

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, August 10, 2017 at 7:00 PM**  
**City Hall, First Floor, Council Chambers**  
**825 W. Irving Blvd., Irving, Texas 75060**

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Organizational Service Announcements

Invocation

Isreal Villalobos, Assoc. Pastor from Plymouth Park Baptist Church

Pledge of Allegiance

Proclamations and Special Recognitions

Citizens' Forum

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

Public Hearing: Items 1 through 39

**CITY COUNCIL AGENDA**

- 1 City Operations Update**
  - a. Construction Updates - Embassy Channel Improvements

**CONSENT AGENDA**

- 2 Approving Work Session Agenda for Wednesday, July 19, 2017**
- 3 Approving Regular Meeting Agenda for Thursday, July 20, 2017**

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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.

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 Resolution - Approving a Fourth Revised Memorandum of Understanding/Interlocal Agreement Among Participating Local Governments for Law Enforcement Data Sharing Via Dallas County Incident Module Software**

**Administrative Comments**

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This Memorandum of Understanding (MOU) is entered by and among participating local governments of the State of Texas, acting by and through their respective local law enforcement agencies and Dallas County, Texas, pursuant to and under authority of the Interlocal Cooperation Act, chapter 791 of the Texas Government Code to share law enforcement incident data through Dallas County Incident Module Software (DCIM).
3. Participating in this MOU allows the Irving Police Department to share and commonly use data owned by participating local governments for the management of public safety response activities.
4. This item requires no funding.

**Recommendation**

The resolution be approved.

**5 Resolution - Approving the Special Event License Agreement Between City of Irving and Cape Carolyn LLC, for Use of Their Land for the Laughs by the Lake Event.**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of the Special Event License for the 2017 Laughs by the Lake event will allow for use of the land at 501 E. Las Colinas Blvd., which is necessary to host the program.
3. This would be the fourth consecutive year that the Special Event License agreement has been executed with Cape Carolyn LLC regarding use of this property for the Laughs by the Lake event.
4. The Special Event License requires no expenditure of funds.

**Recommendation**

The resolution be approved.

**6 Resolution - Approving an Economic Development Incentive Agreement Between the City of Irving and Pei Wei Asian Diner, LLC in an Amount Not to Exceed \$75,000 Dependent Upon Annual Qualification**

**Administrative Comments**

1. This item is recommended by the Economic Development Department.
2. **Impact:** Approval of this incentive agreement will assist in the relocation of Pei Wei Asian Diner, LLC corporate headquarters to the City of Irving.
3. **This incentive agreement was discussed at the June 8, 2017 Executive Session of the Irving City Council Planning and Development Committee meeting.**
4. Pei Wei Asian Diner, LLC, which owns and operates a chain of Asian-inspired eateries, plans to relocate their corporate headquarters to an Irving facility located at 6191 N. Highway 161, Irving, Texas. The project has the capacity to result in an increase in real property taxable value of \$1,000,000; increase in business personal property taxable value of \$500,000; relocation/hiring at least 100 new employees with an average annual salary of \$125,000; and generate at least 1,000 room nights annually at Irving hotels.
5. The City, along with the Greater Irving-Las Colinas Chamber of Commerce, has worked with Pei Wei to relocate the company operations and attract investment in the City of Irving.
6. Minimum qualification levels for this incentive are that Pei Wei designate the new Irving facility as their corporate headquarters, increase the real property taxable value of the site at least \$500,000; increase the business personal property taxable value at the site at least \$250,000; hire at least 35 employees with an average salary of \$125,000; and generate at least 1,000 room nights annually at Irving hotels.
7. The incentive offers a grant of \$750 per each new job up to 100 new jobs. It will be paid in annual installments for each new job following achievement of Minimum Qualifications. Total value of the job grant incentive is not to exceed \$75,000 (100 jobs).

**Recommendation**

The resolution be approved.

**7 Resolution - Approving an Economic Development Incentive Agreement Between the City of Irving and Cognizant Technology Solutions U.S. Corporation in an Amount Not to Exceed \$545,000 Dependent Upon Annual Qualification**

**Administrative Comments**

1. This item is recommended by the Economic Development Department.
2. **Impact:** Approval of this incentive agreement will assist in the relocation of Cognizant Technology Solutions U.S. Corporation to the City of Irving.
3. **This incentive agreement was discussed at the May 4, 2017 Executive Session of the Irving City Council Planning and Development Committee meeting.**
4. Cognizant Technology Solutions U.S. Corporation, a provider of information technology, consulting and business process services, plans to relocate their regional operations center to an Irving facility located at 5001 Statesman Drive, Irving, Texas. The project has the capacity to result in an increase in real property taxable value of at least \$7,500,000; increase in business personal property taxable value of at least \$8,545,000; and relocation/hiring at least 1,090 new employees with an average annual salary of \$70,000.
5. The City, along with the Greater Irving-Las Colinas Chamber of Commerce, has worked with Cognizant Technology Solutions U.S. Corporation to relocate the company operations and attract investment in the City of Irving.
6. Minimum qualification levels for this incentive are that Cognizant Technology Solutions U.S. Corporation occupy at least 40,000 square feet in an Irving facility; designate the facility as their regional operations center; increase the real property taxable value of the site at least \$7,500,000; increase the business personal property taxable value at the site at least \$2,800,000; and hire at least 100 employees with an average salary of \$70,000.
7. The incentive offers a grant of \$500 per each new job up to 1,090 new jobs. It will be paid in annual installments for each new job following achievement of Minimum Qualifications. Total value of the job grant incentive is not to exceed \$545,000 (1,090 jobs).

**Recommendation**

The resolution be approved.

