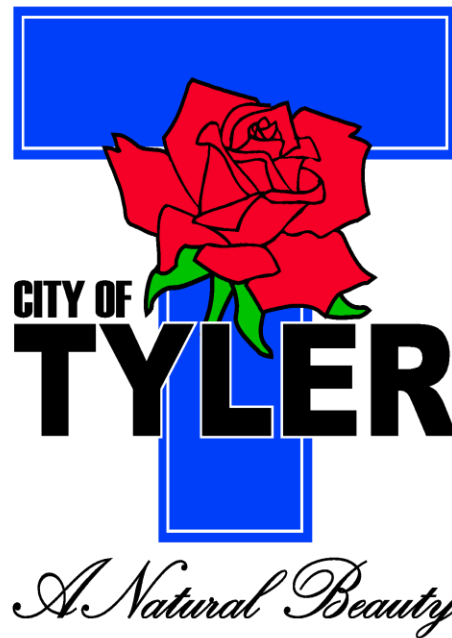




# CITY COUNCIL AGENDA

**Wednesday, December 14, 2022**  
**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**



## CITY COUNCIL MEETING AGENDA

### CITY COUNCIL CHAMBERS - CITY HALL

City Hall, City Council Chambers  
212 N. Bonner Avenue, 2nd Floor  
Tyler, Texas

Follow us on Facebook Live at: <https://www.facebook.com/CityofTylerTexas/>  
Wednesday, December 14, 2022  
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 26, 2022.**

## **AWARDS**

- A-1 Request that the City Council consider recognizing the following Infants at Work participant for her program participation and the joy she brought 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. She represents 6 months of service with the City of Tyler**

**Livia Dietz, Infant at Work - Water, 6 months**

- A-2 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 125 years of service with the City of Tyler.**

**Amanda Cook, PST Administrator, 20 years of service  
James Owens, Plant Operator III, 20 years of service  
Kelly Shirley, Fire Senior Captain I, 35 years of service  
Gary Cannon, Project Manager, 25 years of service  
Alan Lowery, Police Officer XIII, 25 years of service**

## **ZONING**

- Z-1 Z22-072 BRIARCREEK GROUP LLC (0.54 ACRE TRACT ALONG FRANKSTON HIGHWAY)  
Request that the City Council consider adoption of an Ordinance approving a zone change from “C-2”, General Commercial District to “M-1”, Light Industrial District.**

## **PRESENTATION**

- P-1 Request that the City Council consider authorizing the City Manager to execute the renewal of the Medical and Pharmacy Stop-Loss contract to Berkley for the calendar year starting January 1, 2023, with an estimated fiscal year cost of \$936,177.60; with actual final cost based upon enrollment numbers.**

- P-2** Request that the City Council consider approving a donation request and authorize the City Manager to accept the Smith County District Attorney's donation for partial payment for a digital forensic laser for the Tyler Police Department scanner in the amount of \$54,583.49.
- P-3** Request that the City Council consider authorizing the City Manager on behalf of the Tyler Police Department to purchase a Leica RTC360 digital forensic laser scanner in the amount of \$109,166.99 for the Tyler Police Department.

### **ORDINANCE**

- O-1** Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 8 by implementing a fee for athletic field lighting usage.
- O-2** Request that the City Council consider adopting an Ordinance amending the Fiscal Year 2022-2023 Budget to provide funding to complete various construction projects, motor vehicle purchases, and other purchases not completed by September 30, 2022, as anticipated.

