

**MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
February 9, 2022**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, February 9, 2022 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:	Shirley McKellar
Councilmembers:	Stuart Hene
	James Wynn
	Broderick McGee
	Bob Westbrook
	Brad Curtis
City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
Asst. City Manager:	Heather Nick
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	April Earley
Director of Organizational Development:	Regina Y. Moss
Airport Manager:	Stephen Thompson
Managing Director:	ReNissa Wade
Planning Manager:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Fire Chief:	David Coble
Police Chief:	Jimmy Toler
Traffic Engineer:	Cameron Williams
Director of Utilities:	Kate Dietz
Parks Director:	Leanne Robinette
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Curtis.

MINUTES

Motion by Councilmember Westbrook to approve the December 8, 2021 minutes; seconded by Mayor Pro Tem McKellar; motion carried 7 - 0 & approved as presented.

RESOLUTION

- R-1 Request that the City Council consider adoption of a Resolution authorizing the City Manager on behalf of the Police Department to seek the Justice Assistance Grant (JAG) funding in the amount of \$55,000 from the East Texas Council of Governments State JAG Grant to fund the purchase of ten (10) Getac A140 tablets with accessories. (R-2022-11)**

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

- R-2 Request that the City Council consider adoption of a Resolution authorizing submission of an application by the Tyler Fire Department for, and acceptance of, grant funding through the Office of the Texas Governor's (OOG) Homeland Security Grant Division (HSGD) and for grant funding through the State Homeland Security Program (SHSP), as managed by the East Texas Council of Governments, to be used to support programs and projects aimed at maintaining and/or enhancing the City of Tyler's emergency preparedness and response capabilities. (R-2022-12)**

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

ORDINANCE

- O-1 Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 4, by adding new sex offender residency regulations. (O-2022-18)**

Lt. Eddie Sheffield and Det. Rod Simington gave a brief explanation of the sex offender residency regulations.

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

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to execute an engineering contract with Kimley-Horn and Associates, Inc. in the amount of \$114,085 for the Intelligent Transportation System Master Plan Year 2 – Traffic Signal Retiming Improvements.**

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

- M-2 Request that the City Council consider authorizing the City Manager to execute a contract with KSA Engineers, Inc. for the design, construction management, and construction inspection of the West 2nd Street Elevated Storage Tank Rehabilitation project in the amount of \$292,000.00.**

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Motion by Councilmember 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 an Engineering Services Contract, in an amount not to exceed \$100,750.00 with Halff Associates, Inc for Consent Decree Creek Crossing Replacement Design.**

Motion by Councilmember Westbrook; seconded by Mayor Pro Tem 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 the City Council consider authorizing the City Manager to purchase three (3) Holt Cat Backhoes for the Water Utilities and Street departments for \$136,455.00 each for a total of \$409,356.00 from Holt Cat Sourcewell Contract #032119-CAT. Sourcewell Quote # 294527-04.**
- C-A-2 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 overhead and/or underground electric supply and communications facilities to be located at 12558 Spur 364.**
- C-A-3 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order and the release of final retainage payment in the amount of \$36,121.00 to South Texas Illumination, LLC for the Martin Luther King Jr. Improvements Project.**
- C-A-4 Request that the City Council consider authorizing the City Manager to ratify the purchase of (13) thirteen 2022 Ford Interceptor Utility Vehicles fully equipped with decals, lights, sirens, and equipment for police patrol units for the City of Tyler Police Department from Holiday Auto Group through the Tarrant County Sheriff Purchasing Agreement from a total purchase cost of \$637,006.50 to a total cost of \$668,757.00.**
- C-A-5 Request that the City Council consider declaring a list of items from the Tyler Police Department as surplus and ready to be auctioned.**
- C-A-6 Request that the City Council consider authorizing the City Manager to execute Work Order No. 5 Amendment #2 to KSA Engineers, Inc. to provide additional engineering services for the modifications of the hold short position signage and pavement markings associated with Runway 22/Taxiway Foxtrot intersection included in the Airport Fencing and Security Improvements project for an additional cost of \$28,470.00.**
- C-A-7 Request that the City Council consider adoption of a Resolution calling an election for May 7, 2022, to fill the offices of the Mayor, at Large and the Tyler City Council**

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Members for Single Member District Numbers 2, 4 and 6 on the Tyler City Council and calling for a joint election with Smith County. (R-2022-13)

C-A-8 Request that the City Council consider authorizing the City Manager to execute the Interlocal Elections Contract for the May 7, 2022 election with Smith County.

C-A-9 Request that the City Council consider adoption of a Resolution authorizing execution of a contract for legal services with the firms of McKool Smith, P.C., Ashcroft Sutton Reyes LLC, and Korein Tillery LLC to pursue claims for monetary damages, declaratory relief, and other legal remedies (“Damages”) against Netflix, Inc., Hulu LLC, Disney DTC LLC, and other video service providers (“VSPs”) as determined for non-payment of franchise fees as set forth under the Texas Video Services Providers Act, Tex. Util. Code Chapter 66 (the “Litigation”). (R-2022-14)

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

CITY MANAGER’S REPORT

1. Thank you to the city staff, Police Department, Fire Department, Water Utilities Communications and the Street Department for the amazing work they did in preparation for the big winter storm that kind of fizzled out. They were ready for something if more kind of intensive ice had formed and cause creation or caused problems throughout our city. I also would like to give a special thank you to the employees at the Rose Garden. One of the things they did just after having gone through ice storms and everything in the past they had all of the tarps over all the rose plants and just the preparation they did in order to ensure that investment was safeguarded was pretty amazing.
2. Wanted to also talk about our appreciation on the sex offender ordinance and just the amount of work that goes on behind the scenes and matter of research and coordination. And this one was especially intense between the Police Department and Legal and that in making sure that we really understood the law as it was written by our legislators and that the application of that hopefully bares no future losses to us, as well as safeguards our citizens, and especially our children in our community. The work that Detective Simington did, Officer Freeman, Lt. Eddie Sheffield along with our Assistant City Attorney April Earley was just pretty amazing, so I want to also extend my thank you to them for their work on this project.
3. This last Saturday, January 29th the Tyler Trees Committee and the City of Tyler's Urban Forestry division hosted our annual Arbor Day celebration at Bergfeld Park and. TR Griffith Park. We also want to thank the Tyler Bike Club for a recent addition and repairs that they did out at Lindsay Park. They invested \$5000 in the project of building as far as some different trails and crossings through there.
4. If you drive by the Rose Complex, you see the tilt walls going up, you see the frame and get an idea of the size of the building. We were notified by about our first delay regarding the electrical switchboards so the ship date was delayed until September 2022.
5. Piggy Smalls was apprehended and taken to animal services where they will find a home for feral hogs.

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ADJOURNMENT

Motion by Mayor Pro Tem McKellar to adjourn the meeting at 9:41 am; seconded by Councilmember McGee; motion carried 7 – 0 and meeting adjourned.



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

ATTEST:


CASSANDRA BRAGER, CITY CLERK

