

AGENDA
Irving City Council Regular Meeting
Thursday, August 4, 2022 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

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

Organizational Service Announcements

Invocation

Pastor Jared Cornutt, 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 52

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Special Meeting Minutes for Thursday, July 14, 2022

3 Approving Work Session Minutes for Thursday, July 14, 2022

4 Approving Regular Meeting Minutes for Thursday, July 14, 2022

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

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

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

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

5 Ordinance - Amending Ordinance No. 2021-10489 Providing Budget Adjustment #7 to the 2021-22 Fiscal Year Budget

Administrative Comments:

1. This item has been recommended by the Financial Services Department.
2. Budget Adjustments are needed in the following fund: Vehicle Equipment and Replacement Fund.
3. The adjustment has been proposed by city staff and have been reviewed and recommended by Budget staff and Financial Services.
4. Total Budgeted Revenues = \$ 0 Total Budgeted Expenditures = \$336,338 and Total Fund Balance Net Impact = (\$336,338).

Recommendation:

The ordinance be adopted.

6 Resolution - Approving a Public Infrastructure Reimbursement and Economic Incentive Agreement Between the City of Irving, the Tax Increment Reinvestment Zone No. 1, and Shreem Las Colinas, LLC in an Amount Not to Exceed \$1,250,236 for Improvements Within the Tax Increment Reinvestment Zone No. One

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this agreement will allow TIF No.1 to reimburse and rebate, upon qualification, Shreem Las Colinas, LLC (Shreem) for public and private infrastructure improvements at the Hotel Indigo project located at 455 E. John Carpenter Freeway.
3. Hotel Indigo is a six-story hotel with 151 rooms, a full-service restaurant and bar along with a terrace, fitness center, swimming pool and 4,800 square feet of meeting space and is currently under construction at 455 E. John Carpenter Freeway.
4. Shreem proposes to construct public infrastructure improvements along the canal with the goal of activating the canal as a destination point within the Urban Center. The public infrastructure improvements and estimated costs can be found on Exhibit B-1 within the attached agreement. The developer reimbursement amount of the public infrastructure projects will not exceed \$585,120. The TIF No. 1 developer reimbursement policy will be used to reimburse Shreem for the public

infrastructure projects upon completion and acceptance by the City.

5. Shreem has indicated that certain public infrastructure projects may not be constructed due to design issues. In the event, these projects are not completed, the TIF reimbursement for public infrastructure projects will be reduced by the corresponding amount of the project identified in Exhibit B-1.
6. Shreem also proposes to construct private improvements that will enhance the area immediately adjacent to the canal. The private improvements and estimated costs can be found on Exhibit C-1. Upon completion, a Chapter 380 Grant is proposed to rebate collected TIF No. 1 property taxes in an amount equal to 80% of the actual costs of designing and constructing the private improvements up to a maximum of \$665,116.
7. The TIF No. 1 Board approved the reimbursement and economic development agreement at their June 20, 2022 meeting.

Recommendation

The resolution be approved.

7 Resolution - Amending the Tax Increment Reinvestment Zone No. 1 Reimbursement Policy

Administrative Comments

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** Approval of this resolution will amend the TIF Zone No. 1 (TIF) Reimbursement Policy (the Amended Policy) to ensure funding exists to reimburse TIF development agreements approved on or before August 4, 2022.
3. The proposed amendment to the TIF Zone No. 1 Reimbursement Policy will set-aside funds for the on-going administrative expenditures, DCURD annual capital costs and TIF developer project costs approved on or before August 4, 2022. These projects will be reimbursed in full upon completion.
4. Under the proposed Amended Policy, TIF developer reimbursement requests approved after August 4, 2022 will be eligible to receive TIF reimbursements should available TIF funds remain after accounting for on-going administrative expenditures, DCURD annual capital costs and TIF developer project costs approved on or before August 4, 2022.
5. On August 2, 2022, the TIF Zone No. 1 Board of Directors will consider a recommendation to the Irving City Council to approve amending the TIF Zone No. 1

Recommendation

The resolution be approved.

8 Resolution - Approving an Interlocal Agreement Between the City of Irving and Irving Independent School District for Emergency Medical Services at Football Games

Administrative Comments

1. This item is recommended by the Fire Department. It supports Strategic Objective 4.1 – Safeguard public safety, security and health.
2. **Impact:** This Interlocal Agreement will allow the City of Irving Fire Department to continue providing emergency medical service and coverage to the Irving Independent School District (IISD) for its high school football games for the 2022 and 2023 football seasons, including any extended play and playoff games.
3. The Fire Department will provide two paramedics and an ambulance for a minimum of three hours during the high school football games. Additional hours will be worked as needed.
4. IISD will pay the City of Irving a fee of \$60 per game for the use of the ambulance, and \$55 per hour per paramedic for emergency medical services.

Recommendation

The resolution be approved.

9 Resolution - Approving an Agreement for Services Between the City of Irving and Keep Irving Beautiful, Inc. (KIB) for the Keep Irving Beautiful Program in FY2022-2023 in the Amount of \$67,880.00

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.

2. **Impact:** This allows for Keep Irving Beautiful, Inc., to continue educational programs with respect to recycling, community beautification and litter abatement initiatives that support the city's storm water permit.
3. Funding in the amount of \$67,880.00 will be available in the Parks and Recreation budget within the General Fund, subject to approval of Supplemental Request 63G3 submitted by Capital Improvement requesting to move the budget for Keep Irving Beautiful out of the Municipal Drainage Utility Fund and into the Parks and Recreation budget within the General Fund for FY2022-2023. Funding for Fiscal Year 2022-2023 is available subject to approval of the FY2022-2023 General Fund budget.

Recommendation

The resolution be approved.

10 Resolution - Take Any Necessary Action Relating to a Bequest of the Contents Located at 309 S. O'Connor Road from the Clay W. Gilbert Estate

Administrative Comments

1. This item is recommended by the Department of Arts and Culture.
2. **Impact:** This item allows the City Council to accept or disclaim the gift on behalf of the City. Acceptance of the gift comes with a bequest of the Clay W. Gilbert Personal Property Fund for upkeep and maintenance.
3. The City Council previously accepted the real property located at 309 and 313 S. O'Connor Road as a gift from the Last Will and Testament of the Clay W. Gilbert Estate. The Irving Heritage Society was bequeathed the personal property contents located at 309 S. O'Connor, originally accepted the contents, but has since revoked the acceptance and declined the gift. The Estate now offers the personal contents to the City of Irving.

Recommendation

Staff recommends that the bequest be disclaimed.

11 Resolution - Accepting Dedication of Park Land Relating to Development Agreement with Hines Las Colinas Royal Ln, LLC for Development of Public Infrastructure for the Bridges of Las Colinas Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program, Economic

Development and Parks and Recreation Departments.

