

CITY COUNCIL AGENDA

**Wednesday, December 8, 2021
9:00 am**



CITY COUNCIL

**Donald P. Warren, Mayor
Stuart Hene, 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**



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL

212 N BONNER AVE
TYLER, TEXAS 75702

Follow us on Facebook Live at: <https://www.facebook.com/CityofTylerTexas/>

Wednesday, December 08, 2021
9:00 am

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

Please call (903) 531-1250 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) 531-1250.

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 attend a City Council meeting, please contact the City Manager's Office at 903.531.1250, in advance so accommodations can be made.

COURTESY RULES

Thank you for your presence. 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 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. 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 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. Delay or interruption of the proceedings will not be tolerated.

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 October 13, 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.

Yvonne Terrazas, Senior PS Telecommunicator II, 20 years of service
Kenneth Gardner, Police Officer XIII, 25 years of service
Philip Johnson, Police Officer XIII, 25 years of service
Galen Billington, Solid Waste Manager, 20 years of service

ZONING

- Z-1** Z21-042 CBANKS CONSTRUCTION LLC (1484 WEST 34TH STREET)
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District and “R-2”, Two-Family Residential District to “C-1”, Light Commercial District.
- Z-2** Z21-053 COOPER EMPIRE LLC (4707, 4709, AND 4711 CHANDLER HIGHWAY)
Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “C-2”, General Commercial District.
- Z-3** A21-005 WERNER CROSSING LLC (14143 COUNTY ROAD 192)
Request that the City Council consider approving the adoption of an ordinance providing for the voluntary annexation of approximately 7.12 acres of land lying adjacent to the present boundary limits of the City of Tyler located east of the intersection of Hidden Hollow Lane and Old Noonday Road. Also consider recommending:
- A. The new boundary of the City Limits.
 - B. The new boundary of the City Council District #2.
 - C. The new boundary of the Tyler Extraterritorial Jurisdiction.
 - 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 Single-Family Medium/Low Density.
 - F. Establishment of original zoning of 7.12 acres of “PUR”, Planned Unit Residential District with final site plan.

- Z-4** A21-004 SHACKLEFORD LAND COMPANY, STEVEN HILL, BOSTICK ENTERPRISES, HUNT CUSTOM HOMES, ETOTILE INVESTMENTS, J&M ESTATE PLANNING, AND ARCHAEOLOGICAL CONSERVANCY
Request that the City Council consider approving the adoption of an ordinance providing for the voluntary annexation of approximately 140 acres of land lying adjacent to the present boundary limits of the City of Tyler located southeast of the intersection of Marsh Farm Road and Stonebank Crossing. Also consider recommending:
- A. The new boundary of the City Limits.
 - B. The new boundary of the City Council District #6.
 - C. The new boundary of the Tyler Extraterritorial Jurisdiction.
 - 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 Single-Family Medium/Low Density.
 - F. Establishment of original zoning of 140 acres of “R-1A”, Single-Family Residential District, “R-1B”, Single-Family Residential District, “R-1D”, Single-Family Detached and Attached Residential District, and “PUR”, Planned Unit Residential District with site narrative.

- Z-5** F21-116 RENTERIA ADDITION, FINAL PLAT
Request that the City Council consider approving a one lot subdivision containing approximately 0.31 acres of land located north of the northeast intersection of San Jacinto Drive and Lake Placid Road and a waiver for street improvements to San Jacinto Drive. The property is currently zoned “R-1A”, Single-Family Residential District. The purpose of the plat is to create one lot.

PRESENTATION

- P-1** Request that the City Council consider receiving a presentation on an opportunity to issue approximately \$44,000,000 in revenue bonds to facilitate regulatory compliance in the sewer system, consider any appropriate action related thereto and provide general guidance to staff regarding authorization to proceed with this opportunity to issue revenue bonds.

HEARING

- H-1** Request that the City Council consider conducting a hearing for citizen participation for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Consolidated Annual Performance Evaluation Report (CAPER).
- H-2** Request that the City Council consider conducting a Public Hearing on Tyler’s illustrative plan for redistricting of single member districts and consider adopting an Ordinance approving the revised Tyler City Council Single Member District boundary line changes in the selected plan.

