CITY COUNCIL AGENDA

Wednesday, January 22, 2025
9:00 am

CITY OF TYLER
A Natural Beauty

CITY COUNCIL
Donald P. Warren, Mayor
Stuart Hene, District 1
Petra Hawkins, District 2
Dr. Shirley McKellar, District 3
James Wynne, District 4
Lloyd Nichols, District 5
Brad Curtis, District 6

CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS - CITY HALL

City Hall, City Council Chambers
212 N. Bonner Avenue, 2nd Floor
Tyler, Texas
Follow us on Facebook Live at:
https://www.facebook.com/CityofTylerTexas/
Wednesday, January 22, 2025
9:00 am

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

Please call (903) 531-1250 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) 531-1250.

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 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, please fill out the information on the IPAD located outside the Council Chambers. 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 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. Delay or interruption of the proceedings will not be tolerated.

INVOCATION

PLEDGE OF ALLEGIANCE

MINUTES

Request that the City Council consider approving the minutes of the regular called meeting of the City Council of the City of Tyler, Texas, held on November 13, 2024.

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. They represent 55 years of service with the City of Tyler.

Danny Johnson, Plant Operator II, 15 years of service
Patrisha McKee, Deputy Court Clerk, 15 years of service
Lance Yarema, GIS Coordinator, 20 years of service

A-2 Request that the City Council consider recognizing the following Infant at Work participant for her program participation and the joy she brought to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you made to our organization. Kolby completed 6 months of service with the City of Tyler.

Kolby Justice, Infant at Work, 6 months of service

PRESENTATION

P-1 Request that the City Council consider hearing a presentation on the collection of property taxes by Linebarger, Goggan, Blair & Sampson, LLP.

ZONING

Z-1 A24-002 WERNER-TAYLOR LAND & DEVELOPMENT LP (14697 COUNTY ROAD 192)
Request that the City Council consider adoption of an Ordinance approving the voluntary annexation of approximately 25.81 acres of land lying adjacent to the present boundary limits of the City of Tyler located southwest of the intersection of Old Noonday Road/County Road 192 and Three Lakes Parkway. Also consider approving:
A. The new boundary of the City Limits.
B. The new boundary of the City Council District #2.
C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent.
D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density.
F. Establishment of original zoning of 'R-1B', Single-Family Residential District.

Z-2 A24-003 WERNER-TAYLOR LAND & DEVELOPMENT LP (14143 COUNTY

ROAD 192)
Request that the City Council consider adoption of an Ordinance approving the voluntary annexation of approximately 11.06 acres of land lying adjacent to the present boundary limits of the City of Tyler located south of the intersection of Old Noonday Road/County Road 192 and Henshaw Creek Drive. Also consider approving:
A. The new boundary of the City Limits.
B. The new boundary of the City Council District #2.
C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent.
D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density.
F. Establishment of original zoning of 'PUR', Planned Unit Residential District with a written narrative.

Z-3 ZA24-001 UNIFIED DEVELOPMENT CODE (20 YEAR CITY LIMITS)
Request that the City Council consider adoption of an Ordinance making an uncontestable finding that all territory included within the City of Tyler since December 31, 2004, is part of the City.

Z-4 Z24-038 CYNTHIA ALLEN (601 DODGE STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-MF', Multi-Family Residential District to 'RPO', Restricted Professional Office District.

Z-5 Z24-039 APOLONIO MOLINA (1316 CLAUDE STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-MF', Multi-Family Residential District to 'R-1B', Single-Family Residential District.

Z-6 Z24-040 NEDWOL PROPERTIES (2453 AND 2457 MOSAIC WAY)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'M-1', Light Industrial District and 'M-2', General Industrial District to 'PCD', Planned Commercial District with written narrative.

Z-7 Z24-041 VALLE PROPERTY INVESTMENTS (308 JORDAN STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'C-2', General Commercial District to 'R-1B', Single-Family Residential District.

RESOLUTION

R-1 Request that the City Council consider adoption of a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Recreational Trails Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.

R-2 Request that the City Council consider adoption of a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Boating Access Grant and authorizing the City Manager to take all actions needed to

receive and expend grant funds.

ORDINANCE

O-1 Request that the City Council consider the adoption of an Ordinance amending the Fiscal Year 2024-2025 Budget to provide funding to complete various Community Development Block Grant (CDBG), HOME, and Housing Choice Voucher Program activities.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to enter into an agreement with Kimley-Horn to develop a Light Rail Study for the Tyler Area Metropolitan Planning Organization in the amount of $150,000.

M-2 Request that the City Council consider authorizing the City Manager to execute a Notice of Intent and submit the revised Tyler Texas Pollutant Discharge and Elimination System Phase II MS4 Stormwater Management Plan to the Texas Commission on Environmental Quality.

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 purchase Ten Chevrolet Tahoe vehicles for the Police Department from Tyler Motor Co dba Hall GMC Chevrolet.

C-A-2 Request that the City Council consider authorizing the City Manager to purchase personal protective equipment (PPE), and station wear in an amount not to exceed $309,300.00 from Metro Fire Apparatus Specialist, Inc., CASCO Industries, Inc., MES, Inc., and Galls, Inc., in compliance with Texas Government Code Chapter 271.102.

C-A-3 Request that the City Council consider authorizing the City Manager to execute the second renewal option for a five-year period from January 1, 2025, through December 31, 2029, for Isaiah Daw, Dixie Hangar LLC, Tract 15, located at Tyler Pounds Regional Airport.

C-A-4 Request that the City Council consider authorizing the City Manager to ratify staff action in payment to A.E Shull in the amount of $181,058.50 for the emergency repair and restoration of the 30" sewer main adjacent to Highway 110 South.

C-A-5 Request that the City Council consider authorizing the City Manager to execute a reconciliation change order that will decrease the contract amount by $35,159.00 and the release of final retainage payment in the amount of $3,800.00 to A.E. Shull & Company for the construction of the Earl Campbell Gravity Sewer Main Project.

C-A-6 Request that the City Council consider authorizing funds for the Contract with Strategic Government Resources for Willie Marshall, interim Water Business Office manager, not to exceed $125,000 for fiscal year 2025.

C-A-7 Request that the City Council consider authorizing the City Manager to execute a Capital Improvements Project contract in the amount of $165,960.00 with A-10 Construction for the Lake Palestine Water Treatment Plant Erosion Control Project Bid No. 25-006 to be funded from the Lake Palestine Water Treatment Plant Operations and Maintenance fund.

C-A-8 Request that the City Council consider authorizing the City Manager to execute a contract in the amount of $69,100 for professional facilitation services with The Management Connection for the High Achieving Leaders (HAL) Development Program to occur in calendar year 2025.

CITY MANAGER'S REPORT

ADJOURNMENT

MINUTES OF THE REGULAR CALLED MEETING OF
THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
November 13, 2024

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, November 13, 2024 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Don Warren (absent)
Mayor Pro Tem:	Stuart Hene
Councilmembers:	Brad Curtis
	Shirley McKellar
	Petra Hawkins
	James Wynne
	Lloyd Nichols
City Manager:	Edward Broussard
Deputy City Manager:	Stephanie Franklin
City Attorney:	Deborah G. Pullum
Senior Asst. City Attorney:	Alesha Buckner
Planning Director:	Kyle Kingma
Chief Financial Officer:	Keidric Trimble
City Fire Chief:	David Coble
MPO Director:	Michael Howell
Compliance Engineer:	Paul Neuhaus
Project Engineer Water Utilities:	Tiffany Currie
Police Chief:	Jimmy Toler
City Engineer:	Darin Jennings
Traffic Engineer:	Cameron Williams
Director of Utilities:	Kate Dietz
Director of Parks & Recreation:	Leanne Robinette
Transit Manager:	Russ Jackson
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Curtis.

MINUTES

Request that the City Council consider approving the following sets of minutes of the City Council of the City of Tyler, Texas.

August 14, 2024 - City Council Boards & Commissions Training Session
August 28, 2024- City Council Regular Called City Council Meeting Minutes
August 28, 2024 - City Council Boards & Commissions Training Session

Motion by Councilmember Wynne; seconded by Councilmember Curtis;
motion carried 6 - 0 & approved as presented.

PRESENTATION

P-1 Request that the City Council consider receiving an annual presentation by Visit Tyler.

Dianne Bayes, President of Visit Tyler - Gave an end of the year presentation.

ZONING

Z-1 PD24-023 COPPER RIDGE II LLC (6951-6959 ARBOR RIDGE DRIVE AND 6865 OAK HILL BOULEVARD)
Request that the City Council consider adoption of an Ordinance approving a 'PMXD-1', Planned Mixed Use District-1 final site plan amendment. **(O-2024-95)**

Motion by Councilmember Curtis to remove Z-1 from being tabled from last meeting; seconded by Councilmember Wynne; motion carried 6 - 0 & approved.

Motion by Councilmember Hawkins; seconded by Councilmember Curtis; motion carried 6 - 0 & approved as presented.

Z-2 C24-008 THE GARDENS (TWO ALLEY RIGHTS-OF-WAY)
Request that the City Council consider adoption of an Ordinance approving the closure of two alley rights-of-way located between West Ferguson Street and West Erwin Street. **(O-2024-96)**

Motion by Councilmember Hawkins; seconded by Councilmember Wynne; motion carried 6 - 0 & approved as presented.

Z-3 PD24-024 THE GARDENS AT WEST OAK (710, 714, 718, 728, 730, 802, AND 812 WEST FERGUSON STREET AND 717, 725, 729, 823 AND 829 WEST ERWIN STREET)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'DBAC', Downtown Business, Arts and Culture District and 'M-1', Light Industrial District to 'PMXD-2', Planned Mixed Use District-2 with a final site plan. **(O-2024-97)**

Motion by Councilmember McKellar; seconded by Councilmember Curtis; motion carried 6 - 0 & approved as presented.

Z-4 Z24-033 GARRETT NEWMAN (2714 AND 2716 CALLOWAY ROAD)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-1A', Single-Family Residential District to 'R-1B', Single-Family Residential District. **(O-2024-98)**

Motion by Councilmember Nichols; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

Z-5 Z24-034 GARRETT NEWMAN (2508 CALLOWAY ROAD)
Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-1A', Single-Family Residential District to 'R-1B', Single-Family

Residential District. **(O-2024-99)**

Motion by Councilmember Nichols; seconded by Councilmember Wynne; motion carried 6 - 0 & approved as presented.

RESOLUTION

R-1 Request that the City Council consider adopting a Resolution authorizing the City Manager, or the City Manager's Designee, as the designated representative of the City of Tyler, to execute Advanced Funding Agreements (AFA) with the Texas Department of Transportation (TxDOT) for multiple Highway Safety Improvement Program (HSIP) Projects. **(R-2024-45)**

Motion by Councilmember McKellar; seconded by Councilmember Curtis; motion carried 6 - 0 & approved as presented.

ORDINANCE

O-1 Request that the City Council consider adoption of an Ordinance amending Tyler City Code Chapter 3, Civil Service Classification Plan by amending the Civil Service Classification Plan and the number of authorized Civil Service positions for Fiscal Year 2024-2025. **(O-2024-100)**

Motion by Councilmember McKellar; seconded by Councilmember Curtis; motion carried 6 - 0 & approved as presented.

O-2 Request that the City Council consider conducting the annual investment policy review and consider adoption of an ordinance amending Tyler City Code Chapter 2 by adopting the investment policy. **(O-2024-101)**

Motion by Councilmember Curtis; seconded by Councilmember Hawkins; motion carried 6 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider reviewing and accepting the Revenue and Expenditure Report for the period ending September 30, 2024.

Motion by Councilmember Nichols; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

M-2 Request that the City Council consider authorizing the City Manager to execute a Capital Improvement Project (CIP) construction contract with Baker & Company Construction, LLC, for the West Mud Creek, Tributary A (Glenwood Church of Christ) Erosion Remediation project, Bid No. 24-036, for $3,388,043.00.

Motion by Councilmember Wynne; seconded by Councilmember McKellar; motion carried 6 - 0 & approved as presented.

M-3 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed $4,177,105, with KSA Engineers, Inc. for the Consent Decree Capacity Work Group 3 Design.

Motion by Councilmember McKellar; seconded by Councilmember Nichols; motion carried 6 - 0 & approved as presented.

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 purchase two fire trucks and sign documents to enter into a five- year capital lease program for the acquisition of one (1) Pierce Pumper $935,838.63 and one (1) ariel $1,685,321.99, plus a $2000.00 HGAC fee for a total purchase cost of $2,623,160.62 from Siddons Martin HGAC Contract # FS12-23.

Motion by Councilmember Wynne to approve C-A-1; seconded by Councilmember McKellar; motion carried 6 - 0 & approved.

C-A-2 Request that the City Council consider approving the Reconciliation Order and retainage in the amount of $9,112.99 to Reynolds & Kay, LTD for the 2024 Seal Coat Project.

C-A-3 Request that the City Council consider authorizing the City Manager to declare certain designated vehicles as surplus and ready to be auctioned.

C-A-4 Request that the City Council consider authorizing the City Manager to approve Addendum #1 to existing contract with Token Transit over the life of the five (5) year contact for reoccurring fees at $20,900 per year, for a total of $104,500. Staff is also recommending the purchase of an additional thirteen (13) Token validators at a cost of $47,600, for a total cost of $68,500 the first year of the amended contract. Any additional validators will cost $4,400 each the first year of the purchase and installation.

C-A-5 Request that the City Council consider authorizing the City Manager to execute a new Master Services Agreement for professional engineering services with Yvonne Newman Engineering, Inc. to provide engineering services.

C-A-6 Request that the City Council consider authorizing the City Manager to execute a Work Order No. 2 with Kimley-Horn and Associates, Inc., for engineering services, related to the City of Tyler's Traffic Management Center, for a cost not to exceed $150,000.00.

C-A-7 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending September 30, 2024.

C-A-8 Request that the City Council consider authorizing the City Manager to purchase the City vehicles and equipment identified from the recommended bidders.

C-A-9 Request that the City Council consider approving the 2024 Certified Property Tax Roll.

C-A-10 Request that the City Council consider authorizing the City Manager to execute Work Order No. 1 with WSB LLC, for engineering services related to the Highway Safety Improvement Program 2023 Pedestrian Signal Improvement Project, with a cost not to exceed $119,000.00.

C-A-11 Request that the City Council consider authorizing the City Manager to execute a contract with Morton Enterprise for the construction of the 2025 Asphalt Crack Seal Project in the amount of $314,719.00.

C-A-12 Request that the City Council consider authorizing the City Manager to approve a Reconciliation change order in the amount of $143,660.20 and approve the release retainage in the amount of $86,966.51 to Fritcher Construction Services for the completion of the Stagecoach Drive Drainage Improvements Project.

C-A-13 Request that the City Council consider authorizing the City Manager to execute and add Work Order #02 to the Master Services Agreement with The C.T. Brannon Corporation for the design and construction phase services, as they relate to the 2025 Structure Flooding project for $210,100.00.

C-A-14 Request that the City Council consider authorizing the City Manager to ratify a reconciliation change order that will decrease the contract amount by $ 210,626.58 and the release of final retainage payment in the amount of $30,105.16 to A.E. Shull and Company for the construction of the John Soules Food Waterline Extension Project.

C-A-15 Request that the City Council consider authorizing the City Manager to execute a contract for the 2024 Pedestrian Access project, Tyler Bid Number: 24-038, totaling $272,220.00 to Cross Plus Construction, LLC.

C-A-16 Request that the City Council consider authorizing the City Manager to execute a contract amendment for the Greenbriar Sliplining engineering agreement with KSA Engineers, Inc. in the amount of $40,000 for additional Right-of-Way Agent services.

C-A-17 Request that the City Council consider authorizing the City Manager to purchase playground equipment for two of the parks through the Buy Board Purchasing Cooperative from Kraftsman Commercial Playgrounds & Water Parks in the amount of $110,400.

C-A-18 Request that the City Council consider authorizing the City Manager to approve Preferred On Site repair service as the primary vendor for welding services, Burns Welding and Fabrication as a secondary vendor for welding service, and award Platinum Auto Glass as the primary vendor for auto glass installation for sealed bid 25-001.

C-A-19 Request that the City Council consider authorizing the City Manager to award Crow Towing as the primary vendor for towing services for Vehicle Services per bid 25-002 Annual Price Agreement for Wrecker Services.

C-A-20 Request that the City Council consider authorizing the capital expenditure of $57,070.00 to Pump Solutions, Inc. New Caney, Texas, for replacement of one (1) 107 HP submersible pump at Shackleford Creek sanitary sewer lift station.

C-A-21 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will reduce the contract amount by $121,525.28 and the release of final retainage payment in the amount of $227,493.04 to King Solution Services, LLC for Consent Decree Group 5 Pipeburst Rehabilitation, Bid 23-016.

C-A-22 Request that the City Council consider authorizing the City Manager to ratify an expenditure in the amount of $56,650.00 to Walker Process Equipment for the purchase of a new primary clarifier gear drive unit at the Westside Wastewater Treatment Plant.

C-A-23 Request that the City Council consider authorizing the City Manager to enter into an agreement with Northchase Development LLC to reimburse costs (not to exceed $1,000,000) associated with East Maple Estates Unit 1 infrastructure improvements in conjunction with the adopted TIRZ #3 Project and Financing Plan.

C-A-24 Request that the City Council consider authorizing the City Manager to approve a reconciliation change order that will reduce the contract amount by $413,748.03 and the release of final retainage payment in the amount of $98,049.20 to Douglas Daily Construction, LLC for Consent Decree Group 4 Mainline Specialty Pipeburst, Bid 22-014.

C-A-25 Request that the City Council consider authorizing the City Manager to execute an Engineering Services Contract, in an amount not to exceed $371,300, with KSA Engineers, Inc. for the 2024 Sanitary Sewer Reroutes.

C-A-26 Request that the City Council consider ratifying staff action requesting the City Manager to sign a Pipeline Crossing Agreement with the Union Pacific Railroad

(UPRR) Company for constructing a sanitary sewer pipeline within Union Pacific Railroad right-of-way and payment of the License Fee in the amount of $21,460.

C-A-27 Request that the City Council consider authorizing the City Manager to sign a Union Pacific Rail Road permit associated with the 2024 Water Main Improvements (2-Inch Replacement) project and issue payment for $7,000 for the permit.

Motion by Councilmember Nichols to approve C-A-2 through C-A-27; seconded by Councilmember Hawkins; motion carried 6 - 0 & and approved as presented.

CITY MANAGER'S REPORT

1. Reynolds and Kay have completed about 90% of the 2024 asphalt enhancement projects. Part of the project I want to brag about is the one for E. Dawson Street in front of Christus Trinity Mother Frances Hospital that was reconstructed from Fleishel to Hospital Drive. Gary Cannon and the Engineering Department worked closely with Christus Trinity Mother Frances and UT Health system personnel to reduce the inconvenience as much as possible. With the main entrance to the hospital and emergency access, E. Dawson Street was reconstructed in two phases. The hospital provided staff to help with pedestrian control and Reynolds and Kay crews expedited the construction. So, this project was completed in less than two weeks. Both Christus Trinity Mother Frances and the UT Health system were very pleased with the process and now have a new street serving them.
2. Our communications team won a Marcom Platinum Award for the 2024 State of the City video, which you all were included in. We also won a Gold Award for the Future Ready Annual Report 2023-2024.
3. Then finally, members from the Tyler Fire Department competed against other Firefighters from around the globe at the World Firefighter Challenge Championship event held in Nashville Tennessee in October, the relay team Open Division placed 12th in the world. Patrick Mayo placed seventh and Terry Hawkins placed fifth in the world over their respective age divisions. Hats off to all these guys. The Firefighter Challenge is a competitive event, pitting elite firefighter athletes against each other in head to head races that simulate the physical demands of real-life firefighting. Wearing full bunker gear and SCBA, pairs of competitors race against each other and the clock to complete an arduous task. So, we're very impressed with our guys there and the work that they did. While it may take a while for good equipment to come in, we've got great firefighters out there that can run pretty fast to get to you.

ADJOURNMENT

Motion by Councilmember Wynne to adjourn the meeting at 10:00 am; seconded by Councilmember McKellar; motion carried 6 - 0 & meeting adjourned.

_____
DONALD P. WARREN, MAYOR OF
THE CITY OF TYLER, TEXAS

A T T E S T:

_____
CASSANDRA BRAGER, CITY CLERK

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. A-1

Date: January 22, 2025

Subject: Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler. They represent 55 years of service with the City of Tyler. Danny Johnson, Plant Operator II, 15 years of service Patrisha McKee, Deputy Court Clerk, 15 years of service Lance Yarema, GIS Coordinator, 20 years of service

Item Reference:

Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler. They represent 55 years of service with the City of Tyler.

Danny Johnson, Plant Operator II, 15 years of service
Patrisha McKee, Deputy Court Clerk, 15 years of service
Lance Yarema, GIS Coordinator, 20 years of service

RECOMMENDATION:

Request that the City Council consider recognizing the following employees for their years of service and commitment to the City of Tyler. They represent 55 years of service with the City of Tyler.

Attachments:
January 2025 Service Award CC

Drafted/Recommended By:
Department Leader Regina Y. Moss, Director Organizational Development

Edited/Submitted By:
City Manager

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number: **A-1**

Date: **January 22, 2025**

Subject: **Award for January 2025**

Page: **Page 1 of 1**

Item Reference: **Service Award**

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. They represent **55** years of service with the City of Tyler.

Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
01/25/2010	Danny	Johnson	Plant Operator II	Water Production	15
12/20/2004	Patrisha	McKee	Deputy Court Clerk	Municipal Court	20
01/10/2005	Lance	Yarema	GIS Coordinator	GIS	20

Drafted/Recommended By: **Department Leader** **Regina Y. Moss**

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. A-2

Date: January 22, 2025

Subject: Request that the City Council consider recognizing the following Infant at Work participant for her program participation and the joy she brought to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you made to our organization. Kolby completed 6 months of service with the City of Tyler. Kolby Justice, Infant at Work, 6 months of service

Item Reference:

Request that the City Council consider recognizing the following Infant at Work participant for her program participation and the joy she brought to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you made to our organization. Kolby completed 6 months of service with the City of Tyler.

Kolby Justice, Infant at Work, 6 months of service

RECOMMENDATION:

Request that the City Council consider recognizing the following Infant at Work participant for her program participation and the joy she brought to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you made to our organization. Kolby completed 6 months of service with the City of Tyler.

Kolby Justice, Infants at Work, 6 months of service

Attachments:
January 2025 - Infants at Work

Drafted/Recommended By:
Department Leader Regina Y. Moss, Director Organizational Development

Edited/Submitted By:
City Manager

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number: **A-1**

Date: **January 22, 2025**

Subject: **Award for January 2025**

Page: **Page 1 of 1**

Item Reference: **Infants at Work**

We would like to recognize the following Infants at Work participant for her program participation and the joy she brought 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. Kolby completed **6** months of service with the City of Tyler.

Infants at Work Retirement

Date of Hire	First Name	Last Name	Title	Department	Years of Service
09/30/2024	Kolby	Justice	Infants at Work	Finance	6 mos.

Drafted/Recommended By: **Department Leader** **Regina Y. Moss**

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. P-1

Date: January 22, 2025

Subject: Request that the City Council consider hearing a presentation on the collection of property taxes by Linebarger, Goggan, Blair & Sampson, LLP.

Item Reference:

The City of Tyler contracts with Smith County for current and delinquent property tax collections. Smith County has hired the law firm of Linebarger, Goggan, Blair & Sampson to collect delinquent property taxes on behalf of the City of Tyler. Jim Lambeth is present today to give a summary report of collection activities.

RECOMMENDATION:

Request that the City Council consider hearing a presentation on the collection of property taxes by Linebarger, Goggan, Blair & Sampson, LLP.

Drafted/Recommended By:
Department Leader Keidric Trimble, CFO

Edited/Submitted By:
City Manager

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-1

Date: January 22, 2025

Subject: A24-002 WERNER-TAYLOR LAND & DEVELOPMENT LP (14697 COUNTY ROAD 192) Request that the City Council consider adoption of an Ordinance approving the voluntary annexation of approximately 25.81 acres of land lying adjacent to the present boundary limits of the City of Tyler located southwest of the intersection of Old Noonday Road/County Road 192 and Three Lakes Parkway. Also consider approving: A. The new boundary of the City Limits. B. The new boundary of the City Council District #2. C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent. D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672. E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density. F. Establishment of original zoning of 'R-1B', Single-Family Residential District.

Item Reference: **Texas Local Government Code Section 43.0671; Annexation upon petition of owners**

The State Annexation law in Texas Local Government Code Chapter 43 Section 43.0671 allows municipalities to annex area upon the petition of the area landowners.

The property is contiguous to Tyler on its southwestern boundaries and is approximately 25.81 acres of undeveloped land. The applicant intends to develop the property for single-family uses.

According to the Unified Development Code (UDC), the 'R-1B', Single-Family Residential District is primarily intended to accommodate development of detached, single-family housing on smaller individual lots. In addition, the district allows churches, schools, and accessory buildings and uses. The maximum building height is 42 feet. Setback requirements are 25 feet in the front and rear, six feet on the interior side and 12 feet on the corner side. Minimum lot size is 6,000 square feet.

The request would establish the Tyler 1st Future Land Use Guide to reflect Single-Family Medium/Low Density.

The applicant intends to develop single-family homes which is consistent with the surrounding area. The developer will be required to make necessary utility extensions to serve the development. The applicant will be required to extend Crosslake Boulevard into the development.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this request. Mark Priestner, representing the applicant, spoke in favor of the request. No one spoke in opposition.

As of Friday January 10, 2025, of the 25 notices mailed, no notices were returned in favor or in opposition to the requested annexation and original zoning. In accordance with State Law, staff also sent notice to public entities currently servicing the property and did not receive any response.

All other departments have reviewed the application and anticipate no significant impact on services and facilities by the proposed annexation request.

RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval the annexation of approximately 25.81 acres of land lying adjacent to the present boundary limits of the City of Tyler located southwest of the intersection of Old Noonday Road/County Road 192 and Three Lakes Parkway. Also consider recommending:
A. The new boundary of the City Limits.
B. The new boundary of the City Council District #2.
C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent.
D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density.
F. Establishment of original zoning of 'R-1B', Single-Family Residential District.

Attachments:
Ordinance
Location Map
Future Land Use Map
Notification Map

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, PROVIDING FOR THE VOLUNTARY ANNEXATION OF APPROXIMATELY 25.81 ACRES OF LAND LYING ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF TYLER LOCATED SOUTHWEST OF THE INTERSECTION OF OLD NOONDAY ROAD/COUNTY ROAD 192 AND THREE LAKES PARKWAY; AMENDING THE TYLER CITY LIMITS MAP; ADJUSTING THE BOUNDARY OF THE CITY COUNCIL DISTRICT #2; AUTHORIZING THE CITY MANAGER TO SIGN A WRITTEN AGREEMENT FOR PROVISION OF CITY SERVICES PER TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE DESIGNATION; ESTABLISHING ORIGINAL ZONING; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held before the City Council of the City of Tyler, Texas, on the 22nd day of January, 2025, via regular meeting, wherein all interested persons were provided an opportunity to be heard on the proposed voluntary annexation of the territory hereinafter described. A copy of the Texas Local Government Code Section 43.0671 petition is attached and made a part hereof as Exhibit "C"; and

WHEREAS, the area to be annexed is contiguous to the City of Tyler; and

WHEREAS, the hereinafter described territory lies within the extraterritorial jurisdiction of the City of Tyler, Texas; and

WHEREAS, the hereinafter described territory contains approximately 25.81 acres of land; and

WHEREAS, Texas Local Government Code Section 43.0671 states that a municipality may annex an area if each owner of the land in the area requests the annexation; and

WHEREAS, Texas Local Government Code Section 43.0672(a) states that the governing body of a municipality that elects to annex an area under Texas Local Government Code Chapter 43, Subchapter C-3, must first negotiate and enter into an agreement with the owners of the land in the area for the provision of services in the area; and

WHEREAS, the notice requirements of Texas Local Government Code Section 43.0673 have been met; and

WHEREAS, Exhibits "A", "B", "C", and "D" attached hereto are hereby incorporated for all purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That pursuant to Tyler City Code Sections 10-800 through 10-802, the Texas Local Government Code Section 43.0671 petition is hereby granted and the following described land and territories lying adjacent to and adjoining the City of Tyler, Texas, are hereby added to and annexed to the City of Tyler, Texas, and as shown on the map attached as Exhibit "A" described therein shall be included within the boundary limits of said City, and the present boundary limits of such City, at the various points contiguous to the areas being annexed, are altered and amended so as to include said areas within the corporate limits of the City of Tyler, Texas. Accordingly, the official Tyler City limits map is hereby adjusted as described in Tyler City Code Section 10-802 and that section and map are amended to reflect this annexation.

PART 2: That Tyler City Code Chapter 10, "Tyler Unified Development Code", Article IV., "Subdivision Design and Improvements", Division E., "Participation and Escrow Policies", is hereby amended by amending the list of annexations in Section 10-143 to add this Ordinance Number, with no other changes.

PART 3: That the area so annexed shall be part of the City of Tyler, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Tyler, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Tyler, Texas.

PART 4: That upon final passage, the annexed area shall be zoned for 25.81 acres of "R-1B", Single-Family Residential District.

PART 5: That the Future Land Use Designation for the annexed area is hereby amended to Single-Family Medium/Low Density.

PART 6: That the annexed area shall be added to the Council District #2, City Council single member district and the official Voting District Map amended accordingly.

PART 7: That the City Manager is hereby authorized to sign an agreement of municipal services per Texas Local Government Code Section 43.0672.

PART 8: That the City Clerk shall send to the Texas Secretary of State a copy of the ordinance and statement that the annexation is not involved in any litigation.

PART 9: That the City Clerk shall send to the State Comptroller by certified mail a map showing new boundaries for sales tax and a certified copy of the ordinance showing the effective date of the boundary changes.

PART 10: That within thirty (30) days of notice of U. S. Justice Department approval of this annexation, the Planning Department, on behalf of the Mayor, shall file a certified copy of this ordinance and a copy or duplicate of the petition with the County Clerk. The Planning Department shall also file annexation information with the Smith County Appraisal District and anyone else who has requested such information.

PART 11: That certified notice of the Annexation shall be sent by the Legal Department to any Emergency Services District that is located within the annexed area.

PART 12: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection,

sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 13: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be January 24th, 2025.

PASSED AND APPROVED THIS the 22nd day of January A. D., 2025

_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

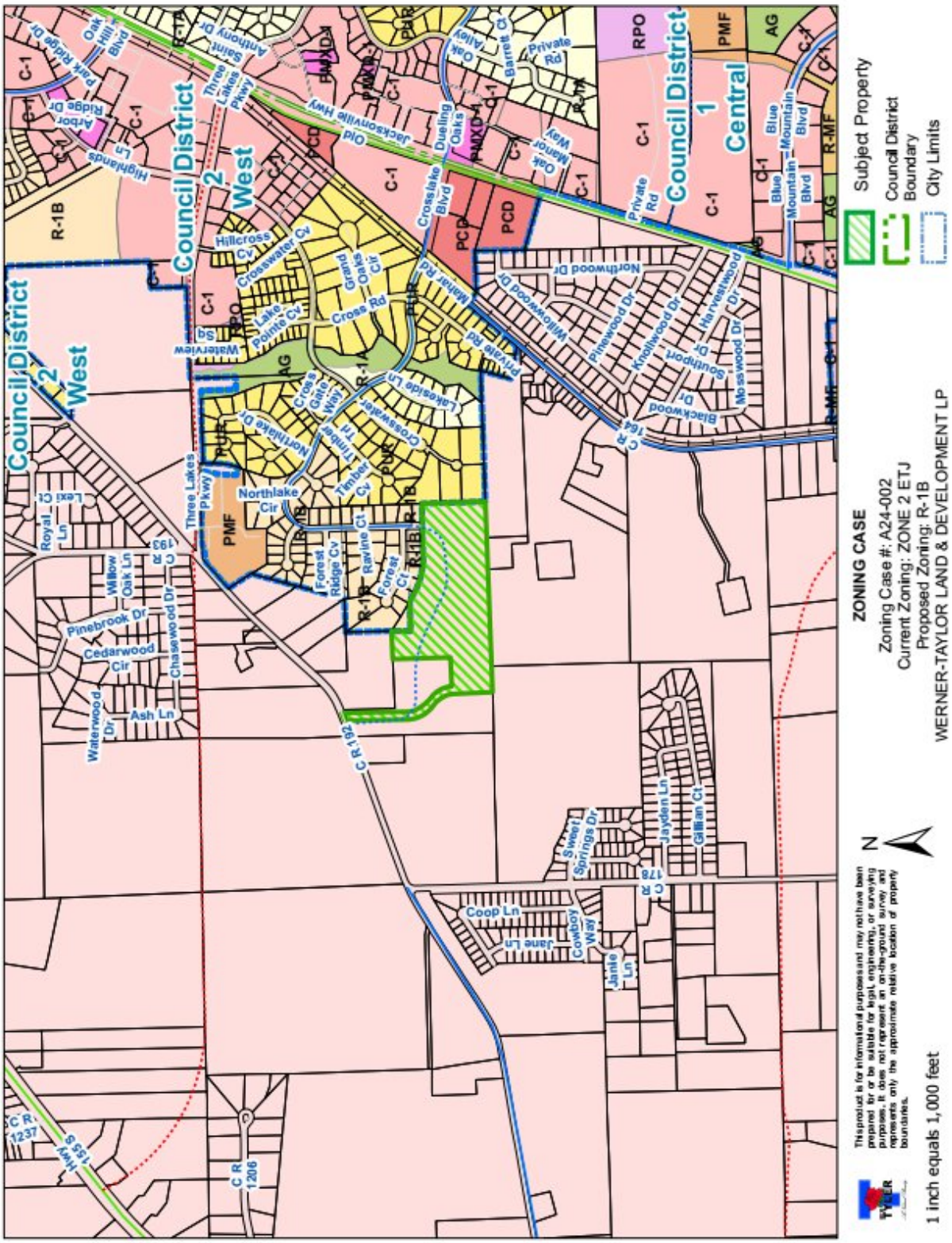
APPROVED:

_____
CASSANDRA BRAGER, CITY CLERK

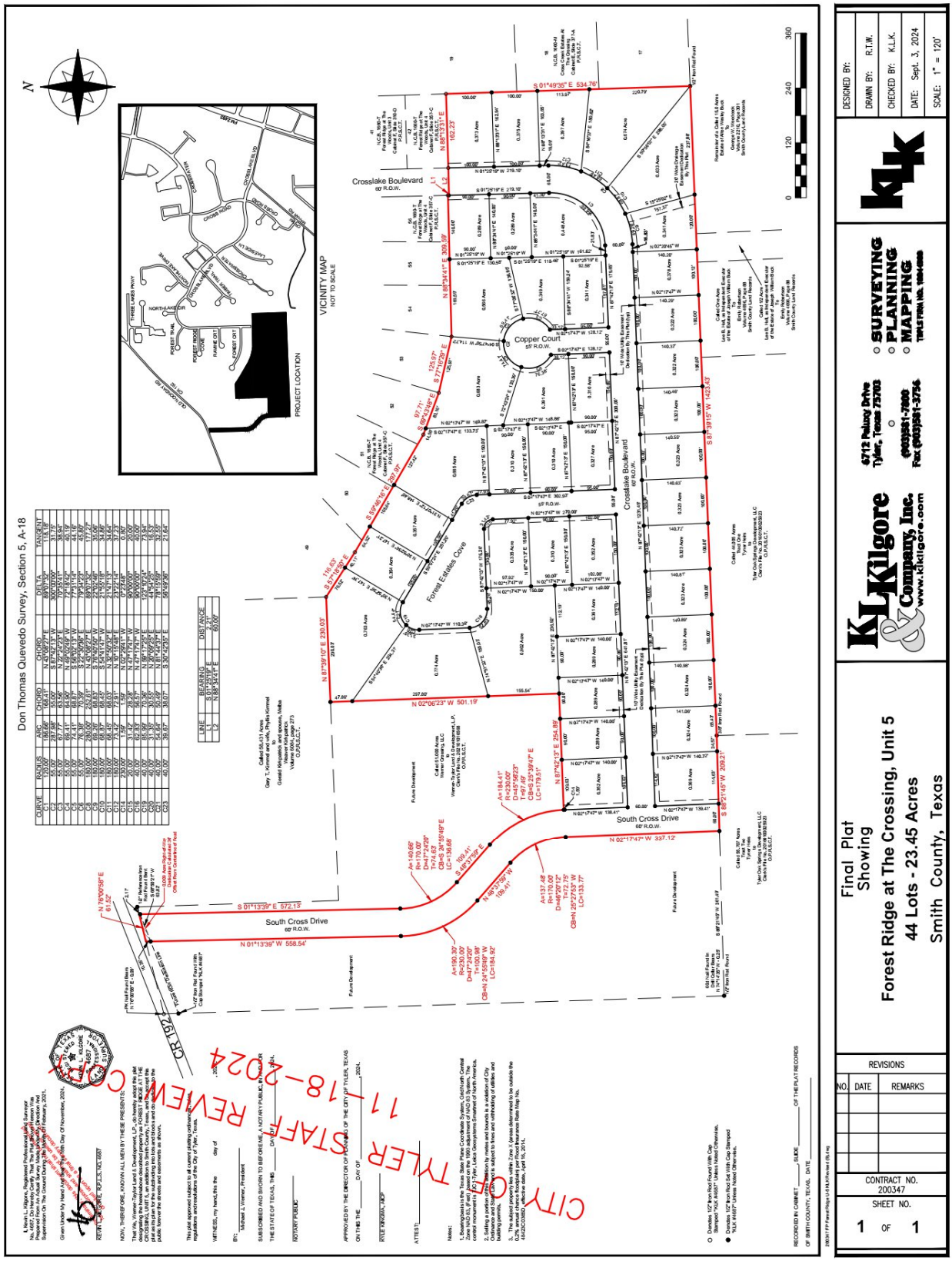
_____
DEBRORAH G. PULLUM,
CITY ATTORNEY

Exhibit A = location map
Exhibit B = property survey
Exhibit C = owner petition

ORDINANCE NO. O-2025-
EXHIBIT "A"
LOCATION MAP



ORDINANCE NO. O-2025-
EXHIBIT "B"
PROPERTY SURVEY



KLKilgore & Company, Inc.
www.klkilgore.com

6712 Paluxy Drive
Tyler, Texas 75703
(903)581-7800
Fax (903)581-3756

• Surveying
• Mapping
• Planning

TBPLS FIRM NO. 10044500

Exhibit "A"
25.81 Acre Annexation Tract

Being a 25.81 acre tract of land situated in the Don Thomas Quevedo Survey, Abstract No. 18, Section No. 3, Smith County, Texas and being part of a called 51.000 acre tract described in a Deed from Werner Crossing, LLC to Werner-Taylor Land & Development, L.P. recorded under Clerk's File No. 202101016568 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 25.81 acre tract being more particularly described as follows:

Beginning at a 1/2" iron rod found with plastic cap stamped "KLK #4687" at the Southeast corner of Lot 42, N.C.B. 1660-T of Forest Ridge at The Crossing, Unit 4 according to a Final Plat thereof recorded in Cabinet F, Slide 357-C of the Plat Records of Smith County, Texas and being on the East boundary line of said 51.000 acre tract and the West boundary line of Lot 19, N.C.B. 1660-M of Cross Creek Estates at The Crossing according to a Final Plat thereof recorded in Cabinet E, Slide 377-A of said P.R.S.C.T.;

Thence South 01 degree 49 minutes 35 seconds East, a distance of 334.76 feet along the East boundary line of said 51.000 acre tract and the West boundary line of Lots 19, 18 & 17 of said Cross Creek Estates at The Crossing to a 1/2" iron rod found at the Southeast corner of said 51.000 acre tract, same being the Southwest corner of said Lot 17 and being on the North boundary line of a called 15.0 acre tract of land described in a Deed from Estate of Alton Wesley Buck to George W. Woodcock recorded in Volume 2210, Page 301 of the Land records of Smith County, Texas (L.R.S.C.T.);

Thence South 87 degrees 39 minutes 15 seconds West, a distance of 1423.43 feet along the South boundary line of said 51.000 acre tract and the North boundary line of said 15.0 acre tract and a called 1/2 acre tract and called 1 acre tract of land described in a Deed from Lee B. Hall, as Independent Executor of the Estate of Joseph William Buck to Emily Robertson recorded in Volume 4696, Page 88 of said L.R.S.C.T. and the North boundary line of a called 44.005 acre tract of land described as Tract One in a Deed from Tyner Heirs to Tyler Oak Springs Development, LLC recorded under Clerk's File No. 20160100025923 of said O.P.R.S.C.T. to a 3/8" iron rod found at the Northwest corner of said 44.005 acre tract, same being the Northeast corner of a called 55.707 acre tract of land described as Tract Two in said Deed from Tyner Heirs to Tyler Oak Springs Development, LLC recorded under Clerk's File No. 20160100025923 of said O.P.R.S.C.T.;

Thence South 88 degrees 21 minutes 45 seconds West, a distance of 570.69 feet continuing along the South boundary line of said 51.000 acre tract and along the North boundary line of said 55.707 acre tract to a 1/2" iron rod found at the Southwest corner of said 51.000 acre tract, same being the Southeast corner of a called 30.47 acre tract of land described in a Deed from John Eric Artmire to John E. Schulz and wife, Pamela Schulz recorded under Clerk's File No. 20140100050006 of said O.P.R.S.C.T.;

Thence North 01 degree 31 minutes 12 seconds West, a distance of 334.57 feet along the West boundary line of said 51.000 acre tract and the East boundary line of said 30.47 acre tract to a 1/2" iron rod set with plastic cap stamped "KLK #4687";

Thence North 88 degrees 18 minutes 15 seconds East, a distance of 242.36 feet continuing along the existing city limits line to a point on the South boundary line of said Forest Ridge at The Crossing, Unit 4;

Thence South 59 degrees 46 minutes 16 seconds East, a distance of 125.25 feet continuing along said South boundary line and the existing city limits line to a 1/2" iron rod found with plastic cap stamped "KLK #4687";

Thence South 69 degrees 43 minutes 48 seconds East, a distance of 97.71 feet continuing along said South boundary line and the existing city limits line to a 1/2" iron rod found with plastic cap stamped "KLK #4687";

Thence South 77 degrees 16 minutes 29 seconds East, a distance of 125.97 feet continuing along said South boundary line and the existing city limits line to a 1/2" iron found with plastic cap stamped "KLK #4687";

Thence North 88 degrees 34 minutes 41 seconds East, a distance of 309.59 feet continuing along said South boundary line and the existing city limits line to a 1/2" iron rod found with plastic cap stamped "KLK #4687" at the Southeast corner of Lot 56 of said Forest Ridge at The Crossing, Unit 4 and being on the West right-of-way line of Crosslake Boulevard (55' right-of-way);

Thence South 01 degrees 25 minutes 19 seconds East, a distance of 2.21 feet along said West right-of-way line and the existing city limits line to a 1/2" iron rod found with plastic cap stamped "KLK #4687";

Thence North 88 degrees 34 minutes 41 seconds East, a distance of 60.00 feet continuing along the existing city limits line and across said Crosslake Boulevard to a 1/2" iron rod found with plastic cap stamped "KLK #4687" on the East right-of-way line of same and being at the Southwest corner of said Lot 42;

Thence North 88 degrees 13 minutes 31 seconds East, a distance of 162.23 feet continuing along the existing city limits line and along the South boundary line of said Lot 42 to the **place of beginning, containing 25.81 acres** of land.

Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone NAD 83, (Feet) based on the 1993 adjustment of the NAD 83 System. The control monument is TJC1-Tyler, Leica Geosystems Smartnet of North America.

I, Kevin L. Kilgore, Registered Professional Land Surveyor No. 4687, Texas, do hereby certify that the above field note description was prepared from an actual on-the-ground survey made under my direction and supervision during the month of January, 2024.

GIVEN UNDER MY HAND AND SEAL, This the 20th day of September 2024.

Kevin L. Kilgore, R.P.L.S. 4687

200347 25.81 Ac Annexation Tract (FR5) fn.docx



ORDINANCE NO. O-2025-
EXHIBIT "C"
OWNER PETITION

RECEIVED: _____ APPLICATION NO. _____
REFERRAL NO.: _____

REQUEST FOR ANNEXATION OF AREA ON REQUEST OF OWNERS

ITEMS REQUIRED FOR EACH APPLICATION:

(The following items are included in this packet. Instructions are included on each form. There is some repetition because the different forms are necessary for different reasons.)

A. PETITION FOR ANNEXATION
B. APPLICANT'S SUPPORT INFORMATION FOR ANNEXATION REQUEST
C. LIST OF OWNERS OF ALL PROPERTY TO BE ANNEXED
D. AUTHORIZATION OF AGENT
E. MAP OF AREA (FORM E IS AN EXAMPLE ONLY.)

(Provide a map of the area of the annexation request drawn to scale. Show all land uses, identify the ownership of each parcel of land, show any public ways within or abounding the areas, show any easements within or bordering the areas, and show the existing city limits.)

(NOTE: Filing fee of $420.00 (City Code Sec. 10-776) must be received with annexation petition)

****

ALL ANNEXATION IS BY ORDINANCE, AND ONLY THE CITY COUNCIL HAS THE AUTHORITY TO MAKE OR TO ENACT AN ORDINANCE. THIS REQUEST FOR ANNEXATION WILL NOT BE EFFECTIVE UNLESS IT IS PASSED BY THE CITY COUNCIL.

ANNEXATION PETITIONS MUST BE FILED IN THE PLANNING DEPARTMENT, TYLER DEVELOPMENT CENTER, 423 WEST FERGUSON.

PLEASE HAVE A REPRESENTATIVE PRESENT AT ALL PUBLIC HEARINGS. THE APPLICANT HAS THE DUTY TO PRODUCE EVIDENCE BEFORE THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL TO JUSTIFY LEGALLY THE PROPOSED ANNEXATION.

FORM A

REQUEST FOR ANNEXATION OF AREA ON REQUEST OF OWNERS

TO THE HONORABLE MAYOR AND GOVERNING BODY OF THE CITY OF TYLER, TEXAS

The undersigned owners of the hereinafter described tract of land hereby request your Honorable Body to extend the present City limits so as to include as a part of the City of Tyler, Texas, the following described territory (complete and accurate field notes must be attached), to-wit:

Pursuant to Texas Local Government Code Section 43.0671, which provides for the annexation of an area if each owner of land in the area requests the annexation.

That I (we), the undersigned, hereby certify that the tract described on FORM A and attached field notes, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area described herein, hereby request annexation of this area, pursuant to Texas Local Government Code Section 43.0671, by signing this request on the date shown below.

Michael J. Werner
SIGNATURE

Michael J. Werner
PRINT NAME

11/22/24
DATE

(ACKNOWLEDGMENT)

THE STATE OF Texas
COUNTY OF Smith

This petition was acknowledged before me on the 22 **day of** November, 2024 **by** Michael J. Werner.

JUDY TURCIOS
Notary Public, State of Texas
Comm. Expires 10/21/2026
Notary ID 12999942-0

Judy Turcios
Notary Public
State of Texas 11/22/24

FORM A1

That I (we), the undersigned, hereby certify that the tract described on FORM A, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area described herein, hereby request annexation of this area, pursuant to Texas Local Government Code Section 43.0671, by signing this request on the date shown below.

SIGNATURE _____ PRINT NAME Michael J. Warner

DATE 11/22/24

SIGNATURE _____ PRINT NAME _____

DATE _____

(ACKNOWLEDGMENT)

THE STATE OF Texas
COUNTY OF Smith

This petition was acknowledged before me on the 22 day of November, 2024 by Michael J. Warner.

JUDY TURCIOS
Notary Public, State of Texas
Comm. Expires 10/21/2026
Notary ID 12999942-0

Notary Public
State of Texas

(ACKNOWLEDGMENT)

THE STATE OF _____
COUNTY OF _____

This petition was acknowledged before me on the _____ day of _____, _____ by _____.

Notary Public
State of _____

FORM B

APPLICANT'S SUPPORT INFORMATION FOR ANNEXATION REQUEST

Applicants shall submit the following information in support of their petition for annexation. This information will be utilized by the staff in preparing comments for City Council and in responding to citizens' inquiries.

1. **I (We) propose to utilize this property for the following purpose(s):**
   Residential Development

2. **I (We) am/are requesting this annexation for the following reason(s):**
   Develop the property with City of Tyler services and utilities

3. **State present use and condition of property and/or structures:**
   Undeveloped

4. **What is the location of the nearest water and sewer lines? Please indicate location on area map. (This information is available at the City Water Utilities Department, 511 West Locust Street)**
   Existing utilities available along Crosslake Boulevard

5. **Any additional information that you desire to provide concerning your annexation request:**
   Establish original zoning of R1B consistent with preliminary plat and the attached development plan.

903-539-9634
Owner's Telephone Number

SIGNED:
OWNER (of property to be annexed)

OR

903-312-7075
Agent's Telephone Number

AGENT (When applicable – See Form D)

W:\PZ\Applications\ANNEXATION APPLICATION_draft.doc

Reviewed by Legal 9/22/21

FORM C

LIST OWNER(S) OF ALL PROPERTY REQUESTED TO BE ANNEXED

List the names and addresses of all owners of property included within the area requested by the annexation petition. (Please print)

	NAME	MAILING ADDRESS
1.	WERNER-TAYLOR LAND & DEVELOPMENT LP	7266 CROSS WATER Tyler, Tx 75703
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

FORM D

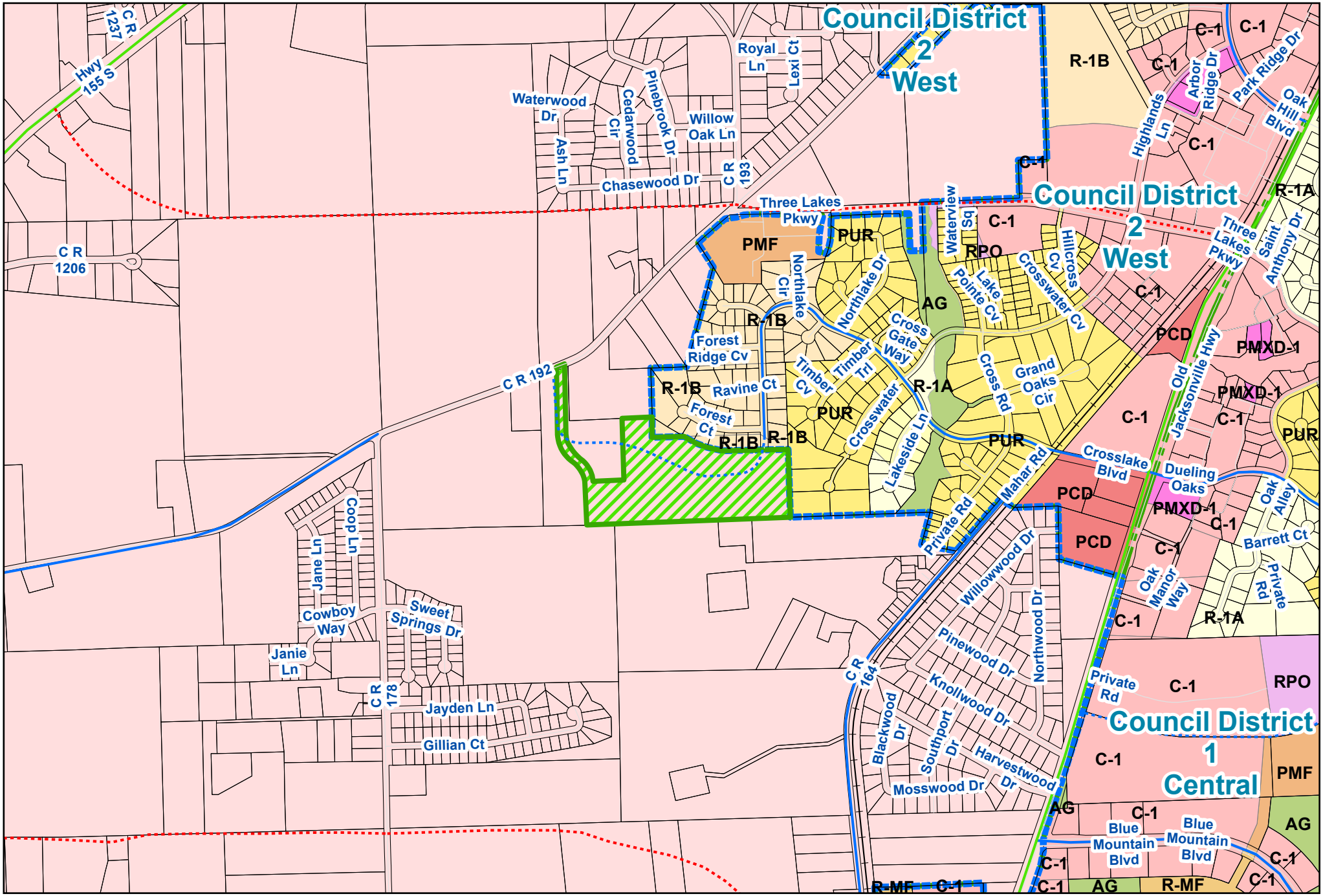
AUTHORIZATION OF AGENT

I (We), the undersigned, being owners of real property requested to be annexed according to this Application, do hereby authorize (print name and address of agent) Mark Priestner to act as our Agent in the matter of this annexation request. The term "agent" shall mean any lessee, developer, option holder, or other authorized individual who is authorized to act in behalf of the owner(s) of said property requested to be annexed.

(Form to be signed below by all owners of property requested to be annexed.)

	SIGNATURE	MAILING ADDRESS
1.		7266 Cosswater Tyler TX 75703
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

(This form is necessary only when the person representing this request does not own any of the property requested to be annexed. Person must also sign Form B as "Agent".)



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

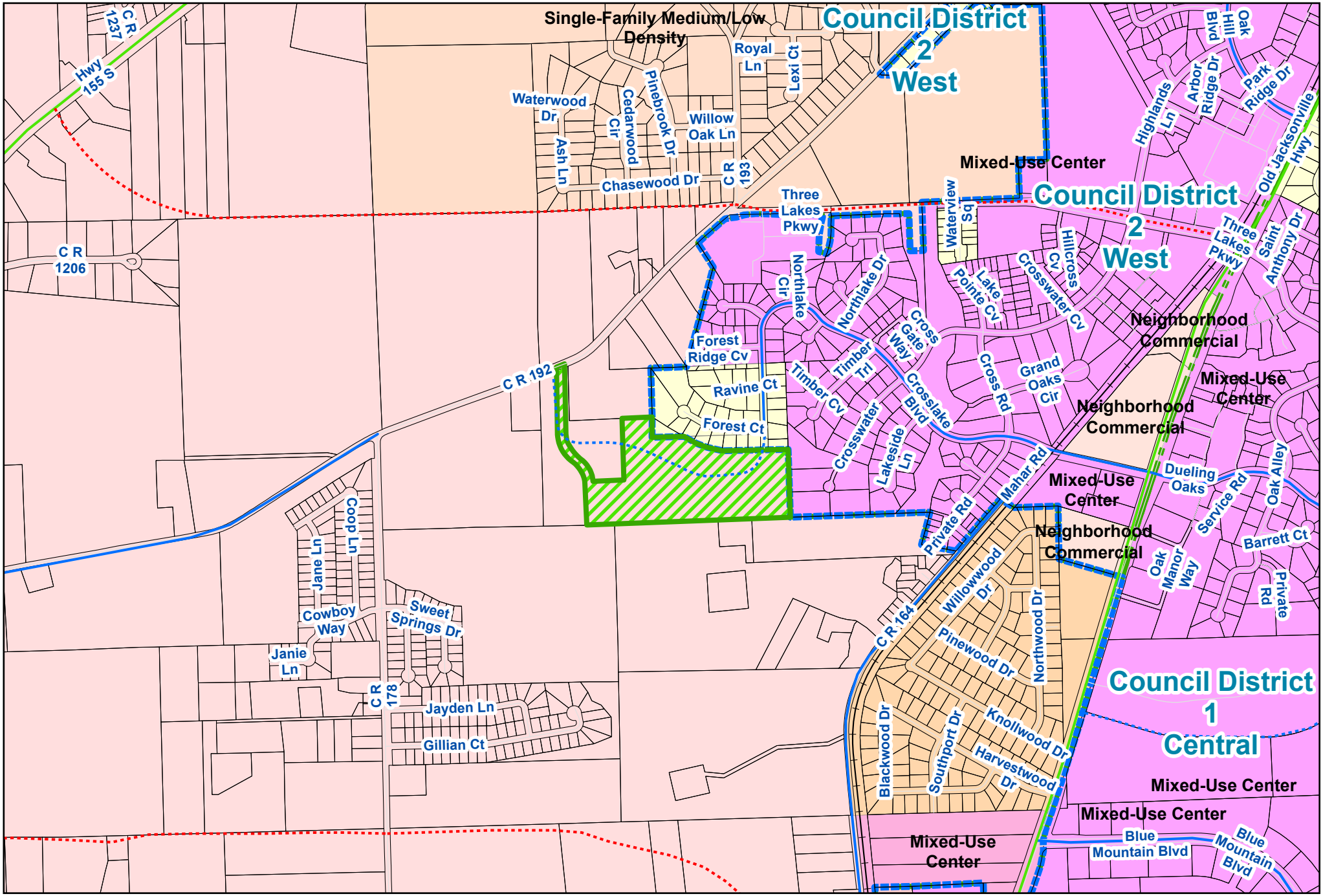
1 inch equals 1,000 feet

N

ZONING CASE

Zoning Case #: A24-002
Current Zoning: ZONE 2 ETJ
Proposed Zoning: R-1B
WERNER-TAYLOR LAND & DEVELOPMENT LP

Subject Property
Council District Boundary
City Limits



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

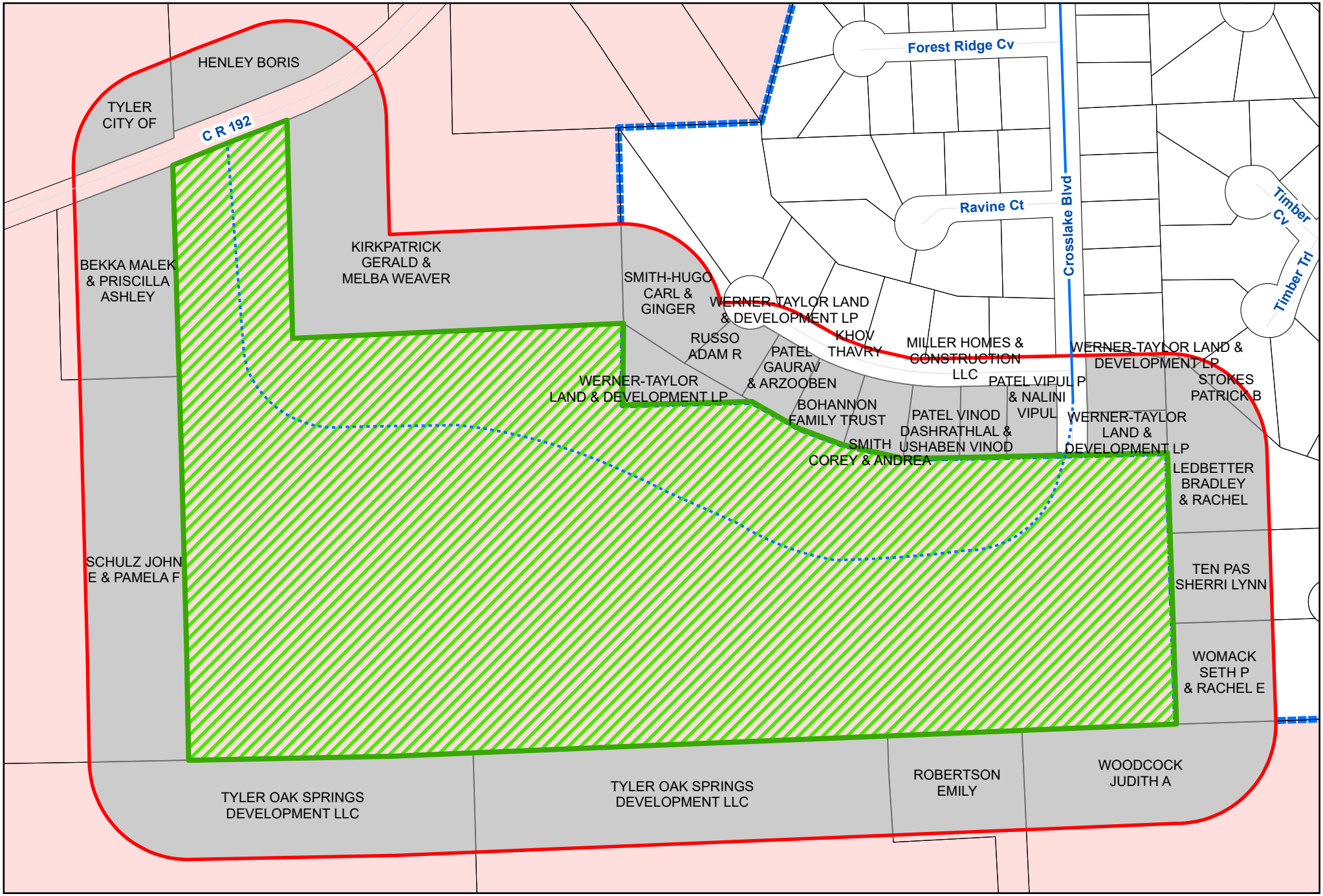
1 inch equals 1,000 feet

N

ZONING CASE

Zoning Case #: A24-002
Current Zoning: ZONE 2 ETJ
Proposed Zoning: R-1B
WERNER-TAYLOR LAND & DEVELOPMENT LP

Subject Property
Council District Boundary
City Limits



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch equals 250 feet

N

ZONING CASE

Zoning Case #: A24-002
Current Zoning: ZONE 2 ETJ
Proposed Zoning: R-1B
WERNER-TAYLOR LAND & DEVELOPMENT LP

Subject Property
200' Mailed Notification Area
City Limits

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-2

Date: January 22, 2025

Subject: A24-003 WERNER-TAYLOR LAND & DEVELOPMENT LP (14143 COUNTY ROAD 192) Request that the City Council consider adoption of an Ordinance approving the voluntary annexation of approximately 11.06 acres of land lying adjacent to the present boundary limits of the City of Tyler located south of the intersection of Old Noonday Road/County Road 192 and Henshaw Creek Drive. Also consider approving: A. The new boundary of the City Limits. B. The new boundary of the City Council District #2. C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent. D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672. E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density. F. Establishment of original zoning of 'PUR', Planned Unit Residential District with a written narrative.

Item Reference: **Texas Local Government Code Section 43.0671; Annexation upon petition of owners**

The State Annexation law in Texas Local Government Code Chapter 43 Section 43.0671 allows municipalities to annex area upon the petition of the area landowners.

The property is contiguous to Tyler on its southwestern boundaries and is approximately 25.81 acres of undeveloped land. The applicant intends to develop the property for single-family uses.

According to the Unified Development Code (UDC), the 'R-1B', Single-Family Residential District is primarily intended to accommodate development of detached, single-family housing on smaller individual lots. In addition, the district allows churches, schools, and accessory buildings and uses. The maximum building height is 42 feet. Setback requirements are 25 feet in the front and rear, six feet on the interior side and 12 feet on the corner side. Minimum lot size is 6,000 square feet.

The request would establish the Tyler 1st Future Land Use Guide to reflect Single-Family Medium/Low Density.

The applicant intends to develop single-family homes which is consistent with the surrounding area. The proposed 'PUR' narrative stipulates 20 lots ('Cottage Square') with a minimum lot size of 5,000 square feet with a front setback of 20 feet, side setback of five feet, rear setback of 15 feet and corner

side setback of 10 feet. The narrative includes standards for 13 lots ('Cottages') with a minimum lot size of 6,800 square feet and front yard setback of 20 feet, side 7.5 feet, rear 15 feet, and corner 10 feet. In both areas the height will be limited to 2.5 stories and all other UDC regulations pertaining to 'R-1A' zoning will apply. The developer will be required to make necessary utility extensions to serve the development.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this request. Mark Priestner, representing the applicant, spoke in favor of the request. No one spoke in opposition.

As of Friday January 10, 2025, of the five notices mailed, no notices were returned in favor or in opposition to the requested annexation and original zoning. In accordance with State Law, staff also sent notice to public entities currently servicing the property and did not receive any response.

All other departments have reviewed the application and anticipate no significant impact on services and facilities by the proposed annexation request.

RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval of the voluntary annexation of approximately 11.06 acres of land lying adjacent to the present boundary limits of the City of Tyler located south of the intersection of Old Noonday Road/County Road 192 and Henshaw Creek Drive. Also consider recommending:
A. The new boundary of the City Limits.
B. The new boundary of the City Council District #2.
C. The new boundary of the Tyler Extraterritorial Jurisdiction upon consent.
D. That the City Manager be authorized to sign a written agreement for provision of City services per Texas Local Government Code Section 43.0672.
E. Amendment of the Future Land Use Guide to reflect Single-Family Medium/Low Density.
F. Establishment of original zoning of 'PUR', Planned Unit Residential District with a written narrative.

Attachments:
Ordinance
Location Map
Future Land Use Map
Notification Map

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, PROVIDING FOR THE VOLUNTARY ANNEXATION OF APPROXIMATELY 11.06 ACRES OF LAND LYING ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF TYLER LOCATED SOUTH OF THE INTERSECTION OF OLD NOONDAY ROAD/COUNTY ROAD 192 AND HENSHAW CREEK DRIVE; AMENDING THE TYLER CITY LIMITS MAP; ADJUSTING THE BOUNDARY OF THE CITY COUNCIL DISTRICT #2; AUTHORIZING THE CITY MANAGER TO SIGN A WRITTEN AGREEMENT FOR PROVISION OF CITY SERVICES PER TEXAS LOCAL GOVERNMENT CODE SECTION 43.0672; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE DESIGNATION; ESTABLISHING ORIGINAL ZONING; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held before the City Council of the City of Tyler, Texas, on the 22nd day of January, 2025, via regular meeting, wherein all interested persons were provided an opportunity to be heard on the proposed voluntary annexation of the territory hereinafter described. A copy of the Texas Local Government Code Section 43.0671 petition is attached and made a part hereof as Exhibit "C"; and

WHEREAS, the area to be annexed is contiguous to the City of Tyler; and

WHEREAS, the hereinafter described territory lies within the extraterritorial jurisdiction of the City of Tyler, Texas; and

WHEREAS, the hereinafter described territory contains approximately 11.06 acres of land; and

WHEREAS, Texas Local Government Code Section 43.0671 states that a municipality may annex an area if each owner of the land in the area requests the annexation; and

WHEREAS, Texas Local Government Code Section 43.0672(a) states that the governing body of a municipality that elects to annex an area under Texas Local Government Code Chapter 43, Subchapter C-3, must first negotiate and enter into an agreement with the owners of the land in the area for the provision of services in the area; and

WHEREAS, the notice requirements of Texas Local Government Code Section 43.0673 have been met; and

WHEREAS, Exhibits "A", "B", "C", and "D" attached hereto are hereby incorporated for all purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That pursuant to Tyler City Code Sections 10-800 through 10-802, the Texas Local Government Code Section 43.0671 petition is hereby granted and the following described land and territories lying adjacent to and adjoining the City of Tyler, Texas, are hereby added to and annexed to the City of Tyler, Texas, and as shown on the map attached as Exhibit "A" described therein shall be included within the boundary limits of said City, and the present boundary limits of such City, at the various points contiguous to the areas being annexed, are altered and amended so as to include said areas within the corporate limits of the City of Tyler, Texas. Accordingly, the official Tyler City limits map is hereby adjusted as described in Tyler City Code Section 10-802 and that section and map are amended to reflect this annexation.

PART 2: That Tyler City Code Chapter 10, "Tyler Unified Development Code", Article IV., "Subdivision Design and Improvements", Division E., "Participation and Escrow Policies", is hereby amended by amending the list of annexations in Section 10-143 to add this Ordinance Number, with no other changes.

PART 3: That the area so annexed shall be part of the City of Tyler, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Tyler, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Tyler, Texas.

PART 4: That upon final passage, the annexed area shall be zoned for 11.06 acres of "PUR", Planned Unit Residential District with written narrative.

PART 5: That the Future Land Use Designation for the annexed area is hereby amended to Single-Family Medium/Low Density.

PART 6: That the annexed area shall be added to the Council District #2, City Council single member district and the official Voting District Map amended accordingly.

PART 7: That the City Manager is hereby authorized to sign an agreement of municipal services per Texas Local Government Code Section 43.0672.

PART 8: That the City Clerk shall send to the Texas Secretary of State a copy of the ordinance and statement that the annexation is not involved in any litigation.

PART 9: That the City Clerk shall send to the State Comptroller by certified mail a map showing new boundaries for sales tax and a certified copy of the ordinance showing the effective date of the boundary changes.

PART 10: That within thirty (30) days of notice of U. S. Justice Department approval of this annexation, the Planning Department, on behalf of the Mayor, shall file a certified copy of this ordinance and a copy or duplicate of the petition with the County Clerk. The Planning Department shall also file annexation information with the Smith County Appraisal District and anyone else who has requested such information.

PART 11: That certified notice of the Annexation shall be sent by the Legal Department to any Emergency Services District that is located within the annexed area.

PART 12: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection,

sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 13: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be January 24th, 2025.

PASSED AND APPROVED THIS the 22nd day of January A. D., 2025

_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

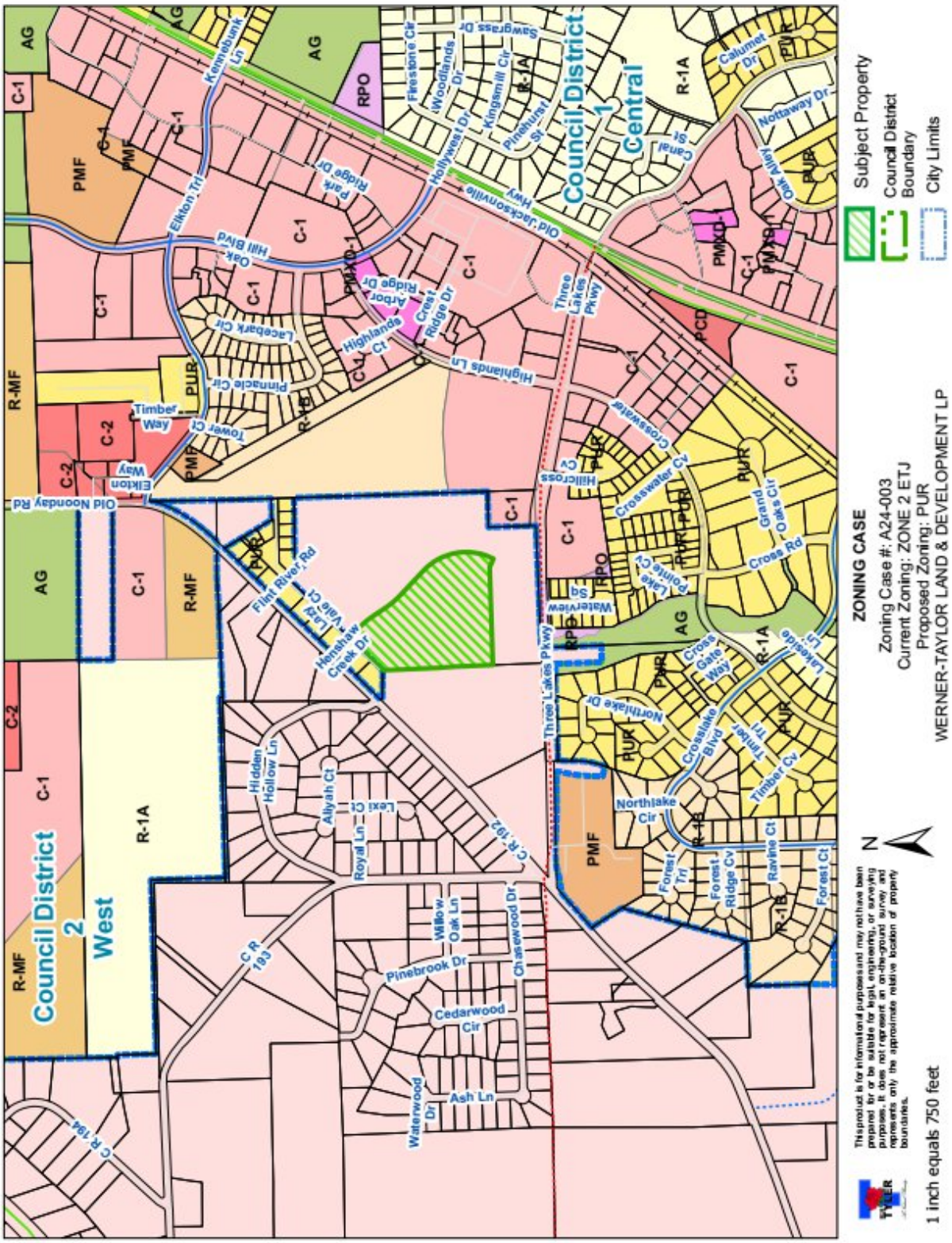
APPROVED:

_____
CASSANDRA BRAGER, CITY CLERK

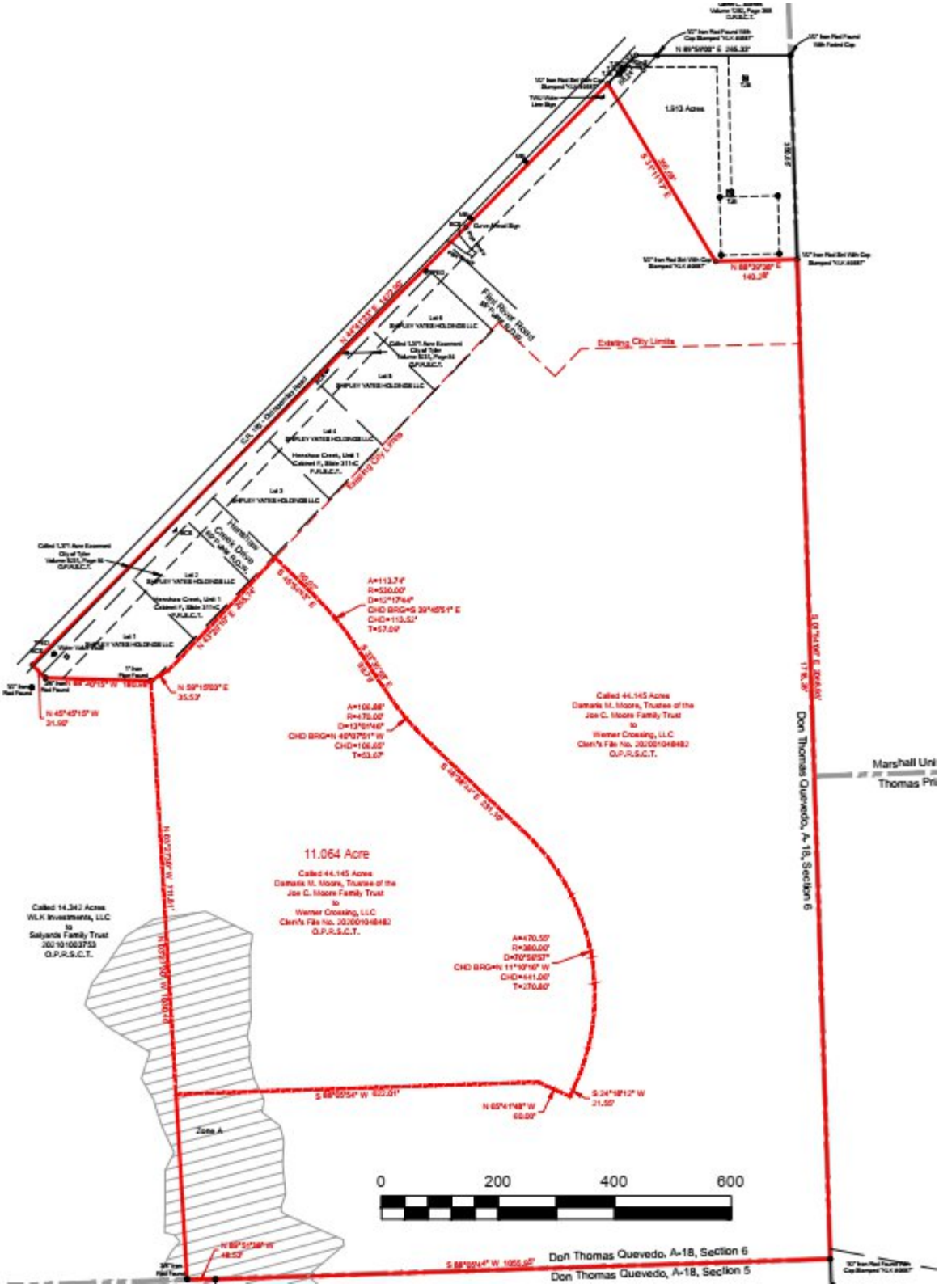
_____
DEBRORAH G. PULLUM,
CITY ATTORNEY

Exhibit A = location map
Exhibit B = property survey
Exhibit C = owner petition
Exhibit D = "PUR" written narrative

ORDINANCE NO. O-2025-
EXHIBIT "A"
LOCATION MAP



ORDINANCE NO. O-2025-
EXHIBIT "B"
PROPERTY SURVEY



KL Kilgore & Company, Inc.
www.klkilgore.com

• Surveying
• Mapping
• Planning

6712 Paluxy Drive • Tyler, Texas 75703 • 903.581.7800 • 903.581.3756

Exhibit A
11.064 Acre Annexation Tract
Don Thomas Quevedo Survey, Abstract No. 18, Section 6

Being a 11.064 Acre tract in the Don Thomas Quevedo Survey Abstract No. 18, Section 6, Smith County, Texas and being part of a called 44.145 acre tract of land described in a Deed from Damaris M. Moore, Trustee of the Joe C. Moore Family Trust to Werner Crossing, LLC recorded under Clerk's File No. 202001048482 of the Official Public Records (O.P.R.S.C.T.) of Smith County, Texas:

Beginning at a 1" iron pipe (N: 6,797,284.19 E: 2,942,334.06) on the West boundary line of said 44.145 acre tract on the existing city limits line of The City of Tyler, said beginning point also being at the Northeast corner of a called 14.342 acre tract described in a Deed from WLK Investments, LLC to Salyards Family Trust recorded under Clerk's File No. 2021101003753 of said O.P.R.S.C.T.;

Thence North 59 degrees 15 minutes 03 seconds East, a distance of 35.53 feet along said existing City Limits to a point for corner;

Thence North 43 degrees 29 minutes 10 seconds East, a distance of 265.74 feet continuing along said City Limits line to a point for corner;

Thence South 45 degrees 54 minutes 43 seconds East, a distance of 90.02 feet to a point for corner at the beginning of a curve to the right;

Thence with said curve to the right which has a Radius of 530.00 feet, a chord of 113.52 feet, a tangent of 57.09 feet, a delta of 12°17'44", chord bearing of South 39 degrees 45 minutes 51 seconds East, for an arc length of 113.74 feet to a point at the end of this curve;

Thence South 33 degrees 36 minutes 59 seconds East a distance of 99.79 feet to a point for corner at the beginning of a curve to the left;

Thence with said curve to the left which has a Radius of 470.00 feet, a chord of 106.65 feet, a tangent of 53.67 feet, a delta of 13°01'46", chord bearing of South 40 degrees 07 minutes 51 seconds East, for an arc length of 106.88 feet to a point at the end of this curve;

Thence South 46 degrees 38 minutes 44 seconds East, a distance of 231.10 feet to a point for corner at the beginning of a curve to the right;

Thence with said curve to the right which has a Radius of 380.00 feet, a chord of 441.06 feet, a tangent of 270.80 feet, a delta of 70°56'57", chord bearing of South 11 degrees 10 minutes 16 seconds East, for an arc length of 470.55 feet to a point at the end of this curve;

Thence South 24 degrees 18 minutes 12 seconds West, a distance of 21.55 feet to a point for corner;

Thence North 65 degrees 41 minutes 48 seconds West, a distance of 60.00 feet to a point for corner;

Thence South 88 degrees 05 minutes 54 seconds West, a distance of 622.01 feet to a point for corner on the West boundary line of said 44.145 acre tract and East boundary line of said 14.342 acre tract;

Thence North 03 degrees 27 minutes 30 seconds West, a distance of 711.81 feet with said West boundary line of called 44.145 acre tract and East boundary line of said 14.342 acre tract to the place of beginning, **containing 11.064 acres** of land more or less.

Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone, NAD 83, (feet), based on the 1993 adjustment of the NAD 83 System. The Reference Monument is Station FAA TYRA.

I, Kevin L. Kilgore, Registered Professional Land Surveyor No. 4687, Texas, do hereby certify that the above field note description was prepared from an actual on-the-ground survey made under my direction and supervision during the month of March, 2022.

GIVEN UNDER MY HAND AND SEAL, This the 12th day of November, 2024.

Kevin L. Kilgore, R.P.L.S. 4687



ORDINANCE NO. O-2025-
EXHIBIT "C"
OWNER PETITION

RECEIVED: _____ APPLICATION NO. _____
REFERRAL NO.: _____

REQUEST FOR ANNEXATION OF AREA ON REQUEST OF OWNERS

ITEMS REQUIRED FOR EACH APPLICATION:

(The following items are included in this packet. Instructions are included on each form. There is some repetition because the different forms are necessary for different reasons.)

A. PETITION FOR ANNEXATION
B. APPLICANT'S SUPPORT INFORMATION FOR ANNEXATION REQUEST
C. LIST OF OWNERS OF ALL PROPERTY TO BE ANNEXED
D. AUTHORIZATION OF AGENT
E. MAP OF AREA (FORM E IS AN EXAMPLE ONLY.)

(Provide a map of the area of the annexation request drawn to scale. Show all land uses, identify the ownership of each parcel of land, show any public ways within or abounding the areas, show any easements within or bordering the areas, and show the existing city limits.)

(NOTE: Filing fee of $420.00 (City Code Sec. 10-776) must be received with annexation petition)

****

ALL ANNEXATION IS BY ORDINANCE, AND ONLY THE CITY COUNCIL HAS THE AUTHORITY TO MAKE OR TO ENACT AN ORDINANCE. THIS REQUEST FOR ANNEXATION WILL NOT BE EFFECTIVE UNLESS IT IS PASSED BY THE CITY COUNCIL.

ANNEXATION PETITIONS MUST BE FILED IN THE PLANNING DEPARTMENT, TYLER DEVELOPMENT CENTER, 423 WEST FERGUSON.

PLEASE HAVE A REPRESENTATIVE PRESENT AT ALL PUBLIC HEARINGS. THE APPLICANT HAS THE DUTY TO PRODUCE EVIDENCE BEFORE THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL TO JUSTIFY LEGALLY THE PROPOSED ANNEXATION.

FORM A

REQUEST FOR ANNEXATION OF AREA ON REQUEST OF OWNERS

TO THE HONORABLE MAYOR AND GOVERNING BODY OF THE CITY OF TYLER, TEXAS

The undersigned owners of the hereinafter described tract of land hereby request your Honorable Body to extend the present City limits so as to include as a part of the City of Tyler, Texas, the following described territory (complete and accurate field notes must be attached), to-wit:

Pursuant to Texas Local Government Code Section 43.0671, which provides for the annexation of an area if each owner of land in the area requests the annexation.

That I (we), the undersigned, hereby certify that the tract described on FORM A and attached field notes, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area described herein, hereby request annexation of this area, pursuant to Texas Local Government Code Section 43.0671, by signing this request on the date shown below.

[signature] **SIGNATURE**

Michael J. Werner **PRINT NAME**

11/22/24 **DATE**

(ACKNOWLEDGMENT)

THE STATE OF Texas
COUNTY OF Smith

This petition was acknowledged before me on the 22 **day of** November, 2024 **by** Michael J. Werner.

[signature] **Notary Public**
State of Texas

JUDY TURCIOS
Notary Public, State of Texas
Comm. Expires 10/21/2026
Notary ID 12999942-0

FORM A1

That I (we), the undersigned, hereby certify that the tract described on FORM A, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area described herein, hereby request annexation of this area, pursuant to Texas Local Government Code Section 43.0671, by signing this request on the date shown below.