**8 Resolution - Approving an Economic Development Incentive Agreement Between the City of Irving and Gartner, Inc. in an Amount Not to Exceed \$400,000 Dependent Upon Annual Qualification**

**Administrative Comments**

1. This item is recommended by the Economic Development Department.
2. **Impact:** Approval of this incentive agreement will assist in the expansion of Gartner, Inc., in the City of Irving.
3. **This incentive agreement was discussed at the July 6, 2017, Executive Session of the Irving City Council Planning and Development Committee meeting.**
4. Gartner, Inc., an information technology research and advisory company, plans to expand their operations to an Irving facility located at 6011 Connection Drive, Irving, Texas. The project has the capacity to result in expenditure of at least \$7,300,000 in real property improvements at the site; increase in business personal property taxable value of at least \$1,500,000; and relocation/hiring at least 150 and up to 800 new employees with an average annual salary of \$75,000.
5. The City, along with the Greater Irving-Las Colinas Chamber of Commerce, has worked with Gartner, Inc., to expand the company operations and attract additional investment in the City of Irving.
6. Minimum qualification levels for Grant A incentive are that by December 31, 2019, Gartner, Inc., must occupy at least 100,000 square feet in an Irving facility; expend at least \$2,300,000 in additional real property improvements of the site; maintain business personal property taxable value of at least \$1,500,000 at the site; and hire at least 150 new employees with an average salary of \$75,000.
7. Minimum qualification levels for Grant B incentive are that by December 31, 2021, Gartner, Inc., must maintain all minimum qualifications levels for Grant A; expend at least an additional \$2,500,000 (\$4,100,000 total) in the real property improvements of the site; maintain business personal property taxable value of at least \$1,500,000 at the site; and hire at least an additional 300 (450 total) new employees with an average salary of \$75,000.
8. Minimum qualification levels for Grant C incentive are that by December 31, 2023, Gartner, Inc., must maintain all minimum qualifications levels for Grant B; must occupy at least an additional 50,000 (150,000 total) square feet at the Irving facility; invest at least an additional \$2,500,000 (\$7,300,000 total) in the real property improvements of the site; maintain business personal property taxable value of at least \$1,500,000 at the site; and hire at least an additional 350 (800 total) new employees with an average salary of \$75,000.
9. The incentive is a grant of \$500 per each new job up to 800 new jobs, for a total not to exceed \$400,000 (800 jobs). Grants will be in three payments upon achieving the Minimum Qualifications for each phase. Grant A is \$75,000 (150 jobs). Grant B

is \$150,000 (300 additional jobs). Grant C is \$175,000 (350 additional jobs).

**Recommendation**

The resolution be approved.

**9 Resolution - Selecting Freese and Nichols, Inc., as the Most Highly Qualified Provider for Engineering Services for the Water Master Plan Update and Authorizing Staff to Negotiate an Agreement with Said Provider**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This project is required to provide long term guidance for the water distribution system through build-out by developing a long-term Capital Improvements Plan.
3. **This item will be presented to the Transportation and Natural Resources Committee on August 9, 2017.**
4. The last Water Master Plan was completed in 2007 and needs to be updated to make sure that the water distribution system will meet the needs of the city as development and redevelopment continues throughout the city.
5. This project will require equipment and expertise that the City of Irving does not have.
6. City staff administered a Request for Qualifications (RFQ) to select an engineering firm for these services and three firms responded. The evaluation committee chose to interview two of the three firms that responded.
7. Freese and Nichols, Inc., best meets the criteria established in the RFQ. The team put together by Freese and Nichols, Inc., has a great deal of experience executing projects similar to this one.
8. This is the first step of a two-step process to contract with Freese and Nichols, Inc. Upon approval of this resolution, staff will begin negotiations on an Engineering Services Agreement with Freese and Nichols, Inc., and will place the completed agreement on a future City Council agenda for consideration and approval.

**Recommendation**

The resolution be approved.

**10 Resolution - Approving an Interlocal Cooperative Agreement Between the City of Irving and the Trinity River Authority (TRA) Relating to Design and Construction of a New Wholesale Wastewater Meter**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department. It supports Strategic objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This agreement provides the City funding for the design and construction of a Trinity River Authority (TRA) wholesale wastewater meter that will be constructed as part of the Urban Center Lift Station Project.
3. **This item will be presented to the Transportation and Natural Resources Committee on August 9, 2017.**
4. TRA desires to have a new wholesale wastewater meter designed and constructed as part of the Urban Center Lift Station Project to measure wastewater flow entering TRA's system. Once constructed, the new wholesale wastewater meter will be owned, operated and maintained by TRA.
5. The city has Alan Plummer Associates, Inc., under contract to design both the lift station and the wholesale wastewater meter, and the new wholesale wastewater meter will be designed and constructed per TRA requirements.
6. The engineer's estimate for construction of the new wholesale wastewater meter is \$625,000.00 which TRA will pay the city prior to advertisement of the bids for the Urban Center Lift Station Project. A final cost accounting of all design and construction costs associated with the wholesale wastewater meter will occur upon completion of the lift station project to determine if any additional funding is required.
7. It is anticipated that the Urban Center Lift Station Project will be advertised this fall and awarded in October or November of 2017.

**Recommendation**

The resolution be approved.

**11 Resolution - Approving an Extension of Neighborhood Stabilization Program Contracts with the Texas Department of Housing and Community Affairs**

**Administrative Comments**

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

2. **Impact:** This contract extension will allow the City of Irving to complete the final components of the Neighborhood Stabilization Program (NSP).
3. The City of Irving was awarded \$2,940,000.00 in NSP funding from the Texas Department of Housing and Community Affairs (TDHCA) in 2009, an additional \$600,000.00 in funding in 2012, and an additional \$31,820.00 in 2014 for a total of \$3,571,820.00. This funding is conveyed to the City of Irving through reimbursements, as detailed in two separate contracts.
4. These funds were used for the construction of fourteen single family attached homes on Tudor Lane. All properties on Tudor Lane have been constructed and sold.
5. In addition, this grant was utilized for the purchase and rehabilitation of seven foreclosed homes, six of which have been sold. City of Irving staff is working with TDHCA to determine the best use for the remaining property.
6. The execution of these documents will allow the City of Irving to be reimbursed for all outstanding NSP-funded expenses (approximately \$500,000) and allow for the resolution of any other remaining outstanding issues. Extensions of these agreements have been previously approved (RES 2012-56, RES 2013-38, RES 2015-373, RES 2016-282).
7. The Texas Department of Housing and Community Affairs Board approved the contract extensions at its June 29, 2017 meeting. The Housing and Human Services Board was updated at its June 21, 2017 and July 19, 2017 meetings.
8. The NSP contracts are proposed to be extended to August 31, 2018, and no additional funds are required.

### **Recommendation**

The resolution be approved.

