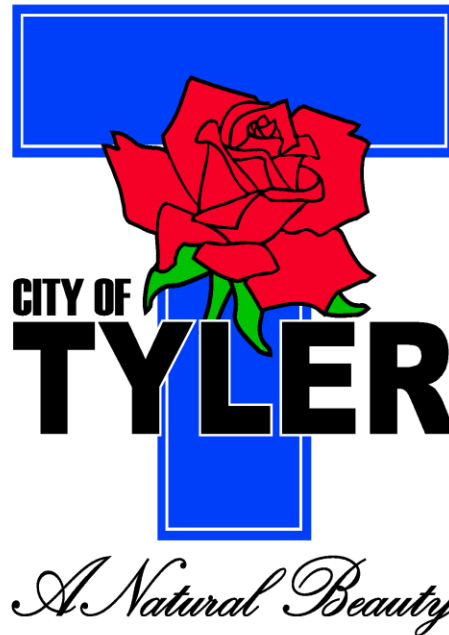


CITY COUNCIL AGENDA



**Wednesday, September 27, 2023
9:00 am**



CITY COUNCIL

**Donald P. Warren, Mayor
Stuart Hene, District 1
Broderick McGee, District 2
Dr. Shirley McKellar, District 3
James Wynne, District 4
Lloyd Nichols, District 5
Brad Curtis, District 6**



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL

City Hall, City Council Chambers
212 N. Bonner Avenue, 2nd Floor
Tyler, Texas

Follow us on Facebook Live at: <https://www.facebook.com/CityofTylerTexas/>
Wednesday, September 27, 2023
9:00 am

Internet website <http://www.cityoftyler.org> and Cable Access Channel 3

Please call (903) 531-1250 if you need assistance with interpretation or translation for this City meeting.

Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1250.

AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to ensure that City Council Meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to attend a City Council meeting, please contact the City Manager's Office at 903.531.1250, in advance so accommodations can be made.

COURTESY RULES

Thank you for your presence. The City Council appreciates your interest in Tyler City Government. To ensure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, Administrative Staff, News Media, Citizens and Visitors. If you wish to address the Council, obtain a speaker card from the receptionist's desk outside the Council Chambers, complete the information requested on the card, and deliver to the City Clerk before the meeting or as soon as you can. Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council. Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. Comments to the City Council should only be made from the podium. This will ensure that the comments are picked up by the microphones and are made a part of the official record. Delay or interruption of the proceedings will not be tolerated.

INVOCATION

PLEDGE OF ALLEGIANCE

MINUTES

Request that the City Council consider approving the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on August 23, 2023, and also the minutes of the special called Boards & Commission Work-session of the City of Tyler, Texas held on August 23, 2023.

AWARDS

- A-1** Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler. They represent 140 years of service with the City of Tyler.

Brian Boyd, Firefighter X, 20 years of service
Scott Hilsabeck, Fire Driver Engineer IV, 20 years of service
Aaron Bower, IT Specialist IV Supervisor, 20 years of service
Duane Starling, Utilities Construction Inspector, 25 years of service
John Thompson, Code Enforcement Housing Inspector Supervisor, 25 years of service
Michael Norris, Manager WW Utilities System, 30 years of service

PRESENTATION

- P-1** Request that the City Council consider accepting the 2022 Arbor Day Foundation's Tree City USA Growth Award.
- P-2** Request that the City Council consider hearing the annual update presentation from Visit Tyler.

ZONING

- Z-1** Z23-029 GONZALEZ VICTOR HUGO TORRES (1131 EAST COMMERCE STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1D", Single-Family Detached and Attached Residential District to "R-2", Two-Family Residential District.
- Z-2** PD23-017 BREEDLOVE PROPERTIES INC (3929 CHAPEL QUARTERS)
Request that the City Council consider adoption of an Ordinance approving a zone change from "AG", Agricultural District to "PUR", Planned Unit Residential District with Final Site Plan.

- Z-3** Z23-028 SMITH COUNTY (213 EAST LOCUST STREET AND 210 EAST FERGUSON STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from “M-1”, Light Industrial District to “DBAC”, Downtown Business, Arts and Culture District.
- Z-4** A23-004 TYLER OAK CREEK DEVELOPMENT (ALL ADDRESSES IN OAK CREEK ADDITION UNIT 7)
Request that the City Council consider adoption of an Ordinance providing for the voluntary annexation of approximately 7.59 acres of land lying adjacent to the present boundary limits of the City of Tyler located east of the intersection of Jonestown Road and Keechi Creek Road. Also consider recommending:
A. The new boundary of the City Limits.
B. The new boundary of the City Council District #1.
C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent.
D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density.
F. Establishment of original zoning of “PUR”, Planned Unit Residential District with narrative.
- Z-5** PD23-012 REED DEVELOPMENT COMPANY LLC (8025 AND 8029 CROOKED TRAIL AND APPROXIMATELY 21.83 ACRES OF LAND IN CUMBERLAND PLACE WEST UNIT 1)
Request that the City Council consider on appeal adoption of an Ordinance approving a "PUR", Planned Unit Residential District site plan amendment.