_____ Michael J. Werner
SIGNATURE **PRINT NAME**

_____
DATE

_____ _____
SIGNATURE **PRINT NAME**

_____
DATE

(ACKNOWLEDGMENT)

THE STATE OF Texas
COUNTY OF Smith

This petition was acknowledged before me on the 22nd **day of** November, 2024 **by** Michael J. Werner.

JUDY TURCIOS
Notary Public, State of Texas
Comm. Expires 10/21/2026
Notary ID 12999942-0

_____
Notary Public
State of Texas

(ACKNOWLEDGMENT)

THE STATE OF _____
COUNTY OF _____

This petition was acknowledged before me on the _____ **day of** _____, _____ **by** _____.

_____
Notary Public
State of _____

FORM B

APPLICANT'S SUPPORT INFORMATION FOR ANNEXATION REQUEST

Applicants shall submit the following information in support of their petition for annexation. This information will be utilized by the staff in preparing comments for City Council and in responding to citizens' inquiries.

1. **I (We) propose to utilize this property for the following purpose(s):**
   Residential Development

2. **I (We) am/are requesting this annexation for the following reason(s):**
   Develop the property with City of Tyler services and utilities

3. **State present use and condition of property and/or structures:**
   Undeveloped

4. **What is the location of the nearest water and sewer lines? Please indicate location on area map. (This information is available at the City Water Utilities Department, 511 West Locust Street)**
   Existing utilities available along Henshaw Creek Drive

5. **Any additional information that you desire to provide concerning your annexation request:**
   Establish original zoning of PUR consistent with preliminary plat and the attached development plan.

903-539-9634
Owner's Telephone Number

SIGNED:
OWNER (of property to be annexed)

OR

903-312-7075
Agent's Telephone Number

AGENT (When applicable – See Form D)

W:\PZ\Applications\ANNEXATION APPLICATION_draft.doc

Reviewed by Legal 9/22/21

FORM C

LIST OWNER(S) OF ALL PROPERTY REQUESTED TO BE ANNEXED

List the names and addresses of all owners of property included within the area requested by the annexation petition. (Please print)

	NAME	MAILING ADDRESS
1.	WERNER-TAYLOR LAND & DEVELOPMENT LP	7266 CROSS WATER Tyler, Tx 75703
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

FORM D

AUTHORIZATION OF AGENT

I (We), the undersigned, being owners of real property requested to be annexed according to this Application, do hereby authorize (print name and address of agent) Mark Priestner **to act as our Agent in the matter of this annexation request. The term "agent" shall mean any lessee, developer, option holder, or other authorized individual who is authorized to act in behalf of the owner(s) of said property requested to be annexed.**

(Form to be signed below by all owners of property requested to be annexed.)

	SIGNATURE	MAILING ADDRESS
1.	[signature]	1266 Crosswater Tyler TX 75703
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

(This form is necessary only when the person representing this request does not own any of the property requested to be annexed. Person must also sign Form B as "Agent".)

ORDINANCE NO. O-2025-
EXHIBIT "D"
"PUR" WRITTEN NARRATIVE

halff

PUR Henshaw Creek

Cottage Square – Small Detached single family (20 lots)

Min lot size – 5,000 sf

Setbacks Front – 20'

Side – 5'

Rear – 15'

Corner – 10'

Height - 2 ½ stories

Off street parking – 2 spaces per lot

Landscaping – per UDC requirements for residential detached

Cottages - Large Detached single family (13 lots)

Min lot size – 6,800 sf

Setbacks Front – 20'

Side – 7.5'

Rear – 15'

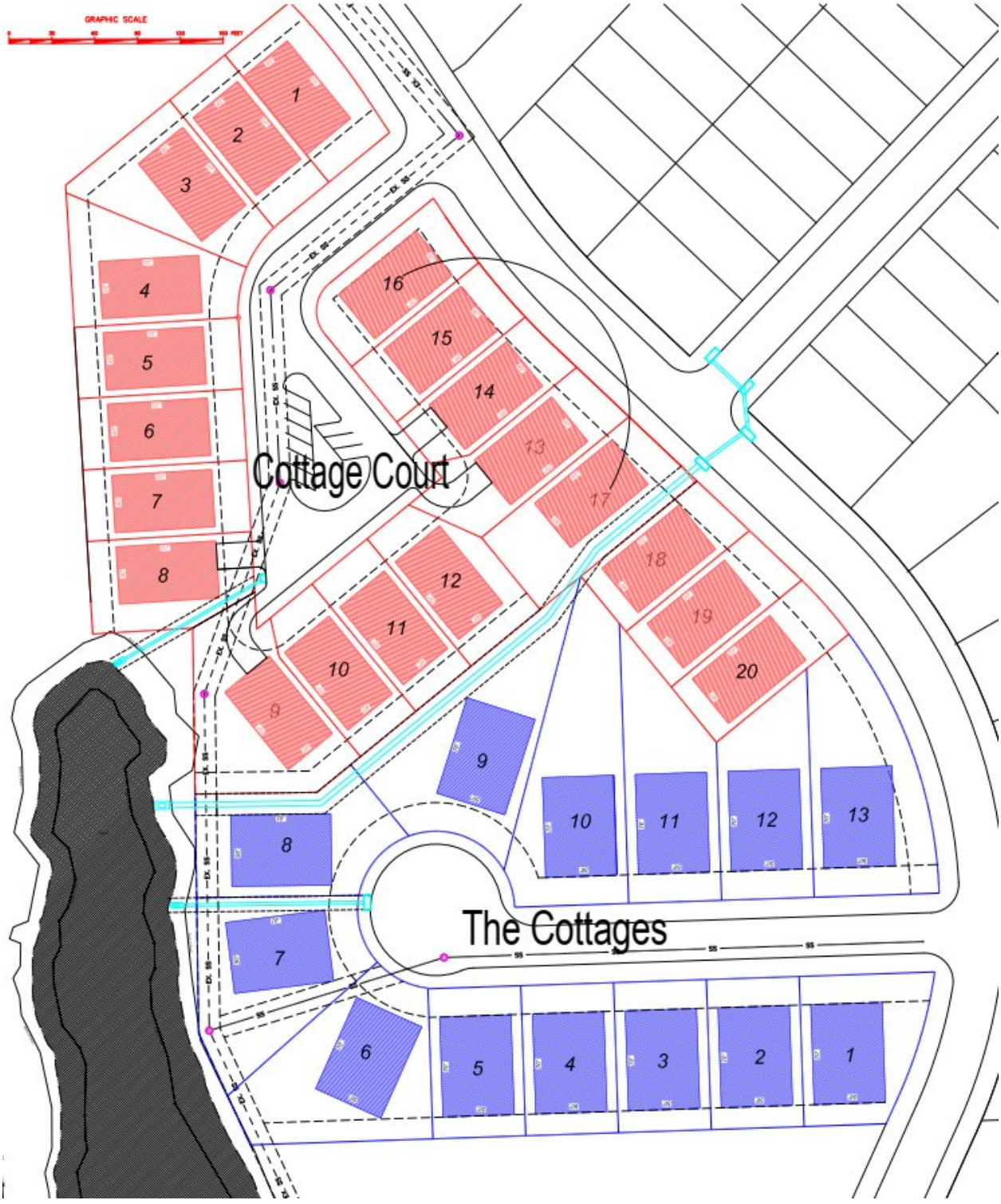
Corner – 10'

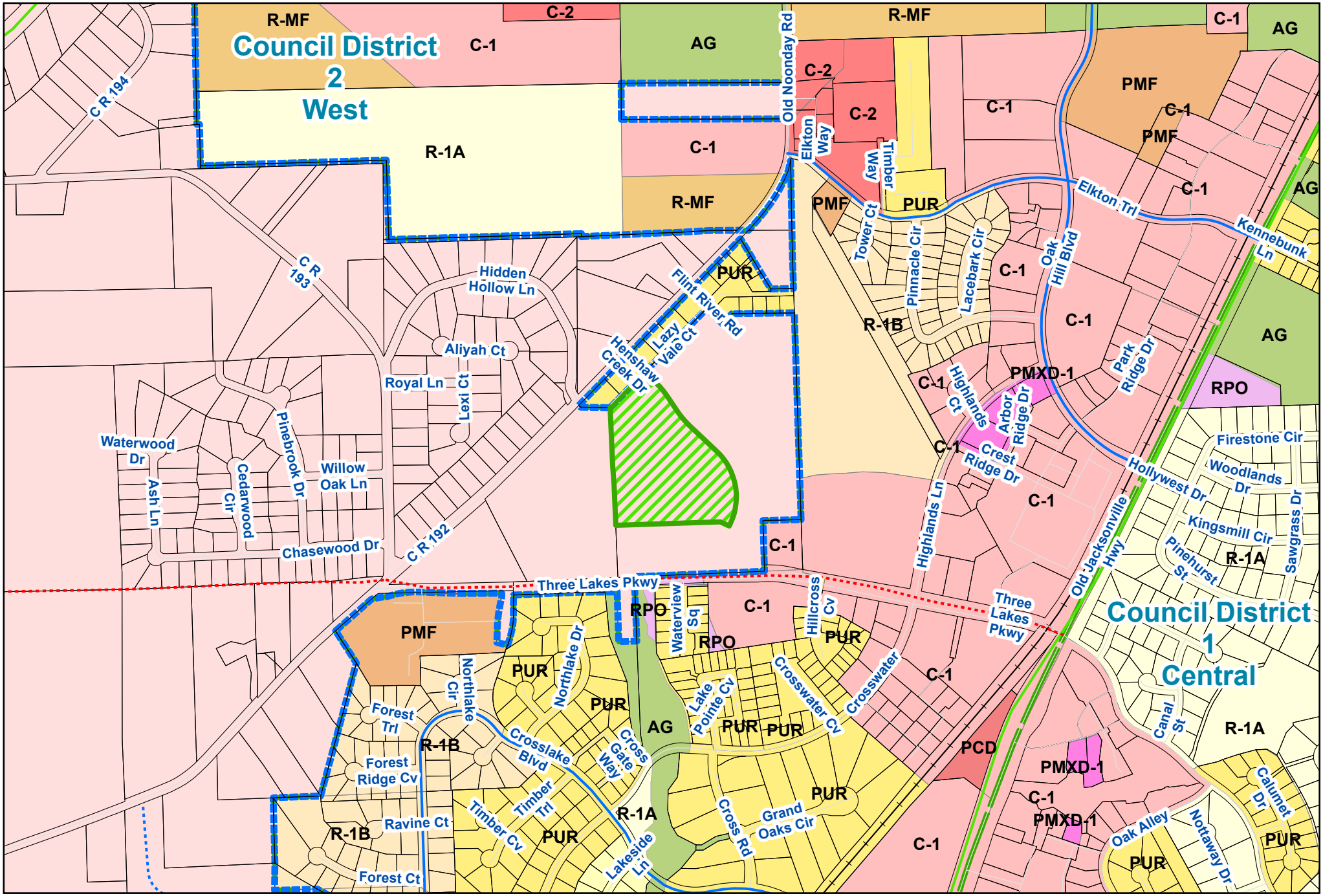
Height - 2 ½ stories

Off street parking – 2 spaces per lot

Landscaping – per UDC requirements for residential detached

All other UDC regulations pertaining to R-1A will apply.


GRAPHIC SCALE
Cottage Court
The Cottages



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

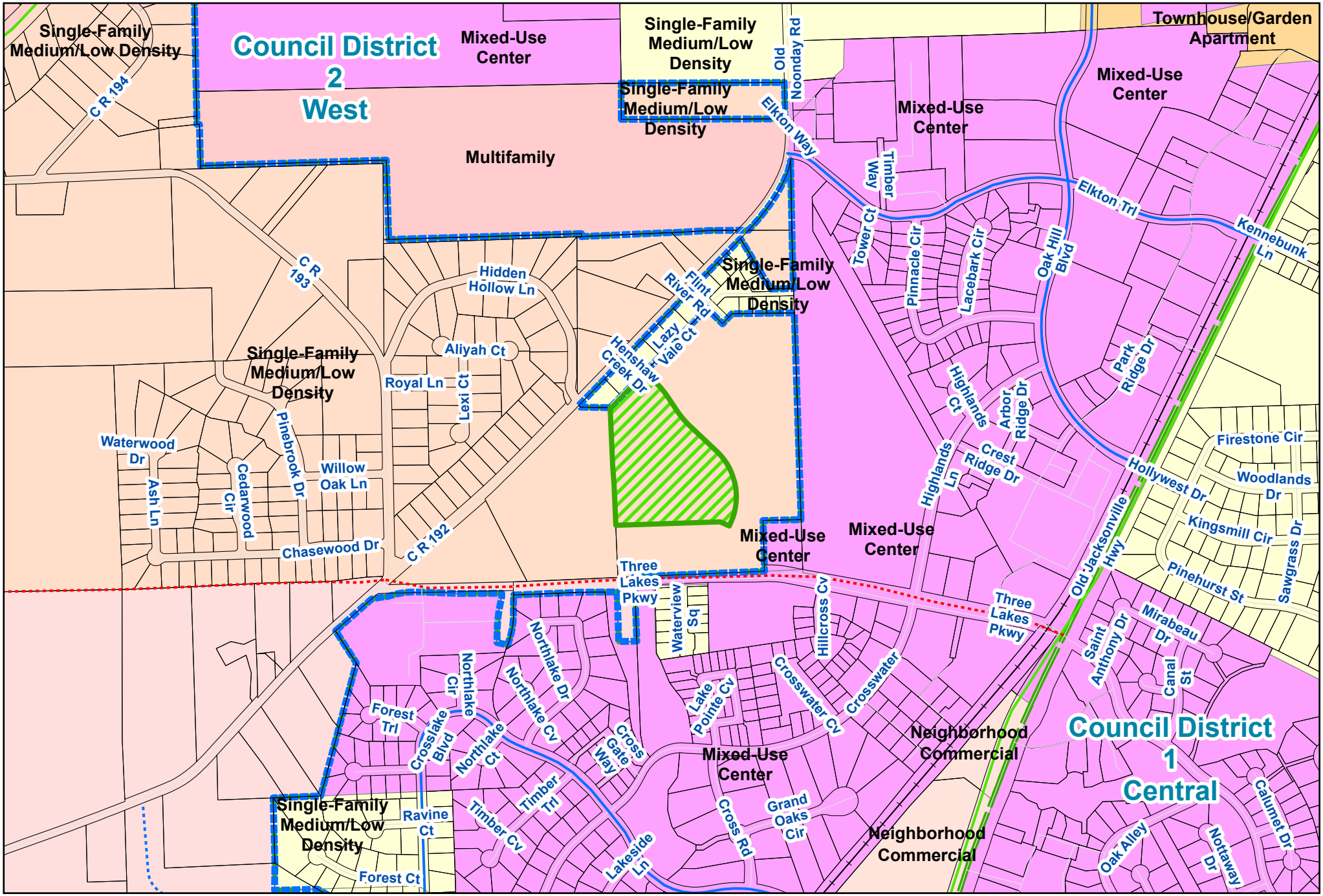
1 inch equals 750 feet

N

ZONING CASE

Zoning Case #: A24-003
Current Zoning: ZONE 2 ETJ
Proposed Zoning: PUR
WERNER-TAYLOR LAND & DEVELOPMENT LP

Subject Property
Council District Boundary
City Limits



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

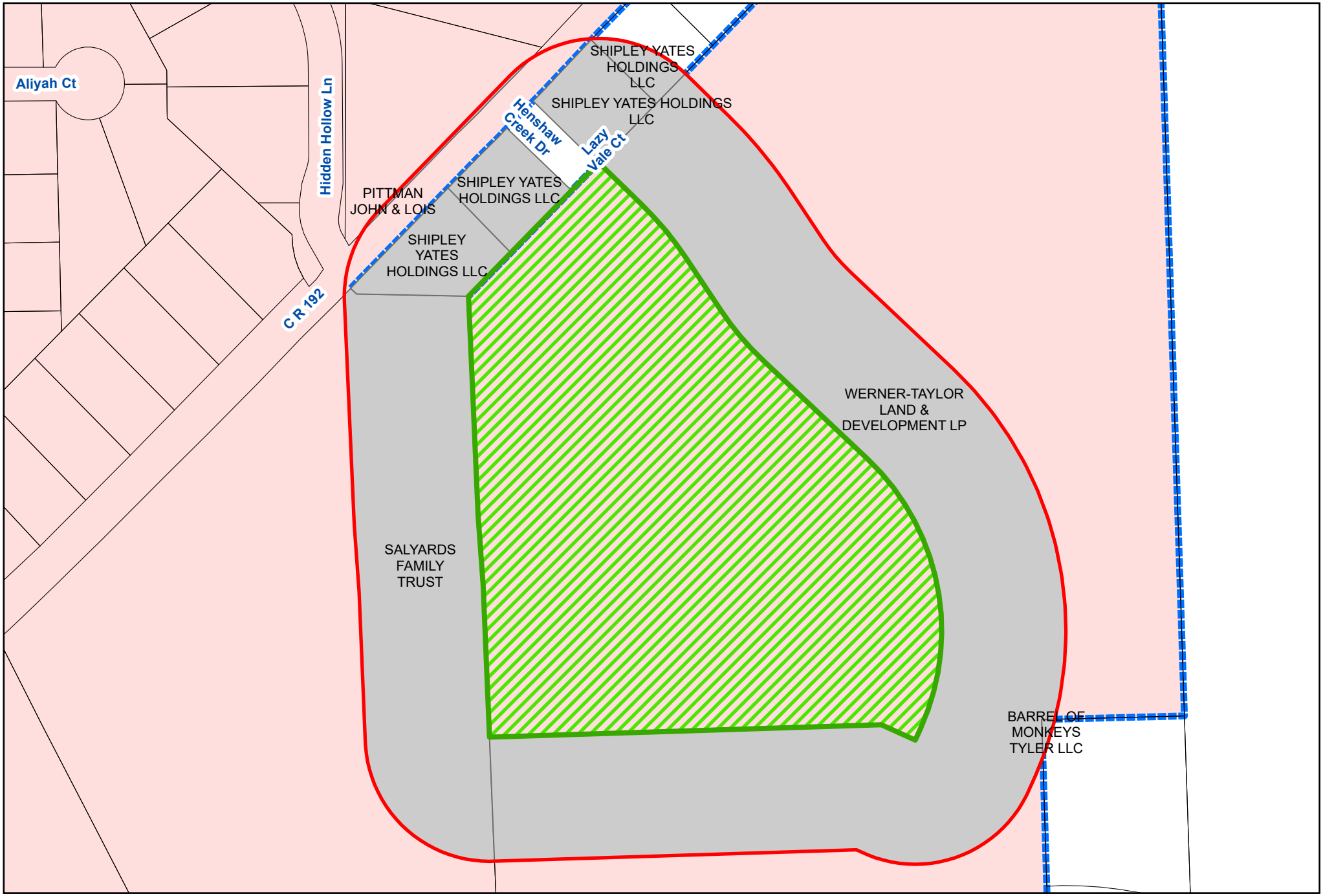
1 inch equals 750 feet

N

ZONING CASE

Zoning Case #: A24-003
Current Zoning: ZONE 2 ETJ
Proposed Zoning: PUR
WERNER-TAYLOR LAND & DEVELOPMENT LP

Subject Property
Council District Boundary
City Limits



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch equals 200 feet

N

ZONING CASE

Zoning Case #: A24-003
Current Zoning: ZONE 2 ETJ
Proposed Zoning: PUR
WERNER-TAYLOR LAND & DEVELOPMENT LP

Subject Property
200' Mailed Notification Area
City Limits

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-3

Date: January 22, 2025

Subject: ZA24-001 UNIFIED DEVELOPMENT CODE (20 YEAR CITY LIMITS) Request that the City Council consider adoption of an Ordinance making an uncontestable finding that all territory included within the City of Tyler since December 31, 2004, is part of the City.

Item Reference: **Texas Local Government Code Section 41.003; Tyler City Code Chapter 10, Article XII.**

Texas Local Government Code Section 41.003 provides that if the City Council adopts an ordinance declaring an area that meets the statutory requirements to be part of the City, that finding is uncontestable.

The Local Government Code allows cities to adopt an ordinance declaring areas that have been part of the city for at least 20 years to be declared a part of the city subject to certain conditions. City staff has prepared a map of the annexations through December 31, 2004, for declaration (Exhibit A).

This benefit precludes any contest by any party following adoption of an ordinance based on the 20 year annexation map. While the City of Tyler hopes that there will be no dispute with any surrounding municipalities, the City can never be certain that such a dispute will not develop. Such situations are more apt to arise when the City seeks to annex territory, or defines its extraterritorial jurisdiction (ETJ) in a manner that may conflict with planned expansions by other cities. In the context of such controversies, flaws in old ordinances can sometimes be used to challenge the validity of newer annexations that are otherwise valid.

The adoption of this ordinance will, therefore, eliminate some potential challenges to the validity of historical annexation ordinances. The map attached to the ordinance depicts the Tyler city limits as of December 31, 2004. The area within this boundary, therefore, (1) has been treated as part of the city for at least 20 years, (2) has been receiving city services for at least that long, (3) has never been found by a court to be outside the city, and (4) is not currently challenged in any lawsuit. Under State statute, if territory meets these four criteria, a city may adopt an ordinance to create an irrefutable presumption that the territory has been part of the City for all purposes. This may, therefore, eliminate one potential avenue of attack should a challenge to Tyler annexations ever be made in the future.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this item. No one spoke in favor or in opposition to the adoption of the ordinance.

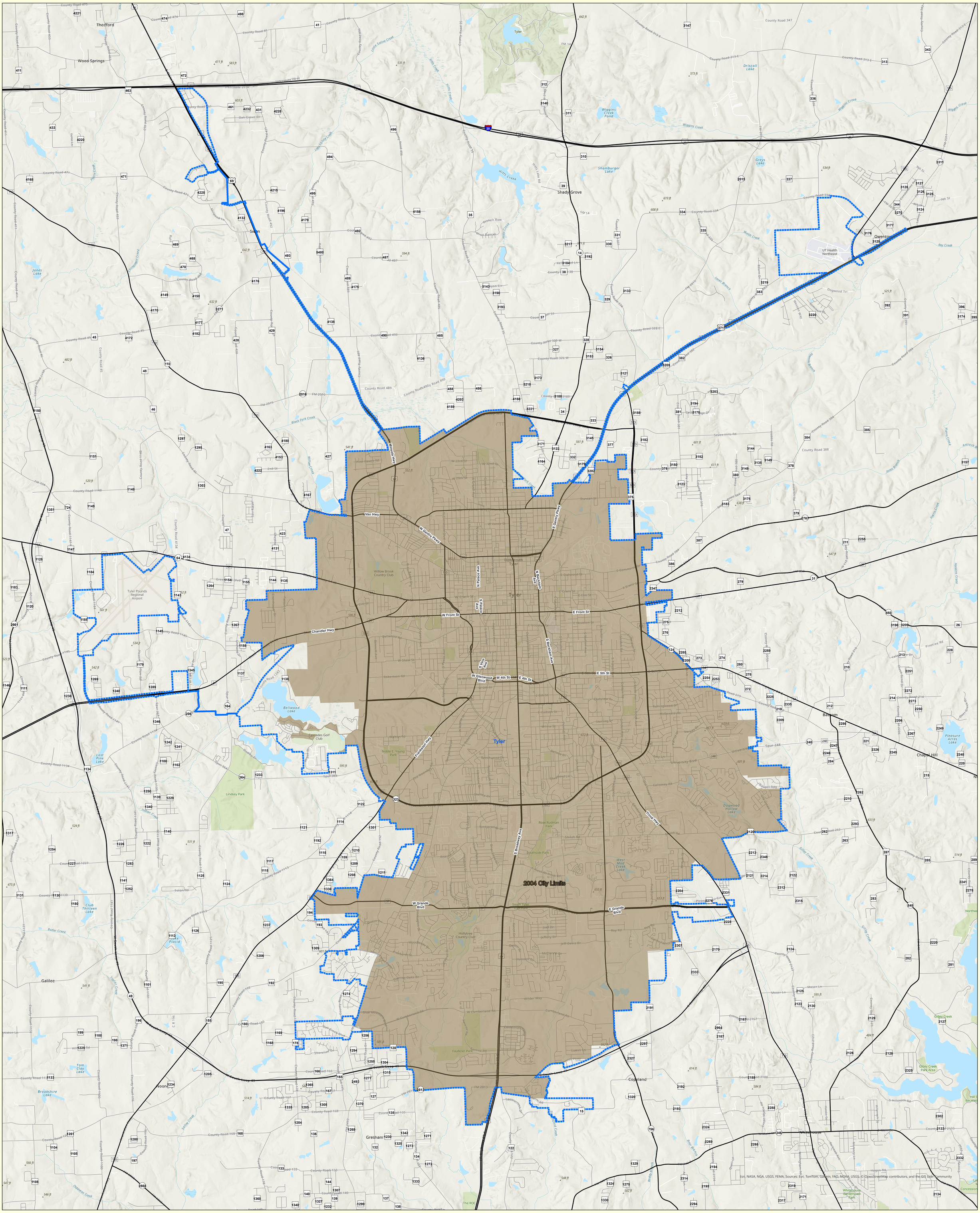
RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval of the ordinance.

Attachments:
Map
Ordinance

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager



City of Tyler

THIS MAP WAS PREPARED BY THE CITY OF TYLER AND MAYBE BE REVISED WITHOUT NOTIFICATION TO ANY USER.

ALTHOUGH THIS MAP IS BASED ON THE LATEST INFORMATION AVAILABLE TO THE CITY OF TYLER, NO WARRANTY, GUARANTEE, OR REPRESENTATION IS MADE BY THE CITY OF TYLER AS TO THE ABSOLUTE CORRECTNESS OR SUFFICIENCY OF ANY REPRESENTATION CONTAINED IN THIS MAP. THE USER IS ENCOURAGE TO CHECK WITH THE CITY TO VERIFY THAT HE MAP BEING USED IS THE LATEST, MOST CURRENT ONE AVAILABLE. (903) 531-1257

Path: R:\Projects\Planning\ArcGIS Pro Projects\Annexation 20 Year City Limits\20Year_CityLimits\20Year_CityLimits.aprx

Spatial Reference
Name: NAD 1983 StatePlane Texas North Central FIPS 4202 Feet

Legend
- Tyler City Limits
- Tyler City Limits as of December 2004

1/7/2025

1 inch equals 2,500 feet

Tyler City Limits as of December 2004

ORDINANCE NO. O-2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, ALLOWING FOR THE INCLUSION OF AREA RECEIVING LONGSTANDING TREATMENT AS PART OF THE MUNICIPALITY PURSUANT TO SECTION 41.003 OF THE TEXAS LOCAL GOVERNMENT CODE BY MAKING AN UNCONTESTABLE FINDING THAT ALL TERRITORY INCLUDED WITHIN THE CITY OF TYLER FOR THE PRECEDING 20 YEARS IS PART OF THE CITY OF TYLER, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Section 41.003 provides that an irrebuttable presumption attaches to the inclusion within the city of any area that has been functionally a part of the city for 20 years; and

WHEREAS, the records of the City indicate that the area designated in the attached Exhibit "A" has been a part of the City for at least the preceding 20 years; and

WHEREAS, the City has provided municipal services, including police protection, to the area and has treated the area as part of the City during the preceding 20 years; and

WHEREAS, there has not been a final judicial determination during the preceding 20 years that the area is outside the boundaries of the City; and

WHEREAS, there is no pending lawsuit that challenges the inclusion of the area as part of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the findings herein are adopted. The City Council hereby makes the following findings that on the date of adoption of this ordinance:

1. That City records indicate that the area designated in the attached Exhibit "A" has been a part of the City of Tyler for at least the preceding 20 years; and

2. That the City of Tyler has provided municipal services, including police protection, to the area designated in the attached Exhibit "A" and has treated the area as part of the city during the preceding 20 years; and

3. That there has not been a final judicial determination during the preceding 20 years that the area designated in the attached Exhibit "A" is outside the boundaries of the City of Tyler; and

4. That there is no pending lawsuit that challenges the inclusion of the area designated in the attached Exhibit "A" as part of the City of Tyler.

PART 2: That as the requirements of Texas Local Government Code Section 41.003(b) for inclusion of the area have been met, the inclusion of the area designated in Exhibit "A" is not contestable, and that the attached Exhibit "A" is hereby adopted and is incorporated as part of this ordinance.

PART 3: That Tyler City Code Chapter 10, "Tyler Unified Development Code", Article XII., "Annexation", "Division A.," Boundary Extension and Annexation", is hereby amended by amending Section 10-802 to read as follows:

Sec. 10-802. City Limits in ~~2003~~ 2004

Section 41.003 of the Texas Local Government Code provides that an irrebuttable presumption attaches to the inclusion within the city of any area that has been functionally a part of the city for 20 years. City records indicate that the area designated in the Exhibit "A" which is attached to the ordinance adopting this section has been a part of the city for at least the preceding 20 years and the city has provided municipal services, including police protection, to the area and has treated the area as part of the city during the preceding 20 years. City records also indicate that there has not been a final judicial determination during the preceding 20 years that the area is outside of the boundaries of the city, and that there is no pending lawsuit that challenges the inclusion of the area as part of the city. Therefore, the City Council finds that the requirements of state law for inclusion of the area have been met and the inclusion of the area designated in Exhibit A is not contestable. (Ord. O-2007-73, 06-19-07) (Ord. No. 0-2010-37; 4/28/10) (Ord. No. 0-2011-11, 2/9/11) (0-2011-24, 4/27/11) (Ord. 0-2011-32, 5/11/11) (Ord. 0-2011-36, 5/25/11) (Ord. No. 0-2011-62, 8/24/11) (Ord. 0-2011-63, 8/24/11) (Ord. 0-2012-12, 2/22/12) (Ord. 0-2012-16, 3/28/12) (Ord. 0-2012-43, 5/23/12) (Ord. 0-2013-15, 2/27/13) (Ord. 0-2014-9, 1/22/14) (Ord. 0-2015-18, 1/28/15) (Ord. 0-2016-9, 1/27/16) (Ord. 0-2017-14, 1/25/17) (Ord. 0-2018- 7; 1/24/18) (Ord. 0-2019-10; 1/23/19); (Ord. 0-2020-13; 1/22/20); (Ord. 0-2021-10; 1/27/21); (Ord. 0-2022-10; 1/26/22); (Ord No. 0-2023-18, 2/22/2023); (Ord. No. 0-2024-012, 1/24/24), (Ord. No. 0-2025- , 1/22/25)

PART 4: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 5: That this ordinance shall be in full force and effect on and after the date of its passage and approval.

PASSED AND APPROVED this the 22nd day of January, A.D., 2025.

_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

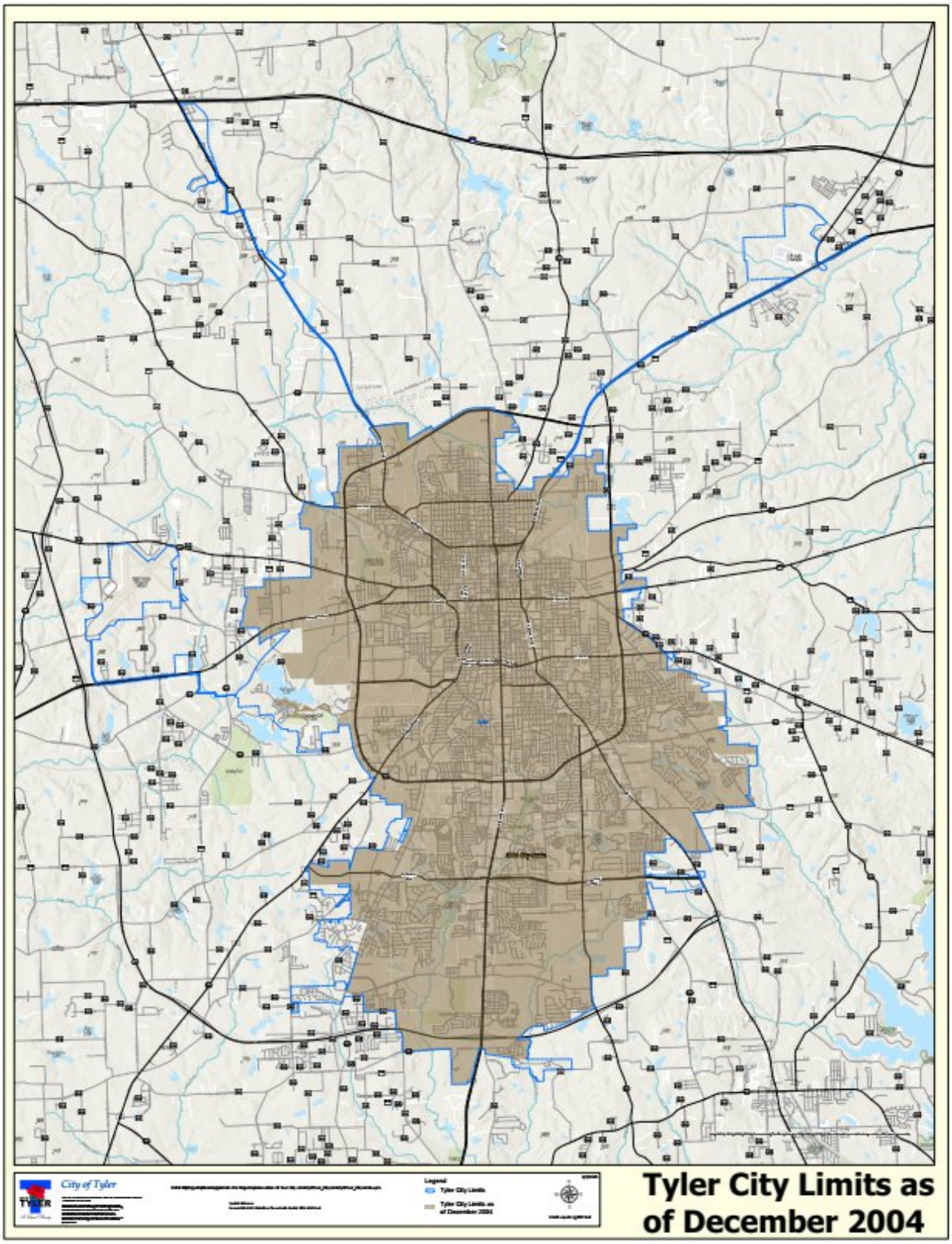
A T T E S T:

_____
CASSANDRA BRAGER, CITY CLERK

APPROVED:

_____
DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. 0-2025-__
EXHIBIT "A"
CITY LIMITS MAP AS OF DECEMBER 31, 2004



CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-4

Date: January 22, 2025

Subject: Z24-038 CYNTHIA ALLEN (601 DODGE STREET) Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-MF', Multi-Family Residential District to 'RPO', Restricted Professional Office District.

Item Reference:

The applicant is requesting the zone change to bring the property into conformance with the Unified Development Code on Lot 24, 49 of NCB 679, one lot containing approximately 0.55 acres of land located at the southeast intersection of Dodge Street and South Sneed Avenue (601 Dodge Street).

According to the Unified Development Code (UDC), the 'RPO', Restricted Professional Office District is primarily intended to accommodate office uses that serve as a buffer between commercial and residential areas. It is also intended to facilitate the conversion of residential properties that are located in an area transitioning from residential to other uses. The minimum lot area is 7,000 square feet. The maximum height when adjacent to residential districts is 42 feet or two and one half stories; however, when located adjacent to other districts it is 60 feet plus an additional foot in height for every extra foot of front or rear setback. Setback requirements are 10 feet in the front and rear. The interior side yard setback is six feet and the corner side yard is 12 feet.

According to UDC Section 10-617, the City Council will consider the following approval criteria for zoning changes:

a. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action;
b. The zoning change is consistent with the Tyler 1st Comprehensive Plan;
c. The zoning change promotes the health, safety, or general welfare of the city and the safe, orderly, and healthful development of the city;
d. The zoning change is compatible with the present zoning and/or conforming uses of nearby property and with the character of the neighborhood; and
e. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.

According to UDC Section 10-587, the burden of proof or persuasion is on the applicant to show that an application complies with approval criteria.

The adjacent properties to the east and south are zoned 'R-MF', Multi-Family Residential District and are developed with medical facilities. The adjacent property to the west is zoned 'R-1B', Single-Family Residential District, and is developed with a single-family home.

The Future Land Use Guide (FLUG) identifies this property as Single-Family Medium Low Density. This request would amend the FLUG as Office.

The applicant intends to lease the space for a dental practice. Since the 1960s, the property has operated as a dental practice and will continue to function as such. Recently, when attempting to obtain a Certificate of Occupancy, the owners became aware that the current zoning of 'R-MF' Residential Multi-Family and the previous operation use did not align. In the past, 'R-MF', Multi-Family Residential District allowed for office uses prior to the adoption of the Unified Development Code.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this request. The applicant spoke in favor of the request as did a neighboring property owner. No one spoke in opposition.

As of Friday, January 10, 2025, of the 17 notices mailed, no notices were returned in favor or in opposition to the request.

All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed rezoning request.

RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval of the zone change request from 'R-MF', Multi-Family Residential District to 'RPO', Restricted Professional Office District.

Attachments:
Ordinance
Location Map
Future Land Use Map
Notification Map

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2025-

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM 'R-MF', MULTI-FAMILY RESIDENTIAL DISTRICT TO 'RPO', RESTRICTED PROFESSIONAL OFFICE DISTRICT ON LOT 24, 49 OF NCB 679, ONE LOT CONTAINING APPROXIMATELY 0.55 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF DODGE STREET AND SOUTH SNEED AVENUE (601 DODGE STREET); DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE MAP; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the following zone change is hereby approved as follows:

I. APPLICATION Z24-038

That the following described property, which has heretofore been zoned 'R-MF', Multi-Family Residential District, shall hereafter bear the zoning classification of 'RPO', Restricted Professional Office District, to wit:

> On Lot 24, 49 of NCB 679, one lot containing approximately 0.55 acres of land located at the southeast intersection of Dodge Street and South Sneed Avenue (601 Dodge Street).

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the Future Land Use Guide to reflect Office.

PART 3: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 4: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 22nd day of January A.D., 2025.

