, by Administrative Award No. 7799. The contract supports utilization of Sourcewell Contract No. 020221-GEO for Fleet Management, which expires on March 26, 2025.
4. The Fleet Services Division had declared spending in the total estimated amount of \$49,999.99 utilizing this contract to accommodate the city’s transition to this vendor’s services. Based on the data generated from the purchase of the devices and monthly fees associated with monitoring services after the transition, the Division anticipates additional spending of \$172,000.00 through March 26, 2024, bringing the contract value to a total estimated amount of \$222,000.00.
5. Funding for Fiscal Year 2022-23 is available in various departmental budgets in various funds, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Spending Term	Total Est. Expenditure	Fiscal Year(s)
Fleet Solutions, LLC, dba USA Fleet Solutions, a reseller of Geotab, Inc.	11/11/22 – 3/26/24	\$107,500.00	2022-23
		\$ 64,500.00	2023-24
<b>TOTAL</b>		<b>\$172,000.00</b>	

**Recommendation**

The resolution be approved.

**30 Resolution - Approving the Purchase from Associated Supply Company, Inc., of a 2022 or Newer Case 621G XR Wheel Loader and a 2022 or Newer Case TV620B Compact Track Loader in the Total Estimated Amount of \$386,700.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department and approved by the Fleet Services Division.
2. **Impact: This item supports the Drainage Solutions for a Better Tomorrow program.** The new equipment purchases shown below from Associated Supply Company, Inc., will increase effectiveness and better support the Municipal Drainage Utility Division in fulfilling projects related to drainage, construction, and private development for the residents of Irving.
3. A Vendor/Member contract between the City of Irving and Associated Supply Company, Inc., was approved on January 30, 2020, by 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.
4. Funding is available in the Municipal Drainage Utility Operating Fund.
5. The new equipment purchases are as follows:



Department	Item Description (Quantity)	Total Est. Expenditure
CIP	2022 or newer Case 621GXR wheel loader (1)	\$248,800.00
	2022 or newer Case TV62V0B compact track loader (1)	\$137,900.00
<b>Total</b>		<b>\$386,700.00</b>

**Recommendation**

The resolution be approved.

- 31 Resolution - Approving the Purchase from ROMCO Inc., dba ROMCO Equipment Company, LLC, (ROMCO) for a 2022 Volvo EW180E Wheeled Excavator in the Total Estimated Amount of \$332,398.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department and approved by the Fleet Services Division.
2. **Impact: This item supports the Drainage Solutions for a Better Tomorrow program.** The purchase shown below from ROMCO will ensure that the Municipal Drainage Utility Division maintains adequate and reliable equipment for staff to provide exceptional services related to drainage, construction, and private development projects.
3. A Vendor/Member contract between the City of Irving and ROMCO was approved on June 30, 2022, by Resolution No. 2022-257. The contract supports utilization of BuyBoard Contract No. 597-19 for Construction, Road and Bridge, Ditching, Trenching, and other Equipment, which expires on November 30, 2022.
4. ROMCO is offering an additional special discount of \$10,500.00 on this purchase.
5. Funding is available in the Municipal Drainage Utility Operating Fund.
6. The new equipment purchase is as follows:

<b>Department</b>	<b>Description</b>	<b>Total Estimated Amount</b>
CIP	2022 Volvo EQ180E wheeled excavator	\$342,898.00
	Additional Special Discount	(\$ 10,500.00)
<b>TOTAL</b>		<b>\$332,398.00</b>

**Recommendation**

The resolution be approved.

**32 Resolution - Approving the Purchases from Caldwell Country Chevrolet, LLC, for Various Vehicles in the Total Estimated Amount of \$1,506,146.70 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Water Utilities, Police, and Capital Improvement Program (CIP) departments and the Fleet Services Division, and approved by the Fleet Services Division.
2. **Impact:** The purchases shown below from Caldwell Country Chevrolet will allow for the replacement of aging vehicles to reduce downtime and provide the Water Utilities Department with critical resources to maintain optimal services for the Irving community. The new vehicle purchases will increase effectiveness of the Police and CIP departments and the Fleet Services Division, and will better support the needs of the residents 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.
4. The noted budgeted replacements are in accordance with City’s Vehicle & Equipment Replacement Policy for City Tag No. 32198, a 2008 Ford F250 truck, Tag No. 32195, a 2008 Ford Escape Hybrid, and Tag No. 32188, a 2008 Ford Ranger.
5. Funding is available in the Water-Sewer Operating, Vehicle & Equipment Replacement, and Municipal Drainage Utility Operating funds.
6. Budgeted replacements are as follows:

