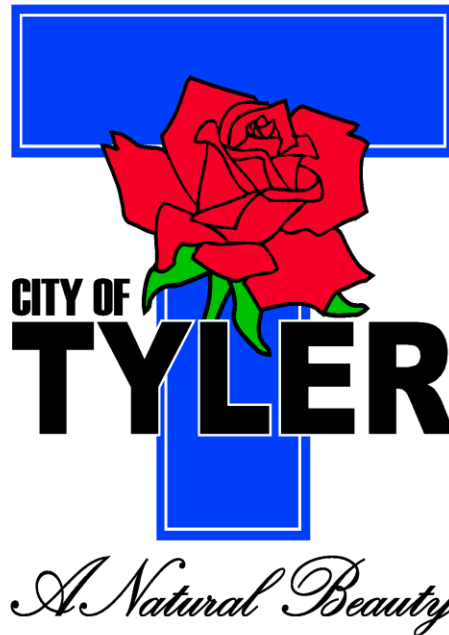


CITY COUNCIL AGENDA

Wednesday, November 13, 2019
9:00 am



CITY COUNCIL

Martin Heines, Mayor
Linda Sellers, District 1
Broderick McGee, District 2
Dr. Shirley McKellar, District 3
Don Warren, District 4
Bob Westbrook, District 5
Criss Sudduth, District 6
Edward Broussard, City Manager



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL
212 North Bonner
Tyler, Texas 75702
Wednesday, November 13, 2019
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. Delay or interruption of the proceedings will not be tolerated.

INVOCATION

PLEDGE OF ALLEGIANCE

MINUTES

Request that the City Council consider approval of the Minutes of the regular meeting of the City Council of the City of Tyler, Texas held on September 11, 2019.

AWARDS

- A-1** Request that the City Council consider accepting the “Certificate of Achievement for Planning Excellence” from the American Planning Association – Texas Chapter.

PRESENTATION

- P-1** Request that the City Council consider receiving a presentation from Kimley-Horn and Associates, Inc. regarding updates on the status of the Citywide Intelligent Traffic System Study.

ZONING

- Z-1** PD19-032 JOHNSON DEVELOPMENT LLC (428 CENTENNIAL PARKWAY) Request that the City Council consider approving a “PCD”, Planned Commercial Development District site plan.

ORDINANCE

- O-1** ZA19-003 Unified Development Code Request that the City Council consider adopting an Ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by re-adopting development and zoning-related fees, and also removing the Fees section from the Planning and Zoning Commission review process that applies to zoning amendments.
- O-2** Request that the City Council consider adoption of an ordinance accepting a Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program (RAMP) Grant totaling \$50,000 for general maintenance programs at Tyler Pounds Regional Airport and amending the FY 2019-2020 Airport Budget to provide the funding for the City’s local share.
- O-3** Request that the City Council consider adoption of an ordinance amending City Code Chapter 14 to add new definitions of “Adequate Food, Water, and Shelter;” “Necessary Veterinary Care;” and “Sanitary Conditions;” and creating the Class C misdemeanor offense of “Animal Neglect,” which holds persons in control of animals responsible for providing conditions to ensure proper animal care.
- O-4** Request that the City Council consider authorizing the City Manager to execute a Services Agreement with Fire Recovery USA, LLC, for the purpose of performing billing services in

connection with motor vehicle incidents and other emergency and non-emergency incidents at which the Tyler Fire Department provides services, approving and authorizing certain fees associated with such billing services, and also consider adopting an Ordinance amending Tyler City Code Chapter 6 to establish such fees for billing services.

MISCELLANEOUS

- M-1** Request that the City Council consider awarding the Medical and Pharmacy Stop-Loss contract to Berkshire Hathaway for the calendar year starting January 1, 2020.
- M-2** Request that the City Council consider awarding the Employee Long Term Disability Benefit contract to The Standard for the calendar year starting January 1, 2020.
- M-3** Request that the City Council authorize the City Manager to enter into a consulting services agreement with Fitzpatrick Architects in the amount of \$1,596,800 and ratify previous expenditures of \$46,267 of that total to develop a design, construction plans and construction oversight for the purpose of building Phase I of the Rose Complex Master Plan.
- M-4** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order in the amount of \$10,269.84 and the release of final retainage to Reynolds and Kay, Ltd. for the 2019 Seal Coat Program Project.
- M-5** Request that the City Council authorize the City Manager to sign an agreement with Oncor Electric Delivery Company for street lighting for the Martin Luther King Jr. Boulevard Project in the amount of \$68,577.59.
- M-6** Request that the City Council consider authorizing the City Manager to execute a construction contract with Reynolds & Kay, Ltd. for the construction of the Brynmar Addition Drainage Improvements in the amount of \$427,266.00.
- M-7** Request that the City Council consider authorizing the City Manager to execute a construction contract with CFG Industries, LLC for the construction of the Troup Highway Standpipe Rehabilitation in the amount of \$936,507.50.
- M-8** Request that the City Council consider authorizing the City Manager to award the construction contract for the Martin Luther King Jr. Improvements Project to the lowest bidder, South Texas Illumination, LLC in the amount of \$1,528,495.64.

