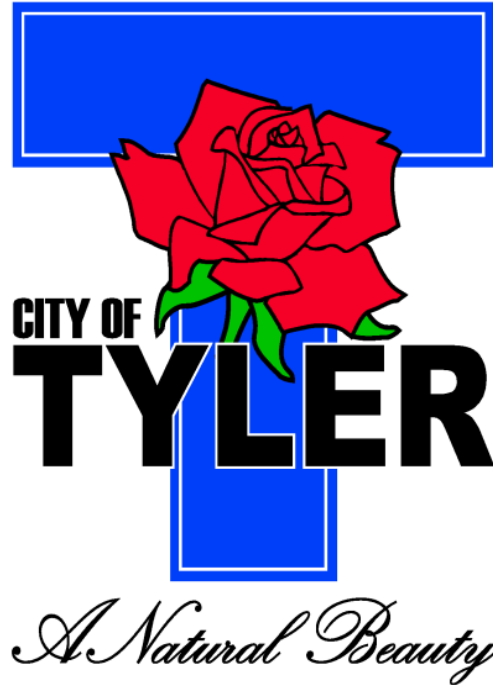


CITY COUNCIL AGENDA



**Wednesday, August 28, 2024
9:00 am**



CITY COUNCIL

Donald P. Warren, Mayor

Stuart Hene, District 1

Petra Hawkins, 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, August 28, 2024
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, please fill out the information on the IPAD located outside the Council Chambers. 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 called meeting of the City Council of the City of Tyler, Texas held on July 10, 2024.

AWARDS

Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler.

They represent 135 years of service with the City of Tyler.

James Holt, Police Officer XIV, 30 years of service,
Lance Parks, Police Officer XIV, 30 years of service,
Ronny Tekell, Police Officer XIV, 30 years of service
Theofalus Ross, Streets, Crew Leader, 25 years of service,
Michael Schaub, Wastewater Treatment Superintendent, 20 years of service

ZONING

Z-1 Z24-025 SPRING RJP OPERATIONS, LLC (501 AND 503 SOUTH SPRING AVENUE)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'RPO', Restricted Professional Office District to 'R-2', Two-Family Residential District.

Z-2 Z24-026 CARLA OCAMPO (1511 WEST ERWIN STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'M-1', Light Industrial District to 'PMXD-1', Planned Mixed-Use District-1 with written narrative.

Z-3 S24-006 TOWNSQUARE MEDIA TYLER LLC (3810 BROOKSIDE DRIVE)
Request that the City Council consider adoption of an Ordinance approving the Special Use Permit to allow for a radio tower up to 150 feet in height in the previous location of a radio tower or elsewhere on the property.

HEARING

H-1 Request that the City Council consider conducting a public hearing on the proposed Fiscal Year 2024-2025 Annual Budget and on the proposed property tax rate of \$0.240085 per \$100 of taxable property value.

PRESENTATION

P-1 Request that the City Council receive a presentation on the Capital Improvements Program funded by the Half Cent Sales Tax Program.

RESOLUTION

- R-1** Request that the City Council consider adopting a Resolution authorizing submission of an application by the Tyler Fire Department for, and acceptance of, grant funding in the amount of \$450,000.00 through the Ben and Maytee Fisch Foundation, to be used to support the Tyler Fire Department Public Safety Bomb Team, aimed at maintaining and/or enhancing the City of Tyler's emergency preparedness and response capabilities.

MISCELLANEOUS

- M-1** Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending June 30, 2024.
- M-2** Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$200,000, with Langan Engineering and Environmental Services, Inc. for the Private Lateral Program for Consent Decree Group 3 projects.
- M-3** Request that the City Council consider authorizing the City Manager to approve Change Orders #1 and #2 with SAK Construction, LLC that will increase the contract amount by \$2,156,969.09 for Black Fork Creek Outfall Sewer Cast in Place Pipe (CIPP), Bid 21-035.
- M-4** Request that the City Council consider accepting the donation of \$1,164,141.44 to help complete the construction of the Miracle League of Tyler ballfield.
- M-5** Request that the City Council consider authorizing the City Manager to execute a contract with SCI Construction, Inc., for the construction of the Miracle League of Tyler ballfield at Faulkner Park in the amount of \$1,680,358.00.
- M-6** Request that the City Council consider authorizing the City Manager to execute a Capital Improvements Project contract in the amount of \$1,501,920.00 with TanksCo, Inc. for the West 2nd Street Elevated Storage Tank Rehabilitation (Tyler Bid No. 24-023) and adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt.
- M-7** Request that the City Council consider the designation of Reinvestment Zone Number Fourteen (Hiland Dairy), City of Tyler, Texas, for industrial tax abatement, and authorize the City Manager to finalize and enter into a tax abatement agreement with Hiland Dairy Foods and to sign all documents necessary to implement the tax abatement agreement.

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 reviewing and accepting the Investment Report for the quarter ending June 30, 2024.
- C-A-2** Request that the City Council consider authorizing the City Manager to approve the

reconciliation change order decreasing the approved contract amount by \$9,563.12, from \$362,975.35 to \$353,412.23, and the release of retainage in the amount of \$35,341.23 to Missouri Petroleum, LLC, for the 2024 ONYX Seal Project.

- C-A-3** Request that the City Council consider authorizing the City Manager to purchase four commercial refuse trucks from East Texas Mack through TIPS Contract 230802 for a total purchase price of \$580,478.
- C-A-4** Request that the City Council consider authorizing the City Manager or designee to apply for and accept nineteenth-year funding under the Comprehensive Traffic Enforcement Grant Program administered by the Texas Department of Transportation.
- C-A-5** Request that the City Council consider authorizing the City Manager to declare certain designated vehicles as surplus and ready to be auctioned.
- C-A-6** Request that the City Council consider authorizing the City Manager to execute the Amendment No. 1 to the Work Order #1 to KSA Engineers, Inc., to add Construction Administration, and Closeout phase services for the construction of a new Airport Lighting Vault, for an increase from \$138,844.00 to \$283,165.00 (\$+144,321.00) at Tyler Pounds Regional Airport.

CITY MANAGER'S REPORT

EXECUTIVE SESSION

As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may go into executive session to consider the following: Tex. Gov't Code Section 551.071, 'Litigation', to deliberate pending or contemplated litigation or settlement offer involving: Lofton W. Woods, Jr. v. City of Tyler lawsuit; Cause No. 23-2842-A; Litigation is, by its nature, an ongoing process, and questions may arise as to trial tactics, or settlement offers which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subject listed above. Any final action to be taken by the City Council will be taken in open session.

ADJOURNMENT