## **Bids & Purchasing Items**

### **Items 12 – 21**

- 12 **Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Red the Uniform Tailor in the Total Estimated Amount of \$190,000.00 for As-Needed Purchases of Law Enforcement Uniforms through an Interlocal Agreement with the City of Frisco**

### **Administrative Comments**

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



2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Red the Uniform Tailor for utilization of City of Frisco Contract #1306-061 which expires August 6, 2018 will allow the city to purchase law enforcement uniforms and related items under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed purchases of stab body armor for detention officers, police Class “A” and Class “B” uniforms, and other miscellaneous items such as bike uniforms, windbreakers, battle dress uniforms, etc.
4. Funding is available in the Police Department budget within the General Fund.

Vendor	Contract Term	Total Est. Amount	Fiscal Year(s)
Red the Uniform Tailor	8/11/17 – 8/6/18	\$ 50,000.00	2016-17
		\$140,000.00	2017-18
<b>TOTAL</b>		<b>\$190,000.00</b>	

**Recommendation**

The resolution be approved.

**13 Resolution - Renewing the Contract with HealthTexas Provider Network in the Total Estimated Annual Amount of \$130,842.00 for Health and Fitness Services for the Irving Fire Department**

**Administrative Comments**

1. This item is recommended by the Fire Department.
2. **Impact:** Routine physical exams and fitness testing ensures that the city’s Fire Department personnel are healthy and physically able to perform their duties.
3. This renewal establishes the continuation of a contract for health and fitness services for the Irving Fire Department personnel. The original contract was awarded to the vendor scoring the highest points based upon evaluation criteria established by a Request for Proposals. The current contract expires August 31, 2017. This is the second and final two-year renewal.
4. Funding for Fiscal Year 2016-17 is available in the Fire Department budget within the General Fund, while funding for Fiscal Years 2017-18 and 2018-19 is subject to budget appropriation.
5. Because this two-year contract runs from September 2017 through August 2019, it is possible that more than the estimated amounts shown in the chart below may be

spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Est. Expenditure	Fiscal Year(s)
HeathTexas Provider Network	9/1/17 – 8/31/19	\$ 10,903.50	2016-17
		\$130,842.00	2017-18
		\$119,938.50	2018-19
<b>TOTAL</b>		<b>\$261,684.00</b>	

**Recommendation**

The resolution be approved.

**14 Resolution - Approving and Accepting the Bid of Clampitt Paper Company in the Total Estimated Amount of \$142,315.10 for an Annual Contract to Provide Office Paper**

**Administrative Comments**

1. This item is recommended by the Communications Department.
2. **Impact:** This contract provides the majority of paper for the city and contains up to 30 percent recycled content or Forest Stewardship Council certified paper for items other than copy paper, letterhead and envelopes, which contain 100 percent recycled content.
3. This award establishes an annual contract for the continuation of providing office paper. The award is for one year with two one-year renewal options.
4. Items 23, 30, 34, and 40 are not included in this contract due to no bid and will be procured separately.
5. Funding for Fiscal Year 2017-18 is subject to budget appropriation in various departmental budgets within various funds.

Vendor	Item(s)	Contract Term	Total Est. Exp.	Fiscal Year
Clampitt Paper Company	1-22, 24-29, 31-33, 35-39, 41-57	10/1/17 – 9/30/18	\$142,315.10	2017-18

**Recommendation**

The resolution be approved.

**15 Resolution - Renewing the Annual Contract with Osburn Associates, Inc., in an Amount Not to Exceed \$70,000.00 for Reflective Materials for Traffic Signs**

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation Department – Traffic Division.
2. **Impact:** Reflective material for traffic signs is necessary in order to maintain the safety of the transportation network within the City of Irving.
3. **This item will be presented to the Transportation and Natural Resource Committee on August 9, 2017.**
4. This renewal establishes an annual contract to provide reflective material for traffic signs on an as-needed basis. The original contract was awarded on the basis of competitive bids. The current contract expires August 31, 2017. This is the second and final of two one-year renewal options.
5. Funding for Fiscal Year 2017-18 subject to budget appropriation.

<b>Vendor</b>	<b>Contract Term</b>	<b>Total Estimated Amount</b>	<b>Fiscal Year(s)</b>
Osburn Associates, Inc.	9/1/17 – 8/31/18	\$70,000.00	2017-18
<b>TOTAL NOT TO EXCEED AMOUNT</b>		<b>\$70,000.00</b>	

**Recommendation**

The resolution be approved.

**16 Resolution - Approving and Accepting the Bid of Reyes Group Ltd., in the Amount of \$967,843.75 for the Twin Wells Golf Course/Trinity River Pump Station Flood Damage Rehabilitation Project**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** The Trinity River pump station rehabilitation project will ensure an ample supply of reuse water for irrigation of the Twin Wells Golf Course. The availability of reuse water compared to using potable water for irrigation purposes will provide cost savings to the golf course operator.
3. **This item will be presented to the Transportation & Natural Resources Committee on August 9, 2017.**

4. The Trinity River pump station was severely damaged during the flooding event in 2015. Part of the water line that transports raw water to the golf course pond for irrigation was washed away as well as the wet well which houses the pumping equipment.
5. This project will consist of installing approximately 640 linear feet of water pipe, a meter vault, a pump station with a new pump, wiring, controls, and erosion control on the river bank. It also requires the excavation and demolition of the damaged infrastructure. The contractor will coordinate this project with the Parks and Recreation Department irrigation replacement project.
6. Bids were received from two bidders. Reyes Group, Ltd., submitted the lowest responsive, responsible bid of \$967,843.75.
7. Minority-and/or Women-owned Business Enterprise (MWBE) participation in this award is 100%.
8. Funding in the amount of \$967,843.75 is available in the Water & Sewer System Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**17 Resolution - Approving Change Order No. 1 to the Annual Contract with ITRON, Inc., in the Amount of \$162,500.00 for ITRON Encoder Receiver Transmitters (ERTs)**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** ITRON ERTs are attached to water meters to allow them to be read remotely. This change order will allow staff to continue to upgrade the current metering system as the city transitions over to a fixed network system through the Advanced Metering Infrastructure (AMI) project.
3. **This item will be presented to the Transportation and Natural Resource Committee on August 9, 2017.**
4. Approval of this change order will provide for the purchase of 2,500 additional ERTs, bringing the total number of ERTs purchased on an annual basis to 12,500.
5. The contract was originally awarded in the total estimated amount of \$667,870.00 annually. The total amount of the change order is \$162,500.00, which represents a 24% increase in the original award amount and is within the allowable 25% increase in contract value per State law. This increases the total contact amount to \$830,370.00.

