

AGENDA
Irving City Council Regular Meeting
Thursday, November 9, 2017 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Senior Pastor J. Don George, Calvary Church

Pledge of Allegiance

Proclamations and Special Recognitions

Citizens' Forum

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

Public Hearing: Items 1 through 32

CITY COUNCIL AGENDA

- 1 City Operations Update**
 - a. City Wide Drainage Assessment Study Update
 - b. The Irving Innovation Project Update

CONSENT AGENDA

- 2 Approving Work Session Minutes for Wednesday, October 25, 2017**
- 3 Approving Regular Meeting Minutes for Thursday, October 26, 2017**

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 - Consenting to the Assignment of Client Services Agreement with Vigilant Analytics to IXP Corporation

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:** Vigilant Analytics requests that the current client services agreement between the City of Irving and Vigilant be amended to reflect the assignment of the contract to IXP Corporation. All of Vigilant's future rights and obligations under the contract are to be assigned to IXP.
3. No funding is required.

Recommendation

The resolution be approved.

5 Resolution - Designating the Mayor as the Authorized Official and Authorizing the Mayor to Accept a Grant from the United States Department of Justice - Community Oriented Policing Services Office in the Amount of \$65,315.00 for the Development of the City of Irving Police Behavioral Health Leadership Team

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** The United States Department of Justice has selected the City of Irving Police Department for a Community Oriented Policing Services Grant. This grant supports projects which advance the practice of community oriented policing in law enforcement agencies through innovative programs. The grant will help fund the development of a collaborative Behavioral Health Leadership Team (BHLT) between the Irving Police and Fire Departments and the Meadows Mental Health Policy Institute.
3. The grant period began on October 1, 2017 and extends through September 30, 2018.
4. No funding is required.

Recommendation

The resolution be approved.

6 Resolution - Approving Final Renewal of the Agreement with MuniServices for Sales Tax Recovery and Analysis in an Amount Not to Exceed \$750,000.

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** This item is for the third and final renewal of the original contract with MuniServices. The city will be able to continue to recover any sales tax collections that have been misfiled or were not paid correctly to the city going back four years. To date, over \$5.5 million in sales tax revenue has been recovered from this contract.
3. The city has over 10,000 businesses with 1,000 new sales tax permits added each year. This contract allows for increased analysis and review of sales tax revenues that would not otherwise be possible without adding additional city personnel.
4. Funding for sales tax analysis in the amount of \$14,000 is available in the General Fund. Funding for sales tax recovery is a 30% contingency of revenues recovered. This amount is projected to be \$736,000 for the remainder of the current fiscal year, and is also funded from the General Fund.

Recommendation

The resolution be approved.

7 Resolution - Approving an Agreement Between the Irving Independent School District on Behalf of the Special Education Department and the City of Irving on Behalf of the Irving Public Library to Provide a Work Based Learning Program for Students with Disabilities

Administrative Comments

1. This item is recommended by the Library Department.
2. **Impact:** The agreement between the Irving Independent School District Special Education Department and the City of Irving on behalf of the Irving Public Library will provide a Work Based Learning Program for students with disabilities. Students be will assigned volunteer work assignments throughout the school year where they will learn to interact and work outside the classroom. The Irving Public Library and the Irving Independent School District have been partners with the Work Based program for approximately 15 years.
3. There will be no cost to the City of Irving.

Recommendation

The resolution be approved.

8 Resolution - Awarding a Contract to Fleetwood Services, LLC, in the Amount of \$1,985,614.05 for the Twin Wells 18-Hole Golf Course, Driving Range and Putting Green Renovation Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Parks and Recreation Department. It supports Strategic Objective 4.5 – Implement enhancement to cultural and recreational facilities.
2. **Impact:** This project will renovate the Twin Wells 18 Hole Golf Course, Driving Range and Putting Green.
3. **This item was presented to the Transportation and Natural Resources Committee on June 7, 2017.**
4. The renovations will include reshaping the existing fairways and greens, constructing 8 new golf-hole layouts and adding sand bunkers. Improvements to the practice area will be made and include an expanded driving range, new putting green and short game area.
5. Irrigation is currently being installed and it is anticipated the irrigation and golf course renovation will be ready for grass grow-in the summer 2018 and open for play in the fall of 2018.
6. Bids were received from 6 bidders. Fleetwood Services, LLC, submitted the lowest responsive responsible base bid of \$1,887,907.25. This is \$99,772.75, (9.5%) below the project estimate. Staff recommends the accepting the following Alternates:

| | | |
|--------------|---|----------------|
| Alternate #1 | Renovate the short game practice green | \$ 20,936.75 |
| Alternate #2 | Renovate the putting green | \$ 11,246.30 |
| Alternate #3 | Install a new nursery green | \$ 12,195.00 |
| Alternate #4 | Install concrete curb on the cart path near the driving range | \$ 3,750.00 |
| Alternate #5 | Sand cap tees | \$ 49,578.75 |
| | For a total Award Amount | \$1,985,614.05 |

7. Minority- and/or Women-owned Business (M/WBE) participation in this award is 100%.
8. Funding in the amount of \$1,797,934.05 is available within the Park Improvement Bond Fund and \$187,680.00 is available in the Property and Casualty Self Insurance Fund.