2. **Impact:** Acceptance of this park land dedication will provide recreational opportunities for Irving residents and comply with the existing Development Agreement between the City of Irving and Hines Las Colinas Royal Ln., LLC related to the Bridges at Las Colinas residential development.
3. Pursuant to Irving Resolution 2014-88, City Council approved a Development Agreement with Hines Las Colinas Royal Ln., LLC related to the development of 402 new lot residential subdivision development along the north side of IH-635, split by W Royal Lane, N Belt Line Road and north of State Highway 114. The Bridges at Las Colinas addition is a single-family subdivision that includes a public trail system; and a public park and amenity center covering approximately 2.640 acres.
4. The City initiated a Public Improvement District (PID) to assist in funding the development of the public improvements within this subdivision, including the improvements to the park property. A portion of the new taxes generated by the development plus an annual assessment to the property owners within the subdivision repays the debt issuance related to the public improvements.
5. Now that the park and amenity center, at Lot 1X Block C and Block D, has been completed and all improvements meet City standards, the park land is to be transferred to the City of Irving, pursuant to the Development Agreement.
6. Under a separate Maintenance Agreement, pursuant to Irving Resolution 2014-428 approved December 11, 2014, the Bridges of Las Colinas Homeowners Association and the Las Colinas Association have allocated between themselves maintenance responsibilities for the various private and public common areas, parks and trails. The city has no maintenance responsibilities outside the normal public infrastructure responsibilities such as public streets, sidewalks, water, sewer and drainage infrastructure.

Recommendation

The resolution be approved.

12 Resolution - Approving an Interlocal Agreement Between the City of Irving and the Irving Flood Control District I (IFCDI) to Allow for the Construction and Maintenance of the Campion Trails Elm Fork Extension Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 4.5 - Implement enhancements to cultural and recreational facilities.
2. **Impact:** This Interlocal Agreement will provide an extension of Campion Trails from Proctor Road to Spur 482.

3. **This item was presented to the Transportation and Natural Resources Committee on May 5, 2022.**
4. The Elm Fork Extension of Campion Trails will connect the 6.5 miles of completed trail to the south to the 8.5 miles of completed trail in the north.
5. The project will include a 12' wide, 5.65-mile-long concrete trail and will be constructed in two phases.
6. This agreement will allow the City of Irving to build the trail within the flood control levee for both phases.
7. The construction documents project will be prepared by Dunaway Associates and managed by in-house staff from the Capital Improvement Program team. The design team will consult with the District on the design and engineering of the improvements.

Recommendation

The resolution be approved.

13 Resolution - Approving an Expenditure with Insituform Technologies, LLC, in the Amount of \$2,312,272.75 for Foxcroft, Exeter, Durham, Canterbury and Brenton Street Water Improvements Project through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)

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 Water Utilities Department water system improvements. This project impacts residential properties along Foxcroft, Exeter, Durham, Canterbury and Brenton Street.
3. This project will replace 5,500-feet of deteriorated 6-inch water main with a new 8-inch Fusible Polyvinyl Chloride (PVC) pipe via pipe bursting a trenchless method.
4. In lieu of open cut replacement of these water mains, by utilizing the pipe bursting method for water line replacement on this project, the cost savings is \$1,617,927.25 (41%) below the original engineer's estimate.
5. This project utilizes State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard) Contract #635-21 for Cured in Place Pipe for Pipeline Rehabilitation which expires on February 28, 2023.
6. Funding in the amount of \$2,312,272.75 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

14 Resolution - Approving a Relocation Assistance Agreement, in the Amount of \$24,150.00, for the Displaced Tenant Leticia Cisneros, from the Property Located at 1222 Hilburn Court for the Hilburn Court Drainage 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 contract supports Drainage Solutions for a Better Tomorrow.** The property located at 1222 Hilburn Ct. was acquired as a necessary improvement for the Hilburn Court Drainage Project, forcing the tenant, Leticia Cisneros, to vacate the premises and find replacement housing.
3. On March 10, 2022, Council approved the property acquisition by RES-2022-97. As of June 25, 2022, the tenant occupying the property at the time of acquisition has vacated the premises and is due a Relocation Assistance Supplement in the amount of \$24,150.00 to offset the cost of housing.
4. Funding in the amount of \$24,150.00 is available within the Municipal Drainage Utility C.O. Fund.

Recommendation

The resolution be approved.

15 Resolution - Awarding a Contract to Flow-Line Construction, Inc. in the Amount of \$1,638,150.00 for the Skyway Circle South Part 1 Water and Wastewater Main Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program and Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the Water Utilities Department water system improvements. This project impacts commercial properties along Skyway Circle

South from W Story Road to 3000 Skyway Circle South.

3. This project will replace 1,200 linear feet of a deteriorated 6-inch water main with a new 8-inch water main and 1,300 linear-feet of a deteriorated 6-inch wastewater main with a new 8-inch wastewater main.
4. This project impacts about 8 commercial properties along Skyway Circle South.
5. Bids were received from three (3) bidders. Flow-Line Construction, Inc. submitted the lowest responsive bid of \$1,638,150.00. This is \$161,850.00 (8.9%) below the engineer's estimate.
6. Minority and/or Women-owned Business (M/WBE) participation in this award is 30%.
7. Funding in the amount of \$1,638,150.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

16 Resolution - Approving Change Order No. 2 to the Contract with Austin Filter Systems, Inc., in the Amount of \$32,056.12, 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:** Change order No. 2 will provide funding to cover the additional sidewalk and ramps to comply with the American Disability Act.
3. This change order increases the contract by 0.1% and 20 calendar days.
4. Staff has negotiated a fair and reasonable price for this change order based on existing concrete unit prices in the original 2019 contract.
5. Funding in the amount of \$32,056.12 is available within the Street Improvement Bond Fund.

Recommendation

The resolution be approved.

17 Resolution - Approving Change Order No. 2 to the Contract with Flow-Line Construction, Inc. in the Amount of \$332,427.26 for the Brazos Drive Water & Wastewater 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 change order will provide additional and modified scope of work and contract time associated with the water, wastewater, & paving improvements for the project. A portion of this work was necessary to accommodate the schedules and work regarding the Hotel Indigo development.
3. The work associated with Change Order #2 includes water & wastewater work necessary due to unforeseen utility conflicts encountered during construction and coordination with the Hotel Indigo development. In addition, the change order includes the installation of new street lighting infrastructure from Las Colinas Blvd to SH 114 along with the pavement reconstruction of the west bound half of Brazos Drive. During construction it was determined that full road replacement is necessary in lieu of partial panel replacement, due to the poor road condition on the west bound side of Brazos Drive.
4. This change order increases the contract by 11.74% and 180 calendar days.
5. Staff has negotiated a fair and reasonable price for this change order based on existing unit prices in the contract where applicable.
6. Funding in the amount of \$332,427.26 is available within the Street Improvement Bond Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving Amendment No. 1 to the 2019 Local Transportation Project Advance Funding Agreement for a Surface Transportation Block Grant Program (STBGP) Project Between the City of Irving and the Texas Department of Transportation (TXDOT) for the Design and Construction of the Conflans Road Extension Project (SH 161 to Valley View Lane).