6. Funding in the amount of \$162,500.00 is available in the Water & Sewer System Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**18 Resolution - Approving As-Needed Purchases from NAPA Auto Parts in the Estimated Annual Amount of \$192,000.00 for Auto and Truck Parts with Related Auto and Truck Equipment, Accessories, Supplies, & Services through the National Joint Powers Alliance (NJPA)**

**Administrative Comments**

1. This item is recommended by the by the Building & Equipment Services Department – Fleet Operations Division.
2. **Impact:** Approval of this item allows for as-needed purchases of automotive parts and supplies, allowing for enhanced Fleet service operations.
3. A Vendor/Member contract between the City of Irving and NAPA Auto Parts was approved on March 23, 2017 by Administrative Award No. 5306. This contract supports the utilization of NJPA Contract No. 062916-GPC for Auto and Truck Parts with Related Auto and Truck Equipment, Accessories, Supplies & Services, which expires on September 6, 2020.
4. The requested funding will be utilized for as-needed purchases of parts to assist in providing the highest quality of maintenance for all vehicle repairs in an amount not to exceed \$400,000.00 through September 9, 2019.
5. Funding for Fiscal Year 2016-17 is available in the Garage Fund, while funding for Fiscal Years 2017-18 and 2018-19 is subject to budget appropriation.
6. Because this contract runs from August 2017 through September 2019, 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 contract total amount is not exceeded.

<b>Vendor</b>	<b>Contract Term</b>	<b>Total Estimated Amount</b>	<b>Fiscal Year(s)</b>
NAPA Auto Parts	8/11/17 – 9/6/19	\$ 40,000.00	2016-17
		\$192,000.00	2017-18
		\$168,000.00	2018-19
<b>TOTAL NOT TO EXCEED AMOUNT</b>		<b>\$400,000.00</b>	

**Recommendation**

The resolution be approved.

**19 Resolution - Approving the Purchase from MHC Kenworth-Dallas for a 2018 MHC Kenworth T370 Cab & Chassis with Pal Finger M13A80 Boom and Two 2018 MHC Kenworth T370 Cab & Chassis with Brush Dump Bodies in the Total Amount of \$510,930.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Solid Waste Services Department and approved by the Building & Equipment Services Department – Fleet Operations Division.
2. **Impact:** The purchase of a MHC Kenworth cab and chassis equipped with Pal Finger M13A80 Boom and two additional MHC Kenworth cab and chassis equipped with 24 cubic yard brush dump bodies will be utilized by Solid Waste Services for the transport of brush and bulk items to the landfill. This ensures compliance with Texas Commission on Environmental Quality (TCEQ) regulations. Purchase of this equipment will ensure that Solid Waste Services is able to maintain a high level of customer service for Irving residents.
3. **This item will be presented to the Transportation and Natural Resource Committee on August 9, 2017.**
4. This purchase is a budgeted replacement in accordance with the city’s equipment replacement policy for City Vehicle Tag No. 06172, a 2004 Freightliner FL-80 with a 17 cubic yard Prentice boom; Tag No. 06160, a 2003 Freightliner FL-80 with 18 cubic yard brush body; and Tag No. 06173, a 2004 Freightliner FL-80 with a 24 cubic yard brush body.
5. This purchase is supported by a Vendor/Member contract between the City of Irving and MHC Kenworth-Dallas which was approved by Administrative Award No. 5235, utilizing BuyBoard Contract No. 521-16 which expires on November 30, 2017.
6. Funding is available in the Solid Waste Enterprise Fund.

Vendor	Qty	Item Description	Total Expenditure
MHC Kenworth-Dallas	1	2018 Kenworth T370 with Pal Finger M13A80 Boom	\$ 216,308.00
	2	2018 Kenworth T370 with Brush Body	\$ 294,622.00
<b>Total</b>			<b>\$ 510,930.00</b>

**Recommendation**

The resolution be approved.

**20 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Five Star Chevrolet, LLC, through the State of Texas Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Solid Waste Services Department and approved by the Building & Equipment Services Department – Fleet Operations Division and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Five Star Chevrolet, LLC for utilization of State of Texas Term Contract No. 072-A1 which expires August 31, 2017, will allow the city to procure fleet trucks under the best possible terms and conditions for the city.
3. Approval of this contract supports the purchase of various vehicles as presented in the following item on this agenda as well as any future purchases from this vendor through the designated State of Texas Term Contract for the specified contract term.

**Recommendation**

The resolution be approved.

**21 Resolution - Approving the Purchase from Five Star Chevrolet, LLC, for a 2017 Chevrolet 1/2 Ton 4x4 Suburban and Two Chevrolet 3/4 Ton Crew Cab Pickups in the Total Amount of \$128,484.00 through the State of Texas Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Solid Waste Services Department and approved by the Building & Equipment Services Department – Fleet Operations Division.
2. **Impact:** Purchase of these vehicles will allow for replacement of older vehicles in order to reduce vehicle downtime and ensure that Solid Waste Services is able to maintain a high level of customer service for Irving residents.
3. **This item will be presented to the Transportation & Natural Resources Committee on August 9, 2017.**
4. These purchases are budgeted replacements in accordance with the city's equipment replacement policy for Vehicle Tag No. 06153, a 2002 Chevrolet 3/4 Ton 4x4 Suburban; Tag No. 06158, a 2003 Chevrolet 3/4 Ton 4x4 Crew Cab Pickup; and Tag No. 06167, a 2003 Ford 1/2 Ton 4x4 Single Cab Pickup.

5. This purchase is supported by a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Five Star Chevrolet utilizing State of Texas Term Contract No. 072-A1 which expires on August 31, 2017 as presented in the previous item on this agenda.
6. Funding is available in the Solid Waste Enterprise Fund.

Vendor	Qty	Item Description	Total Expenditure
Five Star Chevrolet	1	2017 Chevrolet 1/2 Ton 4x4 Suburban	\$ 50,610.00
	2	2017 Chevrolet 3/4 Ton Crew Cab Pickup	\$ 77,874.00
<b>Total</b>			<b>\$ 128,484.00</b>

**Recommendation**

The resolution be approved.