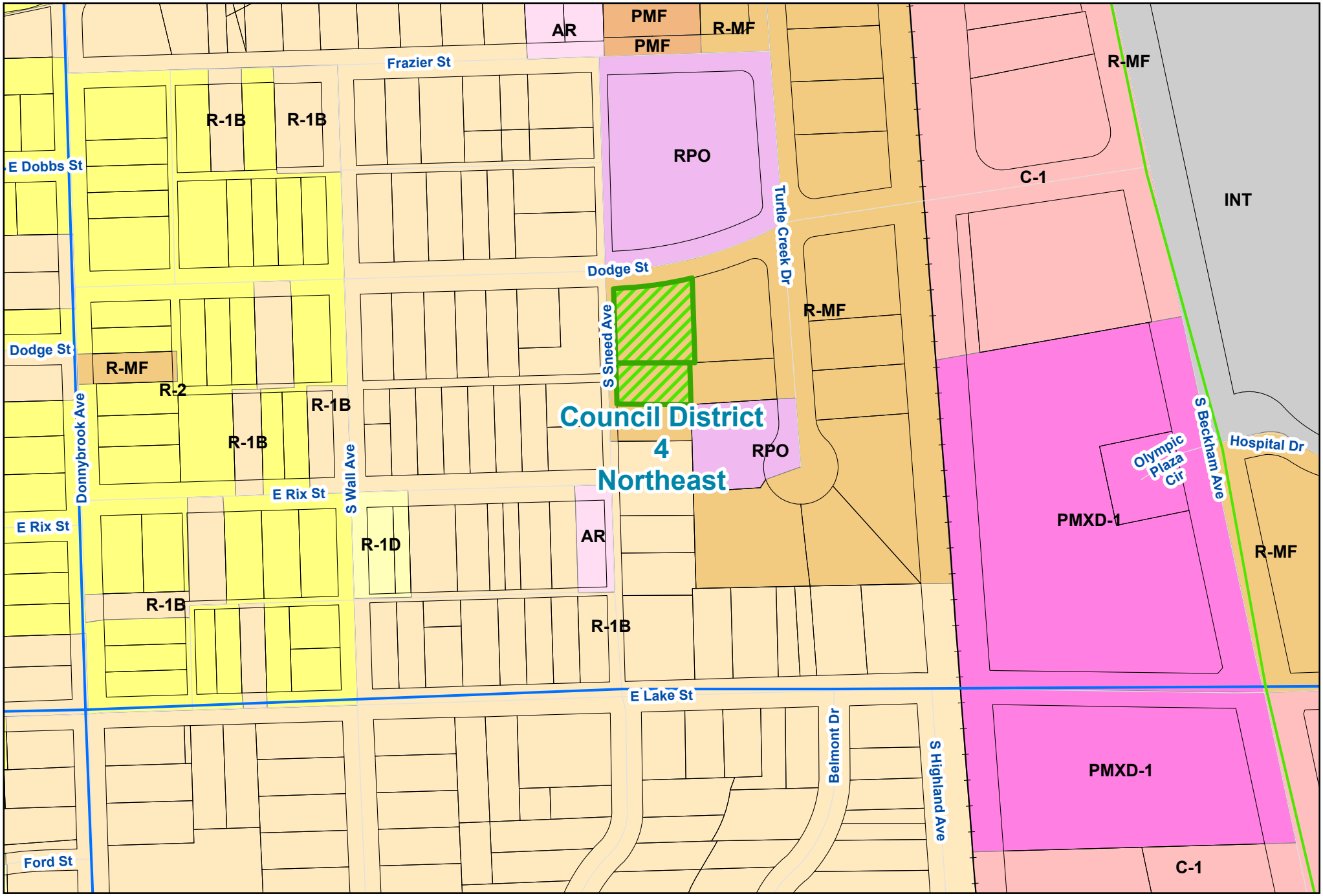
_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

APPROVED:

_____
CASSANDRA BRAGER, CITY CLERK

_____
DEBORAH G. PULLUM,
CITY ATTORNEY



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

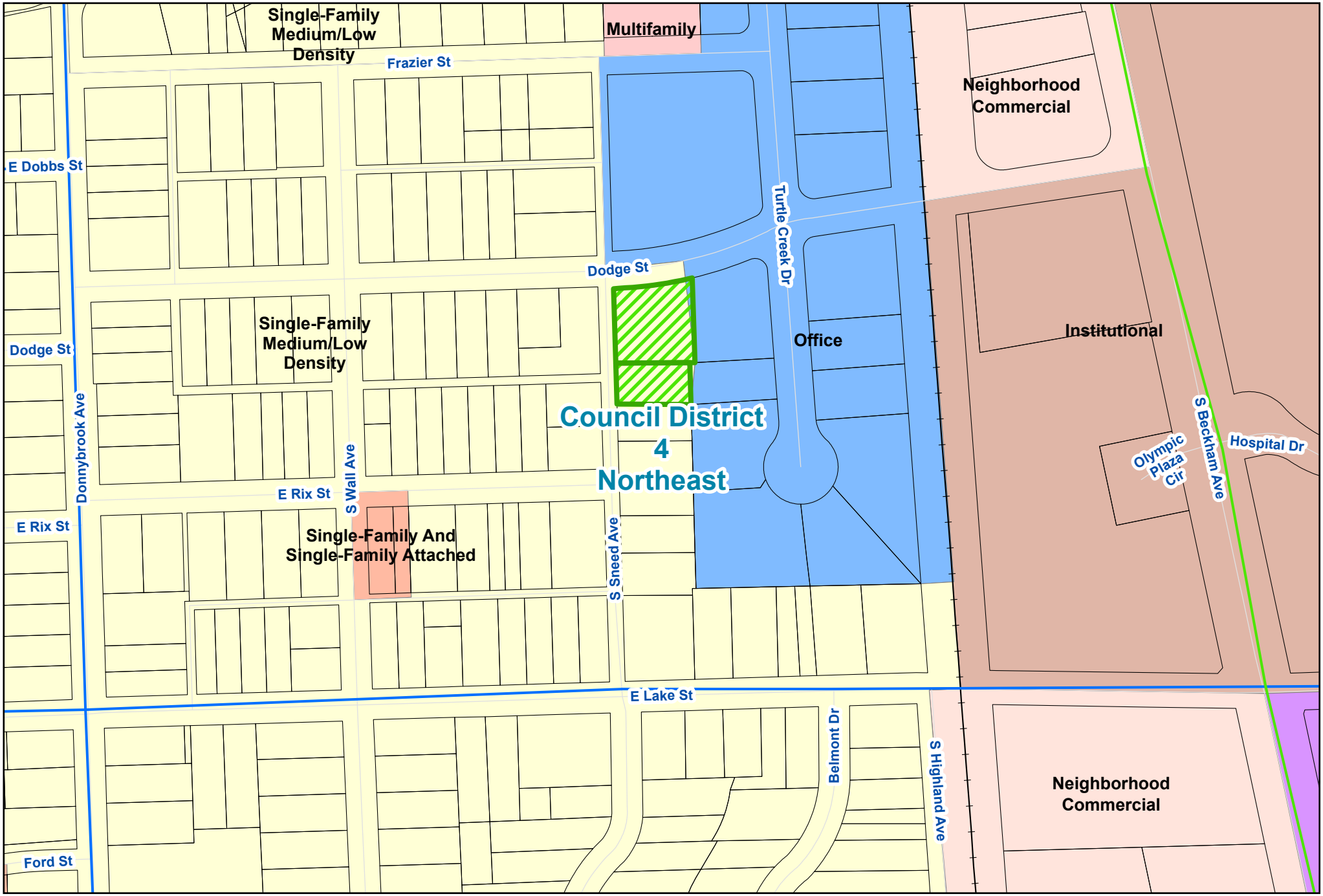
1 inch equals 200 feet

N

ZONING CASE

Zoning Case #: Z24-038
Current Zoning: R-MF
Proposed Zoning: RPO
CYNTHIA ALLEN

Subject Property



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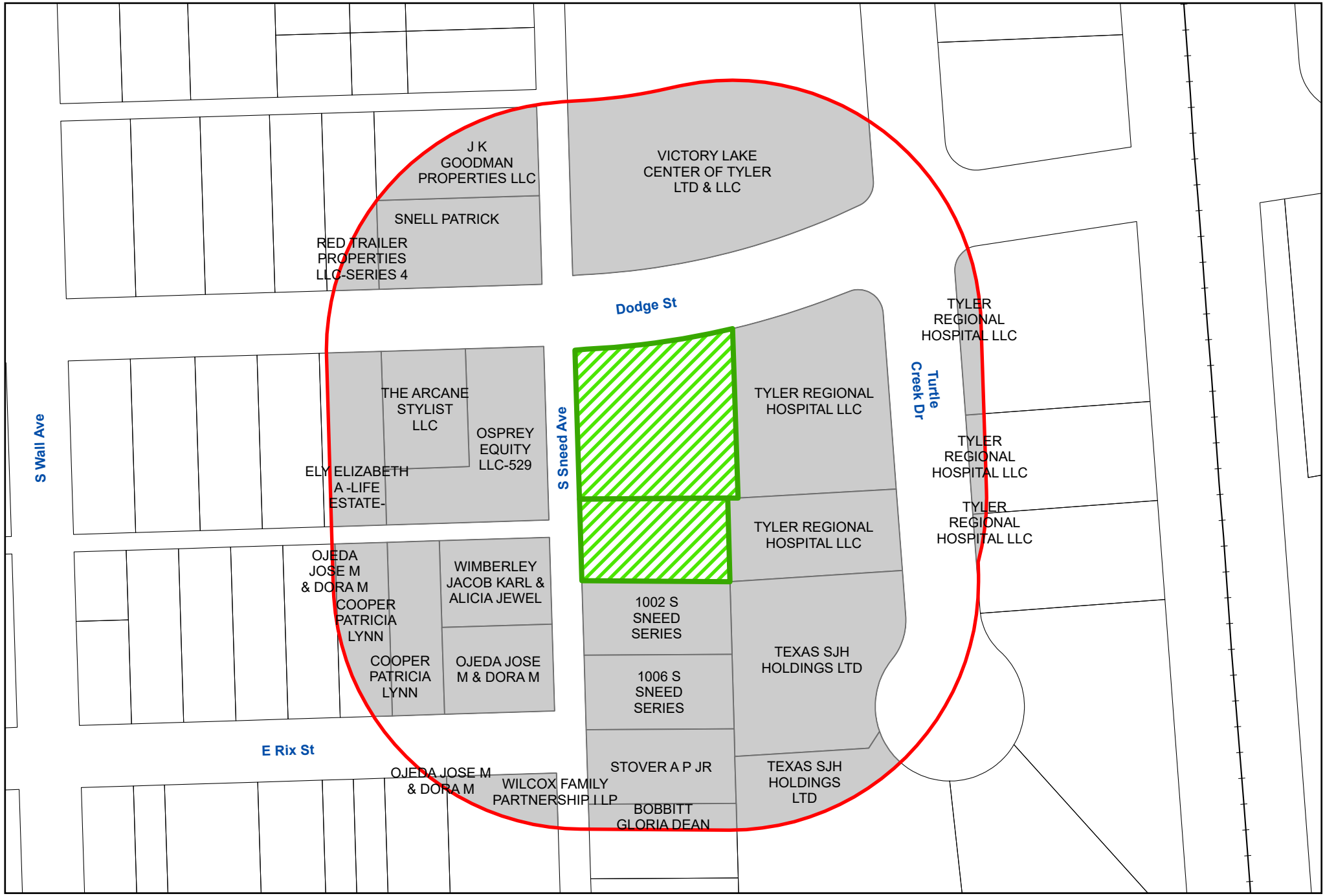
1 inch equals 200 feet

N

ZONING CASE

Zoning Case #: Z24-038
Current Zoning: R-MF
Proposed Zoning: RPO
CYNTHIA ALLEN

Subject Property



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1 inch equals 100 feet

N

ZONING CASE

Zoning Case #: Z24-038
Current Zoning: R-MF
Proposed Zoning: RPO
CYNTHIA ALLEN

Subject Property

200' Mailed Notification Area

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-5

Date: January 22, 2025

Subject: Z24-039 APOLONIO MOLINA (1316 CLAUDE STREET) Request that the City Council consider adoption of an Ordinance approving a zone change from 'R-MF', Multi-Family Residential District to 'R-1B', Single-Family Residential District.

Item Reference:

The applicant is requesting the zone change to build a single-family home on Lot 32A of NCB 356, one lot containing approximately 0.21 acres of land located east of the southeast intersection of Claude Street and North Englewood Avenue (1316 Claude Street).

According to the Unified Development Code (UDC), the 'R-1B', Single-Family Residential District is primarily intended to accommodate development of detached, single-family housing on smaller individual lots. In addition, the district allows churches, schools, and accessory buildings and uses. The maximum building height is 42 feet. Setback requirements are 25 feet in the front and rear, six feet on the interior side and 12 feet on the corner side. Minimum lot size is 6,000 square feet.

According to UDC Section 10-617, the City Council will consider the following approval criteria for zoning changes:

a. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action;
b. The zoning change is consistent with the Tyler 1st Comprehensive Plan;
c. The zoning change promotes the health, safety, or general welfare of the city and the safe, orderly, and healthful development of the city;
d. The zoning change is compatible with the present zoning and/or conforming uses of nearby property and with the character of the neighborhood; and
e. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.

According to UDC Section 10-587, the burden of proof or persuasion is on the applicant to show that an application complies with approval criteria.

The adjacent properties to the north are zoned 'R-1B', Single-Family Residential District and 'R-MF', Multi-Family Residential District and are developed with a single-family home and an abandoned duplex. The adjacent properties to the east are zoned 'R-MF', Multi-Family Residential District and are

developed with a single-family home or are undeveloped. The adjacent properties to the south and west are zoned 'R-MF', Multi-Family Residential District and are developed with three single-family homes or are undeveloped.

This request is consistent with the Future Land Use Guide which identifies this property as Single-Family Medium/Low Density.

The property is currently undeveloped. The applicant is requesting the zone change to build a single-family home. This request is in keeping with the surrounding area which consists of single-family homes.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this request. No one spoke in favor or in opposition to the request.

As of Friday, January 10, 2025, of the 26 notices mailed, no notices were returned in favor or in opposition to the request.

All other departments have reviewed the application and anticipate a positive impact on services and facilities by the proposed rezoning request.

RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval of the zone change request from 'R-MF', Multi-Family Residential District to 'R-1B', Single-Family Residential District.

Attachments:
Ordinance
Location Map
Future Land Use Map
Notification Map

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2025-

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "R-MF", MULTI-FAMILY RESIDENTIAL DISTRICT TO "R-1B", SINGLE-FAMILY RESIDENTIAL DISTRICT ON LOT 32A OF NCB 356, ONE LOT CONTAINING APPROXIMATELY 0.21 ACRES OF LAND LOCATED AT THE EAST OF THE SOUTHEAST INTERSECTION OF CLAUDE STREET AND NORTH ENGLEWOOD AVENUE (1316 CLAUDE STREET); DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABLITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the following zone change is hereby approved as follows:

I. APPLICATION Z24-039

That the following described property, which has heretofore been zoned "R-MF", Multi-Family Residential District, shall hereafter bear the zoning classification of "R-1B", Single-Family Residential District, to wit:

> On Lot 32A of NCB 356, one lot containing approximately 0.21 acres of land located east of the southeast intersection of Claude Street and North Englewood Avenue (1316 Claude Street).

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning.

PART 3: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 4: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 22nd day of January A.D., 2025.

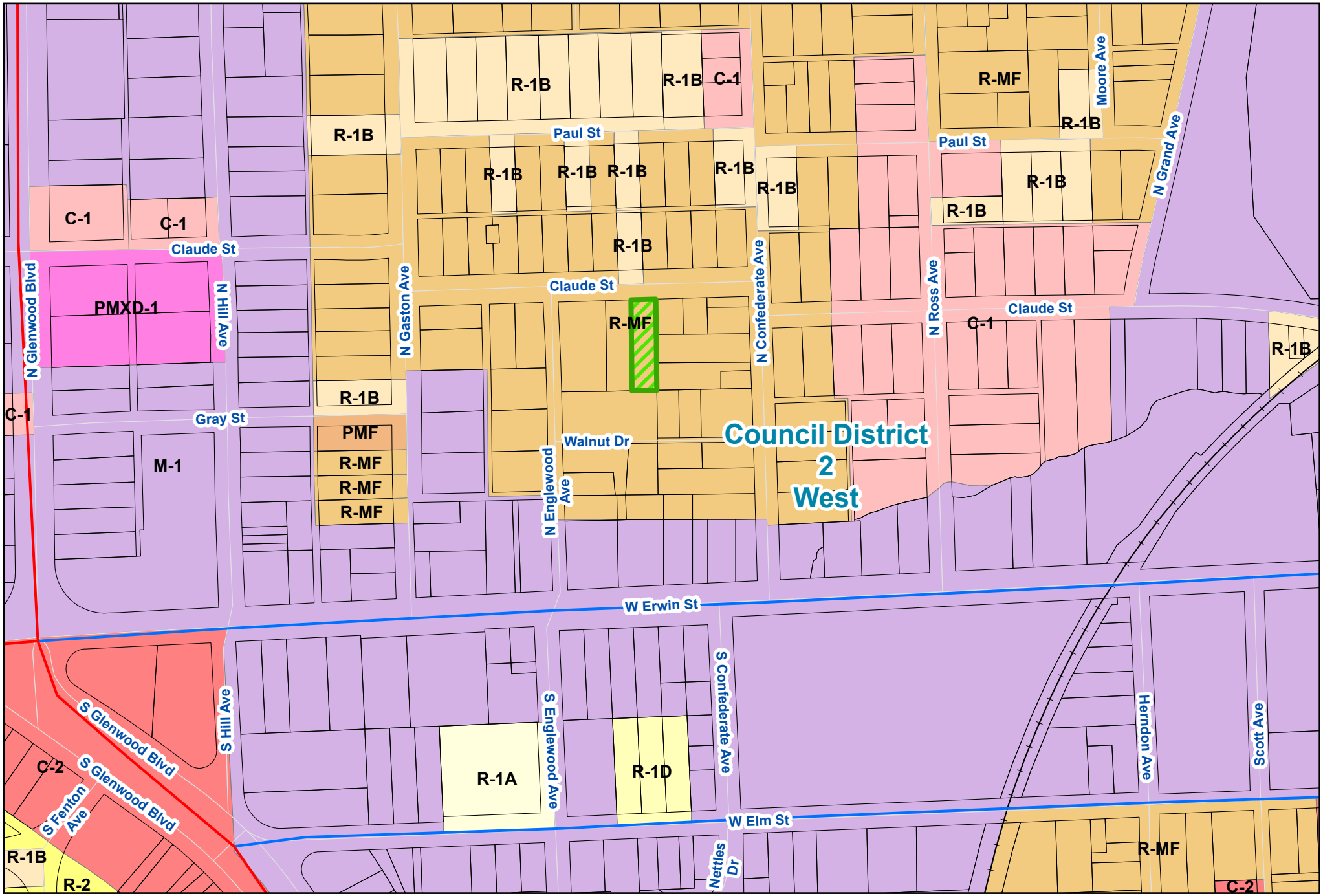
_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

APPROVED:

_____
CASSANDRA BRAGER, CITY CLERK

_____
DEBORAH G. PULLUM,
CITY ATTORNEY



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1 inch equals 250 feet

N

ZONING CASE

Zoning Case #: Z24-039
Current Zoning: R-MF
Proposed Zoning: R-1B
APOLONIO MOLINA

Subject Property



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1 inch equals 250 feet

N

ZONING CASE

Zoning Case #: Z24-039
Current Zoning: R-MF
Proposed Zoning: R-1B
APOLONIO MOLINA

Subject Property



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1 inch equals 100 feet

N

ZONING CASE

Zoning Case #: Z24-039
Current Zoning: R-MF
Proposed Zoning: R-1B
APOLONIO MOLINA

Subject Property

200' Mailed Notification Area

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-6

Date: January 22, 2025

Subject: Z24-040 NEDWOL PROPERTIES (2453 AND 2457 MOSAIC WAY) Request that the City Council consider adoption of an Ordinance approving a zone change from 'M-1', Light Industrial District and 'M-2', General Industrial District to 'PCD', Planned Commercial District with written narrative.

Item Reference:

The applicant is requesting the zone change to continue commercial development on the property on a 0.5 acre portion of abandoned railroad right-of-way and a 0.07 acre portion of Lot 13Q of NCB 852-T, two lots containing approximately 3.45 acres of land located north of the intersection of Earl Campbell Parkway and Mosaic Way (a 0.5 acre portion of 2457 Mosaic Way and a 0.07 acre portion of 2453 Mosaic Way).

According to the Unified Development Code (UDC), the 'PCDâ€™, Planned Commercial Development District will be designated where retail, commercial, office and limited industrial facilities are needed throughout the city. All development created in a PCD district must be designed and developed in accordance with an approved site development plan and submitted for approval to the Planning Commission and City Council.

a. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action;
b. The zoning change is consistent with the Tyler 1st Comprehensive Plan;
c. The zoning change promotes the health, safety, or general welfare of the city and the safe, orderly, and healthful development of the city;
d. The zoning change is compatible with the present zoning and/or conforming uses of nearby property and with the character of the neighborhood; and
e. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.

In addition to the zoning change criteria above, the City Council will consider the following specific objectives and criteria for approving any type of planned district currently permitted in this code:
a. A variety of housing types, employment opportunities, or commercial services to achieve a balanced community;
b. An orderly and creative arrangement of all land uses with respect to each other and to the entire community;

c. A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as roadways, bicycle ways and pedestrian walkways;
d. The provisions of cultural or recreational facilities for all segments of the community;
e. The location of general building envelopes to take maximum advantage of the natural and manmade environment; and
f. The staging of development in a manner which can be accommodated by the timely provision of public utilities, facilities, and services.

According to UDC Section 10-587, the burden of proof or persuasion is on the applicant to show that an application complies with approval criteria.

The adjacent properties to the north are zoned 'M-2', General Industrial and are developed with industrial uses. The adjacent property to the east is zoned 'M-1', Light Industrial District and is undeveloped. The adjacent properties to the south are zoned 'C-1', Light Commercial District and are developed with commercial uses. The adjacent property to the west is zoned 'PCD', Planned Commercial District and is developed with commercial uses.

The Tyler 1st Future Land Use Guide (FLUG) identifies this property Business/Office Park. This request would amend the FLUG to General Commercial.

The applicant is requesting a zoning change to further commercial development on the property. As the owner of the properties to the east, the applicant intends to create a Planned Commercial District (PCD) that aligns with the existing properties. The proposed development includes the construction of a three-unit structure for office or retail use. The narrative proposes that all 'PCD' uses be allowed with the exception of uses in the Residential Group Living category in the UDC. This in effect prohibits assisted living and skilled nursing facilities, as well as crisis centers and half-way homes.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this request. No one spoke in favor or in opposition to the request.

As of Friday, January 10, 2025, of the eight notices mailed, two notices were returned in favor and none in opposition to the request.

All other departments have reviewed the application and anticipate a positive impact on services and facilities by the proposed rezoning request.

RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval of the zone change request from 'M-1', Light Industrial District and 'M-2', General Industrial District to 'PCD', Planned Commercial District with written narrative.

Attachments:
Ordinance
Location Map
Future Land Use Map
Notification Map

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2025-

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM M-1', LIGHT INDUSTRIAL DISTRICT AND 'M-2', GENERAL INDUSTRIAL DISTRICT TO 'PCD', PLANNED COMMERCIAL DISTRICT WITH A WRITTEN NARRATIVE ON ABANDONED RAILROAD RIGHT-OF-WAY AND LOT 13Q OF NCB 852-T CONTAINING APPROXIMATELY 3.45 ACRES OF LAND LOCATED NORTH OF THE INTERSECTION OF EARL CAMPBELL PARKWAY AND MOSAIC WAY (2453 AND 2457 MOSAIC WAY); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the following zone change is hereby approved as follows:

I. APPLICATION Z24-040

That the following described property, which has heretofore been zoned 'M-1', Light Industrial District and 'M-2', General Industrial District, shall hereafter bear the zoning classification by approving the written narrative attached hereto as Exhibit 'A'', on the following described property zoned "PCD", Planned Commercial Development District, to wit:

> On abandoned railroad right-of-way and Lot 13Q of NCB 852-T, two lots containing approximately 3.45 acres of land located north of the intersection of Earl Campbell Parkway and Mosaic Way (2453 and 2457 Mosaic Way) as depicted in Exhibit 'A' and in accordance with Exhibit 'B'.

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the Future Land Use Guide to reflect General Commercial.

PART 3: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause, or phrase of this ordinance and same are deemed severable for this purpose.

PART 4: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be January 24th, 2025.

PASSED AND APPROVED this the 22nd day of January A.D., 2025.

_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

_____
CASSANDRA BRAGER, CITY CLERK

APPROVED:

_____
DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2025-
EXHIBIT 'A'
METES AND BOUNDS DESCRIPTION

EXHIBIT 'A'

Metes and Bounds Description
For Zoning Change
0.297 Acre Tract

All that certain tract or parcel of land situated in the Tyre Buckley Survey, Abstract 73, City of Tyler, Smith County, Texas, being out of and a part of Lot 13-Q, New City Block 852-T, of TYLER INDUSTRIAL PARK, FIRST AMENDMENT, as shown on the Amending Replat thereof recorded in Cabinet 'F', Slide 199-B, of the Plat Records of Smith County, Texas, same being out of and a part of that certain called 1.131 acre tract, described in a Special Warranty Deed from Tyler Economic Development Council to Nedwol Properties, LLC, dated July 11, 2024, recorded in C.F.N. 202401019499, of the Official Public Records of Smith County, Texas, being more completely described by metes and bounds as follows:

BEGINNING at the westernmost corner of the herein described tract, same being in the northwest line of said 1.131 acre tract, from which a 1/2" iron rod found for the northwest corner of same bears South 48°51'07" West, a distance of 215.51 feet, for reference;

THENCE, North 48°51'07" East, with said northwest line of said 1.131 acre tract, a distance of 152.87 feet to the northernmost corner of the herein described tract, from which a 1/2" iron rod found for the northeast corner of said 1.131 acre tract bears North 48°51'07" East, a distance of 614.78 feet, for reference;

THENCE, South 41°10'41" East, across said 1.131 acre tract, and across said Lot 13-Q, a distance of 60.21 feet to the northerly east corner of the herein described tract;

THENCE, South 48°38'01" West, continuing across said Lot 13-Q, a distance of 27.20 feet to an interior corner of the herein described tract;

THENCE, South 41°27'51" East, continuing across said Lot 13-Q, a distance of 29.67 feet to the southerly east corner of the herein described tract;

THENCE, South 48°47'41" West, continuing across said Lot 13-Q, a distance of 125.81 feet to the southernmost corner of the herein described tract, same being in the southwest line of said Lot 13-Q;

THENCE, North 41°10'58" West, with said southwest line of said Lot 13-Q, passing the westernmost corner of said Lot 13-Q at a distance of 39.67 feet, continuing across said 1.131 acre tract for a total distance of 90.11 feet to the POINT OF BEGINNING and containing 0.297 acre of land.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Month of December 2024. GIVEN UNDER MY HAND AND SEAL this date, 6 January 2025.

(Bearings are based on the northwest line of said Lot 13-Q, N.C.B. 852-T, of said Tyler Industrial Park, First Amendment, as shown on said Amending Replat thereof recorded in Cabinet 'F', Slide 199-B, of said Plat Records of Smith County, Texas.)

Jordan Vulgamott
Registered Professional Land Surveyor
Texas Registration No. 6613



ORDINANCE NO. O-2025-
EXHIBIT ‘B’
WRITTEN NARRATIVE

NEDWOL
P.O. Box 9877 • Tyler, TX 75701

Planned Commercial District Narrative — ZB3, LLC — Earl Campbell Parkway

PCD — .298 acres

Uses — All PCD uses allowed except Group Living

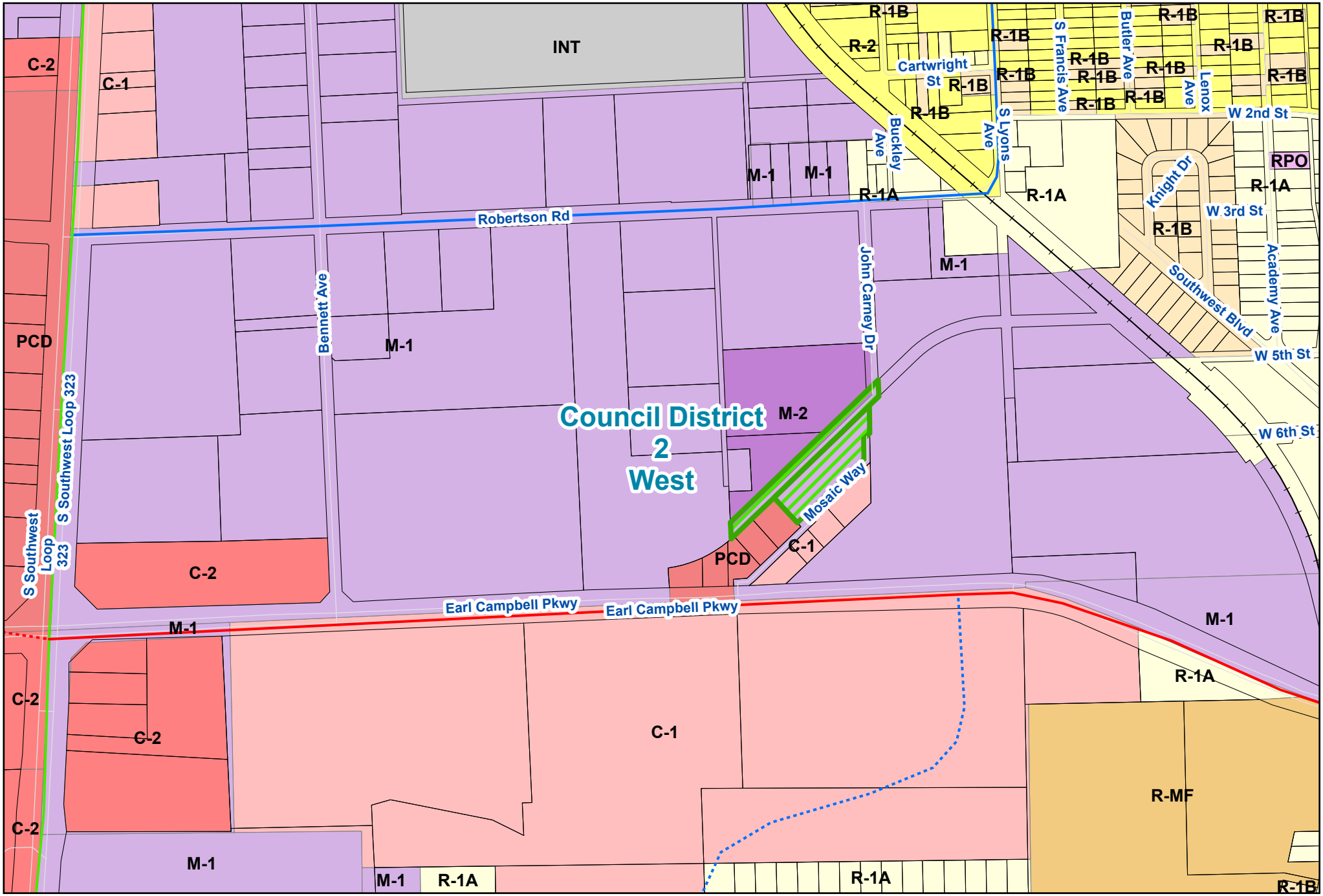
Building — 3,150 Sq ft

Setbacks — To meet City of Tyler UCD standards for C-1 Zoning

Maximum height — 25’

Parking and landscaping to meet City of Tyler UCD standards for C-1 Zoning

Signage to be consistent with Tyler regulations



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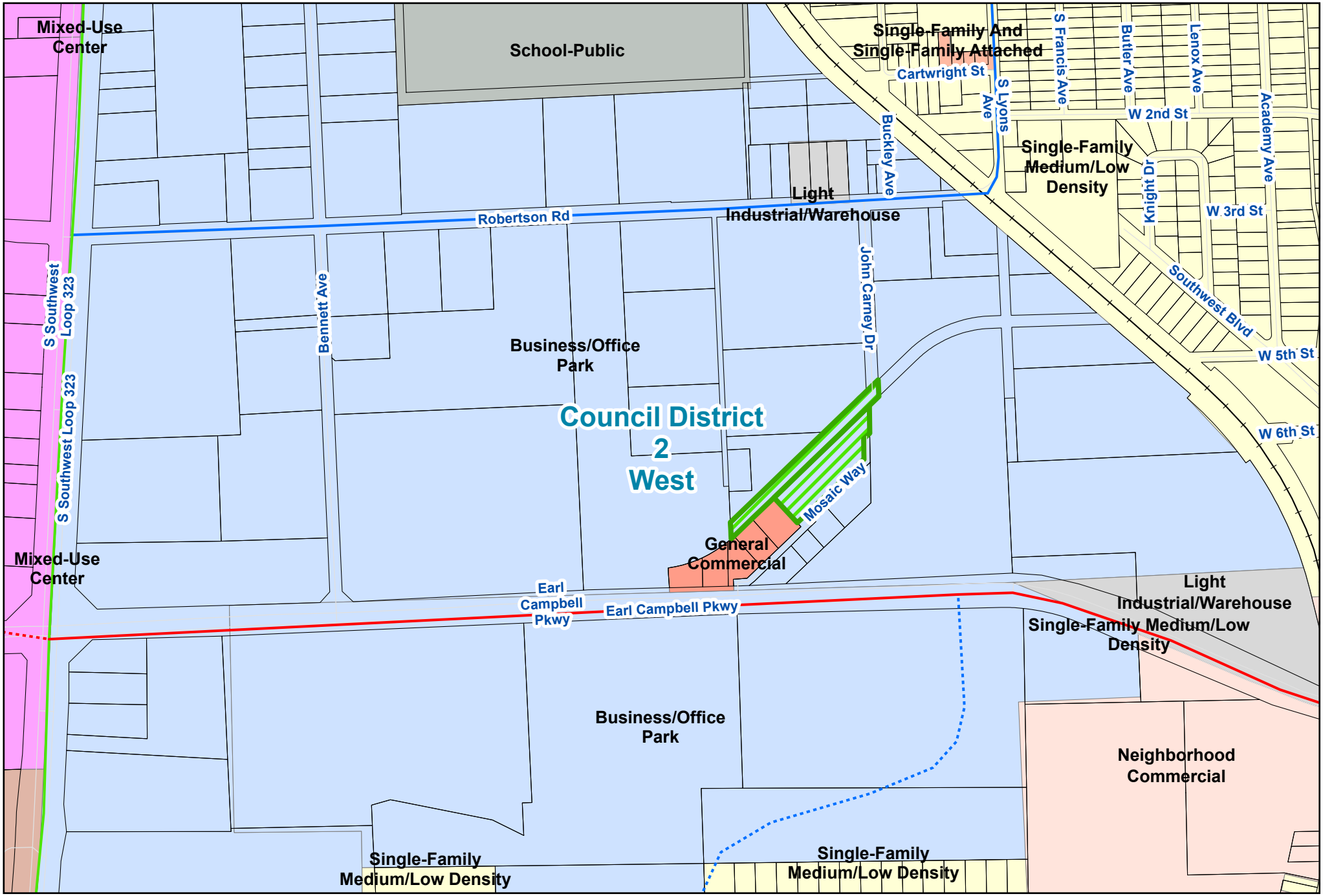
1 inch equals 600 feet

N

ZONING CASE

Zoning Case #: Z24-040
Current Zoning: M-1, M-2
Proposed Zoning: PCD
NEDWOL PROPERTIES

Subject Property



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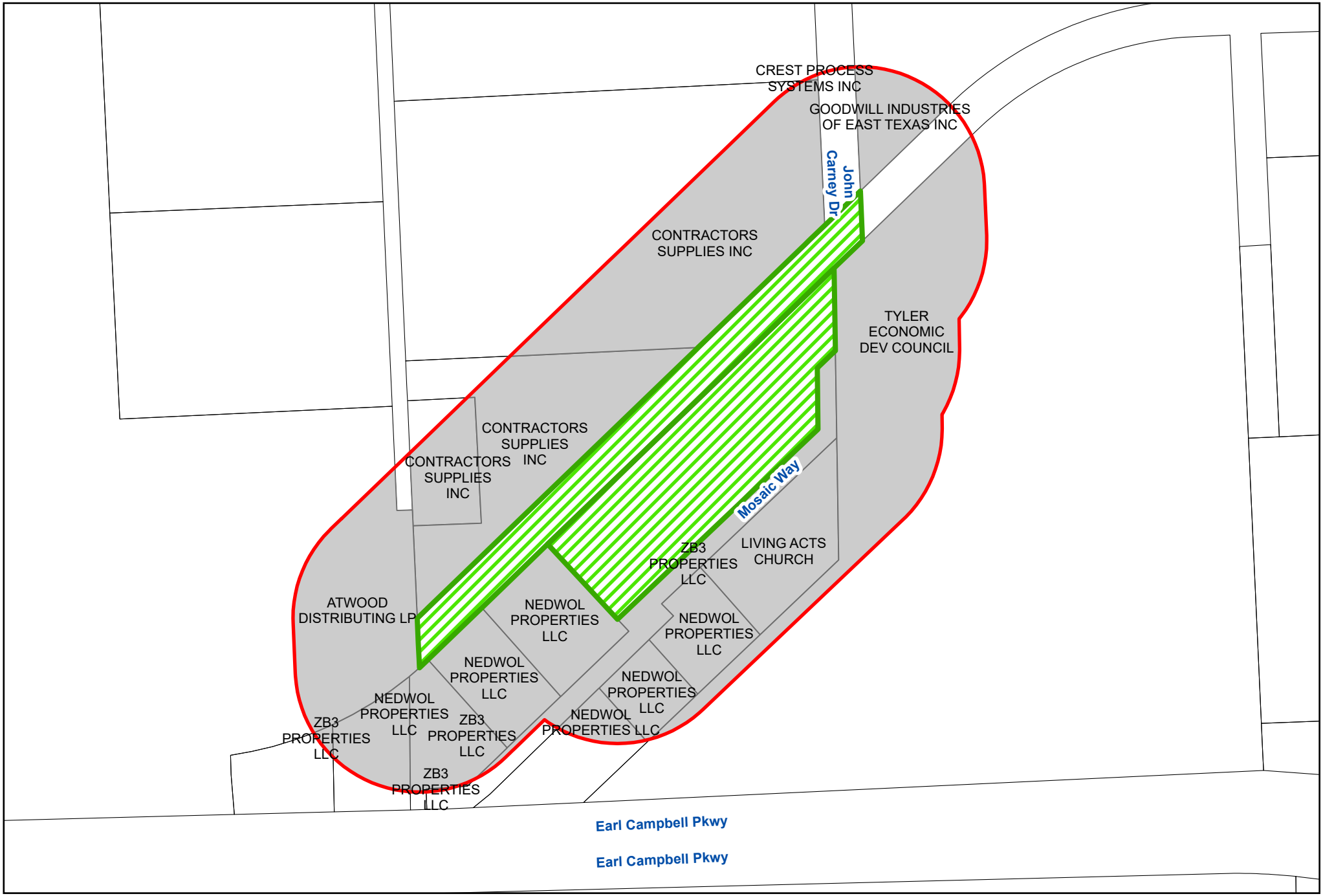
1 inch equals 600 feet

N

ZONING CASE

Zoning Case #: Z24-040
Current Zoning: M-1, M-2
Proposed Zoning: PCD
NEDWOL PROPERTIES

Subject Property



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1 inch equals 200 feet

N

ZONING CASE

Zoning Case #: Z24-040
Current Zoning: M-1, M-2
Proposed Zoning: PCD
NEDWOL PROPERTIES

Subject Property

200' Mailed Notification Area

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. Z-7

Date: January 22, 2025

Subject: Z24-041 VALLE PROPERTY INVESTMENTS (308 JORDAN STREET) Request that the City Council consider adoption of an Ordinance approving a zone change from 'C-2', General Commercial District to 'R-1B', Single-Family Residential District.

Item Reference:

The applicant is requesting the zone change to bring the property into conformance with the Unified Development Code on Lot 15B of NCB 1200, one lot containing approximately 0.18 acres of land located east of the southeast intersection of West Gentry Parkway and Jordan Street (308 Jordan Street).

According to the Unified Development Code (UDC), the 'R-1B', Single-Family Residential District is primarily intended to accommodate development of detached, single-family housing on smaller individual lots. In addition, the district allows churches, schools, and accessory buildings and uses. The maximum building height is 42 feet. Setback requirements are 25 feet in the front and rear, six feet on the interior side and 12 feet on the corner side. Minimum lot size is 6,000 square feet.

According to UDC Section 10-617, the City Council will consider the following approval criteria for zoning changes:

a. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action;
b. The zoning change is consistent with the Tyler 1st Comprehensive Plan;
c. The zoning change promotes the health, safety, or general welfare of the city and the safe, orderly, and healthful development of the city;
d. The zoning change is compatible with the present zoning and/or conforming uses of nearby property and with the character of the neighborhood; and
e. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.

According to UDC Section 10-587, the burden of proof or persuasion is on the applicant to show that an application complies with approval criteria.

The adjacent properties to the north and east are zoned 'C-2', General Commercial District and are undeveloped and an abandoned house. The adjacent property to the south is zoned 'C-2', General Commercial District and is undeveloped. The adjacent property to the west is zoned 'R-1B', Single-

Family Residential District and is developed with a single-family home, which the result of a rezoning from 2005.

The Tyler 1st Future Land Use Guide (FLUG) identifies this property as Neighborhood Commercial. This request would amend the FLUG to Single-Family Medium/Low Density.

The applicant is requesting the zone change to bring the existing home into conformance. The applicant has indicated that no commercial activity has taken place at this property and plans to remodel the existing structure as a single-family home.

On January 7, 2025, the Planning and Zoning Commission held a public hearing for this request. No one spoke in favor or in opposition to the request.

As of Friday, January 10, 2025, of the eight notices mailed, one notice was returned in favor and none in opposition to the request.

All other departments have reviewed the application and anticipate a positive impact on services and facilities by the proposed rezoning request.

RECOMMENDATION:

The Planning and Zoning Commission by a 6-0 vote recommends approval of the zone change request from 'C-2', General Commercial District to 'R-1B', Single-Family Residential District.

Attachments:
Ordinance
Location Map
Future Land Use Map
Notification Map

Drafted/Recommended By:
Department Leader Kyle Kingma, AICP, CFM, Planning Director

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2025-

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM 'C-2', GENERAL COMMERCIAL DISTRICT TO 'R-1B', SINGLE-FAMILY RESIDENTIAL DISTRICT ON LOT 15B OF NCB 1200, ONE LOT CONTAINING APPROXIMATELY 0.18 ACRES OF LAND LOCATED EAST OF THE SOUTHEAST INTERSECTION OF WEST GENTRY PARKWAY AND JORDAN STREET (308 JORDAN STREET); DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE MAP; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the following zone change is hereby approved as follows:

I. APPLICATION Z24-041

That the following described property, which has heretofore been zoned 'C-2', General Commercial District, shall hereafter bear the zoning classification of 'R-1B', Single-Family Residential District, to wit:

> On Lot 15B of NCB 1200, one lot containing approximately 0.18 acres of land located east of the southeast intersection of West Gentry Parkway and Jordan Street (308 Jordan Street).

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the Future Land Use Guide to reflect Single-Family Medium/Low Density.

PART 3: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 4: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 22nd day of January A.D., 2025.