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department. It supports Strategic Objective 2.3 – Expand, extend and maintain the major thoroughfare network.
2. **Impact:** This amendment will terminate in its entirety the 1ST Revision of the Local Project Advanced Funding Agreement (LPAFA) for the Conflans Road Extension

Project (SH 161 to Valley View Lane) so that it can be replaced in its entirety by a new 2ND Revision of same.

3. On April 23, 2021 the City submitted a Transportation Improvement Program (TIP) modification request to the North Central Texas Council of Governments (NCTCOG) that was approved by the Regional Transportation Council and the Texas Department of Transportation (TXDOT) on June 1, 2022. The purpose of City's TIP modification request was to increase the construction and construction engineering funding and to decrease the local contribution for the Right-Of-Way phase. Accordingly, the approved TIP modifications will require a 2ND Revision to the LPAFA for the Conflans Road Extension Project.

Recommendation

The resolution be approved.

19 Resolution - Approving the Attached Local Transportation Project Advance Funding Agreement for a Surface Transportation Block Grant Program (STBGP) Project Between the City of Irving and the Texas Department of Transportation (TXDOT) for the Design and Construction of the Conflans Road Extension Project (SH 161 to Valley View Lane).

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department. It supports Strategic Objective 2.3 – Expand, extend and maintain the major thoroughfare network.
2. **Impact:** This 2ND revision of the Local Project Advanced Funding Agreement (LPAFA) for the Conflans Road Extension Project (SH 161 to Valley View Lane) replaces the 1ST revision of same in its entirety. The 2ND revision addresses updates from the Texas Department of Transportation (TXDOT) that include but are not limited to budget adjustments for the project that increased construction and construction engineering funding and decreased local contribution for Right-Of-Way. The participation amount remains unchanged at 80% federal and 20% local.
3. On April 23, 2021 the City submitted a Transportation Improvement Program (TIP) modification request to the North Central Texas Council Of Governments (NCTCOG) that was approved by the Regional Transportation Council and the Texas Department of Transportation (TXDOT) on June 1, 2022. The purpose of City's TIP modification request was to increase the construction and construction engineering funding and to decrease the local contribution for the Right-Of-Way phase. Accordingly, the approved TIP modifications are partially responsible for the 2ND Revision to the LPAFA for the Conflans Road Extension Project.

4. Funding in the amount of \$6,315,333.00 is available in the Traffic and Transportation Department budget within the Street Improvement Bond and Non-Bond Fund.

Recommendation

The resolution be approved.

20 Resolution - Approving an Agreement with J. J. Keller & Associates, Inc., in an Total Estimated Amount of \$65,000.00 to Provide the City of Irving with a Certified Entry Level Driver Training Program for CDL Drivers.

Administrative Comments

1. This item is recommended by the Solid Waste, Traffic and Transportation and the Water Utilities Departments.
2. **Impact:** This certified Entry Level Driver Training (ELDT) program will allow for each department to have certified trainers which can train new employees to be able to qualify to take the CDL testing.
3. The rules governing the qualifications to apply for a Commercial Driver's License were changed by the Federal Motor Carrier Safety Administration (FMCSA) in February 7, 2022 of this year.
4. New applicants after February 7, 2022 must complete training through a certified ELDT program by the FMCSA.
5. This item provides certification to the City of Irving to train new employees so that they will qualify to apply for a CDL.
6. Funding in the amount of \$65,000.00 is available in the Solid Waste Services, Traffic and Transportation and Water budgets within the Various Funds.

Recommendation

The resolution be approved.

21 Resolution - Approving an Interlocal Agreement Between the City of Irving and the City of Coppell for a Joint Transportation Improvement Project

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** This interlocal agreement allows the City of Coppell to provide the City of Irving funding towards the I-635 Frontage Road and Belt Line Road Texas U-Turn project.
3. The City of Coppell is providing \$244,500 to the City of Irving towards this project.
4. The City of Irving will have agreements with the City of Coppell, Dallas County and TxDOT for this project.
5. Funding in the amount of \$920,714 is available in the Traffic and Transportation budget within the Bond Fund.

Recommendation

The resolution be approved.

22 Resolution - Approval of a Professional Services Agreement Between the City of Irving and Freese and Nichols, Inc., in the Total Estimated Amount of \$552,000.00 for Consultant Services for Initial Water, Wastewater, Transportation and Storm Water Drainage Impact Fee Study

Administrative Comments

1. This item is recommended by the Water Department, Traffic and Transportation Department, Capital Improvement Program Department, and Planning Department.
2. **Impact:** Texas cities are permitted to collect impact fees in accordance with the requirements of Texas Local Government Code Chapter 395. The Impact Fee Study and Report will recommend proportional impact fees for individual areas, by infrastructure category and by the type of land use (i.e., residential, commercial, or industrial) to support the City's policy goals in the "Imagine Irving" Comprehensive Plan.
3. Upon the direction of the City Council, a Request for Qualifications (RFQ) was issued in February 2022 for the preparation of an impact fee study and related scope of services. Two responses were received and reviewed by an evaluation team comprised of the departments noted above. Freese and Nichols Inc. was selected as the firm for the study as the respondent scoring the highest points based on evaluation criteria established in the RFQ.
4. The scope of services includes the development of land use assumptions and the

study and analysis of capital improvement facilities such as water supply, treatment, and distribution; wastewater collection and treatment; roadways that consist of arterial or collector streets or roads designated on the Master Thoroughfare Plan which expand the capacity of the roadway, and storm water drainage.

5. The creation of the required Capital Improvements Advisory Committee (CIAC) appointed by the City Council will be discussed and appointed through a future resolution.
6. Final assessed fees shall be separately considered by the City Council.
7. The Contract stipulates that the study will be completed in 12-14 months.
8. Funding in the amount of \$552,000.00 is available in the Non-departmental budget within the General Fund.

Recommendation

The resolution be approved.

23 Resolution - Approving an Interlocal Agreement Between the City of Irving and the Trinity River Authority (TRA) in the Estimated Annual Amount of \$337,000.00 to Provide Water, Wastewater, and Stormwater Laboratory Analysis Services to Meet Federal and State Requirements for the City of Irving, Texas

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 item supports the city's Investing in our Future initiative.** This contract benefits the City of Irving residents by performing laboratory analysis of the City's water, wastewater and stormwater to verify that it meets and exceeds state and federal requirements.
3. The City is required by federal and state law to routinely sample and perform laboratory analysis of the potable water, wastewater and stormwater within the city. The Trinity River Authority (TRA) has one of the few laboratories in our area certified by the state to perform all of the required tests.
4. TRA has provided excellent service to Irving and many other cities for over twenty years. TRA is conveniently located in Grand Prairie, which minimizes our staff time required for daily deliveries. They also test and provide results quickly and will work weekends, as needed, to meet the City's requirements.
5. Funding in the amount of \$290,000.00 is available in the Water Utilities budget within the Water and Sewer System Fund and \$47,000.00 is available in the

Municipal Drainage Utility Fund, subject to FY 22-23 budget appropriation.

