

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, June 8, 2023 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

Rabbi Frank Joseph, Irving Havurah, Irving, Texas

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 81

**CITY COUNCIL AGENDA**

- 1 City Operations Update
- 2 Public Hearing -- Public Hearing #1 on the 2023-24 City of Irving Fiscal Year Budget

**CONSENT AGENDA**

- 3 Approving Work Session Minutes for Thursday, May 04, 2023
- 4 Approving Regular Meeting Minutes for Thursday, May 04, 2023

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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.

- 5 Approving Budget Retreat Minutes for Wednesday, May 17, 2023
- 6 Ordinance -- Amending Ordinance No. 2022-10634 Providing Budget Adjustment #7 to the 2022-23 Fiscal Year Budget
- 7 Resolution -- Approving a 3.75% Increase to the City Manager's Annual Base Salary and Providing a One-Time Lump Sum Merit Payment in the Amount of \$5,000.00 and an Additional Payment of \$10,000.00 Annually in Deferred Compensation to the City Manager
- 8 Resolution -- Approving a Continued Municipal Advisory Agreement with Hilltop Securities, Inc.
- 9 Resolution -- Authorize the City's Attorneys to File a Lawsuit and Take All Legal Action Against H23 Dallas Owners LLC (Doubletree DFW Airport) Necessary to Recover Delinquent Hotel Occupancy Taxes (HOT)
- 10 Resolution -- Authorize the City's Attorneys to File a Lawsuit and Take All Legal Action Against DFW H38 Owner LLC (Sheraton DFW Airport) Necessary to Recover Delinquent Hotel Occupancy Taxes (HOT)
- 11 Resolution -- Authorize the City's Attorneys to File a Lawsuit and Take All Legal Action Against HCRE Las Colinas TRS, LLC (Homewood Suites by Hilton-Dallas/Irving/Las Colinas) Necessary to Recover Delinquent Hotel Occupancy Taxes (HOT)
- 12 Resolution -- Authorizing Additional Expenditures to Bickerstaff Heath Delgado Acosta, LLP., in an Amount Not to Exceed \$75,000.00 for Litigation in Regard to 1501 Valley View Road (Conflans Road Extension Project)
- 13 Resolution -- Approving an Annual Agreement Between the City of Irving and Single-Source Provider Lion Totalcare, Inc., in an Amount Not to Exceed \$85,000.00 for Cleaning and Inspection of Firefighting Protective Gear
- 14 Resolution -- Approving a Community Funding Agreement Between the City of Irving and Department of Housing and Urban Development (HUD) to Provide Funding for the Southwest Park Renovation Project
- 15 Resolution -- Approving a Temporary Construction License with Ortez-Galo Family Trust Located at 418 Nottingham Drive, for the West Irving Creek Project
- 16 Resolution -- Approving an Expenditure with Facility Solutions Group, Inc., in the Amount of \$888,729.81 for Replacement of Generators at Various Fire Stations through Buyboard
- 17 Resolution -- Approving a Memorandum of Understanding Between the City of Irving and the North Central Texas Council of Governments for Pedestrian-Bicyclist Permanent Counters
- 18 Resolution -- Awarding a Contract to A&C Construction, Inc., in the Amount of \$1,459,500.00 for the Champion Trail Elm Fork Extension Phase I Project

- 19 Resolution -- Approving a Sales Contract with Harrison A. Ullola and Michelle G. Ullola, Husband and Wife, in the Amount of \$159,000.00, for a Warranty Deed for the West Irving Creek Channel Project
- 20 Resolution -- Amending RES-2023-112, to Revise the Cooperative Contract for McMillan James Company, LLC, for the West Irving Aquatic Center Pumps Replacement Project, in the Amount of \$114,608.00, through The Interlocal Purchasing System (TIPS) Program by the Region VIII Education Service Center
- 21 Resolution -- Approving an Interlocal Agreement with City of Irving and North Central Texas Council of Governments for the Implementation of Electric Vehicle Charging Station Call for Projects to Purchase an Electric Vehicle Fast Charger.
- 22 Resolution -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Freewire Technologies, Inc., through Sourcewell
- 23 Resolution -- Approving the Purchase from Freewire Technologies, Inc., for an Electric Vehicle Fast Charger in an Amount Not to Exceed \$191,441.00 through Sourcewell
- 24 Resolution -- Terminating Fiscal Year 2022-2023 Community Development Block Grant and Emergency Solutions Grant Agreements Between Brighter Tomorrows , Inc. and the City of Irving
- 25 Resolution -- Approving Amendment No. 2 to the HOME Investment Partnerships Grant Agreement Between the City of Irving and Housing Channel, Inc. (300 Block of Second St.)
- 26 Resolution -- Approving Amendment No. 2 to the HOME Investment Partnerships Grant Agreement Between the City of Irving and Housing Channel, Inc. (500 Block of Second St.)
- 27 Resolution -- Approving an Agreement with C.C. Lynch and Associates, Inc., in the Estimated Amount of \$58,000.00 for Sampling Equipment Purchases for the Water Utilities Department
- 28 Resolution -- Approving the Agreement with Xylem Water Solutions USA in the Amount of \$130,000.00 for Parts and Services for Flygt Branded Equipment to Operate and Maintain Wastewater Pumps and Equipment
- 29 Resolution -- Approving a Third Amendment for the Compressed Natural Gas Fueling Facility Agreement Between the City of Irving and Clean Energy, Aka California Clean Energy, Inc., for As-Needed Expenditures in an Estimated Amount of \$140,000.00 for CNG Fuel Purchases for a Two-Year Term
- 30 Resolution -- Authorizing As-Needed Expenditures with Fastenal Company in the Total Estimated Amount of \$200,000.00 for Maintenance, Repair & Operations (MRO) Supplies and Related Services through the National Intergovernmental Purchasing Alliance Company dba Omnia Partners, Public Sector (Omnia Partners)

