

# CITY COUNCIL - TELECONFERENCE AND REGULAR MEETING AGENDA

**Wednesday, March 24, 2021  
9:00 am**

*Due to the current Coronavirus COVID-19 public health emergency, the City of Tyler is taking extra precautions to protect the public health, safety and welfare. A teleconference meeting of the Tyler City Council is being conducted. Those who wish to participate by teleconference may call (903) 363-0651.*

*In addition, the City Council is also providing physical access for members of the public. Consistent with Center for Disease Control (CDC) guidance and pursuant to Governor Abbott's Executive Order GA EO-34, people that are attending public meetings at City facilities and/or on City property must wear cloth face coverings or masks unless they are otherwise exempt because they are a child under ten (10) or because they have a medical condition and have been advised by their doctor that wearing a mask itself is dangerous.*

*The public is encouraged to participate by teleconference and by calling; or if you wish to submit a comment, please review the Agenda and submit an online digital comment card prior to 7:00 a.m. March 24, 2021 by visiting:*

*<https://www.cityoftyler.org/government/government/agendas>.*

*For all comment cards so received, staff will call the phone number you submit directly during the meeting when your item comes up for comment.*

*If you are unable to submit a digital comment card prior to 7:00 a.m., March 24, 2021, you may call the meeting at (903) 363-0651 and be placed on hold until your item comes up for public comment.*

*Follow us live at: [facebook.com/CityofTylerTexas/](https://www.facebook.com/CityofTylerTexas/)  
Follow live on Microsoft Teams at [shorturl.at/UW026](https://www.shorturl.at/UW026)  
(There is no need to download Microsoft Teams,  
simply choose "watch on the web" option.)*



**CITY COUNCIL**  
Donald P. Warren, Mayor  
Linda Sellers, District 1  
Broderick McGee, District 2  
Dr. Shirley McKellar, District 3  
James Wynne, District 4  
Bob Westbrook, District 5  
Brad Curtis, District 6  
Edward Broussard, City Manager

**CITY COUNCIL - TELECONFERENCE AND REGULAR MEETING AGENDA**  
**CITY COUNCIL CHAMBERS - CITY HALL**  
**PUBLIC MAY PARTICIPATE BY CALLING:**

**(903) 363-0651**

Follow us live at: [facebook.com/CityofTylerTexas/](https://www.facebook.com/CityofTylerTexas/)

Follow live on Microsoft Teams at: [shorturl.at/UW026](https://www.shorturl.at/UW026)

(There is no need to download Microsoft Teams, simply choose “watch on the web” option.)

*The public is encouraged to participate by calling; or if you wish to submit a comment, please review the Agenda and submit a digital comment card online by 7:00 a.m. of March 24, 2021 at:*

<https://www.cityoftyler.org/government/government/agendas>.

Wednesday, March 24, 2021

9:00 a.m.

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

Please call (903) 531-1100 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) 531-1100.*

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**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 participate in this City Council meeting, please contact the City Manager’s Office at 903.531.1100, in advance so accommodations can be made.

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**COURTESY RULES**

Thank you for your participation. 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 are attending the City Council meeting in person and 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. If you are participating in the City Council virtually, please submit a digital comment card prior to 7:00 a.m. of the meeting date at <https://www.cityoftyler.org/government/government/agendas>. Or you may call into the meeting at (903) 363-0651. 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 from those who are participating in the meeting by teleconference should only be made after the Clerk has introduced your call to Council. Comments to the City Council from those who are physically attending the meeting 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.

## **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 January 13, 2021.

## **PRESENTATION**

- P-1** Request that the City Council consider hearing a presentation and approving the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2020 as presented by Prothro, Wilhelmi, & Co.
- P-2** Request that the City Council consider receiving a presentation on an opportunity to issue approximately \$28,170,000 in revenue bonds to facilitate regulatory compliance in the sewer system and provide general guidance to staff regarding authorization to proceed with this opportunity to issue revenue bonds.

## **ZONING**

- Z-1** Z21-004 RENTERIA RANFERI AND MARTHA ARELLANO (325 HERNDON AVENUE AND 1100, 1102 PARK STREET)  
Request that the City Council consider approving a zone change from “R-MF”, Multi-Family Residential District to “R-1D”, Single-Family Detached and Attached District.
- Z-2** Z21-001 DEIBEL COMPANIES INC (5661 CHANDLER HIGHWAY)  
Request that City Council consider approving a zone change from “C-2”, General Commercial District to “R-1A”, Single-Family Residential District.
- Z-3** Z21-003 INDEPENDENCE PARK LLC (A 10.3 ACRE TRACT OF LAND)  
Request that the City Council consider approving a zone change for a tract of land located east of the northeast intersection of U.S. Highway 69 North and James Fair Parkway from “C-2”, General Commercial District to “R-MF”, Multi-Family Residential District.
- Z-4** PD21-002 WEST OAK TOWNHOMES LLC (700 WEST ERWIN STREET)  
Request that the City Council consider approving a zone change from "DBAC", Downtown Business, Arts and Culture District to "PMXD-2", Planned Mixed Use District-2 with a final site narrative.
- Z-5** ZA21-001 UNIFIED DEVELOPMENT CODE (BIANNUAL REVIEW)  
Request that the City Council consider adoption of an ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by amending regulations related to signage, adding provisions related to projected image signs, distinguishing between the definitions of billboards and projected image signs, fencing and retaining walls, driveways

near railroad quiet zones, buffer yards, amending the definition of vehicle and other minor clarifications.

## **HEARING**

- H-1** Request that the City Council consider holding a public hearing to obtain citizen comments on the proposed substantial amendment to the Program Year 2020-2024 Consolidated Plan, Program Year 2020 Annual Action Plan, and Program Year 2019 Annual Action Plan, and, after the hearing, consider approving the substantial amendment.

