

**MINUTES OF THE TELECONFERENCE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
October 14, 2020**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, October 14, 2020 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
	Vacant
	Broderick McGee
	Shirley McKellar
	Vacant
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Sr. Assistant City Attorney:	Regina Y. Moss
Managing Director of Administrative Services/HR:	ReNissa Wade
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
Community Development Block Grant Manager:	Dustin Wilson
Police Chief:	Jimmy Toler
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Vehicle/Equipment Services Manager:	Leroy Sparrow
Managing Director of Planning & Economic Development:	Heather Nick
City Engineer:	Lisa Crossman
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember McKellar.

MINUTES

Motion by Mayor Pro Tem Westbrook to approve the August 12, 2020 and August 26, 2020 minutes; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

AWARDS

- A-1 Request that the City Council consider accepting awards from the Texas Municipal League for excellence in local government.**
City Manager, Edward Broussard - Stated that on Wednesday, October 14, as part of the 2020 Texas Municipal League (TML) Annual Conference, the City of Tyler received two 2020 Municipal Excellence Awards recognizing public works and city communications programs for cities with populations over 25,000. The awards recognized the City of Tyler for its Hillside Park renovation project and for its Friendly Neighborhood Thief video series.

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TML's Municipal Excellence Awards recognize and encourage the achievements of Texas cities in meeting the challenge of municipal governance. Innovative problem-solving, excellence in management, increasing citizen participation, and reaching toward higher service levels are all daily occurrences in Texas cities, and they deserve recognition. This awards program seeks out the best of these programs to honor. Awards are given in two population categories (under 25,000 and over 25,000) and five areas (management innovations, communication programs, city spirit, public safety, and public works).

A-2 Request that the City Council consider accepting the "Certificate of Achievement for Planning Excellence" from the American Planning Association – Texas Chapter.

Kyle Kingma, Planning Manager – Stated that the American Planning Association (APA) is a nonprofit public interest and research organization representing over 40,000 practicing planners, officials, and citizens involved with urban and rural planning issues.

The APA Texas Planning Awards Program recognizes individuals, organizations and communities for outstanding contributions to planning in Texas. The Richard R. Lillie, FAICP Program for Planning Excellence recognizes planning excellence in municipalities throughout the State. Evaluation criteria include the level of training of Planning Commissioners and professional staff, professional qualifications of the planning staff, breadth and currency of master plan components and completion of other planning related projects. The goals of the program include:

- Increasing community awareness of the importance of planning;
- Recognizing planning departments which meet certain professional requirements;
- Enhancing neighborhood and citizen recognition of planning efforts;
- Encouraging the funding of professional training for Planning Commissioners and staff; and
- Aiding economic development and community image.

The City of Tyler's Planning Department has been awarded the 2020 Certificate of Achievement for Planning Excellence in recognition of the professional planning standards demonstrated by Planning staff and the support exhibited by the City Council and Planning and Zoning Commission. This is the sixth consecutive year that the City of Tyler Planning Department has received this award.

Evaluation items that contributed to receiving the award included the completion of the Tyler 1st Comprehensive Plan Five-Year Update as well as the Planning Department staff completing qualified training and the City Council's support for recent planning initiatives.

PRESENTATION

P-1 Request that the City Council consider receiving an update regarding COVID-19 in Tyler and Smith County from the Northeast Texas Public Health District.

George Roberts-Gave an update regarding the COVID-19 pandemic in Tyler and Smith County.

HEARING

- H-1 Request that the City Council consider conducting the third and final public hearing and adopting a proposed ordinance amending Tyler City Code Chapter 15 granting Oncor Electric Delivery Company LLC an Electric Power Franchise. (O-2020-93)**

Open public hearing at 9:33 am

Close the public hearing at 9:34 am with no one coming forward to speak.

