

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
April 23, 2008**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 23, 2008 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Joey Seeber
Mayor Pro Tem: Chris Simons
Council Members: Nathaniel Moran
Donald Sanders
Ralph Caraway
Steve Smith
Charles Alworth

City Manager: Bob Turner
City Manager Designate: Mark McDaniel
City Attorney: Gary Landers
Deputy City Attorney: Steve Kean
Assistant City Attorney: Deborah Pullam
Assistant City Attorney: Karen Stead
Airport Manager: Davis Dickson
Business Service Manager: ReNissa Wade
Development Services Engineer: Michael Wilson
Chief Financial Officer: Daniel Crawford
Chief Information Officer: Benny Yazdanpanahi
City Fire Chief: Neal Franklin
City Police Chief: Gary Swindle
Communications Director: Susan Guthrie
Director of Parks and Recreation: John Webb
Director of Planning and Zoning: Barbara Holly
Director of Solid Waste: Dan Brotton
Manager of Water Quality and Production: Mitch Marable
Municipal Court Administrator: Cam McCabe
Director of Utilities & Public Works: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Caraway.

AWARDS

A-1 Request that the City Council consider recognizing a City employee as the Blueprint Blue Ribbon Award winner for April 2008, for placing the highest premium on responsiveness to customer needs.

Mayor Seeber presented Heather Nick with the Blueprint Blue Ribbon Award for April 2008, for placing the highest premium on responsiveness to customer needs.

ZONING

Z-1



APPLICATION A12-07-001B CITY OF TYLER WATER UTILITY DEPARTMENT

Request that the City Council consider adoption of an ordinance amending certain sparsely populated and owner requested territory, known generally as Lake Bellwood, constituting approximately 357. 615 acres of land out of the George Myers Survey, A-643, the S.A. & M.G.R.R. Co. Survey, A-963, the E.D. Holland Survey, A-478 and the McKinney & Williams Survey, A-727 as described by a metes and bounds description. The property to be annexed is located west of Loop 323 WSW, north and west of The Cascades residential development, west of All Saints Episcopal School, and south of County Road 1138.

Also consider establishing:

- A. The new boundary of the City Limits.**
- B. The new boundary of the Extraterritorial Jurisdiction.**
- C. The new boundary of the City Council Districts.**
- D. The Land Use Guide to reflect recreational and open space land uses.**
- E. Original zoning for 357.615 acres of “OSP” Open Space and Parkland with a “MU-O” Municipal Use Overlay. (0-2008-49)**

Jan Wood, 4722 Comanche Trail, President of the East Texas Trekkers Walking Club – Stated that they support the present annexation of the Lake Bellwood Park with the zoning of Open Spaces and Parks with a municipal overlay. However they were very disappointed in the City Council’s decision on March 25th allowing Bellwood Tyler Investment, LP, represented by C. C. Baker, access to develop 37 acres of the City of Tyler’s Lake Bellwood Park land. From observing the Cascade’s development it now appears the City of Tyler was not active in the development of that lake front property. The City of Tyler is now trying to sue the developers because of the clear cutting and wet lands that have been destroyed. We fear that the city will repeat this same scenario on the West side of the lake with the agreement made with Bellwood Tyler Investment, LP. We cannot continue to allow this Tyler jewel to be desecrated. This land needs to be developed into a nature area so we the citizens can come and enjoy the tranquility of the area in a more natural setting, not in the setting that we visualize the developer will develop the 37 acres of park land to enhance the beauty of their property. Their investment in our land is to make their land more desirable. They look at this as an investment in their development and by doing this they have already featured our Lake Bellwood in their promotion packages to publicize their development. We can see the dollar signs in their eyes. We feel it is their profit margin that interests them, not the citizens of Tyler interests. Allowing Bellwood Tyler Investments LP to put in a parking lot to accommodate 175 cars will not enhance the beauty of this natural area as we see it, it will allow them to have overflow parking for their development. This parking area will help to destroy some of the natural beauty of the Lake Bellwood Park area. Ms. Wood asked City Council to consider creating a committee of concerned citizens to oversee the development of Lake Bellwood Park including the 37 acres that was entrusted to Bellwood Tyler Investment, LP. This committee could assist the Parks Department to ensure that this land is developed to preserve the natural beauty of the area.