### **MISCELLANEOUS**

- M-1** Request that the City Council review and consider accepting the Revenue and Expenditure Report for the period ending September 30, 2022.
- M-2** Request that the City Council consider authorizing the City Manager to execute a contract with Morton Enterprise for the construction of the 2023 Asphalt Crack Seal Project in the amount of \$429,919.00.
- M-3** Request that the City Council consider authorizing the City Manager to sign the Chapter 380 Economic Development Incentive Agreement between the City of Tyler and NORF Development for rehabilitation of the Carlton Hotel at 106 E Elm, Downtown Tyler, Texas.
- M-4** Request that the City Council consider authorizing the City Manager to execute a contract with Southern Trenchless Solutions in the amount of \$1,492,750.20 for the Consent Decree Group 5 Manhole Rehabilitation, Bid 23-007 and to adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt.
- M-5** Request that the City Council consider authorizing the City Manager to execute a contract with Reynolds & Kay, LTD in the amount of \$807,219.00 for the Sanitary Sewer Repair, Bid 23-008 and adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt.
- M-6** Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed \$8,408,500, with KSA Engineers, Inc. for the Consent Decree Capacity Work Group 2 Implementation and to adopt a Resolution reserving the right to reimburse expenditures with proceeds of future debt.

## **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 approve the Additional Services proposed by Halff Associates for the remaining work to complete the City of Tyler Water Model & Master Plan in the amount of \$75,000.**
- C-A-2 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending September 30, 2022.**
- C-A-3 Request that the City Council consider authorizing the City Manager on behalf of the Tyler Police Department to seek funding from the Department of Justice through the Edward Byrne Memorial Justice Assistance Grant in the amount of \$55,000.00 to fund the purchase of ten (10) Getac A140 tablets with accessories.**
- C-A-4 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-5 Request that the City Council consider authorizing the City Manager to execute both a temporary and permanent Easement and Right-of-Way agreement with Oncor to install electrical lines on City-owned property at Lake Tyler.**
- C-A-6 Request that the City Council consider authorizing the City Manager to approve Vehicle Services to purchase new fuel dispensers for the City of Tyler Oakwood Complex in the total proposed amount of \$39,120.10.**
- C-A-7 Request that the City Council consider authorizing the City Manager to purchase a tractor for the Airport from Lowe Tractor for \$76,305.34.**
- C-A-8 Request that the City Council consider authorizing the City Manager to purchase a residential refuse truck chassis from Bond Equipment and a refuse body from Reliance Truck for a total purchase cost of \$405,229.44 to replace unit 21745 that caught fire and was considered a total loss by insurance.**
- C-A-9 Request that the City Council consider amending and updating Tyler City Code Chapter 12 for adjustments to Office space rental rates and Minimum Concession Fee for On-Site Car Rentals at Tyler Pounds Regional Airport.**
- C-A-10 Request that the City Council consider authorizing the City Manager to execute an amendment of an Airport Auto Rental Lease between the City of Tyler and The Hertz Corporation at Tyler Pounds Regional Airport.**

- C-A-11** Request that the City Council consider authorizing the City Manager to execute an amendment of an Airport Auto Rental Lease between the City of Tyler and EAN Holdings, LLC dba Enterprise Rent-A-Car at Tyler Pounds Regional Airport.
- C-A-12** Request that the City Council consider authorizing the City Manager to execute an amendment of an Airport Auto Rental Lease between the City of Tyler and EAN Holdings, LLC dba National Car Rental at Tyler Pounds Regional Airport.
- C-A-13** Request that the City Council consider authorizing the City Manager to execute the final lease renewal option for a five-year period from January 1, 2021 through December 31, 2025 for the Bob L. Herd Corporate Hangar/Operator Lease between the City of Tyler and Bob L. Herd at Tyler Pounds Regional Airport.
- C-A-14** Request that the City Council consider authorizing the City Manager to execute the one (1) year lease with The Braun Corporation for 81,276 square feet of the Airport Drive North Parking Lot from December 15, 2022 to December 14, 2023 at Tyler Pounds Regional Airport.
- C-A-15** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1601 M L King, Jr. within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-16** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 3200 Shaw within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-17** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 915 Buckley Ave. within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-18** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 108 Adams within the Tyler city limits and owned by taxing entities including the City of Tyler.
- C-A-19** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at Hwy 155 South within the Tyler city limits and owned by taxing entities including the City of Tyler.

## **CITY MANAGER'S REPORT**

### **ADJOURNMENT**