**End of Bids**

- 22 Ordinance - Authorizing the Issuance and Sale of City of Irving, Texas, Combination Tax and Hotel Occupancy Tax Revenue Refunding Bonds, Series 2017, in Accordance with Specified Parameters; Levying a Tax in Payment Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving Preparation of an Official Statement; Approving a Disclosure Counsel Engagement Letter; and Enacting Other Provisions Incident and Relating to the Subject and Purposes of This Ordinance**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** Upon approval of this Ordinance, Financial Services will proceed with the steps for the issuance of the Convention Center refunding bonds.
3. The Certificates of Obligation, Series 2009 were issued to construct the Irving Convention Center. The current principal balance is \$125,790,000. Market conditions continue to move in a favorable direction that will result in savings for the City if this bond issue is refunded.
4. As the market continues to move in a favorable direction, City staff and Hilltop Securities, the City's financial advisor recommend a parameters authorization for this bond sale.



5. Sale of the bonds on a competitive basis will be subject to the parameter limitations set forth in the Ordinance. The parameters generally are:
  - a) The net effective interest rate on the bonds shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;
  - b) The aggregate principal amount of the bonds authorized to be issued for the purposes described in Section 3.01 shall not exceed \$125,255,000;
  - c) The refunding of the Refunded Obligations shall produce a gross debt service savings of at least \$41,000,000; and
  - d) No Bond shall mature later than August 15, 2039
6. A pricing committee made up of the City Manager, Chief Financial Officer and Hilltop Securities will provide confirmation that the specified parameters are met to fulfill the need for timely financing.
7. When and if the parameters for the bond sale are met, the Ordinance authorizes the pricing committee to move forward with the actual issuance of the bonds. The authority expires in 180 days if the bonds are not issued prior to such time.

### **Recommendation**

The ordinance be adopted.

## **23 Ordinance - Amending Chapter 34A Entitled "Right of Way Management" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing a Design Manual and Regulations Relating to Small Cell Network Nodes in Public Right of Way, as Mandated by the Recently Adopted Texas State Bill #1004**

### **Administrative Comments**

1. This item has been recommended by the Capital Improvement Program Department.
2. **Impact:** The revised Right of Way Management Ordinance is needed due to the recently adopted Texas Senate Bill 1004 (SB1004) which now includes regulations related to the installation of Small Cell Network Nodes in the Public Right-of-Way.
3. Senate Bill 1004 provided a framework which mandates that small cell network nodes have to be allowed within the city controlled Public Right-of-Way. The City cannot prohibit the placement of the nodes in the right-of-way, however can exercise some control through right-of-way management authority. The new state law dictates permit fees, approval duration and allowable locations for the small cell network nodes.

4. The new law goes into effect on September 1, 2017 and the city does have the ability to enact a design manual to control the installation of the nodes within the right-of-way. The revised ordinance will address the various new mandates in the law and will include the design manual as Article III. to control the installations to the extent allowable under the law.
5. The new law allows the nodes to be placed on public infrastructure such as light poles, traffic signals and in the right-of-way on privately owned franchise poles. Some key changes include:
  - Allows cities to prohibit installation of nodes in residential areas with a street width less than 50 feet.
  - Dictates fees for the permits for new poles and installation on existing poles, plus time limits on the review and approval of the permits.
  - Installations must start within 6 months after the permit approval.
  - Limits pole heights to 55 feet.
6. The new ordinance has been prepared with input from the Capital Improvements Program Department, Traffic and Transportation Department and City Attorney's Office.

### **Recommendation**

The ordinance be adopted.

## **INDIVIDUAL CONSIDERATION**

### **24 Resolution - Approving the Allocations of Fiscal Year 2017-2018 Community Development Block Grant and Emergency Solutions Grant Funds to Non-Profit Organizations in the Amount of \$292,606.00**

#### **Administrative Comments**

1. This item is recommended by the Planning and Community Development department.
2. **Impact:** This action will provide funding to local non-profit organizations to improve services to Irving residents.
3. As a recipient of funds from the U.S. Department of Housing and Urban Development, the City of Irving will receive \$2,025,145.00 in Community Development Block Grant (CDBG) and \$183,662.00 in Emergency Solutions Grant funds in Fiscal Year 2017-2018. The City of Irving may allocate up to 15% of CDBG funds to public services and may allocate a portion of its ESG funding to emergency shelter operations and maintenance.

4. The Planning and Community Development department solicited applications from non-profit agencies from March 1 through March 31, 2017. The Housing and Human Services Board interviewed all applicants at its May 19, 2017 meeting and approved the budgets for CDBG, ESG, and the Home Investment Partnerships Grant (HOME), including allocations to the non-profit organizations, at its June 21, 2017 meeting.
5. Community input regarding public services allocations was solicited through a public comment period and through the conduct of two public hearings.
6. **This item was presented to the Community Services and Public Safety Committee on June 22, 2017.**
7. Funding in the amount of \$263,200.00 will be available in the Outside Services budget within the 2017-2018 Community Development Block Grant Fund. Funding in the amount of \$29,386.00 will be available in the Outside Services budget within the 2017-2018 Emergency Solutions Grant Fund.

**Recommendation**

The resolution be approved.

**25 Resolution - Approving the Submission of the Fiscal Year 2017-2018 Action Plan for the Use of Federal Funds and Associated Fiscal Year 2017-2018 Community Development Block Grant, Home Investment Partnerships Grant, and Emergency Solutions Grant Budgets, to the United States Department of Housing and Urban Development for the Award Amount of \$2,797,439.00**

**Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This action will set priorities, goals, and resource allocations for the use of grant funding from the United States Department of Housing and Urban Development (HUD) to provide community development services to the residents of Irving.
3. **This item was presented to the Community Services and Public Safety Committee on July 20, 2017.**
4. As a HUD-funded community, Irving will receive \$2,025,145.00 in Community Development Block Grant (CDBG), \$588,632.00 in Home Investment Partnerships Grant (HOME), and \$183,662.00 in Emergency Solutions Grant (ESG) funds for the

