

AGENDA
Irving City Council Regular Meeting
Thursday, April 18, 2019 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Reverend Keith Bateman, Irving First Church of the Nazarene

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 23

CITY COUNCIL AGENDA

- 1 City Operations Update**
 - a. Convention Center Hotel Update
 - b. Texas Water 2019 Conference & Awards

CONSENT AGENDA

- 2 Approving Work Session Minutes for Wednesday, April 03, 2019**
- 3 Approving Regular Meeting Minutes for Thursday, April 04, 2019**

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 Special Events Agreement Between the City of Irving and Dallas-Fort Worth (DFW) International Airport Board for the Provision of K-9 Explosive Detection Services

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 Interlocal Agreement (ILA) is entered between the City of Irving on behalf of the Irving Police Department (IPD) and DFW Airport, for use of DFW K9 services during special events held in Irving.
3. The City of Irving agrees to reimburse the DFW Airport board the current overtime hourly wage rate of \$70.28 for K9 services.
4. Funding is available in the Police Department budget within the General Fund.
5. This item will be postponed while awaiting approval from the DFW Airport Board.

Recommendation

The resolution be postponed.

5 Resolution - Approving an Agreement with Dallas County Utility and Reclamation District for Access/Use of District Property Located at 6000 Riverside Drive for the 2019 Cops and Bobbers Fishing Event Occurring on May 18, 2019

Administrative Comments

1. This item is recommended by the Parks and Recreation Department and the Police Department.
2. **Impact:** Approval of the Dallas County Utility and Reclamation District Agreement for access/use of district property will permit the Parks and Recreation Department to proceed with the 2019 Annual Cops and Bobbers fishing event.
3. Cops and Bobbers was created to initiate a relationship between the youth in our community and local law enforcement. The program teaches teamwork and leadership skills which the youth may then use throughout their life. This combined effort between the Cimarron Recreation Center and the Irving Police Athletic League (PAL) partners Irving police officers with area youth as they teach the skills needed to fish, which in turn encourages the opportunity for conversation and mentorship.

4. The Cops and Bobbers event will take place at 6000 Riverside Drive, on Saturday, May 18, 2019, from 8:00 a.m. to 12:00 p.m.

Recommendation

The resolution be approved.

6 Resolution - Temporary Use Permit G1903-0020 - to Allow a Cinco De Mayo Event with Outdoor Food and Alcohol Sales at the Property Located at 5220-5240 N. O'Connor Boulevard for May 3-5, 2019 - Hugo's Invitados, Applicant

Administrative Comments

1. This item is recommended by the Planning and Community Development Department.
2. Hugo's Invitados restaurant is requesting approval for a Cinco de Mayo event on May 3-5, 2019. The event will take place in the common space area of the Water Street development, between Williams Square and Lake Carolyn. Hugo's Invitados is a tenant of Water Street.
3. The event will consist of several tents that will serve food and alcoholic beverages, live bands, and a food truck. The event will be from 5:00 pm to 10:00 pm on Friday, Noon to 10:00 pm on Saturday, and Noon to 5:00 pm on Sunday.
4. All required permits will be obtained.

Recommendation

The resolution be approved.

7 Resolution - Awarding a Contract to Acme Utility Inspection Services, Inc., in the Amount of \$406,850.50 for the 2019 Wastewater Manhole Rehabilitation Project

Administrative Comments

1. This item is recommended by the Capital Improvement Department. This item supports Strategic Goal 2.4 - Maintain and extend water, wastewater and storm systems.
2. **Impact:** This work is part of the Water Utilities Department wastewater system improvements. This project will improve manholes at various locations within the City as well as the wastewater system.