## **RESOLUTION**

- R-1** Request that the City Council consider adoption of a Resolution ratifying submission of an application and authorizing to accept the grant upon receipt for the Federal Aviation Administration CRSSA Act Grant (3-48-0215-46-2021) Funds totaling \$1,020,318.00 to fund the Tyler Pounds Regional Airport's costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the Airport, and debt payment. This Resolution authorizes the City Manager to execute the grant upon receipt.
- R-2** Request that the City Council consider adoption of a Resolution ratifying submission of an application and consent to accept the grant upon receipt for the Federal Aviation Administration Concession CRSSA Act Grant Funds totaling \$12,809.00. to assist the Tyler Pounds Regional Airport in providing relief to Airport concessionaires.

## **ORDINANCE**

- O-1** Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 6 regarding the requirements for the design and construction of retaining walls.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider authorizing the City Manager to execute a contract with Aqueous Engineering for the Holly Park Drainage Improvements project in the amount of \$26,950.
- M-2** Request that the City Council consider authorizing the City Manager to execute a contract with Adams Engineering for the design, construction management, and construction inspection of the repair of four separate drainage structures located throughout the City in the amount of \$214,010.
- M-3** Request that the City Council consider authorizing the City Manager to execute a contract with Adams Engineering for the Stagecoach Drainage Improvements project in the amount of \$313,300.
- M-4** Request that the City Council consider authorizing the City Manager to execute a contract with Reynolds and Kay Ltd. for the 2021 Seal Coat Program in the amount of \$845,558.56.
- M-5** Request that the City Council consider authorizing the City Manager to award Bid No. 21-006 for Hidden Palace Subdivision Development to McAlpine Homes to build eleven homes

and furnish all necessary materials, equipment, superintendence, and labor for a total not to exceed \$ 1,114,951.75 from the Community Development Block Grant - HOME Funds.

- M-6** Request that the City Council consider authorizing the City Manager to execute a construction contract with Highway 19 Construction, LLC for the construction of the Shiloh Road Channel Reconstruction project in the amount of \$286,600.00.
- M-7** Request that the City Council consider authorizing the City Manager to execute a contract with Lopez Construction in the amount of \$1,924,270.00 for the Consent Decree Group 3 - Manhole Rehabilitation Package Standard Bid, 21-011.
- M-8** Request that the City Council consider ratifying expenditures in the amount of \$98,905.06 for work performed on the emergency water main repairs by AE Shull and Company.
- M-9** Request that the City Council consider a revised Resolution supporting the Transportation Alternative and Safe Routes to School (TA/SRTS) grant application for the City of Tyler Legacy Trail Phase II project and committing the local matching funds.
- M-10** Request that the City Council consider amending Resolution number R-2021-10 approved on February 10, 2021 calling an election for May 1, 2021 to fill the offices of the Tyler City Council Members for Single Member District Numbers 1, 3, and 5 on the Tyler City Council and calling for a joint election with Smith County and Tyler Independent School District.
- M-11** Request that the City Council consider adopting a Resolution suspending the effective date of the CenterPoint Gas Beaumont/East Texas Division Interim Gas Reliability Infrastructure Program (GRIP) rate adjustments.

## **BOARD APPOINTMENTS**

- B-1** Request that the City Council consider making appointments to fill vacancies on the Historical Preservation Board.

## **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 purchase two Chevrolet Traverse SUV's to be used for Transit support vehicles from Gunn Chevrolet of Selma, Texas.
- C-A-2** Request that the City Council consider approving the qualified bid for Request for Proposal (RFP 21-008) for Transportation Scheduling Software to Via Mobility, LLC. for an initial five-year period with one additional one-year renewal option.
- C-A-3** Request that the City Council consider approving the qualified bid under Request for Proposal (RFP 21-009) for Paratransit Overflow Services to NDMJ, LLC. for an initial one-year period with four additional one-year renewal options.

- C-A-4** Request that the City Council consider ratifying staff action for the emergency replacement of the air conditioning chiller located at the City of Tyler Municipal Rose Garden.
- C-A-5** Request that the City Council consider adopting a Resolution to authorize continued participation by the City of Tyler with the Steering Committee of Cities Served by Oncor, and authorize the annual assessment payment of \$0.06 cents per capita to the Steering Committee.
- C-A-6** Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change Order in the amount of \$17,365.04 and approving the release of final retainage to W. M. Miller Construction Company, Inc. for the 2019 Waterline Replacement Project.
- C-A-7** Request that the City Council consider authorizing the City Manager to ratify expenditures in the amount of \$339,676.00 for all work performed on the emergency isolation of the 24-inch altitude valve at the Downtown Elevated Storage Tank.
- C-A-8** Request that the City Council consider authorizing the City Manager to award Tyler Bid 21-020 for Grounds Maintenance Agreement to Cutting Edge Irrigation & Lawn, LLC and consider authorizing the City Manager to execute the contract for Grounds Maintenance Services for the terminal site at Tyler Pounds Regional Airport totaling \$36,694.00 annually, for a term of two (2) years.
- C-A-9** Request that the City Council consider authorizing the City Manager to execute the Air Monitoring Site Agreement 582-21-22200 with the Texas Commission on Environmental Quality (TCEQ).
- C-A-10** Request that the City Council consider adoption of a Resolution to authorize continued participation by the City of Tyler with the Steering Committee of Cities served by Atmos, and authorize the annual assessment payment of \$0.05 cents per capita to the Steering Committee.

## **CITY MANAGER'S REPORT**

## **ADJOURNMENT**