

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
January 9, 2019**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 9, 2019 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Martin Heines
Mayor Pro Tem:	Linda Sellers
Councilmembers:	Don Warren
	Broderick McGee
	Ed Moore
	John Nix
	Bob Westbrook
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Sr. Assistant City Attorney:	Sharon Roberts
Assistant City Attorney:	Regina Moss
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Director of Neighborhood Services:	Raynesha Hudnell
Operations Manager of Neighborhood Services:	Prentice Butler
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Director of Solid Waste & Transit Services:	Russ Jackson
Vehicle/Equipment Services Manager:	Leroy Sparrow
Managing Director of Planning & Economic Development:	Heather Nick
Water Business Office Manager:	Jim Yanker
Managing Director of Utilities and Public Works:	Scott Taylor
Director of Utilities:	Jimmie Johnson
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Mayor Pro Tem Sellers.

MINUTES

Motion by Councilmember Westbrook to approve the November 14, 2018 minutes; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented

AWARDS

- A-1 Request that the City Council consider accepting the “Certificate of Achievement Award for Excellence in Financial Reporting” from the Government Finance Officers Association of the United States and Canada for the City of Tyler’s Fiscal Year 2016-2017 Comprehensive Annual Financial Report.**

Motion by Councilmember Nix; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

ZONING

- Z-1 S18-002 GATEWAY TO HOPE (601 VALENTINE STREET) Request that the City Council consider approving a Special Use Permit renewal for the operation of a homeless day resource room. (O-2019-1)**

Motion by Councilmember Warren; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

- Z-2 Z18-038 GRACE COMMUNITY OF TEXAS (1400 AND 1402 GOLIAD STREET) Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “R-1D”, Single-Family Detached and Attached Residential District. (O-2019- 2) Councilmember Nix exit**

Councilman Nix left the Council chambers before presentation of Z-2, and abstained from the discussion and vote.

Motion by Councilmember McGee; seconded by Councilmember Moore; motion carried 6 – 0-1 & approved as presented. **Councilmember Nix enters.**

- Z-3 Z18-041 KINSEY HOLDINGS, LTD (3001 AND 3005 SPUR 124) Request that the City Council consider approving a zone change from “M-1”, Light Industrial District to “C-2”, General Commercial District. (O-2019-3)**

Motion by Councilmember Warren; seconded by Mayor Pro Tem Sellers; motion carried 7 - 0 & approved as presented.

ORDINANCE

- O-1 Request that the City Council consider reappointment of three members of the City of Tyler Tax Increment Reinvestment Zone No. 1 Board, and appoint a Chairperson of the Board. (O-2019-4)**

Motion by Councilmember Westbrook to reappoint Dean Cagle as Chair until year 2020 and reappoint Fred Carl and Billy Hibbs Jr until year 2021; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

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- O-2 Request that the City Council consider adopting an Ordinance amending the FY 2018-2019 Budget to provide funding to complete various construction projects, motor vehicle purchases and other purchases not completed by September 30, 2018, as anticipated. (O-2019-5)**

Motion by Councilmember McGee; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented.

- O-3 Request that the City Council consider adopting an Ordinance amending the Fiscal Year 2018-2019 Budget to provide funding to complete various Community Development Block Grant (CDBG), HOME and Housing Choice Voucher Program activities, Airport Project Grants for Runway 4/22 at Tyler Pounds Regional Airport, and purchases not completed by September 30, 2018 as anticipated. (O-2019-6)**

Motion by Councilmember Warren; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

- M-1 Request that the City Council consider rejecting the proposal for (RFP 18-012) Paratransit Services.**

Russ Jackson, Director of Parks and Recreation - Tyler Transit issued RFP 18-012 on May 7, 2018 for Paratransit Services. One proposal was received from NDMJ, LLC in response to this RFP on June 12, 2018. After evaluation of the proposal received, Transit staff recommends rejecting the proposal received for the following reasons.

1. Federal Transit Authority (FTA) was not favorable of the cost analysis results.
2. Texas Department of Transportation would not make a recommendation for a liquidation of assets and referred staff to FTA, which did not approve that process.
3. FTA did not allow for \$100,000 (in-kind contribution) for software.
4. Additional oversight would further impact savings.

Jamal Moharer, 1190 CR 3504, Bullard, TX. - Stated that his company has made contributions to other transit providers and it has been used as local match, so he doesn't understand why the FTA has disallowed their in-kind contributions under the City of Tyler's bid.

Mayor Heines- Stated that the City would be happy to contact, via the Legal Department, the FTA and ask about their disallowance of NDMJ's contributions on the bid. Mayor Heines stated that if FTA gives their same answer then Mr. Moharer could follow up with his State Representative.

Motion by Councilmember Moore; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

- M-2 Request that the City Council consider authorizing the City Manager to award bid 19-016 for Lindsey Park sewer installation to JDR Contracting, LP of Van, Texas in an**

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amount not to exceed \$340,029 and change the dollar amount in the agreement with Huckabee Properties, LLC together with Carr Properties, LLC (jointly referred to as "Property Owner") for partial funding from \$73,000 to \$133,000 as their part of the funding.

