

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 11, 2023**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 11, 2023 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Don Warren
Mayor Pro Tem:	Brad Curtis
Councilmembers:	Stuart Hene
	Shirley McKellar
	Broderick McGee
	James Wynne
	Lloyd Nichols

City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
Asst. City Manager:	Heather Nick
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	Alesha Buckner
Planning Director:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
City Engineer:	Darin Jennings
Transit Manager:	Russ Jackson
Parks Director:	Leanne Robinette
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Curtis.

MINUTES

Motion by Mayor Pro Tem Curtis to approve the September 13, 2023 minutes; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.

AWARDS

- A-1 Request that the City Council consider accepting the 2023 Texas Municipal Excellence Award in communication programs for cities over 25,000 in population. The award recognizes the City of Tyler for our city-wide editorial process.**

PRESENTATION

- P-1 Request that the City Council consider receiving a presentation on an opportunity to issue approximately \$65,000,000 in revenue bonds to facilitate regulatory compliance and non-regulatory water and sewer projects, consider any appropriate action related thereto, and provide general guidance to staff regarding authorization to proceed with this opportunity to issue revenue bonds.**

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Paul Jason, Specialized Public Finance – Gave a presentation on an opportunity to issue approximately \$65,000,000 in revenue bonds to facilitate regulatory compliance and non-regulatory water and sewer projects, consider any appropriate action related thereto, and provide general guidance to staff regarding authorization to proceed with this opportunity to issue revenue bonds.

P-2 Request that the City Council consider receiving a presentation from the Transit Manager, on the current Transit operations and give possible recommendations for other financial saving solutions for consideration for the FY2023-2024 Budget.

Russ Jackson, Transit Manager - Gave a presentation on the fare increase for the Paratransit and fixed route operations.

ZONING

Z-1 PD23-021 NS MF PARTNERS – TYLER LLC (5904, 5906, 5912, 5916, 5922, 5923, 5924, 6003-6006, 6009-6012, 6015-6018, 6021-6024, 6027-6030, 6033-6036, 6106, 6107, 6111, 6113, 6117, 6123, 6125, 6129, 6131, 6193, 6200, 6201-6207, 6209, 6210, 6212, 6213, 6215-6219, 6221-6225, 6227-6231, 6302, 6305, 6307, 6308, 6311, 6317-6320, 6323, 6324, 6326, 6329, 6331, 6335, 6337, 6341, 6343 VILLA ROSA WAY)

Request that the City Council consider the adoption of an Ordinance approving a “PMF”, Planned Multi-Family District final site plan amendment. (O-2023-94)

Motion by Councilmember Nichols; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.

City Council recessed the City Council Meeting at 9:55 am

RECESS CITY COUNCIL MEETING

CONVENE

CITY OF TYLER
JOINT MEETING OF THE BOARDS OF DIRECTORS
OF THE
REINVESTMENT ZONE NUMBER THREE (#3),
REINVESTMENT ZONE NUMBER FOUR (#4),
and
TYLER REDEVELOPMENT AUTHORITY

TYLER CITY HALL
COUNCIL CHAMBERS, 212 N. BONNER
TYLER, TEXAS
Wednesday, October 11, 2023
9:00 A.M.

City Council convened into the joint meeting of the Board of Directors at 9:57 am with the Mayor Calling the meeting to order.

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1. **Call to Order – Don Warren, Chair of TIRZ and TRA Boards**

The following members present: Mayor Don Warren, Mayor Pro Tem Curtis, Councilmembers Hene, McGee, McKellar, Wynne, Nichols, County Judge, Neal Franklin, County Commissioner Ralph Caraway, Sr., Casey Murphy, County Communication Director, Tyler Junior College David Hudson, Board of Trustees, Sarah Van Cleef, Tyler Junior College CFO.

2. **Request that TIRZ #3, #4 and TRA Boards receive a joint presentation on amendments to the Project and Finance Plans and terms of the Zones.**

Heather Nick, Asst City Manager- Stated the amendments to the TIRZ Boards are to increase the duration of the TIRZ from 2046 to 2060, adjust the estimated total project costs to be \$120,214,424 through 2060, amend public improvements to include Downtown Square maintenance and public safety services.

3. **TIRZ #3 Board Actions – Staff Liaison Heather Nick, Assistant City Manager.**

a. **Request that the Board of TIRZ Reinvestment Zone Number Three consider approval of TIRZ #3 Minutes for Feb. 24, 2016**

Motion by Mayor Warren to make the amendment and approve the February 8, 2017, minutes; seconded by Councilmember Hene; motion carried 12 - 0 & approved as presented.

b. **Request that the Board of TIRZ Reinvestment Zone Number Three review and consider approval of the amended Project and Finance Plan and term of Reinvestment Zone Number Three**

Heather Nick, Asst City Manager- Stated the amendments to the TIRZ Boards are to increase the duration of the TIRZ from 2038 to 2060, adjust the estimated total project costs to be \$34,008,696 through 2060, amend public improvements to include street projects.