- 31 Resolution -- Approving Amendment No. 2 to the Professional Services Agreement between the City of Irving and Weaver and Tidwell, L.L.P., in the Estimated Annual Amount of \$209,500.00 for Professional Auditing Services Relating to Fiscal Year 2022-23 and in the Estimated Annual Amount of \$26,500.00 for As-Needed Compliance Audit Project Assistance
- 32 Resolution -- Approving As-Needed Expenditures with GT Distributors, Inc., in the Total Estimated Amount of \$525,000.00 for Ammunition, Body Armor, Duty Gear, and Other Related Supplies and Equipment through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)
- 33 Resolution -- Approving and Accepting the Bid of M-Pak, Inc., in the Total Amount of \$439,179.70 for Bullet Resistant Shields for Police
- 34 Resolution -- Authorizing As-Needed Expenditures with McMillan James Equipment Company, LLC, in the Total Estimated Amount of \$200,000.00 for Service and Repairs of Pumping Systems and Equipment through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center
- 35 Resolution -- Ratifying the Emergency Construction Contract between the City of Irving and Tejas Commercial Construction, LLC, and the Total Payment in the Amount of \$84,649.00 for the Emergency Backwash Line Repair at the Senter Park Pool
- 36 Resolution -- Approving and Accepting the Bid of Pritchard Industries Southwest, LLC, in the Total Estimated Amount of \$123,519.12 for Custodial Services for the Irving Arts Center
- 37 Resolution -- Authorizing As-Needed Expenditures with Cousin's Waterproofing LLC, dba Next Gen Construction in the Total Estimated Amount of \$385,000.00 for Minor Construction, Repair, and Renovation Services through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center
- 38 Resolution -- Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Air Conditioning Innovative Solutions, Inc. (ACIS), and Authorizing Expenditures in the Total Estimated Amount of \$400,000.00 for As-Needed HVAC Equipment Purchases, Installation, Repair, and Parts through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center
- 39 Resolution -- Authorizing As-Needed Expenditures with Mart, Inc., in the Total Estimated Amount of \$500,000.00 for Minor Construction, Repair, and Renovation Services through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center
- 40 Resolution -- Authorizing As-Needed Expenditures with Dealers Electrical Supply Co., in the Total Estimated Amount of \$140,000.00 for the Purchase of Lighting Products through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

- 41 Resolution -- Authorizing As-Needed Expenditures with Gomez Floor Covering, Inc., dba GFC Contracting, in the Total Estimated Amount of \$250,000.00 for Flooring Purchases, Installation and Repair Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)
- 42 Resolution -- Approving and Accepting the Bid of Artex Overhead Door in the Total Estimated Amount of \$300,000.00 for Overhead Door Repairs
- 43 Resolution -- Approving Amendment No. 1 to the Professional Services Agreement between the City of Irving and HDR Engineering, Inc., in an Amount Not to Exceed \$600,000.00 to Renew Right-Of-Way Acquisition and Real Estate Appraisal Services Associated with Drainage Projects
- 44 Resolution -- Approving Amendment No. 1 to the Professional Services Agreement Between the City of Irving and Array Technologies, Inc., in an Amount Not to Exceed \$600,000.00 to Renew Right-Of-Way Acquisition and Real Estate Appraisal Services Associated with Water/Wastewater Projects
- 45 Resolution -- Approving Amendment No. 1 to the Professional Services Agreement Between the City of Irving and Halff Associates, Inc., in an Amount Not to Exceed \$600,000.00 to Renew Right-Of-Way Acquisition and Real Estate Appraisal Services Associated with Roadway Projects
- 46 Resolution -- Approving the Construction Manager at Risk Delivery Method as the Best Value for Construction of a Multi-Generational Community Recreation Facility and Aquatics Center at Mustang Park
- 47 Resolution -- Approving the Construction Manager at Risk Delivery Method as the Best Value for Demolition, Design Consultation, and Construction of a New Outdoor Pool at Lee Park
- 48 Resolution -- Approving the Construction Manager At Risk (CMAR) Delivery Method as the Best Value for the Design Consultation and Construction of the New Senter Park Aquatics Center
- 49 Resolution -- Approving the Construction Manager At Risk (CMAR) Delivery Method as the Best Value for the Design Consultation and Construction of the New Fleet Services Maintenance Facility
- 50 Resolution -- Rejecting Any and All Bids Relative to ITB No. 035J-23F for the Lee Park and Lively Park Swimming Pool Demolition Project
- 51 Resolution -- Approving and Accepting the Bid of Legacy Ready Mix LLC, in the Total Estimated Amount of \$480,000.00 for Annual Redi-Mix Concrete Supply
- 52 Resolution -- Terminating the Contract with Martin Marietta Materials for Concrete Making Materials
- 53 Resolution -- Rejecting Any and All Bids Relative to ITB No. 107D-23F for Concrete Making Materials