Recommendation

The resolution be approved.

9 Resolution - Awarding a Contract to North Rock Construction, LLC, in the Amount of \$305,882.49 for the Luzon Park Improvement Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Parks and Recreation Department. It supports Strategic Objective 4.5 – Implement enhancements to cultural and recreational facilities.
2. **Impact:** This work will replace the inadequate play unit and picnic shelter, provide expanded pedestrian pavement inside the park and a van accessible parking space to provide improved barrier free access to all park facilities.
3. **This item was presented to and endorsed by the Parks and Recreation Board on August 14, 2017. This item was also presented to the Community Services Committee on September 21, 2017.**
4. The Luzon Park Improvement Project will provide a new and larger playground facility, a larger shade canopy with four picnic tables, wider concrete walkways inside the park for easier access, bench seating and a van accessible parking space.
5. Bids were received from 7 bidders. North Rock Construction, LLC, submitted the lowest responsive responsible bid of \$406,322.69. This was \$92,642.69, (22.8%) above the project estimate. Staff recommends the following:

| | | |
|--------------|--|---------------|
| Not Awarding | Item # 1.31 Area light standards T2 & T3 | -\$ 17,556.00 |
| Not Awarding | Item # 1.32 Flood Light Standards P1 - P3 | -\$ 72,504.00 |
| Not Awarding | Item # 1.33 MUSCO Central Link System | -\$ 13,680.00 |
| Awarding | Add-Alternate bid item #9 (4) Litter Receptacles | +\$ 3,299.80 |
| | For a Total Award Amount | \$305,882.49 |

6. The recommendation for removal of Items 1.31 thru 1.33 will allow the city to utilize the vendor/member agreement currently in place for the installation of lighting at a cost savings to the city.
7. Minority- and/or Women-owned Business (M/WBE) participation in this award is 7.4%.
8. Funding in the amount of \$305,882.49 is available within the Park Improvement Bond Fund.

Recommendation

The resolution be approved.

10 Resolution - Rejecting All Bids for Hidalgo-Las Colinas Water and Wastewater Improvements Projects

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the priority replacement for the Water Utilities Department. This project impacts approximately 83 residential and 4 commercial properties and will improve the water and wastewater systems.
3. The project will replace the water and wastewater mains along Hidalgo and Rosita Streets in addition to water mains along La Vida Court and Vera Cruz Street. The project will also replace wastewater mains within the Las Colinas Country Club.
4. Staff recommends rejection of all bids because only one bid was received and the single bid that was received exceeded the project budget by 29.61%.
5. The waste water work within the Las Colinas Country Club property is required to be constructed between November and March. The golf course work is mainly boring the new waste water line to reduce the disruption to the turf. The overall project will be split into two phases and the new waste water work under Hidalgo Street will be put back out for bidding in January for installation next summer. The golf course boring and a short section of pipe bursting work, which connects the Hidalgo line to the golf course line, will be bid out next summer in anticipation of having the contractor ready to begin work on the project in November of 2018.

Recommendation

The resolution be approved.

11 Resolution - Nominating the American Bottling Company to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Nomination of The American Bottling Company for participation in the Texas Enterprise Zone Program will allow for approximately \$8.4 million of capital investment over the next five years.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of

Texas. Should The American Bottling Company be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested at the Irving location.

4. The American Bottling Company is a subsidiary of Dr. Pepper Snapple Group, Inc. With one location in Irving, Texas, American Bottling manufactures, markets and distributes beverages across the United States, Canada, Mexico and the Caribbean.
5. On August 7, 2014, the Irving City Council nominated The American Bottling Company for enterprise project status by RES-2014-259. However, this application was never approved by the State.
6. With the current application, The American Bottling Company estimates that it will invest approximately \$8.4 million over the next five years and retain 500 jobs with an average annual salary of \$78,697 for benefit throughout the five year designation at the qualified business site in the Irving facility located at 2304 Century Center Blvd. The investment will be to upgrade equipment, improve operating efficiencies and replace equipment at the Irving facility. These improvements will significantly expand The American Bottling Company's ability to manufacture, market and distribute beverages across North America.
7. The American Bottling Company also commits to hiring at least 25% economically disadvantaged employees for its new or replacement personnel as required by the Texas Enterprise Zone Statute.
8. The Enterprise Zone designation will terminate on December 1, 2022.

Recommendation

The resolution be approved.

12 Resolution - Nominating NCH Corporation to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Nomination of NCH Corporation for participation in the Texas Enterprise Zone Program will allow for approximately \$26.5 million of capital investments over the next five years.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should NCH Corporation be selected for the Enterprise Project designation,

they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.