2017 Program Year, which runs from October 1, 2017 to September 30, 2018.

5. In order to receive these funds, the City of Irving is required to submit a Consolidated Plan every five years, which serves as a strategic plan for the use of these HUD funds. In addition, the City of Irving is required to annually submit an Action Plan to HUD no later than August 15 of any given year. The Action Plan outlines the specific programs and services that will be funded to address Irving's strategies as stated in the five-year 2014-2019 Consolidated Plan.
6. Citizen input regarding the 2017-2018 Action Plan was solicited through the conduct of two advertised public hearings as well as through website posting and an online survey. The Housing and Human Services Board approved its recommended allocation of Fiscal Year 2017-2018 funds at its June 21, 2017 meeting and approved the Action Plan as a whole at its July 19, 2017 meeting. The Board's recommendation for this funding is based on Consolidated Plan priorities, non-profit organization applications and interviews, and recommendations from the Planning and Community Development staff.
7. The proposed resolution adopts the Fiscal Year 2017-2018 Action Plan, with associated budgets for the use of CDBG, HOME, and ESG funds; its designated HOME and ESG matching contributions; CDBG and Homeless Program revised Policies and Procedures; and all applicable priorities and goals in the Consolidated Plan.

### **Recommendation**

The resolution be approved.

## **ZONING CASES AND COMPANION ITEMS**

- 26 Resolution - Approving Replat - PL16-0072 - Valencia Estates - Approximately 34 Acres Located at 1523 Hard Rock Road at Conflans and State Highway 161 - JDJR Engineering and Consultants, Applicant - Hard Rock Real Estate Investments, LLC, Owner.**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017, Pending. The Planning and Zoning Commission recommendation will be provided to the City Council at the work session.
2. The purpose of this plat is to create 178 single family and townhouse lots with four (4) common area lots for residential use.

3. This plat dedicates the following:
  - A. All street frontages have 10-ft. wide utility easements.
  - B. A 15-ft. wide utility easement from the south property line of Lot 20X through Lot 21 in Block D to Jameel Court.
  - C. A 12.5-ft. wide “Privately Maintained Drainage” easement on Lots 1-13, Block C.
  - D. A 7.5-ft. wide “Privately Maintained Drainage” easement and “Private Retaining Wall Maintenance” easements on Lots 32-38, Block A, and Lots 1-17, Block E.
  - E. A 5-ft. wide “Privately Maintained Drainage” easement adjacent to the north property lines of Lots 1-10 & 13-19, Block A, Lots 11-77, Block B, Lots 17-28, Block C and Lot 37, Block D.
  - F. A 7.5-ft. wide “Public Drainage” easement on Lots 16-31, Block F.
  - G. All open space lots as private drainage and maintenance easements.
4. The following exception to the Subdivision Ordinance requires approval by the City Council:
  - A. Installation of drainage channels of reinforced concrete pipe or concrete lining.

The applicant is proposing to dedicate a private drainage and maintenance easement, routing the storm water through the easement.
5. The plat complies with all other requirements of the Subdivision Ordinance and the approved zoning.
6. A Landscape Variance will be required in order to remove any protected trees prior to building permit approval of each lot.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The resolution be approved.

**27 Ordinance - Zoning Case #ZC17-0013 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.06 Acres Located at 8701 Cypress Water Boulevard, Suite 130 - Biryani's and More, Applicant - CWR1 A, LLC and CWR1 B, LLC, Owners.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan recommends *Commercial Corridor* uses for this property. The *Commercial Corridor* land use category is described as an “Auto-oriented district for retail, office and commercial uses. It has parking in front with buildings set back from the street, and low to mid-rise buildings.” This use is in accordance with the Comprehensive Plan.
3. The applicant is requesting a zoning change to allow the existing *Biryani's and More!* restaurant the accessory use of the sale of alcoholic beverages for on-premises consumption.
4. The subject property is a lease space in a multi-tenant retail building within the Cypress Waters development. The restaurant is 2,890 sq. ft. in area. The restaurant will have a total of 91 seats, including 61 indoor seats, a front patio with 20 seats, and a rear patio with 10 seats. A total of 36 parking spaces are required at one space per 2.5 seats. The applicant is providing 40 total parking spaces.
5. The proposed request meets all of the requirements of the approved zoning and the R-AB district requirements.
6. A total of four (4) public notices were mailed. Staff did not receive any responses in support of or opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**28 Ordinance - Zoning Case #ZC17-0024 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses. Approximately 0.26 Acres Located at 3311 Regent Boulevard - Fortune Alliance, LLC, Applicant/Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 17, 2017 - Favorable 7-0 (Commissioners French and Hoedebeck, absent).
2. The 2017 Comprehensive Plan recommends *Commercial Corridor* uses for this property. The *Commercial Corridor* land use category is described as an “Auto-oriented district for retail, office and commercial uses. It has parking in front with buildings set back from the street, and low to mid-rise buildings.” This use is in accordance with the Comprehensive Plan.
3. The subject tract is developed with a multi-tenant building with three suites. The applicant is proposing rezoning to allow a new *India 101* restaurant to serve alcohol as an accessory use for on-premises consumption.
4. The restaurant is a two-story, 11,326 sq. ft. lease space. The downstairs will be a full-service restaurant with a retail sweet shop and a designated “To-Go” area, and the upstairs will be an event space with food and alcohol provided by the restaurant.
5. The applicant is requesting 315 seats and providing 166 parking spaces at one space for each 2.5 seats. The event center is for conducting private parties or groups and can be expected to be an evening and weekend use.
6. The request complies with all other requirements of the R-AB ordinance.
7. A total of ten (10) public notices were mailed. Staff received one (1) in support and none in opposition to this case.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