Recommendation

The resolution be approved.

24 Resolution - Approving an Agreement with Black & Veatch Corporation, in the Amount of \$99,863.00 for Cyber Security Engineering Services for the National Institute of Standards and Technology (NIST) Framework Policies and Network Design Project

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 to adopt the NIST framework for cybersecurity as recommended by the American Water Works Association (AWWA) and Certified Information Systems Auditor (CISA).
3. This contract will allow Black & Veatch Corporation to help develop the policies and procedures that are needed as part of the NIST framework adoption which will help Water Utilities understand, manage, and reduce cybersecurity risk and protect our network and data.
4. Black & Veatch Corporation is the most highly qualified firm to provide the services due to their experience working with Irving on this project previously and their expertise in working on cybersecurity and assisting utilities in adopting new industry standards.
5. Black & Veatch Corporation performed the initial work and is familiar with the city's system and is still the highest qualified engineering firm to complete the additional work required to protect the City's Water Utilities Department cybersecurity.
6. Funding in the amount of \$99,863.00 is available in the Water and Sewer System Fund.

Recommendation

The resolution be approved.

25 Resolution - Approving Addendum No. 3 to the Engineering Design Services Agreement with Kimley-Horn and Associates, Inc. in the Amount of \$49,452.00 for Design of the Story Elevated Tank Rehabilitation Project

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 will extend the life of the Story Elevated Storage Tank.
3. Construction of the Story Elevated Storage Tank Rehabilitation has taken longer than originally anticipated due to additional lead abatement required by the contractor to complete the project. This time extension has also necessitated additional construction phase services provided by Kimley-Horn to see the project through the end of construction.
4. The cost for these additional services is \$49,452.00. This increases the total value of this agreement to \$348,987.00. Funding in the amount of \$49,452.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

**Bids and Purchasing Items
Items 26-40**

26 Resolution - Approving the First Amendment and Renewal to the Professional Services Agreement Between the City of Irving and Ensafe, Inc., in the Total Estimated Amount of \$70,000.00 for Third Party Administration Services for Environmental Compliance for a Two-Year Period

Administrative Comments

1. This item is recommended by the Human Resources Department.
2. **Impact:** Third Party Administration (TPA) Services for Environmental Compliance are required for the City to remain compliant with regulatory requirements, to assist in conducting routine safety compliance audits, to provide environmental compliance training, and to provide assistance with execution of annual reports required by the Texas Commission on Environmental Quality.
3. TPA services for environmental compliance are comprised of regulatory compliance

site visits at the city’s four service centers, three pump stations, the landfill, and other facilities as needed; identification and development of spill prevention, control and countermeasure plans (SPCC) for facilities requiring this plan; and annual Tier II chemical reporting which is required by the Texas Commission of Environmental Quality in March of every year. These services will be aimed toward overall compliance with federal and state health and safety regulations which include, but are not limited to, the items listed above.

4. This renewal establishes the continuation of a professional services agreement for TPA services for environmental compliance. The original agreement was awarded to the respondent receiving the highest evaluation criteria score through a Request for Proposals process. This is the only two-year renewal option for this agreement, which expires on September 30, 2022.
5. Funding for Fiscal Years 2022-23 and 2023-24 is subject to budget appropriation in the Property-Casualty Insurance Fund.

Vendor	Contract Term	Est. Amt.	Fiscal Year(s)
Ensafe, Inc.	10/1/22 – 9/30/24	\$35,000.00	2022-23
		\$35,000.00	2023-24
TOTAL		\$70,000.00	

Recommendation

The resolution be approved.

27 Resolution - Approving a Consulting Agreement with Morris & McDaniel, Inc., in the Total Estimated Amount of \$195,000.00 for Police and Fire Promotional Exams for a Two-Year Period

Administrative Comments

1. This item is recommended by the Human Resources Department.
2. **Impact:** Promotional exams provided under this contract are required for compliance with Texas Local Government Code Chapter 143, and to assure that short- and long-term succession needs for Civil Services ranks are met.
3. A Request for Proposals (RFP) was issued on April 8, 2022 for Police and Fire Promotional Exams. Five responses were received and evaluated by a stakeholder group comprised of representatives from the Police, Fire, and Human Resources departments. Morris & McDaniel, Inc. is recommended for award as the respondent scoring the highest points based on evaluation criteria established in the RFP.
4. This award established a two-year contract for the continuation of providing police and fire promotional exams. It includes two, two-year renewal options.

- Funding for Fiscal Year 2021-22 is available in the Human Resources Department budget within the General Fund, while funding for Fiscal Years 2022-23 and 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Morris & McDaniel, Inc.	8/4/22 – 8/3/24	\$ 16,250.00	2021-22
		\$ 97,500.00	2022-23
		\$ 81,250.00	2023-24
TOTAL		\$195,000.00	

Recommendation

The resolution be approved.

28 Resolution - Renewing the Contract with URT Texas, Inc., for Wrecker Service and Auto Pound Operations for a Two-Year Period

Administrative Comments

- This item is recommended by the Police Department.
- Impact:** Wrecker service benefits the City of Irving by providing timely and efficient wrecker service to assist first responders and residents. It also helps improve the visual impression of the city by keeping wrecked and abandoned vehicles off of streets and out of neighborhoods. Additionally, it provides professional and operational management of the City of Irving’s Auto Pound
- Revenue to the city is accrued per vehicle from storage fees of \$20.64 (standard) and \$36.11 (all others) per day and notification fees of \$50.00 when applicable.
- The vendor receives all towing fees as follows: \$145.00 flat rate for basic tows, \$175.00 hourly rate for medium tows, \$250.00 hourly rate for heavy tows, \$150.00 hourly rate for trailers less than 10,000 lbs. gross vehicle weight and \$175.00 hourly rate for trailers greater than 10,000 lbs. gross vehicle weight.
- All fees are collected by the contractor who submits a check to the city with towing charges and impound fees deducted. The check is accompanied by a report which itemizes and categorizes all receipts by type of service.
- This renewal establishes the continuation of a contract for wrecker service and auto pound operation. This is the first of two, two-year renewal options. The current contract expires September 30, 2022 and revenue received to date has been approximately \$182,000.00.

7. Revenue from wrecker service proceeds will be deposited into the General Fund.

Recommendation

The resolution be approved.

29 Resolution - Approving As-Needed Expenditures with Galls, LLC, for Fire Department Uniforms and Related Items in the Total Estimated Amount of \$160,000.00 through an Interlocal Agreement for Cooperative Purchases with the City of Frisco

Administrative Comments

1. This item is recommended by the Fire Department.
2. **Impact:** This contract supports as-needed purchases of polo shirts, jackets, trousers, and other related items for Fire Department personnel.
3. The city entered into a Vendor/Member contract with Galls, LLC, by Resolution No. 2019-402 on October 25, 2019 for utilization of City of Frisco Contract No. 1905-082 for Fire Department Uniforms which has been renewed through August 6, 2023.
4. Funding for Fiscal Year 2021-22 is available in the Fire Department budget within the General Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Spending Term	Total Estimated Amount	Fiscal Years
Galls, LLC	8/7/22 – 8/6/23	\$ 10,000.00	2021-22
		\$150,000.00	2022-23
TOTAL		\$160,000.00	

Recommendation

The resolution be approved.

