

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
June 11, 2008**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, June 11, 2008 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor:	Barbara Bass
Mayor Pro Tem:	Chris Simons
Council Members:	Nathaniel Moran
	Donald Sanders
	Ralph Caraway (absent)
	Steve Smith (absent)
	Charles Alworth (absent)
City Manager:	Bob Turner
City Manager Designate:	Mark McDaniel
Deputy City Attorney:	Steve Kean
Assistant City Attorney:	Deborah Pullam
Assistant City Attorney:	Karen Stead
Budget/Human Resources Director:	ReNissa Wade
Development Services Engineer:	Michael Wilson
Director of Neighborhood Services:	Brenda Johnson
Capital /City Projects Coordinator:	Bill Ward
Chief Financial Officer:	Daniel Crawford
Chief Information Officer:	Benny Yazdanpanahi
City Engineer:	Carter Delleney
City Fire Chief:	Neal Franklin
City Librarian:	Chris Albertson
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
Internal Auditor:	Keidric Trimble
Manager of Water Quality and Production:	Mitch Marable
Manager/Water Utilities Business Office:	Joan Roberson
Municipal Court Administrator:	Cam McCabe
Director of Utilities & Public Works:	Greg Morgan
City Clerk:	Cassandra Brager

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INVOCATION

The Invocation was given by Councilmember Moran.

MINUTES

Councilman Moran made the motion to approve the minutes for the March 26 and April 9, 2008 City Council meeting; seconded by Councilman Sanders; motion carried 4-0; approved as presented.

AWARDS

A-1

20 years

Pauline C. Eng

May 11, 1988 to May 11, 2008

Pauline C. Eng went to work for the City of Tyler on May 11, 1988 as a Library Associate in the Library. On May 12, 2002 her position was reclassified to Access Associate. On January 1, 2006 she was promoted to Resource Librarian, the position she now holds. We are pleased to present Pauline with a 20 year service pin for her many years of service with the City of Tyler.

This employee represents 20 years of service with the City of Tyler.

PRESENTATIONS

P-1 Request that the City Council consider receiving a presentation from the City of Tyler's Tyler Apprentice Program (TAP) team members.

The TAP Teams were present to present each team proposal to provide the City Council a briefing on each TAP project. Each team presented and the teams where:

Team Empower- Human Resource Application Process

Team Endeavor – Forms Management and Document Imaging

Team Venture – New Employee Orientation

RESOLUTIONS

R-1 Request that the City Council consider adopting a resolution amending the authorized representatives with TexPool. (R-2008-11)

Councilman Moran made the motion; seconded by Councilman Sanders; motion carried 4-0; approved as presented.

ORDINANCE

O-1 Request that the City Council consider adopting an ordinance amending the Fiscal Year 2007-2008 Budget to provide funding for the Asphalt Overlay program, the Christian Heritage School and the Tyler Junior College projects. (0-2008-76)

Mayor Pro Tem Simons made the motion; seconded by Councilman Moran; motion carried 4-0; approved as presented.

APPOINTMENTS TO BOARDS

B-1 Request that the City Council consider approving Mayoral nominations to the Downtown Tax Increment Financing Zone (TIRZ No. 2) Board, the Downtown Redevelopment Authority Board, the Tyler Economic Development Council (TEDC) Executive Committee and the Tyler One-Half Cent Sales Tax (Half Cent) Corporation Board. (Mayor Bass appointed to TIRZ No. 2 Board and the Downtown Redevelopment Authority Board; Councilmember Moran appointed to the TEDC Executive Committee) Approved 4:0

Tax Increment Financing Zone (TIRZ No. 2)/Downtown Redevelopment Authority

Mayor Pro Tem Simons made the motion; seconded by Councilman Sanders; motion carried 4-0 to appoint the following Chairman:

Mayor Barbara Bass

Tyler Economic Development Council (TEDC)

Mayor Pro Tem Simons made the motion; seconded by Councilman Sanders; motion carried 4-0 to appoint the following to the Executive Committee:

Councilmember Nathaniel Moran

Half Cent Corporation

Mayor Pro Tem Simons made the motion; seconded by Councilman Sanders; motion carried 4-0 to allow Joey Seeber to continue serving until such time another nomination is made by Mayor Bass and approved by the City Council.

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The Tax Increment Financing Zone (TIRZ) Board meeting was called to order at 9:31 am

**RECESS FOR TAX INCREMENT FINANCING ZONE (TIRZ)
BOARD MEETING**

-see Tax Increment Financing Zone (TIRZ) Board Meeting Agenda Posting

Reconvene June 11, 2008, City Council meeting – at 9:42 am

MISCELLANEOUS

- M-1**  **Request that the City Council consider reviewing and authorizing the Preliminary Project and Preliminary Financing Plans for the Downtown Tax Increment Reinvestment Zone (TIRZ No.2).**

Councilman Moran made the motion; seconded by Councilman Sanders; motion carried 4-0; approved as presented.

- M-2** **Request that the City Council consider authorizing the City Manager to award the construction contract for Channel Improvements at Dogan Middle School to the low bidder, Crown Construction Corporation, in the amount of \$369,385.00, subject to approval by the Tyler Independent School District Board of Trustees on June 17, 2008. ©**
(subject to approval by TISD Board on June 17, 2008)

Mayor Pro Tem Simons made the motion; seconded by Councilman Sanders; motion carried 4-0; approved as presented.

- M-3** **Request that the City Council consider authorizing the City Manager to execute a Letter Agreement with J. Stowe and Company for the Algonquin Valuation and Negotiations, in an amount not to exceed \$20,000 without prior City Council approval. ©**

Councilman Moran made the motion; seconded by Mayor Pro Tem Simons; motion carried 4-0; approved as presented.

- M-4** **Request that the City Council consider ratifying staff action executing a 3-way utility contract between Tyler Water Utilities, Mezayek Building, Limited and A. E. Shull and Company for the construction of water and sanitary sewer utilities, associated with Hamilton Commons Development, with Tyler Water Utilities participation in the amount \$9,132, under Chapter 19-14 of the City of Tyler Code of Ordinances and ratifying**

emergency drainage improvements across Tyler Water Utilities property in an amount of \$34,350.50. ©

Councilman Sanders made the motion; seconded by Mayor Pro Tem Simons; motion carried 4-0; approved as presented.

M-5



Request that the City Council consider authorizing the City Manager to amend the Professional Services agreement, with Schaumburg and Polk, Incorporated, for the design of Grande Boulevard, Phase 2, expanding the scope of services and increasing the fee by \$367,635 for a total contract amount of \$2,384,055. ©

Councilman Moran made the motion; seconded by Mayor Pro Tem Simons; motion carried 4-0; approved as presented.

CITY MANAGER'S REPORT

1. *Keep Tyler Beautiful Board will receive community achievement award in Irving on June 26, 2008. TCMA conference begins June 27, 2008.*
2. *June is Internet Safety Month. The City Library and Committee on Internet Safety will conduct free seminars on internet safety through June. Seminars will be on Monday evenings at 6:30 p.m. and Friday mornings at 10:30 a.m.*

RECESS FOR EXECUTIVE SESSION- City council convened into executive session at 10:00 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: (No Executive Session on Cascades.)

Pending or contemplated litigation involving Cascades and/or Western Rim developments

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 551.072 "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

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City council reconvened from executive session at 10:25 am with no action taken.

ADJOURNMENT

Councilman Moran made the motion to adjourn the meeting at 10:26 a.m.; seconded by Councilman Sanders; motion carried 4-0; meeting adjourned.

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

A T T E S T:

CASSANDRA BRAGER, CITY CLERK