

CITY COUNCIL - TELECONFERENCE AND REGULAR MEETING AGENDA

**Wednesday, April 28, 2021
9:00 am**

Due to the current Coronavirus COVID-19 public health emergency, the City of Tyler is taking extra precautions 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 members of the public. Consistent with Center for Disease Control (CDC) guidance and pursuant to Governor Abbott's Executive Order GA EO-34, people that are attending public meetings at City facilities and/or on City property must wear cloth face coverings or masks unless they are otherwise exempt because they are a child under ten (10) 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. April 28, 2021 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., April 28, 2021, 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/psNRX
(There is no need to download Microsoft Teams,
simply choose "watch on the web" option.)*



CITY COUNCIL
Donald P. Warren, Mayor
Linda Sellers, District 1
Broderick McGee, District 2
Dr. Shirley McKellar, District 3
James Wynne, District 4
Bob Westbrook, District 5
Brad Curtis, District 6
Edward Broussard, City Manager



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

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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 April 28, 2021 at:

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

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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 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 approving the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on February 10, 2021.

AWARDS

- A-1** Request that the City Council consider recognizing 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 90 years of service with the City of Tyler.

Jamey Watson, Fire Senior Captain I, 20 years of service
Brett Hilsabeck, Firefighter X 20 years of service
Samantha Martinez, Activities Specialist, 20 years of service
Jeffery Rackliff, Police Sergeant IV, 30 years of service

ZONING

- Z-1** A21-001 NATIONAL RETAIL PROPERTIES LP AND FIKES WHOLESALE INC (8604 HIGHWAY 64 EAST AND 5.03 ACRES OF LAND)
Request that the City Council consider approving the adoption of an ordinance providing for the voluntary annexation of approximately 5.38 acres of land and adjacent right-of-way lying adjacent to the present boundary limits of the City of Tyler located at the southeast intersection of Highway 64 East and County Road 219. Also consider:
- A. The new boundary of the City Limits.
 - B. The new boundary of the City Council District #4.
 - C. The new boundary of the Tyler Extraterritorial Jurisdiction (ETJ).
 - D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
 - E. Amendment of the Future Land Use Guide to reflect General Commercial.
 - F. Establishment of original zoning of 5.38 acres of "C-2", General Commercial District.
- Z-2** Z21-005 FLORES DESIGN AND DEVELOPMENT LLC (201 NORTH PARKDALE DRIVE)
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-1D", Single-Family-Detached and Attached Residential District.
- Z-3** C21-003 DENNIS WALKER (UNIMPROVED PORTION OF NORTH PALACE AVENUE)

Request that the City Council consider approving the closure of an unimproved portion of North Palace Avenue.

- Z-4** Z21-008 CENTER CITY INVESTMENTS (405 AND 411 EAST LOCUST STREET AND 213 NORTH CENTER AVENUE)
Request that the City Council consider approving a zone change for three lots containing approximately 0.70 acres of land located at the southeast intersection of East Locust Street and North Center Avenue from “M-1”, Light Industrial District to “DBAC”, Downtown, Business, Arts and Culture District.
- Z-5** N21-001 CITY OF TYLER (PORTION OF EASTSIDE ROAD TO YACHT CLUB WAY)
Request that the City Council consider approving a thoroughfare name change of approximately 1,215 feet of Eastside Road located in Zone 4 of the Tyler ETJ near Lake Tyler to Yacht Club Way.
- Z-6** C21-002 HILAND DAIRY FOODS COMPANY LLC (UNIMPROVED ALLEY RIGHT-OF-WAY)
Request that the City Council consider approving the closure of an unimproved alley right-of-way.
- Z-7** Z21-006 HILAND DAIRY FOODS COMPANY LLC (1403, 1411, & 1415 E LINE & 305 N CLAYTON)
Request that the City Council consider approving a zone change from “R-2”, Two-Family Residential District to “C-2”, General Commercial District.
- Z-8** PD21-003 GENECOV WEST MUD CREEK LLC (8061 HOLLYTREE DRIVE)
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “PUR”, Planned Unit Residential District with final site plan.

RESOLUTION

- R-1** Request that the City Council consider adopting a Resolution authorizing the City Manager, as the designated representative of the City of Tyler, to execute an agreement with the Texas Water Development Board (TWDB) for funding in the amount of \$28,000 for the Drainage Study of Black Fork Creek at Gentry Parkway.
- R-2** Request that the City Council consider adopting a Resolution authorizing the City Manager, as the designated representative of the City of Tyler, to execute an agreement with the Texas Water Development Board (TWDB) for funding in the amount of \$56,000 for the Drainage Study of the Headwaters of Willow Creek.

ORDINANCE

- O-1** Request that the City Council consider adopting an Ordinance approving a revised interlocal agreement between the City of Tyler and Smith County relating to plat and subdivision regulation in the City of Tyler extraterritorial jurisdiction.
- O-2** Request that the City Council consider approving an amendment updating City Code Chapter 12 for adjustments to land rental rates at Tyler Pounds Regional Airport.

- O-3** Request that the City Council consider approving the Tyler Hotel Occupancy Tax (HOT) Series 2021 Revenue Bonds.
- O-4** Request that the City Council consider approving the sale of Tyler Water and Sewer System Revenue Bonds, New Series 2021.
- O-5** Request that the City Council consider adoption of an ordinance amending Chapter 19 "Utilities," by repealing a rate structure change from declining to inclining rate schedule.

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to renew Work Order No. 1 with Pipeline Analysis LLC., with a projected cost of \$1,250,000 per year, for support of Consent Decree requirements and the Wastewater Collection System's Capacity, Management, Operations, and Maintenance Program (CMOM).
- M-2** Request that the City Council consider renewing a three-year license agreement with Environmental Systems Research Institute (ESRI) for the maintenance, support and licensing of the City's Enterprise-GIS software in the amount of \$247,500.00 to be paid in three yearly installments of \$82,500.
- M-3** Request that the City Council consider authorizing the City Manager to award Bid No. 21-040 for the Rose Complex to WRL, of Flint, Texas, to furnish all necessary materials, equipment, superintendence, and labor in an amount not to exceed \$27,985,898.60.

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 the City Council consider approving by consent the use of funds appropriated by the City's First Responder account for the purchase of a records management software system in the amount of \$52,381 for software and \$10,450 for interface to the City's current enterprise resource software for a first-year total of \$62,831.
- C-A-2** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1403 North Whitten within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-3** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 223 Mike Avenue within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-4** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 225 Mike Avenue within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-5** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 233 Mike Avenue within the Tyler city limits and owned by taxing entities including the City of Tyler.

- C-A-6** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1712 West Jackson within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-7** Request that the City Council consider ratifying expenditures in the amount of \$173,194.89 for work performed by Reynolds and Kay, LTD. on emergency water main repairs caused by the 2021 Winter Storm.
- C-A-8** Request that the City Council consider ratifying staff action for the emergency replacement of the VAV heating and cooling system located at Tyler Pounds Regional Airport.
- C-A-9** Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will decrease the contract amount by 1.5 percent (\$15,400.85) for the Cleaning and Closed Circuit Television (CCTV) Recording of Wastewater (Sanitary Sewer) Lines, Phase 4 Project, Bid No. 19-011.
- C-A-10** Request that the City Council consider ratifying the Settlement of the Angela Duncan v. City of Tyler, Texas, et al. lawsuit.

CITY MANAGER'S REPORT

ADJOURNMENT