RESOLUTION

- R-1** Request that the City Council consider adopting a Resolution committing the City to participating in an equivalent-match program for the repair of the Whittle Street bridge and to authorize the Mayor to execute an Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Shiloh Road Channel Reconstruction project to serve as the local match participation.
- R-2** Request that the the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$1,232,000, with KSA Engineers, Inc. for the Wastewater Collection System Consent Decree Group 2 Remedial Measures Implementation Project, and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt.
- R-3** Request that the the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$500,000, with KSA Engineers, Inc. for the Consent Decree Program Management Assistance Project, and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt.
- R-4** Request that the City Council consider adopting a Resolution authorizing the City Manager to execute an Agreement for a Local On-System Improvement Project (LOSA) with the Texas Department of Transportation (TxDOT) and consider authorizing the City Manager to execute a separate Developer Agreement with Noble RE, LLC for traffic improvements on South Broadway, north of Loop 323.

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 the first renewal option for a three-year period from September 1, 2019 through August 31, 2022 for Agricultural Lease at the current rates as set forth in the lease for Johnny Oden at Tyler Pounds Regional Airport.
- C-A-2** Request that the City Council consider naming the Shade Garden, Idea Garden, Sunshine Garden, and Heritage Garden to the the Tyler Botanical Garden at the Tyler Municipal Rose Garden.
- C-A-3** Request that the City Council consider naming Softball Field #2 at Lindsey Park the "Larry Brown Field."
- C-A-4** Request that the City Council consider authorizing the City Manager to purchase a Tymco street sweeper from the selected vendor through HGAC as part of the Fleet Replacement program for FY2020.

- C-A-5** Request that the City Council consider and approve a resolution authorizing an engagement agreement for bond counsel legal services associated with utilities fund debt issuances with Norton Rose Fulbright US LLP and other matters in connection therewith.
- C-A-6** Request that the City Council consider ratifying the purchase of additional Pour and Play surface material, in an amount not to exceed \$24,960.00, by Child's Play, Inc. for the Southside Park playground project.
- C-A-7** Request that City Council consider ratifying an expenditure in the amount of \$132,692.90 for the Mandated Water Quality Assessment Fee to the Texas Commission on Environmental Quality.
- C-A-8** Request that the City Council consider approving the 2019 Certified Property Tax Roll.
- C-A-9** Request that the City Council consider authorizing the City Manager to execute the first renewal option for a five-year period from January 1, 2020 through December 31, 2024 for corporate hangar/operator lease at the current rates as set forth in the lease for Dixie Hangar, LLC at Tyler Pounds Regional Airport.
- C-A-10** Request that the City Council consider authorizing the City Manager to execute the first renewal option for a five-year period from January 1, 2020, through December 31, 2024, for the (non-profit) lease at the current rates as set forth in the lease for Dixie Volunteer Fire Department at Tyler Pounds Regional Airport.
- C-A-11** Request that the City Council consider authorizing the City Manager to ratify Change Order No. 1 with W.M. Miller Construction for the additional work on the Fleishel Avenue Drainage Improvements project, increasing the total contract amount by \$124,905.51.
- C-A-12** Request that the City Council consider adopting a Resolution authorizing staff to file an application with the Texas Parks and Wildlife Department (TPWD) for a Community Outdoor Outreach Program (CO-OP) Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.
- C-A-13** Request that the City Council consider adopting a Resolution authorizing staff to file an application with the Texas Parks and Wildlife Department (TPWD) for a Local Parks Non-Urban Outdoor Recreation Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.

CITY MANAGER'S REPORT

EXECUTIVE SESSION

Executive Item No. 1:

Under Texas Gov't Code Section 551.072 "Real Estate" deliberation regarding the following:

Discuss the purchase, exchange, sale, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City.

Executive Item No. 2:

Under Tex. Gov't Code section 551.074 "Personnel Matters" deliberation regarding the following:

The employment, duties and evaluation of the City Manager.

ADJOURNMENT