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

**29 Ordinance - Zoning Case #ZC17-0033 - Granting S-P-2 (Generalized Site Plan) District Use for ML-20 (Light Industrial) and Event Center Uses - Approximately 16.06 Acres on the Southeast Corner of State Highway 161 and Conflans Road - Avere Real Estate, Applicant/Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 17, 2017 - Favorable 7-0 (Commissioners French and Hoedebeck, absent).
2. The 2017 Comprehensive Plan recommends *Commercial Corridor* uses for this property. The *Commercial Corridor* land use category is described as an "Auto-oriented district for retail, office and commercial uses. It has parking in front with buildings set back from the street, and low to mid-rise buildings." This use is in accordance with the Comprehensive Plan.
3. The subject tract was recently rezoned for the development of ten (10) buildings to be used for commercial and light industrial uses. Each building would typically be between 9,800 square feet and 15,000 square feet, and would generally be surrounded by standard parking spaces. The current site plan allows two variances to the State Highway 161 Overlay District. First, the Overlay District states that any property with more than 500 required parking spaces must have at least 25 percent of the spaces in structured parking. Since the parking is to accommodate several structures rather than one single structure, this variance was approved. Additionally, since the site to the north was recently rezoned to residential uses, an exception to the State Highway Overlay District to allow light industrial uses within 200 feet of a residential lot was approved.
4. The applicant is now revising the site plan to develop seven (7) buildings on the property in a modified arrangement with four (4) buildings on the east side, and three (3) buildings on the west side. The necessary detention facility would remain on the east side.
5. Only one building would front Conflans Road. The other two buildings are to the south, with building 2 having an internal parking area, and building 1 (the event center) having a parking area fronting on the street.
6. The Event Center use is proposed as a facility for dance, assembly, or exhibition hall.
7. The approved plan shows the property completely filled-in to level for development, with all of the trees being removed. This configuration will preserve 130 existing trees in the southwest quadrant of the property, totaling over 1,490 caliper inches. New landscaping will also be installed along Conflans Road and the parking lots.
8. The new site plans incorporate the previously approved variances to the State Highway 161 Overlay.
9. A total of eight (8) public notices were mailed. Staff received none in support and none in opposition to this request.



10. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**RECOMMENDATION**

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

**30 Ordinance - Zoning Case #ZC17-0035 - Granting R-6 (Single Family) District Uses - Approximately 0.93 Acres Located 718 Hilltop Road - Resolve House Buyers, LLC, Applicant/Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Compact Neighborhood* uses for this property. The *Compact Neighborhood* land use category is described as “Predominantly single-family detached homes with a diverse mix of building types, including small lot cottage homes, clustered courtyard homes, townhomes, row houses, and small-scale apartment buildings. Some mix of non-residential uses is permitted, especially at intersections and commercial corners.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting to rezone the property to R-6 (Single Family) for a single family development.
4. The property owner requested permits to perform minor repairs to the home. On August 4, 2016 code enforcement noted that the property owner removed all walls except the front façade of the home. A stop work order was issued at this time and a notice of violation was issued.
5. On June 27, 2017 a permit was requested for new single family construction. The Building Inspections Department advised that, in order to receive the permit to construct a new residential home, the property needed to be rezoned and platted.
6. The lot to the north of the subject property is zoned R-6. The surrounding properties are single family homes, and the new residential home will be in character with the surrounding neighborhood.
7. The applicant did not pick up the zoning change sign from the City on July 28, 2017. Therefore, staff recommends postponement to the August 21, 2017 Planning and Zoning Commission meeting to allow proper posting of the sign, and a corresponding postponement to the September 7, 2017 City Council meeting.
8. A total of 28 public notices have been mailed. Staff has not received any responses in support of or opposition to this request.

9. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

Postponement to September 7, 2017.

