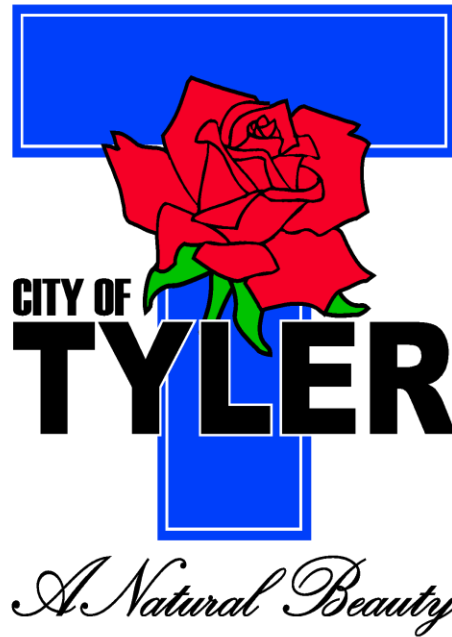


# CITY COUNCIL AGENDA

**Wednesday, February 22, 2023  
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**



## **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/>**

**Wednesday, February 22, 2023**

**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 January 25, 2023.

## **ZONING**

- Z-1** C22-004 PEREZ SYLVIA & JOSE LOPEZ (AN UNIMPROVED STREET RIGHT-OF-WAY)  
Request that the City Council consider adoption of an Ordinance approving the closure of an unimproved portions of Roberts Avenue.
- Z-2** Z22-076 TEXAS BANK (8720 OLD JACKSONVILLE HIGHWAY)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "AG", Agricultural District to "C-1", Light Commercial District.
- Z-3** Z22-075 NORTHCHASE DEVELOPMENT LLC (ON A 60.79 ACRE PORTION OF 3351 AND 3895 NORTH BROADWAY AVENUE)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "AG", Agricultural District to "C-1", Light Commercial District, "PMXD-1", Planned Mixed Use District with Narrative, and "R-1B", Single-Family Residential District.
- Z-4** ZA23-001 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, 2002, is part of the City.
- Z-5** Z23-001 NIX PROPERTIES LLC (4201 OLD OMEN ROAD)  
Request that the City Council consider adoption of an Ordinance approving a zone change from "R-1A", Single-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District, "R-MF", Multi-Family Residential District, and "C-2", General Commercial District.
- Z-6** F22-160 WARRICK ESTATES, FINAL PLAT  
Request that the City Council consider approving a four (4) lot subdivision containing approximately 4.64 acres of land located east of the intersection of County Road 2294 and Patricks Path and a variance to the extension of Patricks Path into the property.

## **RESOLUTION**

- R-1** Request that the City Council consider adoption of a Resolution in support of various affordable housing tax credit project proposals and the approval of the waiver of development/permit fees in the amount of \$500 for each awarded project.

## **ORDINANCE**

- O-1** Request that the City Council consider adoption of an Ordinance amending the Fiscal Year 2022-2023 Budget to provide funding to complete various Community Development Block Grant (CDBG), HOME and Housing Choice Voucher Program activities, Airport projects at Tyler Pounds Regional Airport, six (6) added positions for Water Utilities Fund that include four (4) Utility Account Servicers and two (2) Meter Repairmen, two (2) positions for Code Enforcement that include an Administrative Secretary and a Code Services Officer, and an amended budget for downtown improvements.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider authorizing the City Manager to execute a contract with Reynolds and Kay, LTD., for the construction of the 2023 Asphalt Enhancement Project in the amount of \$4,993,060.99.

## **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 twenty-nine (29) protective ballistic shields for police patrol vehicles for the City of Tyler Police Department from GT Distributors for a total cost of \$95,236.
- C-A-2** Request that the City Council consider authorizing the City Manager to approve payment to Reynolds & Kay, LTD in the amount of \$55,953.10 for the permanent asphalt patch at Old Bullard and Rice Rd following the emergency repair on the sanitary sewer line.
- C-A-3** Request that the City Council consider authorizing the City Manager to purchase one (1) new International chassis through Buyboard contract HT-06-20 from Santex Truck Centers for \$392,691.00.
- C-A-4** Request that the City Council consider authorizing the City Manager to purchase a mower for the Street Department from Lowe Tractor for \$13,581.57.
- C-A-5** Request that the City Council consider authorizing the City Manager to ratify Change Order No. 1 with Reynolds and Kay, LTD for additional work on Balsam Gap and Flat Rock as part of the 2022 Asphalt Enhancement Program, increasing the total amount by \$124,442.50.
- C-A-6** Request that the City Council consider authorizing the City Manager to pay Hartbeat Construction for the Emergency Repair at 3910 South Broadway Avenue West Mud Creek Trib C, in the amount of \$141,512.00.

## **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**