

**MINUTES OF THE TELECONFERENCE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
February 10, 2021**

A regular called teleconference meeting of the City Council of the City of Tyler, Texas, was held Wednesday, February 10, 2021 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Don Warren
Mayor Pro Tem:	Broderick McGee
Councilmembers:	Linda Sellers James Wynne Shirley McKellar Bob Westbrook Brad Curtis
City Manager:	Edward Broussard
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Senior Asst. City Attorney:	April Earley
Senior Asst. City Attorney:	Alesha Buckner
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
Compliance Engineer:	Paul Neuhaus
Managing Director of Culture, Recreation and Tourism Services:	Stephanie Franklin
Director of Solid Waste & Transit Services:	Russ Jackson
Managing Director of Planning & Economic Development:	Heather Nick
Planning Manager:	Kyle Kingma
City Engineer:	Lisa Crossman
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by David Luchenbach, Christ Church Tyler.

MINUTES

Motion by Councilmember Westbrook to approve the December 9, 2020 minutes; seconded by Mayor Pro Tem McGee; motion carried 7 - 0 & approved as presented

AWARDS

- A-1 Request that the City Council consider accepting the “Certificate of Achievement Award for Excellence in Financial Reporting” from the Government Finance Officers Association (GFOA) of the United States and Canada for the City of Tyler’s Fiscal Year 2018-2019 Comprehensive Annual Financial Report.**

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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, Chief Executive Office and Dr. Paul McGaha-Smith County Health Authority gave an update regarding COVID-19 in Tyler and Smith County.

- P-2 Request that the City Council consider receiving a presentation from Halff Associates regarding updates on the status of the Citywide Comprehensive Storm Water Master Plan.**

- P-3 Request that the City Council consider receiving a presentation on an opportunity to issue approximately \$11,765,000 in bonds pledged from the Hotel Occupancy Tax revenues for the New Rose Complex Convention Center.**

Steven Adams, - Gave a presentation through teleconference on an opportunity to issue approximately \$11,765,000 in bonds pledged from the Hotel Occupancy Tax revenues for the New Rose Complex Convention Center.

Preston Smith, 2212 S. Chilton St. - Sent in a statement by email stating, "That they support Tyler with the mission to serve the families and education community of East Texas but it is essential that we be allowed to conduct our fair this year under the terms of our lease. Given the cancellation of our 2020 fair due to COVID, our financial condition is under serious distress. Throughout all of the planning, the city has been clear the fair must move but has not given us notice of cancellation of our lease that runs through 2026. We pray the city will support a win win plan!"

ZONING

- Z-1 PREVIOUSLY TABLED ITEM
Z20-049 JOSE CASTELLANOS (2704 AND 2706 CALLOWAY ROAD)
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District. This request was previously tabled by City Council on January 13, 2021.**

Motion by Councilmember Westbrook to un-table the item from the January 13th meeting; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

Motion by Councilmember Westbrook to table the item indefinitely until the dispute on the property lines are resolved; seconded by Mayor Pro Tem McGee; motion carried 7 - 0 & approved as presented.

HEARING

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- H-1 Request that the City Council consider conducting a public hearing on and to consider adoption of a Resolution authorizing and creating the Westside Place Public Improvement District. (R-2021-9)**

City Councilmembers went into a public hearing at 10:50 am

Terry Bonner, 1110 S Academy - Asked that the public be advised of the public hearings.

Deborah Pullum, City Attorney – Stated that the meetings are posted 72 hours prior to the meeting on the bulletin boards outside City Hall as well as the newspaper.

City Councilmembers closed the public hearing at 10:53 am.

Motion by Mayor Pro Tem McGee creating the Westside Place Public Improvement District; seconded by Councilmember Westbrook; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to execute a contract amendment with Benchmark Design Group for additional design and construction services for the Cloverdale Drainage Improvements project in the amount of \$55,000.**

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

- M-2 Request that the City Council consider authorizing the City Manager to execute a contract with Missouri Petroleum, LLC, for construction of the 2021 ONYX Seal Project in the amount of \$445,542.24 (Street Commitment Fund).**

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

- M-3 Request that the City Council consider authorizing the City Manager to execute a Professional Services Reimbursement Agreement for a Public Improvement District with BELLWOOD 323 2019 LP for the intended Westside Place Public Improvement District.**

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

- M-4 Request the City Council consider authorizing the City Manager to award Bid No. 21-013 to Paragon Construction & Associates, LLC of Tyler, Texas, to furnish all necessary materials, equipment, superintendence, and labor for an amount not to exceed \$344,010.31, for the construction of Bergfeld Park Tennis Courts and retaining wall.**

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Terry Bonner, 1110 Academy- Stated that he was representing the Justice League of East Texas and asked that there be some transparency when it comes to bidding projects.

Motion by Councilmember Wynne; seconded by Councilmember McKellar; 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.)