<b>Department</b>	<b>Item Description (Quantity)</b>	<b>Replacing City Tag#</b>	<b>Total Est. Expenditure</b>	<b>Fund(s)</b>
Water Utilities	2023 Chevrolet 2500 4X2 Silverado CC20903 truck (1)	32198	\$59,450.00	Water-Sewer Operating
	2023 Chevrolet 1500 4X2 Silverado CC10903 truck (1)	32195	\$48,410.00	
	2023 Chevrolet 1500 4X4 Silverado CC10903 truck (1)	32188	\$50,985.00	
<b>TOTAL</b>			<b>\$158,845.00</b>	

7. The new vehicle purchases are as follows:

Department/ Division	Item Description (Quantity)	Total Est. Expenditure	Fund(s)
Police	2023 or Newer Chevrolet Tahoe PPV CC10706 (16)	\$1,228,016.00	Vehicle & Equipment Replacement
CIP	2023 Chevrolet Tahoe CC10706 (1)	\$ 63,370.70	Municipal Drainage Utility Operating
Fleet Services	2023 Chevrolet 1500 Suburban CC10906 (1)	\$ 55,915.00	Vehicle & Equipment Replacement
<b>TOTAL</b>		<b>\$1,347,301.70</b>	

**Recommendation:**

The resolution be approved.

**33 Resolution - Approving a Professional Services Agreement between the City of Irving and Solid IT Networks, Inc., in the Total Estimated Amount of \$332,469.41 for the CDBG-CV Funded City Outdoor Wi-Fi Project**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** Approval of this item will provide free public Wi-Fi in Lively, Georgia Farrow, and Senter Parks and the West Aquatic Center, for residents, vendors and outside visitors. This will enhance the experience at these venues as well as provide the city with new ways to provide information to patrons.
3. This project will provide the initial equipment purchase and services for installing outdoor Wi-Fi to be used by residents and visitors at these park facilities, which will be covered by CDBG-CV funds. The contract also covers ongoing services to support the maintenance and hardware replacement with other budgeted funds. This Wi-Fi deployment will provide the same infrastructure at these locations as is currently available at Williams Square.
4. A Request for Proposals (RFP) was issued on June 10, 2022, for a CDBG-CV Funded City Outdoor Wi-Fi Project. The single proposal received in response to this RFP from Solid IT Networks, Inc., has been determined by staff to be reasonable and acceptable based upon the evaluation criteria established in the RFP.
5. Funding in the total estimated amount of \$332,469.41 is available in the CDBG-CV and Technology funds.

<b>Vendor</b>	<b>Description</b>	<b>Total Est. Amount</b>	<b>Fund(s)</b>
Solid IT Networks, Inc.	Project Cost	\$292,469.41	CDBG-CV
	Maintenance and Hardware Replacement	\$ 40,000.00	Technology
<b>TOTAL</b>		\$332,469.41	

**Recommendation**

The resolution be approved.

**34 Resolution - Awarding a Contract to Lantek Audio Video Communications, LLC, in the Total Estimated Amount of \$342,998.41 for Council Audio/Visual Equipment Replacement**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** Aging and end-of-life audio-visual equipment is failing more regularly, requiring emergency diagnostics, troubleshooting, repair and replacement. The functionality of this equipment is critical for public meetings; if a failure occurs during or before a regulated meeting, the consequences may be severe enough to require last minute cancellation. Examples might include inability to hear public or elected official speakers, inability to display and share video presentations, inability to output audio or video to ICTN, or other issues that may be interpreted as unreasonable or avoidable hardships or barriers to public input and access.
3. A Request for Proposals (RFP) was issued on June 3, 2022, for Council Audio/Visual Equipment Replacement. Six proposals were received in response to this RFP. Lantek Audio Video Communications, LLC is recommended for award as the firm scoring the highest points based on the evaluation criteria established in the RFP.
4. Minority- and/or Woman-Owned Business Enterprise participation in this contract is 100%.
5. Funding in the total estimated amount of \$337,398.41 is available in the PEG Fees fund, the Non-Departmental budget within the General Fund, and in the General Non-Bond CIP fund, while funding for Fiscal Years 2023-24 through 2026-27 is subject to budget appropriation.