3. ACME performed all manhole coating work on the 2014 WWMH Rehab project as a sub-contractor.
4. This project will rehabilitate 120 manholes throughout the City and all work will include a five year maintenance bond.
5. Bids were received from one (1) bidder. Acme Utility Inspection Services, Inc., submitted a responsive responsible bid of \$406,850.50. This is \$125,589.50 (30.87%) below the funding allocated for this project.
6. Minority and/or Women-owned Business (M/WBE) participation in this award is 5%.
7. Funding in the amount of \$406,850.50 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

8 Resolution - Awarding a Contract to Austin Filter Systems, Inc., in the Amount of \$21,517,972.00 for the Upper Delaware Creek Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This project will make channel improvements to Delaware Creek from Cripple Creek Drive to SH 183. It will also make improvements to six street bridges, one pedestrian bridge and install wastewater main per Water Utilities Wastewater Master Plan.
3. **This item was presented to the Transportation and Natural Resource Committee on April 3, 2019.**
4. This is the fourth of four proposed projects to improve the drainage channels downstream of SH 183. The drainage channels will receive greater flows as a result of the improvements made to the drainage culverts which cross SH 183, previously completed by the Texas Department of Transportation contractor.
5. These channel improvements will protect 108 structures along the project, from the 100 year storm event.
6. Bids were received from four bidders. Austin Filter Systems, Inc., submitted the lowest responsive responsible bid of \$21,517,972.00. This is \$1,082,028.00 (4.8%)

below the project estimate.

7. Minority- and/or Women-owned Business (M/WBE) participation in this award is 11%.
8. Funding in the amount of \$13,004,369.87 is available in the Storm Sewer Bond Fund; funding in the amount of \$ 3,155,775.76 is available in the Sanitary Sewer Bond Fund; funding in the amount of \$297,530.00 if available in the Water Improvement Bond Fund; funding in the amount of \$60,296.37 is available in the Water & Sewer Non-Bond CIP Fund; and funding in the amount of \$5,000,000.00 is available in the Street Improvement Bond Fund.

Recommendation

The resolution be approved.

9 Resolution - Authorizing Amendment #1 to the Advance Funding Agreement with the Texas Department of Transportation for the Delaware Creek Trail Connector Project

Administrative Comments

1. This item has been recommended by the Capital Improvement Program Department.
2. **Impact:** This Amendment #1 for the Advance Funding Agreement revises the Scope of Work section, the Single Audit Report section, and adds a Civil Rights Compliance section, a Pertinent Non-Discrimination Authorities section, a Compliance with Accessibility Standards section and also revises the Project Location Map.
3. On August 4, 2016 an Advance Funding Agreement was approved with the Texas Department of Transportation to fund the Delaware Creek Trail Connector project, which will provide a 12' wide trail from Senter Park East to Mountain Creek Preserve.
4. The Scope of Work and Project Location Map sections are being updated due to the trail alignment being revised from the original agreement. The trail length was shortened by .21 miles due to receiving a Public Access Easement with a property owner.
5. The Civil Rights Compliance section, Pertinent Non-Discrimination Authorities section, and the Compliance with Accessibility Standards are being added to bring the agreement up to new Federal provisions.
6. The original agreement amount is for \$2,506,761.00 with the City's participation in the amount of \$475,000.00, however there is no additional cost for this amendment. The project is scheduled for bidding in August 2019.

Recommendation

The resolution be adopted.

10 Resolution - Authorizing the Mayor to Sign an Agreement with the Environmental Protection Agency (EPA) to Increase Participation in the EPA's Green Power Partnership Program.

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** This agreement provides member cities credibility in their efforts to improve green energy usage. It also offers publicity opportunities for green energy improvements and recognition among the general public. The City of Irving will be participating at the Organization-Wide level, as well as 'On-site Use of Green Power' at the West Irving Library facility.
3. **This item was presented to the Transportation and Natural Resources Committee on February 24, 2016.**
4. The Green Power Partnership Agreement has been recommended to City Council by the City's Green Advisory Board in its ongoing responsibility to environmental stewardship. The Green Advisory Board voted unanimously to support this recommendation during their board meeting on November 17, 2015.
5. No funding is required to participate in this program. However, the City is required to provide an annual report to the EPA.

Recommendation

The resolution be approved.