ORDINANCE

- O-1** Request that the City Council consider adoption of an Ordinance amending the Fiscal Year 2022-2023 Budget.
- O-2** Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 3, Civil Service Classification Plan by amending the Civil Service Classification Plan and number of authorized Civil Service positions for Fiscal Year 2023-2024.

MISCELLANEOUS

- M-1** Request that the City Council consider ratifying the appointment of Joey Hooton as City of Tyler Fire Marshal.
- M-2** Request that the City Council consider authorizing the City Manager to execute a construction contract with A.E. Shull & Company, for the construction of the John Soules Food Waterline Extension Project in the amount of \$3,470,533,50.
- M-3** Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$543,400, with KSA Engineers, Inc. for the Consent Decree Group 6 Remedial Measures Cured-in-Place Pipe Liners.

- M-4** Request that the City Council consider authorizing the City Manager to enter into a contract with McGriff Insurance Services (McGriff) for Property and Casualty Insurance in the amount of \$1,133,995, Hibbs Hallmark and Company for Cyber Insurance in the amount of \$39,723, Innovative Risk Management for Third Party Claim Administration in the amount of \$41,400 and Bosworth and Associates for the purchase of Special Events Liability Insurance with a deposit premium of \$2,000 for Fiscal Year 2023-2024 as the first of two (2) one year renewal options authorized September 28, 2022.
- M-5** Request that the City Council consider authorizing the City Manager to enter into a contract with Hibbs Hallmark and Company for Excess Workers Compensation Insurance in the amount of \$138,080 and Claims Administrative Services for Third Party Claim Administration in the amount of \$49,330 for Fiscal Year 2023-2024 as the first of two (2) one year renewal options authorized September 28, 2022.
- M-6** Request that the City Council consider authorizing the City Manager to award Bid No. 23-082 for the Lindsey Park Governor's Community Achievement Award (GCAA) funded improvements to Paragon Construction & Associates to furnish all necessary materials, equipment, superintendence, and labor in an amount not to exceed \$317,567.00.

CONSENT

(These items are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item.)

- C-A-1** Request that the City Council consider authorizing the City Manager to execute an Interlocal Agreement for the City to host cloud-based services, including hosting for virtual servers and related network switches, security and internet services for Smith County's 911 Geographic Information System Consortium over the next five years.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase one (1) Fire Command unit Ford Explorer from Dana Safety, Fort Worth, Texas Buyboard contract 698-23 for a total cost including upfit of \$64,490.18.
- C-A-3** Request that the City Council consider ratifying the purchase of winter storm cleanup assistance from DRC Emergency Services in the amount of \$296,730.
- C-A-4** Request that the City Council consider authorizing the City Manager to approve the final release of retainage in the amount of \$32,044.71 to Innovative Roadway Solutions LLC, for the 2023 ONYX Seal Project.
- C-A-5** Request that the City Council consider adoption of a Resolution authorizing the application of and acceptance of Federal Transit Administration (FTA) Grant Funds passed through to the Texas Department of Transportation (TxDOT) under the Section 5310 Mobility of Seniors and Individuals with Disabilities Grant in the amount of \$248,621 along with the acceptance of \$40,000 in Transportation Development Credits (TDC).
- C-A-6** Request that the City Council consider authorizing the City Manager execute a new Personal Services Contract with Davis Dickson for project assistance for the Half Cent Sales Tax program and other services as needed for the City of Tyler in the amount of \$50,000.

- C-A-7** Request that the City Council consider reviewing and accepting the City of Tyler's workers' compensation, property and casualty claim and lawsuit report for 2020-2021, 2021-2022 and 2022-2023 through June 30, 2023, and ratify all claim payments and settlements within the City's retention during that time frame in the amount of \$1,866,785. This includes 18 claim payments of \$25,000 or more and 4 litigated claims.
- C-A-8** Request that the City Council consider awarding sealed bids opened August 22, 2023, and September 12, 2023, to the referenced bidders for the annual price agreements and for the purchase of various water and wastewater treatment chemicals for the fiscal year October 1, 2023, through September 30, 2024.
- C-A-9** Request that the City Council consider authorizing the City Manager to approve the use of Analytical Environmental Lab, of Tyler, TX, SPL, Inc. of Dallas, TX and Lower Colorado River Authority Environmental Laboratory Services of Austin, TX as sole sources for certain testing services during Fiscal Year 2023-2024.

CITY MANAGER'S REPORT

ADJOURNMENT