- C-A-1 Request that City Council consider approving an alternate fuel lease agreement with First Alt Fuel, Inc.**
- C-A-2 Request that the City Council consider authorizing the inter-local agreement between Tyler Transit and Tyler Junior College (TJC) to provide shuttle service and access to the fixed route system.**
- C-A-3 Request that the City Council consider authorizing the City Manager to approve purchasing goods through Buy Board Purchasing Cooperative (Buy Board), the Houston Galveston Area Cooperative (HGAC), Texas Multiple Awards Schedule (TXMAS), Texas Smart Buy (Smart Buy), The Cooperative Purchasing Network (TCPN), The Interlocal Purchasing System (TIPS), Omnia Partners (formerly USC), Sherriff's Association of Texas, Tarrant County Sherriff's Association and First Choice Cooperative (1st Choice) whereby the City of Tyler can take full advantage of purchasing any and all items available through the cooperatives. Also, request that the City Council consider authorizing the City Manager to utilize various Purchasing Cooperatives and various vendors as sole source for parts and service from February 2021 to February 2022.**
- C-A-4 Request that the City Council consider declaring certain City of Tyler vehicles as surplus and ready to be auctioned.**
- C-A-5 Request that the City Council consider authorizing the City Manager to purchase a medium duty chassis with an 8 yard dump truck from Price International and a medium duty chassis with a 10 foot dumping bed with a skid steer attachment from MHC Kenworth of Longview.**
- C-A-6 Request that the City Council consider approving a Resolution calling an election for May 1, 2021 to fill the offices of the Tyler City Council Members for Single Member District Numbers 1, 3, and 5 on the Tyler City Council and calling for a joint election with Smith County, Tyler Independent School District, and Whitehouse Independent School District. (R-2021-10)**
- C-A-7 Request that the City Council consider authorizing the City Manager to execute the Interlocal Elections Contract with Smith County to perform certain election services**

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for conducting a joint election for City of Tyler, Tyler Independent School District, and the Whitehouse Independent School District.

- C-A-8 Request that the City Council consider ratifying the payment to The Management Connection in the amount of \$57,000 for a facilitated training for High Achieving Leaders Program Development in calendar year 2021.
- C-A-9 Request that the City Council consider authorizing the City Manager to execute an Agreement for Access across City-owned property located at 18285 Eastside Rd. to Cameron Lee Williams and Kristen Lynette Williams.
- C-A-10 Request that the City Council consider authorizing the City Manager to execute an Agreement for Access across City-owned property located at 17211 Eastside Road to Thomas Andrew Proctor.
- C-A-11 Request that the City Council consider authorizing the City Manager to sign an indefinite right-of-way use agreement with Genecov West Mud Creek, LLC for the purpose of installing and maintaining subdivision entryway signs in the City of Tyler right-of-way.
- C-A-12 Request that the City Council consider canceling the March 10, 2021 City Council meeting.

Motion by Councilmember Westbrook; to approve the consent items accept C-A-6; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

Motion by Councilmember Westbrook; to approve consent item C-A-6; seconded by Councilmember McKellar; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. The City is facing winter weather again this week into early next week. Currently it looks like temperatures will plunge beginning late Thursday with best chance of snow and freezing rain on Monday, February 15th. The street department will have plenty of sanding material and de-icer on hand. We also have a specific, as far as locations list that we are utilizing to ensure, in relationship to emergency operations, hospital operations those streets and roadways stay open. We will be closely monitoring the weather and have crews on standby in the event of winter weather later this week and into early next week.
2. The Tyler Trees Committee will be handing out over 2000 tree seedlings on Saturday, February 28 starting at 9:00 am at Christus Trinity Mother Frances south Tyler location on Broadway Avenue. The seedlings will be available on a first come first serve basis.
3. In addition, in honor of the 100th commemorative anniversary of the tomb of the Unknown Soldier received a donation of 20 white rose bushes donated to the Rose Garden from members of the Mary Tyler Chapter of the Daughters of the American Revolution. This was meant to resemble the tomb of the Unknown Soldier as well as designated in the northeast portion of the garden, which will be replanted this week in hopes of blooming for a ceremony that is scheduled for November 11, 2021.

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4. We are quite excited because we had the opportunity late last week to brag about the fact that we are number one. We received a one in the ISO class ratings for our Tyler Fire Department in associated services, which means a reduction in insurance premiums for residents and businesses here in the city.
5. We are also excited that Tyler Texas ranked number 20 of the best cities for black women in the US. Moneygeek.com recently reviewed universities across America to find where black women are doing best in Tyler and ranked up there in the top 10 percent.

EXECUTIVE SESSION -City Council convened into Executive Session at 11:26 am.

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 Tex. Gov't Code Section 551.074 "Personnel Matters" deliberation regarding the following: The employment, duties and evaluation of the City Manager.

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

City Council reconvened from Executive Session at 11:33 am with no action taken.

ADJOURNMENT

Motion by Councilmember Westbrook to adjourn the meeting at 11:34 am; seconded by Councilmember Wynne; motion carried 7 - 0 & meeting adjourned.



DONALD P WARREN, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