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Larry Meckley, 401 Sutherland – Spoke in opposition of the zoning.

Mayor Pro Tem Simons made the motion; seconded by Councilman Alworth; motion carried 7-0; approved as presented.

Z-2

APPLICATION C04-08-003A M.L. McLAUGHLIN

Request that the City Council consider a request to close an alley beginning at the intersection of the alley and Houston Street and extending north for approximately 530 feet. The east side of the right-of-way alley is adjacent to Lots 5A and 6 of NCB 252 and Lots 15, 18, and 19 of NCB 253. The west side of the right-of-way alley is adjacent to Lots 10, 11A, and 11B of NCB 252 and Lots 6-11 of NCB 253. (0-2008-50)

Councilman Alworth made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

Z-3

APPLICATION S03-08-041B MILKA & LORENZA HERNANDEZ

Request that the City Council consider a request to renew a Special Use Permit on Lot 12 of NCB 514 in the Fairfield Addition, one lot totaling approximately 0.251 acres located north and east of the intersection of Hillsboro Street and Winona Avenue, on the east side of Winona Avenue (1521 N. Winona Avenue). The property is currently zoned “R-1B” Single-Family Residential District. (0-2008-51)

Councilman Alworth made the motion; seconded by Councilman Moran; motion carried 7-0; approved as presented.

Z-4

APPLICATION Z03-08-040B EUGENE BENNETT

Request that the City Council consider a request to change the zoning from “R-1A” Single Family Residential District to “AR” Adaptive Reuse District on Lot 6 of NCB 1032A of the Green Acres Subdivision, one lot totally approximately 0.31 acres located one lot west of the northwest intersection of Easy Street and Loop 323 (1430 Loop 323 ESE) (0-2008-52)

Councilman Alworth made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

Z-5

APPLICATION Z04-08-042A EVELYN JACKSON

Request that the City Council consider a request to change the zoning from “C-1” Light Commercial District to “R-1B” Single Family Residential District on Lots 17, 18, 19, and 20 of NCB 669A of the Sunset Addition, four lots totaling approximately 0.38 acres located one lot north of the northwest intersection of North Ross Avenue and Gentry Parkway (1004 and 998 North Ross Avenue). (0-2008-53)

Councilman Caraway made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

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Z-6



APPLICATION Z04-08-043A NORTHCHASE DEVELOPMENT, LLC
Request that the City Council consider a request to change the zoning from “AG” Agricultural District to “R-3” Multi-Family Residential District on an approximate 18 acre tract of land out of the S.M. Haggerty Survey, A-435 and the Thomas Burbidge Survey, A-161, located south of the southwest intersection of North Broadway Avenue and Loop 323 NNW. (0-2008-54)

Councilman Sanders made the motion; seconded by Councilman Caraway; motion carried 7-0; approved as presented.

Z-7

APPLICATION Z04-08-045A ST. PAUL CHILDREN’S FOUNDATION
Request that the City Council consider a request to change the zoning from “R-2” Two-Family Residential District to “AR” Adaptive Reuse District on Lots 5 and 6 of NCB 536 in the Earle Addition, two lots totaling approximately .46 acres located at the southeast intersection of South Horace Avenue and East Elm Street (132 South Horace Avenue). (0-2008-55)

Mayor Pro Tem Simons made the motion; seconded by Councilman Alworth; motion carried 7-0; approved as presented.

Z-8

APPLICATION Z04-08-047A DARRELL NUNN
Request that the City Council consider a request to change the zoning from “AG” Agricultural District to “PUR” Planned Residential District with final site plan approval on an approximate 4.25 acre tract of land out of the V. Loupey Survey, A-616, located one lot east of the southeast intersection of Roy Road and Thompson Place (2521 Roy Road). (0-2008-56)

Councilman Moran made the motion; seconded by Councilman Caraway; motion carried 7-0; approved as presented.

