

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
August 14, 2019**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, August 14, 2019 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Martin Heines
Mayor Pro Tem:	Bob Westbrook
Councilmembers:	Linda Sellers
	Don Warren
	Broderick McGee (absent)
	Shirley McKellar
	Chris Sudduth
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Sr. Assistant City Attorney:	Sharon Roberts
Airport Manager:	Davis Dickson
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Manager of CDBG and HOME:	Parker Harrison
Police Chief:	Jimmy Toler
Chief Building Official:	Tim Johnson
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Director of Solid Waste & Transit Services:	Russ Jackson
Vehicle/Equipment Services Manager:	Leroy Sparrow
Managing Director of Planning & Economic Development:	Heather Nick
Water Business Office Manager:	Jim Yanker
City Engineer:	Lisa Crossman
Director of Utilities:	Jimmie Johnson
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McKellar.

AWARDS

A-1 Request that the City Council consider recognizing a City employee as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

Johnny Green was recognized as the Blueprint Blue Ribbon Award winner, for placing

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the highest premium on responsiveness to citizens' needs.

A-2 Request that the City Council consider accepting the “Gold Star Affiliate” award from Keep Texas Beautiful.

Angela Bennis, Community Coordinator, Keep Tyler Beautiful – Gave a brief presentation on the Gold Star Affiliate Award. Keep Tyler Beautiful (KTyB) has been part of Tyler for over 24 years and strives to make a difference in our community every year by working to educate and encourage citizens to participate in improving the sustainability of the City of Tyler.

KTyB is proud to be supported and affiliated on a national level by Keep America Beautiful and on a state level by Keep Texas Beautiful. Keep Texas Beautiful awards qualified affiliates each year based on their efforts in three different categories: Good Standing Silver Star Affiliate and Gold Star Affiliate. This year, during the Keep Texas Beautiful statewide conference in Rockwall, KTyB was awarded their 13th consecutive Gold Star Affiliate Award for the board's continuous efforts in beautification, litter reduction, maintaining positive partnerships with local organizations, educating our youth, and strong participation in events.

A-3 Request that the City Council consider accepting the “Tree City USA Recognition” from the Arbor Day Foundation.

Angela Bennis, Community Coordinator, Keep Tyler Beautiful - The Tree City USA recognition has been granted to the City of Tyler by the Arbor Day Foundation for the 10th year in a row for demonstrating environmental improvement and a higher level of tree care. Becoming a Tree City USA was a Tyler 1st initiative in order to focus on improving our urban forest in the City of Tyler. Trees are vital to the infrastructure of our community and provide numerous environmental, social, and economic benefits. The Arbor Day Foundation cites that “trees are the one piece of the community infrastructure that actually increases in value over time.”

PRESENTATION

P-1 Request that the City Council: 1) Consider receiving a presentation of the Fiscal Year 2019-2020 Proposed Budget; 2) Consider voting to place proposals to adopt an ad valorem tax rate and adopt the final fiscal year 2019-2020 budget as action items for the September 25, 2019 City Council meeting; and 3) Consider voting to schedule public hearings on the proposed property tax rate and the proposed budget on the agendas for the August 28 and September 11, 2019 City Council Meetings.

Terrance Ates, 1406 Alamo Drive Tyler, Texas (NETPHD) – Spoke in favor of the City's proposed budget that is set-aside for the NETPHD budget and services.

Motion by Councilmember Sudduth to accept the presentation of the fiscal year 2019-2020 proposed budget; seconded by Councilmember Sellers; motion carried 6 - 0 & approved as presented.

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Motion by Mayor Pro Tem Westbrook to place proposals to adopt an ad valorem tax rate of 25.99 cents per \$100 of assessed value and the fiscal year 2019-2020 budget as action items on the September 25, 2019 City Council meeting; seconded by Warren; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Sudduth to schedule public hearings on the proposed property tax rate of 25.99 cents per \$100 of assessed value and the proposed budget on the August 28 and September 11, 2019 council agendas; seconded by Mayor Pro Tem Westbrook; motion carried 6 - 0 & approved as presented.

City Council recessed at 10:02 am

City Council reconvened at 10:12 am and Councilmember Sudduth did not return.

- P-2 Request that the City Council consider receiving a presentation of the Streets, Drainage, and Parks Capital Improvement Projects program and consider adopting the Half Cent Sales Tax 2019-2020 Annual Work Program in conjunction with the 2019-2020 Corporate Budget.**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember Warren; motion carried 5 - 0 & approved as presented.

- P-3 Request that the City Council consider receiving a presentation of the 10-year Tyler Utilities Capital Improvements Program for the next Fiscal Year 2019-2020.**

Jimmy Johnson, Director of Utilities – Gave a brief presentation of the 10-year Tyler Utilities Capital Improvements Program for the next Fiscal Year 2019-2020.