4. NCH is the largest leading private global provider of industrial maintenance solutions and their headquarters have been located in Irving for 98 years. The NCH campus includes corporate offices at 2723 and 2727 Chemsearch Blvd.; research and development laboratory and blending plant at 2730 Carl Rd.; distribution center at 2400 Carl Rd.; packaging center at 2500 Carl Rd; and warehouse at 1400 E. Northgate Drive. NCH currently has approximately 500 employees in Irving.
5. NCH estimates that it will invest approximately \$26.5 million over the next five years for expansion of their existing infrastructure throughout their Irving campus in order to sufficiently operate their new production line. The investment will be for building construction, purchase of new machinery and equipment, computer equipment and software, and office equipment. NCH is requesting benefit for 15 new jobs with an average annual salary of \$60,000 and for the retention of 485 jobs.
6. NCH also commits to hiring at least 25% economically disadvantaged employees for its new or replacement personnel as required by the Texas Enterprise Zone Statute.
7. The Enterprise Zone designation will terminate on December 1, 2022.

Recommendation

The resolution be approved.

13 Resolution - Nominating the Neiman Marcus Group, LLC to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Nomination of The Neiman Marcus Group, LLC for participation in the Texas Enterprise Zone Program will allow for approximately \$19 million of capital investments over the next five years.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should The Neiman Marcus Group, LLC be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.

4. On August 9, 2012, the Irving City Council nominated Neiman-Marcus Group, Inc., for Triple Jumbo enterprise project status by RES-2012-222. Neiman Marcus estimated an approximate \$250 million capital investment in their Irving distribution center over the next five years. The Triple Jumbo enterprise project took effect on September 4, 2012, and terminated on September 4, 2017. On October 26, 2017, the Irving City Council approved RES-2017-399 certifying a Texas enterprise project designation name change from Neiman Marcus Group, Inc., to The Neiman Marcus Group, LLC.
5. Neiman Marcus is a national retailer and exporter of luxury merchandise with facility entrances for Neiman Marcus Direct located at 5950 Colwell Blvd. and 111 Customers Way and Neiman Marcus Online located at 400 East Royal Lane.
6. With this application, Neiman Marcus Group, LLC anticipates spending over \$19 million in capital investments to renovate and upgrade its Irving locations. Neiman Marcus is requesting benefit for the retention of 500 jobs with an annual average salary of \$79,075.
7. Neiman Marcus also commits to hiring at least 35% economically disadvantaged employees for its new or replacement personnel as required by the Texas Enterprise Zone Statute.
8. The Enterprise Zone designation will terminate on December 1, 2022.

Recommendation

The resolution be approved.

14 Resolution - Approving the First Amendment to the Advanced Funding Agreement Between the City of Irving and the Sulphur River Basin Authority for Water Resources Planning in the Sulphur River Basin

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic objective 2.1 – Secure a reliable future water supply.
2. **Impact:** This agreement will potentially provide Irving the ability to acquire approximately 25,000 acre-ft/yr (22.3 MGD) of future water developed in the Sulphur River Basin to meet Irving’s ultimate water needs.
3. **This item was presented to the Transportation and Natural Resources Committee on October 11, 2017.**
4. The Metroplex has been partnering with the Sulphur River Basin Authority (SRBA) since 2002 and has been the lead sponsor for water development within the Sulphur River Basin. The Metroplex group is known as the Joint Committee for

Project Development (JCPD). The JCPD includes Dallas, Irving, the North Texas Municipal Water District (NTMWD), the Tarrant Regional Water District (TRWD), and the Upper Trinity Regional Water District (UTRWD).

5. The JCPD has funded SRBA's budget for administrative purposes and project development through an Advanced Funding Agreement. This agreement was executed on May 28, 2013 and is set to expire May 28, 2018.
6. SRBA needs to be funded through August of 2018 to complete on-going studies. The First Amendment does not add any additional funding to the Advanced Funding Agreement, but it does extend the expiration date of the agreement to September 30, 2018 to complete these on-going studies.
7. SRBA approved the First Amendment to the Advanced Funding Agreement at their October 17, 2017 Board Meeting.

Recommendation

The resolution be approved.

15 Resolution - Approving an Agreement Between the City of Irving and the Tarrant Regional Water District (TRWD) in the Amount of \$5,000.00 for Sulphur River Basin Support Services

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic objective 2.1 – Secure a reliable future water supply.
2. **Impact:** This agreement will potentially provide Irving the ability to acquire approximately 25,000 acre-ft/yr (22.3 MGD) of future water developed in the Sulphur River Basin to meet Irving's ultimate water needs.
3. **This item was presented to the Transportation and Natural Resources Committee on October 11, 2017.**
4. The Metroplex has been partnering with the Sulphur River Basin Authority (SRBA) since 2002 and has been the lead sponsor for water development within the Sulphur River Basin. The Metroplex group is known as the Joint Committee for Project Development (JCPD). The JCPD includes Dallas, Irving, the North Texas Municipal Water District (NTMWD), the Tarrant Regional Water District (TRWD), and the Upper Trinity Regional Water District (UTRWD).
5. The JCPD has funded SRBA's budget for administrative purposes and project development. SRBA needs to be funded through August of 2018 to complete on-going studies and reach a Tentatively Selected Plan (TSP) for the Sulphur River Basin. The TSP is the most cost effective and easiest to permit project that meets the goals of all of the participants. TSP also provides a major documented milestone for the US Army Corps of Engineers (USACE).