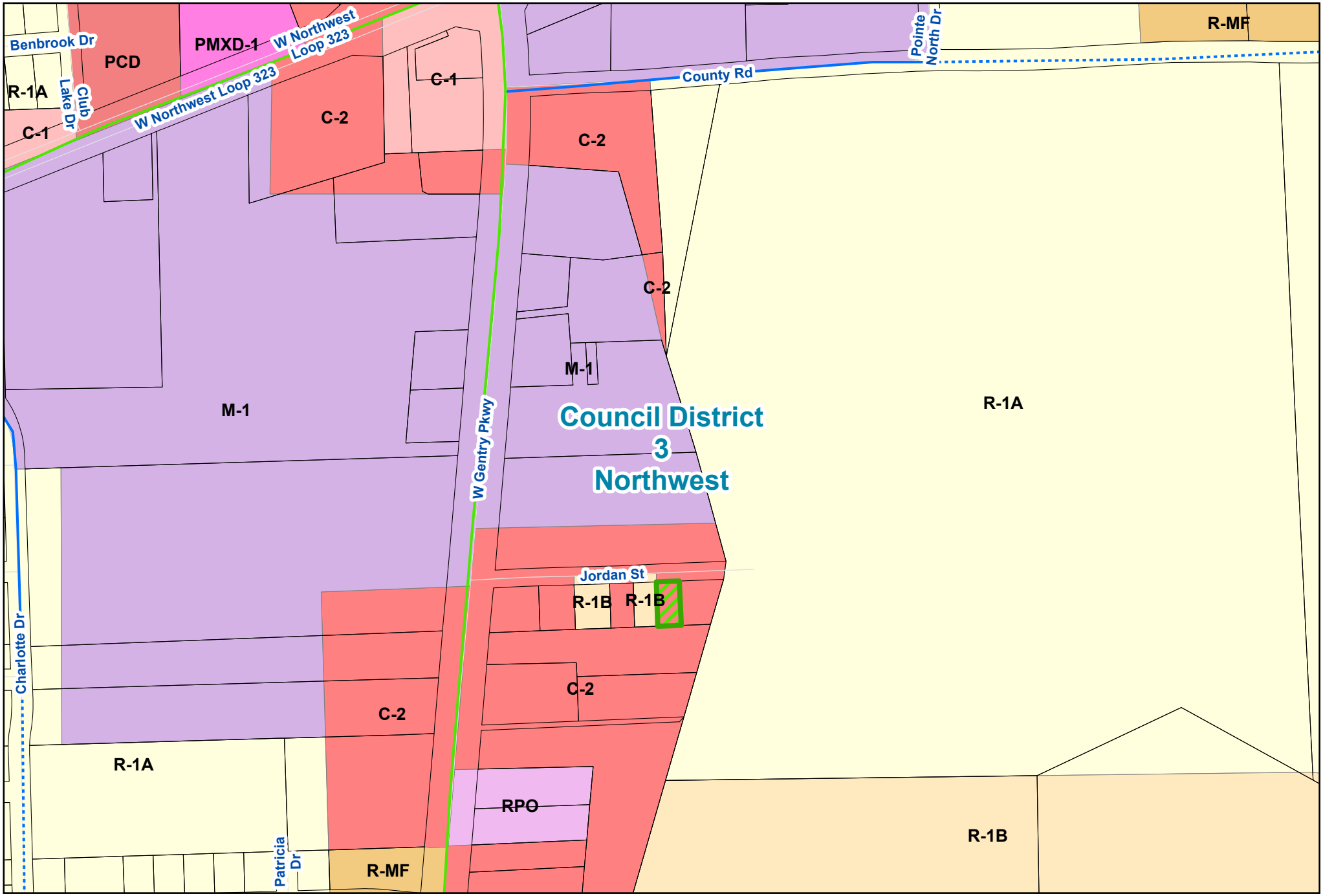
_____
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

APPROVED:

_____
CASSANDRA BRAGER, CITY CLERK

_____
DEBORAH G. PULLUM,
CITY ATTORNEY



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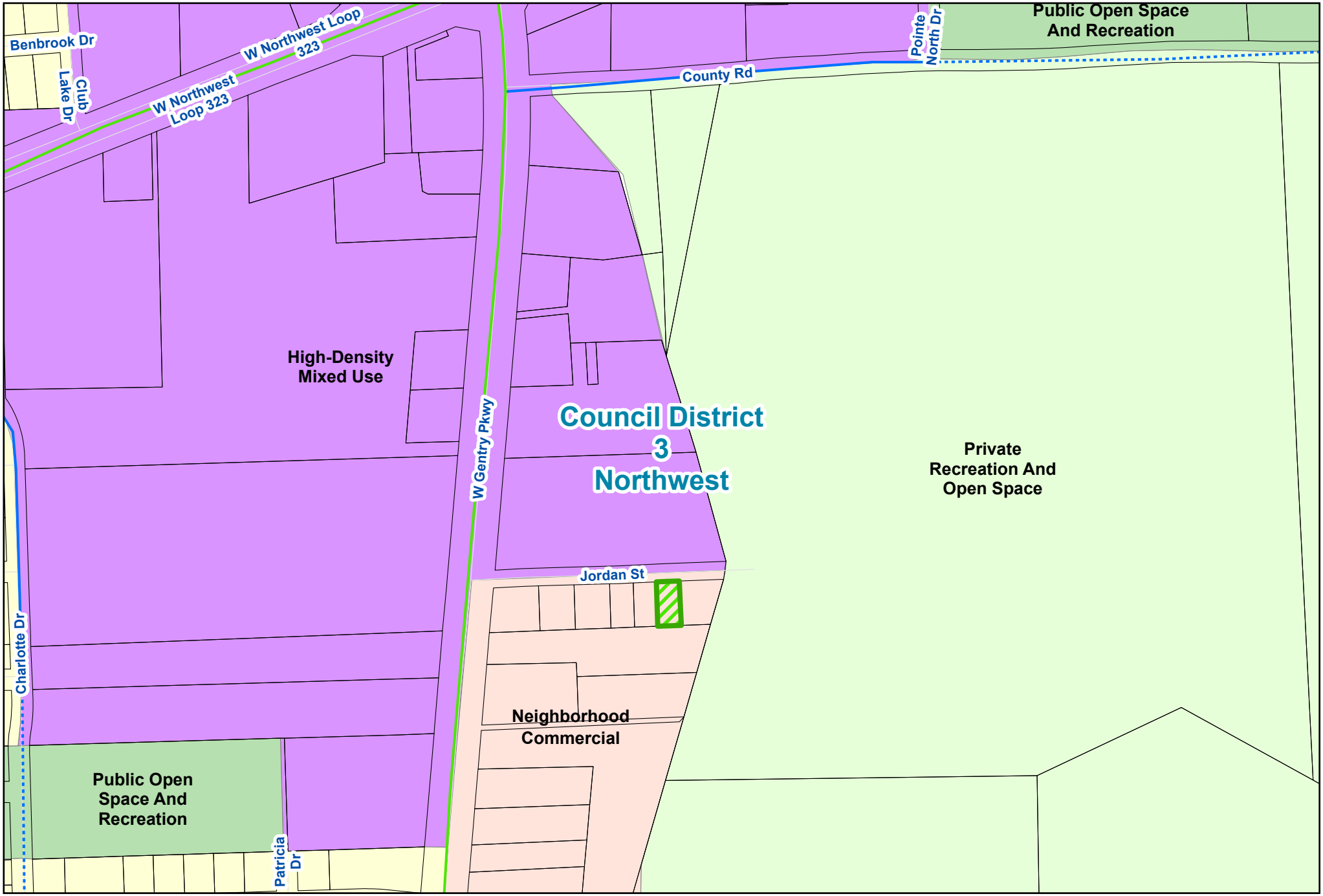
1 inch equals 350 feet

N

ZONING CASE

Zoning Case #: Z24-041
Current Zoning: C-2
Proposed Zoning: R-1B
VALLE PROPERTY INVESTMENTS

Subject Property



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1 inch equals 350 feet

N

ZONING CASE

Zoning Case #: Z24-041
Current Zoning: C-2
Proposed Zoning: R-1B
VALLE PROPERTY INVESTMENTS

Subject Property



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1 inch equals 100 feet

N

ZONING CASE

Zoning Case #: Z24-041
Current Zoning: C-2
Proposed Zoning: R-1B
VALLE PROPERTY INVESTMENTS

Subject Property

200' Mailed Notification Area

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. R-1

Date: January 22, 2025

Subject: Request that the City Council consider adoption of a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Recreational Trails Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.

Item Reference:

Texas Parks and Wildlife Department (TPWD) administers the National Recreational Trails Fund in Texas under the approval of the Federal Highway Administration (FHWA). This federally funded program receives its funding from a portion of federal gas taxes paid on fuel used in non-highway recreational vehicles. The reimbursable grants can be up to 80% of project cost with a maximum of $300,000 for non-motorized trail grants and a maximum award of $300,000 for motorized (off-highway vehicle) trail grants. All grant-assisted sites must be maintained and regularly open to the public for 20 years or more upon completion. If approved by the City Council, the City's Parks and Recreation Department would apply for $300,000 in grant funds. The funding would be used for the development and renovation of Windsor Grove Nature Park and trails improvements. To apply for this funding, a resolution authorizing the application must be approved by the governing body of the applicant according to the grant application criteria.

RECOMMENDATION:

Request that the City Council consider adoption of a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Recreational Trails Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.

Attachments:
Parks_Resolution_-_Windsor Grove Nature Park Trail 2025

Drafted/Recommended By:
Department Leader Leanne Robinette, Director of Parks and Recreation

Edited/Submitted By:
City Manager

RESOLUTION NO. R-2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, ALSO REFERRED TO AS "APPLICANT", AUTHORIZING SUBMISSION OF AN APPLICATION FOR TEXAS PARKS AND WILDLIFE RECREATIONAL TRAILS GRANT PROGRAM FUNDS TO BE USED FOR DIRECT COSTS FOR RECREATIONAL TRAILS PROGRAMS; DESIGNATING THE CITY MANAGER OR DESIGNEE AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT, ALSO REFERRED TO "DEPARTMENT", FOR THE PURPOSE OF PARTICIPATING IN THE RECREATIONAL TRAILS GRANT PROGRAM; AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS AND ANY INCREASES IN FUNDING LEVELS, AND TO TAKE ALL NECESSARY ACTIONS TO OBTAIN AND USE THE GRANT FUNDS; CERTIFYING THAT THE APPLICANT'S MATCHING SHARE IS READILY AVAILABLE AND APPROVING THE CITY'S LOCAL MATCH; DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) FOR PUBLIC PARK AND RECREATIONAL USES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to promote the public welfare; and

WHEREAS, the Texas Parks and Wildlife Department ("Department") has made available and offered state financial aid monies for proposed funding to be used for direct program costs for recreational trails programs; and

WHEREAS, the City of Tyler Parks and Recreation Department wishes to participate in the aforementioned state financial aid grant; and

WHEREAS, the City of Tyler ("City") is fully eligible to receive assistance under the Recreational Trails Grant Program ("Program"); and

WHEREAS, the City is desirous of authorizing an official or represent and act for the City in dealing with the Department concerning the Program; and

WHEREAS, it is considered to be the in the public interest to obtain and use grant funds for the public purposes described herein; and

WHEREAS, the City of Tyler Parks and Recreation Department will be applying for approximately $300,000.00 to allow for enhancements to Windsor Grove Nature Park trail; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the City hereby certifies that it is eligible to received assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

PART 2: That the City certifies that the matching share for this application is readily available at this time. The City's match in the amount of $300,000 is hereby approved.

PART 3: That the City hereby certifies and directs the City Manager or designee to act for the City in dealing with the Department for the purposes of the program, and that the City Manager or designee is hereby officially designated as the representative in this regard.

PART 4: That the City hereby specifically authorizes the City Manager or designee to make application to the Department concerning the site to be known as Windsor Grove Nature Park in the City or Tyler or use as park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

PART 5: That the City Council hereby resolves and affirms to the Texas Parks and Wildlife Department the City of Tyler's intent to comply with all of the assurances set forth in the grant agreement and all laws and regulations incorporated by reference in the grant agreement.

PART 6: That the City Manager or designee is hereby authorized and directed to accept the grant for the described Program and public purposes, as well any grant amendments to increase the funding levels.

PART 7: That the City Manager or designee is hereby authorize and directed to execute any documents and take all actions necessary in order to accept and use the grant to fulfill the public purposes described above.

PART 8: That the City Manager or designee is hereby authorized and directed to provide such additional information as may be required by the Texas Parks and Wildlife Department.

PART 9: That this Resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND APPROVED this ____ day of January, A. D. 2025.

DON WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

CASSANDRA BRAGER, CITY CLERK

APPROVED:

DEBORAH G. PULLUM,
CITY ATTORNEY

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. R-2

Date: January 22, 2025

Subject: Request that the City Council consider adoption of a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Boating Access Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.

Item Reference:

The Boating Access Grant Program provides 75% matching fund grant assistance to plan and construct new or renovate existing elements. The State Boating Access Program receives funding from the Federal Aid in Sport Fish Restoration Act. Funds for the federal program are derived from the federal gasoline tax generated by sales of gasoline for recreational motorboats and a federal excise tax on the sales of fishing tackle and trolling motors.

If approved by the City Council, the City's Parks and Recreation Department would apply for $750,000 in grant funds. The funding would be used for the construction and renovation of Faulkner Park. To apply for this funding, a resolution authorizing the application must be approved by the governing body of the applicant according to the grant application criteria. The remaining 25% of the matching funds will be provided by the Genecov Group.

RECOMMENDATION:

Request that the City Council consider adoption of a Resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD) for a Boating Access Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds.

Attachments:
Parks_Resolution_-_Faulkner Park Boating Access 2025

Drafted/Recommended By:
Department Leader Leanne Robinette, Director of Parks and Recreation

Edited/Submitted By:
City Manager

RESOLUTION NO. R-2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, ALSO REFERRED TO AS "APPLICANT", AUTHORIZING SUBMISSION OF AN APPLICATION FOR TEXAS PARKS AND WILDLIFE BOATING ACCESS GRANT PROGRAM FUNDS TO BE USED FOR DIRECT COSTS FOR PLANNING AND CONSTRUCTION; DESIGNATING THE CITY MANAGER OR DESIGNEE AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT, ALSO REFERRED TO "DEPARTMENT", FOR THE PURPOSE OF PARTICIPATING IN THE BOATING ACCESS GRANT PROGRAM; AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS AND ANY INCREASES IN FUNDING LEVELS, AND TO TAKE ALL NECESSARY ACTIONS TO OBTAIN AND USE THE GRANT FUNDS; CERTIFYING THAT THE APPLICANT'S MATCHING SHARE IS READILY AVAILABLE AND APPROVING THE CITY'S LOCAL MATCH; DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) FOR PUBLIC PARK AND RECREATIONAL USES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to promote the public welfare; and

WHEREAS, the Texas Parks and Wildlife Department ("Department") has made available and offered state financial aid monies for proposed funding to be used for direct program costs for boating access programs; and

WHEREAS, the City of Tyler Parks and Recreation Department wishes to participate in the aforementioned state financial aid grant; and

WHEREAS, the City of Tyler ("City") is fully eligible to receive assistance under the Boating Access Grant Program ("Program"); and

WHEREAS, the City is desirous of authorizing an official or represent and act for the City in dealing with the Department concerning the Program; and

WHEREAS, it is considered to be in the public interest to obtain and use grant funds for the public purposes described herein; and

WHEREAS, the City of Tyler Parks and Recreation Department will be applying for approximately $750,000.00 to allow for planning and construction for enhancements to Faulkner Park; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the City hereby certifies that it is eligible to received assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

PART 2: That the City certifies that the matching share for this application is readily available at this time. The City's match in the amount of $187,500 is hereby approved.

PART 3: That the City hereby certifies and directs the City Manager or designee to act for the City in dealing with the Department for the purposes of the program, and that the City Manager or designee is hereby officially designated as the representative in this regard.

PART 4: That the City hereby specifically authorizes the City Manager or designee to make application to the Department concerning the site to be known as Faulkner Park in the City or Tyler or use as park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

PART 5: That the City Council hereby resolves and affirms to the Texas Parks and Wildlife Department the City of Tyler's intent to comply with all of the assurances set forth in the grant agreement and all laws and regulations incorporated by reference in the grant agreement.

PART 6: That the City Manager or designee is hereby authorized and directed to accept the grant for the described Program and public purposes, as well any grant amendments to increase the funding levels.

PART 7: That the City Manager or designee is hereby authorize and directed to execute any documents and take all actions necessary in order to accept and use the grant to fulfill the public purposes described above.

PART 8: That the City Manager or designee is hereby authorized and directed to provide such additional information as may be required by the Texas Parks and Wildlife Department.

PART 9: That this Resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND APPROVED this ____ day of January, A. D. 2025.

DON WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

DEBORAH G. PULLUM,
CITY ATTORNEY

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. O-1

Date: January 22, 2025

Subject: Request that the City Council consider the adoption of an Ordinance amending the Fiscal Year 2024-2025 Budget to provide funding to complete various Community Development Block Grant (CDBG), HOME, and Housing Choice Voucher Program activities.

Item Reference: **Fiscal Year 2023-2024 and Fiscal Year 2024-2025 Annual Budgets**

During the Fiscal Year (FY) 2023-2024, various purchases and projects were initiated but not completed as projected before the fiscal year-end. The monies available to fund these items became part of the ending working capital or fund balance of the various funds as of September 30, 2024. The FY 2024-2025 beginning budget is being amended to carry forward the necessary funding to complete the items in progress. Attached is a recommended list of amendments to be included in the proposed ordinance amending the original FY 2024-2025 budget.

The attached list of recommended amendments includes requests for rollover funding to complete various Community Development Block Grant (CDBG), HOME, and Housing Choice Voucher Program activities.

RECOMMENDATION:

It is recommended that the City Council consider adopting an Ordinance amending the Fiscal Year 2024-2025 Budget to provide funding to complete various Community Development Block Grant (CDBG), HOME, and Housing Choice Voucher Program activities.

Attachments:
Grant Budget Roll Workbook
Council Presentation Grant Budget Roll
Grant_Budget_Amendment_Ordinance

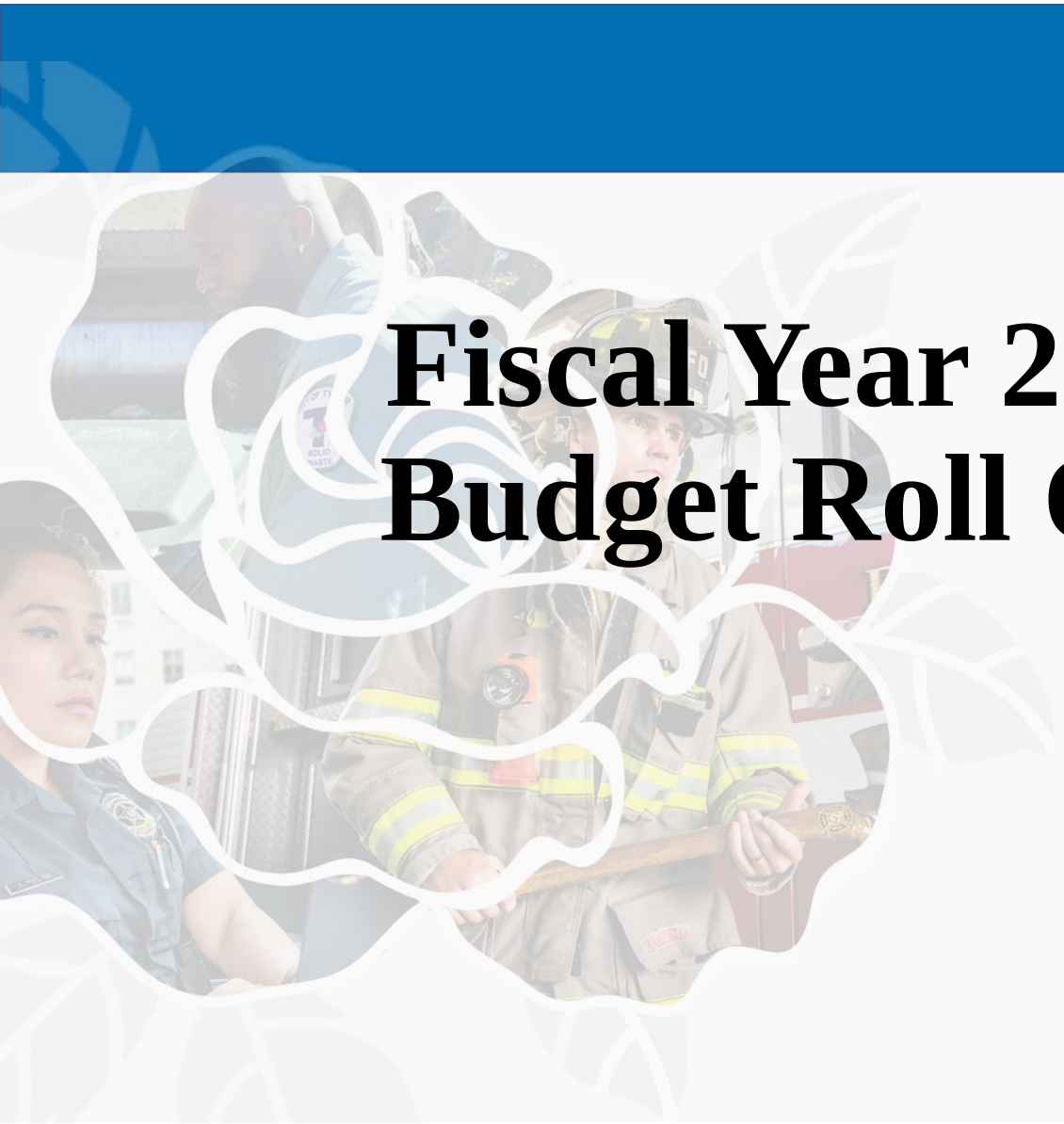
Drafted/Recommended By:
Department Leader Keidric Trimble, Chief Financial Officer

Edited/Submitted By:
City Manager

City of Tyler Budget Roll

Fiscal Year 2025

Item	Account Number	Request	Reason for Roll Request	Requested Roll Amount
1	276-0983-811.06-09	HCV Program	Unused federal funding from the HCV Program	$838,257.00
1	276-1925-811.04-08	Tenant Protection	Unused federal funding from the TP Program	$5,267.00
1	276-0000-101.01-00	Grant Roll from Fund balance	Grant Roll from Fund Balance	$843,524.00
2	294-0000-371.60-54	CDBG Grant Income	Income from rolled projects	$612,950.00
2	294-0933-811.39-53	Demolition	Unused Demolition	$141,180.00
2	294-0935-811.39-55	Public Facilities	Unused portion of Public Facilities	$380,649.00
2	294-0950-811.39-58	Cares Act	Unused portion of Cares Act	$91,121.00
3	295-0000-371.60-55	HOME Grant Income	Income from rolled projects	$2,207,044.00
3	295-0981-811.06-09	HOME Funds - Contingency	HOME Funds rolled for projects from pervious fiscal years	$476,787.00
3	295-0981-811.39-61	Home Funds - New Construction	HOME Funds rolled for projects from pervious fiscal years	$1,127,017.00
3	295-0981-811.39-42	Home Funds - ARP	HOME Funds rolled for projects from pervious fiscal years	$603,240.00
Total				**$7,327,036.00**



Fiscal Year 2025 Grant Budget Roll Ordinance

FY 24 Budget Amendment Ordinance

During the Fiscal Year (FY) 2023-2024, various purchases and projects were initiated but not completed as projected before the fiscal year-end. The monies available to fund these items became part of the ending working capital or fund balance of the various funds as of September 30, 2024. The FY 2024-2025 beginning budget is being amended to carry forward the necessary funding to complete the items in progress. Attached is a recommended list of amendments to be included in the proposed ordinance amending the original FY 2024-2025 budget.

The attached list of recommended amendments includes requests for rollover funding to complete various Community Development Block Grant (CDBG), HOME, and Housing Choice Voucher Program activities.

City of Tyler Budget Amendment Ordinance

• Housing Grant	$	843,524
• CDBG Grant	$	612,950
• HOME Grant	$	2,207.044

City of Tyler Budget Amendment Ordinance

It is recommended that the City Council consider adopting an Ordinance amending the Fiscal Year 2024-2025 Budget to provide funding to complete various Community Development Block Grant (CDBG), HOME, and Housing Choice Voucher Program activities.

ORDINANCE NO. O-2025-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR 2024-2025 AUTHORIZING THE APPROPRIATION OF FUNDS FOR PROJECTS AND PURCHASES APPROVED IN THE 2023-2024 BUDGET BUT NOT PURCHASED OR COMPLETED IN THAT FISCAL YEAR; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, during fiscal year 2023-2024, various purchases and projects were started but were not completed; and

WHEREAS, various equipment, motor vehicle and construction projects were planned but not completed during the fiscal year; and

WHEREAS, this budget amendment will provide funding for completion of these purchases and projects during the current fiscal year;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the following line item accounts as approved in the budget for fiscal year 2024-2025 shall be amended to read as follows:

Item	Request	Fund	Account Number	Account	Budget	Requested Roll Amount	Amended Budget
1	HCV Program	General Fund	276-0983-811.06-09	Contingencies	-	358,266.00	358,266.00
1	Tenant Protection	General Fund	276-1925-811.04-08	Special Services	-	7,800.00	7,800.00
2	CDBG Grant Income	General Fund	294-0000-371.60-54	CDBG Grant Income	754,440.00	165,371.00	919,811.00
2	Demolition	General Capital Projects Fund	294-0933-811.39-53	Demolition Projects	60,000.00	134,368.00	194,368.00
2	Public Facilities	Quality Street Commitment Fund	294-0935-811.39-55	Public Facility Projects	28,974.00	6,857.00	35,831.00
3	Cares Act	Quality Street Commitment Fund	294-0950-811.39-58	Public Service Projects	125,000.00	2,378,235.00	2,503,235.00
3	HOME Grant Income	Quality Street Commitment Fund	295-0000-371.60-55	Home Grant Income	404,168.00	82,272.00	486,440.00
3	HOME Funds - Contingency	Cemeteries Operating Fund	295-0981-811.06-09	Contingencies	-	716,496.00	716,496.00
3	Home Funds - New Construction	Parks Improvement Fund	295-0981-811.39-61	New/Re Construction	822,510.00	267,395.00	1,089,905.00
3	Home Funds - ARP	Hotel Motel Tax Fund	295-0981-811.39-42	ARP Funds	-	1,312,072.00	1,312,072.00

PART 2: That the City Clerk is hereby directed to file a copy of this budget amendment as required by state law.

PART 3: That amendment of the fiscal year 2024-2025 Budget is required in order to provide funding for projects and purchases started but not finished during the 2023-2024 fiscal year, which creates an urgent public necessity to authorize the amendment to the budget herein contained.

PART 4: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 5: That this ordinance shall take effect immediately upon approval.

PASSED AND APPROVED this the 22nd day of January, 2025.

_____
DONALD P. WARREN, MAYOR OF THE
CITY OF TYLER, TEXAS

ATTEST:

_____
CASSANDRA BRAGER, CITY CLERK

APPROVED:

_____
DEBORAH G. PULLUM, CITY ATTORNEY

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. M-1

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to enter into an agreement with Kimley-Horn to develop a Light Rail Study for the Tyler Area Metropolitan Planning Organization in the amount of $150,000.

Item Reference: **Tyler Area MPO FY 2024-2025 Unified Planning Work Program-Task 5.2 Light Rail Study**

The approved FY 2024-2025 Unified Planning Work Program (UPWP) for the Tyler Area Metropolitan Planning Organization (MPO) provides for a consultant to develop a Light Rail Study.

The purpose of the Light Rail Study is to begin planning for the possibility of passenger rail being used as regular transportation mode. The plan will consider short-term possibilities, such as limited trolly service on existing rail lines, and long-term possibilities like connecting to the high-speed rail service proposed along the I-20 corridor.

A request for qualifications was posted on the MPO website on October 7, 2024. Staff received five responses from qualified firms: Alliance Transportation Group, HDR Engineering, Huitt Zollars, Kimley-Horn, and Toole Design.

A four-member committee was convened to grade the submittals. The proposals were evaluated according to the firm's professional qualifications (25%), key personnel (30%), project approach (30%), quality assurance/quality control (10%), and coordination with historically underutilized businesses (5%). Staff determined that, based on point totals, Kimley-Horn was the most qualified firm to perform the work.

As the City of Tyler serves as the fiscal agent for the MPO, the MPO follows the City's financial procedures which requires contracts over $50,000 be authorized by the Tyler City Council. The City of Tyler will bear the upfront costs for the study but will be 100 percent reimbursed for the costs through the MPO's grant.

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to enter into an agreement with Kimley-Horn to develop a Light Rail Study for the Tyler Area Metropolitan Planning Organization in the amount of $150,000.

Attachments:
Tyler_MPO_LRT_Study_Contract_KHA_Markups.DRAFT.1.16.25ae

Drafted/Recommended By:
Department Leader Michael Howell, AICP, EIT, MPO Director

Edited/Submitted By:
City Manager

Contract for Professional Services Between:
Tyler Area Metropolitan Planning Organization ("Client") and
Kimley-Horn and Associates, Inc. ("Consultant")

1. **Project Overview**
   Project Name: Light Rail Study
   Client/Owner Name: Tyler Area Metropolitan Planning Organization
   Consultant Name: Kimley-Horn
   Contract Effective date: January 27, 2025

2. **Project Information**
   Project Location: Smith County, Texas
   Budget: $150,000
   Termination of Agreement: November 30, 2025

3. **Client Project Manager and Local Contact Information**
   Name: Michael Howell, AICP, EIT
   Email: mhowell@tylertexas.com
   Phone: (903) 531-1173
   Address: 423 West Ferguson Street, Tyler TX 75702

4. **Consultant Project Manager and Local Contact Information**
   Project Manager Name: Liz Scanlon
   Email: liz.scanlon@kimley-horn.com
   Phone: (650) 431-8200
   Address: 1125 17th Street, Suite 1400 Denver, CO 80202

   Local Contact Name: Hamza Khan, P.E.
   Email: hamza.khan@kimley-horn.com
   Phone: (972) 776-1776
   Address: 121 S Broadway Ave Ste 478, Tyler, TX 75702

5. **Terms and Conditions**
   Except to the extent modified by Amendments (if applicable), Terms and Conditions attached incorporated here shall apply.

Exhibits/Attachments:

- Attachment A: Scope of Services
- Attachment B: Project Schedule

AGREEMENT BETWEEN
TYLER AREA METROPOLITAN PLANNING ORGANIZATION
AND
KIMLEY-HORN AND ASSOCIATES, INC.

This Agreement is made as of January 27, 2025 between Kimley-Horn and Associates, Inc. ("Consultant") having its principal office of business at 2600 North Central Expressway Suite 400, Richardson TX 75080, and the Tyler Area Metropolitan Planning Organization ("Client"), having its principal office of business at 423 West Ferguson, Tyler, TX 75702.

AGREEMENT

Consultant and Client agree as follows:

1. This Agreement does not establish a joint-venture, partnership or principal-agent relationship between Consultant and Client.
2. The scope of services for this agreement is detailed in Attachment A and the project schedule outlining the time period of performance is as follows per Attachment B.
3. Client shall compensate Consultant by paying a flat fee in the amount of $150,000.00.
4. Consultant shall submit invoices (no more frequently than once per month) based on work completed during that time period and Client shall pay Consultant within ten (10) business days after receipt of invoice, unless there is a good faith dispute regarding payment.
5. This Contract shall automatically terminate on November 30, 2025. Before this official date of termination, the obligation to provide further services under this Agreement may be terminated by either party upon five (5) business days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. Upon any termination, Consultant will be paid for all services completed to the date of termination.
6. Client shall arrange for access to and make all provisions for Consultant to enter upon public and private property as required for Consultant to perform the Services.
7. Client shall give written notice to Consultant whenever Client becomes aware of any development that affects the scope of timing of Consultant's services.
8. Financial records pertinent to Consultant's compensation and payments under this Agreement will be kept in accordance with generally accepted accounting practices.
9. Consultant shall maintain all records (including electronic records) in regard to this Agreement readily available and in legible form. Consultant shall maintain all books, papers, records, accounting records, files, accounts, reports, cost proposals, with backup data, and all other material related to direct costs charged to this Project, and shall make all such material available at any reasonable time during the term of work on the Project and for three (3) years from the date of final payment to Consultant auditing, inspection, and copying upon Client's request.
10. Any official notice or other communication required hereunder shall be sent by certified mail (return receipt requested), and/or other methods as mutually agreed upon, and shall be deemed given on the date which such notice is received.

To Consultant at: Kimley-Horn and Associates, Inc.

2600 North Central Expressway Suite 400
Richardson TX 75080

To Client at: Tyler Area Metropolitan Planning Organization
423 West Ferguson
Tyler, TX 75702

11. Consultant has or shall procure and maintain insurance for protection from 1) claims under workers' compensation acts, 2) from claims for damages because of bodily injury including personal injury, sickness, disease or death of any and all employees or of any person other than such employees, and 3) from claims or damages resulting from damage to, loss of use of, and/or destruction of property. Consultant shall also procure and maintain professional liability insurance for protection from claims arising out of performance of professional services caused by its negligent acts, errors, or omissions. Consultant shall maintain this insurance at least until the completion of Consultant's services.
12. Consultant and its subrogees shall hold harmless and indemnify the Client, Client's directors, officers, employees, representatives and agents against any damage, injury, liability, and reasonable cost and expense, but only to the extent they arise out of an act of negligence, intentional tort, and/or material breach of contract of Consultant, Consultant's agents, servants, employees or lower tiered contractors.
13. To the extent permitted by law, Client and its subrogees shall hold harmless and indemnify Consultant, Consultant's directors, officers, employees, representatives, and agents against any damage, injury, liability, and reasonable cost and expense, but only to the extent they arise out of an act of negligence, intentional tort, and/or material breach of contract of Client, Client's agents, servants, employees or lower tiered contractors.
14. All original design calculations, field notes, quantity calculation, logos, maps, photographs, written reports, necessary project specific provisions, and other material including drawings prepared under this agreement ("Data"), and without regard to the media in which the Data was developed, shall be the property of the Client and Consultant. Client shall make available to Consultant drawings, specifications, schedules and other information and data which are pertinent to Consultant's Services. These aforementioned non-public documents, information, and data shall remain the property of the Client and/or of another party if required. The parties hereto recognize that the City of Tyler/MPO is a governmental entity subject to the Texas Public Information Act in Texas Government Code Chapter 552. In the event that either party receives a valid public information request under the Act, Client shall work with Consultant to protect any information deemed confidential by seeking an Attorney General Opinion as allowed by law. Any modifications made by the Client to any of the Consultant's documents, or any reuse of the documents without written authorization or adaptation by the Consultant will be at the Client's sole risk and without liability to the Consultant.
15. Any dispute resolution process will be governed by the procedures outlined in this Contract. Any disputes relating to this Contract shall be submitted to a senior representative of each Party who shall have the authority to enter into an agreement to resolve the dispute ("Representative"). The Representatives shall not have been directly involved in the performance of the Contracted Services and shall negotiate in good faith. If the Representatives are unable to resolve the dispute within three weeks or within such longer time period as the representatives many agree, the dispute may be decided by

(neutral mediation) as mutually agreed and/or either Party may pursue any of its respective rights in law or equity. No written or verbal representation made by either Party in the course of any discussions between the Representatives or other settlement negotiations shall be deemed to be a party admission.

16. This Agreement shall be governed by and constructed and enforced in accordance with the laws of the State of Texas. Any disputes shall be brought in the appropriate state and federal courts in and for Smith County, Texas.
17. If any legal proceedings should be instituted by either party to enforce the terms of this Agreement or to determine the rights of the parties hereto, each party shall pay for its own attorney's fees, expert witness fees, and costs.
18. Force majeure shall be any acts of God or the public enemy; compliance with any order, rule, regulation, decree, or request of any governmental authority or agency or person purporting to act therefore; acts of war, public disorder, rebellion, terrorism or sabotage; floods, hurricanes, or other storms; strikes or labor disputes; or any other cause, whether or not of the class or kind specifically named or referred to herein, not within the reasonable control of the Party affected. A delay in or failure of performance of either Party shall not constitute a default hereunder nor be the basis for, or give rise to, any claim for damages, if and to the extent such delay or failure is caused by force majeure.
19. Client and Consultant shall not be liable to each other for indirect, incidental, special, economic consequential, or punitive damages, of any kind (including but not limited to lost profits and operation costs).
20. All representations, indemnifications, warranties and guarantees made in, required by or given in accordance with the Agreement, as well as all continuing obligations indicated in the Agreement, will survive final payment, termination or completion of the Project and/or Agreement.
21. In the event that any term or condition of this Contract is held to be illegal, invalid, or unenforceable under the Law, such term or condition shall be deemed severed from this Contract and the remaining terms and conditions shall remain unaffected and thereby continue in full force and effect.
22. This Agreement represents the entire integrated agreement between Consultant and Client regarding the subject matter herein, and supersedes and replaces all of the terms and conditions of any prior agreements, arrangements, negotiations, or representations, written or oral, which have not been specifically incorporated by reference herein with respect to this Agreement. This Agreement may be changed, modified or altered only by written agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have made, executed and agreed to this Agreement as the day and year first above written:

EXECUTED, this 22nd day of January, 2025.

CITY OF TYLER

BY:_____
EDWARD BROUSSARD,
CITY MANAGER

A T T E S T:

_____
CASSANDRA BRAGER, CITY CLERK

TYLER AREA MPO

BY:_____
MICHAEL HOWELL,
MPO DIRECTOR

APPROVED:

_____
DEBORAH G. PULLUM,
CITY ATTORNEY

KIMLEY-HORN AND ASSOCIATES INC.

BY:_____
SIGNER'S NAME
SIGNER'S TITLE

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day _____ personally appeared, who is known to me, or who was proved to me through _____ to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

_____
Notary Public In and For The State of Texas

My Commission Expires: _____ _____
Notary's Printed Name

ATTACHMENT "A"
SCOPE OF SERVICES

In general, the study will consider the feasibility of implementing a limited trolly system connecting midtown to downtown on the Union Pacific rail lines as well as develop a long-range vision for connecting to the high-speed rail system proposed along the I-20 corridor. The study shall conclude with a final report that includes goals and action items to implement the vision and provides a list of potential funding sources for implementation.

In this Scope of Work, Consultant refers to the Team of Consultants with the Prime Consultant serving as the principal contact with the Tyler Metropolitan Planning Organization (MPO).

TASK 0 – PROJECT MANAGEMENT AND COORDINATION

The Consultant's Project Manager, in coordination with the MPO staff, will be responsible for directing and coordinating all activities associated with the project.

0.1 – Control/Scheduling

The Consultant will prepare a Project Management Plan (PMP) to identify work organization, responsibilities, and coordination/communication procedures. The PMP will include a project activity timeline (hereafter referred to as the Project Schedule). The Project Schedule will be a graphic schedule identifying the duration and/or tentative dates for all tasks, meetings, and deliverables in this scope of work, as well as any other information deemed relevant by the Consultant or the MPO. The PMP will also contain the Public Involvement Plan (PIP) and will be completed no later than thirty (30) days after contract execution.

0.2 – Progress Reports and Invoices

The Consultant will review the project schedule and prepare monthly progress reports for review by the MPO Manager. Invoices for all work completed during the period will be submitted monthly (with a progress report) for work performed by the Consultant and all Sub consultants. Monthly progress reports will include a summary consisting of:

A. Activities, ongoing or completed, during the reporting period;
B. Activities planned for the following month;
C. Problems encountered and actions to remedy them; and
D. Status, including a tabulation of percent complete by task, management schedule showing study progress, supporting documentation.

0.3 – Sub-consultant Management and Meetings

The Consultant will prepare subcontracts for sub-consultant(s), monitor sub-consultant staff activities and adherence to schedules, and review and recommend approval of sub-consultant invoices. Also, the Consultant will schedule and participate in meetings throughout the project.

0.4 – Quality Assurance/Quality Control

The Consultant will provide continuous quality assurance and quality control throughout the life of the study. The prime consultant shall provide the MPO staff periodic opportunities to perform their contract monitoring duties of all consultant team agencies.

0.5 – Deliverables

- Project Management Plan including schedule;
- Monthly invoice and progress report; and
- Letter stating that the sub-consultant agreements are in place.

TASK 1 – SHORT TERM ASSESSMENT

Task 1 will focus on the specific study of the feasibility for use of existing rail tracks and/or right-of-way in the development of a future high-capacity, rail-based transit service generally within the City of Tyler, and will engage the Steering Committee in meetings to advance this study.

1.1 – Review Current Plans

The Consultant will reference the MPO's and member agencies' current transportation planning documents. The study will be consistent with and will advance the goals and objectives of the adopted planning documents. The study will build upon these plans to establish a comprehensive multi-modal transportation network. Plans to be reviewed are listed below:

A. MPO – Highway-Rail Crossing Inventory and Assessment
B. MPO – Downtown Tyler Traffic Study
C. MPO – Transit Route Study
D. MPO – Active Tyler
E. City of Tyler – Midtown Area Development Plan
F. City of Tyler – Texas College Area Development Plan
G. City of Tyler – Rose Complex Master Plan
H. TxDOT – Dallas/Fort Worth to Meridian Passenger Rail Study
I. TxDOT – Texas Rail Plan

1.2 – Research Shared Use Rail Agreements in Texas

The Consultant will research and compile a list of other communities in Texas that have made agreements with Union Pacific or another rail company to allow a local government to operate on the company's tracks. The research will include details on the agreements such as the type of service allowed (i.e. passenger vs freight), allowed operating times, payments for using the tracks, and maintenance of tracks and crossings. The Consultant will summarize findings of this research into a technical presentation which will serve dual purpose as an appendix to the Final Report.

1.3 – Steering Committee Involvement

The Consultant will meet with a steering committee designated by the City of Tyler and Tyler MPO to discuss where the limits of rail-based transit service should begin and end and identify conceptual stops, along existing rail lines. Consultant will also discuss with the Steering Committee potential regional, high-capacity transit connections—this portion of Task 1.3 will be completed in parallel with progress on Task 2. Four key destination points to be discussed include midtown, downtown, Texas College, and the Rose Garden Complex. The Consultant will present the research from Task 1.2 to guide discussion of recommendations for implementation. The Consultant will attend up to two (2) virtual meetings and one (1) in-person meeting, for a total of three (3) meetings, with the Steering Committee.

1.4 – Development of Initial Corridors

The Consultant will work with the Steering Committee to develop the goals and objectives of the study. The Consultant will conduct a high-level ridership assessment using available data online. This assessment will include demographics, addressable market, and number of trips to and from Tyler. The Consultant will conduct a high-level rail transit feasibility assessment of the existing rail corridors within the City of Tyler, to provide technical input to the Steering Committee related to concepts of a rail-based transit service. This assessment may result in the need for further study to determine feasibility, which would be separate from this scope of services. The Consultant will develop maps for initial corridors, which will depict only the approximate start and end points of potential future rail routes, including conceptual stops identified by the steering committee. These maps will be combined with maps created for the long-term assessment once both tasks are nearing completion.

1.5 – Deliverables

- Copies of maps prepared to facilitate the steering committee meeting;
- Brief presentations (up to 4) to support steering committee meetings; and
- A brief memorandum summarizing the steering committee feedback.

TASK 2 – LONG TERM ASSESSMENT

Task 2 will focus on the development of a long-range vision for high-capacity, regional transit in Smith County and the region more broadly.

2.1 –Regional Transit Expansion

The Consultant will use the information from the Highway-Rail Crossing Inventory and Assessment, TxDOT rail studies, and feedback from Task 1 to guide the development of a long-range vision for regional, high-capacity rail transit that will extend connectivity to the other cities in Smith County as well as major destinations such as UT Tyler. This vision will be a planning-level vision resulting in identified corridors with general start and end points but excluding the identification of specific stations.

2.2 – High Speed Rail Connection

The Consultant will coordinate with representatives from TxDOT, I-20 Rail Coalition, and local stakeholders to develop a route to connect the proposed commuter rail network to the proposed high-speed rail line parallel to I-20. This coordination is assumed to take place through the Stakeholder Committee meetings identified in Task 2.4. The identified route will be incorporated as corridor within the Regional Transit Vision developed in Task 2.1.

2.3 – Refine Corridors

The Consultant will update maps from Task 1.4 and refine the corridors based on feedback from Stakeholders and findings from Task 2.1 and 2.2. In developing the refined corridors, the Consultant will review the bus service information in the Transit Route Study and pedestrian/ bicycle routes in Active Tyler to propose high-level connections for multimodal facilities to link these travel options with the proposed rail service.

2.4 – Stakeholder Involvement

The Consultant will hold meetings with stakeholders from local governments and transportation organizations to identify preferred routes to connect cities where rail lines have been abandoned. The consultant will present the research from Tasks 2.1-2.3 to guide discussion of recommendations for implementation. The Consultant will attend up to two (2) virtual meetings and one (1) in-person meeting with the Stakeholder Committee. For efficiency in travel, the in-person meeting is assumed to be proximate in timing to the in-person meeting for Steering Committee (Task 1) efforts, meaning only one trip for out-of-state staff would be necessary.