EXECUTIVE SESSION

As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may go into executive session to consider the following:

-under Section 551.071 "Consultations with Attorney" regarding the following:

Receive advice from counsel regarding the City’s redistricting obligations

A governmental body may consult on legal matters that are not related to litigation or the settlement of litigation in an executive session with its attorney "on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts" with the Act.

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

RESOLUTION

- R-1** Request that the City Council consider authorizing the City Manager to execute the first year of a planned three (3) year Indefinite Delivery, Indefinite Quantity (IDIQ) contract for the "Cleaning and Closed Circuit Television (CCTV) Recording of Wastewater (Sanitary Sewer) Lines, Groups 6-8", TASB BuyBoard Contract #635-21, with Vortex Services, LLC for \$1,895,000.00 and consider approval of a Resolution reserving the right to reimburse \$427,000 of the expenditures with proceeds of future debt.

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 2021-2022.
- O-2** Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 6 by updating and amending the outdoor burning provisions in the 2015 International Fire Code, and also adopting a new Outdoor Burning Permit and Fee.
- O-3** Request that the City Council consider adopting an Ordinance amending the Fiscal Year 2021-2022 Budget to provide funding to complete various construction projects, motor vehicle purchases, and other purchases not completed by September 30, 2021, as anticipated.

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the execution of an addendum to the Stewart Park deed from the Estate of Thomas B. Stewart extending the date for construction of improvements to the park.
- M- 2** Request that the City Council consider authorizing the City Manager to ratify the Garrett and Associates contract for the renovation of the Fire Department Headquarters to establish an Owner Betterment Allowance that will increase the contract amount by \$96,000.00.
- M-3** 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-4** Request that the City Council consider adoption of a Resolution authorizing the City Manager to approve the allocation method set forth in the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet and to execute all documents necessary to accomplish the settlement.
- M-5** Request that the City Council consider authorizing the City Manager to enter into an agreement with Halff Associates Inc., to prepare the Noble E. Young Park design plan.

BOARD APPOINTMENTS

- B-1** Request that City Council consider appointments and/or re-appointments to the City of Tyler Tax Increment Reinvestment Zone No. 1 Board of Directors. Also consider reappointment of a Chair to City of Tyler Tax Increment Reinvestment Zone No. 1 Board of Directors.

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 reviewing and accepting the Investment Report for the quarter ending September 30, 2021.
- C-A-2** Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending September 30, 2021.
- C-A-3** Request that the City Council consider authorizing the City Manager to ratify the purchase of two (2) John Deere Backhoes from \$136,164.80 each for a total of \$272,329.60 from Doggett Machinery through Sourcewell Contract #032119-JDC to the new purchase price of \$140,600.00 each for a total of \$281,200.00.
- C-A-4** Request that the City Council consider authorizing the City Manager to execute a renewal of a Commercial Airline Permit between American Airlines, Inc., and Tyler Pounds Regional Airport.
- C-A-5** Request that the City Council consider authorizing the City Manager to purchase goods through Texas BuyBoard, and also request that the City Council consider authorizing the City Manager to purchase a brush truck through Texas Buyboard from Freightliner of Austin quote #601-19 for a total purchase price of \$256,832.00.
- C-A-6** Request that the City Council consider authorizing the City Manager to sign an indefinite public right-of-way easement agreement with Plaza Tower, for the purpose of installing patio lighting and furniture in the City of Tyler right-of-way.
- C-A-7** Request that the City Council consider authorizing the City Manager to ratify an expenditure in the amount of \$132,692.90 for the Mandated Annual Water Quality Assessment Fee to the Texas Commission on Environmental Quality.
- C-A-8** Request that the City Council consider authorizing the City Manager to ratify staff approval of agreements to reimburse Dixon Services, Inc. for considerations paid to landowners for

the execution of the needed utility easement agreements for current Consent Decree projects in an amount not to exceed \$155,000.00.

CITY MANAGER'S REPORT

ADJOURNMENT