

CITY COUNCIL AGENDA

Wednesday, January 26, 2022
9:00 am



CITY COUNCIL

Donald P. Warren, Mayor
Stuart Hene, 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 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/>

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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 November 10, 2021.

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 (GFOA) of the United States and Canada for the City of Tyler’s Fiscal Year 2019-2020 Comprehensive Annual Financial Report.

A-2 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 40 years of service with the City of Tyler.

Ascencion Baldovinos, Crew Leader, 20 years of service
Deborah Isham, Goodman & Special Event Supervisor, 20 years of service

ZONING

Z-1 ZA21-002 UNIFIED DEVELOPMENT CODE (20 YEAR CITY LIMITS)
Request that the City Council consider approving an Ordinance making an uncontestable finding that all territory included within the City of Tyler since December 31, 2001 is part of the City.

Z-2 Z21-055 TYLER ECONOMIC DEVELOPMENT COUNCIL (2408 ROBERTSON ROAD)
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “M-1”, Light Industrial District.

Z-3 PD21-026 LEE JOANN & CAROL ANN ROWLAND (3809 HIGHWAY 64 WEST)
Request that the City Council consider approving a zone change from “C-1”, Light Commercial District to “PCD”, Planned Commercial District with final site plan.

Z-4 C21-014 ANA MARIA GONZALES (AN UNIMPROVED PORTION OF COATS DRIVE)
Request that the City Council consider approving the closure of an unimproved portion of Coats Drive.

Z-5 Z21-056 OAK INDUSTRIAL PARK LLC (6510 TIMBER WAY)
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 A21-008 WERNER-TAYLOR LAND & DEVELOPMENT LP
Request that the City Council consider adoption of an ordinance providing for the voluntary annexation of approximately 14.37 acres of land lying adjacent to the present boundary limits of the City of Tyler located south of the intersection of Forest Ridge Cove and Crosslake Boulevard. Also consider recommending:
A. The new boundary of the City Limits.
B. The new boundary of the City Council District #2.
C. The new boundary of the Tyler Extraterritorial Jurisdiction.
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 Single-Family Medium/Low Density.
F. Establishment of Original zoning of 14.37 acres of "R-1B", Single-Family Residential District.

ORDINANCE

O-1 Request that the City Council consider adoption of an ordinance amending Tyler City Code Chapter 12 to amend long-term parking fees for City-provided parking areas surrounding the Westside Terminal Site at Tyler Pounds Regional Airport.

O-2 Request that the City Council consider approving the sale of Tyler Water and Sewer System Revenue Bonds, New Series 2022.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to execute a contract with Paragon Construction for the renovation of the Police Department Ferguson Street Station Men's Restroom and Showers in the amount not to exceed \$128,316.63.

M-2 Request that the City Council consider authorizing the City Manager to engage Garrett & Associates to repair damaged curb and gutter and a driveway approach on N. Grand Street in association with the Neighborhood Services Renovations Phase 2 project in an amount not to exceed \$48,045.00.

M-3 Request that the City Council consider authorizing the City Manager to enter into an agreement with Halff Associates Inc. to prepare Noble E. Young Park design plans, in the amount of \$77,000.

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 approving final payment and releasing retainage in the amount of \$2,686.94 to C.E. Marler & Associates, Inc. for the 2021 Community Development Block Grant (CDBG) Sidewalk Improvements project.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase one (1) current year model International MV607 truck with a Warren dumping bed and a skid steer attachment from Price International for \$138,812.13 for the Street Department.
- C-A-3** Request that the City Council consider authorizing the City Manager to purchase one (1) current year model Ford F250 4X2 truck with a utility bed from Tyler Ford for a purchase price of \$48,032.10 for the Traffic Department.
- C-A-4** Request that the City Council consider authorizing the City Manager to sign a “Letter of Engagement for Professional Internal Audit Services” with Henry & Peters to perform the Fiscal Year 2021-2022 Internal Audits for a total combined maximum fee including all out of pocket expenses not to exceed \$59,375.
- C-A-5** Request that the City Council consider approving final payment and releasing retainage in the amount of \$61,802.22 to L. S. Equipment Co. Inc., for the 2020 Asphalt Enhancement Project.
- C-A-6** Request that the City Council consider authorizing the City Manager and Chief of Police to enter into a Memorandum of Understanding between Tyler Police Department and U.S. Department of Veterans Affairs, Dallas VA Healthcare System in order to establish a general working relationship between the Dallas VAHCS Police Services and the Tyler Police Department.
- C-A-7** Request that the City Council consider accepting a donation made to the Fire Department in the amount of \$50,000.00 from an anonymous donor.
- C-A-8** Request that the City Council consider authorizing the City Manager to execute the Consent of Assignment of the Fixed Base Operator Lease of Airport Lease Tract 9 from Smith Aviation, LLC, to 619 Leasing, LLC, approve Consent to Mortgage pursuant to Article I, Section H of the Lease, and a new 20 year Lease for 619 Leasing, LLC for Tract 9.

- C-A-9** Request that the City Council consider authorizing the City Manager to execute a new Fixed Base Operator Lease to Term Properties for 7.03 acres of Tract 2 at Tyler Pounds Regional Airport.
- C-A-10** Request that the City Council consider authorizing the City Manager to execute a new Corporate Hangar Lease to Triad Aviation, LLC for .919 acres of Tract 2 at Tyler Pounds Regional Airport.
- C-A-11** Request that the City Council consider authorizing the City Manager to execute an Agreement for Professional Engineering Services with Halff Associates, Inc., with a not-to-exceed fee of \$75,000, for development plan review services.

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 provisions of the Government Code:

Executive Session Item No. 1:

Under Tex. Gov't Code section 551.071 "Litigation", deliberation regarding the following: Pending or contemplated litigation involving the East Texas Municipal Utility District and City of Tyler.

Pending or contemplated litigation involving City of Tyler and Netflix, Inc., Hulu LLC, Disney DTC LLC, and other video service providers.

Executive Session Item No. 2:

Under Texas Gov't Code Section 551.087 "Economic Development", deliberation regarding the following:

Possible offer of financial or other incentive to a prospect, and to consider financial and other information about that prospect/project with which the City is conducting economic development negotiations that could lead to a partnership in Tyler.

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics, 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 subjects listed above.

ADJOURNMENT