- 54 Resolution -- Approving and Accepting the Bid of Unica Enterprises, LLC, in the Total Estimated Amount of \$164,000.00 for Custodial Services at the Valley View Municipal Complex
- 55 Resolution -- Renewing the Annual Contract with Core & Main, LP, in the Total Estimated Amount of \$180,000.00 For Fire Hydrant Parts
- 56 Resolution -- Approving and Accepting the Bid of APSCO, Inc., in the Total Estimated Amount of \$121,000.00 for Sixth Street Waterline Materials
- 57 Resolution -- Approving the Purchases from Caldwell Country Chevrolet, LLC, for Various Vehicles in the Total Estimated Amount of \$1,609,520.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)
- 58 Resolution -- Approving the Purchase from Kirby-Smith Machinery Company, Inc., of a 2022 Gradall XL 3100 V Excavator in the Total Estimated Amount of \$428,546.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)
- 59 Resolution -- Approving the Purchase from Siddons-Martin Emergency Group, LLC, for Two 2026 Pierce Enforcer Pumpers in the Total Estimated Amount of \$1,999,412.00 through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program
- 60 Resolution -- Approving the Purchase of a 2023 Isuzu NPR-HD Cab & Chassis with Thomas Cargo Body with Lift Gate from Rush Truck Centers of Texas, LP, in the Total Estimated Amount of \$87,933.42 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)
- 61 Resolution -- Renewing the Annual Contract with Knight Security Services, LLC, in an Amount Not to Exceed of \$350,000.00 for Access Control & Video Surveillance Hardware & Service
- 62 Resolution -- Authorizing As-Needed Expenditures with Presidio Networked Solutions Group, LLC, in the Total Estimated Amount of \$500,000.00 for Pure Branded Data Storage, Data Communications & Networking Equipment and Related Services through the State of Texas Department of Information Resources (DIR) Cooperative Purchasing Program
- 63 Resolution -- Approving the Expenditure with SHI Government Solutions, Inc., for CrowdStrike Annual Software Subscription Renewal in the Total Estimated Amount of \$87,740.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)
- 64 Resolution -- Approving and Accepting the Bid from Presidio Networked Solutions Group, LLC, in the Amount of \$79,838.65 for CDBG-CV Funded Indoor Wireless Access Points for Recreational Facilities

- 65 Resolution -- Approving a Contract between the City of Irving and Solid IT Networks, Inc., in the Amount of \$626,174.35 for the Community Development Block Grant - COVID 19 (CDBG-CV) Funded Camera Project
- 66 Resolution -- Approving a Contract between the City of Irving and Solid IT Networks, Inc., in the Total Amount of \$63,385.08 for the CDBG-CV Funded Heritage Park Outdoor Wi-Fi Project
- 67 Ordinance -- Authorizing the Issuance and Sale of City of Irving, Texas, General Obligation Refunding and Improvement Bonds, Series 2023, Levying a Tax in Payment Thereof; Providing for the Award and Sale Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and an Escrow Agreement; and a Purchase Agreement; Approving the Preparation of an Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Provisions Relating to the Subject
- 68 Ordinance -- Authorizing the Issuance and Sale of City of Irving, Texas, Certificates of Obligation, Series 2023, Levying a Tax in Payment Thereof; Providing for the Award and Sale Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreements, and a Purchase Agreement; Approving the Preparation of an Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Provisions Relating to the Subject
- 69 Ordinance -- Authorizing the Issuance and Sale of City of Irving, Texas, Tax Notes, Series 2023, Levying a Tax in Payment Thereof; Providing for the Award and Sale Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement, and a Purchase Agreement; Approving the Preparation of an Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Provisions Relating to the Subject
- 70 Ordinance -- Authorizing the Issuance and Sale of City of Irving, Texas, Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2023; Providing for the Award and Sale Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreements and an Escrow Agreement, and a Purchase Agreement; Approving the Preparation of an Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Provisions Relating to the Subject
- 71 Ordinance -- Approving a Development Agreement with Lone Oak Residential, LLC for the Sale of Property at 512 S O'Connor Road
- 72 Ordinance -- Authorizing the Abandonment and Vacation of Certain Portion of a 15-Foot Sanitary Sewer Easement that Intersects a Property Located at 403 Abraham Court, Being a Portion of Lot 9, Block A, Lakeview Estates, Owned by Melissa and Wolf Jouett and Richard and Maureen Jouett