6. The JCPD recommends a \$100,000.00 contract between the TRWD and Freese and Nichols, Inc., to provide engineering services to support completion of the Sulphur River Basin Study and assist the USACE in completing the TSP. The remaining JCPD partners will reimburse TRWD with the contracted amount allocated between the JCPD partners in the same manner as the Advanced Agreement with the Sulphur River Basin Authority. Irving's reimbursement to TRWD is \$5,000.00.
7. Funding in the amount of \$5,000.00 is available in the Water Utilities budget within the Water and Sewer System Fund.

Recommendation

The resolution be approved.

16 Resolution - Approving an Agreement Between the City of Irving and Irving Community Development Corporation For the Redevelopment of 2219 Muret

Administrative Comments

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** The redevelopment of this lot will promote neighborhood revitalization and increase housing options for Irving residents.
3. **This item was discussed at the August 10, 2017 Planning and Development Committee meeting.**
4. This property was obtained in 2010 through the Neighborhood Stabilization Program (NSP) for renovation and resale to a qualified first-time homebuyer. The City of Irving completed all necessary repairs, as per contract. However, due to various delays which affected the City's ability to sell the property and left the home unoccupied, subsequent foundation damage occurred. The Texas Department of Housing and Community Affairs (TDHCA), administrator of the NSP Program, determined that it was not cost efficient to perform further repairs to the home. TDHCA funded the demolition of the property, with the understanding that the City of Irving would fund the reconstruction of the property through one of its community housing development organizations (CHDO).
5. A similar agreement between the City of Irving and Irving Community Development Corporation (ICDC) was previously disapproved (RES 2016-283) by the Irving City Council on September 22, 2016. Over the past year, Staff worked with TDHCA to discuss alternative solutions regarding the use of the property. Staff also held discussions with the Parks and Recreation Department regarding the potential of a pocket park at this location. It was determined that the costs for development and

maintenance of a park on such a small lot would not be cost effective.

6. Staff is now requesting that an agreement be considered with Irving Community Development Corporation (ICDC) in order to complete the construction of a new single family home, and thereby fulfill the terms of the agreement with TDHCA. ICDC will build the single family detached home on this property with funding the organization already has on hand.
7. Construction of this home is anticipated to begin in March 2018.

Recommendation

The resolution be approved.

Purchasing Items Items 17-21

17 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Lone Star Auctioneers, Inc., for Online Auto Pound, Surplus City Vehicle & Equipment, and Police Property Room Auctions through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Financial Services Department – Purchasing Division and the Police, Building & Equipment Services – Fleet Services Division and Parks & Recreation departments.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Lone Star Auctioneers, Inc., for utilization of TIPS Contract No. 2102716 for auctioneer services which will expire on October 25, 2018, allowing the city to procure these services under the best possible terms and conditions for the city.
3. The city currently secures revenue through monthly online auctions of unclaimed, impounded vehicles as well as through periodic online auctions of various surplus city vehicles and equipment, with no commission fees withheld. A buyer's premium of 12% of their bid is charged to buyers, added to invoices and retained by the auctioneer to offset selling costs.
4. Abandoned/seized Police Property Room items will also be auctioned utilizing services provided by this contract. Due to the additional services required for these auctions, a commission fee of 8% of auction proceeds will be charged to the city. The buyer's premium of 12% as noted above will also apply.
5. MWBE participation in this contract is 100 percent.

- Revenue received as a result of this contract for auctioneer services will be deposited in the General Fund, Vehicle & Equipment Replacement Fund, Water & Sanitary Sewer Fund, or Solid Waste Enterprise Fund as may be appropriate. Net revenue from auction sales for Fiscal Year 2016-17 was \$666,853.00.

Recommendation

The resolution be approved.

18 Resolution - Approving and Accepting the Bid of Viking Rentals in the Total Estimated Amount of \$57,835.00 for an Annual Contract for Portable Restroom Rental and Cleaning Services

Administrative Comments

- This item is recommended by Parks & Recreation, Solid Waste Services and the Water Utilities Departments.
- Impact:** This service helps to support a high level of customer service by providing clean restroom facilities for patrons at public parks, at athletic events, and at city-sponsored special events. This contract also provides restroom facilities for city staff at the Hunter Ferrell Landfill and at a materials storage site for Water Utilities.
- The award establishes an annual contract for the continuation of providing portable restroom rental and cleaning services. This contract is for one year with two, two-year renewal options. The current contract expires December 31, 2017.
- Minority- and/or Women-owned Business (M/WBE) participation on this award is 100%.
- Funding is available in the Parks & Recreation Department budget within the General Fund, within the Solid Waste Enterprise Fund, and within the Water and Sewer System Fund while funding for Fiscal Year 2018-19 is subject to budget appropriation.

| Vendor | Contract Term | Estimated Expenditure | Fiscal Year(s) |
|----------------|-------------------|-----------------------|----------------|
| Viking Rentals | 1/1/18 – 12/31/18 | \$43,376.00 | 2017-18 |
| | | \$14,459.00 | 2018-19 |
| TOTAL | | \$57,835.00 | |

Recommendation

The resolution be approved.

