

**MINUTES OF THE
SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
April 6, 2011**

A special called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 6, 2011 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor:	Barbara Bass
Mayor Pro Tem:	Ralph Caraway
Councilmembers:	Martin Heines
	Donald Sanders
	Mark Whatley
	Sam Mezayek
	Jason Wright (absent)
City Manager:	Mark McDaniel
City Attorney:	Gary C. Landers
Deputy City Attorney:	Steve Kean
Assistant City Attorney:	Deborah Pullam
Main Street Director:	Beverly Abell
Human Resources Director:	ReNissa Wade
Development Services Engineer:	Michael Wilson
City Engineer:	Carter Delleney
City Fire Chief:	Tim Johnson
Communications Director:	Susan Guthrie
Director of Planning and Zoning:	Barbara Holly
Director of Solid Waste:	Dan Brotton
Director of Utilities & Public Works:	Greg Morgan
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Mayor Pro Tem Caraway.

ZONING

Z-1 APPLICATION A04-11-003 GRANDE BOULEVARD

Request that the City Council conduct a public hearing and consider public input on the proposed annexation of 30 properties along and including East Grande Boulevard, Sydney Road, and Star Road. The proposed annexation area consists of territory lying adjacent to and contiguous to the present boundary limits of the City of Tyler, approximately 98.664 acres of land located along the Grande Boulevard extension on the west side of State Highway 110, known as Abstract A0616 V Loupy Tracts 32A, 32, 33, 34; Abstract A0690 L McGuire Tracts 8E, 8, 29; 3485 and 3513 East Grande Boulevard; 13650, 13660, 13661, 13670, 13671, 13680, 13681, 13690, 13691 Sydney Road; 9800, 9810, 9820, 9821, 9830, 9831, 9840, 9841, 9850, 9851, 9861 Star Road; and 13970 State Highway 110 South.

PRESENTATIONS

P-1 Request that the City Council receive a presentation on the Initial Assessment regarding needed redistricting of single member council districts based on 2010 Census data.

David Mendez, Bickerstaff and Heath law firm – Gave a powerpoint presentation stating that The U.S. Constitution requires that election districts for governmental officials who act in a representative capacity (e.g., legislators, city council members, county commissioners, and school trustees) have approximately equal populations. If new federal census indicates population changes, governmental entities – states and local governments – must determine whether existing districts still satisfy this requirement. If not, they must rebalance the population by re-drawing district boundaries. For a legislative plan deviation of less than 10% is de minimus and fails to make out a prima facie claim of unconstitutionality. Deviation exceeding 10% is prima facie invalid and must be justified. Deviation is measured between the single member district with the greatest population and the district with the least population. After redistricting each of the districts will have roughly equal population and the district with the greatest population will not be more than 10% larger than the district with the least population.

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:49 am

As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may consider the following:

-under section 551.071 "Consultations with attorney" regarding the following:

1. Receive advice from counsel regarding the City's redistricting obligations

A governmental body may consult on legal matters that are not related to litigation or the settlement of litigation in an executive session with its attorney "on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts" with the Act.

City Council reconvened from executive session at 10:14.

RESOLUTION


R-1 Request that the City Council consider adopting Resolutions outlining the criteria and guidelines to be utilized in the 2011 redistricting process. (R-2011-13 - Criteria) (R-2011-14 - Guidelines)

Motion by Councilmember Whatley; seconded by Mayor Pro Tem Caraway; motion carried 6 - 0 & approved as presented.

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ADJOURNMENT

Motion by Councilmember Sanders to adjourn the meeting at 10:15 am; seconded by Councilmember Whatley; motion carried 6 - 0 and meeting adjourned.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