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

RESOLUTION

- R-1 Request that the City Council consider adopting a Resolution authorizing the filing of one (1) application with the East Texas Council of Governments (ETCOG) for a Regional Solid Waste Grant, and authorizing the acceptance and use of any grant(s) if awarded, authorizing the acceptance of any increases in grant funding levels, and authorizing the Solid Waste Department to take all actions needed to receive and expend grant funds. (R-2020-85)**

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

- R-2 Request that the City Council consider adopting a Resolution ratifying acceptance of the Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program (RAMP) Grant totaling \$50,000 for general maintenance programs at Tyler Pounds Regional Airport, and authorizing all appropriate City Staff actions related to the implementation and use thereof. The City's local share is \$50,000, which is budgeted in the Airport Fiscal Year 2020-2021 budget. (R-2020-86)**

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

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to execute a contract with Habitat for Humanity not to exceed \$165,000 for the administration of a Critical Home Repair Program funded through Community Development Block Grant.**

Motion by Councilmember McKellar; 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 not to exceed \$110,000 with Habitat for Humanity of Smith County to**

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administer a Targeted Home Repair Program funded with Community Development Block Grant funds.

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

M-3 Request that the City Council consider authorizing the City Manager to execute a construction contract with Reynolds & Kay, Ltd. for the construction of the Cambridge Road Improvements project for \$8,496,838.25.

Motion by Councilmember Sellers; 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 execute a contract amendment with KSA Engineers for additional design and construction services for the Group 2 Remedial Measures Implementation Project in the amount of \$486,700.

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

M-5 Request that the City Council consider approving a reimbursement of \$435,905.24 for right-of-way (ROW) sanitary sewer easement clearing work to A.E. Shull & Company, as part of its "On-Call and Maintenance Contract", to be paid out of operating funds. (Pulled from dais)

BOARD APPOINTMENTS

B-1 Request that the City Council consider making appointments and re-appointments to the Animal Care Advisory Board, Civil Service Commission, Disability Issues Review Board, Library Board, Neighborhood Revitalization Board, Parks Board, Historical Preservation Board, Zoning Board of Adjustments and the Traffic Safety Board.

Animal Care Advisory Board

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

Civil Service Commission

Motion by Mayor Pro Tem Westbrook to re-appoint Steve Brown; seconded by Councilmember McGee; motion carried 5 - 0 & approved as presented.

Disability Issues Review Board

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Motion by Councilmember Sellers to re-appoint Amanda Storer and appoint Chevella Layne, Shannon Rice, and Daryl Voce; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

Industrial Development Corporation Board

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

Library Board

Motion by Councilmember Sellers to re-appoint Tammy Burnette, Faith McElvy, and Glenda Malone; seconded by Mayor Pro Tem Westbrook; motion carried 5 - 0 & approved as presented.

Neighborhood Revitalization Board

Motion by Mayor Pro Tem Westbrook to re-appoint Kevin Hard and appoint Quantalane Henry; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.

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

Historical Preservation Board

Motion by Councilmember McGee to appoint Vicki Betts as a regular member; seconded by Councilmember Sellers; motion carried 5 - 0 & approved as presented.

Parks Board

Motion by Mayor Pro Tem Westbrook to re-appoint Orenthia Mason, Brittany Childs, Shwana Flowers, and Lesa Walker; seconded by Councilmember Sellers; motion carried 5 - 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 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 2020-2021. (R-2020-87)**