Motion by Councilmember McGee; seconded by Councilmember Hene; motion carried 12 - 0 & approved as presented.

4. **TIRZ #4 Board Actions - Staff Liaison Heather Nick, Assistant City Manager.**

a. **Request that the Board of TIRZ Reinvestment Zone Number Four TIRZ #4 Board consider approval of TIRZ #2 Minutes for Feb. 24, 2016**

Motion by Councilmember Hene to make the amendment and approve the February 8, 2017 minutes; seconded by Councilmember Wynne; motion carried 12 - 0 & approved as amended.

b. **Request that the Board of TIRZ Reinvestment Zone Number Four review and consider approval of the amended Project and Finance Plan and term of Reinvestment Zone Number Four. – Staff Liaison Heather Nick, Assistant City Manager.**

Motion by Councilmember Hene; seconded by Councilmember McGee; motion carried 12 - 0 & approved as presented.

5. **TRA Board Actions Staff Liaison Heather Nick, Assistant City Manager.**

Request that the TRA Board consider approval of TRA Minutes for Feb. 24, 2016

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Motion by Councilmember Wynne to amend and approve the February 8, 2017, minutes; seconded by Mayor Pro Tem Curtis; motion carried 12 – 0; & approved as presented.

6. Adjourn TIRZ #3, #4 and TRA Boards

Motion by Councilmember Wynne to adjourn the meeting at 10:04 am; seconded by Councilmember Hene; motion carried 12- 0 & meeting adjourned.

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RECONVENE OCTOBER 11, 2023 CITY COUNCIL MEETING

City Council reconvened the City Council meeting at 10:06 am

HEARING

H-1 Request that the City Council hold a public hearing to consider the adoption of an Ordinance amending Reinvestment Zone Number Three. (O-2023-95)

Mayor Warren opened the public hearing at 10:05:39 am
Mayor Warren closed the public hearing at 10:05:44 am

Motion by Councilmember Hene; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

H-2 Request that the City Council hold a public hearing to consider the adoption of an Ordinance amending Reinvestment Zone Number Four. (O-2023-96)

Mayor Warren opened the public hearing at 10:06:23 am
Mayor Warren closed the public hearing at 10:06:28 am

Motion by Councilmember Hene; seconded by Councilmember McGee; motion carried 7 - 0 & approved as presented.

ORDINANCE

O-1 Request that the City Council conduct the annual reinvestment policy review and consider adoption of an ordinance Tyler City Code Chapter 2 adopting the investment policy. (O-2023-97)

Motion by Mayor Pro Tem Curtis; seconded by Councilmember Wynne; motion carried 7 - 0 & approved as presented.

O-2 Request that the. City Council consider adoption of an ordinance amending Tyler City Code Chapter 3 by updating and amending provisions related to Certification and Assignment Pay for Firefighters. (O-2023-98)

Motion by Councilmember Hene; seconded by Mayor Pro Tem Curtis; motion carried 7 - 0 & approved as presented.

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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 approve a reconciliation change order for the TK Gorman Channel Repair project, increasing the contract price from \$49,750.00 to \$62,137.50.**
- C-A-2 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order for the TK Gorman Channel Cleaning and Sealing project, reducing the contract price from \$48,280.00 to \$42,880.00.**
- C-A-3 Request that the City Council consider ratifying a total expenditure in the amount of \$29,290.00 to purchase one Buick Envista from Hall GMC to replace a wrecked police unit.**
- C-A-4 Request that the City Council consider authorizing the City Manager ratify the total expenditure in the amount of \$736,260.00 for the purchase of 10 Ford Explorers with the PPV package and upfit from Dana Safety of Fort Worth, Texas for a total purchase price of \$736,260.00 Buyboard Contract 698-23.**
- C-A-5 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with Elledge Engineering Corporation.**
- C-A-6 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with The C.T. Brannon Corporation.**
- C-A-7 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with Langan Engineering and Environmental Services, Inc.**
- C-A-8 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with Westwood Professional Services, Inc.**
- C-A-9 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional engineering and/or architectural services with Halff Associates, Inc., and award Work Order No. 1 in an amount not to exceed \$190,000.00 to provide engineering services for the 2022 Highway Safety Improvement Projects at the intersections of FM 756 and Shiloh Road, US 69 and Amherst Drive, and US 271/SH 155 and Loop 323 Extension.**
- C-A-10 Request that the City Council consider ratifying the total expenditure to execute a new Master Services Agreement for professional services with Kimley-Horn and Associates, Inc.**

