

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
April 10, 2024**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 10, 2024 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

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

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| City Manager: | Edward Broussard |
| Deputy City Manager: | Stephanie Franklin |
| Asst. City Manager: | Heather Nick |
| City Attorney: | Deborah G. Pullum |
| Deputy City Attorney: | Steve Kean |
| City Prosecutor: | James Craig |
| Director of Organizational Development: | Regina Y. Moss |
| Planning Director: | Kyle Kingma |
| City Fire Chief: | David Coble |
| City Librarian: | Ashley Taylor |
| Police Chief: | Jimmy Toler |
| City Engineer: | Darin Jennings |
| Traffic Engineer: | Cameron Williams |
| Director of Parks & Recreation: | Leanne Robinette |
| Director of Solid Waste, Transit: | Leroy Sparrow |
| Strategic Planner: | Blake Cathey |
| City Clerk: | Cassandra Brager |

INVOCATION

The Invocation was given by Mayor Warren.

MINUTES

Motion by Councilmember Wynne to amend the February 28, 2024, minutes on page 10 to change Long Beach to Longview, Texas; seconded by Mayor Pro Tem Curtis; motion carried 6 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to award Bid No. 24-011 to multiple vendors as listed for various mowing areas in accordance with the designated Bid Tabulation Sheet, to furnish all necessary materials, equipment, superintendence, and labor for mowing and ground maintenance at various parks, facilities and median right-of-ways.

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

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M-2 Request that the City Council consider authorizing the City Manager to execute an engineering contract with Kimley-Horn and Associates, Inc. in the amount of \$112,480.00 for the Intelligent Transportation System Master Plan Year 4 – Traffic Signal Retiming Improvements.

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

M-3 Request that the City Council consider authorizing the City Manager to execute a contract with Innovative Roadway Solutions, LLC, for the construction of the 2024 ONYX Seal Project in the amount of \$362,975.35.

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

M-4 Request that the City Council consider authorizing the City Manager to execute a contract with Harris Craig Architects, Inc., for the completion of the design of the Miracle League of Tyler Baseball Field at Faulkner Park in the amount of \$20,325.00.

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

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 the Amendment #3 to Via Mobility, LLC, RFP 21-008, to add Fixed Route Transit software and implementation services. The additional cost will pay for ten (10) vehicles to operate Fixed Route Transit software in the amount of \$20,280.00, and a one-time fee of \$7,560.00 for implementation services, for an added annual cost of \$27,840.00 for the first year. Any vehicles added in the future will cost \$2,028.00 per vehicle. All additional changes in cost will follow the amended annual cost increase reflected in the amendment.

C-A -2 Request that the City Council consider adoption of a Resolution authorizing continued participation by the City of Tyler with the Steering Committee of Cities served by Atmos, and authorize the annual assessment payment of \$0.05 cents per capita to the Steering Committee. (R-2024-21)

C-A-3 Request that the City Council consider adoption of a Resolution authorizing continued participation by the City of Tyler with the Steering Committee of Cities Served by Oncor, and authorize the annual assessment payment of \$0.10 cents per capita to the Steering Committee. (R-2024-22)

C-A -4 Request that the City Council consider adoption of a Resolution authorizing the application and acceptance of grant funding for the Information Technology Department from the Office of the Governor, in an amount not to exceed \$1,000,000.00,

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for the purchase of equipment intended to support cybersecurity efforts and address imminent cybersecurity threats to local information systems. (R-2024-23)

- C-A-5 Request that the City Council consider authorizing the City Manager to ratify the signed product proposal with Granicus to customize the City of Tyler's website address lookup widget.
- C-A-6 Request that the City Council consider authorizing the City Manager to declare a 2016 Ford Explorer surplus property and approve the inter-local agreement authorizing the sale of a 2016 Ford Explorer to the First Judicial District of Texas of Sabine and San Augustine Counties for \$11,500.00.
- C-A-7 Request that the City Council consider authorizing the City Manager to award the Private Lateral Group 2 Program Construction for Consent Decree Remediation Work in the amount of \$980,522.91 and \$145,320.63 to C&A Construction, LLC and Heartbeat Construction, respectively.
- C-A-8 Request that the City Council consider adoption of an Ordinance canceling the election for the Mayor at Large and the City of Tyler City Councilmembers for Districts Four and Six scheduled for May 4, 2022, and declaring the unopposed candidates for the Mayor at Large and the City of Tyler City Councilmembers for Districts Four and Six elected to office. (O-2024-41) During the reading of the agenda item, City Clerk, Cassandra read into the record that the request is for the City Council to consider adoption of an Ordinance canceling the election for the Mayor at Large and the City of Tyler City Councilmembers for Districts Four and Six scheduled for May 4, 2024, and declaring the unopposed candidates for the Mayor at Large and the City of Tyler City Councilmembers for Districts Four and Six elected to office.
- C-A-9 Request that the City Council consider adoption of a Resolution amending polling locations for a previously called Election for May 4, 2024 to fill the office of Tyler City Council Member for Single Member District No. 2, making provisions for and resolving other matters incident and related to such regular election, and reducing the total number of voting locations throughout Smith County, but increasing the number of polling locations within Tyler Council Single Member District No. 2. (R-2024-24)

Bob Brewer- Stated that he wanted to speak about elections and the details about when and where we perform them.