Z-9

APPLICATION Z04-08-048A STEPHANIE HADFIELD
Request that the City Council consider a request to change the zoning from “R-2” Two Family Residential District to “AR” Adaptive ReUse District on Lot 14 of NCB 174 of the Yarbrough Addition, one lot totaling approximately 0.341 acres located one lot north of the northeast intersection of South Chilton Avenue and West Phillips Street (704 South Chilton Avenue). (0-2008-57)

Councilman Alworth made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

Z-10

APPLICATION Z04-08-050A SALVATION ARMY
Request that the City Council consider a request to change the zoning from “C-2” General Commercial District to “PMF” Planned Multi-Family Residential District with final site plan approval on an approximate 4.198 acre tract of land as recorded in the Public Records of Smith County, Texas, Book 6403, Page 114, located at the southeast intersection of Golden Road and Old Henderson Highway (2325 Old Henderson Highway). (0-2008-58)

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Mayor Pro Tem Simons made the motion; seconded by Councilman Alworth; motion carried 7-0; approved as presented.

Z-11



APPLICATION Z03-08-039B ELIZABETH STALEY

Request that the City Council consider a request to change the zoning from “RPO” Restricted Professional Office District to “AR” Adaptive Reuse District on Lot 18 of NCB 186 of the Porter Subdivision, one lot totaling approximately 0.253 acres, located one lot north of the northwest intersection of South Vine Avenue and West Woldert Street (217 South Vine Avenue). (0-2008-59)

Councilman Sanders made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

PUBLIC HEARINGS

H-1



Request that the City Council conduct public hearings, consider adopting ordinances creating Reinvestment Zone No. 9 – Sealtite Fasteners and Reinvestment Zone No. 10 – Hargis, for tax abatement, and consider approving tax abatement agreements with Sealtite and Hargis and authorizing the City Manager to sign all documents necessary to implement the tax abatement agreements. (0-2008-60 - Sealtite) © (0-2008-61 - Hargis) ©

Mayor Pro Tem Simons made the motion; seconded by Councilman Alworth; motion carried 7-0; approved as presented.

RESOLUTIONS

R-1

Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2008-7)

Councilman Alworth made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

R-2



Request that the City Council adopt a resolution approving the creation of the Tyler Downtown Redevelopment Authority; approving the articles of incorporation and the bylaws thereof; confirming the appointment of the initial directors and chairperson; and containing findings and other provisions relating to the subject. (R-2008-8)

Mayor Pro Tem Simons made the motion; seconded by Councilman Alworth; motion carried 7-0; approved as presented.

ORDINANCES

O-1 Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 12, to renew and update promotional incentives for any new or incumbent 14 CFR Part 121 Airline that agrees to initiate additional or enhanced air service from Tyler Pounds Regional Airport. (0-2008-62)

Airport Manager, Davis Dickson - On July 11, 2007, the City Council adopted Ordinance No. 0-2007-79 with the intent to reflect the City's interest in expanding the air service links needed by the community, provide a promotional incentive to new airlines that serve Tyler Pounds Regional Airport, and encourage incumbent airlines to increase service. This ordinance strives to accomplish these goals in a manner that is fair and non-discriminatory for all. This Airline Incentive Ordinance is due to expire on May 17, 2008.

The airport has received serious interest from Continental Connection and American Eagle Airlines in the new incentive program. After further review, the Airport staff recommends renewal of the Airline Incentive Ordinance with a proposal to update the incentive program to streamline and encourage the airlines to try new services based out of Tyler Pounds Regional Airport.

Councilman Alworth made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

O-2
TYLER 21 **Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 10 to adopt a new Unified Development Code consolidating and adopting regulations relating to zoning, subdivision design and improvements, plats, landscaping, drainage, streets and thoroughfares, development standards, parking, signage, environmental provisions, permitting, administration and enforcement, historic preservation, and annexation. (0-2008-48)**

Director of Planning & Zoning, Barbara Holly – Stated as an outgrowth of Tyler 21, the City of Tyler hired Duncan and Associates to redraft the City's development codes. This rewrite consolidates all of the development rules into a user friendly document. This redraft, or Unified Development Code, has the following characteristics.