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- C-A-2** Request that the City Council consider authorizing the City Manager to approve purchasing goods through The Interlocal Purchasing System (TIPS) and BuyBoard Cooperative, whereby the City of Tyler can take full advantage of purchasing any and all items available through these cooperatives. Also request that the City Council consider authorizing the City Manager to purchase solid waste trucks from the purchasing cooperatives as selected.
- C-A-3** Request that the City Council consider authorizing the City Manager to approve the release of final retainage in the amount of \$32,737.88 to CFG Industries, LLC for the Troup Highway Standpipe Rehabilitation.
- C-A-4** Request that the City Council consider authorizing the City Manager to purchase four (4) Mack tractor trucks from East Texas Mack of Longview through The Interlocal Purchasing System (TIPS) agreement # 170802 for a total purchase price of \$151,780.00.
- C-A-5** Request that the City Council consider authorizing the City Manager to purchase one (1) new haul truck from Southwest International Trucks - Arlington, Texas through Buy Board contract #601-19 in the amount of \$177,401.44
- C-A-6** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1315 Walnut Dr. within the Tyler city limits and owned by taxing entities including the City of Tyler. **(R-2020-88)**
- C-A-7** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1313 Walnut Dr. within the Tyler city limits and owned by taxing entities including the City of Tyler. **(R-2020-89)**
- C-A-8** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 609 W 25th St within the Tyler city limits and owned by taxing entities including the City of Tyler. **(R-2020-90)**
- C-A-9** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 508 E Nutbush within the Tyler city limits and owned by taxing entities including the City of Tyler. **(R-2020-91)**
- C-A-10** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 405 W Harpole within the Tyler city limits and owned by taxing entities including the City of Tyler. **(R-2020-92)**

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- C-A-11** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 525 N Clayton within the Tyler city limits and owned by taxing entities including the City of Tyler. **(R-2020-93)**
- C-A-12** Request the City Council consider approving the accident repair of Solid Waste unit 18729, a 2018 Mack refuse truck, in the amount of \$99,120.66.
- C-A-13** Request that the City Council consider authorizing the City Manager to purchase one (1) new high pressure sewer jetting truck from Freightliner of Austin, Austin, Texas through the inter-local purchasing system TIPS contract #200206 for a purchase price of \$61,295.00, and Kinloch Equipment of Pasadena, Texas through Sourcewell Cooperative Purchasing contract #122017-FSC for the high pressure jetting rig for \$116,361.00, for a total purchase price of \$177,656.00.
- C-A-14** It is recommended that the City Council consider authorizing the City Manager to award the Group 1 Private Lateral Program Construction for Consent Decree Group 1 Remediation Work in the amount of \$206,600 and \$44,900 to Benjamin Franklin Plumbing and American Plumbing Co., respectively.
- C-A-15** Request that the City Council consider authorizing the City Manager to enter into an “Emergency Response Services Agreement” with East Texas Medical Center EMS, a Texas non-profit corporation doing business as UT Health East Texas EMS, for communication services and access to radio system infrastructure, including hardware, software, and insurance associated with this system for the City of Tyler.
- C-A-16** Request that the City Council consider authorizing the City Manager to execute an Easement and Right-of-Way agreement with Oncor Electric Delivery Company, LLC for the replacement of overhead electrical lines across City-owned property at 5112 Troup Hwy.
- C-A-17** Request that the City Council consider authorizing the City Manager to execute two (2) Easement and Right-of-Way agreements with Oncor to install two (2) electrical poles on City-owned property at Lake Tyler.
- C-A-18** 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.

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C-A-19 Request that the City Council consider authorizing the City Manager to execute Amendment No. 1 of the Commercial Lease Agreement with BMC Entertainment, Inc. care of Brent Allen, changing the monthly rental charge for years 2 and 3 for the Lake Tyler Marina.

C-A-20 Request that the City Council consider cancelling the regularly scheduled City Council meetings of November 25, 2020 and December 23, 2020.

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

CITY MANAGER'S REPORT

1. Census Bureau has official announced that the census will end tomorrow.
2. Union Pacific has officially reinstated the Downtown Railroad Quiet Zone.
3. The Rose Garden is officially rose season and is in full bloom.
4. The Southside Park is complete and the playground is up and operational again.

ADJOURNMENT

Motion by Mayor Pro Tem Westbrook to adjourn the meeting at 10:00 am; seconded by Councilmember McKellar; motion carried 5 - 0 & approved as presented.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