19 Resolution - Approving and Accepting the Bids of Big City Crushed Concrete and Earth Haulers, Inc., in the Total Estimated Amount of \$198,200.00 for Annual Contracts to Provide Flex Base and Mudjack Materials

Administrative Comments

1. This item is recommended by the Traffic and Transportation – Street Division and Solid Waste Services Departments.
2. **Impact:** Flex base and mudjack materials are utilized by Street Operations to maintain and enhance the city’s transportation network for the safe and effective transit of motorists.
3. **This item will be presented to the Transportation and Natural Resources Committee on November 8, 2017.**
4. This award establishes annual contracts for the continuation of supplying road maintenance materials for daily mudjacking operations for streets with drainage problems; non-structural concrete repairs; backfill around sidewalks and in the parkway during repair of utility cuts; fill material prior to pouring concrete; repairs of brick manholes; and for backfill/embedment when needed. The contract is subject to two one-year renewal options.
5. M/WBE participation in this award is 100%.
6. Funding for Fiscal Year 2017-18 is available within the Traffic and Transportation Department budget within the General Fund and the Solid Waste Enterprise Fund.

| Vendor | Contract Term | Total Estimated Expenditure | Fiscal Year(s) |
|---------------------------|--------------------|-----------------------------|----------------|
| Big City Crushed Concrete | 11/10/17 – 9/30/18 | \$140,00.00 | 2017-18 |
| Earth Haulers, Inc. | | \$ 58,200.00 | |
| TOTAL | | \$198,200.00 | |

Recommendation

The resolution be approved.

20 Resolution - Approving the Purchase from McMillan James Equipment Company for a Dectron Dehumidification System in the Total Amount of \$495,000.00 through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Building & Equipment Services, Parks & Recreation and Capital Improvement Departments.
2. **Impact:** The purchase of this part will help to ensure that Parks and Recreation equipment is repaired in a timely manner and maintenance standards are sustained for our customers.
3. The existing Dectron Dehumidification system is about 15 years old and has reached the end of its useful life. The risk of the system failing, which could result in an extended shut down of the Heritage Senior Center pool, increases with the use of the existing system.
4. The purchase is supported by a Vendor/Member contract between the City of Irving and McMillan James Equipment Company, which was approved by RES-2017-221, utilizing TIPS Contract No. 170201 which expires on April 26, 2018. Utilization of services provided under this agreement ensures a suitable environment for patrons at the Heritage Senior Center pool.
5. Funding is available in the Park Improvement Bond Fund.

| Vendor | Item Description | Total Expenditure |
|----------------------------------|---------------------------------|-------------------|
| McMillan James Equipment Company | Dectron Dehumidification System | \$495,000.00 |

Recommendation

The resolution be approved.

21 Resolution - Approving an Agreement between the City of Irving and AT&T in the Total Estimated Annual Amount of \$248,796.00 for Private Metro Ethernet Services

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Moving network connectivity for 32 city facilities from T1 and residential commercial services such as cellular internet and U-verse or Fios to metro Ethernet services will provide greater speeds and standardized business services which are

more appropriate to the network service requirements of these facilities.

3. The capacity of the current T1 and residential commercial services currently utilized for city facilities was identified as a deficiency in the city’s 2016 technology assessment. To resolve this issue, a network expansion initiative was recommended under the city’s IT strategic plan and funding in the amount of \$300,000.00 has been approved in the Fiscal Year 2017-18 budget for this purpose.
4. Metro Ethernet services will provide network speeds which will greatly exceed T1 speeds and, to some extent, the existing contracted residential services that are also currently in use. The bandwidth of the new metro Ethernet services will cost more overall, but will provide greater speeds and standardized business services while allowing the Information Technology Department to work with one vendor instead of several.
5. T1 (1.544Mb capacity) costs \$430 per month, but 100Mb metro Ethernet can be ordered for approximately the same amount. This contract is not presented to reduce costs, but to implement standardized, business-appropriate network connectivity capacity at 32 city facilities with a redundant service failover and one communication vendor to manage it. This will streamline administrative and service overhead of IT staff and provide city departments with greater network service capabilities that they are struggling to obtain today.
6. A Request for Proposals was sent out to 461 vendors, and responses were received from three vendors. AT&T is the respondent scoring the highest points based upon the evaluation criteria established in the RFP and is recommended for award in the amount of \$248,796.00 per year for a five-year period.
7. Funding for Fiscal Year 2017-18 is available in the Information Technology Department budget within the General Fund, while funding for Fiscal Years 2019-19 through 2022-23 is subject to budget appropriation.

| Vendor | Contract Term | Total Annual Estimated Amt | Fiscal Year(s) |
|-------------------------------|---------------------|----------------------------|----------------|
| AT&T | 11/10/17 – 10/31/22 | \$ 228,063.00 | 2017-18 |
| | | \$ 248,796.00 | 2018-19 |
| | | \$ 248,796.00 | 2019-20 |
| | | \$ 248,796.00 | 2020-21 |
| | | \$ 248,796.00 | 2021-22 |
| | | \$ 20,733.00 | 2022-23 |
| TOTAL ESTIMATED AMOUNT | | \$1,243,980.00 | |

Recommendation

The resolution be approved.

