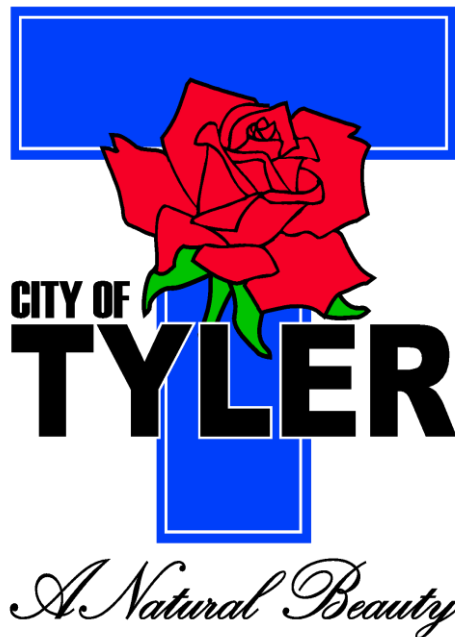


# CITY COUNCIL AGENDA

Wednesday, August 10, 2011  
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 10, 2011  
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 persons with disabilities. If any individual needs special assistance or accommodations 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 27 2011

## **EMPLOYEE AWARDS – RECOGNITIONS, SERVICE**

**A-1** The following employee(s) were hired by the City of Tyler during the month of July 2011. We would like to take this opportunity to welcome these new employee(s).

### **New Employees**

<b>FIRST NAME:</b>	<b>LAST NAME:</b>	<b>POSITION:</b>	<b>DEPARTMENT:</b>
Kristi	Bass	Administrative Secretary	Airport
Timothy (TJ)	Henderson	Groundskeeper	Parks & Recreation

**A-2** Request that the City Council recognize Kay Odom for her recent achievement in receiving the Texas Department of Aging and Disability Services (DADS) Vision Award in the wellness category at the annual DADS Volunteer Recognition Ceremony in Austin, Texas.

**A-3** Request the City Council consider accepting the “Certificate of Distinction” awarded for its Investment Policy from the Government Treasurer’s Organization of Texas.

## **PRESENTATIONS**

**P-1** Request that the City Council consider receiving a presentation from the Transit Department regarding the route improvements and updated schedules effective August 15, 2011.

**P-2** Request that City Council consider receiving a presentation of the Fiscal Year 2011–2012 Proposed Budget, then consider voting to schedule a public hearing on the proposed budget and the proposed property tax rate to occur during the August 24, 2011 regular City Council Meeting and to consider including the proposed property tax rate and the final fiscal year 2011-2012 budget as agenda items for the September 14, 2011 regular City Council meeting.

## **RESOLUTION**

**R-1** Request that the City Council consider adopting a Resolution ratifying submission of an application for and authorizing acceptance of State Energy Conservation Office (SECO) Grant Funds totaling \$100,000 to assist with the Alternative Fuels Initiatives for the Compressed Natural Gas Pilot Program.

## **ORDINANCE**

**O-1** Request that the City Council consider approving an Ordinance adopting the Community Development Block Grant (CDBG) and HOME Programs FY 2011-2012 Annual Plan, and Reprogramming of 2010-2011 HOME Program funds.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider authorizing the City Manager to award the 2011 Runway 4/22 Safety Area Improvement Project at Tyler Pounds Regional Airport to Reynolds & Kay, Ltd., in an amount not to exceed \$4,309,110.76 and recommend that the Half Cent Sales Tax Board authorize the five percent local share totaling \$215,455.54
- M-2** Request that the City Council consider authorizing the City Manager to execute Work Order No. 17 for construction administration and inspection services with Wisenbaker, Fix and Associates for the 2011 Runway 4/22 Safety Area Improvement Project at Tyler Pounds Regional Airport in an amount not to exceed \$333,000, and for the Half Cent Sales Tax Board to consider funding the maximum local obligation of \$16,650.

## **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 a resolution to authorize continued participation with the Steering Committee of Cities Served by Oncor and authorizing the payment of 10 cents per capita to the Steering Committee.
- C-A-2** Request that the City Council consider adopting a Resolution agreeing to the sale of a certain tract of land located at 1312 Conally, 2913 Chandler, and Oakwood & Grand Street within the City of Tyler city limits and owned by taxing entities including the City of Tyler, Trustee.
- C-A-3** Request the City Council consider adopting an Ordinance approving a negotiated Ordinance between the Atmos Cities Steering Committee (“ACSC” or “Steering Committee”) and ATMOS ENERGY CORP., MID-TEX DIVISION (Atmos MID-TEX” or “company”) regarding the company’s Fourth Annual rate review mechanism (“RRM”) filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; Requiring the company to reimburse cities’ reasonable ratemaking expenses; repealing conflicting Resolutions or Ordinances; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring Delivery of this Ordinance to the company and The Steering legal counsel.
- C-A-4** Request that the City Council consider authorizing the City Manager to purchase five Ford F150 Extend Cab Trucks for a total purchase of \$94,461.75.

## **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. Possible contemplated litigation involving TTUC (Algonquin)
2. Possible contemplated litigation involving Guinn Farms subdivision street conditions

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**