- 73 Ordinance -- Authorizing the Abandonment and Vacation of Certain Portions of a 30 Foot (12,894 Sq. Ft.) Utility Easement and a Second 30 Foot (14,680 Sq. Ft.) Utility Easement Along a Portion of Property Located at 2700 Rawhide Street, Part of the N. Aldridge Survey, Abstract 24, and Being a Portion of Big Tex Mobile Homes Park Addition, Owned by Granite Cimarron Meadows, LLC; and Providing a Severability Clause

## **INDIVIDUAL CONSIDERATION**

- 74 Ordinance -- Public Hearing and Ordinance Re-Adopting Section 13-14 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Relating to Childcare for City Operated Youth Programs
- 75 Ordinance -- An Ordinance Amending the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Adding Chapter 18A "Venues Not Licensed by the Texas Alcoholic Beverage Commission;" Establishing a Permit Program for Businesses that Allow Patrons to Bring Alcoholic Beverages Onto Their Premises for Consumption ("BYOB Venues"); Prescribing Regulations for BYOB Venues that Are Not Licensed or Permitted by the Texas Alcoholic Beverage Commission; Providing a Penalty, an Effective Date, and Savings and Severability Clauses.

## **ZONING CASES AND COMPANION ITEMS**

- 76 Resolution -- Sign Variance 2023-05-4485 - Considering a Sign Variance to Add a Second Mural Onto the Rear Wall of the Business. Property Located at 109 S Main Street. Joann Goin, Applicant. BJK Holdings LLC, Property Owner
- 77 Ordinance -- CP23-0001 - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from "Residential Neighborhood" to "Compact Neighborhood" - Approximately 6.164 Acres Located at 8001 Mustang Drive - Kirkman Engineering, Applicant; MacArthur Boulevard Baptist Church, Owner (Postponed from the March 30, 2023 and April 20, 2023 City Council Meetings)
- 78 Ordinance -- ZC23-0004 - Considering a Zoning Change from PUD Valley Ranch "Valley Ranch Planned Unit Development" and S-P-2 (R-6) "Generalized Site Plan - Single-Family Residential 6" to S-P-2 (R-TH) "Generalized Site Plan - Townhouse Residential" with Variances to the Minimum Lot Depth, Lot Width, Lot Area and Rear Yard Setback - Approximately 6.164 Acres Located at 8001 Mustang Drive - Kirkman Engineering, Applicant; MacArthur Boulevard Baptist Church, Owner (Postponed from the April 20, 2023 City Council Meeting)



- 79 Ordinance -- Considering an Ordinance Amending Part II of the City of Irving Land Development Code, "Unified Development Code (UDC)" as Follows: Amending Section 2.5.2 "Non-Residential Land Use Table", Sections 2.5.6 through 2.5.17 (C-N, C-C, Fwy, C-OU-1, C-OU-2, C-OU-3, ML-20, ML-20A, and C-P Zoning Districts), Section 2.6.6 "Heritage Crossing District", and Section 2.7.2 "Agricultural (AG) District" to Identify Appropriate Districts and Additional Requirements for Certain Entertainment Uses; Amending Section 4.4.3(C) "Off-Street Parking Requirements" to Provide Minimum Parking for Certain Entertainment Uses; Amending Section 9.3 "Definitions" to Amend and Add Definitions Related to Entertainment Uses

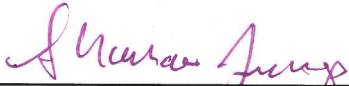
## APPOINTMENTS AND REPORTS

- 80 Resolution -- Board Appointments to the Tax Increment Reinvestment Zone No. 1 (TIF No. 1)
- 81 Mayor's Report

Adjournment

### CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the Kiosk at the City Hall of the City of Irving, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, June 2, 2023 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.



Shanae Jennings, City Secretary/ Chief Compliance Officer

Date Notice Removed