ZONING CASES AND COMPANION ITEMS

- 22 **Ordinance - Zoning Case #ZC17-0054 - Granting S-P-2 (Generalized Site Plan) District for R-ZLa (Zero Lot Line) Uses - Approximately 2.978 Acres Located at 1501 South Story Road - Glacier Fund, Ltd., Applicant/Owner (Postponed from the September 21 and October 26, 2017 City Council Meetings).**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 18, 2017 – Favorable 9-0.
2. The applicant is requesting to rezone the property in order to build new single family detached homes.
3. The 2017 Imagine Irving Comprehensive Plan recommends *Residential Neighborhood* uses for this property. The *Residential Neighborhood* land use category is described as being “Predominantly single family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.” The density is recommended to be between five (5) and twenty (20) units per acre. This request is in conformance with the Comprehensive Plan.
4. The Comprehensive Plan also includes recommendations regarding redevelopment of existing neighborhoods and infill housing such as: (1) the vision for Irving suggests that much of the new growth will occur in the form of infill development, which is the addition of new or rehabilitated buildings into existing urban areas; (2) increase the number of well-designed and affordable housing types that respond to residents’ preferences and incomes. This should include smaller lot single-family homes such as cottage and courtyard homes; (3) provide for a variety of single family residential types and densities; and (4) create and adopt new zoning districts that permit cottage housing, townhomes, and other small lot (compact) housing types by right. This request is consistent with these recommendations of the Comprehensive Plan.
5. The applicant originally proposed to construct new single family homes which would meet the R-ZLa (Zero Lot Line Residential) district regulations with no exceptions being requested.
6. On September 21, 2017 the City Council postponed this case to allow the applicant to submit a site plan for the proposed rezoning of the site.
7. The applicant has submitted a site plan with eighteen (18) lots which front onto a new cul-de-sac public street. The lots range from 4,061 to 9,819 square feet in size and meet or exceed all of the R-ZLa (Zero Lot Line Residential) requirements. The minimum front and rear yard setbacks will be 15-ft. with a 25 ft. garage door setback. Minimum garage width will be 20 feet. Other notes have been added to the site plan as per the R-ZLa (Zero Lot Line Residential) district regulations.

8. Since the homes would be fronting onto the new street, and not onto Story Road, the Neighborhood Protection Ordinance does not apply to these lots.
9. The surrounding properties are developed with duplexes on a cul-de-sac to the north, and single family detached homes to the east, south and west.
10. All requirements of the R-ZLa (Zero Lot Line Residential) district will be met. Plat approval is required prior to development.
11. A total of 35 public notices were mailed. Staff received four (4) response in support and nine (9) responses in opposition to this request. The opposition represents 22.47% of the land within 200 feet of the subject property. Since this is greater than 20%, a ¾-vote is required for approval.
12. The proposed development is in conformance with the Imagine Irving Comprehensive Plan Future Land Use Map, and staff believes creating a new street with infill housing in this area is appropriate.
13. On Thursday, October 19, staff received a request from the applicant to postpone the case to the November 9, 2017 City Council meeting to allow the applicant additional time to revise the site plan.
14. On Tuesday, October 31, staff received a request from the applicant to postpone the case to the December 14, 2017 City Council meeting to allow the applicant additional time to revise the site plan and meet with City staff to review drainage and detention issues.
15. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

Postpone to December 14, 2017.

23 Ordinance - Zoning Case #ZC17-0059 - Granting S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) Uses - Approximately 24.979 Acres Located at 2350 Valley View Lane - JDJR Engineers, Applicant - Whiddon Family LTD., Partnership, Maswa LTD., Owners (Postponed from the October 26, 2017 City Council Meeting).

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 2, 2017 – Postpone to October 16, 2017, 8-0 (Commissioner McPhail, absent). October 16, 2017 – Favorable 6-1 (Commissioner Niemeier, nay; Commissioners Richards and Patel, absent).
2. The 2017 Comprehensive Plan recommends *Commercial Corridor* uses for the subject property. This category is described as “auto-oriented for retail, office, and commercial uses, in low to mid-rise buildings.” The proposed use is in conformance with the Comprehensive Plan.

