

# CITY COUNCIL - TELECONFERENCE & PUBLIC MEETING AGENDA

**Wednesday, September 23, 2020  
9:00 am**

*Due to the current Coronavirus COVID-19 public health emergency, the City of Tyler is taking extraordinary steps to protect the public health, safety and welfare. A teleconference meeting of the Tyler City Council is being conducted. Those who wish to participate by teleconference may call (903) 363-0651.*

*In addition, the City Council is also providing physical access for up to 33 members of the public, who may attend on a first-come, first seated basis. The public meeting will be arranged for social distancing, and those in attendance are urged to follow recommendations of the Centers for Disease Control and Prevention (CDC) by adhering to all social distancing and hygiene requirements. Capacity limits will be observed. Pursuant to both CDC guidance and Governor Abbott's most recent Executive Order, GA EO-29, people must wear cloth face coverings or masks when attending public meetings unless they are otherwise exempt because they are a child under two (2) or because they have a medical condition and have been advised by their doctor that wearing a mask itself is dangerous.*

*The public is encouraged to participate by teleconference and by calling; or if you wish to submit a comment, please review the Agenda and submit an online digital comment card prior to 7:00 a.m. September 23, 2020 by visiting:*

*<https://www.cityoftyler.org/government/government/agendas>.*

*For all comment cards so received, staff will call the phone number you submit directly during the meeting when your item comes up for comment.*

*If you are unable to submit a digital comment card prior to 7:00 a.m., September 23, 2020, you may call the meeting at (903) 363-0651 and be placed on hold until your item comes up for public comment.*

*Follow us live at: [facebook.com/CityofTylerTexas/](https://www.facebook.com/CityofTylerTexas/)*

*Follow live on Microsoft Teams at: [shorturl.at/flmB8](https://shorturl.at/flmB8)*

*(There is no need to download Microsoft Teams, simply choose “watch on the web” option.)*



**CITY COUNCIL**  
Martin Heines, Mayor  
Linda Sellers, District 1  
Broderick McGee, District 2  
Dr. Shirley McKellar, District 3  
Vacant, District 4  
Bob Westbrook, District 5  
Vacant, District 6  
Edward Broussard, City Manager



# CITY COUNCIL TELECONFERENCE MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL  
PUBLIC MAY PARTICIPATE BY CALLING:

**(903) 363-0651**

Follow us live at: [facebook.com/CityofTylerTexas/](https://www.facebook.com/CityofTylerTexas/)

Follow live on Microsoft Teams at: [shorturl.at/flmB8](https://shorturl.at/flmB8)

(There is no need to download Microsoft Teams, simply choose “watch on the web” option.)

***A maximum of 33 members of the public may attend in person on a first-come, first-seated basis. The public is encouraged to participate by calling; or if you wish to submit a comment, please review the Agenda and submit a digital comment card online by 7:00 a.m. of September 23, 2020 at: <https://www.cityoftyler.org/government/government/agendas>.***

Wednesday, September 23, 2020  
9:00 a.m.

Internet website <http://www.cityoftyler.org> and Cable Access Channel 3

Please call (903) 531-1100 if you need assistance with interpretation or translation for this City meeting.

*Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1100.*

## AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to ensure that City Council Meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to participate in this City Council meeting, please contact the City Manager’s Office at 903.531.1100, in advance so accommodations can be made.

## COURTESY RULES

Thank you for your participation. The City Council appreciates your interest in Tyler City Government. To ensure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, Administrative Staff, News Media, Citizens and Visitors. If you are attending the City Council meeting in person and you wish to address the Council, obtain a speaker card from the receptionist’s desk outside the Council Chambers, complete the information requested on the card, and deliver to the City Clerk before the meeting or as soon as you can. If you are participating in the City Council virtually, please submit a digital comment card prior to 7:00 a.m. of the meeting date at <https://www.cityoftyler.org/government/government/agendas>. Or you may call into the meeting at (903) 363-0651. Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council. Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. Comments to the City Council from those who are participating in the meeting by teleconference should only be made after the Clerk has introduced your call to Council. Comments to the City Council from those in attendance who are physically attending the meeting should only be made from the podium. This will ensure that the comments are picked up by the microphones and are made a part of the official record.

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **MINUTES**

Request that the City Council consider approval of the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on July 22, 2020.

## **AWARDS**

- A-1** Request that the City Council recognize the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. They represent 105 years of service with the City of Tyler.

Jennifer Roberts, Crimestoppers Coordinator, 20 years of service  
Michael Jordan, Groundskeeper, 20 years of service  
Dustin Goodwin, Fire Captain I, 20 years of service  
John Rains, Fire/Driver/Engineer, 20 years of service  
Michael Malone, Police Lieutenant II, 25 years of service

## **RESOLUTION**

- R-1** Request that the City Council consider adopting a Resolution appointing Paul McGaha, D.O as the Smith County Local Health Authority and authorizing the Mayor to sign the required State of Texas Certificate of Appointment.
- R-2** Request that City Council consider adopting a resolution authorizing proceedings in eminent domain on property located at 1130 West Franklin to acquire an easement to complete the TJ Austin Sidewalk Project.

## **ZONING**

- Z-1** Z20-031 BREWER WILLIAM RALPH III & BRETT ELIZABETH (4912 AND 4928 RICHMOND ROAD)  
Request that the City Council consider an appeal of the Planning and Zoning Commission's denial of a zone change from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District.
- Z-2** Z20-026 UTZ ELVYN ERVIN EST (1248 SHAWNEE BOULEVARD)  
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-2", Two-Family Residential District.