**31 Ordinance - Zoning Case #ZC17-0047 - Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) District Uses - Approximately 0.17 Acres Located at 1601 Briarwood Lane - Remarkable Remodeling and Restoration, Applicant - Rodney Kent and Kristen L. Adair Woodruff - Owners.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood* uses for this property. The *Residential Neighborhood* land use category is described as “Predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting a zoning change to allow a carport to encroach into the front yard setback.
4. The existing zoning requires a front yard setback of 25 feet. The applicant is proposing a carport that encroaches 6.1 feet into the 25 foot setback.
5. The proposed driveway will be 18 feet wide. The applicant is aware the proposed driveway will be required to be paved to the street.
6. The carport will be consistent with the design of the existing dwelling, including the use of matching trim, roof materials and color. The applicant agreed to brick the posts to match the house.
7. Other carports exist on the street. The garage has been previously converted into living space.
8. Since the proposed carport meets the design requirements, staff can support this request.
9. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**32 Ordinance - Zoning Case #ZC17-0053 - Granting TOD (Transit Oriented Development) Detailed Site Plan Uses - Approximately 12.138 Acres Located on the Southeast Corner of North O'Connor Boulevard and East Las Colinas Boulevard - Gables Residential, Applicant - LG Colinas Limited Partnership, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* is a mixed-use land use category, defined as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2012, City Council approved Ordinance No. 2012-9377 for Transit Oriented Development (TOD) uses for the Water Street Development. The development was for a mixed-use, transit-oriented development which included between 20,000 and 30,000 square feet of retail/office space, and between 20,000 and 40,000 square feet of interior restaurant space, for a total of up to 70,000 square feet of retail/restaurant area. The development also included between 250 and 500 multifamily units.
4. The applicant is requesting rezoning to take advantage of the reduction in parking requirements allowed by the TOD district for properties within 1,000 feet of a transit station. The applicant is proposing a 20% reduction to the parking as allowed by the TOD district requirements. Additionally, the applicant is reducing the retail/office square footage to between 10,000 and 20,000 square feet and increasing the restaurant square footage to between 35,000 and 55,000 square feet. Furthermore, the plan also shows the combination of two buildings previously shown as separate single-story structures for retail/restaurant uses.
5. The plan includes notes stating that the landscaping and building elevations shall be installed or constructed in substantial conformance to Sheets #3 through #7 of the previously-approved TOD Detailed Plan, per Ordinance No. 2012-9377.
6. Staff can support the proposed rezoning, which complies with the TOD District standards.
7. A total of thirteen (13) public notices were mailed. Staff has received one (1) response in support and none opposition to this request.
8. This item supports Strategic Objective 3.5 - Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**33 Ordinance - Zoning Case #17-0042 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.06 Acres Located at 5228 N. O'Connor Boulevard, Suite 126 - Green Beverages Services, LLC, Applicant - Gables Residential, Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 17, 2017 – Postpone to August 7, 2017 7-0 (Commissioners French and Hoedebeck, absent). August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* is a mixed-use land use category, defined as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2012, City Council approved Ordinance 2012-9377 for Transit Oriented Development (TOD) uses for the Water Street Development. The approved TOD plan included the development of between 20,000 and 40,000 square feet of restaurant space. It also approved restaurant parking at a ratio 1 space per 150 square feet.
4. The applicant is requesting rezoning to allow a new *El Famoso Mexican Diner and Bar* restaurant the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
5. The subject property is a lease space in a multi-tenant retail building within the Water Street development. The restaurant is 2,913 square feet in area, including the patio, with a total of 104 seats. Parking is being provided within the parking garages and surface parking throughout the site in areas designated for retail/restaurants and is calculated at 1 space per 150 square feet of floor area including the patio area of the restaurant.
6. This case was postponed at the July 17, 2017 Planning and Zoning Commission meeting to allow the applicant sufficient time to make modifications to the plans.
7. A total of eight (8) public notices were mailed. Staff has received one (1) response in support and none in opposition to this request.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**34 Ordinance - Zoning Case #ZC17-0043 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.07 Acres Located at 5244 North O'Connor Boulevard, Suite 154 - Go Fish Poke Bar, Inc., Applicant - Gables Residential, Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* is a mixed-use land use category, defined as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2012, City Council approved Ordinance No. 2012-9377 for Transit Oriented Development (TOD) uses for the Water Street Development. The approved TOD plan included the development of between 20,000 and 40,000 square feet of restaurant space. It also approved restaurant parking at a ratio 1 space per 150 square feet.
4. The applicant is requesting rezoning to allow a new *Go Fish Poke Bar* restaurant the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
5. The subject property is a lease space in a multi-tenant retail building within the Water Street development. The restaurant is 3,032 sq. ft. in area, including the patio, with a total of 92 seats. Parking is being provided within the parking garages and surface parking throughout the site in areas designated for retail/restaurants and is calculated at 1 space per 150 square feet of floor area, including the patio area of the restaurant.
6. A total of five (5) public notices were mailed. Staff has received one (1) response in support and none in opposition to this request
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**35 Ordinance - Zoning Case #ZC17-0044 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.08 Acres Located at 5238 North O'Connor Boulevard, Suite 130 - Water Street Bistro & Cafe, LLC, Applicant - Gables Residential, Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* is a mixed-use land use category, defined as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2012, City Council approved Ordinance No. 2012-9377 for Transit Oriented Development (TOD) uses for the Water Street Development. The approved TOD plan included the development of between 20,000 and 40,000 square feet of restaurant space. It also approved restaurant parking at a ratio 1 space per 150 square feet.
4. The applicant is requesting rezoning to allow a new *Main Street Bistro & Bakery* restaurant the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
5. The subject property is a lease space in a multi-tenant retail building within the Water Street development. The restaurant is 3,286 sq. ft. in area, including the patio, with a total of 140 seats. Parking is being provided within the parking garages and surface parking throughout the site in areas designated for retail/restaurants and is calculated at 1 space per 150 square feet of floor area, including the patio area of the restaurant.
6. A total of four (4) public notices were mailed. Staff has received one (1) response in support and none in opposition to this request
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**36 Ordinance - Zoning Case #ZC17-0045 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.07 Acres Located at 5228 North O'Connor Boulevard, Suite 134 - Green Beverages Services, LLC, Applicant - Gables Residential, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* is a mixed-use land use category, defined as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2012, City Council approved Ordinance No. 2012-9377 for Transit Oriented Development (TOD) uses for the Water Street Development. The approved TOD plan included the development of between 20,000 and 40,000 square feet of restaurant space. It also approved restaurant parking at a ratio 1 space per 150 square feet.
4. The applicant is requesting rezoning to allow a new *Olivella’s* restaurant the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
5. The subject property is a lease space in a multi-tenant retail building within the Water Street development. The restaurant is 3,175 sq. ft. in area, including the patio, with a total of 130 seats. Parking is being provided within the parking garages and surface parking throughout the site in areas designated for retail/restaurants and is calculated at 1 space per 150 square feet of floor area, including the patio area of the restaurant.
6. A total of four (4) public notices were mailed. Staff has received one (1) response in support and none in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage lane use.

**Recommendation**

The ordinance be adopted.

**37 Ordinance - Zoning Case #ZC17-0046 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.17 Acres Located at 5238 North O'Connor Boulevard, Suite 136 - Herreras Omni, LP, Applicant - Gables Residential, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 7, 2017 – Pending. Staff will provide the Planning and Zoning Commission recommendation to the City Council at the work session.
2. The 2017 Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* is a mixed-use land use category, defined as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2012, City Council approved Ordinance No. 2012-9377 for Transit Oriented Development (TOD) uses for the Water Street Development. The approved TOD plan included the development of between 20,000 and 40,000 square feet of restaurant space. It also approved restaurant parking at a ratio 1 space per 150 square feet.
4. The applicant is requesting rezoning to allow a new *Café Herrera* restaurant the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
5. The subject property is a lease space in a multi-tenant retail building within the Water Street development. The restaurant is approximately 0.17 acres in area, including the patio, with a total of 315 seats. Parking is being provided within the parking garages and surface parking throughout the site in areas designated for retail/restaurants and is calculated at 1 space per 150 square feet of floor area, including the patio area of the restaurant.
6. A total of four (4) public notices were mailed. Staff has received one (1) response in support and none in opposition to this request
7. This item supports Strategic Objective 3.5 – Effectively plan and manage lane use.

**Recommendation**

The ordinance be adopted.



**38 Ordinance - Public Hearing and Adopting an Ordinance Amending Section 52-35A. Landscaping and Tree Preservation of Comprehensive Zoning Ordinance No. 1144 Regarding Minimum Landscaping and Tree Preservation Requirements (Postponed from the July 20, 2017 City Council Meeting).**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 17, 2017 – Postpone to August 7, 2017. Staff will recommend that the Planning and Zoning Commission postpone this item to August 21, 2017.
2. **This item was discussed at the July 6, 2017 Planning and Development Committee meeting.**
3. Staff initially advertised this amendment for a July 20, 2017 City Council date. However, staff is still working on the draft ordinance.
4. Staff is also monitoring activity at the State level. House Bill HB 70 was filed during the current special legislative session. If enacted as written, it would preempt many aspects of the draft ordinance.
5. Staff believes it is in the best interest of the City to table discussion of this ordinance until after completion of the current legislative session; therefore, staff recommends that this item be postponed to September 7, 2017.
6. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be postponed to September 7, 2017.

## **APPOINTMENTS AND REPORTS**

**39 Mayor's Report**

**Adjournment**