ORDINANCE

- O-1 Request that the City Council consider approving an ordinance amending the Unified Development Code in Tyler City Code, Chapter 10, by amending regulations related to advertising on Transit vehicles, interstate highway signage, donation containers, and minor clarifications. (O-2019-62)**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

- O-2 Request that the City Council consider adopting an Ordinance amending City Code Chapter 19, Articles I. and II to update developer requirements for contracts that include new water and sewer system extensions and eliminating three-way contracts, streamlining processes regulating developments including the design and installation of water and sewer facilities within the City limits and extraterritorial jurisdiction of Tyler. (O-2019-63)**

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Motion by Mayor Pro Tem Westbrook; seconded by Councilmember Warren; motion carried 5 - 0 & approved as presented.

- O-3 Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 1 to make clean-up changes to the City Ethics Ordinance provisions related to abstention and affidavits of interest in order to track the State law more closely. (O-2019-64)**

Motion by Councilmember Sellers; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

- O-4 Request that the City Council consider approving an Ordinance adopting the proposed budget for the Community Development Block Grant (CDBG) and HOME Programs FY 2019-2020 Annual Action Plan and authorize the City Manager to execute Housing and Urban Development Certification and SF-424 forms. (O-2019-65)**

ReNissa Wade, Managing Director, –Gave a brief presentation on the proposed budget for the Community Development Block Grant (CDBG) and HOME Programs FY 2019-2020 Annual Action Plan. The City of Tyler is a federal entitlement community under the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program and HOME Program. As a HUD entitlement community, the City is required to prepare an annual action plan in order to implement any federal programs that fund housing, community development and economic development within the community.

Motion by Councilmember Warren; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

RESOLUTION

- R-1 Request that the City Council consider adopting a Resolution authorizing the Keep Tyler Beautiful Board to be designated as a Bee City USA sponsor and to take all actions needed to fulfill the Bee City USA program requirements. (R-2019-41)**

Motion by Councilmember Sellers; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

MISCELLANEOUS

- M-1 Request that the City Council consider awarding Work Order No. 4 to KSA Engineers, Inc. to provide planning services for the Airport Master Plan update funded with a Federal Aviation Administration grant for 90 percent and authorizing the expenditure of the 10 percent local match in the amount of \$85,950 from Half Cent Funds.**

Michael Mallonee, Team Leader with KSA Engineers – Gave a brief presentation concerning the scope of the planning services for the Airport Master Plan.

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Motion by Councilmember Warren; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

- M-2** Request that the City Council consider authorizing the City Manager to execute a contract with Southern Trenchless Solutions, LLC in the amount of \$1,018,392.00 for the “DP02 Manhole Rehabilitation - Eastern Seal Package,” City of Tyler Bid Number 19-035, Project Number, BOND-CD-001-MH02 Consent Decree project, and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. **(R-2019-42)**

Motion by Mayor Pro Tem Westbrook; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

- M-3** Request that the City Council consider authorizing the City Manager to execute a contract amendment with the CT Brannon Corporation for additional design and construction services for the Cambridge Road Improvement Project in the amount of \$253,200.

Motion by Councilmember Warren; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

- M-4** Request that the City Council consider authorizing the City Manager to award the Buy Board vendor contract bid for Fun Forest and Woldert Parks pool and splash pad construction to Sunbelt Pools of Dallas, Texas, to furnish all necessary materials, equipment, superintendence, and labor for an amount not to exceed \$326,470.00 for Woldert Park and \$1,758,235.00 for Fun Forest Park.

Motion by Councilmember McKellar; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

- M-5** Request that the City Council consider authorizing the City Manager to award additional funds for Bid 19-019 for Fun Forest Park, Part A by adding in this part of the project: shade structure work, bid line item 120 in the amount of \$15,100; shade structure work, bid line item 130 in the amount of \$73,500; fencing work, bid line item 180 in the amount of \$109,500; and award additional funds for Woldert Park, Part B of the project by adding in the American Disabilities Act (ADA) parking and ADA sidewalks in the amount of \$117,500, for a total across both projects of \$315,600.

Motion by Councilmember McKellar; seconded by Councilmember Warren; motion carried 5 - 0 & approved as presented.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider appointing members to the Planning and Zoning Commission. (Appoint members at the next meeting).