Motion by Councilmember Nix; seconded by Mayor Pro Tem Sellers; motion carried 7 - 0 & approved as presented.

- M-3 Request that the City Council consider authorizing the City Manager to award City of Tyler Bid No. 19-019 for Fun Forest Park and Woldert Park Renovations to the sole bidder Garrett and Associates General Contractors of Whitehouse, Texas, to furnish all necessary materials, equipment, superintendence, and labor for an amount not to exceed \$491,850 for Part A, (Fun Forest Park) and \$437,174 for Part B and Alternates, (Woldert Park).**

Terry Brannon, 1321 S. Broadway–Spoke in favor of item and provided additional information concerning the ADA issues.

Motion by Councilmember Moore; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.



- M-4 Request that the City Council consider authorizing the City Manager to sign all documents related to electrical work at Fun Forest Park and Woldert Park to Swan Electric Service Corporation of Tyler, Texas, to furnish all necessary materials, equipment, superintendence, and labor for an amount not to exceed \$29,911.**

Motion by Councilmember Nix; seconded by Mayor Pro Tem Sellers; motion carried 7 - 0 & approved as presented.



- M-5 Request that the City Council consider authorizing the City Manager to execute an engineering contract in the amount of \$147,625 with Halff Associates for the 2019 Water Main Improvements Project and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2019-1)**

Motion by Councilmember Nix; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.



- M-6 Request that the City Council consider authorizing the City Manager to execute an engineering services contract in the not to exceed amount of \$486,000 with Halff Associates in conjunction with CT Brannon Corporation for the Preliminary Engineering Water System Inventory and a approve resolution reserving the right to reimburse expenditures with the proceeds of future debt. (R-2019-2)**

Motion by Councilmember Westbrook; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented.



- M-7 Request that the City Council consider authorizing the City Manager to award a**

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construction contract in the amount of \$233,874.40 to Reynolds & Kay, Ltd. for the utility relocations at the Azalea and Camellia Street bridges on Sunnybrook Drive.

Motion by Councilmember Warren; seconded by Mayor Pro Tem Sellers; motion carried 7 - 0 & approved as presented.

- M-8 Request that the City Council consider authorizing the City Manager to execute a contract in the amount of \$43,000 with Elledge Engineering Corp for the CDBG Sidewalk project near Austin Elementary.**

Motion by Councilmember Moore; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

Note: Mayor Heines requested that the Engineering Dept. report the result of this item to the class at Austin Elementary who first requested that this item be considered by City Council.

- M-9 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the quarter ending September 30, 2018.**

Motion by Councilmember Nix; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

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 a renewal agreement for professional engineering services with Halff Associates, with a not-to-exceed fee of \$75,000, for engineering review services.**

- C-A-2 Request that the City Council consider authorizing the City Manager to execute a personal services contract with Charles H. Samson, III for design and project management of City of Tyler capital improvement projects in the amount of \$50,000.**

- C-A-3 Request that the City Council consider rejecting all bids submitted for the Oakwood Parking Lot Reconstruction project, Bid Number 19-015, and authorize the Vehicle Services Department to advertise the project again at a later date.**

- C-A-4 Request that the City Council consider authorizing the City Manager to purchase additional vehicles from lowest bidders per Bid 19-002 and ratify purchase of Container Carrier Truck.**

- C-A-5 Request that the City Council consider declaring a 2003 Ford E450 Bus as surplus property, and also consider approving the sale of this bus to The Chariot Bus**

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Lines for \$1,200.

- C-A-6** Request that City Council consider authorizing the expenditure of PEG funds to repair and replace the stage lighting at Liberty Hall Theater for an amount not to exceed 34,705.19.
- C-A-7** Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending September 30, 2018.
- C-A-8** Request that the City Council consider receiving a patronage dividend refund check in the amount of \$3,566.36 from FirstChoice Cooperative and a rebate check in the amount of \$19,849.00 from BuyBoard, the Local Government Purchasing Cooperative.

Motion by Mayor Pro Tem Sellers to approve the entire consent agenda; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Runway 4-22 Ribbon cutting coming up January 17th at 2:00 pm.
2. 2018 Sealcoat project is complete and traffic striping is underway.
3. Cambridge ROW design to begin in Sept. 2019.
4. Communications Dept. is working with Streets, Police and Fire to notify the public of ice events on roadways.
5. 6.3% increase this month on Sales Tax compared to the previous year.
6. Congratulations to the United Way Team who raised approximately \$27,045 (an increase of about \$11,000).
7. Half Cent Sales Tax summary report handed out.

Mayor Heines - Golden Road Treatment Plant will be up and functional in the month of January.

Councilmember Westbrook – Today is National Law Enforcement Day and he wanted to thank Chief Toler and his crew for keeping everyone safe.

ADJOURNMENT

Motion by Councilmember Warren to adjourn the meeting at 10:16 am; seconded by Councilmember Moore; motion carried 7 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