3. The subject property is comprised of two tracts that, when combined, are approximately 25 acres in size with frontage on Rochelle Boulevard to the north, State Highway 161 to the east, and State Highway 183 to the south. A concrete drainage channel runs along the entire western property line. The property also has a 140-ft. wide easement for overhead power lines that bisects the tract from the southwest intersection of Rochelle Blvd. and State Highway 161 to State Highway 183.
4. The property is zoned IP-AR (Industrial Park-Airport Related) district. This is a repealed zoning district with a wide range of uses including manufacturing, warehousing, office, commercial outdoor, auto repair, and various aviation-related uses. The southern half of the property falls within the State Highway 183 Overlay District, and the northern half of the property is within the State Highway 161 Overlay District.
5. The applicant is requesting S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) and warehouse uses. The State Highway 183 Overlay District (approved in 2011) does not allow warehousing in this segment for the southern half of the property. The State Highway 161 Overlay District (approved in 2012) does not allow warehousing on the northern half of the property within 300 feet of the right-of-way of the freeway. However, this property is adjacent to a large distribution warehouse under construction to the west, and the southern tract has limited access to State Highway 161 and no access to State Highway 183. Retail or service uses are unlikely to be developed on the majority of the property, but office/warehouse uses can be developed if Oncor approves limited use of their easement for parking and circulation.
6. The site plan proposes a new public street from Rochelle Boulevard to State Highway 161 to allow several individually platted lots within the northern half of the property. Retail, restaurant, and gas station uses are proposed along Rochelle Boulevard, with single tenant office/warehouse buildings on the rest of the property.
7. Oncor has given tentative approval to the applicant for use of the easement as long as the towers are protected. Truck docks, limited parking, and drainage can be within the easement. All proposed development will be reviewed and approved by Oncor on an individual basis with 100% completed engineering plans.
8. TxDOT must approve any access from State Highway 161. The applicant is proposing two (2) driveways in addition to the proposed street.
9. The interior parkway on the northern tract cannot include any trees within the Oncor easement. Since the buildings in this area will front the new street, some of the buildings may have docks that face State Highway 161. An eight-foot (8-ft.) tall masonry fence will run along the outer edge of the easement to provide partial screening of dock doors that face State Highway 161. The buildings fronting the new street will provide 10-foot wide or greater landscaped parkways along the new street.
10. On the southern tract, the buildings will face towards State Highway 161, with the docks facing towards the west. A driveway will run along the front of these buildings. Due to the driveway location, the applicant is providing a 10-foot wide landscaping strip along the east side of each building.

11. The development will comply with all other requirements of the Commercial Design Standards.
12. A total of 13 public notices were mailed. Staff has received one (1) response in support and one (1) response in opposition to this request. The opposition represents 3.22% of the land within 200 feet of the subject property. Since this is less than 20%, a $\frac{3}{4}$ vote is not required for approval.
13. On October 26, 2017, the applicant requested that this case be postponed to the November 9, 2017 City Council meeting. While the applicant has submitted a letter clarifying several points, the plan is unchanged from the previous City Council meeting.
14. Due to constraints on the property, staff believes the applicant has provided solutions to the difficulties of developing this lot that meet the spirit of the overlay districts, and supports the requested rezoning.

RECOMMENDATION

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

24 Ordinance - Zoning Case #ZC17-0064 – Granting S-P-2 (Generalized Site Plan) for R-7.5 (Single Family) Uses - Approximately 0.17 Acres at 1808 Rusdell Drive - Kuch So, Applicant/Owner.

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 6, 2017 – Pending. The Planning and Zoning Commission recommendation will be provided 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 to rezone the property to construct a carport within the front yard setback.
4. The applicant wishes to construct an 18-ft. X 20-ft. wide drive-through carport that is 10 feet from property line. An existing concrete pad with two driveways exists to accommodate the drive-through carport.
5. The carport will be constructed from wood with asphalt shingle roofing, have a gutter system, and be designed to match the house.
6. A total of 26 public notices were mailed. Staff has received one response in support and none in opposition to this request.

7. Staff can support this request since the proposed carport does not cause a visual obstruction and will be constructed in a manner to match the existing house.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted.

25 Ordinance - Zoning Case #ZC17-0065 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 1.886 Acres on the Northeast Corner of Regent Blvd. and Springwood Drive - Walk-Ons Bistreaux & Bar, Applicant - Stampede Crossing, Ltd., Owner.

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 16, 2017 - Favorable 7-0 (Commissioners Richards and McPhail, absent), subject to changing Note #5 on the site plan to read, “Outdoor dining shall be permitted”, and clearly showing the patio on the site plan. The stipulation of the Planning and Zoning Commission has been met.
2. The 2017 Comprehensive Plan recommends *Commercial Corridor* uses for the subject property. The proposed use is in conformance with the Comprehensive Plan.
3. The subject tract is undeveloped. The applicant is proposing rezoning to allow a new *Walk-Ons Bistreaux and Bar* restaurant to serve alcohol as an accessory use for on-premises consumption.
4. The applicant is proposing a 7,785 sq. ft. freestanding restaurant. A total of 280 seats are proposed, including 50 seats on an outdoor patio. A total of 112 parking spaces are required and provided on site.
5. The outside dining area is not near any residential uses.
6. A total of 11 public notices were mailed. Staff has not received any responses in support or in opposition to this request.
7. The request complies with all requirements of the S-P-1 for R-AB ordinance.