2.5 – Deliverables

- Copies of maps prepared to facilitate the stakeholder meeting; and
- A brief memorandum summarizing the stakeholder feedback.

TASK 3 - PUBLIC INVOLVEMENT

3.1 – Public Involvement Methods

The Consultant will develop digital strategies to enhance community participation, which will be the creation and launch of an online website, a community survey, and one (1) virtual public meeting. The final report will include documentation of all public involvement activities and provide a summary of the feedback garnered.

3.2 – Website and Social Media Tools

The Consultant will develop a website to enhance public participation. The MPO, through the City of Tyler, is assumed to lead publications and media outreach. The Consultant will submit all proposed social media posts to the MPO to coordinate approval and posting by the City of Tyler.

3.3 – Deliverables:

- Deliverables for Task 3 will be included in the final report as an attachment. The attachment will include information regarding public engagement, attendance, questions, comments about the study, outcomes, survey responses, and follow up needed.

TASK 4 – FINAL REPORT

4.1 – Short Term Recommendations

Based on the existing conditions analyses and the public and stakeholder input, the Consultant will recommend incremental steps that can be implemented with 1-5 years to begin utilizing limited rail services to connect existing hubs within the City of Tyler.

4.2 – Long Term Recommendations

The Consultant will develop a conceptual route to connect the existing rail lines in the MPO to the high-speed rail services proposed along the Interstate 20 corridor. The plan will also recommend action items for connecting the City of Tyler to the other cities in the MPO boundary.

4.3 – Report and Implementation

The Consultant will deliver a final report that includes all recommendations and a phased implementation plan to guide implementation. The recommendations will include grant opportunities to facilitate implementation. The report shall be delivered in 8.5x11 inch portrait format. Separate maps, drawings and or other exhibits may be printed larger 8.5x11 in order to provide optimal detail. The draft will be made available to the stakeholder group to review and provide feedback. Based on these comments, the Consultant shall make the necessary changes to finalize the report. Should conflicting comments be submitted, the MPO will decide how to address the comments.

4.4 – Presentation

Upon completion of the final report, the Consultant will present final report to the MPO Transportation Policy Committee and the Tyler City Council. The Consultant and the MPO will agree on presentation dates in line with MPO and Tyler City Council calendars. For efficiency in travel, the in-person meetings are assumed to be proximate in timing, meaning only one trip for out-of-state staff would be necessary.

4.5 – Deliverables

- One (1) digital copy of the report (8.5x11 portrait format) and exhibits in Adobe PDF format;
- One (1) digital copy of the report in an editable format (e.g. MS Word or other common program);
- PDF copies of all system map(s) in the report sized to their original aspect ratio; and
- GIS shapefile(s) (ESRI format or compatible) and associated database(s) of the finalized network proposal.

ATTACHMENT "B"
PROJECT SCHEDULE

The expected time for the Consultant to complete the project is nine (9) months which shall commence upon receipt of a signed and dated contract agreement from both parties. The schedule for this project is as follows:

- RFQ Due — November 8, 2024
- Review & Initial Ranking — November 11-15, 2024
- Interviews – if desired — December 3-5, 2024
- Ranking Finalized — December 10, 2024
- Firm Selection — December 13, 2024
- Contract approval — January 8, 2025
- Notice to Proceed — January 27, 2025
- Project Completion — October 31, 2025

The schedule listed above is subject to change at the discretion of the MPO and Tyler City Council.

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. M-2

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to execute a Notice of Intent and submit the revised Tyler Texas Pollutant Discharge and Elimination System Phase II MS4 Stormwater Management Plan to the Texas Commission on Environmental Quality.

Item Reference: **CC July 10, 2019, Items M-1 and M-2**

In December 1999, the United States Environmental Protection Agency (EPA) issued the National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Rule. As part of this NPDES rule, the State of Texas promulgated the Texas Pollutant Discharge Elimination System (TPDES) General Permit TXR040000 that regulates stormwater discharges from Municipal Separate Storm Sewer Systems (MS4) so that stormwater quality can be managed. Each regulated MS4 much obtain their own individual permit. The Texas Commission on Environmental Quality (TCEQ) issued the City of Tyler's first MS4 permit, TXR040041, in August 2007.

The TPDES General Permit TXR040000 is effective for five (5) years. The current permit expired January 24, 2024, and was updated and renewed August 15, 2024. Regulated municipalities have 180 days to renew their coverage under their existing permit. Thus, the City of Tyler must submit a Notice of Intent (NOI) to comply with the permit as well as have an updated Stormwater Management Plan (SWMP) detailing how the City intends to comply with the new permit requirements.

The plan addresses the eight (8) basic pollution minimum control measures (MCM) as required by the permit:
1. Public Education and Outreach;
2. Public Involvement/Participation;
3. Illicit Discharge Detection and Elimination (IDDE);
4. Construction Site Stormwater Runoff Control;
5. Post Construction Stormwater Management in New Development and Redevelopment;
6. Pollution Prevention and Good Housekeeping for Municipal Operations;
7. Industrial Stormwater Sources; and
8. Authorization for Construction Activities where the Small MS4 is the Site Operator.

Per the 2020 Census, the population of Tyler was 105,900. The City of Tyler is now classified as a Level 4 MS4 as the population has increased to 100,000 or more. Revisions to the City of Tyler's current SWMP, thus aligning it with the requirements as promulgated in the new TCEQ Stormwater permit (TXR040000) issued on August 15, 2024, have been completed. New requirements will be

implemented over the five (5) year permit term as required.

RECOMMENDATION:

It is recommended that the City Council consider authorizing the City Manager to execute a Notice of Intent and submit the revised Tyler Texas Pollutant Discharge and Elimination System Phase II MS4 Stormwater Management Plan to the Texas Commission on Environmental Quality.

Attachments:
2024 Permit BMP Tracking

Drafted/Recommended By:
Department Leader Paul Neuhaus, Stormwater Management and Environmental Compliance Engineer

Edited/Submitted By:
City Manager

Stormwater Management Program - Program Summary							
BMP	**DESCRIPTION**	**Target Audience**	**2025, Year 1**	**2026, Year 2**	**2027, Year 3**	**2028, Year 4**	**2029, Year 5**
PE-1	Social Media Posts	Residents	24 posts	24 posts	24 posts	24 posts	24 posts
PE-2	Broadcast Messaging	Residents	12 utility bill messages; and 12 PSA broadcasts	12 utility bill messages; and 12 PSA broadcasts	12 utility bill messages; and 12 PSA broadcasts	12 utility bill messages; and 12 PSA broadcasts	12 utility bill messages; and 12 PSA broadcasts
PE-3	Stormwater Literature	Residents	Report quantity taken and printed	Report quantity taken and printed	Report quantity taken and printed	Report quantity taken and printed	Report quantity taken and printed
PE-4	Stormwater Web Site	Residents	Maintain, updated, and usage tracked	Maintain, updated, and usage tracked	Maintain, updated, and usage tracked	Maintain, updated, and usage tracked	Maintain, updated, and usage tracked
PE-5	School Take-Home Folders	Elementary Students	4,400 homework folders distributed	4,400 homework folders distributed	4,400 homework folders distributed	4,400 homework folders distributed	4,400 homework folders distributed
PE-6	Storm Drain Marking By City Staff	Residents	Minimum 500 inlets marked and/or maintained	Minimum 500 inlets marked and/or maintained	Minimum 500 inlets marked and/or maintained	Minimum 500 inlets marked and/or maintained	Minimum 500 inlets marked and/or maintained
PE-7	Advertising Campaign	Residents	Determine media	Place and maintain media	Place and maintain media	Place and maintain media	Place and maintain media
PE-8	TXR150000 Permit Site Training	Developers and Contractors	Two (2) trainings	Two (2) trainings	Two (2) trainings	Two (2) trainings	Two (2) trainings
PI-1	Stream Cleanup Projects	Residents	One (1) stream cleanup event	One (1) stream cleanup event	One (1) stream cleanup event	One (1) stream cleanup event	One (1) stream cleanup event
PI-2	Other Cleanup Projects	Residents	Report number of other cleanup events	Report number of other cleanup events	Report number of other cleanup events	Report number of other cleanup events	Report number of other cleanup events
PI-3	Adopt-A-Street, Park Or Spot	Residents	Report number of adoptions	Report number of adoptions	Report number of adoptions	Report number of adoptions	Report number of adoptions
PI-4	Educational Display / Booth	Residents	One (1) educational display and/or booth	One (1) educational display and/or booth	One (1) educational display and/or booth	One (1) educational display and/or booth	One (1) educational display and/or booth
PI-5	Training Event	Residents	One (1) training event	One (1) training event	One (1) training event	One (1) training event	One (1) training event
PI-6	Public / Stakeholder Meeting	Residents	One (1) meeting for input	One (1) meeting for input	One (1) meeting for input	One (1) meeting for input	One (1) meeting for input
ID-1	Storm Drain System Outfall Mapping	Appropriate City Staff	Maintain and update map; report number of edits	Maintain and update map; report number of edits	Maintain and update map; report number of edits	Maintain and update map; report number of edits	Maintain and update map; report number of edits
ID-2	Dry Weather Screening	Appropriate City Staff	Review and update process and inspect all accessible	Inspect all high priority and accessible outfalls	Inspect all high priority and accessible outfalls	Inspect all high priority and accessible outfalls	Inspect all high priority and accessible outfalls
ID-3	Enforce Illicit Discharge Ordinance	Appropriate City Staff	Notify responsible party and insure response and corrections	Notify responsible party and insure response and corrections	Notify responsible party and insure response and corrections	Notify responsible party and insure response and corrections	Notify responsible party and insure response and corrections
ID-4	Illicit Discharge Training	Appropriate City Staff	Minimum of one (1)	Minimum of one (1)	Minimum of one (1)	Minimum of one (1)	Minimum of one (1)
ID-5	Reduce Sanitary Sewer Overflows	Appropriate City Staff	Clean 400,000 ft and CCTV inspect 40,000 ft	Clean 400,000 ft and CCTV inspect 40,000 ft	Clean 400,000 ft and CCTV inspect 40,000 ft	Clean 400,000 ft and CCTV inspect 40,000 ft	Clean 400,000 ft and CCTV inspect 40,000 ft
ID-6	Reduce Failing Septic Systems	Appropriate City Staff; Smith Co	Maintain brochures and report inspections	Maintain brochures and report inspections	Maintain brochures and report inspections	Maintain brochures and report inspections	Maintain brochures and report inspections
ID-7	Reduce Illegal Dumping	Appropriate City Staff	Maintain six (6) cameras and update map	Maintain six (6) cameras and update map	Maintain six (6) cameras and update map	Maintain six (6) cameras and update map	Maintain six (6) cameras and update map
ID-8	Reduce Waste with Collection Events	Appropriate City Staff	Report quantities of materials collected and recycled	Report quantities of materials collected and recycled	Report quantities of materials collected and recycled	Report quantities of materials collected and recycled	Report quantities of materials collected and recycled
ID-9	Reduce Pet Waste	Appropriate City Staff	Maintain pet waste stations and report supply inventory	Maintain pet waste stations and report supply inventory	Maintain pet waste stations and report supply inventory	Maintain pet waste stations and report supply inventory	Maintain pet waste stations and report supply inventory
ID-10	Enforce FOG Ordinance	Appropriate City Staff	Inspect 100% of grease and grit traps and report results	Inspect 100% of grease and grit traps and report results	Inspect 100% of grease and grit traps and report results	Inspect 100% of grease and grit traps and report results	Inspect 100% of grease and grit traps and report results
ID-11	Reduce Floatable Waste	Appropriate City Staff; Residents	Develop procedures for new requirement	Report quantity removed	Report quantity removed	Report quantity removed	Report quantity removed
ID-12	Illicit Discharge Reporting Hotline	Appropriate City Staff; Residents	Maintain hotline and email; track usage	Maintain hotline and email; track usage	Maintain hotline and email; track usage	Maintain hotline and email; track usage	Maintain hotline and email; track usage
C-1	Enforce Erosion Control Ordinance	Appropriate City Staff; Permittees	Review and update; report enforcements	Review and update; report enforcements	Review and update; report enforcements	Review and update; report enforcements	Review and update; report enforcements
C-2	Erosion Control Plan Review Procedures	Appropriate City Staff; Permittees	Review 100% of plans submitted	Review 100% of plans submitted	Review 100% of plans submitted	Review 100% of plans submitted	Review 100% of plans submitted
C-3	Construction Site Inspection Procedures	Appropriate City Staff	Review and update investigation actions	Review and update investigation actions	Review and update investigation actions	Review and update investigation actions	Review and update investigation actions
C-4	Construction Site Inspections	Appropriate City Staff; Permittees	Report site inspections	Report site inspections	Report site inspections	Report site inspections	Report site inspections
C-5	Construction Site Discharge Hotline	Appropriate City Staff; Residents	Maintain hotline and email; track usage	Maintain hotline and email; track usage	Maintain hotline and email; track usage	Maintain hotline and email; track usage	Maintain hotline and email; track usage
C-6	Construction Site Inspector Training	Appropriate City Staff	Minimum of one (1)	Minimum of one (1)	Minimum of one (1)	Minimum of one (1)	Minimum of one (1)
C-7	Construction Site Inventory	Appropriate City Staff	Permit tracking and site mapping	Permit tracking and site mapping	Permit tracking and site mapping	Permit tracking and site mapping	Permit tracking and site mapping
PC-1	Develop Post Construction Ordinance	Appropriate City Staff	Review and update	Review and update	Review and update	Review and update	Review and update
PC-2	Enforce Post Construction Controls	Appropriate City Staff; Owners	Report enforcement actions	Report enforcement actions	Report enforcement actions	Report enforcement actions	Report enforcement actions
PC-3	Long Term Post Construction Operation	Appropriate City Staff; Owners	Develop, review, update procedures; require owners to do the same	Develop, review, update procedures; require owners to do the same	Develop, review, update procedures; require owners to do the same	Develop, review, update procedures; require owners to do the same	Develop, review, update procedures; require owners to do the same
PC-4	Inspect Post Construction Controls	Appropriate City Staff; Owners	Develop procedures for new requirement	Inspect 100% of the controls; document findings	Inspect 100% of the controls; document findings	Inspect 100% of the controls; document findings	Inspect 100% of the controls; document findings
GH-1	Stormwater Pollution Prevention Training	Appropriate City Staff	One (1) training per year for staff at locations	One (1) training per year for staff at locations	One (1) training per year for staff at locations	One (1) training per year for staff at locations	One (1) training per year for staff at locations
GH-2	Recycling Program and Waste Disposal	Appropriate City Staff	Review processes and monitor activities	Monitor activities	Monitor activities	Monitor activities	Monitor activities
GH-3	Vehicle Washing	Appropriate City Staff	Monitor grit traps and report cleanings	Monitor grit traps and report cleanings	Monitor grit traps and report cleanings	Monitor grit traps and report cleanings	Monitor grit traps and report cleanings
GH-4	Vehicle Fueling	Appropriate City Staff	PST monitoring and reporting	PST monitoring and reporting	PST monitoring and reporting	PST monitoring and reporting	PST monitoring and reporting
GH-5	Landscape Practices	Appropriate City Staff	Review for potential to discharge; update as needed	Review for potential to discharge; update as needed	Review for potential to discharge; update as needed	Review for potential to discharge; update as needed	Review for potential to discharge; update as needed
GH-6	Roadway Cleaning	Appropriate City Staff	Sweep a minimum of 10,000 miles of streets	Sweep a minimum of 10,000 miles of streets	Sweep a minimum of 10,000 miles of streets	Sweep a minimum of 10,000 miles of streets	Sweep a minimum of 10,000 miles of streets
GH-7	Storm Drain System Operation and Maintenance	Appropriate City Staff	Develop procedures and identify problem areas with debris collection	Operate and document prevention activities	Operate and document prevention activities	Operate and document prevention activities	Operate and document prevention activities
GH-8	Facility Specific SOPs	Appropriate City Staff	Review and update as needed	Review and update as needed	Review and update as needed	Review and update as needed	Review and update as needed
GH-9	Airport Operations	Appropriate City Staff	Monitor deicing procedures	Monitor deicing procedures	Monitor deicing procedures	Monitor deicing procedures	Monitor deicing procedures
GH-10	City Facilities and Control Inventory	Appropriate City Staff	Maintain City site inventory and GIS map	Maintain City site inventory and GIS map	Maintain City site inventory and GIS map	Maintain City site inventory and GIS map	Maintain City site inventory and GIS map
GH-11	City Operation and Maintenance Activities	Appropriate City Staff	Review and update as needed	Maintain controls as needed	Maintain controls as needed	Maintain controls as needed	Maintain controls as needed
GH-12	Contractor Oversight	Appropriate City Staff	Develop and maintain oversight procedures	Review and maintain oversight procedures	Review and maintain oversight procedures	Review and maintain oversight procedures	Review and maintain oversight procedures
GH-13	Evaluation of Flood Control Projects	Appropriate City Staff	Develop review procedures	Review 100% of flood control projects; evaluate retrofit	Review 100% of flood control projects; evaluate retrofit	Review 100% of flood control projects; evaluate retrofit	Review 100% of flood control projects; evaluate retrofit
IS-1	Identify Pollutants from City Treatment Sites	Appropriate City Staff	Inspect 100% and document	Inspect 100% and document	Inspect 100% and document	Inspect 100% and document	Inspect 100% and document
IS-2	Inspect TXR050000 Permitted Sites	Appropriate City Staff	Inspect 100% and document	Inspect 100% and document	Inspect 100% and document	Inspect 100% and document	Inspect 100% and document
IS-3	Develop TXR05000 Inspection Procedures	Appropriate City Staff	Develop procedures for new requirement	Review and update procedures	Review and update procedures	Review and update procedures	Review and update procedures
8th MCM	Master Construction SWP3	Appropriate City Staff	Monitor City construction activities	Monitor City construction activities	Monitor City construction activities	Monitor City construction activities	Monitor City construction activities

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-1

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to purchase Ten Chevrolet Tahoe vehicles for the Police Department from Tyler Motor Co dba Hall GMC Chevrolet.

Item Reference:

The fleet replacement program budgets for departments to replace their vehicles on a regular schedule, particularly those with mileage and/or maintenance cost expectations. After meeting with the Police department, Vehicle Services conducted sealed bid 24-046 for Police PPV units and various types of vehicles all with City specified options. Sealed bid 24-046 was sent to 7 different vendors consisting of both local vendors and Buyboard vendors. All bids have the option to purchase additional units if needed at the same price if available at the time of need. All units have bumper to bumper extended warranty of 5 years and 100k miles.

Line 2 of bid 24-046
Tyler Ford - Ford Explorer $47,554.75 would have to be ordered no guarantee of delivery.
Tyler Motor Co. (DBA Hall Chevrolet/ Buick) - Chevy Tahoe $57,750.00 Total purchase $115.500.00 Guaranteed delivery January 2025 - winning bid due to delivery. Those have been purchased and delivered. Now Tyler Motor company has allocated an additional ten (10) units for the City of Tyler Police Dept. that will deliver in FY26 if ordered now. Tyler Ford no longer has units available at this time or price.

Funding for these purchases is in the replacement fund 640-0661-641-26-04 for fiscal year 2026 after October 1, 2025.

RECOMMENDATION:

It is recommended that the City Council consider authorizing the City Manager to purchase Ten Chevrolet Tahoe vehicles for the Police Department from Tyler Motor Co dba Hall GMC Chevrolet.

Attachments:
Bid 24-046 bid packets

Drafted/Recommended By:
Department Leader Stan Stoffregen Fleet Manager

Edited/Submitted By:
City Manager

Purchasing Department
Bid "As Read Results"

City of Tyler Bid No. / Description: 24-046 Purchase various types of new current year model vehicles FY 25 – VES/ D. Schreck

Date Opened: Oct 22, 2024

	Vendor	Vendor	Vendor	Vendor	Vendor
	Tyler Motor Co.	Tyler Ford			
~~Unit Cost~~ 1	U - 28 900.00 T - 115,600.00	28,589.75 114,359.00			
~~Total~~ 2	U - 57,750.00 T - 115,500.00	47,554.75 95,109.50			
~~Bid Bond~~ 3	U - 52,900.00 T - 52,900.00	52,154.50 52,154.50			
~~Addenda~~ 4	U - 49,200.00 T - 98,400.00	50,476.75 100,953.50			
~~Base Bid~~ 5	U - 35,990.00 T - 143,960.00	36,757.75 147,031.00			
~~Alternate~~ 1 6	U - 45,900.00 T - 45,900.00	46,371.75 46,371.75			
Alternate 2					
Alternate 3					
Base Bid + Alternates					

Purchasing Personnel in attendance:

Sherry Pettit, Purchasing Manager

Signature: Sherry Pettit

Gary Durham or Gina Elzea, Purchasing Agent

Signature: _____

Form #	Work Instruction # Form #	Originating Date	Revision Date	Revision #
PURF003	PURWI001	6/1/2012		

PRICE, DATA, AND SPECIFICATION SHEET

CITY OF TYLER
Purchasing Department
304 North Border
Tyler, Texas 75702

Telephone: (903) 531-1232

All or none

DATE: 10/04/2024

BID # / PROPOSAL # 24-046

CLOSING TIME: 2:00 pm
CLOSING DATE: 10/22/2024

PROPOSERS MUST COMPLETE THIS SECTION

ITEM NO.	QUANTITY	DESCRIPTION	BRAND	UNIT PRICE	TOTAL NET PRICE
1	4	Four (4) new current-year model crossover SUV mid-size with the option to purchase additional units See specifications below – 15109.15111.15112.18113 - Police	FORD Escape Active	$28,589 TS Includes 5yr/100,000 mile warranty	$114,359 00
2	2	Two (2) new current-year model PPV SUV with the option to purchase additional units see specifications below – Police – 13857 (White) Fire 17109 (fire engine red)	FORD POLICE INTERCEPTOR UTILITY 1 White 1 Red	$47,554 TS Includes 5yr/100,000 mile warranty	Order $95,109 50 No quantity
3	1	One (1) new current-year model ¾ ton crew cab pick with the option to purchase additional units. See specifications below – parks 14217	FORD F-250 Crew Cab 4x2 XL	$52,154 50 Includes 5yr/100,000 mile warranty	$52,154 50
4	2	Two (2) new current-year model ½ ton crew cab pickups 4x4 with the option to purchase additional units. See specifications below – 14203 street, 15231 airport	FORD F-150 Crew Cab 4x4 XL	$50,476 TS Includes 5yr/100,000 mile warranty	$100,953 50
5	4	Four (4) new current-year model Mid-Size Crew Cab Pick Up truck. See specifications below – Water office 19213,19319 Water dist. -11258, 15219 – waste treatment	FORD RANGER Crew Cab XL 4x2	$36,757 TS Includes 5yr/100,000 mile warranty	$147,031 00
6	1	One (1) new current-year model 1/2-ton reg cab truck 4X4. See specifications below – 14218 water plant	FORD F-150 Reg Cab 4x4 XL	$46,371 TS Includes 5yr 100,000 mile warranty	$46,371 TS

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 1

Four (4) new current-year model Mid-Size crossover SUVs with the option to purchase additional units.
15109,15111,15112,18113 Police

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

Mid-Size	Mid-size crossover SUV
	gas engine smallest available hp
Automatic transmission	Automatic
Steering	power steering
Brakes	four-wheel disk with anti-lock
Air Conditioning	Factory AC and heat
Charging system	factory installed battery and alternator
Body exterior	exterior color - Black, Navy, Silver, Dark Brown, Grey (any combination)
	Spare tire and rim
Body Interior	Interior color to match exterior color standard
	intermittent wipers
	tilt steering
	AM/FM radio blue tooth
	Power seats, door locks, and windows Power Seats N/A w/o Tech Package
	Floor Liners if carpet
	legally tinted windows
	Rear backup camera if available
Warranty	Factory plus 5-year extended warranty
4 keys	4 key fobs to open locks

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 2

Two (2) new current-year model PPV SUVs with the option to purchase additional units.
White – 13857 police and Fire Red 17109 fire dept.

BOTH UNITS MUST HAVE A GUARANTEED BUILD AND DELIVERY DATE

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

PPV	Police Pursuit unit
	gas engine smallest available hp
Automatic transmission	4X4 with transmission oil cooler if available
Steering	power steering
Brakes	four-wheel disk with anti-lock
Air Conditioning	Factory AC and heat
Charging system	factory installed battery and alternator
Body exterior	exterior color (1) white and (1) fire engine red
	Spare tire and wheel
	Dual power mirrors
Body Interior	White Police package (no Rear seats)
	Fire engine Red – PPV package with rear seats
	intermittent wipers if available standard
	tilt steering if available standard
	AM/FM radio blue tooth
	Power seats, door locks and windows Power Seats N/A
	Floor Liners if carpet
	legally tinted windows
	Rear backup camera if available
Warranty	Factory plus 5-year 100,000-mile extended warranty
4 keys	4 keys fobs total to open doors and start unit

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 3

One (1) new current-year model ¾ ton crew cab with the option to purchase additional units.
Parks - 14217

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

¾ ton	Ford F250, Chevy 2500, GMC 2500, dodge 2500 or equivalent Crew Cab
	gas engine smallest available hp
Automatic transmission	transmission oil cooler if available
Steering	power steering
Brakes	four-wheel disk with anti-lock
Air Conditioning	Factory AC and heat
Charging system	factory installed battery and alternator
Body Exterior	exterior color white
	Steps on both sides of the truck black in color
	Spare tire and wheel
	dual power mirrors
	Angel wing toolbox
	Spray in bed liner black in color
	Tow package
Body Interior	black or grey seats and flooring (prefer vinyl if standard)
	cruise control if standard
	intermittent wipers if standard
	tilt steering if standard
	AM/FM radio blue tooth
	Power seats, door locks and windows Power Seats N/A
	Floor Liners if carpet
	legally tinted windows
	Rear backup camera if available
Warranty	Factory plus 5-year extended warranty
Strobes	2 front,2 rear amber/white (must be led)
4 keys	4 keys total with fobs to open locks

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 4

Two (2) new current-year model ½ ton crew cab pickup 4X4 gas engines with option to purchase additional units.
Streets - 14203, Airport - 15231,

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

½ ton	F150, Chevy 1500, Ram 1500 or equivalent
	gas engine smallest available hp
Automatic transmission	Automatic transmission
	4-wheel drive
Steering	power steering
Brakes	four-wheel disk with anti-lock
Air Conditioning	Factory AC and heat
Charging system	factory installed battery and alternator
Body Exterior	exterior color – white
	dual power mirrors
	Spare tire/wheel and jack
	Steps on either side of cab are black in color
	Angel Wing toolbox
	Headache rack
	Spray in bed liner black
	Tow package
Body Interior	Black or grey interior (prefer vinyl if standard)
	intermittent wipers if standard
	tilt steering if standard
	AM/FM radio blue tooth
	Power seats, door locks, and windows
	Rear backup camera if available
	Floor Liners if carpet
	legally tinted windows
Strobes	2 front,2 rear amber/white (must be led)
Warranty	Factory plus 5-year extended warranty
4 keys	4 keys with key fobs to open locks

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 5

Four (4) new current-year model Mid-Size crew cab pickups with the option to purchase additional units.
19213,19319 Water Office. 11258 Water distribution,15219 Waste treatment

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

Mid-Size	Ford Ranger, Chevy Colorado or Dodge Dakota or equivalent
	gas engine smallest available hp
Automatic transmission	transmission oil cooler if available
Steering	power steering
Brakes	four-wheel disk with anti - lock
Air Conditioning	factory ac and heat
Charging system	factory installed battery and alternator
Body exterior	exterior color white
	Spare tire and wheel
	dual power mirrors if standard
	Spray in bed liner black
	Tow package
Body Interior	black or grey vinyl seats and flooring
	intermittent wipers if standard
	tilt steering if standard
	AM/FM radio blue tooth
	power seats, door locks and windows Pwr Seats N/A D/XL
	Floor Liners if carpet
	legally tinted windows
	Rear backup camera if available
Warranty	Factory plus 5-year extended warranty
Strobes	2 front,2 rear amber/white (must be led)
4 keys	4 keys with key fobs to open locks

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 6

One (1) new current year model 1/2-ton regular cab pickup 4x4
Water Plant – 14218

** This unit is to be equipped with manufacturer's standard equipment and/or optional equipment as follows

½ ton	F150, Chevy 1500, Ram 1500 crew cab or equivalent
	gas engine smallest available hp
Automatic transmission	transmission oil cooler if available
	4-wheel drive
Steering	power steering
Brakes	four-wheel disk with anti-lock
Air Conditioning	Factory AC and heat
Charging system	factory installed battery and alternator
Body exterior	exterior color white
	Steps on both sides of truck black in color
	Spare tire and wheel
	dual power mirrors
	Spray in bed liner black
	Angel wing toolbox black
	Heavy-duty tow package
Body Interior	black or grey vinyl seats and flooring
	intermittent wipers if standard
	tilt steering if standard
	AM/FM radio blue tooth
	power seats, door locks and windows
	Floor liners if carpet
	legally tinted windows
	Rear backup camera if available
Warranty	Factory plus 5-year extended warranty
Strobes	2 front,2 rear amber/white (must be led)
4 keys	4 keys total with key fobs to open locks

REQUEST FOR QUOTATION

THIS IS NOT AN ORDER

CITY OF TYLER
Purchasing Department
304 North Border
Tyler, Texas 75702

Telephone: (903) 531-1232

10/04/24
DATE MAILED

Quote No: 24-046
(Number must appear on ALL correspondence)

Closing Time:2:00 PM

Closing Date: 10/22/2024

Addressed To:
City of Tyler
Vehicle Service Department
410 W. Oakwood
Tyler, Texas 75702

INSTRUCTIONS:
1. Keep duplicate copy of proposal for your files.
2. Federal Excise Taxes are exempted, also Federal Transportation Tax, State Tax, and City Sales Tax.
3. Return this form at once if unable to quote.
4. Specify Trade name or brand in space.

Please quote as per instructions indicated below for the articles described. Quotes must be submitted on City of Tyler forms to be considered. All items or services called for must be in strict accordance with all of the requirements and specifications attached hereto or furnished upon request.

Gary Durham
Purchasing Agent

Sealed quotes to furnish the following will be received in the Purchasing Office @ 304 North Border, Tyler, Texas 75702, Attn: Sherry Pettit until 2:00pm on 10/22/2024 and opened by City Staff in the City Council Chambers @ 212 North Bonner, City Hall, 2nd Floor @ 2:00pm on 10/22/2024

Purchase various types of new current year model vehicles FY 25 See full specifications for details.

QUOTE IDENTIFICATION:
Quote number, closing time, date, and item requested must appear on outside of envelope in lower left-hand corner.
DATA SHEETS:
All bidders must complete each specification data sheet in spaces provided on each item that is bid as well as all information requested on the price data sheet. Said price, data and specifications sheet is hereby made a part of this quotation.

DELIVERY:
Delivery must be stated in your quote on the data sheet as the number of calendar days from date of order.

The City of Tyler reserves the right to reject any and/or all bids and to waive any and/or all formalities and to award purchase total amount, partial amount or individual item basis.

In submitting the above, the vendor agrees that acceptance by the City of Tyler within a reasonable period constitutes a binding agreement.

In submitting the above request and attached bid to the City of Tyler, I hereby certify that we have not participated in nor been a party to any collusion, price fixing or any other agreements with any company, firm, or person concerning the pricing of the enclosed quotation.

NET 30 DAYS
INVOICING TERMS

10/18/24
DATE

TYLER FORD LTD
COMPANY NAME

DANIEL L. OLSON
AUTHORIZED REPRESENTATIVE (print)

SIGNATURE

TERMS AND CONDITIONS

Quotations are requested for furnishing the items described herein in accordance with the terms set forth. **ALL QUOTATIONS MUST BE F.O.B. DESTINATION** and include the cost of boxing and cartage to the delivery point as stated on this form.

In the case of default, the City of Tyler, Texas reserves the right to hold the original bidder or contractor liable for any and all resultant increased costs.

Samples, if requested by the City of Tyler, must be furnished at the bidder's expense, and if not destroyed in testing or retained as a standard, will be returned on the same terms, if requested by the bidder.

Quotes may be withdrawn on written or telegraphic request received from bidders prior to the time set for opening. Negligence on the part of the responder in preparing the proposal confers no right for the withdrawal of the proposal after the hour fixed for the opening.

Any oral statement by any representative of the City, modifying or changing any conditions of this contract, is an expression of opinion only and confers no right upon the seller.

All discounts, if applicable, shall be shown in discount amount space provided on data sheets - **EXCEPT IN TERMS FOR PROMPT PAYMENT.**

For proper identification, proposal number, closing time, date, and item requested must appear on outside of envelope in lower left hand corner.

If delay in delivery as specified on the purchase order is foreseen, supplier shall give written notice to Purchasing Office immediately. The City has the right to extend the delivery date if reasons appear valid. Supplier must keep the City advised at all times of the status of order. Default in promised delivery (without accepted reasons) or failure to meet specifications, authorizes the City of Tyler to purchase material elsewhere and charge full increase in cost and handling to the defaulting supplier and could also be reason for cancellation of the Purchase Order (at no expense to the City if the City of Tyler deems it necessary).

Any quote submitted on a public works project shall comply with the additional requirements and conditions attached hereto as well as the terms and conditions stated herein.

Certificate of Interested Parties:
In accordance with Texas Government Code Sec. 2252.908, for certain contracts entered into on or after January 1, 2016, the successful bidder must submit a ***Certificate of Interested Parties*** (Form 1295) at the time the signed contract is submitted to the **CITY** The law applies (with a few exceptions) only to a City contract between a business entity and a governmental entity or state agency that either (1) requires an action or vote by the City Council before the contract may be signed or (2) has a value of at least $1 million.

The ***Certificate of Interested Parties*** (Form 1295) must be filed electronically with the Texas Ethics Commission using the online filing application located at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm.

If you need additional information about the Certificate of Interested Parties Form 1295 Procedure, contact Purchasing at (903) 531-1232.

NOTICE TO BIDDERS AND/OR PROPOSERS

PROJECTS, SERVICES & SUPPLIES

The City of Tyler will accept bids and/or proposals for the following projects, services, and/or supplies in the Purchasing Office, 304 North Border, Tyler, Texas 75702, ATTN: Sherry Pettit until 2:00 p.m. on 10/22/2024, for the items shown below, at which time they will be publicly opened. All interested persons may attend.

Bid/Proposal

24-046 Purchase various types of current-year model vehicles FY25 See full specifications for details.

Plans, specifications and/or proposal forms must be obtained from the Vehicle Services Department during regular business hours Monday through Friday, 8:00 a.m. until 5:00 p.m. Telephone No. 903-531-1323. The City reserves the right to accept, reject, cancel or modify any bid or proposal, waive all formalities, and to award the bid most advantageous to the City.

In accordance with House Bill 1295, for certain contracts entered into on or after January 1, 2016, the successful bidder must submit a *Certificate of Interested Parties* (Form 1295) at the time the signed contract is submitted to the CITY. The law applies (with a few exceptions) only to a City contract between a business entity and a governmental entity or state agency that either (1) requires an action or vote by the City Council before the contract may be signed or (2) has a value of at least $1 million.

Tyler Morning Telegraph
1st Publication: 10/04/2024
2nd Publication: 10/11/2024

City of Tyler, Texas
Edward Broussard
City Manager

PRICE, DATA, AND SPECIFICATION SHEET

CITY OF TYLER
Purchasing Department
304 North Border
Tyler, Texas 75702

Telephone: (903) 531-1232

DATE: 10/04/2024

BID # / PROPOSAL # 24-046

CLOSING TIME: 2:00 pm

CLOSING DATE: 10/22/2024

PROPOSERS MUST COMPLETE THIS SECTION

ITEM NO.	QUANTITY	DESCRIPTION	BRAND	UNIT PRICE	TOTAL NET PRICE
1	4	Four (4) new current-year model crossover SUV mid-size with the option to purchase additional units See specifications below – 15109.15111.15112.18113 - Police IN STOCK	BUICK ENVISTA	$28,900.00	$115,600.00
2	2	Two (2) new current-year model PPV SUV with the option to purchase additional units see specifications below – Police – 13857 (White) Fire 17109 (fire engine red) GM GUARANTEED ALLOCATION	CHEVROLET TAHOE P.P.V	$57,750.00	$115,500.00
3	1	One (1) new current-year model ¾ ton crew cab pick with the option to purchase additional units. See specifications below – parks 14217 GM GUARANTEED ALLOCATION	CHEVROLET SILVERADO 2500	$52,900	$52,900.00
4	2	Two (2) new current-year model ½ ton crew cab pickups 4x4 with the option to purchase additional units. See specifications below – 14203 street, 15231 airport GM GUARANTEED ALLOCATION	CHEVROLET SILVERADO 1500	$49,200	$98,400.00
5	4	Four (4) new current-year model Mid-Size Crew Cab Pick Up truck. See specifications below – Water office 19213,19319 Water dist. -11258, 15219 – waste treatment GM GUARANTEED ALLOCATION	CHEVROLET COLORADO	$35,990	$143,960.00
6	1	One (1) new current-year model 1/2-ton reg cab truck 4X4. See specifications below – 14218 water plant GM GUARANTEED ALLOCATION	CHEVROLET SILVERADO 1500	$45,900	$45,900.00

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 1

Four (4) new current-year model Mid-Size crossover SUVs with the option to purchase additional units.
15109,15111,15112,18113 Police

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

Mid-Size	Mid-size crossover SUV BUICK ENVISTA	
	gas engine smallest available hp	INC
Automatic transmission	Automatic	INC
Steering	power steering	INC
Brakes	four-wheel disk with anti-lock	INC
Air Conditioning	Factory AC and heat	INC
Charging system	factory installed battery and alternator	INC
Body exterior	exterior color - Black, Navy, Silver, Dark Brown, Grey (any combination)	INC
	Spare tire and rim	INC
Body Interior	Interior color to match exterior color standard	INC
	intermittent wipers	INC
	tilt steering	INC
	AM/FM radio blue tooth	INC
	Power seats, door locks, and windows	INC
	Floor Liners if carpet	INC
	legally tinted windows	90.00
	Rear backup camera if available	INC
Warranty	Factory plus 5-year extended warranty	1,735
4 keys	4 key fobs to open locks	400

$ 28,900.00
EACH

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 2

Two (2) new current-year model PPV SUVs with the option to purchase additional units.
White – 13857 police and Fire Red 17109 fire dept.

BOTH UNITS MUST HAVE A GUARANTEED BUILD AND DELIVERY DATE

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

PPV	Police Pursuit unit CHEVROLET TAHOE PPV	
	gas engine smallest available hp	5.3 V8
Automatic transmission	4X4 with transmission oil cooler if available	INC
Steering	power steering	INC
Brakes	four-wheel disk with anti-lock	INC
Air Conditioning	Factory AC and heat	INC
Charging system	factory installed battery and alternator	INC
Body exterior	exterior color (1) white and (1) fire engine red	INC
	Spare tire and wheel	INC
	Dual power mirrors	INC
Body Interior	White Police package (no Rear seats)	INC
	Fire engine Red – PPV package with rear seats	INC
	intermittent wipers if available standard	INC
	tilt steering if available standard	INC
	AM/FM radio blue tooth	INC
	Power seats, door locks and windows	INC
	Floor Liners if carpet	INC
	legally tinted windows	90
	Rear backup camera if available	INC
Warranty	Factory plus 5-year 100,000-mile extended warranty	2725
4 keys	4 keys fobs total to open doors and start unit	INC

$57,750.00
EACH

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 3

One (1) new current-year model ¾ ton crew cab with the option to purchase additional units.
Parks - 14217

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

¾ ton	Ford F250, Chevy 2500, GMC 2500, dodge 2500 or equivalent Crew Cab	2500 CHEVROLET SILVERADO
	gas engine smallest available hp	6.6 V8
Automatic transmission	transmission oil cooler if available	INC
Steering	power steering	INC
Brakes	four-wheel disk with anti-lock	INC
Air Conditioning	Factory AC and heat	INC
Charging system	factory installed battery and alternator	INC
Body Exterior	exterior color white	INC
	Steps on both sides of the truck black in color	345
	Spare tire and wheel	INC
	dual power mirrors	INC
	Angel wing toolbox	925
	Spray in bed liner black in color	350
	Tow package	INC
Body Interior	black or grey seats and flooring (prefer vinyl if standard)	INC
	cruise control if standard	INC
	intermittent wipers if standard	INC
	tilt steering if standard	INC
	AM/FM radio blue tooth	INC
	Power seats, door locks and windows	INC
	Floor Liners if carpet	INC
	legally tinted windows	90
	Rear backup camera if available	INC
Warranty	Factory plus 5-year extended warranty	1525
Strobes	2 front,2 rear amber/white (must be led)	750
4 keys	4 keys total with fobs to open locks	INC

52,900.00
EACH

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 4

Two (2) new current-year model ½ ton crew cab pickup 4X4 gas engines with option to purchase additional units.
Streets - 14203, Airport - 15231,

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

½ ton	F150, Chevy 1500, Ram 1500 or equivalent	CHEVROLET 1500 SILVERADO
	gas engine smallest available hp	2.7 TURBO
Automatic transmission	Automatic transmission	INC
	4-wheel drive	INC
Steering	power steering	INC
Brakes	four-wheel disk with anti-lock	INC
Air Conditioning	Factory AC and heat	INC
Charging system	factory installed battery and alternator	INC
Body Exterior	exterior color – white	INC
	dual power mirrors	INC
	Spare tire/wheel and jack	INC
	Steps on either side of cab are black in color	345
	Angel Wing toolbox	925
	Headache rack	520
	Spray in bed liner black	350
	Tow package	INC
Body Interior	Black or grey interior (prefer vinyl if standard)	INC
	intermittent wipers if standard	INC
	tilt steering if standard	INC
	AM/FM radio blue tooth	INC
	Power seats, door locks, and windows	INC
	Rear backup camera if available	INC
	Floor Liners if carpet	INC
	legally tinted windows	90
Strobes	2 front,2 rear amber/white (must be led)	750
Warranty	Factory plus 5-year extended warranty	1625
4 keys	4 keys with key fobs to open locks	INC

49,200.00
EACH

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 5

Four (4) new current-year model Mid-Size crew cab pickups with the option to purchase additional units.
19213,19319 Water Office. 11258 Water distribution,15219 Waste treatment

** This unit is to be equipped with the manufacturer's standard equipment and/or optional equipment as follows

Mid-Size	Ford Ranger, Chevy Colorado or Dodge Dakota or equivalent CHEVROLET COLORADO	
	gas engine smallest available hp	INC
Automatic transmission	transmission oil cooler if available	INC
Steering	power steering	INC
Brakes	four-wheel disk with anti - lock	INC
Air Conditioning	factory ac and heat	INC
Charging system	factory installed battery and alternator	INC
Body exterior	exterior color white	INC
	Spare tire and wheel	INC
	dual power mirrors if standard	INC
	Spray in bed liner black	350
	Tow package	INC
Body Interior	black or grey vinyl seats and flooring	INC
	intermittent wipers if standard	INC
	tilt steering if standard	INC
	AM/FM radio blue tooth	INC
	power seats, door locks and windows	INC
	Floor Liners if carpet	INC
	legally tinted windows	90
	Rear backup camera if available	INC
Warranty	Factory plus 5-year extended warranty	1525
Strobes	2 front,2 rear amber/white (must be led)	800
4 keys	4 keys with key fobs to open locks	500

$35,990.00
EACH

CITY OF TYLER SPECIFICATIONS FOR LINE ITEM 6

One (1) new current year model 1/2-ton regular cab pickup 4x4
Water Plant – 14218

** This unit is to be equipped with manufacturer's standard equipment and/or optional equipment as follows

½ ton	F150, Chevy 1500, Ram 1500 crew cab or equivalent	CHEVROLET SILVERADO 1500
	gas engine smallest available hp	INC
Automatic transmission	transmission oil cooler if available	INC
	4-wheel drive	INC
Steering	power steering	INC
Brakes	four-wheel disk with anti-lock	INC
Air Conditioning	Factory AC and heat	INC
Charging system	factory installed battery and alternator	INC
Body exterior	exterior color white	INC
	Steps on both sides of truck black in color	345
	Spare tire and wheel	INC
	dual power mirrors	INC
	Spray in bed liner black	350
	Angel wing toolbox black	925
	Heavy-duty tow package	INC
Body Interior	black or grey vinyl seats and flooring	INC
	intermittent wipers if standard	INC
	tilt steering if standard	INC
	AM/FM radio blue tooth	INC
	power seats, door locks and windows	INC
	Floor liners if carpet	INC
	legally tinted windows	90
	Rear backup camera if available	INC
Warranty	Factory plus 5-year extended warranty	1625
Strobes	2 front,2 rear amber/white (must be led)	750
4 keys	4 keys total with key fobs to open locks	400

$45,900
EACH

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-2

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to purchase personal protective equipment (PPE), and station wear in an amount not to exceed $309,300.00 from Metro Fire Apparatus Specialist, Inc., CASCO Industries, Inc., MES, Inc., and Galls, Inc., in compliance with Texas Government Code Chapter 271.102.

