

# CITY COUNCIL AGENDA

Wednesday, June 23, 2010  
9:00 a.m.



**Barbara Bass, Mayor**  
**Sam Mezayek, District 1**  
**Donald Sanders, District 2**  
**Ralph Caraway, District 3**  
**Martin Heines, 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, June 23, 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.

## Icon Legend

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

## INVOCATION

## PLEDGE OF ALLEGIANCE

## ELECTIONS

**E-1** Request that the City Council consider canvassing the returns of the City Council Runoff Election held June 19, 2010 for District No. 6 Runoff Election set for that day and adopting an Ordinance declaring the results.

## 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 60-years of service with the City of Tyler.

#### Service Awards

<b>Date of Hire:</b>	<b>First Name:</b>	<b>Last Name:</b>	<b>Position:</b>	<b>Department:</b>	<b>Years of Service:</b>
<b>06/16/1980</b>	<b>Robert</b>	<b>Wade</b>	<b>Fire Captain II</b>	<b>Fire</b>	<b>30</b>
<b>06/16/1980</b>	<b>Evelyn</b>	<b>Cheatham</b>	<b>Administrative Assistant</b>	<b>Library</b>	<b>30</b>

## ZONING

**Z-1 APPLICATION Z06-10-041 BRUCE PRIMROSE (2019 and 2101 COLSTON DRIVE)**  
Request that the City Council consider changing the zoning from "R-1A", Single-Family Residential District to "C-1", Light Commercial District.

**Z-2 APPLICATION Z06-10-043 RYNO TEXAS HOLDINGS (2519 WEST GRANDE BOULEVARD)**  
Request that the City Council consider changing the zoning from "AG", Agricultural District to "C-1", Light Commercial District.

**Z-3 APPLICATION Z06-10-045 DAVID MOORE (4011 AND 4015 OLD NOONDAY ROAD AND 3816 AND 3820 TUCKER STREET)**  
Request that the City Council consider changing the zoning from "R-1A", Single-Family Residential District to "C-1", Light Commercial District.

**Z-4 APPLICATION Z06-10-046 TYLER MKH LTD (614 WEST DOBBS STREET)**  
Request that the City Council consider changing the zoning from "R-1B", Single-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District.

**Z-5 APPLICATION Z06-10-038 WOLDERT RENTALS, LLC (4295 KINSEY DRIVE)**  
Request that the City Council consider changing the zoning from “R-MF”, Multi-Family Residential District to “RPO”, Restricted Professional Office District.

**Z-6 APPLICATION C06-10-009 STEVE ROOSTH (REEVES STREET)**  
Request that the City Council consider closing an unimproved portion of Reeves Street between Oakland Avenue and South Beckham Avenue.

## **ORDINANCE**

**O-1** Request that the City Council consider adopting an ordinance amending City Code Chapter 17, by establishing a new school speed zone with a speed limit of 35 mph for Jones-Boshear Elementary along a portion of Front Street.

## **MISCELLANEOUS**



**M-1** Request that the City Council consider authorizing the City Manager to award the construction contract for the Earl Campbell Parkway and Old Noonday Improvements project, in the amount of \$14,080,727.91, to Longview Bridge and Road, Limited, of Longview, Texas.



**M-2** Request that the City Council Consider accepting the Annual Review Of City Of Tyler Tax Abatements regarding Carrier Corporation, Hood Packaging, Sealtite, and Trane.

**M-3** Request that the City Council consider approving the reconciliation change order and release final retainage to A.E. Shull and Company for the Old Omen Road project, from University Boulevard to Old Bascom, in the amount of \$8,470,555.13.

**M-4** Request that the City Council consider authorizing the City Manager to award a contract in the amount of \$515,400 to Hefner Roofing for the replacement of the Harvey Hall/Parks Department roof at 2000 West Front Street and consider adopting an Ordinance amending the Fiscal Year 2009-2010 Budget to appropriate funds for said expenditure.

**M-5** Request that the City Council consider ratifying staff action authorizing an agreement with Aquatic Management Services in an amount not to exceed \$115,300 for the treatment of 128.14 acres of hydrilla in various locations around Lake Tyler East.

**M-6** Request that the City Council consider authorizing the City Manager to purchase seven Police package Chevy Tahoe's for a total purchase of \$172,949 by using previously awarded funding from the American Recovery and Reinvestment Act (ARRA) administered under the Edward Byrne Memorial Justice Assistance (JAG) Grant.

**M-7** Request that the City Council consider approving a delay in the imposition of escrow requirement and authorizing an Improvement Agreement to ensure payment for necessary street improvements associated with the Lake View Development.

## **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 approving the final completion of thirteen restrooms and concession facilities in various City parks.
- C-A-2** Request that the City Council consider a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company LLC.
- C-A-3** Request that the City Council ratify the sale of one City surplus vehicle to the City of Arp, for a total amount of \$12,500.
- C-A-4** Request that the City Council consider declaring certain City of Tyler vehicles and miscellaneous vehicle parts as surplus and authorize for auction.
- C-A-5** Request that the City Council Consider authorizing the City Manager to execute a partial release of the 10-foot storm sewer easement associated with Lot 3, NCB 656-D (2003 Merrimac), Tyler, Texas.
- C-A-6** Request that the City Council consider authorizing the City Manager to award multiple vendors for the annual price agreement for various categories of oil, lubricants and anti-freeze per Bid No. 10-012.

## **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 551.071 "Litigation" deliberation regarding the following:

1. TCEQ docket involving LNVA
2. Condemnation & TCEQ docket involving TTUC (Algonquin)

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**