Recommendation

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

- 26 **Ordinance - Zoning Case #ZC17-0066 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 1.53 Acres on the North Side of Regent Boulevard, Approximately 200 Feet East of Springwood Drive - Lupe Tortilla, Applicant - Stampede Crossing, Ltd., Owner.**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 16, 2017 - Favorable 7-0 (Commissioners Richards and McPhail, absent), subject to changing Note #5 on the site plan to read, "Outdoor dining shall be permitted", and clearly showing the patio on the site plan. The stipulation of the Planning and Zoning Commission has been met.
2. The 2017 Comprehensive Plan recommends *Commercial Corridor* uses for the subject property. The proposed use is in conformance with the Comprehensive Plan.
3. The subject tract is undeveloped. The applicant is proposing rezoning to allow a new *Lupe Tortilla* restaurant to serve alcohol as an accessory use for on-premises consumption.
4. The applicant is proposing a 6,705 sq. ft. freestanding restaurant. A total of 232 seats are proposed, including 32 seats on an outdoor patio. A total of 93 parking spaces are required; the applicant is providing 111 parking spaces on site.
5. The outside dining area is not near any residential uses.
6. A total of 11 public notices were mailed. Staff has not received any responses in support or in opposition to this request.
7. The request complies with all requirements of the S-P-1 for R-AB ordinance.

Recommendation

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

- 27 **Ordinance - Zoning Case #ZC17-0071 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 0.17 Acres Located at 3433 Dartmouth Drive - Sandin Homes, Applicant - Rodney Maerz, Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 6, 2017 – Pending. The Planning and Zoning Commission's recommendation will be provided 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 to rezone the property for an exception to the front building setback.
4. The R-6 (Single Family) district requires a 25-ft. front building setback. However, the existing homes on Dartmouth Drive have an average build line of 30 feet. Per Section 52-43 of the Zoning Ordinance, since the average setback line is 30 feet, the front building setback is 30 feet, despite the R-6 zoning district requirements stating otherwise. The recorded plat for the property also acknowledges a 30-ft. front building setback.
5. The applicant originally presented a form board survey showing a 30-ft. setback for the construction of a new house. Upon review of the plans for permitting, the Inspections Department discovered the plans had been revised to show a 25-ft. front building setback instead. The owner was informed that the property would need to be rezoned.
6. All other requirements of the R-6 district regulations are being met.
7. A total of 37 public notices were mailed. Staff has received no responses in support and one (1) response in opposition to this request. The opposition represents 4.998% of the land within 200 feet of the subject property. Since this is less than 20%, a ¾-vote is not required for approval.
8. Since the existing zoning would typically allow a 25-ft. building setback, staff can support this request.
9. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted.

28 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, August 10, 2017, September 7, 2017 and October 12, 2017 City Council Meetings).

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 17, 2017 – Postpone to August 7, 2017. August 7, 2017 – Postpone to August 21, 2017. August 21, 2017 – Postpone to September 5, 2017. September 5, 2017 – Postpone to September 18, 2017. September 18, 2017 – Postpone to October 2, 2017. October 2, 2017 – Postpone to October 16, 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 postponed work on the ordinance until after the State Legislature completed its work in the special legislative session.
4. During the special legislative session, HB 7 was passed by the House and Senate that added some additional criteria and requirements for tree preservation ordinances, but was substantively similar to the compromise bill that was approved by the House and Senate during the regular legislative session but vetoed by the Governor. The Governor signed the bill that passed during the special legislative session into law.
5. Since the parameters established by the State are now known, staff can continue review of the draft ordinance for compliance with the changes in State law.
6. An initial draft ordinance was presented to the Planning and Zoning Commission on October 2, 2017. The Planning and Zoning Commission is still reviewing policy aspects of the ordinance. Accordingly, staff recommends postponing this item until December 14.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be postponed to December 14, 2017.

APPOINTMENTS AND REPORTS

- 29 Resolution - Confirming the Reappointment of Benny Hayes by the City Manager as a Commissioner to Serve on the Fire Fighters' and Police Officers' Civil Service Commission to Fill a Three-Year Term Expiring November 2020**

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The Commission's decisions are final on cases dealing with Fire and Police personnel and continuity of service on this board is an asset to the process.
3. City Manager Chris Hillman recommends the reappointment of Benny Hayes to the Civil Service Board to a three-year term expiring November 2020. This is a three member board.

Recommendation

The resolution be approved.

30 Resolution - Casting City of Irving's Vote for the Fourth Member of the Board of Directors of the Dallas Central Appraisal District

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** A Suburban Voting Representative on the Board of Directors of the Dallas Central Appraisal District assures positive representation of the interest of the cities in Dallas County, other than Dallas.
3. Each city has the right to nominate, by resolution, one candidate. On September 21, 2017 Irving nominated Mike Howard. This item is to cast a vote for one of the three nominees.
4. The city of Sachse nominated Brett Franks and the cities of Desoto, Farmers Branch, Ovilla and Richardson nominated Michael Hurtt.

Recommendation

The resolution be approved.

31 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 16 and 17.
4. The terms for most of these appointments expire at the end of October 2017.

Recommendation

The resolution be approved.

32 Mayor's Report

Adjournment