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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 ratifying staff action for payment in the amount of \$75,462.78 to A.E. Shull & Company for emergency repairs and stabilization of 10-inch sanitary sewer main and associated manhole at the Lake Bellwood Silt Dam.
- C-A-2** Request that the City Council consider authorizing the City Manager to execute an easement and right-of-way agreement with Oncor to install electrical lines on City-owned property at Lake Tyler.
- C-A-3** Request that the City Council consider adopting a Resolution ratifying the submission of a Transportation Alternative and Safe Routes to School (TA/SRTS) grant application for the City of Tyler Multi-Modal Downtown Enhancements project to be filed with the Texas Department of Transportation and committing the local matching funds. (R-2019-43)
- C-A-4** Request that the City Council consider authorizing the City Manager to approve purchasing goods through The Oklahoma Statewide Purchasing System, whereby the City of Tyler can take full advantage of purchasing any and all items available through this cooperative. Also request that the City Council consider authorizing the City Manager to purchase three (3) low floor fixed route buses and one (1) low floor van through the cooperative with the usage of Transportation Development Credits (TDC's) to offset local match.
- C-A-5** Request that the City Council consider authorizing the City Manager to approve purchasing goods through The Sourcewell/NJPA Cooperative Purchasing Program, whereby the City of Tyler can take full advantage of purchasing any and all items available through the cooperative. Also request that the City Council consider authorizing the City Manager to purchase solid waste trucks from the authorized purchasing cooperatives.
- C-A-6** Request that the City Council consider authorizing the City Manager to execute Change Order No. 1 with Joe R. Jones Construction, Inc. with the total contract amount increasing by \$370,473.00, and time provided for completion in the contract increasing by 50 calendar days for a total time provided for completion of 232 calendar days, for the ILS Project at Tyler Pounds Regional Airport resulting in an increase to the local share of \$37,047.30.
- C-A-7** Request that the City Council consider authorizing the City Manager to execute the final Reconciliation Change Order with SpawGlass Civil Construction, Inc.

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decreasing the total contract amount by \$378,414.53, with time provided for completion in the contract increased by 87 calendar days for a total time provided for completion of 397 calendar days, for the 2017 Runway 4-22 Rehabilitation Project 4 at Tyler Pounds Regional Airport resulting in a decrease to the local share of \$37,841.36.

- C-A-8** Request that the City Council consider adopting a Resolution agreeing to the sale of a certain tract of land located at 723 North Ross Avenue within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2019-44)
- C-A-9** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at Claude Street within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2019-45)
- C-A-10** Request that the City Council consider adopting a Resolution agreeing to the sale of a certain tract of land located at 2118 West Jackson within the Tyler city limits and owned by taxing entities including the City of Tyler. (R-2019-46)
- C-A-11** Request that the that the City Council consider awarding Work Order No. 3 to KSA Engineers, Inc. to provide engineering services for the Airport Fencing and Security Improvements for a total cost of \$99,100 and total completion time of 14 weeks with an Federal Aviation Administration grant to cover 90 percent and a local share cost of \$9,910 in Half Cent funds.
- C-A-12** Request that the City Council consider approving the reconciliation change order in the amount of \$37,571.24 and releasing final retainage to Quadex Lining Systems for the Bennett and Cumberland Road Culvert Lining Project.

Motion by Mayor Pro Tem Westbrook to approve the consent items; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. Traffic Signalization: The consultant is updating the Concept of Operations document and the list of needs based on the discussions with City staff at the workshop that was held on July 18. They also finalized the proposed timing for the South Broadway corridor pilot study and reviewed the timing plans with City staff. The new timing plans should be implemented on a trial basis by mid to late August. Finally, the consultant is coordinating with Traffic Operations staff to provide staff training workshops by the end of the month.
2. Tyler Transit Department to host second annual "Invest in our Future" Campaign - The City of Tyler's Transit Department has partnered with Tyler Junior College, the University of Texas at Tyler, Texas College and the Tyler Independent School District to promote education by creating the "Invest in our Future" campaign. This campaign allows students, parents and guardians to ride the Tyler Public Transportation System's fixed routes at no cost through Aug. 31 when traveling to schools and other centers of higher learning. The students and their parents/guardians

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will need to notify and show their school ID to the driver to receive the free ride. Any children age 12 and under must be accompanied by an adult.

3. UPRR Quiet Zone: As a result of an inspection by UPRR and the Federal Railroad Administration (FRA), several issues were identified and the quiet zone was terminated until the issues were resolved. Two of those issues involved commercial driveways that are too close to the railroad signal arm, requiring one driveway to be closed permanently and one driveway to be modified. Quotes were solicited from several contractors to do the work necessary to each driveway. AAA Sanitation submitted the lowest price and was awarded the bid; and they anticipate beginning work next week and completing within two weeks. After work is completed, representatives from UPRR and FRA will perform a follow-up inspection to ensure that all issues have been addressed and the Quiet Zone can be re-established.
4. Active Week In the Community Response World – We want to take the opportunity to praise the work done by members of the Police Department’s Community Response Team. They had a very busy week and came through like champs!! This past week they helped with the preparations for School is Cool (stuffing backpacks), worked at the School Is Cool Event, and cooked / served at the Ed Moore Back to School Celebration along with volunteers from various departments, Chief David Coble and Councilman Don Warren. They are a multi-talented and highly appreciated group of officers. Thank you for everything that you do for this city and the Police Department.

ADJOURNMENT

Motion by Councilmember Warren to adjourn the meeting at 11:40 am; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK, TEXAS