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- C-A-11** Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional services with WSB LLC fka WSB & Associates Inc dba WSB Engineers and Surveyors Inc.
- C-A-12** Request that the City Council consider authorizing the City Manager to execute the Funding Amendment for FY2023-24 to the Northeast Texas Public Health District Cooperative Agreement.
- C-A-13** Request that the City Council consider adopting an updated Resolution approving the continued participation in the Texas State Department of Information Resources (DIR) Program and General Services Commission Local Government Purchasing Program. Also, request that the City Council consider authorizing the City Manager to renew several annual leases and to utilize various vendors as sole source for parts and service for technology equipment including computers, software, and telephones for FY 2023-2024. **(R-2023-43)**
- C-A-14** Request that the City Council consider authorizing the City Manager to approve purchasing goods through the various purchasing cooperatives listed whereby the City of Tyler can take full advantage of purchasing any and all items available through the cooperatives. It is also recommended that the City Council consider authorizing the City Manager to utilize various purchasing cooperatives and various vendors as sole source for parts and service from October 1, 2023, to September 30, 2024.
- C-A-15** Request that the City Council consider renewing the Annual Price Agreement for Fuel per Bid 21-027 to Mansfield Service Partners of Tyler, Texas (previously known as O'Rourke Petroleum) from October 1, 2023, through September 30, 2024.
- C-A-16** Request that the City Council consider authorizing the City Manager to execute the annual Interlocal Agreement with the Northeast Texas Public Health District (NETHealth) for City support services to the District for FY 2023-24.

Motion by Councilmember Wynne; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. The Legacy Trail Extension Contract construction has started, so we're very excited about this. The Legacy Trail Extension was bid through TXDoT in August and awarded to THK Construction in the amount of \$2.9 million. A construction meeting was held last Monday, and construction began last week. The current contract schedule has the project being completed by July of 2024. The Legacy Trail extension will construct a new trail head at the Future Stewart Park on Frankston Highway and provide a 12-foot-wide hike and bike trail of Old Noonday Road through Winters Park and terminate at Peete Elementary over on Bellwood Road. We're very excited about seeing the construction started and that trail underway, so by next summer we can be out there, and the Mayor will do a ribbon cutting by riding a bike right through, right?
2. Solid Waste Department - Solid Waste had their bi-annual Drive Cam Safety Award breakfast on Thursday September 28 before they kicked off and started their routes that morning. This is something we do a couple of times a year where they receive awards for not only providing exceptional service to Tyler residents and commercial customers, but also having no incidents or risky driving behaviors from January 2023

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to June 2023. We have drive cams in each of our solid waste units that actually monitor risky driving behaviors such as following distance, speeding, distracted driving, cornering, braking, those types of things. We had a couple of our employees who have done incredible work. Cameron Clayton and Kenneth Wooten had no incidents or risky driving behaviors for six months. Danny Garner who's not an actor, but an incredible solid waste truck driver. Shannet Butler and Marquis Johnson have no incidents or risky driving behaviors for a year. Mike Williams and James Williams have no incidents or risky driving behaviors for two and a half years. When you think about it, these things are about the size of tanks that are driving down city streets with cars parked on both sides and the fact that these guys have as little accidents that they do is good for us as rate payers, but also, it's an incredible testament to the hard work these people do. We're thankful for the commitment to safety and service they provide to us.

3. Since we're bragging, Lieutenant John Thornhill, two weeks ago, he graduated from the 287th session of the F.B.I. National Academy in Quantico, Virginia. He spent 10 weeks on advance communication, leadership, and fitness training on behalf of the Tyler Police Department and himself there. He had 191 law enforcement officers from 46 states and District of Columbia he was participating with, and we want to congratulate Lieutenant Thornhill on this achievement. I've spoken to those who have gone through this before. It is a very mentally and physically strenuous thing to go through and the fact he went through that and graduated as well as he did speak a lot about Lieutenant Thornhill and our Tyler Police Department. We're very proud of him for that.
4. Finally, a brag moment on the Mayor and Council. Last week, you all attended the Texas Municipal League Annual Conference in Dallas where you went through multiple sessions, brought back lots of work for City Staff to start looking into and try to figure out what we can put into application, and we as staff are very appreciative of your commitment to continued education, to learning, to bettering yourselves, to bettering our community. That is a strong testament to each of you and your commitment to your constituents, so thank you for going through and doing that.

Mayor Warren: Once again, we did have a full council at T.M.L. and that does say a lot because that has not always happened. It's happened and so thank you all for doing that, plus I had a good time.

Councilmember McKellar: I wanted to thank everybody for the celebration of my birthday.

ADJOURNMENT

Motion by Councilmember McKellar; seconded by Councilmember McGee to adjourn the meeting at 10:15 am; motion carried 7 - 0 & meeting adjourned.

**DONALD P. WARREN, MAYOR OF
THE CITY OF TYLER, TEXAS**

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A T T E S T:

CASSANDRA BRAGER, CITY CLERK