- Z-3** Z20-037 WILSON GERALD D (1215 WEST 34TH STREET)  
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-MH", Manufactured Home Residential District.
- Z-4** Z20-038 BALKANLI AKIN (2901 EAST FIFTH STREET)  
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "C-1", Light Commercial District.

### **MISCELLANEOUS**

- M-1** Request that the City Council consider approving an amendment to the North End Residential Building Incentives Program, which would revise the minimum eligible project building size from 1,600 square feet of heated and cooled space to 1,300 square feet of heated and cooled space.
- M-2** Request that City Council consider approving a substantial amendment to the 2014, 2015, 2016, 2017, 2018, and 2019 Community Development Block Grant Annual Action Plans.
- M-3** Request that the City Council consider authorizing the City Manager to award Tyler Bid No. 20-029 to Gardner Telecommunications, LLC for the Security & Fencing Improvement Project at Tyler Pounds Regional Airport in the amount not to exceed \$1,978,796.61.
- M-4** Request that the City Council consider authorizing the City Manager to execute Amendment 1 Work Order #5 with KSA Engineers in an amount not to exceed \$132,300.00, to provide construction administrative services for construction of the security & fence improvements at Tyler Pounds Regional Airport.
- M-5** Request the City Council consider authorizing the City Manager to enter into a contract with McGriff, Seibels & Williams in the amount of \$755,116 for Property & Liability Insurance, Hibbs Hallmark & Company in the amount of \$24,535 for Cyber Insurance, Bosworth and Associates for a deposit premium of \$2,000 for Special Event Liability Insurance and Innovative Risk Management in the amount of \$34,560 for Third Party Claim Administration for fiscal year 2020-2021 as the first of two (2) one year renewal options authorized September 11, 2019.
- M-6** Request that the City Council consider authorizing the City Manager to enter into a contract with Hibbs Hallmark & Company in the amount of \$102,476 for Excess Workers Compensation Insurance and Claims Administrative Services for Third Party Claim Administration in the amount of \$30,775 for the City of Tyler for Fiscal Year 2020-2021 as the first of two (2) one year renewal options authorized September 11, 2019.

- M-7** Request that the City Council consider authorizing the City Manager to execute a contract with A.E. Shull & Company in the amount of \$4,338,104.30 for the "Consent Decree Group 2 Traditional Pipe Rehabilitation", Standard Bid No 20-072.
- M-8** Request that the City Council consider approving an estimated \$260,180.58 for preventative and emergency creek crossing repair work related to wastewater line maintenance, to be paid out of existing bond funds.

## **HEARING**

- H-1** Request that the City Council conduct the second of three public hearings and consider adopting an Ordinance amending Tyler City Code Chapter 15 to adopt a proposed Electric Power Franchise Ordinance with Oncor Electric Delivery Company, LLC, on the third of three readings.

## **ORDINANCE**

- O-1** Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 3, Civil Service Classification Plan by amending the Civil Service Classification Plan and number of authorized Civil Service positions for Fiscal Year 2020-2021.
- O-2** Request that the City Council consider adopting an Ordinance amending City Code Chapter 9 to exempt Tyler Independent School District students residing outside of City limits from normal Library membership rates by providing proof of enrollment or student identification.

## **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 execute a Raw Water Supply Agreement with BOT Real Estate, LLC, D/B/A Cascades Country Club, to supply raw water from Lake Bellwood for irrigation purposes only.
- C-A-2** It is recommended that the City Council consider authorizing the City Manager to extend the annual price agreement to the vendor listed for uniform/floor mat rental for one year beginning October 1, 2020.
- C-A-3** Request that the City Council consider authorizing the City Manager to approve the use of Analytical Environmental Lab, of Tyler, Texas, Ana-lab of Kilgore, Texas and Lower Colorado River Authority Environmental Laboratory Services of Austin, Texas as sole source vendors for certain testing services in Water Treatment during Fiscal Year 2020-2021.

- C-A-4** Request that the City Council consider awarding sealed bids opened August 25, 2020 to the listed vendors for the annual price agreements for the purchase of various water and wastewater treatment chemicals and extend the annual price agreement to the vendor listed for powdered activated carbon for the fiscal year October 1, 2020 through September 30, 2021.
- C-A-5** Request that the City Council consider authorizing the City Manager to execute the renewal of a Fixed Base Operator Lease at Tyler Pounds Regional Airport with Johnson Aviation for the period from October 1, 2020, through September 30, 2025.
- C-A-6** Request that the City Council consider authorizing the City Manager to execute the first renewal option for a five year period from July 15, 2020 through July 14, 2025 for EAN Holdings, LLC Auto Wholesale Area Lease.
- C-A-7** Request that the City Council consider authorizing the City Manager to award the various annual price agreements for Asphalt/Street Materials; and Utility Cut Base Repair Material for the Fiscal Year beginning October 1, 2020.
- C-A-8** Request that the City Council consider authorizing the City Manager to extend the annual price agreement to the vendor listed for Roadside and Drainage Way Herbicide Spray Program for one year beginning October 1, 2020.

## **CITY MANAGER'S REPORT**

### **EXECUTIVE SESSION**

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 provision of the Government Code:

Executive Item:

Under Texas Gov't Code Section 551.072 "Real Estate" deliberation regarding the following:

Discuss the purchase, exchange, sale, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City.

## **ADJOURNMENT**