11 Resolution - Approving an Agreement Between the City of Irving and Motorola Solutions, Inc., in the Amount of \$60,500.00 for the Purchase of a Fire Station Alert (FSA) Redundancy System

Administrative Comments

1. This item is recommended by the Information Technology Department and the Fire Administration Department.
2. **Impact:** The Fire Station Alert Redundancy System will serve as a backup alerting system for the Fire Administration Department in the event that the existing alerting

system malfunctions.

3. The existing FSA System is a single point-of-failure with the potential to create a loss of communication and safety risks for public safety employees. This system will serve as a backup in the event that the active system server malfunctions, which will safeguard against any lapse in service and enhance system functionality.
4. Funding in the amount of \$60,500.00 is available in the Radio Communication Bond Fund.

Recommendation

The resolution be approved.

12 Resolution - Approving Certification of a Texas Enterprise Project Name Change Application to The Office of the Governor, Economic Development and Tourism to Change the Project Designation from Corphealth, Inc. to Humana Behavioral Health, Inc.

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Certification of this name change application will change the project designation from Corphealth, Inc., to Humana Behavioral Health, Inc.
3. On August 8, 2013, the Irving City Council nominated Corphealth, Inc., for enterprise project status by RES-2013-247. Corphealth estimated it would invest approximately \$13.5 million in their Irving location over the next five years. The investment was approximately \$7.5 million in leasehold improvements and \$6.0 million in Business Personal Property. The Company proposal was to build-out all three stories of the building (115,000 sq. ft.) to accommodate an office, call center and communications functions.
4. The enterprise project designation took effect on September 3, 2013 and expired on September 3, 2018. However, the project is permitted to apply for benefits for up to 18 months, no later than March 1, 2020, following the date the designation expired for activities that occurred during the designation period.

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 13-19**

13 Resolution - Approving and Accepting the Application of Bank of America, N.A., in the Estimated Annual Amount of \$94,380.00 for Primary Depository Bank Services

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** This contract benefits the city by providing a high level of overall banking services and immediate access to meet the city’s liquidity needs.
3. **This item will be presented at the Audit & Finance Committee meeting on April 17, 2019.**
4. The city contracted with Valley View Consulting, LLC to assist in the preparation of the Request for Application (RFA) for depository bank services as well as the overall analysis of the applications. Their recommendation, which takes into consideration the lowest fees based on RFA responses and the required level of customer service and banking services, concurs with staff that the Bank of America application provides the best value for the city.
5. Bank of America, N.A.’s response demonstrated a strong and broad base of local treasury management resources readily available and frequently utilized by city staff. Based on the evaluation criteria established in the Request for Applications, the detailed financial analysis, and excellent service and support during the current contract, Bank of America represents the best value to the city.
6. The city’s current annual contract amount is \$174,000.00 and the new annual contract amount is \$94,380.00. Award of this new two-year contract provides for the continuation of depository bank services with three additional one-year renewal options. Bank fees will be fixed for the anticipated full five-year duration of the contract. Upon approval, it will commence on June 1, 2019. The current contract for these services expires on May 31, 2019.
7. The fees listed below represent anticipated gross fees for the initial two-year period. A portion of these fees will be offset by deposits kept in the city’s account balance to ensure daily cash flow needs are met.
8. Funding for Fiscal Year 2018-19 is available in the Non-Departmental budget within the General Fund, while funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Expenditure	Fiscal Year(s)
Bank of America, N.A.	06/01/19 – 05/31/21	\$ 31,460.00	2018-19
		\$ 94,380.00	2019-20
		\$ 62,920.00	2020-21
TOTAL		\$188,760.00	

Recommendation

The resolution be approved.