Vendor	Description	Total Estimated Amount	Fiscal Year(s)
Lantek Audio Video and Communications, LLC	Initial Project/ Maintenance Year 1	\$337,398.41	2022-23
	Maintenance Year 2	\$ 1,400.00	2023-24
	Maintenance Year 3	\$ 1,400.00	2024-25
	Maintenance Year 4	\$ 1,400.00	2025-26
	Maintenance Year 5	\$ 1,400.00	2026-27
<b>TOTAL</b>		<b>\$342,998.41</b>	

**Recommendation**

The resolution be approved.

**End of Bids**

**35 Ordinance - Amending Ordinance No. 2021-10434 by Approving a Schedule of Classified Personnel for the Police Department**

**Administrative Comments**

1. This item has been recommended by Financial Services and the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This schedule of personnel change is necessary to reclassify one classified personnel position for the Police Department.
3. City Council approval is required to establish the schedule of classified personnel for the Fire and Police Departments. This amended ordinance would authorize the Police Department to make adjustments in classified personnel for the reclassification of one Police Officer position to Police Sergeant position. This will improve the ratio of first line supervisors to police officers.
4. This amendment will reflect an increase in the rank of Police Sergeant from 48 to 49 and a corresponding decrease in the rank of Police Officer from 328 to 327. The funding for these reclassified positions was accounted for in the FY 22-23 budget.

**Recommendation**

The ordinance be adopted.

**36 Ordinance - An Ordinance Approving the Creation of an Impact Fee Capital Improvements Advisory Committee (CIAC)**

**Administrative Comments**

1. This item has been recommended by the Water, Traffic and Transportation, Capital Improvement Program, and Planning Departments.
2. Per Chapter 395 of the Local Government Code, a city choosing to complete a study and implement impact fees shall create and appoint a Capital Improvement Advisory Committee (CIAC) to advise and assist in evaluation of land use assumptions and Capital Improvements Plans (CIP) for water, wastewater, roadway and storm drainage, and shall provide written recommendations to the City Council.
3. After adoption of the impact fees, the Committee shall review, advise, and monitor the land use assumptions, capital improvements plan and fees. The committee will receive and review semi-annual updates of the impact fee progress and reports to the City Council for the duration of the collection and usage of the fees.
4. This item will allow members of the Committee to sit on one additional Board concurrently.
5. **Impact:** No additional funding is necessary for the administration of the CIAC.

**Recommendation**

The ordinance be adopted.

**ZONING CASES AND COMPANION ITEMS**

**37 Resolution - Sign Variance 2022-08-5492 - Considering a Sign Variance to Allow a Directional Sign to be 4 Feet Tall, Exceeding the Maximum Height of 2-1/2 Feet by 1-1/2 Feet - Property Located at 1223 Greenway Circle - K&P Signs, Applicant; Raya Reddy Hotels LLC, Owner**

**Administrative Comments**

1. The applicant is seeking approval of a Sign Variance to allow a new directional sign to be four (4) feet tall.
2. The property is located at 1223 Greenway Circle and is the site of an existing Comfort Suites hotel.
3. Per Section 7-5 (16) of the Sign Ordinance, the maximum height of a directional

sign is 2½ feet.