- A single document rather than multiple, conflicting ordinances
- A uniform set of consistent definitions
- Procedures that follow the normal development sequence (zoning generally precedes platting, site plans come before building permit)
- Provides a coordinates system for review and enforcement.

Mayor Seeber appointed a steering committee to work with the consultant on this effort. Committee chair Bob Garrett, led the work sessions and all committee members spent many hours working through the technical details of the rewrite while the Tyler 21

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Comprehensive Plan update was being developed. When the Unified Development Ordinance draft was completed, the city presented the document to various groups, including the Tyler Area Builder's Association, the Tyler Apartment Association, Keep Tyler Beautiful, the billboard industry, irrigation professionals, automobile dealerships, sign industry, and the portable storage industry, for their specific input. Their input was presented to the Steering Committee for their review, and overwhelmingly, the changes suggested by the public were incorporated into the current draft.

The revised draft, incorporating the changes recommended by the Steering Committee, was presented to the Planning Commission on March 18, 2008. Following public input, the Planning Commission voted unanimously to recommend approval of the amended plan. They also voted to recommend a lower percentage to initiate a Conservation District study from 66 percent to 51 percent as recommended by the Historic Preservation Board.

This new zoning tool has generated considerable public discussion in two areas: 1) The appropriate percentage of residential use within any Conservation District, and 2) if the district can include business uses.

This plan, along with the additional recommendation from the Planning Commission, was presented to the Council at its 3/26/08 meeting. The Council expressed concern regarding how properties adjacent to historic districts might be protected from the effects of incompatible development bordering these districts. The Conservation District is the enhanced protection for neighborhoods 25 years and older. There are two potential ways to approach extending protection to the edge of these areas:

1. This draft is currently structured to require at least 80% residential uses with any business uses included **only on a voluntary** basis. Businesses agreeing to be included within a conservation district would develop or redevelop in a manner more consistent with the abutting neighborhood. However, for those businesses not agreeing to be included, there would not be enhanced protection, or
2. Another approach would be to allow business uses to be brought into Conservation Districts voluntarily **or involuntarily**. This proposal provides a higher degree of protection to the adjoining neighborhoods, and would be a significant departure from current practice.

Since the March 26, 2008 Council meeting, staff has continued to receive input on the plan. Virtually all of the recommendations improve clarity and are recommended for inclusion. One item that is not recommended is a request to allow horizontal platting. This is a concept that is unproven in the planning discipline and is a radical departure from current accepted procedures.

Bob Garrett – Spoke in favor of the project.

Kathey Comer, Tyler Area Builders Association – Thanked the City Council for their vision that led to Tyler 21 and resulted in the Unified Development Code, the inclusion of the entire community, and the willingness to consider and incorporate suggested

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modifications. In addition Ms. Comer asked that one year from now that the association would like to come back together and work with the City Council to address any glitches, changes, and clarifications that are always needed in a document this massive.

Mark Priestner – Spoke in favor of the project.

Larry Meckley- Spoke against the project.

Councilman Moran made the motion to approve the Unified Development Code as it is currently written with the following amendments (1.) The rear setbacks are reduced for R-1B from 25ft to 15ft. (2.) Reduce the percentage to initiate a study for a Neighborhood Conservation District from 2/3 to 51%. (3.) Presented legal language by the Attorneys that specifically indicate that anything that was previously adopted under our Planned District remains in affect and is not changed by the adoption of the Code; seconded by Councilman Smith; motion carried 7-0; approved as presented.

Councilman Alworth asked that in one year this Code be revisited and reviewed over a three month period and come back with recommendations for any change.

O-3

Request that the City Council consider adoption of an ordinance approving the appointment of directors for positions one through seven to the Board of Directors of Reinvestment Zone No. 2, in the City of Tyler, and appointing the Chair of the Board of Directors of Zone No. 2; and setting forth other provisions related thereto, and amending Ordinance No. O-2008-38. (0-2008-63)

City Manager Designate, Mark McDaniel – Stated that the next step in the creation of a Downtown Tax Increment Reinvestment Zone (TIRZ No.2) includes the nomination of Board members for positions one through seven, as well as appoints the chair for the Board. In accordance with the creating ordinance O-2008-38 adopted on February 27, 2008, the sitting City Council and the Mayor are nominated for Board positions and chair, respectively.