30 Resolution - Authorizing As-Needed Expenditures with Holt Texas, LTD., in the Total Estimated Amount of \$100,000.00 for Equipment Rentals through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) and the Solid Waste Services departments.
2. **Impact:** Approval of this item will allow the Municipal Drainage Utility division to rent

motorized specialty heavy equipment for special projects on a timely basis. This contract will also allow Solid Waste Services to rent various equipment in order to stay in compliance with TCEQ requirements for waste disposal and onsite projects at the landfill.

3. A Vendor/Member contract between the City of Irving and Holt Texas Ltd., was approved on April 11, 2022, by Administrative Award No. 7732. This contract supports utilization of BuyBoard Contract No. 646-21 for Rental Services for Construction, Other Equipment & Vehicle Rentals, which has been renewed by BuyBoard through June 30, 2023.
4. Funding for Fiscal Year 2022-23 will be available in the Municipal Drainage Utility Operating and in the Solid Waste Operating funds subject to budget appropriation.

Vendor	Spending Term	Total Estimated Amount	Fund(s)
Holt Texas, Ltd.	10/1/22 – 6/30/23	\$ 50,000.00	Municipal Drainage Utility Operating
		\$ 50,000.00	Solid Waste Operating
TOTAL		\$100,000.00	

Recommendation

The resolution be approved.

31 Resolution - Renewing the Annual Contract with Consolidated Electrical Distributors, Inc., dba Wildcat Electric Supply (Assigned from Tiger Electric Supply, Inc., dba Wildcat Electric Supply, Inc.), in the Total Estimated Amount of \$80,000.00 for Roadway Lighting LED Fixtures for City of Irving

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department.
2. **Impact:** Purchases of roadway lighting LED fixtures will provide matching interchangeability with existing infrastructure equipment and foundations necessary for driver safety and sustaining the transportation system.
3. This renewal establishes the continuation of an annual contract for providing roadway lighting LED fixtures. This is the first of two, one-year renewal options. The current contract expires August 31, 2022.
4. Funding for Fiscal Year 2021-22 is available in the Traffic & Transportation Department budget within the General Fund, while funding for Fiscal Year 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Consolidated Electrical Distributors, Inc., dba Wildcat Electric Supply	9/1/22-8/31/23	\$15,000.00	2021-22
		\$65,000.00	2022-23
TOTAL		\$80,000.00	

Recommendation

The resolution be approved.

32 Resolution - Renewing the Annual Contract with Western-BRW Paper Co., in the Total Estimated Amount of \$150,000.00 for 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. Copy paper, letterhead, and envelopes contain 100% recycled content and all other items contain up to 30% recycled content or are Forest Stewardship Council certified paper.
3. This renewal establishes the continuation of an annual contract for office paper. This is the first of two one-year renewal options. The current contract expires on September 30, 2022.
4. Funding for Fiscal Year 2022-23 is subject to budget appropriation in various departmental budgets within various funds.

Vendor	Contract Term	Total Est. Expenditure
Western-BRW Paper Co.	10/1/22 – 9/30/23	\$150,000.00

Recommendation

The resolution be approved.

33 Resolution - Approving the Purchase from Kirby-Smith Machinery Company, Inc., of a 2022 or Newer Gradall XL 3100 V 4X2 Hydraulic Excavator in the Total Estimated Amount of \$410,597.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department and approved by the Fleet Services Division.
2. **Impact:** The purchase of this replacement excavator will reduce downtime, increase effectiveness, and better support the needs of the department and residents of the City of Irving.
3. A Vendor/Member contract between the City of Irving and Kirby-Smith Machinery, Inc., was approved on February 13, 2020, by Resolution No. 2020-60. This contract supports the utilization of BuyBoard Contract No. 597-19 for Construction, Road and Bridge, Ditching, Trenching, and Other Equipment, which has been renewed through November 30, 2022.
4. This budgeted replacement is in accordance with City’s Vehicle & Equipment Replacement policy for City Tag No. 18145, a 2015 Gradall XL 3100 excavator. Kirby-Smith Machinery, Inc., is applying a governmental discount of \$42,262.00
5. Advance funding for this item which is a planned replacement for Fiscal Year 2022-23 was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
6. Funding is available in the Vehicle & Equipment Replacement Fund.
7. Budgeted replacement is as follows:

Department	Description	Replaces City Tag #	Total Estimated Amount
Traffic & Transportation	2022 or newer Gradall XL 3100 V 4X2 hydraulic excavator	18145	\$452,859.00
	Governmental Discount		(\$ 42,262.00)
TOTAL			\$410,597.00

Recommendation

The resolution be approved.

34 Resolution - Approving and Accepting the Bid of Autonation Fort Worth Motors, Ltd., dba Autonation Chevrolet North Richland Hills in the Total Estimated Amount of \$320,000.00 for GM Chevrolet Parts

Administrative Comments

1. This item is recommended by the Fleet Services Division.
2. **Impact:** The city’s public safety vehicles will continue to be repaired and maintained with minimum downtime to keep service levels high.
3. This award establishes a two-year contract for the continuation of providing GM/Chevrolet OEM (Original Equipment Manufacturer) parts for public safety vehicles on an as-needed basis. The contract is eligible for two renewals each for a two-year period of time.
4. Funding for Fiscal Year 2021-22 is available in the Garage Fund, while funding for Fiscal Years 2022-23 and 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Autonation Fort Worth Motors, Ltd., dba Autonation Chevrolet North Richland Hills	8/5/22 – 7/31/24	\$ 60,000.00	2021-22
		\$160,000.00	2022-23
		\$100,000.00	2023-24
TOTAL		\$320,000.00	

Recommendation

The resolution be approved.

35 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Southwest International Trucks, Inc., through the State of Texas Local Government Statewide Purchasing Cooperative Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Fleet Services Division and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Southwest International Trucks, Inc., for utilization of BuyBoard Contract No. 601-19, which expires on November 30, 2022, will allow the city to procure vehicles, heavy duty trucks, parts, and service labor.
3. Approval of this item allows for the purchase of medium duty trucks as presented in the following item on this agenda as well as any future purchases from this vendor through the designated BuyBoard contract during the specified contract term.

Recommendation

The resolution be approved.