Item Reference:

Turnout gear from Fire-Dex, as well as other essential PPE items, including NOMEX station wear, gloves, helmets, boots, and hoods, are necessary to carry out daily duties and protect our firefighters from thermal, carcinogenic, biological, chemical, bloodborne, and airborne pathogen exposures that are ever present in day-to-day operations.

The department has identified the following vendors, all Board Cooperative Purchasing Contracts members, as outlined in Texas Government Code Chapter 271.102.
These vendors have consistently provided high-quality equipment and services that meet the Tyler Fire Department's needs and requirements.

1. Metro Fire Apparatus Specialist, Inc.
2. CASCO Industries, Inc.
3. Galls, Inc.
4. MES, Inc.

Financial Impact

The total amount requested for PPE purchases is $309,300.00, which will be allocated to:
Funding for these purchases has been allocated to the Tyler Fire Department's FY 24-25 operating budget account #101-0320-422-03.04.

RECOMMENDATION:

Request that the City Council consider authorizing the purchase of Personal Protective Equipment (PPE) in the cumulative amount not to exceed $309,300.00 for the Tyler Fire Department, FY 24-25.

Drafted/Recommended By:
Department Leader Chief David Coble, Tyler Fire Department

Edited/Submitted By:
City Manager

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-3

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to execute the second renewal option for a five-year period from January 1, 2025, through December 31, 2029, for Isaiah Daw, Dixie Hangar LLC, Tract 15, located at Tyler Pounds Regional Airport.

Item Reference:

On November 24, 1999, the City of Tyler (CITY) previously entered an original Hangar/Operator Lease with Clint Abbott for January 1, 2000, through December 31, 2019. On January 20, 2009, the City of Tyler consented to assign the lease to Dixie Hangar, LLC (â€œDixie Hangerâ€). On June 22, 2016, Dixie Hangar was assigned to Isaiah Daw (Lessee). The Hangar/Operator Lease provided for two (2) five-year period(s) lease renewal options upon the expiration of the initial lease term and option terms at rates to be negotiated.

The Lessee exercised its first option, renewing the Hangar/Operator Lease for five years from January 1, 2020, through December 31, 2024.
The Lessee now requests to exercise his second and final five-year option from January 1, 2025, through December 31, 2029. The Lessee has performed all its duties within the lease and made notable investments and improvements in the leased facility.
Approval is predicated upon the determination of the following:
1) That the operations of the Lessee upon the premises have not resulted in a disruption of normal Airport aviation activities and
2) That the continued use of said premises by Lessee will be consistent with the normal functioning of the Airport for the extended term.

On January 21, 2025, the Airport Advisory Board will consider this item for a recommendation that the City Council approve this request.

RECOMMENDATION:

It is recommended that the City Council consider authorizing the City Manager to execute the second renewal option for the Dixie Hangar, LLC, Tract 15, lease renewal for a five-year period from January 1, 2025, through December 31, 2029, located at Tyler Pounds Regional Airport.

Attachments:
Lease Renewal 01-25

Drafted/Recommended By:
Department Leader Steve Thompson, Airport Director

Edited/Submitted By:
City Manager

THE STATE OF TEXAS §
§ **HANGAR/OPERATOR LEASE RENEWAL**
COUNTY OF SMITH § DIXIE HANGAR, LLC

WHEREAS, on November 24, 1999, the City entered into a Fixed Based Operator Lease with Clint Abbott for a term from January 1, 2000, through December 31, 2019, for a certain tract of land known as Lot 15 at Tyler Pounds Regional Airport (the "Lease");

WHEREAS, Clint Abbott "Lender" desired to assign the lease to DIXIE HANGAR, LLC a/k/a DIXIE HANGAR, LLC ("Dixie") and on January 28, 2009, the City of Tyler consented to the requested assignment;

WHEREAS, Lender presently owns all of the Membership Interest and is the sole member of Dixie;

WHEREAS, Article VI., Section F. provides that except to a corporations(s) owned or controlled by Lessee, Lessee shall not rent, sublease or assign all or part of the premises or the improvements located thereon upon without the written consent of the City Council, which consent shall not be unreasonably withheld;

WHEREAS, Lender desired to sell and assign all of the Membership Interest in Dixie to ISAIAH DAW (hereinafter "Daw");

WHEREAS, Lender intended to personally finance the sale of all of his Membership Interest in Dixie to Daw;

WHEREAS, Article I, Section G of the Lease provides that title to all improvements constructed or installed by lessee on the leased premises shall throughout the term of the Lease remain in lessee but that if lessee owes any payments to City upon expiration or termination of the Lease, then the provisions of Article VI shall govern;

WHEREAS, Article I, Section H of the Lease states that the lessee shall have the right, subject to City Manager approval, to place a first mortgage lien upon its leasehold;

WHEREAS, Article I, Section H of the Lease states that any approved lender shall notify City of all action taken by it in the event payments on such loans shall become delinquent, and lender shall also notify Airport Manager, in writing, of any change in the identity or address of the Lender;

WHEREAS, on June 22, 2016 pursuant to the provisions of Article I, Section H. and Article VI., Section F. of the Lease, lessee desired Consent to Mortgage and Assignment of the Fixed Based Operator Lease Agreement for Dixie Hanger, LLC, by Tyler Pounds Regional Airport to place a first mortgage lien upon **Lease Tract 5 (Lot 15)** of its leasehold interest at Tyler Pounds Regional Airport and assign the Fixed Based Operator Lease Agreement for Dixie Hanger, LLC, under the terms and provisions of said Lease with Lender, in the principle sum of $135,000.00 in connection with a loan from Lender to ISAIAH DAW;

WHEREAS, DAW exercised its first option to renew the Hangar/Operator Lease, as amended, for the five-year period from January 1, 2020 through December 31, 2024; and

WHEREAS, DAW desires to exercise its second and final option to renew the Hangar/Operator Lease, as

amended, for the five-year period from January 1, 2025 through December 31, 2029; and

WHEREAS, it is considered to be in the public interest to approve the renewal of the Hangar/Operator Lease, as amended;

NOW, THEREFORE, for and in consideration of the mutual agreements, the parties agree as follows:

PART 1: That the term of January 1, 2020, through December 31, 2024, Hangar/Operator Lease between the City of Tyler and Dixie Hangar, LLC, at Tyler Pounds Regional Airport is hereby extended for a period of about five (5) years from January 1, 2025 through December 31, 2029.

PART 2: All other provisions of January 1, 2000, through December 31, 2019, Hangar/Operator Lease between City and Lessee shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed this __ day of _____, 2025.

CITY OF TYLER, TEXAS

BY:_____
EDWARD BROUSSARD, CITY MANAGER
City Council approved: _____

A T T E S T:

_____
CASSANDRA BRAGER, CITY CLERK

LESSEE

BY:_____

ATTEST:

_____
WITNESS

RECOMMENDED:_____
AIRPORT MANAGER

(Airport Advisory Board considered on January 20, 2025, and recommended approval)

APPROVED: _____
CITY ATTORNEY

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-4

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to ratify staff action in payment to A.E Shull in the amount of $181,058.50 for the emergency repair and restoration of the 30" sewer main adjacent to Highway 110 South.

Item Reference:

On October 30, 2024, a large sinkhole was discovered within the TxDOT ROW on Highway 110 S. approximately 3,200 feet south of the Shiloh Road intersection with Highway 110. Upon investigation, it was discovered that the COT 30" sewer main that crosses Highway 110 S. had several joints that were compromised (outside of the roadway profile) allowing debris to enter the pipe and create the sinkhole. This 30" pipe receives flow from an 18" force main from the Gilley Creek Lift Station and from a 16" force main coming from Trane. It was determined that replacement of the compromised section of pipe was necessary to avoid further property damage and mitigate the safety concern next to a major corridor for motorists entering and exiting the City of Tyler.

A.E. Shull was enlisted to perform the repair and associated sewer bypass pumping and completed the task within a few weeks.

RECOMMENDATION:

It is recommended that the City Council consider authorizing the City Manager to ratify staff action in payment to A.E Shull in the amount of $181,058.50 for the emergency repair and restoration of the 30" sewer main adjacent to Highway 110 South.

Attachments:
12.16.2024 - Shull Cost for 30 inch emergency repair (HWY 110 South)

Drafted/Recommended By:
Department Leader Jacob Yanker, Utilities Project Engineer/ Kate Dietz, PE, Director of Utilities

Edited/Submitted By:
City Manager

A. E. Shull & Company
P. O. BOX 130365
TYLER, TEXAS 75713

APPROVED
jcyanker , 12/16/2024, 4:02:00 PM

Payment No.: One
Name of Owner: City Of Tyler, Texas
Owners Address: P.O. Box 2039 Tyler, Texas 75710
Name of Contractor: A.E. Shull & Co., Inc.
Contractor's Address: P.O. Box 130365, Tyler Texas 75713
Project No: 30" Sewer Repair (Troup Hwy)
Project No:
A.E.S. No: 97

Date: 30-Oct-24
To: 16-Dec-24

Item No.	DESCRIPTION OF ITEM	UNIT MEASURE	Unit Price	Quantity Complete Nov-24	Amount Earned This Period Nov.
10/30/2024	Superintendents	HR	$68.00		**$0.00**
Wednesday	Superintendents	OT	$102.00		**$0.00**
	Skill Laborers	HR	$48.50		**$0.00**
	Skill Laborers	OT	$72.75		**$0.00**
	Project Manager	HR	$117.50	**5.0**	**$587.50**
	Project Manager	OT	$176.25		**$0.00**
	Equipment Operators	HR	$48.50		**$0.00**
	Equipment Operators	OT	$72.75		**$0.00**
	Laborers	HR	$41.50		**$0.00**
	Laborers	OT	$62.25		**$0.00**
	Tandem Dump Truck (12 CY)	HR	$79.00	**2.0**	**$158.00**
	Superintendent-Pickup (2 each)	DAY	$82.00	**2.0**	**$164.00**
11/4/2024	Superintendents	HR	$68.00	**9.5**	**$646.00**
Monday	Superintendents	OT	$102.00		**$0.00**
	Skill Laborers	HR	$48.50	**24.5**	**$1,188.25**
	Skill Laborers	OT	$72.75		**$0.00**
	Project Manager	HR	$117.50	**2.0**	**$235.00**
	Project Manager	OT	$176.25		**$0.00**
	Equipment Operators	HR	$48.50	**35.5**	**$1,721.75**
	Equipment Operators	OT	$72.75		**$0.00**
	Laborers	HR	$41.50	**9.0**	**$373.50**
	Laborers	OT	$62.25		**$0.00**
	John Deere 160 Excavator	HR	$150.00	**8.0**	**$1,200.00**
	Tandem Dump Truck (12 CY)	HR	$79.00	**2.0**	**$158.00**
	2-Ton Truck	HR	$65.00	**8.5**	**$552.50**
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	**2.0**	**$200.00**
	500G Vacuum Excavator	HR	$78.50	**8.0**	**$628.00**
11/11/2024	Superintendents	HR	$68.00	**9.5**	**$646.00**
Monday	Superintendents	OT	$102.00		**$0.00**
	Skill Laborers	HR	$48.50	**17.0**	**$824.50**

	Skill Laborers	OT	$72.75		$(
	Project Manager	HR	$117.50		$0.00
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	34.5	$1,673.25
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	17.0	$705.50
	Laborers	OT	$62.25		$0.00
	John Deere 60 Mini Excavator	HR	$71.50	8.5	$607.75
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	2.0	$200.00
	500G Vacuum Excavator	HR	$78.50	8.5	$667.25
11/12/2024	Superintendents	HR	$68.00	9.0	$612.00
Tuesday	Superintendents	OT	$102.00		$0.00
	Skill Laborers	HR	$48.50	17.0	$824.50
	Skill Laborers	OT	$72.75		$0.00
	Project Manager	HR	$117.50	3.0	$352.50
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	35.5	$1,721.75
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	17.0	$705.50
	Laborers	OT	$62.25		$0.00
	Tandem Dump Truck (12 CY)	HR	$79.00	1.5	$118.50
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	2.0	$200.00
11/13/2024	Superintendents	HR	$68.00	11.5	$782.00
Wednesday	Superintendents	OT	$102.00		$0.00
	Skill Laborers	HR	$48.50	17.0	$824.50
	Skill Laborers	OT	$72.75		$0.00
	Project Manager	HR	$117.50	2.0	$235.00
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	34.0	$1,649.00
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	17.0	$705.50
	Laborers	OT	$62.25		$0.00
	John Deere 60 Mini Excavator	HR	$71.50	8.5	$607.75
	2-Ton Truck	HR	$65.00	8.5	$552.50
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	2.0	$200.00
11/14/2024	Superintendents	HR	$68.00	10.0	$680.00
Thursday	Superintendents	OT	$102.00		$0.00
	Skill Laborers	HR	$48.50	16.0	$776.00
	Skill Laborers	OT	$72.75		$0.00
	Project Manager	HR	$117.50	1.0	$117.50
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	32.0	$1,552.00
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	16.0	$664.00
	Laborers	OT	$62.25		$0.00
	John Deere 60 Mini Excavator	HR	$71.50	8.0	$572.00
	2-Ton Truck	HR	$65.00	8.0	$520.00
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	2.0	$200.00

11/15/2024	Superintendents	HR	$68.00		$(
Friday	Superintendents	OT	$102.00	**10.0**	$1,020.00
	Skill Laborers	HR	$48.50	**13.0**	**$630.50**
	Skill Laborers	OT	$72.75	**3.0**	**$218.25**
	Project Manager	HR	$117.50		**$0.00**
	Project Manager	OT	$176.25		**$0.00**
	Equipment Operators	HR	$48.50	**18.5**	**$897.25**
	Equipment Operators	OT	$72.75	**1.5**	**$109.13**
	Laborers	HR	$41.50	**13.0**	**$539.50**
	Laborers	OT	$62.25	**3.0**	**$186.75**
	John Deere 60 Mini Excavator	HR	$71.50	**8.0**	**$572.00**
	2-Ton Truck	HR	$65.00	**4.0**	**$260.00**
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	**2.0**	**$200.00**
11/18/2024	Superintendents	HR	$68.00	**9.5**	**$646.00**
Monday	Superintendents	OT	$102.00		**$0.00**
	Skill Laborers	HR	$48.50	**10.0**	**$485.00**
	Skill Laborers	OT	$72.75		**$0.00**
	Project Manager	HR	$117.50	**1.0**	**$117.50**
	Project Manager	OT	$176.25		**$0.00**
	Equipment Operators	HR	$48.50	**22.0**	**$1,067.00**
	Equipment Operators	OT	$72.75		**$0.00**
	Laborers	HR	$41.50	**10.0**	**$415.00**
	Laborers	OT	$62.25		**$0.00**
	John Deere 60 Mini Excavator	HR	$71.50	**5.0**	**$357.50**
	Tandem Dump Truck (12 CY)	HR	$79.00	**6.0**	**$474.00**
	1-Ton Truck w/Misc. Hand Tools (2 each)	DAY	$100.00	**2.0**	**$200.00**
11/19/2024	Superintendents	HR	$68.00	**10.5**	**$714.00**
Tuesday	Superintendents	OT	$102.00		**$0.00**
	Skill Laborers	HR	$48.50	**20.0**	**$970.00**
	Skill Laborers	OT	$72.75		**$0.00**
	Project Manager	HR	$117.50	**1.0**	**$117.50**
	Project Manager	OT	$176.25		**$0.00**
	Equipment Operators	HR	$48.50	**39.5**	**$1,915.75**
	Equipment Operators	OT	$72.75		**$0.00**
	Laborers	HR	$41.50	**20.0**	**$830.00**
	Laborers	OT	$62.25		**$0.00**
	John Deere 130 Excavator	HR	$144.00	**10.0**	**$1,440.00**
	John Deere 60 Mini Excavator (2 Each)	HR	$71.50	**20.0**	**$1,430.00**
	Tandem Dump Truck (12 CY)	HR	$79.00	**8.5**	**$671.50**
	1-Ton Truck w/Misc. Hand Tools	DAY	$100.00	**1.0**	**$100.00**
11/20/2024	Superintendents	HR	$68.00	**10.5**	**$714.00**
Wednesday	Superintendents	OT	$102.00		**$0.00**
	Skill Laborers	HR	$48.50	**20.0**	**$970.00**
	Skill Laborers	OT	$72.75		**$0.00**
	Project Manager	HR	$117.50		**$0.00**
	Project Manager	OT	$176.25		**$0.00**
	Equipment Operators	HR	$48.50	**49.5**	**$2,400.75**
	Equipment Operators	OT	$72.75		**$0.00**
	Laborers	HR	$41.50	**11.0**	**$456.50**

	Laborers	OT	$62.25		$0
	John Deere 130 Excavator	HR	$144.00	10.0	$1,440.00
	John Deere 60 Mini Excavator	HR	$71.50	10.0	$715.00
	Tandem Dump Truck (12 CY)	HR	$79.00	8.5	$671.50
	2-Ton Truck	HR	$65.00	10.0	$650.00
	1-Ton Truck w/Misc. Hand Tools	DAY	$100.00	1.0	$100.00
	Skid Steer	HR	$99.75	10.0	$997.50
11/21/2024	Superintendents	HR	$68.00	9.5	$646.00
Thursday	Superintendents	OT	$102.00		$0.00
	Skill Laborers	HR	$48.50	18.0	$873.00
	Skill Laborers	OT	$72.75		$0.00
	Project Manager	HR	$117.50		$0.00
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	27.0	$1,309.50
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	18.0	$747.00
	Laborers	OT	$62.25		$0.00
	John Deere 130 Excavator	HR	$144.00	9.0	$1,296.00
	2-Ton Truck	HR	$65.00	9.0	$585.00
	1-Ton Truck w/Misc. Hand Tools	DAY	$100.00	1.0	$100.00
	Skid Steer	HR	$99.75	9.0	$897.75
11/22/2024	Superintendents	HR	$68.00		$0.00
Friday	Superintendents	OT	$102.00	8.5	$867.00
	Skill Laborers	HR	$48.50	12.0	$582.00
	Skill Laborers	OT	$72.75	5.0	$363.75
	Project Manager	HR	$117.50		$0.00
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	19.0	$921.50
	Equipment Operators	OT	$72.75	7.5	$545.63
	Laborers	HR	$41.50	14.5	$601.75
	Laborers	OT	$62.25	2.5	$155.63
	John Deere 60 Mini Excavator	HR	$71.50	8.5	$607.75
	1-Ton Truck w/Misc. Hand Tools (2 Each)	DAY	$100.00	2.0	$200.00
11/25/2024	Superintendents	HR	$68.00		$0.00
Monday	Superintendents	OT	$102.00		$0.00
	Skill Laborers	HR	$48.50	8.5	$412.25
	Skill Laborers	OT	$72.75		$0.00
	Project Manager	HR	$117.50		$0.00
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	17.0	$824.50
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	8.5	$352.75
	Laborers	OT	$62.25		$0.00
	2-Ton Truck	HR	$65.00	8.5	$552.50
12/10/2024	Superintendents	HR	$68.00	10.0	$680.00
Tuesday	Superintendents	OT	$102.00		$0.00
	Skill Laborers	HR	$48.50	17.0	$824.50
	Skill Laborers	OT	$72.75		$0.00

	Project Manager	HR	$117.50		$0
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	8.5	$412.25
	Equipment Operators	OT	$72.75		$0.00
	Laborers	HR	$41.50	16.0	$664.00
	Laborers	OT	$62.25		$0.00
	1-Ton Truck w/Misc. Hand Tools (2 Each)	DAY	$100.00	2.0	$200.00
12/13/2024	Superintendents	HR	$68.00	3.0	$204.00
Friday	Superintendents	OT	$102.00	5.0	$510.00
	Skill Laborers	HR	$48.50	13.0	$630.50
	Skill Laborers	OT	$72.75		$0.00
	Project Manager	HR	$117.50		$0.00
	Project Manager	OT	$176.25		$0.00
	Equipment Operators	HR	$48.50	5.5	$266.75
	Equipment Operators	OT	$72.75	1.0	$72.75
	Laborers	HR	$41.50	10.0	$415.00
	Laborers	OT	$62.25		$0.00
	1-Ton Truck w/Misc. Hand Tools (2 Each)	DAY	$100.00	2.0	$200.00
					$72,529.63

160

Total Value of Original Contract Performed	**$72,529.63**
Materials on Hand	$0.00
Extra Work - Total Thru Last Estimate	$0.00
Extra Work Since Last Estimate	$0.00
Total Value of Work To Date	**$72,529.63**
Less: Amount Retained (0%)	$0.00
Total Amount To Be Paid To Date	$72,529.63
Less: Amount of Previous Payment	**$0.00**
BALANCE DUE THIS ESTIMATE	**$72,529.63**

Prepared by
A.E. SHULL & COMPANY

By: _____ Date: 16-Dec-24

A. E. Shull & Company
P. O. BOX 130365
TYLER, TEXAS 75713

Payment No.: One
Name of Owner: City Of Tyler, Texas
Owners Address: P.O. Box 2039 Tyler, Texas 75710
Name of Contractor: A.E. Shull & Co., Inc.
Contractor's Address: P.O. Box 130365, Tyler Texas 75713
Project No: 30" Sewer Line Repair (across from Trane)

Date: 1-Nov-24
To: 16-Dec-24

A.E.S. No: 97 - Materials

Item No.	DESCRIPTION OF ITEM	INVOICE NUMBER	UNIT MEASURE	INVOICE Price	Quantity Complete Nov-24	Amount Earned This Period Nov.
11/8/2024	Core & Main	V95924	EA	$12,176.64	1.0	$12,176.64
11/12/2024	Gregg Williams Construction, LLC. - Concrete Sawing	68080	EA	$540.00	1.0	$540.00
11/15/2024	O'Reilly Auto Parts	0766-468859	EA	$32.98	1.0	$32.98
11/15/2024	Glass Oil Company, Inc.	191379	EA	$474.06	1.0	$474.06
11/16/2024	Tractor Supply Co	781775	EA	$154.93	1.0	$154.93
11/18/2024	Glass Oil Company, Inc.	191384	EA	$1,302.25	1.0	$1,302.25
11/18/2024	Dowden Supply Company	141822	EA	$100.00	1.0	$100.00
11/19/2024	Burton Oil Service Operations	26350	EA	$2,440.00	1.0	$2,440.00
11/21/2024	United Rentals	241519521-002	EA	$267.00	1.0	$267.00
11/21/2024	Core & Main	W053612	EA	$1,013.52	1.0	$1,013.52
11/22/2024	Roquemore's Hardware	2411-283839	EA	$34.74	1.0	$34.74
11/25/2024	Higginbotham Brothers - Tyler	84909	EA	$59.98	1.0	$59.98
11/25/2024	East Texas Seed Co.	159382	EA	$130.00	1.0	$130.00
11/26/2024	Diamond Elite Barricades, LLC	1353	EA	$5,140.00	1.0	$5,140.00
12/10/2024	Higginbotham Brothers - Tyler	85369	EA	$17.97	1.0	$17.97
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$23,884.07

Total Value of Original Contract Performed	**$23,884.07**
Materials Plus 21 Percent	**$5,015.65**
Extra Work - Total Thru Last Estimate	$0.00
Extra Work Since Last Estimate	$0.00
Total Value of Work To Date	**$28,899.72**
Less: Amount Retained (0%)	$0.00
Total Amount To Be Paid To Date	$28,899.72
Less: Amount of Previous Payment	**$0.00**
BALANCE DUE THIS ESTIMATE	**$28,899.72**

Prepared by
A.E. SHULL & COMPANY

By: _____ Date: 16-Dec-24

CORE & MAIN

INVOICE

Invoice #	V95
Invoice Date	11/06/2
Account #	05391
Sales Rep	JUSTIN ELRO
Phone #	903-592-822
Branch # 107	Tyler, T
Total Amount Due	$13,938.9

162

1830 Craig Park Court
St. Louis, MO 63146

Remit To:
CORE & MAIN LP
PO BOX 28330
ST LOUIS, MO 63146

771 1 MB 0.622 E0304X I0449 D13816844582 S2 P10561800 0001:0001

A. E. SHULL & COMPANY
PO BOX 130365
TYLER TX 75713-0365

Shipped to:
5750 REED ROAD
TYLER, TX

Thank you for the opportunity to serve you! We appreciate your prompt payment.

Date Ordered	Date Shipped	Customer PO #	Job Name	Job #	Bill of Lading	Shipped Via	Invoice #
11/04/24	11/06/24	SEE BELOW		#97		DIRECT	V959246

Product Code	Description	Quantity Ordered	Quantity Shipped	Quantity B/O	Price	UM	Extended Pric
	CUSTOMER PO#- TYLER EMERGENCY CORE & MAIN PO#- 2108876						
04302614	30 PVC SDR26 HW SWR PIPE (G) 14'	84	84		144.96000	FT	12,176

Online ADVANTAGE™
• Manage billing online • Reprint invoices
• Retrieve proof of deliveries
Be suspicious of emails requesting wire transfers or payments to Core & Main using updated remittance information. For tips about how to identify bad actors, visit coreandmain.com/identifying-fraud.

Freight	Delivery	Handling	Restock	Misc.
$700.00				

Subtotal:	12,176.64
Other:	700.00
Tax:	1,062.32
Invoice Total:	$13,938.96

Terms: NET 30
Ordered By: KEVINN 903.360.6881

This transaction is governed by and subject to CORE & MAIN's standard terms and conditions, which are incorporated by reference and accepted. To review these terms and conditions, please visit: https://coreandmain.com/terms-of-sale/.

Gregg Williams Construction, LLC. - Concrete Sawing
3610 W Loop 281
Longview, TX 75604

#497 - Cut 30" Foundation Drive

Invoice

DATE	INVOICE #
11/12/2024	68080

BILL TO	JOB SITE
A.E. Shull **PO Box 130365** **Tyler, Tx. 75713**	**5615 Troup Hwy** **Tyler**

P.O. NUMBER	TERMS	DUE DATE	DATE OF WORK
	Due on receipt	11/12/2024	11/11/2024

QUANTITY	DESCRIPTION	PRICE EACH	AMOUNT
1	**Core Drill 24" Holes 6 1/2" Thick Wall**	**500.00**	**500.00**
	Fuel Surcharge	**40.00**	**40.00**
	Sales Tax	**8.25%**	**0.00**

PLEASE SEND PAYMENT TO THE UPDATED ADDRESS IN THE TOP LEFT CORNER OF THE INVOICE

Any discrepancy on this invoice must be contested within 7 days or it stands as is.

We accept VISA or MASTERCARD

Please reference invoice number on checks.

Total **$540.00**

O'Reilly AUTO PARTS

EDICATED TO THE PROFESSIONAL

ore 766, 3931 TROUP HIGHWAY,
LER, TX 75703 (903) 581-7725

ll To:

E SHULL AND COMPANY
) BOX 130365

'LER, TX 75713
)03) 561-5061

Invoice	0766-468859
Sale Type	CHARGE SALE
Date	11/15/2024 3:06 PM
Ship Via	
PO Number	

#91 - LOT 210"
EMERGENCY REPAIR

Counter #	Customer Account	Ordered By	Special Instructions
699487	471571	JIMMY	

Qty	Line	Item Number	Description	Warr	Unit	Tax	List	Net	Extended
1	MSL	1414DAT	HITCH PIN	1Y	EA	Y	25.41	14.99	14.99
1	PTW	PTW0004	HITCH BALL	90	EA	Y	30.49	17.99	17.99

2 Items

Select Super Start Batteries come with Roadside Assistance. Ask for details.

X
Customer Signature

Sub-Total	32.98
Sales Tax	2.72
Total	**35.70**

WW.FIRSTCALLONLINE.COM

WE APPRECIATE YOUR BUSINESS!

GLASS OIL COMPANY, INC.

P.O. Box 6144 • AC 903 566-1416
TYLER, TEXAS 75711-6144 glassoil@yahoo.com

INVOICE 191379

ATE 9 15 21	SOLD TO [illegible]
ELIVER TO:	
IME OF DELIVERY:	PURCHASE ORDER / LICENSE NUMBER
EMERGENCY CONTACT: 1-800-424-9300	TERMS / CASH / CR. CARD / CHECK NUMBER

ASOLINES (FLAMMABLE LIQUIDS):	1-CARGO TANK	GALLONS	PRICE	AMOUNT
IN-1203, Gasoline, 3, PGII UL CONV. EPA NO. 5101, DETERGENT ADDITIZED				
Gasoline Federal Tax				
Gasoline State Tax				
IESEL FUELS (FLAMMABLE LIQUIDS):	1-CARGO TANK			
VA-1993, Diesel, 3, PGIII, 15-ppm sulfur dyed ULSD. **Non-road or tax exempt use only. Penalty for Taxable Use. Off Highway / Not Legal for Motor Vehicle Use.**		102.4	3.599	923
VA-1993, Diesel, 3, PGIII, 15-ppm sulfur (maximum). **Undyed Ultra-Low Sulfur Diesel** Fuel For use in all diesel vehicles and engines. #97 - Lot 30" Emergency Repair				
Diesel Federal Tax				
Diesel State Tax				
TNRCC Loading Fee				
Delivery Fee:				
SALES TAX				
TOTAL				923

TAX EXEMPT NO. _____
BONDED USER PERMIT ☐ FOR RESALE ☐ _____ ☐
OFF ROAD USE ☐ FARM USE ☐ _____ ☐

GOODS RECEIVED
PURCHASER -
BY:

SUBJECT TO CORRECTION OF CLERICAL ERRORS

DO NOT DESTROY - THIS IS YOUR INVOICE

TRACTOR SUPPLY Co

TractorSupply.com

#491

3641 HWY 110 SOUTH
TYLER, TX 75707
903 534-3686

Ticket: 781775
Date: 11/16/24 Time: 8:22 AM
Store: 1861 Register: 2
Cashier: Alyssa

Item	Qty	Price	Amount
CRESCENT 10&12 IN SUPER GRIP T&G PLIERS			
1185769	1	31.99	31.99
IRV 3/4X11 FUEL HOSE			
3566278	1	39.99	39.99
FUEL-RITE 3/4IN X 20 FUEL TRANSFER HOSE			
1741462	1	54.99	54.99
JS 2PK DUCT TAPE SOYD			
2858120	1	11.99	11.99
	(WAS	14.99)	
COUPLING 3/4IN GALV			
3148768	1	6.99	6.99
COUPLING 3/4IN GALV			
3148768	1	6.99	6.99
TAPE TEFLON 1/2X260IN			
3149926	1	1.99	1.99

Subtotal	154.93
Tax	12.76
Total	167.69

American Express - SALE 167.69
**********1005 EMV Chip
Authorization #: 866442
Terminal ID : 00179186[illegible]00200
Cryptogram : D0C174B3E[illegible]3094
AID : A0000000250108001
APP : AMERICAN EXPRESS
CVM : NONE / 5F0300
TVR : 0000008000 / IAI : E800

Change 0.00
I agree to pay the above amount according
[illegible]

GLASS OIL COMPANY, INC.

P.O. Box 6144 • AC 903 566-1416
TYLER, TEXAS 75711-6144 glassoil@yahoo.com

167

INVOICE 191384

DATE	SOLD TO
DELIVER TO:	
TIME OF DELIVERY:	PURCHASE ORDER / LICENSE NUMBER
EMERGENCY CONTACT: 1-800-424-9300	TERMS / CASH / CR. CARD / CHECK NUMBER

GASOLINES (FLAMMABLE LIQUIDS): 1-CARGO TANK	GALLONS	PRICE	AMOUNT
UN-1203, Gasoline, 3, PGII UL CONV. EPA NO. 5101, DETERGENT ADDITIZED			
Gasoline Federal Tax			
Gasoline State Tax			
DIESEL FUELS (FLAMMABLE LIQUIDS): 1-CARGO TANK			
NA-1993, Diesel, 3, *PGIII,* 15-ppm sulfur **dyed ULSD.** **Non-road or tax exempt use only. Penalty for Taxable Use.** **Off Highway / Not Legal for Motor Vehicle Use.**			
NA-1993, Diesel, 3, *PGIII,* 15-ppm sulfur (maximum). **Undyed Ultra-Low Sulfur Diesel Fuel** For use in all diesel vehicles and engines.			
Diesel Federal Tax			
Diesel State Tax			
TNRCC Loading Fee			2 75
Delivery Fee:			
110 J55	#01-COT 30"		
SALES TAX			
TOTAL			

TAX EXEMPT NO.
BONDED USER PERMIT ☐ FOR RESALE ☐ _____ ☐
OFF ROAD USE ☐ FARM USE ☐ _____ ☐

GOODS RECEIVED BY PURCHASER:
BY:

SUBJECT TO CORRECTION OF CLERICAL ERRORS

DO NOT DESTROY - THIS IS YOUR INVOICE

BORDEN SUPPLY Company
P.O. BOX 6047
LUBBOCK, TX 75493
PHONE : (903) 923-2770
FAX : (903) 561 6872

Invoice # : 000001-13652
Account # : SHELL
Page : 1 of 1
Date/Time : 7/17/2002 12:48 pm
Cashier : 1
Register : 003

Bill To

B.S. SHELL & CO.
P.O. BOX 338363
TYLER, TX 75703
Tel: 561-3631
Fax: 534-8946

Ship To

OE

Tel:
Fax:

Item Lookup Code	Description	Disc	Qty	Price Ea	Extended
Blade-81492	14X1/8 REF 81/80T 1x20mm		10	10.00	100.00

Sub Total	100.00
Local Tax	8.25
Total Due	108.25
On Account	100.00
Change	0.00

110 Job

#91-LOT 30" EMERGENCY REPAIR

Thank you for shopping BORDEN SUPPLY Company

Invoice

Date	Invoice #
11/19/2024	26350

BURTON
OIL SERVICE OPERATIONS

#101 - LOT EMERGENCY 30" REPAIR

6115 New Copeland Rd.
Suite 240
Tyler, TX 75703

Bill To:

A.E. Shull & Company P.O. Box 130365 Tyler, TX 75713	Well Name:	State Hwy 110
	Company Rep:	Collin Shull
	PO Number:	

Quantity	Description	Rate	Amount
8	11-19-24 FT 101037 Gapvac to hydro-excavation	305.00	2,440.00

Total	2,440.00

United Rentals

BRANCH 611
3300 N NORTHEAST LOOP 323
TYLER TX 75708-5647
903-596-7368

RENTAL RETURN INVOICE

241519521-002

170

Job site

CPU
3300 N NORTHEAST LOOP 323
TYLER TX 75708-5647

Office: 903-561-5061 **Job:** 903-561-5061

A E SHULL & COMPANY
PO BOX 130365
TYLER TX 75713-0365

Customer #	: 265582
Invoice Date	: 11/21/24
Rental Out	: 11/18/24 11:29 AM
Rental In	: 11/21/24 12:45 PM
UR Job Loc	: 3300 N NORTHEAST LOO
UR Job #	: 67
Customer Job ID	:
P.O. #	:
Ordered By	: STEVEN RUSSELL
Reserved By	: SPENCER CHERRY
Salesperson	: MILTON PLEDGER

Invoice Amount: $285.02

Terms: Due Upon Receipt
Payment options: Contact our credit office 980-341-5767
REMIT TO: UNITED RENTALS (NORTH AMERICA),INC.
PO BOX 840514
DALLAS TX 75284-0514

RENTAL ITEMS:

Qty	Equipment	Description	Minimum	Day	Week	4 Week	Amount
1	11633764	CHIPPING GUN AIR 15# Make: TAMCO Model: TORUSLCH-3R-S Serial: 211039		90.00	267.00	615.00	267.00

Rental Subtotal:	267.00
Agreement Subtotal:	267.00
Tax:	18.02
Total:	285.02

COMMENTS/NOTES:

CONTACT: STEVEN RUSSELL
CELL#: 903-312-9012

110 Emergency

#97-COT EMERGENCY 30" REPAIR

Effective February 1, 2024 and where permitted by law, United Rentals may impose a surcharge of 2.0% for credit card payments on charge accounts. This surcharge is not greater than our merchant discount rate for credit card transactions and is subject to sales tax.

NOTICE: This invoice is subject to the terms and conditions of the Rental and Service Agreement, which are available at https://www.unitedrentals.com/legal/rental-service-terms-US and which are incorporated herein by reference. A COPY OF THE RENTAL AND SERVICE AGREEMENT TERMS ARE AVAILABLE IN PAPER FORM UPON REQUEST.

DUPLICATE

INVOICE

Invoice #	W05361
Invoice Date	11/21/24
Account #	053912
Sales Rep	JUSTIN ELROD
Phone #	903-592-8221
Branch #107	Tyler, TX
Total Amount Due	$1,097.14

1830 Craig Park Court
St. Louis, MO 63146

Remit To:
CORE & MAIN LP
PO BOX 28330
ST LOUIS, MO 63146

A.E. SHULL & COMPANY
PO BOX 130365
TYLER TX 75713 0365

Shipped To:
CUSTOMER PICK-UP

Thank you for the opportunity to serve you! We appreciate your prompt payment.

Date Ordered	Date Shipped	Customer PO #	Job Name	Job #	Bill of Lading	Shipped Via	Invoice#
11/20/24	11/20/24	SEE BELOW				WILL CALL	W053612

Product Code	Description	Quantity Ordered	Quantity Shipped	Quantity B/O	Price	UM	Extended Price
	CUSTOMER PO#- 110 EMERGENCY						
9680CONCMIX	80# CONCRETE MIX SAKRETE	84	84		8.28000	EA	695.52
96HC50CHEMPLUG	50# CHEM PLUG HYDRAULIC CEMENT STANDARD SET; BLUE LID	4	4		59.50000	EA	238.00
96AXPALLETQUIK	QUIKRETE PALLET	2	2		40.00000	EA	80.00

Freight | Delivery | Handling | Restock | Misc

Subtotal:	1,013.52
Other:	.00
Tax:	83.62
Invoice Total:	$1,097.14

Terms: NET 30
Ordered By: STEVEN

This transaction is governed by and subject to Core & Main's standard terms and conditions, which are incorporated by reference and accepted.
To review these terms and conditions, please visit: https://coreandmain.com/terms-of-sale/

Roquemore's Hardware

Roquemore's Hardware
PO Box 778
Whitehouse TX 75791
903-839-6606

CUSTOMER COPY

INVOICE

2411-283839 PAGE 1 OF 1

SOLD TO	JOB ADDRESS
A.E. SHULL & CO. P.O.BOX 130365 TYLER TX 75713	A.E. SHULL & CO. P.O.BOX 130365 TYLER TX 75713

ACCOUNT	JOB
5615061	0
SOLD ON	11/22/2024 9:05:00 AM
CUST PICKUP	
BRANCH	1000
CUSTOMER PO#	
STATION	R02
CASHIER	LJ
SALESPERSON	
ORDER ENTRY	

Thank you for shopping at
Roquemore's Hardware!