4. Directional signs are required to be at least five (5) feet from the property line. The proposed sign will be 19 feet from the south property line and 22 feet from the east property line.
5. The proposed directional sign will replace an existing seven (7)-foot tall monument sign at the same location
6. The sign will not be located in any existing easement and does not cause any traffic hazards.
7. Section 7-21 (c) of the Sign Ordinance states that a variance “shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss.” This section also sets forth the following criteria for the City Council to use when deciding whether or not to grant the variance:
  - a. The requested variance does not violate the intent of the Sign Ordinance;
  - b. The requested variance will not adversely affect surrounding properties;
  - c. The requested variance will not adversely affect public safety; **and**
  - d. Special conditions exist which are unique to this applicant or property.
8. Since the proposed directional sign is smaller than the existing monument sign it is replacing, staff has no objection to this request. However, staff is unable to determine any special conditions which are unique to this applicant or property.

### **Staff Finding**

No undue hardship is evident in accordance with Section 7-21(c) of the Sign Ordinance.

## **38 Resolution - PL22-0045 - Considering a Final Plat for Allstate Insurance Company Addition, 2Nd Revision - Approximately 18.03 Acres Located at 200 West John Carpenter Freeway - RPC Las Colinas Mixed Use, LLC, Applicant/Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation – November 7, 2022 – Approve with Conditions.
2. The property is currently platted as two lots. The purpose of this request is to obtain approval of a final plat for three (3) lots, including two (2) lots for multifamily uses and one (1) lot for professional office uses.
3. Per Section 5.3.1(f) of the Unified Development Code (UDC), all lots shall abut a



dedicated public street. However, per Section 5.4.10, the City Council may allow private streets to be constructed in accordance with the provisions of Chapter 5 of the UDC.

4. This plat dedicates the following:
  - a. A 52-foot-wide private street (Fuller Court) and public utility easement.
  - b. A one-foot-wide right-of-way dedication along Fuller Drive.
  - c. A variable-width private drainage easement on Lots 2R and 3R.
  - d. A 15-foot-wide private drainage easement on Lot 3R.
  - e. A 20-foot-wide water and sanitary sewer easement on Lots 1R, 2R and 3R.
  - f. A water utility easement on Lot 2R.
5. Staff can support this plat, and it complies with all other requirements of the City of Irving Unified Development Code.

### **Recommendation**

The resolution be approved

## **39 Ordinance - ZC22-0035 - Considering a Zoning Change from R-6 "Single-Family Residential 6" to S-P-2 (R-6) "Generalized Site Plan - Single-Family Residential 6" Establishing the Minimum Front Yard Setback at 170 Feet - Approximately 0.45 Acres Located at 1118 Alexander Street - Felix Wong, Applicant; Syed Quadri, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (November 7, 2022 meeting).
2. The subject property is a 0.45-acre undeveloped lot. **The applicant is requesting to establish the minimum front yard setback at 170 feet in an R-6 "Single-family Residential 6" district.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Compact Neighborhood** uses for this property. This land use category is described as predominantly single-family homes or duplexes with some mix of non-residential uses, particularly in-home businesses. **The requested zoning is in conformance with the Comprehensive Plan.**

### **Background**

4. The subject property was replatted in June 2000. It was originally part of a larger lot that was subdivided into three (3) smaller lots, all with frontage on Alexander St.

The lot in question was replatted as a “flag lot” between the other two (2) lots, with only 34.25 feet of street frontage.

5. **The subject property was illegally subdivided in 2003 by previous ownership.** In 2003, a portion of Lot 1 was illegally incorporated into Lot 3 of the Soto Addition. Regardless of the outcome of this zoning case, **both the subject property (1118 Alexander Street) and 1116 Alexander Street will both need to be replatted prior to any additional development on either property.**

Zoning Analysis

6. Lot width is defined in the Unified Development Code as being the distance between the side property lines measured “at the minimum front building line required by the zoning of that lot.”
7. The applicant is proposing to develop the property with **one (1) single family residence**. As stated above, the lot already has a “flag” configuration that is no longer permitted by right in the City. Because flag portion of the lot only has 34.25 feet of frontage, the owner needs to establish the minimum front yard setback at a point where the lot width meets the minimum width requirement of 50 feet.
8. Once the front yard setback line is established at 170 feet, the lot width will be compliant and the lot can be properly replatted.
9. The applicant requests the following:

Category	Required	Proposed	Difference
Minimum front yard setback	25 feet	170 feet	<b>+145 feet</b>

10. All other R-6 “Single-family Residential 6” district requirements will be met.
11. A total of 35 public notices were mailed. Staff has not received any responses in support or in opposition.

