

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
June 13, 2018**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, June 13, 2018 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:	Linda Sellers
Councilmembers:	Don Warren
	Broderick McGee
	Ed Moore
	John Nix
	Bob Westbrook
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Sr. Assistant City Attorney:	Sharon Roberts
City Fire Chief:	David Coble
City Librarian:	Mary Vernau
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Rollings
Managing Director of Utilities and Public Works:	Scott Taylor
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McGee.

MINUTES

Motion by Councilmember Westbrook to approve the April 25, 2018 minutes; seconded by Mayor Pro Tem Sellers; motion carried 7 - 0 & approved as presented.

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.

Linda Gray was recognized as the Blueprint Blue Ribbon Award winner, for placing the highest premium on responsiveness to citizens' needs.

MISCELLANEOUS

- M-1 Request the City Council authorize the City Manager to execute an Interlocal Cooperation Contract between City of Tyler and the University of Texas at Tyler for arborist services.**

Motion by Councilmember Westbrook; seconded by Councilmember Warren; motion carried 7 - 0 & approved as presented.

- M-2 Request that the City Council consider authorizing the City Manager to execute a contract amendment with Adams Engineering for design and construction services for the Courtney Miller Drainage Improvements Project for an additional \$175,220.00.**

Motion by Councilmember Westbrook; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

- M-3 Request that the City Council consider authorizing the City Manager to execute a contract with Reynolds and Kay, LLC for the construction of Courtney Miller Drainage Improvements Project in the amount of \$2,035,021.00.**

Motion by Councilmember Westbrook; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

- M-4 Request that the City Council consider authorizing the City Manager to execute Work Order No. 1 for engineering services in the amount of \$586,800 with KSA Engineers, Inc. for the Southside Wastewater Treatment Plant Improvements project and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2018-13)**

Motion by Councilmember Nix; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

RESOLUTION

- R-1 Request that the City Council consider adopting a Resolution authorizing the City Manager or Designee, on behalf of the Tyler Fire Department, to apply for and accept grant funding from the Office of the Governor in the amount of \$20,646.05 to assist in the funding of the Interoperable Communications for the Regional Command Trailer/Team. (R-2018-14)**

Motion by Councilmember Warren; seconded by Mayor Pro Tem Sellers; 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 award Rolloffs USA as the primary vendor for the Annual Price Agreement for Frontload and Rolloff Containers per Bid No. 18-031.
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase a One Ton Dual Rear Wheel truck from the lowest bidder.
- C-A-3** Request that the City Council consider ratifying the expenditure of \$76,235.00 to Odessa Pumps, through Texas Buy Board #509-16, for rebuild and repair on a 200 HP Peerless 30HH vertical pump at the Westside Wastewater Treatment Plant.
- C-A-4** Request that the City Council authorize the City Manager to ratify staff action for the emergency repairs of Well No. 12 in the amount of \$26,458.00, to Smith Pump Company.

Motion by Councilmember Moore; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider making an appointment to the Half Cent Sales Tax Board.

Motion by Councilmember McGee to appoint Darryl Bowdre; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

CITY MANGER'S REPORT

1. Tyler Fire Dept. along with the NE Texas Public Health District held on Friday their annual Heat response plan unveiling.
2. Tyler Public Library kicked off its Summer Reading Program, approx. 600 readers are participating at kick-off;
3. Water Utility has begun smoke testing and using Code Red to notify citizens of this testing in their areas.
4. City representatives will be participating in the Juneteenth Parade.

EXECUTIVE SESSION – City Council convened into executive session at 9:26 am.

Executive Item No. 1:

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Under Texas Government Code Section 551.071 "Litigation" deliberation regarding the following:

1. Pending litigation or settlement offer involving *Brenda Johnson v. City of Tyler*.
2. Pending litigation or settlement offer involving *Owens v. City of Tyler*.
- 3.

Any final action to be taken by the City Council will be taken in open session

City Council reconvene from executive session at 10:04 am with the following action.

CLARIFICATION ON A PRIOR VOTE:

Councilmember Nix stated that earlier in the meeting City Council approved item M4. In the printed agenda he had, the item was numbered as M5, and in the meeting it was verbally approved as M5. Councilmember Nix wanted to clarify that City Council was approving the item for Work Order No. 1 with KSA whether it was numbered M4 or M5, but the item is the same. Councilman Nix moved to show in the record approval of M4. Councilmember Westbrook seconded the motion; approved as presented.

ES-1 Request that the City Council consider approving the Settlement Agreement in the *Brenda Johnson v. City of Tyler* lawsuit and authorizing the City Manager to execute all necessary documents to finalize the Agreement.

City Attorney, Deborah Pullum – Stated that the parties have come to a settlement resolution in the *Brenda Johnson v. City of Tyler* lawsuit and the Settlement Agreement is being presented for City Council approval.

Motion by Councilmember Nix to approve the settlement agreement involving *Brenda Johnson v. City of Tyler*; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

ADJOURNMENT

Motion by Councilmember Warren to adjourn the meeting at 10:07 am; seconded by Councilmember Nix; motion carried 7 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

A T T E S T:


CASSANDRA BRAGER, CITY CLERK



The seal is circular with a double border. The outer border contains the text "CITY OF TYLER" at the top and "TEXAS" at the bottom. The inner border contains the text "SEAL" at the top and "CITY CLERK" at the bottom. In the center of the seal is a stylized emblem featuring a scale of justice and a quill pen.