Motion by Mayor Pro Tem Curtis to approve consent agenda item C-A-8; seconded by Mayor Pro Tem Curtis; motion carried 6 - 0 & approved as presented.

Motion by Mayor Pro Tem Curtis to approve consent agenda item C-A-9; seconded by Councilmember Nichols; motion carried 6 - 0 & approved as presented.

Motion by Mayor Pro Tem Curtis to approve consent agenda items C-A-1 through C-A-7; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Mayor and Council, a few items, one of which was already kind of acknowledged today, especially like Councilmember McKellar on the West Gentry Parkway and West Martin

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Luther King Jr. Boulevard the traffic signal that just got fixed there. The temporary traffic signal trailers were removed on Monday, March 25, and traffic operations were switched over to the new traffic signal installation. There's a curb ramp, sidewalk, and pedestrian signal work that still needs to be completed, but the new signal is operational in providing benefit to motorists traveling through that intersection. A big thank you to our contractors and vendors, and especially our City of Tyler traffic signal staff for their hard work in getting the new ATC signal cabinet operational. This is just one project currently in the way to improve traffic flow along the entirety of Gentry Parkway and the city as a whole.

2. At our last Council meeting on March 26th, or about that time-frame, the City made an announcement about the fact that Bergfeld Park was selected as one of the great places in Texas. And so actually on that evening, members of our Parks and Planning staff attended the American Planning Association in Texas for the award banquet in Austin, Texas to accept the 2024 Great Places in Texas Award, recognizing Bergfeld Park. Great Places in Texas exemplify exceptional character and highlight the role Planners in Planning play in creating communities of lasting value. So, this is actually our second Great Place in Texas, including the Rose Garden, and there were only, I think, three this year to recognize, so we were very excited about that.
3. Going back to the streets, the Medians Department, is working hard to revitalize beds throughout Tyler. So, as you're driving around, especially on the Loop 323, you probably have seen just different work happening throughout there. They're implementing a new rotation schedule. This schedule has been created to ensure that all beds that require periodic maintenance are being visited and maintained on a regular basis. Many beds around Tyler will have a new look through the selective planning of drought -hearty species that can withstand our hot summers and shrubs with late Fall colors. Be on the lookout for updated beds on Broadway Avenue beginning this week. Additionally, contractors have been working on filling in the large planter beds near Goodwill on the WSW Loop with stamped red concrete. This bed and several others are being filled as part of the project to help beautify our medians by allowing our crews to focus efforts on fewer beds. You may remember, that was one of our budget priorities that we brought to Council this past year.
4. And then finally, I just want to say just that we had a great Totality Tyler's solar eclipse event on Monday. We probably had about 500-600 people downtown on the Square, about 200 people over at Faulkner Park, 200 at Lindsey Park, and others scattered throughout the city as well. Tyler ISD got into it. If you had a chance to ever look at their social media, lots of pictures of kids with their homemade glasses not burning their eyes out. It was an exceptional event- quite a bit of fun. It won't happen again in our lifetimes. There will be one that some of you all will probably see in 2044, but you got to go travel to go see it. But we had people that actually traveled here from England, Belgium, Venezuela, Canada. There was Tyler from Canada, he was quite popular and the favorite, who had his whole adult life wanted to come to Tyler, this was a great opportunity for him. Just the safety components and everything, it turned out without a hitch. Chief Coble, who was recognized earlier today for something special that we got to keep under wraps from him. But, he did a great job of maintaining and taking out traffic and watching it. We had the Emergency Operations Center the entire time, kind of making sure that everything was safe and good for all those who came to Tyler to enjoy that.

Mayor Warren - There was one gentleman here named Tyler Grant from Canada. And Tyler's goal was to have his picture taken in front of every sign he could find in Tyler that had the word "Tyler" in it. And I think he just about achieved that goal. And I visited with him Monday at the visitor center, and Tyler said that his favorite thing about the City of

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Tyler was the kindness that everybody had shown him. And so, I say that because that's our community. And it made me very proud. And we did present him with the game. It was not Monopoly, but it was called Tyleropoly. And so we gave that to him to take back to Canada. So it wasn't just a bunch of people in town but it was a bunch of people in town that really enjoyed our city. And one last thing, Tom Trimble, I know your hands were full yesterday with Oncor, with their poles down, and I apologize that I gave several people your number last night.

EXECUTIVE SESSION – City Council convened into executive session at 9:36 am

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:

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 by the City Council will be taken in open session.

City Council reconvened from executive session at 10:07 with the following action: Motion by Councilmember Nichols to amend the City Manager's employment contract. First amendment being the annual salary in the amount of \$286,650 to be applied retroactively to October 1, 2023. And the second is deferred compensation deposit amount of \$26,500 plus all taxes that accrue the amount to be paid on or about April 12, 2024. All other employment contract terms to remain the same.; seconded by Councilmember Hene; motion carried 6 - 0 & approved as presented.

ADJOURNMENT

Motion by Councilmember McKellar to adjourn the meeting at 10:08 am; seconded by Councilmember Hene; motion carried 6 - 0 & meeting adjourned.


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

ATTEST:


CASSANDRA BRAGER, CITY CLERK

