

# CITY COUNCIL - TELECONFERENCE & PUBLIC MEETING AGENDA

**Wednesday, August 26, 2020  
9:00 am**

*Due to the current Coronavirus COVID-19 public health emergency, the City of Tyler is taking extraordinary steps to protect the public health, safety and welfare. A teleconference meeting of the Tyler City Council is being conducted. Those who wish to participate by teleconference may call (903) 363-0651.*

*In addition, the City Council is also providing physical access for up to 22 members of the public, who may attend on a first-come, first seated basis. The public meeting will be arranged for social distancing, and those in attendance are urged to follow recommendations of the Centers for Disease Control and Prevention (CDC) by adhering to all social distancing and hygiene requirements. Capacity limits will be observed. Pursuant to both CDC guidance and Governor Abbott's most recent Executive Order, GA EO-29, people must wear cloth face coverings or masks when attending public meetings unless they are otherwise exempt because they are a child under two (2) or because they have a medical condition and have been advised by their doctor that wearing a mask itself is dangerous.*

*The public is encouraged to participate by teleconference and by calling; or if you wish to submit a comment, please review the Agenda and submit an online digital comment card prior to 7:00 a.m. August 26, 2020 by visiting:*

*<https://www.cityoftyler.org/government/government/agendas>.*

*For all comment cards so received, staff will call the phone number you submit directly during the meeting when your item comes up for comment.*

*If you are unable to submit a digital comment card prior to 7:00 a.m., August 26, 2020, you may call the meeting at (903) 363-0651 and be placed on hold until your item comes up for public comment.*

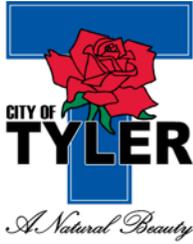
*Follow us live at: [facebook.com/CityofTylerTexas/](https://www.facebook.com/CityofTylerTexas/)*

*Follow live on Microsoft Teams at: [shorturl.at/oqVZ0](https://shorturl.at/oqVZ0)*

*(There is no need to download Microsoft Teams, simply choose “watch on the web” option.)*



**CITY COUNCIL**  
Martin Heines, Mayor  
Linda Sellers, District 1  
Broderick McGee, District 2  
Dr. Shirley McKellar, District 3  
Vacant, District 4  
Bob Westbrook, District 5  
Vacant, District 6  
Edward Broussard, City Manager



**CITY COUNCIL  
TELECONFERENCE MEETING  
AGENDA**

**CITY COUNCIL CHAMBERS - CITY HALL  
PUBLIC MAY PARTICIPATE BY CALLING:**

**(903) 363-0651**

Follow us live at: [facebook.com/CityofTylerTexas/](https://www.facebook.com/CityofTylerTexas/)  
Follow live on Microsoft Teams at: [shorturl.at/oqVZ0](https://shorturl.at/oqVZ0)

(There is no need to download Microsoft Teams, simply choose “watch on the web” option.)

***A maximum of 22 members of the public may attend in person on a first-come, first-seated basis. The public is encouraged to participate by calling; or if you wish to submit a comment, please review the Agenda and submit a digital comment card online by 7:00 a.m. of August 26, 2020 at: <https://www.cityoftyler.org/government/government/agendas>.***

**Wednesday, August 26, 2020  
9:00 a.m.**

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

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Please call (903) 531-1100 if you need assistance with interpretation or translation for this City meeting.

*Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1100.*

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**AMERICANS WITH DISABILITIES ACT NOTICE**

The City of Tyler wants to ensure that City Council Meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to participate in this City Council meeting, please contact the City Manager’s Office at 903.531.1100, in advance so accommodations can be made.

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**COURTESY RULES**

Thank you for your participation. 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 are attending the City Council meeting in person and 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. If you are participating in the City Council meeting virtually, please submit a digital comment card prior to 7:00 a.m. of the meeting date at <https://www.cityoftyler.org/government/government/agendas>. Or you may call into the meeting at (903) 363-0651. 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. Comments to the City Council from those who are participating in the meeting by teleconference should only be made after the Clerk has introduced your call to Council. Comments to the City Council from those who are physically attending the meeting should only be made from the podium. This will ensure that the comments are picked up by the microphones and are made a part of the official record.

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## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **MINUTES**

Request that the City Council consider approval of the minutes of the regular meeting of the City Council of the City of Tyler, Texas held on June 24, 2020

## **AWARDS**

**A-1** Request that the City Council consider recognizing 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. They represent 40 years of service with the City of Tyler.

- Timothy Cravens, hired 08/01/2000, Crew Leader in Water Distribution, 20 years of service.
- David "Ty" Hendrick, hired 08/30/2000, Police Officer XI in Police Department, 20 years of service.

## **HEARING**

**H-1** Request that the City Council conduct a public hearing and consider adopting an Ordinance amending Tyler City Code Chapter 15 to adopt a proposed Electric Power Franchise Ordinance with Oncor Electric Delivery Company, LLC, on the third of three readings.

**H-2** Request that the City Council consider conducting a public hearing on the proposed Fiscal Year 2020-2021 Annual Budget and on the proposed property tax rate of \$0.2590 per \$100 of taxable property value and consider taking action to adopt the proposed tax rate and Fiscal Year 2020-2021 Annual Budget on September 9, 2020.

## **ZONING**

**Z-1** PD20-010 UTZ ELVYN ERVIN (15.51 ACRES OF LAND)  
Request that the City Council consider an appeal of the Planning and Zoning Commission's denial of a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with a final site plan.

