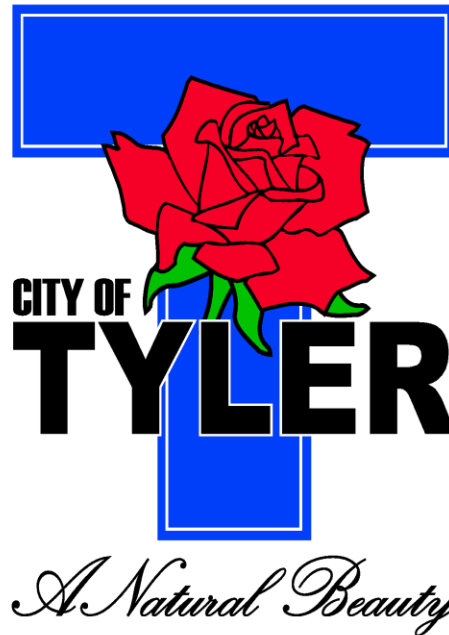


CITY COUNCIL AGENDA

**Wednesday, May 26, 2021
9:00 am**



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 CHAMBERS - CITY HALL

212 North Bonner Ave.

Tyler, Texas 75702

Wednesday, May 26, 2021

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 March 24, 2021 and April 14, 2021.

AWARDS

Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. They represent 50 years of service with the City of Tyler.

Jon Pitts, Police Officer XIII, 25 years of service

Jonathan Thornhill, Police Lieutenant II, 25 years of service

ZONING

- Z-1** A21-001 NATIONAL RETAIL PROPERTIES LP AND FIKES WHOLESALE INC (8604 HIGHWAY 64 EAST AND 5.03 ACRES OF LAND)
Request that the City Council consider adoption of an Ordinance providing for the voluntary annexation of approximately 5.16 acres of land and adjacent right-of-way lying adjacent to the present boundary limits of the City of Tyler located at the southeast intersection of Highway 64 East and County Road 219. Also consider:
- A. The new boundary of the City Limits.
 - B. The new boundary of the City Council District #4.
 - C. The new boundary of the Tyler Extraterritorial Jurisdiction (ETJ).
 - 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 General Commercial.
 - F. Establishment of original zoning of 5.16 acres of "C-2", General Commercial District.
- Z-2** PD21-007 WERNER-TAYLOR LAND AND DEVELOPMENT, LP (2498 THREE LAKES PARKWAY)
Request that the City Council consider approving a zone change from "RPO", Restricted Professional Office District to "PUR", Planned Unit Residential District with final site plan.
- Z-3** PD21-005 MOSES LEANDRO (3006 OLD NOONDAY ROAD)
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with final site plan.

- Z-4** Z21-007 BRIAN AND PAMELA CHILDRES (1004 SOUTH PORTER AVENUE)
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “R-2”, Two-Family Residential District.
- Z-5** Z21-010 MARK WILSON (1513 WEST QUEEN STREET)
Request that the City Council consider approving a zone change from “C-2”, General Commercial District to “R-1B”, Single-Family Residential District.
- Z-6** Z21-013 DAVID W. MCGRAW & DEBRA L. NEELY (1418 EAST SOUTHEAST LOOP 323)
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “AR”, Adaptive Reuse District.
- Z-7** Z21-018 LUIS LEANDRO (1603, 1605 AND 1607 NORTH ROSS AVENUE)
Request that the City Council consider approving a zone change from “R-2”, Two-Family Residential District to “R-1D”, Single-Family Attached and Detached District.
- Z-8** Z21-011 DALE CHAPEL BAPTIST CHURCH (620 WEST GLENWOOD BOULEVARD)
Request that the City Council consider approving a zone change from "R-1B", Single-Family Residential District and "R-2", Two-Family Residential District to "PMF", Planned Multi-Family District with a final site narrative.
- Z-9** C21-004 MEADOW PLAZA LLC (UNIMPROVED ALLEY RIGHT-OF-WAY)
Request that the City Council consider approving the closure of an unimproved alley right-of-way between Claude Street and Gray Street subject to it being re-platted within six months.
- Z-10** Z21-015 MEADOW PLAZA LLC (217, 221 NORTH GLENWOOD BOULEVARD AND 212, 221 NORTH HILL AVENUE)
Request that the City Council consider approving a zone change from “M-1”, Light Industrial District to “PMXD-1”, Planned Mixed Use District with final site plan.

PRESENTATION

- P-1** Request that the City Council consider receiving a presentation from KSA Engineering to provide an update on the Airport Master Plan.

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to execute a contract with A&B Construction, LLC in the amount of \$348,218.00 for the Sanitary Sewer Rehabilitation Package Standard Bid, 21-039.

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 adopting a Resolution finding that ONCOR Electric Company's requested increase to its distribution cost recovery factor and its distribution rates and charges within the City should be denied and finding that the City's reasonable rate case expenses shall be reimbursed by the Company.

- C-A-2** Request that the City Council consider adopting a Resolution to authorize the application for and acceptance of Federal Transit Administration 5307 Grant Funds in the amount of \$1,846,444 to assist with the Transit Department's operating costs and \$223,000 in Transportation Development Credits. This Resolution also accepts any grant amendments and additional TDC funds to increase the grant funding levels and reduce the local match requirements.

- C-A-3** Request that the City Council consider authorizing the City Manager to renew wrecker contracts with local tow truck companies with no rate increases.

- C-A-4** Request that the City Council consider authorizing the City Manager to execute the final lease renewal option for a three-year period from June 1, 2021 through May 31, 2024 for Agricultural Lease with Johnny Oden at Tyler Pounds Regional Airport.

- C-A-5** Request that the City Council consider authorizing the City Manager to execute the final lease renewal option for a five-year period from June 1, 2021 through May 31, 2026 for Non-Profit Lease with Civil Air Patrol at Tyler Pounds Regional Airport.

- C-A-6** Request that the City Council consider authorizing the City Manager to execute the lease amendment for Dixie Volunteer Fire Department assigning the lease at Tyler Pounds Regional Airport to Smith County Emergency Services District ESD #2 and adding two additional 5-year renewal options.

- C-A-7** Request that the City Council consider authorizing the City Manager to execute an Agreement for Professional Engineering Services with Half Associates, Inc., with a not-to-exceed fee of \$75,000, for development plan review services.

- C-A-8** Request that the City Council consider ratifying staff action for the emergency replacement and reprogramming of heating, ventilation and air conditioning HVAC controller software for City Facilities.

- C-A-9** Request that the City Council consider authorizing the City Manager to execute an Easement and Right-of-Way agreement with Oncor to install electrical lines on City-owned property at Lake Tyler.
- C-A-10** Request that the City Council consider reviewing and accepting the City of Tyler's workers' compensation, property and casualty claim and lawsuit report for 2018-2019, 2019-2020 and 2020-2021 through March 31, 2021 and ratify all claim payments and settlements within the City's retention during that time frame in the amount of \$1,439,312. This includes 11 claim payments of \$25,000 or more and 4 litigated claims.

CITY MANAGER'S REPORT

EXECUTIVE SESSION

The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code. Notice is hereby given that the City Council may go into Executive Session in accordance with the following provision of the Government Code:

Executive Item

Under Tex. Gov't Code section 551.074 "Personnel Matters" deliberation regarding the following: The employment, duties and evaluation of the City Manager.

Any final action to be taken by the City Council will be taken in open session.

ADJOURNMENT