Councilman Caraway made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

MISCELLANEOUS

M-1



Request that the City Council consider authorizing the City Manager to execute an interlocal agreement by and between the City of Tyler and Tyler Junior College District (TJC) and Reinvestment Zone No. 2 providing for the participation of TJC in Reinvestment Zone No. 2. ©

City Manager Designate, Mark McDaniel – Stated that on March 27, 2008, Tyler Junior College District (TJC) demonstrated its support for the City's efforts to create a Downtown Tax Increment Reinvestment Zone (TIRZ No. 2) by executing an interlocal agreement that provides for TJC's participation. The initial term of this agreement will be five years at a capture rate of 100 percent. Before this agreement is fully executed,

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the Reinvestment Zone Board must take action approving the agreement. The TJC Board has further appointed Regent Clint Roxburgh as its representative on the TIRZ No. 2 Board.

Councilman Smith made the motion; seconded by Councilman Moran; motion carried 7-0; approved as presented.

M-2



Request that the City Council consider a proposal to assist with creation of create a new Tax Increment Reinvestment Zone (TIRZ No. 3) in the North End as defined by the Tyler 21 Comprehensive Plan. ©

Councilman Sanders made the motion; seconded by Councilman Caraway; motion carried 7-0; approved as presented.

M-3

Request that the City Council consider authorizing the City Manager to execute a lease agreement between the City of Tyler and the Tyler Youth Golf Foundation for the purpose of providing First Tee youth golfing facilities at and adjacent to Woldert Park. ©

Councilman Smith made the motion; seconded by Councilman Caraway; motion carried 7-0; approved as presented.

M-4



Request that the City Council consider accepting the Annual Review of City of Tyler Tax Abatements regarding Carrier Corporation, CB&I, Hood Packaging, Suddenlink, and Trane. (Accept w/Hood Packaging # employees change)

Councilman Alworth made the motion; seconded by Mayor Pro Tem Simons; motion carried 7-0; approved as presented.

M-5



Request that the City Council authorize the City Manager to engage the services of Wisenbaker Fix and Associates for the design of the 2008 Bond Program Highway U.S. 69 and Interstate 20 Water and Sanitary Sewer Improvements project, under the terms of the existing Tyler Water Utilities Professional Services Contract. ©

Councilman Moran made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

M-6



Request that the City Council authorize the City Manager to engage the services of Elledge Engineering for the design of the 2008 Bond Program North Tyler Water and Sanitary Sewer Improvements project, under the terms of the existing Tyler Water Utilities Engineering Services Contract. ©

Councilman Caraway made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

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M-7



Request that the City Council consider authorizing the City Manager to award the construction contract for the Community Development Block Grant (CDBG) Curb and Gutter Improvements to the Proyecto Rosalinda Area, Phase II, to the low bidder, Crown Construction, in the amount of \$144,337.25. ©

Councilman Moran made the motion; seconded by Councilman Smith; motion carried 7-0; approved as presented.

M-8

Request that the City Council consider authorizing the City Manager to execute Change Order No 4, in the amount of \$437,343.16, to the Grande Phase 2B project for the construction of the Cumberland Road Improvements. *Remove from the Agenda*

M-9

Request that the City Council consider reviewing and accepting the Revenue, Expenditure and Investment Report for the quarter ending March 31, 2008.

Councilman Moran made the motion; seconded by Councilman Alworth; motion carried 7-0; approved as presented.

M-10

Request that the City Council review and accept the Workers' Compensation and Property and Casualty Report for the current fiscal year 2007-2008 through the end of second quarter, March 31, 2008 and ratify all claims and settlements. *Approved 7:0 to accept reports and ratify claims payments since 9/13/06*

Councilman Alworth made the motion; seconded by Councilman Moran; motion carried 7-0; approved as presented.

