

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 12, 2016**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 12, 2016 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: John Nix
Councilmembers: Mark Whatley
Linda Sellers
Darryl Bowdre
Ed Moore
Don Warren

City Manager: Edward Broussard
City Attorney: Deborah G. Pullum
Deputy City Attorney: Steve Kean
Sr. Assistant City Attorney: Sharon Roberts
Assistant City Attorney: Terrance Garmon
Airport Manager: Davis Dickson
Managing Director for Administration: ReNissa Wade
City Engineer: Carter Delleney
Police Chief: Jimmy Toler
Managing Director of Culture, Recreation and
Tourism Services: Stephanie Rollings
Vehicle/Equipment Services Manager: Leroy Sparrow
Managing Director of Planning &
Economic Development: Heather Nick
Interim Managing Director for Utilities
/Public Works: Gordon Mayer
Development Manager: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Brother Tim Banks, Associate Minister of North Tenneha Church of Christ.

MINUTES

Motion by Councilmember Whatley to approve the September 14, 2016 minutes; seconded by Councilmember Bowdre; motion carried 7 - 0 & approved as presented.

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 New Hires Recognitions

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The following employees were hired by the City of Tyler during the month of September 2016. We would like to take this opportunity to welcome these new employees.

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Gregory	McCullough	Police Recruit	Police
Jesse	Cohen	Police Recruit	Police
Brian	Stewart	Police Recruit	Police
Benny	Davenport	Police Recruit	Police
Blake	Kelley	Police Recruit	Police
Stephen	Thomas	Police Recruit	Police
Abby	Rodseth	Police Recruit	Police
Kaci	Lopez	Police Recruit	Police
Keven	Fite	Police Recruit	Police
Cody	Kemp	Police Recruit	Police
Melissa	Enriquez	PS Telecommunicator II	Police
Robert	East	Animal Shelter Technician	Animal Services
Vincent	Taliaferro	Sec 8/Housing Inspector	Neighborhood Services
Katherine	Dietz	Environmental Compliance Engineer	Water
Brian	Parker	Semi-Skilled Laborer	Water
Gwendarius	Lyons	Laborer	Water
Christopher	Smith	Laborer	Parks
Robin	Bratton	Purchasing Technician	Vehicle Services
Justin	Greene	Equipment Mechanic II	Vehicle Services

ORDINANCE

O-1 Request that the City Council consider adoption of an ordinance amending Tyler City Code Chapter 2 by amending the Donations Policy. (O-2016-93)

Terrance Garmon, Asst. City Attorney – Stated that Tyler City Code Section 2-7 currently provides for a Donations Policy. At present, City Code Section 2-7.a. provides that all donations to the City must be reviewed by the City Manager prior to formal acceptance by the City Manager or City Council, as appropriate. City Code Section 2-7.b. goes on to provide that all donations up to \$25,000 in value must be approved by the City Manager. In order to streamline the process and to improve efficiency, it is recommended that City Code Section 2-7 be amended so that:

1. All proposed donations to the City must be reviewed by the City Manager or designee, prior to formal acceptance by either the City Manager or City Council.
2. All donations up to \$25,000 in value must be approved by the City Manager or designee.

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This Ordinance makes no changes to the requirement that all donations above \$25,000 are subject to approval by the City Council, which shall remain in effect.

Motion by Councilmember Bowdre; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to execute a contract with Dynatest North America, Inc. for engineering services to provide a pavement condition survey and management services for a total contract amount of \$143,800.

Adrienne Leach – Gave a brief presentation concerning the proposal from Dynatest North America, Inc. to provide a pavement condition survey and pavement management services. All streets maintained by the City will be driven, the pavement scanned, and digital images taken. Distress and ride quality will be determined and uploaded into the pavement management system, MicroPAVER.

The last pavement condition survey performed for the City of Tyler pavement system was in 2013. It is recommended to provide condition surveys every three years to maintain updated data, update new or annexed streets, monitor progress of maintenance, and provide a more accurate pavement degradation curve for the City's pavements. Pavement services provided includes an analysis of the pavement system and pavement management report.

Motion by Councilmember Whatley; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

M-2 Request that the City Council consider canceling the November 23, 2016 and December 28, 2016 City Council meetings.


Deborah Pullum, City Attorney – Stated that The Tyler City Code, Sec. 1-22 sets out regular City Council meetings on the second and fourth Wednesday of each month. Due to the second regular meeting dates in both November and December of this year falling close to holidays, it is recommended that these meetings be cancelled given that such cancellation will not unduly delay any urgent items.

Motion by Councilmember Warren; seconded by Councilmember Moore; motion carried 7 - 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.)

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- C-A-1** Request that the City Council consider adoption of 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 and authorizing the City Manager to renew several annual leases for technology equipment including computers, software, and telephones from approved vendors previously obtained through this program for FY 2016-2017. (R-2016-35)
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase various vehicles and equipment from The Interlocal Purchasing System (TIPS).
-  **C-A-3** Request that the City Council consider authorizing the City Manager to award Work Order No. 9 with Wisenbaker, Fix and Associates in an amount not to exceed \$165,000.00 to provide engineering design services for the Instrument Landing System Relocation of the Runway 4/22 Rehabilitation Project at Tyler Pounds Regional Airport. FAA Grant 37 will reimburse 90 percent of the engineering design fees. A local share of 10 percent will be funded by the Half Cent Sales Tax Board in the amount not to exceed \$16,500.00.
- C-A-4** Request that the City Council consider adopting a Resolution approving the appointment of Jeffrey L. Levin, M.D. as the Smith County Local Health Authority, and authorizing Mayor Heines to sign the required State of Texas Certificate of Appointment. (R-2016-36)
- C-A-5** Request City Council considers ratifying a contract with TXU Energy, through First Choice Purchasing Cooperative, for the purchase of electricity beginning May 1, 2017 and extending through April 30, 2024.
- C-A-6** Request that the City Council consider approving the final acceptance and release of retainage in the amount of \$430,468.93 for a final contract amount of \$17,295,143.93 to Longview Bridge & Road, Ltd. for the Cumberland Road Extension project.

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

CITY MANAGER'S REPORT

1. Council was provided with a complimentary latest version of the Chamber of Commerce coffee table book.
2. Animal Shelter moving as scheduled and possible opening date in December.
3. Police and Fire Departments participated in Turn Tyler Pink
4. Approximately 90 block parties around Tyler neighborhoods were held during the Neighborhood Night-out event.
5. Congratulations to David Long for being promoted to Assistant Chief of Police.
6. Council was provided with CIP summary reports.

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RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:31 am

Executive Item No. 1:

Under section 551.071 “Litigation” deliberation regarding the following:

1. Pending or contemplated litigation involving Environmental Protection Agency v. City of Tyler.

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

City Council reconvened from executive session at 9:56 am with no action taken.

ADJOURNMENT

Motion by Mayor Pro Tem Nix to adjourn the meeting at 9:56 am; seconded by Councilmember Whatley; 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

