

CITY COUNCIL AGENDA

Wednesday, August 11, 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
Jason Wright, District 6



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL
212 North Bonner
Tyler, Texas 75702
Wednesday, August 11, 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

MINUTES

- a. Minutes 07 28 2010

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 **71** years of service with the City of Tyler.

Retirees - Service Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
10/02/1978	Judy	Thurmon	Police Sergeant III	Police	31

Service Awards

DATE OF HIRE:	FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:	YEARS OF SERVICE:
05/24/1990	Cesar	Berrum	Crew Leader	Parks & Recreation	20
8/10/1990	Joan	Roberson	Water Utility Business Office Manager	Water	20

A-2 New Hires Recognitions

The following employees were hired by the City of Tyler during the month of July 2010. We would like to take this opportunity to welcome these new employees.

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Savanna	English	PST II	Police

A-3 Blue Print Award

Request that the City Council consider recognizing a City employee as the Blueprint Blue Ribbon Award winner for August 2010, for placing the highest premium on responsiveness to citizens' needs.

ZONING

Z-1 APPLICATION C07-10-012 KEITH HODGES (DAVE STREET & ST. LOUIS STREET)

Request that the City Council consider a closing portions of rights-of-way known as Dave Street and St. Louis Street.

PRESENTATIONS

- P-1** Request that the City Council receive a presentation of the Fiscal Year 2010–2011 Proposed Budget, then consider voting to place the proposed property tax rate on the September 22, 2010 City Council Agenda as an action item and scheduling public hearings on the proposed budget and proposed property tax rate to occur during the August 25, 2010 and the September 8, 2010 City Council Meetings.

ORDINANCE

- O-1** Request that the City Council consider approving an Ordinance adopting the Community Development Block Grant (CDBG) and HOME Programs FY 2010-2015 Consolidated Plan and FY 2010-2011 Annual Plan.
- O-2** Request that the City Council consider adopting an Ordinance amending Chapter 1, “General Provision”, Article IX., “Disability Issues Review Board”, Section 1-92 by adding an additional function to the Board.

MISCELLANEOUS

- M-1** Request that the City Council to consider authorizing the City Manager to sign a “Letter of Engagement for Professional Audit Services” with Henry & Peters PC to perform the Fiscal Year 2009-2010 Annual Audit.

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 a Resolution authorizing continued participation with the Steering Committee of cities served by Atmos and authorizing the payment of .02 cents per capita to the Steering Committee to fund regulatory and related activities related to Atmos Gas delivery.
- C-A-2** Request that the City Council consider authorizing the City Manager to sign and acknowledge a permanent right-of-way use agreement with Delek Refining for the placement of a conduit for fiber optic communications under East Commerce Street in the City of Tyler right-of-way.
- C-A-3** Request that the City Council consider authorizing the City Manager to renew an agreement with the United States Department of Justice, Drug Enforcement Administration to provide the Tyler Police Department’s continued participation in the East Texas Drug Task Force.
- C-A-4** Request that the City Council consider adopting an Ordinance amending City Code Chapter 17, “Traffic”, Article III, “Speed”, by adding new Section 17-66 to be titled “Temporary Construction Speed Limits”.

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:

Pending or contemplated litigation involving extraterritorial jurisdiction boundaries with other cities

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