14 Resolution - Approving and Accepting the Bid of CMS Mechanical Services, Inc., in the Total Estimated Amount of \$74,488.00 for Senter Park Recreation Center HVAC Replacements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department – Facilities Division.
2. **Impact:** The four HVAC units currently in service at Senter Park are inefficient, require frequent maintenance/repairs, have exceeded their life expectancy, and are in need of replacement. Installation of new HVAC units will more efficiently provide climate control for the Senter Park Recreation Center facility.
3. Bids were received from six bidders. CMS Mechanical Services, Inc., provided the lowest responsive, responsible bid in the amount of \$74,488.00.
4. Minority- and/or Women-Owned Business Enterprise participation in this award is 100%.
5. Funding in the amount of \$74,488.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

15 Resolution - Approving and Accepting the Bid of CMS Mechanical Services, Inc., in the Total Estimated Amount of \$150,904.98 for Air Handling Units Refurbishing & Server Room HVAC Equipment Replacement at 801 W. Irving Blvd. (the Jack D. Huffman Building)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department – Facilities Division.
2. **Impact:** The HVAC units currently in service at 801 W. Irving Blvd. (the Jack D. Huffman Building) are in need of refurbishment in order to have them continue to remain in service. They have exceeded their life expectancy and require frequent

maintenance/repairs to efficiently provide climate control for the facility. The unit in the server room is in need of replacement as it can no longer meet the needs of the space it serves.

3. Bids were received from two bidders. CMS Mechanical Services, Inc., provided the lowest responsive, responsible base bid in the amount of \$150,904.98. No alternate items are being awarded.
4. Minority- and/or Women-Owned Business Enterprise participation in this award is 100%.
5. Funding in the amount of \$150,904.98 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

16 Resolution - Approving and Accepting the Bid of Synergy Environmental Services, LLC, in the Total Estimated Amount of \$109,740.00 for the Northwest Park Recreation Center HVAC Unit Replacements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department – Facilities Division.
2. **Impact:** The HVAC units currently in service at Northwest Park Recreation Center are inefficient, have exceeded their life expectancy require frequent maintenance/repairs and are in need of replacement. New HVAC units will more efficiently provide climate control for the facility.
3. Bids were received from ten bidders. Synergy Environmental Services, LLC, provided the lowest responsive, responsible bid in the amount of \$109,740.00 and is recommended for award.
4. Minority- and/or Women-Owned Business Enterprise participation in this award is 100%.
5. Funding in the amount of \$109,740.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

17 Resolution - Approving and Accepting the Bid of ABM Building Services, LLC, in the Total Estimated Amount of \$157,348.00 for the Human Services Building HVAC Unit Replacements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department – Facilities Division.
2. **Impact:** The HVAC units currently in service at the Human Services building are inefficient, have exceeded their life expectancy, and are in need of replacement. New HVAC units will more efficiently provide climate control for the facility.
3. Bids were received from five bidders. ABM Building Services, LLC, provided the lowest responsive, responsible bid in the amount of \$157,348.00 for the replacement of eight HVAC package units and two split systems with electric heat for the upper roof at the Human Services building.
4. Funding in the amount of \$157,348.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving a Vendor/Member Agreement Between the City of Irving and Berger Engineering Company and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$150,000.00 for HVAC Services through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Berger Engineering Company for utilization of BuyBoard contract # 552-17 which expires on November 30, 2019, will allow the city to procure HVAC equipment, supplies, and installation of HVAC equipment and all other related services under the best possible terms and conditions for the city.
3. Approval of this contract supports the purchase of HVAC equipment, supplies, and installation for specific projects such as the project presented in the following item on this agenda, as well as the as-needed purchase of future HVAC products and services provided by this vendor through the designated BuyBoard contract for the specified term.

4. Funding for as-needed expenditures for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Berger Engineering Company	4/18/19 – 11/30/19	\$ 90,000.00	2018-19
		\$ 60,000.00	2019-20
TOTAL		\$150,000.00	

Recommendation

The resolution be approved.