**Staff Recommendation**

Staff has no objection to this request

**40 Ordinance - ZC22-0062/AD22-0004 - Considering a Zoning Change from C-N "Neighborhood Commercial" to S-P-1 (R-AB) "Detailed Site Plan - Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption" with a Variance to the 300-Foot Distance Separation Requirement Between a Residence and an Establishment Selling Alcoholic Beverages to Allow the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption - Approximately 0.47 Acres Located at 422 West Pioneer Drive - Mi Dia Cafe from Scratch, Applicant; Mohammad "Sonny" Mansoori, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (November 7, 2022 meeting).
2. The subject property is a 0.47-acre lot with an existing restaurant. **The applicant is requesting a zoning change to allow a restaurant to sell alcoholic beverages for on-premises consumption with an alcohol distance amendment variance from a residential property.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Mid-Density Residential** uses for this property. This land use category is described as predominantly two- and three-story buildings, either entirely residential, or residential with ground floor non-residential uses with pedestrian-design buildings and streets. While the requested zoning is not in conformance with the Comprehensive Plan, the underlying use of a restaurant is not changing. Therefore, no amendment to the Comprehensive Plan Future Land Use Map is required.
4. The applicant is proposing the existing restaurant, Mi Dia Café from Scratch, to have alcoholic beverage sales. The alcohol storage will be located in the back of the restaurant and a "service counter" will be constructed between the preparation and dining areas.
5. The building was originally constructed in 1973 and has been used as a restaurant by several tenants over the past 49 years. The applicant is proposing to convert the parking spaces under the front canopy into an outdoor patio. The site plan stipulates that a maximum of 50 seats will be in the restaurant, including the patio area. This proposal meets the twenty (20) minimum required parking spaces and **does not need a parking variance.**
6. The R-AB ordinance requires a minimum of 50% of the revenue to come from food sales. This is reported semi-annually to the City.

**Alcohol Distance Variance**

7. Section 3.3.5(b) states that the sale of alcoholic beverages within 300 feet of a property zoned a residential zoning district or used for residential purposes is prohibited, as measured **from front door to front door as measured along the property lines of the street fronts and in a direct line across intersections.** While there are several residential properties in the area, two homes are within 300

feet using the adopted measurement criteria, with the closest residential front door being approximately 210 feet from the proposed new doorway of the restaurant.

8. The following variance is being requested for the alcohol distance amendment:

	<b>Required per Section 3.3.5</b>	<b>Proposed</b>
Distance between a residential property and an establishment selling alcoholic beverages for on-premises consumption	300 feet (measured front door to front door and along the property lines of the street fronts)	Minimum 200 feet <b>(100-foot variance)</b>

9. Council can grant a variance to the required separation from a residential building and an establishment selling alcoholic beverages if it determines:

- a. Enforcement of the regulation in a particular instance is not in the best interest of the public;
- b. Constitutes a waste or inefficient use of land or resources;
- c. Creates an undue hardship on an applicant;
- d. Does not serve its intended purpose;
- e. Is not effective or necessary; or
- f. For any other reason the City Council determines is in the best interest of the community after consideration of the health, safety, and welfare of the public and the equities of the situation.

10. While there are two other restaurants nearby the subject property, these are zoned C-N "Neighborhood Commercial" and there are no properties with S-P-1 (R-AB) zoning located along this section of W. Pioneer Dr.

11. The applicant states in their letter of intent that their customers have supported and encouraged the sale of alcohol beverages at the restaurant and that the alcohol would be stored safely.

12. The applicant will meet all other requirements per Section 3.3 of the UDC (Alcoholic Beverages; Sale, Serving or Storage).

13. A total of 58 public notices were mailed. Staff has received two (2) responses in support and one (1) response in opposition. The opposition represents 1.76% of the land within 200 feet of the subject property. Per state law, a 3/4-vote is not required for approval.