36 Resolution - Approving the Expenditure with Southwest International Trucks, Inc., for Five 2022 or Newer International MV607 4X2 Trucks with Knapheide Crane Body in the Total Estimated Amount of \$996,675.60 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by Water Utilities Department and approved by the Fleet Services Division.
2. **Impact:** The purchase show below from Southwest International Trucks, Inc., will allow for replacement of older equipment to reduce downtime, increase effectiveness, better support the needs of the department and residents of Irving, and maintain a reliable potable water system.
3. This purchase is supported by a Vendor/Member contract between the City of Irving and Southwest International Trucks, Inc., utilizing BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor, which expires on November 30, 2022, and is presented as a previous item on this agenda.
4. These budgeted replacements are in accordance with the city's vehicle and equipment replacement policy for City Tag Nos. 32210, 32211 and 32213, 2010 Freightliner M2106 trucks; and Tag Nos. 32184 and 32185, 2007 Ford F750 crew cab trucks.
5. Advance funding for City Tag Nos. 32210, 32211, and 32213, which are planned replacements for Fiscal Year 2022-23, was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues
6. Funding is available in the Water & Sewer Operating Fund.
7. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Est. Expenditure
Water Utilities	2022 or newer International MV607 4X2 with Knapheide crane body (5)	32211 32184 32185	\$598,165.36
		32210 32213	\$398,510.24
TOTAL			\$996,675.60

Recommendation

The resolution be approved.

37 Resolution - Approving the Purchase from Caldwell Country Chevrolet, LLC, for Three 2022 or Newer Chevrolet 1500 Silverado 4X2 Crew Cab Trucks and a 2023 Chevrolet Tahoe Sport Utility Vehicle in the Total Estimated Amount of \$187,070.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Police Department and approved by the Fleet Services Division.
2. **Impact:** The supplemental vehicle purchases shown below from Caldwell Country Chevrolet will increase effectiveness, and better support the needs of the department and residents of Irving.
3. A Vendor/Member contract between the City of Irving and Caldwell Country Chevrolet was approved on October 21, 2020, by Administrative Award No. 7005. The contract supports utilization of BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts, and Service Labor, which has been renewed through November 30, 2022.
4. Advance funding for these vehicles, which are planned supplements for Fiscal Year 2022-23, was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
5. Funding is available in the Vehicle & Equipment Replacement Fund.
6. Supplemental purchases are as follows:

Department	Item Description (Quantity)	Total Est. Expenditure
Police	2022 or Newer Chevrolet 1500 Silverado CC 10903 crew cab trucks (3)	\$147,960.00
	2023 Chevrolet Tahoe PPV CC10706 sport utility vehicle (1)	\$ 39,110.00
	TOTAL	\$187,070.00

Recommendation

The resolution be approved.

38 Resolution - Approving the Purchase from MHC Kenworth of Various Equipment in the Total Estimated Amount of \$1,365,547.87 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Solid Waste Services, Traffic & Transportation, and Water Utilities departments and approved by the Fleet Services Division.
2. **Impact:** Purchase of the equipment shown below from MHC Kenworth will reduce downtime, increase effectiveness, and better support the needs of the department and residents of Irving.
3. A Vendor/Member contract between the City of Irving and MHC Kenworth was approved on February 13, 2020, by Resolution No. 2020-62. This contract supports the utilization of BuyBoard Contract No. 601-19 for Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor, which has been renewed through November 30, 2022 by BuyBoard.
4. These budgeted replacements are in accordance with the city's Vehicle and Equipment Replacement Policy for City Tag No. 06415, a 2002 Ford F350 truck; No. 21060, a 2003 Ford F750 truck; and No. 32178, a 2006 Sterling Vactor rig truck.
5. Advance funding for City Tag Nos. 06415, and 32224, which are planned replacements for Fiscal Year 2022-23, was approved by Council on April 21, 2022, as part of Budget Adjustment No. 5 to lock in current pricing and a fulfillment date as early as possible in response to current supply chain and inflation issues.
6. Funding is available in the Solid Waste Services Vehicle & Equipment Replacement, Vehicle & Equipment Replacement, and Water-Sewer Operating funds.

7. Budgeted replacements are as follows:

Department	Item Description (Quantity)	Replaces City Tag #	Total Est. Expenditure	Fund(s)
Solid Waste Services	2023 Kenworth T380 with G & H container carrier (1)	06145	\$ 176,759.45	Solid Waste Services Vehicle & Equipment
Traffic & Transportation	2023 or newer Kenworth T380 with Terex model 4050 truck (1)	21060	\$ 319,245.02	Vehicle & Equipment Replacement
Water Utilities	2022 or newer Kenworth T380 with 800 HPR-Ecco pressure sewer cleaner body (1)	32178	\$ 313,523.60	Water-Sewer Operating
	2022 or newer Kenworth T480 with 900 Eco sewer cleaner body (1)	32224	\$ 556,019.80	
TOTAL			\$1,365,547.87	

Recommendation

The resolution be approved.

39 Resolution - Approving the Purchase from Zones, LLC, for Adobe Enterprise Licensing in the Total Estimated Amount of \$64,653.72 through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Approval of this purchase will allow the city to procure Adobe enterprise licensing for the city through this vendor's designated TIPS contract.
3. Adobe software products included in the city's agreement are Adobe Acrobat Pro DC, Adobe Creative Cloud - all apps, Adobe Captivate and Adobe Sign. These Adobe products are used by over 250 users across all city departments. This covers licenses that are already installed on existing employee computers and any licensing requested and approved throughout subsequent budget processes.
4. This purchase is supported by a Vendor/Member contract pursuant to a Cooperative Purchasing Agreement between the City of Irving and Zones, LLC, which was approved by Administrative Award No. 7801 on May 19, 2022 utilizing TIPS Contract No. 200105, which expires on May 31, 2023.
5. Any new requests for Adobe licensing will require a true-up process resulting in an increase to the cost and will be handled at one time during the year subject to the city's technology budget vetting process.

6. Funding in the total estimated amount of \$64,653.72 is available in various departmental budgets within various funds.

Recommendation

The resolution be approved.

40 Resolution - Approving a Master Solution Agreement with Recon Infosec, Inc. in the Total Estimated Amount of \$206,000.00 for License Fees and Year One Support for a Managed Security Operations Center

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Approval of this agreement will provide a managed Security Operations Center (SOC) staffed with IT experts solely focused on the organization's security. These services will augment the IT Department's ability to better manage cyber risk by improving the process of detecting, analyzing, and responding to threats.
3. Recon will provide 24/7/365 monitoring of our environment, real-time visibility in operations, better insight on threat intelligence, and improvements to the city's overall security posture without significantly increasing operating expenses.
4. A Request for Proposals (RFP) was issued on March 11, 2022 for Managed Security Operations Center. Twelve responses were received and evaluated by a stakeholder group comprised of representatives from the Information Technology, Police, Traffic & Transportation, and Water Utilities departments. The evaluation committee recommends that Recon be awarded the contract as the respondent scoring the highest points based on evaluation criteria established in the RFP.
5. The resulting contract is for one year and includes four one-year renewal options for which no more than a 5% increase per year for years two through five has been negotiated.
6. Funding in the total estimated amount of \$206,000.00 is available in Non-Bond CIP Fund.

Recommendation

The resolution be approved.