**Z-2** C20-007 LAURA AND DANIEL RANGEL (UNIMPROVED ALLEY RIGHT-OF-WAY)  
Request that the City Council consider approving the closure of an unimproved portion of right-of-way bound by East Granville Street and East Nutbush Street.

- Z-3** C20-008 MARIAH CRIMES (UNIMPROVED ALLEY RIGHT-OF-WAY)  
Request that the City Council consider approving the closure of an unimproved alley right-of-way.
- Z-4** PD20-011 REED DEVELOPMENT COMPANY LLC (2.70 ACRES OF LAND)  
Request that the City Council consider approving a "PUR", Planned Unit Residential District site plan amendment.
- Z-5** S20-005 ONCOR ELECTRIC DELIVERY COMPANY LLC (436 SOUTH SOUTHWEST LOOP 323)  
Request that the City Council consider approving a Special Use Permit to expand the electric utility substation.
- Z-6** Z20-029 HATDINE LLC (2316 EAST FIFTH STREET)  
Request that the City Council consider approving a zone change from "C-1", Light Commercial District to "C-2", General Commercial District.
- Z-7** Z20-032 PHILLIPS BOBBY RAY & MARY 1 LIFE ESTATE (501 EAST RIX STREET)  
Request that the City Council consider recommending a zone change from "R-1B", Single-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District.
- Z-8** Z20-030 DC DRIVE PARTNERS LLC (4409 DC DRIVE)  
Request that the City Council consider approving a zone change from "C-2", General Commercial District to "M-1", Light Industrial District.
- Z-9** Z20-034 LOGGINS LARRY & TERRY (7.52 ACRES OF LAND ON HAVERHILL DRIVE)  
Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District and "R-1D", Single-Family Detached and Attached Residential District.
- Z-10** Z20-036 MCCUIN OTHELL & CANZADA & SMITH COUNTY (1003 AND 1005 TREZEVANT STREET)  
Request that the City Council consider recommending a zone change from "R-2", Two-Family Residential District to "R-1D", Single-Family Attached and Detached Residential District.

## **ORDINANCE**

- O-1** Request that the City Council consider adoption of an ordinance amending Tyler City Code, Chapter 19, Article IV, Industrial Waste to include the Environmental Protection Agency's Industrial Pretreatment Program Streamlining Requirements.

## **RESOLUTION**

- R-1** Request that the City Council consider adopting a Resolution declaring certain real property located at or in the vicinity of 218 E. Elm Street, Tyler, Texas as surplus property and authorizing the sale of this property to Smith County in accordance with State law.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider authorizing the City Manager to execute a contract in an amount not to exceed \$110,000 with Habitat for Humanity of Smith County to administer a Utilities Assistance-CV Program funded with CARES Act Community Development Block Grant (CDBG-CV) funds.
- M-2** Request that the City Council consider authorizing the City Manager to execute a construction contract with Reynolds & Kay, LTD. for the construction of the Bascom Road Water Line project in the amount of \$866,322.00.
- M-3** Request that the City Council consider authorizing the City Manager to execute a contract with KSA Engineers, Inc. for the design, construction management, and construction inspection of the Glenwood Elevated Storage Tank Rehabilitation project in the amount of \$263,100.
- M-4** Request that the City Council consider authorizing the City Manager to execute a contract with IPR South Central in the amount of \$1,567,405.50 for the Consent Decree Group 2- Specialty Manhole and Pipe Rehabilitation Package Standard Bid, 20-037.
- M-5** Request that the City Council consider authorizing the City Manager to execute Change Order No. 01 with Taplin Group, LLC, increasing the total contract amount by \$194,137.75 (23 percent) to \$1,038,211.00 for the Cleaning and Closed Circuit Television (CCTV) Recording of Wastewater (Sanitary Sewer) Line, Group 4, Bid No. 19-011.

## **BOARD APPOINTMENTS**

- B-1** Request that the City Council consider making appointments and re-appointments to various City Boards

## **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 apply for and accept fourteenth year funding under the Comprehensive Traffic Enforcement Grant Program administered by the Texas Department of Transportation.
  
- C-A-2** Request that the City Council consider authorizing the City Manager to approve the final release of retainage in the amount of \$6,650.20 to Missouri Petroleum, LLC, for the 2020 ONYX Seal Project.
  
- C-A-3** Request that the City Council consider ratifying the City Manager's execution of a revised Agreement for Access across City-owned property at Lake Tyler to Jerry J. Massey and Rachel L. Taylor.
  
- C-A-4** Request that the City Council consider authorizing the City Manager to execute a Release and Termination of Water Line Easement for a water line easement located across the property located at 730 Beth Drive.
  
- C-A-5** Request that the City Council consider authorizing the City Manager to execute an Agreement with KSA Engineers, Inc. in the amount of \$180,000.00 for the Lake Tyler Dam, Lake Tyler East Dam and Bellwood Lake Dam inspections, summary reports and updates to Emergency Action Plans (EAPs) and Operations and Maintenance (O&M) Manuals.
  
- C-A-6** Request that the City Council consider ratifying expenditures in the amount of \$279,513.33 for work performed by The Brannon Corporation, ETTL and AAA Sanitation, Inc. for the emergency repair of a collapsed culvert and pavement on Public Road.

## **CITY MANAGER'S REPORT**

## **ADJOURNMENT**