

CITY COUNCIL AGENDA

Wednesday, January 13, 2010
9:00 a.m.



Barbara Bass, Mayor
Sam Mezayek, District 1
Donald Sanders, District 2
Ralph Caraway, District 3
Chris Simons, District 4
Mark Whatley, District 5
Charles Alworth, District 6



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL
212 North Bonner
Tyler, Texas 75702
Wednesday, January 13, 2010
9:00 a.m.

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

AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to assure that City Council Meetings are accessible to disabled persons. If any special assistance or accommodations are needed 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. Delay or interruption of the proceedings will not be tolerated.

- Invocation
- Approval of Minutes
- Election Items
- Employee Awards – Recognitions, Service Pins and Certificates
- Zoning Items
- Citizen/Staff/Consultant Presentations
- Public Hearings
- Adoption of Resolutions
- Adoption of Ordinances
- Miscellaneous Items
- Consent Agenda
- Appointments to Boards
- Tabled Items
- City Manager's Report
- Recess for Executive Session

Icon Legend	
	Business and Economy
	Downtown Master Plan
	Future Land Use
	Historic Preservation
	Housing, Neighborhoods and Community Identity
	North End Revitalization
	Parks, Open Spaces, Recreation and Lakes
	Public Facilities and Services
	Transportation and Circulation
	Tyler 21 Plan

1. Invocation
2. Pledge of Allegiance
3. Minutes

11 18 09 Minutes

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 Service Awards

We would like to recognize 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. These employees represent over 72 years of service with the City of Tyler.

Retirees - Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
03/08/1984	Walter “Connie”	Luther	Hardscape Technician	Parks and Recreation	25
10/04/1982	Terry C.	Tolar	Fire/Driver/Engineer II	Fire	27

Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
12/21/1989	Steven M.	Kean	Deputy City Attorney	Legal	20

A-2 New Hires Recognitions

The following employees were hired by the City of Tyler during the month of December 2009. We would like to take this opportunity to welcome these new employees.

Ronald W.	Chancellor	Laborer	Lake Tyler
Ethan B.	Johnson	Police Recruit	Police
Ronnie	Cannon	Maintenance Repairer	Water Distribution
Darwin	Spencer	Bus Driver	Transit

ZONING

Z-1 APPLICATION C12-09-004 LARRY MORRIS (UNIMPROVED STREET)

Request that the City Council consider closing an unimproved portion of South Vine Avenue right of way connecting West 10th Street and Frankston Highway.

Z-2 APPLICATION C12-09-005 DAVID M. FENDER FAMILY PARTNERSHIP LTD. (IMPROVED ALLEY)

Request that the City Council consider closing an improved alley connecting to South Spring Avenue.

Z-3 F01-10-027 THORN HILL ADDITION, FIRST AMENDMENT, AMENDING REPLAT OF LOTS 3 AND 4 OF THE THORN HILL ADDITION

Request that the City Council consider approving a two lot plat including a waiver of \$7,240 in escrow costs.

RESOLUTION

R-1 Request that the City Council consider adopting a Resolution authorizing the City Manager to execute a Local Project Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) for the construction of a traffic signal at the intersection of Loop 323 and Charlotte Drive/Silver Creek Drive.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to award a construction contract for Golden Road Water Treatment Plant Phase III Improvements to the low bidder, McKinney & McMillen, LLC, in the amount of \$1,255,305.



M-2 Request that the City Council consider authorizing the City Manager to approve Change Order No. 1, in the amount of \$384,480 to the contract for the North Tyler Water and Sewer Improvements to relocate an existing 18-inch water line at the intersection of Loop 49 and Rhones Quarter Road.



M-3 Request that the City Council consider authorizing the City Manager to enter into a contract with Freese and Nichols, Inc. for the purpose of obtaining a Municipal Setting Designation (MSD) to proceed with future redevelopment of downtown properties, and consider adopting an Ordinance amending the Fiscal Year 2009-2010 Budget to appropriate funds for said expenditure.

M-4 Request that the City Council consider authorizing the City Manager to execute an Oil and Gas Agreement to Amend Declaration of Pooled Units (Swann and Shamgar Units) and to Form New Pooled Unit (SST Unit).

M-5 Request that City Council consider receiving patronage dividend refund check of \$55,951.69 from First Choice Cooperative. This refund is based on the City's purchasing volume on multiple commodity contracts.

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 an amendment to the existing CodeRED Services Agreement to allow the East Texas Council of Governments to renew the Agreement each year and pay for the service.
- C-A-2** Request that the City Council consider receiving a rebate check in the amount of \$3,265.47 resulting from participation in the Local Government Purchasing Cooperative.
- C-A-3** Request the City Council Consider ratifying the Emergency Expenditure for a Pump Replacement for the Shackleford Creek Lift Station in the amount of \$31,871.49.
- C-A-4** Request that the City Council consider ratifying the emergency purchase of one new roll-off solid waste truck and consider purchasing one additional roll-off solid waste truck from Dallas Mack Sales and B&C Body through the HGAC purchasing cooperatives for a net amount of \$93,740.67 for both after trade in credits.
- C-A-5** Request that the City Council consider awarding bids opened December 8, 2009, for the annual price agreements for wrecker service, from February 1, 2010 thru January 31, 2011, to lowest bidder, Isaacs Wrecker Service of Tyler, Texas.
- C-A-6** Request that the City Council consider declaring certain City of Tyler vehicles and miscellaneous vehicle parts as surplus and authorize for auction.
- C-A-7** Request that the City Council consider awarding bid opened December 8, 2009, to listed vendors for various vehicles.
- C-A-8** Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 12 “Airport and Transit”, Article VII. “Transit”, to correct the Section numbers.
- C-A-9** Request that the City Council consider adopting an Ordinance amending Chapter 6, “Buildings and Structures”, relating to adding a provision establishing rental fees for the Tyler Fire Department Training Facility.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider making an appointment to the Historical Preservation Board.

CITY MANAGER’S REPORT

RECESS FOR EXECUTIVE SESSION

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

- 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

- under section 551.071 “Litigation” deliberation regarding the following:

1. pending or contemplated litigation involving Western Rim and/or Cascades developments
2. pending or contemplated litigation involving the boundaries of the City’s ETJ

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

ADJOURNMENT