End of Bids

41 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of a Utility Easement at 3615 Block Drive, for Platform 161, LP

Administrative Comments

1. This item has been recommended by the Capital Improvement Program and Water Utilities Department.
2. **Impact:** The abandonment is requested by Platform 161, LP, to allow for development of the site.
3. A 15-foot (15,897 sq. ft) Utility easement runs along diagonally on the property which hinders the opportunity for development. The developer plans on constructing a commercial building.
4. There are no existing utilities within the easement and the abandonment will allow the development of the property for additional parking spaces.
5. The Capital Improvement Program and Water Utilities Departments support the requested abandonment of this utility easement.

Recommendation

The ordinance be adopted.

42 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of Access and Private Drainage Easements at 200 W John W. Carpenter Freeway for Rosewood Property Company Las Colinas Mixed Use, LLC

Administrative Comments

1. This item has been recommended by the Capital Improvement.
2. **Impact:** The abandonment is requested by Rosewood Property Company Las Colinas Mixed Use, LLC, to allow for redevelopment of the site.
3. There are two 26-foot Access easements (8,419 sq. ft. at the northeast corner and 10,701 sq. ft. on the south side) along with a 15-foot (5,900 sq. ft. along the northeast corner) Private Drainage easement, which hinders the opportunity for redevelopment. The developer plans on constructing a new commercial building.
4. There are no existing utilities within the easements and the abandonment will allow the development of the property. The Traffic and Transportation Department takes no exception to the easements being abandoned.
5. The Capital Improvement Program support the requested abandonment of this utility easement.

Recommendation

The ordinance be adopted.

43 Ordinance - Second Reading -- Granting a Franchise to Community Waste Disposal L.P., for Solid Waste Collection Services Beginning on September 1, 2022 and Ending on August 31, 2025 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Community Waste Disposal L.P. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on September 1, 2022 and ending on August 31, 2025. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

44 Ordinance - Second and Final Reading -- Granting Oncor Electric Delivery Company LLC an Electric Power Franchise to Use the Present and Future Streets, Alleys, Highways, Public Utility Easements, Public Ways and Public Property of the City of Irving, TX, Providing for Compensation Therefore, Providing an Effective Date and Term, Providing for Written Acceptance and Providing for the Repeal of all existing Franchise Ordinances to Oncor Electric Delivery Company LLC

Administrative Comments

1. This item has been recommended by the Capital Improvement Program Department.

2. **Impact:** This ordinance provides renewal and amendment to the existing Franchise Agreement with Oncor Electric Delivery LLC.
3. Approving this ordinance with Oncor Electric Delivery Company LLC will further allow the electric power franchise to use present and future streets, alleys, highways, public utility easements, public ways and public property of the City of Irving. An outline of quarterly franchise fees is included and will be paid by Oncor to the City.
4. This Franchise will be for a term of 20 years which will expire on July 31, 2042. Oncor's fee to the City is based on a franchise fee factor of 0.002783 multiplied by each kilowatt hour of electricity delivered by Oncor to each retail customer within the City of Irving. Furthermore, Oncor's fee to the City is a sum equal to four percent (4%) of gross revenues received by Oncor from services identified as "Discretionary Service Charges" as stated within Oncor's Tariff for Retail Delivery Service.

Recommendation

The ordinance be adopted.

INDIVIDUAL CONSIDERATION

- 45 Resolution - Approving the Submission of the Fiscal Year 2022-2023 Action Plan for the Use of Federal Funds and Associated Fiscal Year 2022-2023 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 \$3,259,056.00**

Administrative Comments

1. This item is recommended by the Housing and Redevelopment Division.
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. As a HUD-funded community, Irving will receive \$2,195,307.00 in Community Development Block Grant (CDBG), \$868,485.00 in Home Investment Partnerships Grant (HOME), and \$195,264.00 in Emergency Solutions Grant funds for the 2022 Program Year, which runs from October 1, 2022 to September 30, 2023.

4. 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 2019-2024 Consolidated Plan.
5. Citizen input regarding the Fiscal Year 2022-2023 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 2022-2023 funds and approved the Action Plan as a whole at their June 15, 2022 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 Department staff.
6. The proposed resolution adopts the Fiscal Year 2022-2023 Action Plan, with associated budgets for the use of CDBG, HOME, and ESG funds; its designated HOME and ESG matching contributions; and all applicable priorities and goals in the Consolidated Plan.
7. **This item was approved by Housing and Human Services Board on June 15, 2022.**

Recommendation

The resolution be approved.

46 Resolution - Approving the Allocations of Fiscal Year 2022-2023 Community Development Block Grant, Emergency Solutions Grant, and Home Investment Partnership Grant Funds to Non-Profit Organizations in the Amount of \$1,018,000.00

Administrative Comments

1. This item is recommended by the Housing and Redevelopment Division.
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 United States Department of Housing and Urban Development (HUD), the City of Irving will receive \$2,195,307.00 in Community Development Block Grant (CDBG) funds, \$868,485.00 in Home Investment Partnerships Grant (HOME), and \$195,264.00 in Emergency Solutions Grant (ESG) funds in Fiscal Year 2022-2023. The City of Irving may allocate up to 15% of CDBG funds to public services.

4. The Housing and Redevelopment Division Department solicited applications from non-profit agencies from March 1 through April 1, 2022.
5. The Housing and Human Services Board interviewed applicants at its May 12, 2022 meeting and approved the budgets for CDBG, ESG, and HOME expenditures, including allocations to the non-profit organizations, at its June 15, 2022 meeting.
6. Community input regarding public services allocations was solicited through a public comment period and through the conduct of two public hearings.
7. Funding in the amount of \$243,000 will be available in the Outside Services budget within the Community Development Block Grant Fund.
8. Funding in the amount of \$25,000 will be available in the Outside Services budget within the Emergency Solutions Grant Fund.
9. Funding in the amount of \$750,000 will be available in the Outside Services budget within the Home Investment Partnership Grant Fund.

Recommendation

The resolution be approved.

47 Ordinance - Conduct a Public Hearing and Consider the Tax Increment Reinvestment Zone Number One Second Amended Project Plan and Financing Plan

Administrative Comments

1. This item has been recommended by the Financial Services and Economic Development Departments.
2. **Impact:** Approval of this amendment will reallocate some funding from APT System Improvements to Reimbursements for Public Improvements and Chapter 380 Grants.
3. The term of TIF 1 was extended to December 31, 2038 via Ordinance 2018-10137. The Project and Financing Plan was amended again with Ordinance 2020-10340 to include Chapter 380 economic incentive grants.
4. The goal of increasing property values in TIF 1 remains unchanged.
5. The Tax Increment Reinvestment Zone Number One Second Amended Project Plan and Financing Plan (“Second Amended Plan”) provides estimated funding for public infrastructure projects, developer reimbursements for public improvements, chapter 380 grants, and administrative support and operations.
6. On August 2, 2022, the TIF Zone No. 1 Board of Directors will consider a recommendation to the Irving City Council to approve amending the Second

Amended Plan. The proposed Second Amended Plan would reallocate funding from APT System Improvements totaling \$37,126,919 to Reimbursements for Public Improvements and Chapter 380 Grants in years 1-10. A balance of \$1,000,000 would remain for APT system Improvements.