M-11

Request that the City Council review and accept the Litigation Status Report for the first and second quarter of 2007-2008.

Councilman Alworth made the motion to accept the report; seconded by Councilman Moran; motion carried 7-0; approved as presented.

M-12

Request that the City Council consider approval of a Certificate of Appropriateness for the proposed alteration of a historic landmark known as the Smith-Butler House, located at 419 West Houston Street, Tyler, Texas, by Scot Ellis.

Councilman Smith made the motion; seconded by Councilman Sanders; motion carried 7-0; approved as presented.

(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).

CONSENT AGENDA

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- C-A-1** Request that the City Council consider authorizing the City Manager to execute an easement agreement granting ONCOR two easements across the City of Tyler 3.445 acres tract located in the Mary M. Long Survey, Abstract No. 562, and described in the deed recorded in Volume 764, Page 328 of the Deed Records of Smith County, Texas. ©
- C-A-2** Request that the City Council consider authorizing the City Manager to purchase one (1) Mack Cab and Chassis from the HGAC dealer Dallas Mack Sales for \$104,780.00 and one Lemco Body, Loader and Hoist from the HGAC dealer B and C Body Company for \$59,728.62, for a total price of \$164,508.62.
- C-A-3** Request that the City Council consider authorizing the City Manager to purchase five (5) PlateScan mobile systems for Municipal Court City Marshall vehicles in the amount of \$124,975.00. Pricing is based upon the inter-local agreement with the City of Mesquite.
- C-A-4** Request that the City Council consider a resolution authorizing the Police Department to participate with other law enforcement agencies in the submission of a grant request from The Texas Automobile Burglary and Theft Prevention Authority and to include authorizing the City Manager to enter into a cooperative working agreement regarding the same. (R-2008-9)
- C-A-5** Request that the City Council consider approving an ordinance amending the City of Tyler Code Chapter 19, "Utilities", Article IV, "Industrial Wastes", to comply with the Texas Commission on Environmental Quality requirements and federal general pretreatment regulations. (0-2008-64)

Councilman Caraway made the motion to accept the entire consent agenda; seconded by Councilman Moran; motion carried 7-0; approved as presented.

CITY MANAGER'S REPORT

1. Hazardous Collection Day this Saturday from 9-2
2. Mayor Prayer Breakfast 5-1-08, Harvey Convention Center
3. Downtown Business Arts & Culture District ribbon cutting 5-2-08 @11:00 on Square
4. NBHS new building ribbon cutting 5-9-08, 11:00 am (900 W Gentry)
5. Hamm Grand Opening @ Airport 4-26-08
6. Rose Sunday @ Rose Garden 4-27-08
7. Fill the boot campaign begin later today

RECESS FOR EXECUTIVE SESSION - City council convened into executive session at 11:37 am

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

-under section 551.071 "Litigation" deliberation regarding the following:

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1. Pending or contemplated litigation involving Cascades and/or Western Rim developments;
2. Clark v. City of Tyler et al;
3. Howells v. City of Tyler;
4. Smiths v. City of Tyler et al;
5. Toole v. City of Tyler
6. Jett & Sanders v. City of Tyler et al
7. Two lawsuits appeals involving Old Omen Road extension condemnations; Chapel Woods Development/Hipke v. City and TFW Golf LLPv. City

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics, which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects listed above

-under section 551.087 “Economic Development” deliberation regarding the following:

Possible offer of financial or other incentive to a business prospect and to consider financial information about that prospect with which the City is conducting economic development negotiations that could lead to a development in Tyler

- under Section 551.072 “Real Estate”, deliberation regarding the following:

Discuss the purchase, exchange, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City, related to the development of municipal facilities and encouragement of private investment.

City council reconvened from executive session at 12:17 p.m. with no final action taken

ADJOURNMENT

Mayor Pro Tem Simons made the motion to adjourn the meeting at 12:17 p.m.; seconded by Councilman Sanders; motion carried 7-0; meeting adjourned.

**BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS**

A T T E S T:

CASSANDRA BRAGER, CITY CLERK