**Staff Recommendation**

Staff has no objection to this request

41 **Ordinance - ZC22-0066 - Considering a Zoning Change from S-P-1 "Detailed Site Plan" for Convenience Store, Gasoline Sales and Car Wash Uses and State Highway 161 Overlay District to C-C "Community Commercial" and State Highway 161 Overlay District to Allow Community Commercial District Uses - Approximately 0.921 Acres Located at 7201 State Highway 161 - Triangle Engineering, Applicant; Premjee Girls USA LLC, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (November 7, 2022 meeting).
2. The subject property is a 0.921-acre lot with an existing gas station. **The applicant is requesting a zoning change to allow Community Commercial zoning uses.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Commercial Corridor** uses for this property. This land use category is described as predominantly auto-oriented district for retail, office and commercial uses with parking in front with buildings set back from the street and low to midrise buildings. **The requested zoning is in conformance with the Comprehensive Plan.**
4. The applicant is proposing to demolish the existing gas station and develop a specialty food market with sales of dry goods and frozen merchandise.
5. This property previously underwent a zoning change in 2009 from S-P-1 (C-C) and Car Wash uses to S-P-1 for Convenience Store, Gasoline Sales and Car Wash uses (in conjunction with being in the State Highway 161 Overlay) to redevelop the site with a new gas station and convenience store. The redevelopment of the site never occurred.
6. The applicant is proposing to demolish the existing building and redevelop the site. **The proposed use and redevelopment will comply with the C-C "Community Commercial" district and State Highway 161 Overlay District requirements;** therefore, site plan zoning is not necessary.
7. As there are no variances being requested, and as the proposed use is compatible with the future land use map and the surrounding uses, staff can support this request.
8. A total of nine (9) public notices were mailed. Staff has not received any responses in support or in opposition.

**Staff Recommendation**

The ordinance be adopted.

## APPOINTMENTS AND REPORTS

### 42 Resolution - Appointment of Initial Members to the Impact Fee Capital Improvement Advisory Committee (CIAC)

#### Administrative Comments

1. This item has been recommended by the Water, Traffic and Transportation, Capital Improvement Program, and Planning Departments.
2. Per Chapter 395 of the Local Government Code, a city choosing to complete a study and implement impact fees shall appoint a Capital Improvement Advisory Committee (CIAC) of not less than 5 members. 40% of the representatives shall represent the real estate, development or building industries.
3. This item will require the initial appointment of 7 members to the CIAC, with 3 members being from the real estate, development or building industries. Although in the future members will be appointed to 2-year terms in accordance with Chapter 38 of the City Code, the initial panel will need to be staggered. Therefore, initial appointments will be for 1-year and 2-year periods.
4. The CIAC will advise and assist in evaluation of land use assumptions and Capital Improvements Plans (CIP) for water, wastewater, roadway and storm drainage, and shall provide written recommendations to the City Council.
5. CIAC members shall attend called and scheduled meetings for the development and implementation of the impact fees.
6. After adoption of the impact fees, the Committee shall review, advise, and monitor the land use assumptions, capital improvements plan and fees. The committee will receive and review semi-annual updates of the impact fee progress and report to the City Council.
7. **Impact:** No additional funding is necessary for the administration of the CIAC.

#### Recommendation

The ordinance be adopted.

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

**Administrative Comments**

1. This item is recommended by the City Secretary's Office.
2. **Impact:** Appointment of Irving residents to boards, commissions, and committees assures that our residents have a voice in city government.
3. Council conducted interviews for various vacancies on October 10, 11, 15 and 17.
4. The terms for most of these appointments expire in November 2024.

**Recommendation**

The resolution be approved.

**44 Resolution - Confirming the Reappointment of Nicole Kintop Smith by the City Manager as a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to Fill a Three-Year Term Expiring November 2025**

**Administrative Comments**

1. This item is recommended by the City Manager's Office.
2. **Impact:** This Commission's decisions are final on cases dealing with Fire and Police civil service personnel and continuity of service on this board is an asset to the process.
3. City Manager Chris Hillman recommends the reappointment and confirmation of Nicole Kintop Smith to a three-year term expiring in 2025 on the Civil Service Commission. This is a three-member board.

**Recommendation**

The resolution be approved.

**45 Mayor's Report**

**Adjournment**