- 19 Resolution - Approving the Purchase from Berger Engineering Company for the Replacement of Three HVAC Units at Lake Chapman's Princeton Pump Station in the Total Estimated Amount of \$82,290.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** The HVAC units currently in service have exceeded their life expectancy, require frequent maintenance and repairs, and struggle to cool the building in the summer and are in need of replacement. Work to be performed under this contract includes the removal of the existing 40-ton, 10-ton, and 3.5-ton units and the provision of equipment, materials and labor to install the new HVAC units.
3. Proposals were received from four cooperative vendors. Berger Engineering Company provided the lowest and most responsive proposal in the amount of \$82,290.00 for the replacement of HVAC units at Lake Chapman's Princeton Pump Station.
4. Funding in the amount of \$82,290.00 is available in the Water and Sewer System Fund.

Recommendation

The resolution be approved.

End of Bids

20 Ordinance - Amending Ordinance No. 2018-10126 by Approving a Schedule of Classified Personnel for the Police Department

Administrative Comments

1. This item has been recommended by the Police Department.
2. **Impact:** This amendment to the Schedule of Classified Personnel implements a change in title for two positions in the Police Department.
3. This amendment changes the title of Assistant Chief of Police to Assistant Police Chief and Police Captain to Deputy Police Chief. There is no substantive change to either position as both maintain the same duties, responsibilities, salary schedule and place within the department chain of command. With this administrative change in title, current Assistant Chiefs of Police become Assistant Police Chiefs and current Police Captains become Deputy Police Chiefs with no other changes to their positions and no change to the number of authorized positions below the rank of Police Chief.
4. No funding is necessary for this change.

Recommendation

The ordinance be adopted.

21 Ordinance - Amending Appendix "A" and Chapter 41 of the Code of Civil and Criminal Ordinances by Updating the Water Management Plan and Providing for Water Management Regulations and Enforcement

Administrative Comments

1. This item has been recommended by the Water Utilities Department.
2. **Impact:** Proposed changes will promote clarity, regulatory compliance and regional consistency.
3. **This item was presented to the Transportation and Natural Resources Committee on March 20, 2019.**
4. This item satisfies the Texas Commission on Environmental Quality's (TCEQ) requirement to update the Drought Contingency and Water Conservation Plans in 2019.
5. Conservation Plan updates include the addition of an Irrigation Assistance Program with dedicated staff, implementation of reuse water for irrigation at the city's golf course and upgrades to the Leak Detection Program.

6. Future population growth and continued drought are driving the need to increase water conservation and promote efficient water use to ensure water is available to maintain public health, safety and welfare.

Recommendation

The ordinance be adopted.

ZONING CASES AND COMPANION ITEMS

22 Ordinance - Zoning Case #ZC19-0005 - Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses - Approximately 0.16 Acres Located at 1829 Cunningham Street - Enriques Godina, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: April 1, 2019 – Favorable 6-0 (Commissioners Richards and Zeske, absent; Commissioner Hoedebeck, abstain).
2. The 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.”
3. The applicant is requesting to rezone the property in order to allow a carport in the required 25 foot front yard setback, 10 feet from the property line on Cunningham Street.
4. The applicant has constructed a metal carport over the driveway without a permit. The carport is 11 feet X 20 feet in size, with a flat metal roof and metal support poles. The accessory building ordinance requires that a carport design shall be consistent with the design of the existing dwelling, including the use of matching trim, roof materials and colors. Carports attached to the front or side of an existing dwelling shall be incorporated into the architecture of the dwelling with compatible roof pitches, surrounds for the support posts, and enclosed gables. The encroachment into the front building setback requires a site plan rezoning.
5. The applicant is proposing to modify the existing carport to add an enclosed, pitched roof that will be framed into the roof of the house and shingled to match. The existing poles will be wrapped with wood to match the exterior of the house.
6. In the neighborhood between Stafford Street and Story Road there are numerous approved site plan zoning cases for carports.
7. A total of 43 public notices were mailed. Staff received one (1) response in support and none in opposition to this request.

8. Since the proposed carport will meet the carport design criteria, and since other carports exist in the area, staff can support this request.
9. 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.

APPOINTMENTS AND REPORTS

23 Mayor's Report

Adjournment