7. If approved by the Irving City Council, the Amended TIF 1 Project and Financing Plan will consist of the following:

Project	Years 1-10	Years 11-20	Total Costs
Dallas County Utility Reclamation District			
Lake Carolyn Wall Rehabilitation	\$32,362,874	\$0	\$32,362,874
APT System Improvements	\$1,000,000	\$0	\$1,000,000
Accelerated Waterway Maintenance	\$19,510,207	\$0	\$19,510,207
DCURD Total	\$52,873,081	\$0	\$52,873,081
Reimbursements for Public Improvements and Chapter 380 Grants	\$50,493,144	\$55,006,990	\$105,500,134
Reimbursement for Public Improvements Maintenance Related to Williams Square Plaza and Museum	\$750,000	\$750,000	\$1,500,000
Administrative Support & Operations	\$1,500,000	\$1,500,000	\$3,000,000
Total			\$162,873,214

Recommendation

The ordinance be adopted.

48 Resolution - Approving an Economic Incentive Agreement Between the City of Irving, the Tax Increment Reinvestment Zone No. 1, and Wells Fargo Bank, N.A in an Amount Not to Exceed \$19,000,000 for Improvements Within the Tax Increment Reinvestment Zone No. One

Administrative Comments

1. This item is recommended by the Financial Services and Economic Development Departments.
2. **Impact:** Approval of this resolution will allow the TIF District (TIF) to reimburse Wells Fargo, Bank N.A. (Wells Fargo), for improvements within the TIF District.

3. Wells Fargo proposes to construct, on the north side of Promenade Parkway, a 4,000-space parking garage and to reclaim a portion of the lake between the two adjacent parcels on the south side of Promenade Parkway. The parking garage and lake reclamation projects are essential features for the proposed construction of a new 800,000 square feet of new office space development on the South side of Promenade Parkway. The proposed new office development would serve as a regional hub for Wells Fargo.
4. On August 2, 2022, the TIF Zone No. 1 Board of Directors will consider a recommendation to the Irving City Council to approve an economic incentive agreement with Wells Fargo, in an amount not to exceed \$19,000,000 (up to \$15,000,000 for the parking garage and up to \$4,000,000 for the reclamation project). The proposed reimbursement shall be provided as an economic development grant under the District's Chapter 380 powers. The economic development grant will be paid using available TIF District funds.

Recommendation

The resolution be approved.

49 Resolution - Approving an Economic Incentive Agreement Between the City of Irving and Wells Fargo Bank, N.A. in an Amount Not to Exceed \$12,000,000, Upon Annual Qualifications

Administrative Comments

1. This item is recommended by the Office of Economic Development.
2. **Impact:** Approval of this agreement will provide incentives to Wells Fargo Bank, N.A. (Wells Fargo) the construction of a regional campus near Las Colinas Blvd. and Promenade Pkwy.
3. **This economic development incentive agreement was discussed in Executive Session of the Irving City Council Work Session on September 16, 2021, March 31, 2022, May 5, 2022, June 9, 2022, July 14, 2022, and July 27, 2022.**
4. Under this Agreement, the minimum qualification levels for Wells Fargo or company affiliate are as follows: Purchase approximately 22 acres of land near Las Colinas Blvd. and Promenade Pkwy by December 31, 2022; Construct two (2) minimum two minimum 400K sq. ft. office buildings, each shall be a minimum of ten (10) stories by December 31, 2026; Construct a minimum 4,000 space parking garage by December 31, 2026; Occupy at least 800,000 square feet of office space in the newly constructed buildings by December 2026; Dedicate a Public Recreation and Access Easement to the City of Irving by December 31, 2026; and Increase the real

property value by a minimum of \$200,000,000 by January 1, 2027.

3. All minimum qualification levels must be maintained for the entire term of the 25-year agreement except for the occupancy requirement. Under this requirement, the company or any other Wells Fargo & Company Affiliate(s) (at least one of which will have the words "Wells Fargo" in its name) must occupy at least 800,000 square feet of office space for 10 years beginning no later than December 31, 2026.
4. Should the Company or Affiliate fail to increase the real property value by a minimum of \$200,000,000 in any year, the Company shall be required to make a cash payment (a "PILOT Payment") equal to the product of (i) the shortage in real property value, multiplied by (ii) the City property tax rate for such year.
 - a. For example, if in 2030 the Eligible Real Property Value is \$190,000,000, then the Company and/or its Affiliate may elect to pay the City's an amount equal to the City's then current tax rate multiplied by \$10,000,000 (the difference between \$190,000,00 and \$200,000,000) in order to meet this requirement for the 2030 tax year (provided that such payment is timely paid to the City).

Each PILOT Payment for a particular year shall be due by January 31 of the given year (for example, as to the 2030 property tax year, by January 31, 2031) along with the compliance certificate.

6. Upon achievement and verification of minimum qualification levels, Wells Fargo, would be eligible to receive economic development incentive grants for reimbursement of seventy-five percent (75%) of the increase in real maintenance & operations (M&O) property taxes paid to the City's general fund. Paid on an annual basis, total grant payments shall not \$12,000,000.
 - a. The Grant will not be calculated based on any portion of property taxes generated in the Tax Increment Fund No.1 Fund from the Property; and 2) the Grant will not be calculated based on property taxes generated from the City's debt service tax rate.
8. The term of this Agreement is twenty-five (25) years and shall terminate twenty-five (25) years after the Effective Date of this Agreement unless terminated earlier due to (a) default of this Agreement or (b) the maximum allowable Grant of \$12 million is achieved. Should the Company or Affiliate fail to achieve the minimum qualification levels as required, the agreement will automatically terminate on June 1, 2027.

Recommendation

The resolution be approved.

APPOINTMENTS AND REPORTS

50 Resolution - Appointments to the Charter Review Committee

Administrative Comments

1. This item is recommended by the City Secretary's Office and City Attorney's Office.
2. **Impact:** The appointments to this Committee would be the first step in reviewing and updating the City Charter.
3. The Committee shall continue until such time as the City Council canvasses the next Charter election or appoints a new committee.

Recommendation

The resolution be approved.

51 Resolution - Selection of Mayor Pro Tem and Deputy Mayor Pro Tem by City Council

Administrative Comments

1. **Impact:** The selection of a Mayor Pro Tem and Deputy Mayor Pro Tem assures continuity of municipal government in the absence of the Mayor or Mayor Pro Tem.
2. In accordance with the City of Irving Charter, Article IV, Section 10, the City Council shall select from among the eight (8) council members a Mayor Pro Tem who shall perform all duties of the Mayor in the Mayor's absence or disability and a Deputy Mayor Pro Tem who shall perform all duties of the Mayor Pro Tem in the Mayor Pro Tem's absence or disability.

Recommendation

The resolution be approved.

52 Mayor's Report

Adjournment