Quantity	UM	Item	Description	D	T	Price	Per	Amount
1	CD	028874017566	1/2IN TITANIUM DRILL BIT		Y	21.9900	CD	21.99
4	EA	M20	Misc. Fasteners		Y	2.6900	EA	10.76
1	EA	0000-881-8204	TRIMMER LINE CUTTER		Y	1.9900	EA	1.99

110 Emergency

97-COT [illegible] 20'
ROPE

Payment Method(s)

Charge to Acct 37.61

ST 8.25%	SubTotal	34.74
	Sales Tax	2.87
	Deposit	
Please Pay This Amount		37.61

Signature

HIGGINBOTHAM BROTHERS - TYLER
1124 E. ERWIN
TYLER, TX 75702-7552

PHONE: (903) 593-8266

Please Note New Remit To Address
PO BOX 201027, DALLAS, TX 75320

CUSTOMER NO:	JOB NO:	PURCHASE ORDER:	REFERENCE:	CREATED BY:	DATE / TIME:
742939	000			2684	11/25/24 9:28

CUSTOMER:
A. E. SHULL & COMPANY
PO BOX 130365

TYLER TX 75713
903-561-5061

DELIVERY ADDRESS:

SALESPERSON.

TERMINAL: 187

TAX: T74 TYLER TAXABLE

INVOICE: 84909 /x

LN#	QUANTITY	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE /PER	EXTENSION
1	2	EA	2668267	RAKE BOW 16 TINE FGLS HDL 60IN		2	29.99 /EA	59.98

#17 LOT Emergency 30" REPAIR

1/0 Emergency

		TAXABLE	59.98
		NON-TAXABLE	0.00
** AMOUNT CHARGED TO STORE ACCOUNT **	64.93	SUB-TOTAL	59.98
		TAX AMOUNT	~~4.95~~
CREATED FOR: STEVENE RUSSELL		**TOTAL AMOUNT**	~~64.93~~

X _____
ACCEPTED BY

EAST TEXAS SEED CO.
P.O. BOX 569
1030-D EAST COMMERCE
TYLER TX 75710

SHIPPING ORDER

SOLD TO: 39217
A E SHULL & COMPANY
PO BOX 13365

TYLER, TX 75713

SHIP TO: 39217
A E SHULL & COMPANY

TYLER, TX 75713

TERMS: 1.5% 10 DAYS/NET 30

CELL:
903-561-5061

CNTRCT.#	OUR REF.#	SMAN	SHIP FROM	SHIP VIA	EST.SHIP	ORDER #	PG
		23	TYLER, TX	CUSTOMER P/U	11/25/2024	159382	1

ORDER	SHIP	UM	NUMBER - ITEM - DESCRIPTION	PACK SIZE	PRICE	EXTENSION
			PLEASE NOTE: ANY SHORTAGES OR DISCREPANCIES MUST BE SHOWN ON ORDER/INVOICE AT TIME OF DELIVERY!			
1		BG	MISC COOL SEASON	1 50 LB	130.0000	130.00
			ITEM: MISC-230033			
			LOT NO: ETECM-2024			
			EROSION CONTROL MIXTURE			

#97 - COOL SEASON / 30" EROSION

110
Emergency

50 Lbs.

Qty: 1

TOTAL 130.00

FILLED BY: _____ DATE: _____

RECV'D BY: _____ DATE: _____

INVOICE

Diamond Elite Barricades LLC
14662 State Highway 155 S
Ste A300
Tyler, TX 75703-1393

kevin@diamondelitebarricades.com
+1 (903) 266-9594
https://www.diamondelitebarricades.com

Bill to
AE SHULL & Company
P.O. Box 130365
TYLER, TX 75713 US

Ship to
AE SHULL & Company
P.O. Box 130365
TYLER, TX 75713 US

Invoice details
Invoice no.: 1353
Terms: Net 30
Invoice date: 11/26/2024
Due date: 12/26/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.		**SET / REMOVAL PROJECT**	SET / REMOVAL PROJECT SB CLOSURE SH 110	1	$750.00	$750.00
2.		**DAILY EQUIPMENT RENTAL**		10	$200.00	$2,000.00
3.		**ARROW BOARD**	PRO-LINE ARROW BOARD $35 PER DAY	10	$35.00	$350.00
4.		**Reflective cones 28"**	28" -10lbs reflective cone	25	$0.00	$0.00
5.		**ROLL UP RIGHT LANE CLOSED**		2	$0.00	$0.00
6.		**ROAD WORK AHEAD ROLL UP**		2	$0.00	$0.00
7.		**FOLDING FLAG SYSTEM**		2	$0.00	$0.00
8.		**END ROAD WORK ROLL UP**	Roll up END ROAD WORK	2	$0.00	$0.00
9.		**CUSTOM TCP PLAN**	DESIGN TCP	1	$75.00	$75.00
10.		**SET / REMOVAL PROJECT**	SET / REMOVAL PROJECT NB CLOSURE SH 110	1	$750.00	$750.00
11.		**DAILY EQUIPMENT RENTAL**		9	$100.00	$900.00
12.		**ARROW BOARD**	PRO-LINE ARROW BOARD	9	$35.00	$315.00
13.		**Reflective cones 28"**	28" -10lbs reflective cone	25	$0.00	$0.00

14.	ROLL UP RIGHT LANE CLOSED	2	$0.00	$0.00

Ways to pay

Pay invoice

Subtotal	$5,140.00
Sales tax	$424.05
Total	**$5,564.05**

A. E. Shull & Company
P. O. BOX 130365
TYLER, TEXAS 75713

Payment No.: Two
Name of Owner: City Of Tyler, Texas
Owners Address: P.O. Box 2039 Tyler, Texas 75710
Name of Contractor: A.E. Shull & Co., Inc.
Contractor's Address: P.O. Box 130365, Tyler Texas 75713
Project No: 30" Sewer Line Repair (across from Trane)

Date: 1-Nov-24
To: 16-Dec-24

A.E.S. No: 97 - Materials & Subcontractors

Item No.	DESCRIPTION OF ITEM	INVOICE NUMBER	UNIT MEASURE	INVOICE Price	Quantity Complete Nov-24	Amount Earned This Period Nov
11/29/2024	Sunbelt Rentals	62101283-0002	EA	$71,416.28	1.0	$71,416.28
						$0.00
						$0.00
						$0.00

$71,416.28

Total Value of Original Contract Performed	$71,416.28
Materials Plus 11.5 Percent	$8,212.87
Extra Work - Total Thru Last Estimate	$0.00
Extra Work Since Last Estimate	$0.00
Total Value of Work To Date	$79,629.15
Less: Amount Retained (0%)	$0.00
Total Amount To Be Paid To Date	$79,629.15
Less: Amount of Previous Payment	$0.00
BALANCE DUE THIS ESTIMATE	$79,629.15

Prepared by
A.E. SHULL & COMPANY

By: Bob Gallagher

Date: 16-Dec-24

SUNBELT RENTALS
PUMP & POWER SERVICES

INVOICE

SEND ALL PAYMENTS TO:
SUNBELT RENTALS, INC
PO BOX 409211
ATLANTA, GA 30384-9211

INVOICE NUMBER	162101283-0002
ACCOUNT NUMBER	848089
INVOICE DATE	11/29/24
PAGE	1

INVOICE TO

A E SHULL & COMPANY
PO BOX 130365
TYLER, TX 75713-0365

JOB ADDRESS

13120 STATE HIGHWAY 110 S, TYLER
MINI STORAGE
13120 STATE HIGHWAY 110 S
TYLER, TX 75707 6350

C#: 903-561-5061 J#: 903-561-5061

RECEIVED BY	CONTRACT NUMBER
CHAMBERS, JASON	162101283

PURCHASE ORDER NUMBER
NR

JOB NUMBER
MINI STORAGE

BRANCH
1130 FORT WORTH PUMP SOLUTIONS

5009 MOSSON RD
FORT WORTH, TX 76119 6474
817-350-4522
800802 CHAMBERS, JASON (80

Date	Ticket #	Eqp/Itm #	Description	Hr/Qty	Price	Amount
			TYLER			
			MOBILIZATION/SET UP/DEMOBILIZATION/TEARDOWN: ENTIRE LUMP SUM			49577.94
			PUMPING SYSTEM USAGE: 11/18 - 11/21 - 1 WEEK			7838.34
			PUMP WATCH: (2 MEN PER SHIFT) 11/18 - 11/21 - 4 DAYS @ $1750/ PER MAN			14000.00
						71416.28

SUBTOTAL	71416.28
TAX	
INVOICE TOTAL	71416.28

MANUAL INVOICE

NET 30

DEE NOTESTONE ondean.notestone@sunbeltrentals.com

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-5

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to execute a reconciliation change order that will decrease the contract amount by $35,159.00 and the release of final retainage payment in the amount of $3,800.00 to A.E. Shull & Company for the construction of the Earl Campbell Gravity Sewer Main Project.

Item Reference: **City Council Agenda Item M-1, 02/14/2024**

In 2017, Tyler Water Utilities (TWU) entered into a Consent Decree with the Environmental Protection Agency (EPA) to address the City's aging wastewater collection system and resulting discharges. The wastewater collection system includes the City's lift stations and force mains. The Earl Campbell Gravity Sewer Main project decommissioned and demolished the existing Earl Campbell Lift Station and its appurtenances. The lift station was replaced with a new gravity sewer line that required constructing approximately 4,000 linear feet of 8-inch diameter gravity sewer main in private utility easements to convey wastewater to an existing gravity sewer line. Conveying the sanitary sewer by gravity instead of using a lift station significantly reduces city maintenance and operations costs.

The Earl Campbell Gravity Sewer Main project was publicly advertised, and bids were opened on January 23, 2024. Eight bids were received. The lowest responsible bidder was A.E. Shull & Company.

The initial project cost was $795,208.20. The project has been completed at $760,049.20, with a total cost savings of $35,159.00(4.42%).

RECOMMENDATION:

It is recommended that the City Council consider authorizing the City Manager to execute a reconciliation change order that will decrease the contract amount by $35,159.00 and the release of final retainage payment in the amount of $3,800.00 to A.E. Shull & Company for the construction of the Earl Campbell Gravity Sewer Main Project.

Attachments:
Reconciliation Change Order

Drafted/Recommended By:
Department Leader Nikki Ingram, Project Engineer/Kate Dietz, P.E., Director of Utilties

Edited/Submitted By:
City Manager

KSA 6781 Oak Hill Blvd. Tyler, TX 75703 **CHANGE ORDER No. 1** **RECONCILIATORY**	Date January 6, 2025 Project No. 102063 (CoT No. 23-055) Location Tyler, TX
To (Contractor) A.E. Shull & Co. P.O. Box 130365 Tyler, Tx 75713	Job Description Earl Campbell Gravity Sewer Main Total Contract Price: Original $795,208.20 Previous CO / WO $0.00 Current $795,208.20

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of changes – quantities, units, Unit price, change in completion schedule, etc. (2)	Decrease in Contract price (3)	Increase in Contract price (4)
CO 1.1	Bid Item 1.15 6-in SDR 26 PVC Gravity Sewer Line - Increase quantity by 2 linear feet (2LF@$57.00/LF)	$0.00	$114.00
CO 1.2	Bid Item 1.17 10-inSDR 26 PVD Gravity Sewer Line - Decrease quantity by 10 linear feet (10LF@$200.00/LF)	$2,000.00	$0.00
CO 1.3	Bid Item 1.19 Type R Modified Rock Rip-Rap - Increase quantity by 267 cubic yard (267CY@$295.00/CY)	$0.00	$78,765.00
CO 1.4	Bid Item 1.20 48-in Diameter Manhole - Decrease quantity by 1 each (1EA@$4,300.00/EA)	$4,300.00	$0.00
CO 1.5	Bid Item 1.24 Sawcut and Repair Concrete Pavement - Decrease quantity by 103 square yards (103SY@$196.00/SY)	$20,188.00	$0.00
CO 1.6	Bid Item 1.25 Sawcut and Repair Concrete Sidewalk - Decrease quantity by 2 square yards (2SY@$115.00/SY)	$230.00	$0.00
CO 1.7	Bid Item 1.26 Sawcut and Repair Concrete Curb - Decrease quantity by 3 linear feet (3LF@$63.00/LF)	$189.00	$0.00
CO 1.8	Bid Item 1.27 Construct Concrete Pavement - Decrease quantity by 5 square yard (5SY@$196.00/SY)	$980.00	$0.00
CO 1.9	Bid Item 1.28 Construct Concrete Sidewalk - Decrease quantity by 1 square yard (1SY@115.00/SY)	$115.00	$0.00
CO 1.10	Bid Item 1.29 Construct Concrete Curb - Decrease quantity by 22 linear feet (22LF@$63.00/LF)	$1,386.00	$0.00
CO 1.11	Bid Item 1.33 Erosion Control Fabric - Decrease quantity by 440 square yards (440SY@$1.25/SY)	$550.00	$0.00
CO 1.12	Bid Item 1.34 Filter Fabric Fence - Decrease quantity by 910 linear feet (910LF@$10.00/LF)	$9,100.00	$0.00
CO 1.13	Bid Item 1.37 Miscellaneous Allowance - Reduce allowance to $0.00 ($75,000.00 - $75,000.00 = $0.00)	$75,000.00	$0.00
	Change in contract price due to this Change Order:		
	Total Decrease	$114,038.00	
	Total Increase		$78,879.00
	Difference between Columns (3) and (4)		($35,159.00)

The sum of **$35,159.00** is hereby deducted from the total contract price, and the total adjusted contract price to date thereby is **$760,049.20**.

The time provided for completion in the contract is increased by **62** additional calendar days added to the contract time for a total adjusted contract time of **182** calendar days for final completion. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by (Engineer)	Whitney R. Rivers KSA	01/07/2025 Date
Accepted by (Contractor)	Bob Gauntt A.E. Shull & Co.	1/7/25 Date
Approved by (Owner)	City of Tyler	Date

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-6

Date: January 22, 2025

Subject: Request that the City Council consider authorizing funds for the Contract with Strategic Government Resources for Willie Marshall, interim Water Business Office manager, not to exceed $125,000 for fiscal year 2025.

Item Reference:

Strategic Government Resources provided candidates and conducted a thorough media search and background check. Willie Marshall was selected to serve as the Interim Water Business Office Manager. He previously held the position of Water Business Office Manager for the City of Longview for over 25 years. The fee for the services outlined herein will be $75.00 per hour not to exceed $125,000 during fiscal year 2025.

FUNDING: Water Utilities Fund

RECOMMENDATION:

Request that the City Council consider approving the contract with Strategic Government Resources for Willie Marshall, Interim Water Business Office Manager for a total not to exceed $125,000 for fiscal year 2025.

Attachments:
SGR Contract.pdf

Drafted/Recommended By:
Department Leader Keidric Trimble, CFO

Edited/Submitted By:
City Manager

Date: June 28, 2024

Agreement for Interim Water Business Office Manager Services
By and Between Strategic Government Resources and the City of Tyler, Texas

City of Tyler, Texas **Edward Broussard, City Manager**	**Strategic Government Resources** **Wendle Medford, President** **Interim, Consulting, and Embedded Services** **WendleMedford@GovernmentResource.com**
("City")	**("SGR")**

Scope of Services. The City of Tyler, Texas, (referred to as "City") seeks an Interim Water Business Office Manager to perform related duties for City. Strategic Government Resources (referred to as "SGR") will provide a highly experienced local government professional to serve as Interim Water Business Office Manager for City.

Recommended Candidate. SGR and City will work together to determine a final candidate for consideration. Should City wish to consider an alternate candidate, SGR can provide other experienced local government professionals for City to interview. City may interview candidate(s) by phone, Skype, or in person. City will reimburse all travel, lodging, and per diem expenses for any in-person interviews.

If at any time during the assignment, City wishes to have another candidate provided to serve as Interim Water Business Office Manager, SGR will produce additional experienced local government professionals to fill the position, to the satisfaction of City, pending availability of suitable candidates.

Directions and Control. The City is responsible for the direction, supervision, and control of the contractor. It is the City's responsibility to provide a safe workplace and to furnish the contractor with any equipment/ training needed to perform their role.

Terms and Conditions. SGR will provide an Interim Water Business Office Manager at a rate of $75.00 per hour. The Interim Water Business Office Manager will work a maximum of 40 hours per week unless approved by City. Any hours worked in excess of 40 hours per week will be billed at the standard contract rate of $75.00 per hour.

City Contact for Invoicing:
Name: Keidric Trimble, CFO
Email: ktrimble@tylertexas.com
Phone: (903) 531-1142

1. SGR will perform a Comprehensive Media Search on the candidate selected by City and provide a comprehensive media report to City. This media report is compiled from information gathered using our proprietary online search process. This is not an automated process and produces far superior results than a standard media or simple Google search. The report length may be as long as 350 pages and may include news articles, links to video interviews, blog posts by residents, etc.

2. The City's final approval of the interim candidate will be dependent upon client acceptance of

results of the media and background searches conducted, and we recommend a start date after completion of all elements of our background checking process.

Should an organization choose to start an interim candidate prior to completion of media searches and/or any other elements of the standard background investigation, SGR will be held harmless for any unexpected findings.

3. SGR will perform a comprehensive background investigation on the candidate selected by the City. SGR uses a licensed private investigation firm for these services. Through SGR's partnership with FirstCheck, we are able to provide our clients with comprehensive background screening reports that include detailed information such as:

   - Social Security number trace
   - Address history
   - Driving history/motor vehicle records
   - Credit report
   - Federal criminal search
   - National criminal search
   - Global homeland security search
   - Sex offender registry search
   - State criminal search (for current and previous states of residence)
   - County criminal search (for every county in which candidate has lived or worked)
   - County civil search (for every county in which candidate has lived or worked)
   - Education verification

4. City is responsible for the cost of any drug screening that City may require.

5. All routine business expenses incurred by SGR's representative in their role as Interim Water Business Office Manager, will be reimbursed under the same terms and conditions that such expenses would be reimbursed for any other employee of City, such as mileage, hotel, and per diem when traveling at the request of City, and business meals incurred for local meetings. Commute time will not be billed by SGR. The City will provide Interim Water Business Office Manager with a $250 per month auto allowance.

6. City will be billed bi-weekly for the previous 2 week's work and any travel/housing reimbursement. Payment will be due within 14 days of each billing. Balances that are unpaid after the payment deadline are subject to a fee of 5% per month or the maximum lawful rate, whichever is less, on the owed amount every month, charged monthly until the balance is paid. SGR will not be compensated for holidays, vacation time, sick leave, etc.

7. City may withhold payment to Texas First Group for failure to perform the services described in this agreement. Reasons for any withholding shall be promptly reported to Texas First Group to allow an opportunity to investigate and cure any deficiencies at no additional cost to the City. Texas First Group may withhold delivery of any services, if payments for services performed and accepted are in arrears.

8. Texas First Group acknowledges that it is an independent contractor at all times, and further declares that Texas First Group and all its personnel assigned to provide services to the City under this Agreement are not to be considered as employees of City for any purpose whatsoever. Texas First Group agrees it alone is responsible for all workers compensation, unemployment, taxes, and health and liability insurance for SGR's representative/employee in the role as Interim Water Business Office Manager. Nothing in this Agreement creates a partnership or joint venture between the parties.

9. If City hires the candidate placed as Interim Water Business Office Manager for a permanent position during the term of this agreement or within 12 months after the conclusion of this agreement, City will pay SGR an employment placement fee of $10,000.00. This fee is waived if SGR conducts a full-service executive search for this position.

10. City or SGR may terminate the agreement for Interim Water Business Office Manager Services with a fourteen (14) day written notice, without cause or penalty. If City does not provide a minimum of fourteen (14) days' written notice of termination of the agreement, City agrees to pay for Interim Water Business Office Manager Services for a period not to exceed fourteen (14) days following the date of notice.

11. City grants SGR permission to use any name, logo, or other identifying mark of City in SGR's social media content to refer to the relationship established by this agreement, provided however that City has reviewed and approved said media content prior to its use.

Cost Summary. SGR will provide Interim Water Business Office Manager Services to City as follows:

Interim Water Business Office Manager Services	***$75.00 per hour***
Comprehensive Media Search Report	***$500.00***
Background Investigation	***$400.00***
Mileage/Temporary Housing	***$250.00 monthly Auto Allowance***
Travel expenses for in-person interviews, if needed	***TBD***
Per diem for in-person interview, if needed	***$15 breakfast, $20 lunch, $30 dinner***

**Mileage will be billed at the Standard Mileage Reimbursement Rate established by the IRS. City will provide temporary housing or a housing stipend, if necessary.*

Confidentiality Agreement. The Interim Water Business Office Manager will perform services for City which may require City to disclose confidential and proprietary information to Interim Water Business Office Manager or which may require City to grant authorization to the Interim Water Business Office Manager to make financial and legal transactions on behalf of the City. Confidential information includes, but is not limited to, any information of any kind, nature, or description concerning any matters affecting or relating to Interim Water Business Office Manager's services for City, the business or operations of City, and/or the products, projects, drawings, plans, processes, or other data of City. Financial and legal information includes, but is not limited to, financial institution wire transfers, deposits, withdrawals, cash handling, investment handling, real property transactions, or other financial or legal transactions of City. The Interim Water Business Office Manager, through his/her contract with SGR agrees:

- To hold any and all confidential information received from City in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others.
- Not to disclose or divulge, either directly or indirectly, the confidential information to others

unless first authorized to do so in writing by City. For financial and legal transactions, Interim Water Business Office Manager must receive authorization from City verbally and in writing, other than by email, and Interim Water Business Office Manager shall maintain reasonable data security controls to protect Interim Water Business Office Manager and City from social engineering attacks.

- Not to reproduce the confidential information, nor use this information commercially, or for any purpose other than the performance of his/her duties for City.
- That upon request or upon termination of his/her relationship with City, deliver to City, any drawings, notes, documents, equipment, and materials received from City or originating from his/her activities for City.
- That City shall have the sole right to determine the treatment of any information that is part or project specific received from Interim Water Business Office Manager, including the right to keep the same as confidential and proprietary.

Venue. The venue for any disputes shall reside in the court of competent jurisdiction in Smith County, Texas

Applicable law. This agreement shall be governed by the laws of the State of Texas.

This agreement represents the full and complete agreement between Strategic Government Resources and the City of Tyler, Texas, and supersedes any and all prior written or verbal agreements. This agreement may be modified or amended only by a written instrument signed by the parties.

Approved and Agreed to on July 1, 2024, by and between Strategic Government Resources and the City of Tyler, Texas.

Edward Broussard

Edward Broussard, City Manager
City of Tyler, Texas 6/28/24

Wendle Medford

Wendle Medford, President
Interim, Consulting, and Embedded Services
Strategic Government Resources

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-7

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to execute a Capital Improvements Project contract in the amount of $165,960.00 with A-10 Construction for the Lake Palestine Water Treatment Plant Erosion Control Project Bid No. 25-006 to be funded from the Lake Palestine Water Treatment Plant Operations and Maintenance fund.

Item Reference:

Lake Palestine Water Treatment Plant is located in the southern portion of Tyler and provides drinking water to approximately half of the City. In the late summer of 2023, the clear wells at the plant had a tank level reading malfunction which resulted in the clear wells overflowing and causing a significant amount of erosion at the perimeter of the plant. While this did not hinder the ability of the plant to treat water, and the tank level reading equipment was speedily repaired, it did create a void in the intruder resistant fence at the perimeter which could result in a TCEQ violation.

This prompted TWU to enlist Elledge Engineering in the solution. A plan set was developed to address the void caused by clear well overflow and also prevent significant erosion from occurring again if the tank level reader ever failed again.

Sealed bids were open on Dec 10, 2024 at City Council Chambers and we received 5 bids as follows:

ERS of MS, INC. - $295,295.00
A-10 Construction - $165,690.00
Reynolds & Kay LTD - $167,642.00
A.E. Shull and Company - $199,812.75
Hartbeat Construction - $205,685.00

Elledge Engineering has recommended to award the project to the low bidder, A-10 Construction, who has a positive history with the City of Tyler and is on the approved contractors list.

RECOMMENDATION:

It is recommended that the City Council consider authorizing the City Manager to execute a Capital Improvements Project contract in the amount of $165,960.00 with A-10 Construction for the Lake Palestine Water Treatment Plant Erosion Control Project Bid No. 25-006 to be funded from the Lake Palestine Water Treatment Plant Operations and Maintenance fund.

Attachments:
Award Recommendation Letter with Bid Tabulation
Site Map

Drafted/Recommended By:
Department Leader Jacob Yanker, Utilities Project Engineer/ Kate Dietz, PE, Director of Utilities

Edited/Submitted By:
City Manager

ELLEDGE ENGINEERING CORPORATION
P.O. Box 7110
Tyler, Texas 75711
(903) 780-3251

December 27, 2024

Mr. Jacob Yanker, E.I.T., Project Engineer
Tyler Water Utilities
P.O. Box 2039
Tyler, Texas 75710-2039

RE: City of Tyler Bid No. 25-006
Lake Palestine WTP
Erosion Control Project
Recommendation of Award

Dear Mr. Yanker:

As you know, bids were received for the referenced project on December 10, 2024. A tabulation of the bids is attached to this correspondence. Base bid amounts ranging from $165,690.00 to $295,295.00 were received from five contractors. The low base bid was submitted by A-10 Construction of Troup, Texas. A-10 Construction has a positive history working on City of Tyler erosion control projects. We have worked with this company in the past and the project was satisfactorily completed to project specifications in a timely manner.

Based upon this information, we recommend the award of this contract to A-10 Construction in the base bid amount of $165,690.00.

Respectfully submitted,

Phil Elledge, President
Elledge Engineering Corporation
TBPE F-16917

Enclosures

CITY OF TYLER Bid No. 25-006
LAKE PALESTINE WTP
EROSION CONTROL PROJECT

BID TABULATION

BID ITEMS				ERS OF MS, INC.		A-10 CONSTRUCTION		REYNOLDS & KAY LTD	
Item No.	Base Bid Schedule	Unit	QTY	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	ROW PREPARATION	LS	1	$20,500.00	$20,500.00	$3,000.00	$3,000.00	$2,300.00	$2,300.00
2	DEMOLISH CONCRETE APRON AND PLACE DOWNSTREAM	SY	71	$10.00	$710.00	$65.00	$4,615.00	$30.00	$2,130.00
3	REMOVE AND DISPOSE EXISTING RCP (18 IN)	LF	40	$85.00	$3,400.00	$65.00	$2,600.00	$58.00	$2,320.00
4	REMOVE AND DISPOSE EXISTING WINGWALL	EA	1	$5,000.00	$5,000.00	$4,500.00	$4,500.00	$1,300.00	$1,300.00
5	RELOCATE EXISTING CONCRETE RIPRAP DOWNSTREAM	SY	100	$20.00	$2,000.00	$40.00	$4,000.00	$22.00	$2,200.00
6	REMOVE INTRUDER RESISTANT FENCING	LF	100	$20.00	$2,000.00	$10.00	$1,000.00	$12.00	$1,200.00
7	UNCLASSIFIED EXCAVATION (PLAN QUANTITY)	CY	350	$30.00	$10,500.00	$30.00	$10,500.00	$22.00	$7,700.00
8	MISCELLANEOUS GRADING	LS	1	$7,500.00	$7,500.00	$3,000.00	$3,000.00	$4,000.00	$4,000.00
9	CELLULAR FIBER MULCH SEEDING(PERM)(RURAL)(SANDY)	SY	435	$3.00	$1,305.00	$6.00	$2,610.00	$1.20	$522.00
10	TEMPORARY SPECIAL SHORING (AS NEEDED)	SY	50	$50.00	$2,500.00	$30.00	$1,500.00	$10.00	$500.00
11	FILTER FABRIC	SY	175	$11.00	$1,925.00	$5.00	$875.00	$4.00	$700.00
12	RIPRAP (STONE PROTECTION)(DRY)(6IN)(12IN)	CY	5	$320.00	$1,600.00	$158.00	$790.00	$200.00	$1,000.00
13	RIPRAP (STONE PROTECTION)(DRY)(12IN)(18IN)	CY	100	$320.00	$32,000.00	$170.00	$17,000.00	$150.00	$15,000.00
14	RIPRAP (STONE PROTECTION)(DRY)(14IN)(24IN)	CY	15	$320.00	$4,800.00	$200.00	$3,000.00	$225.00	$3,375.00
15	RIPRAP (CONC)(MAIN CHANNEL)(WEST)	SY	75	$130.00	$9,750.00	$90.00	$6,750.00	$110.00	$8,250.00
16	RIPRAP (CONC)(SIDE CHANNEL)(WEST)	SY	15	$130.00	$1,950.00	$90.00	$1,350.00	$110.00	$1,650.00
17	WALL A (MAIN CHANNEL)	LF	50	$450.00	$22,500.00	$290.00	$14,500.00	$200.00	$10,000.00
18	WALL B (SIDE CHANNEL)	LF	20	$250.00	$5,000.00	$250.00	$5,000.00	$380.00	$7,600.00
19	WALL C (MAIN CHANNEL)	LF	20	$450.00	$9,000.00	$150.00	$3,000.00	$380.00	$7,600.00
20	RIPRAP (CONC)(END TREATMENT)(EAST)	SY	15	$130.00	$1,950.00	$90.00	$1,350.00	$310.00	$4,650.00
21	GRAVEL BEDDING	CY	20	$200.00	$4,000.00	$130.00	$2,600.00	$75.00	$1,500.00
22	HP PIPE(ADS DUAL WALL)(36IN)	LF	40	$250.00	$10,000.00	$125.00	$5,000.00	$150.00	$6,000.00
23	MODIFIED JUNCTION BOX	EA	1	$35,000.00	$35,000.00	$21,500.00	$21,500.00	$21,000.00	$21,000.00
24	MOBILIZATION AND BONDS	LS	1	$30,000.00	$30,000.00	$12,000.00	$12,000.00	$15,000.00	$15,000.00
25	TEMPORARY SEDIMENT CONTROL FENCE (INSTALL)	LF	75	$6.00	$450.00	$4.00	$300.00	$3.00	$225.00
26	TEMPORARY SEDIMENT CONTROL FENCE (REMOVE)	LF	75	$4.00	$300.00	$4.00	$300.00	$1.00	$75.00
27	8" CONCRETE CURB(EAST)	LF	135	$25.00	$3,375.00	$30.00	$4,050.00	$22.00	$2,970.00
28	CONCRETE APRON (EAST)	SY	85	$350.00	$29,750.00	$90.00	$7,650.00	$135.00	$11,475.00
29	INTRUDER RESISTANT FENCING	LF	100	$70.00	$7,000.00	$55.00	$5,500.00	$70.00	$7,000.00
30	INTRUDER RESISTANT FENCING(4' WALK GATE)	EA	1	$800.00	$800.00	$750.00	$750.00	$900.00	$900.00
31	EROSION CONTROL MAINTENANCE	LS	1	$13,730.00	$13,730.00	$100.00	$100.00	$2,500.00	$2,500.00
32	ALLOWANCE FOR ADDITIONAL WORK	LS	1	$15,000.00	$15,000.00	$15,000.00	$15,000.00	$15,000.00	$15,000.00
TOTAL BID PRICE					**$295,295.00**		**$165,690.00**		**$167,642.00**

CITY OF TYLER Bid No. 25-006
LAKE PALESTINE WTP
EROSION CONTROL PROJECT

BID TABULATION

BID ITEMS				A.E. SHULL AND COMPANY		HARTBEAT CONSTRUCTION	
Item No.	Base Bid Schedule	Unit	QTY	Unit Cost	Total Cost	Unit Cost	Total Cost
1	ROW PREPARATION	LS	1	$10,000.00	$10,000.00	$5,000.00	$5,000.00
2	DEMOLISH CONCRETE APRON AND PLACE DOWNSTREAM	SY	71	$65.00	$4,615.00	$45.00	$3,195.00
3	REMOVE AND DISPOSE EXISTING RCP (18 IN)	LF	40	$22.00	$880.00	$20.00	$800.00
4	REMOVE AND DISPOSE EXISTING WINGWALL	EA	1	$1,300.00	$1,300.00	$700.00	$700.00
5	RELOCATE EXISTING CONCRETE RIPRAP DOWNSTREAM	SY	100	$27.00	$2,700.00	$45.00	$4,500.00
6	REMOVE INTRUDER RESISTANT FENCING	LF	100	$5.00	$500.00	$10.00	$1,000.00
7	UNCLASSIFIED EXCAVATION (PLAN QUANTITY)	CY	350	$25.00	$8,750.00	$30.00	$10,500.00
8	MISCELLANEOUS GRADING	LS	1	$6,000.00	$6,000.00	$5,500.00	$5,500.00
9	CELLULAR FIBER MULCH SEEDING(PERM)(RURAL)(SANDY)	SY	435	$1.65	$717.75	$7.00	$3,045.00
10	TEMPORARY SPECIAL SHORING (AS NEEDED)	SY	50	$110.00	$5,500.00	$200.00	$10,000.00
11	FILTER FABRIC	SY	175	$11.50	$2,012.50	$9.00	$1,575.00
12	RIPRAP (STONE PROTECTION)(DRY)(6IN)(12IN)	CY	5	$185.00	$925.00	$225.00	$1,125.00
13	RIPRAP (STONE PROTECTION)(DRY)(12IN)(18IN)	CY	100	$195.00	$19,500.00	$225.00	$22,500.00
14	RIPRAP (STONE PROTECTION)(DRY)(14IN)(24IN)	CY	15	$250.00	$3,750.00	$225.00	$3,375.00
15	RIPRAP (CONC)(MAIN CHANNEL)(WEST)	SY	75	$198.00	$14,850.00	$198.00	$14,850.00
16	RIPRAP (CONC)(SIDE CHANNEL)(WEST)	SY	15	$198.00	$2,970.00	$198.00	$2,970.00
17	WALL A (MAIN CHANNEL)	LF	50	$270.00	$13,500.00	$252.00	$12,600.00
18	WALL B (SIDE CHANNEL)	LF	20	$256.00	$5,120.00	$315.00	$6,300.00
19	WALL C (MAIN CHANNEL)	LF	20	$143.00	$2,860.00	$150.00	$3,000.00
20	RIPRAP (CONC)(END TREATMENT)(EAST)	SY	15	$198.00	$2,970.00	$200.00	$3,000.00
21	GRAVEL BEDDING	CY	20	$105.00	$2,100.00	$80.00	$1,600.00
22	HP PIPE(ADS DUAL WALL)(36IN)	LF	40	$114.00	$4,560.00	$170.00	$6,800.00
23	MODIFIED JUNCTION BOX	EA	1	$20,625.00	$20,625.00	$30,000.00	$30,000.00
24	MOBILIZATION AND BONDS	LS	1	$18,500.00	$18,500.00	$8,000.00	$8,000.00
25	TEMPORARY SEDIMENT CONTROL FENCE (INSTALL)	LF	75	$4.50	$337.50	$7.00	$525.00
26	TEMPORARY SEDIMENT CONTROL FENCE (REMOVE)	LF	75	$0.50	$37.50	$5.00	$375.00
27	8" CONCRETE CURB(EAST)	LF	135	$16.50	$2,227.50	$45.00	$6,075.00
28	CONCRETE APRON (EAST)	SY	85	$198.00	$16,830.00	$135.00	$11,475.00
29	INTRUDER RESISTANT FENCING	LF	100	$62.00	$6,200.00	$80.00	$8,000.00
30	INTRUDER RESISTANT FENCING(4' WALK GATE)	EA	1	$725.00	$725.00	$800.00	$800.00
31	EROSION CONTROL MAINTENANCE	LS	1	$3,250.00	$3,250.00	$1,500.00	$1,500.00
32	ALLOWANCE FOR ADDITIONAL WORK	LS	1	$15,000.00	$15,000.00	$15,000.00	$15,000.00
TOTAL BID PRICE					**$199,812.75**		**$205,685.00**

CITY OF TYLER
CITY COUNCIL COMMUNICATION

Agenda Number. C-A-8

Date: January 22, 2025

Subject: Request that the City Council consider authorizing the City Manager to execute a contract in the amount of $69,100 for professional facilitation services with The Management Connection for the High Achieving Leaders (HAL) Development Program to occur in calendar year 2025.

Item Reference:

The Management Connection, Inc. (TMC) will provide Professional Facilitation services and facilitative support to The City of Tyler in the High Achieving Leader Development Program through December 2025.

TMC will provide certified professional facilitation on the six principles of High Achieving Leaders, based on Jay Hall's validated "High Achieving Leaders" study. As a facilitator, TMC is considered a sole-source vendor.

Funding: budgeted funds from 101-0110-412-0408

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute a contract in the amount of $69,100 for professional facilitation services with The Management Connection for the High Achieving Leaders (HAL) Development Program to occur in calendar year 2025.

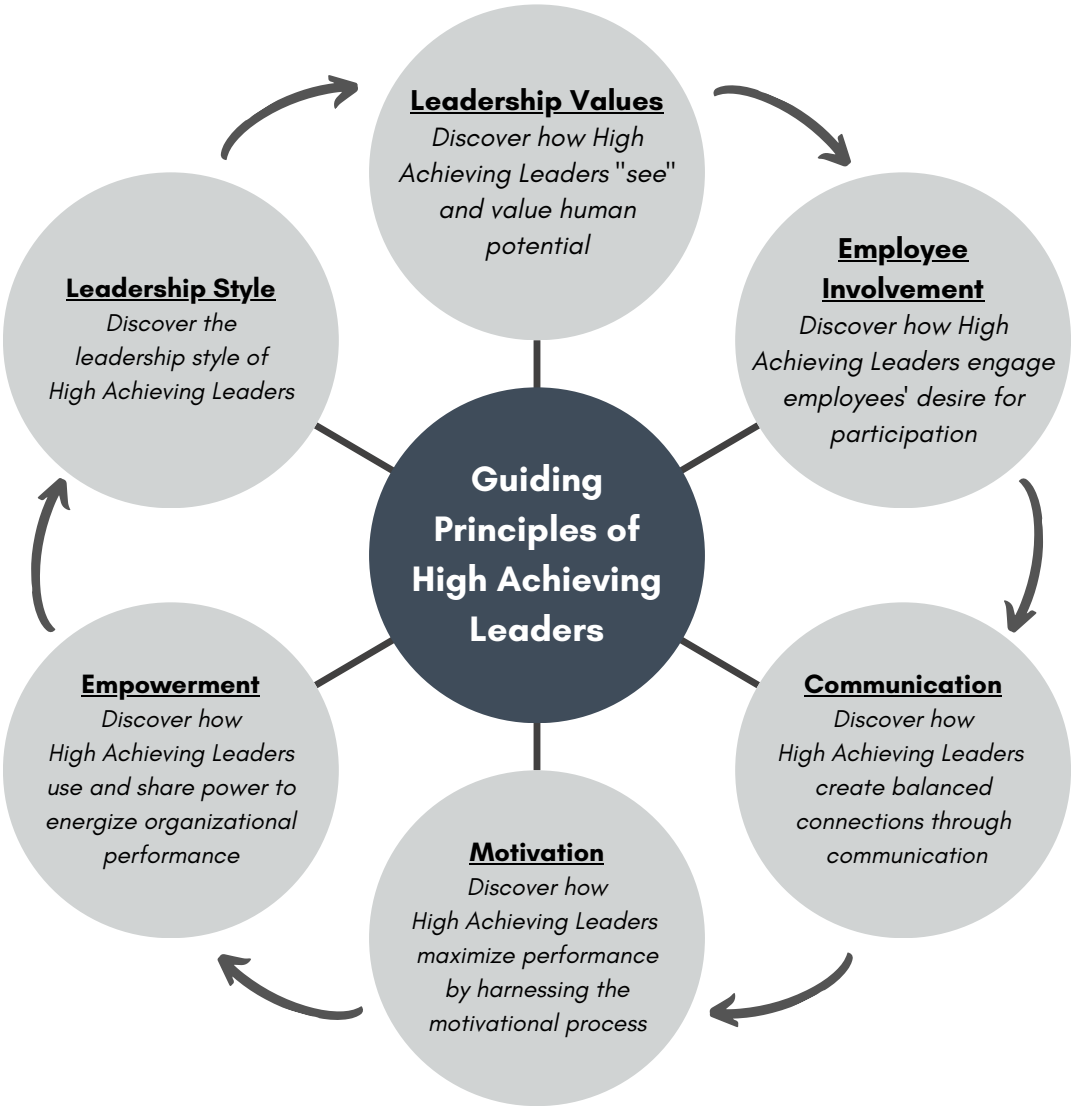
Attachments:
HAL 2025 Brochure
Work Plan 3558 - High Achieving Leaders Class of 2025
Invoice 3558A - High Achieving Leaders Class of 2025

Drafted/Recommended By:
Department Leader Edward Broussard, City Manager

Edited/Submitted By:
City Manager

HIGH ACHIEVING LEADERS

Who is the High Achieving Leader?



Deliverables:

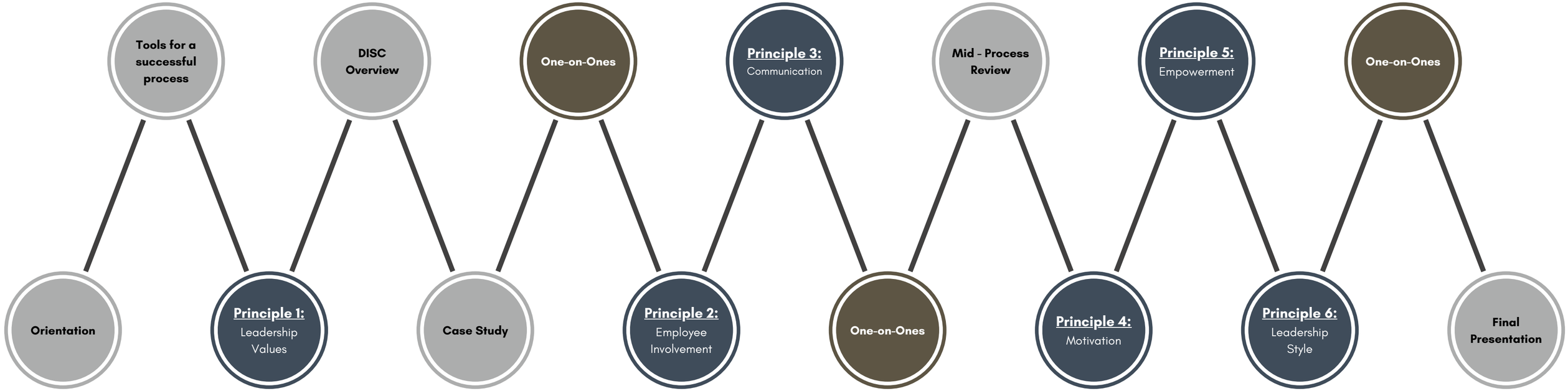
Leadership Report and DISC 4D Report

(6) High Achieving Leaders Self Assessments (Principles 1-6)

High Achieving Leaders Plan of Action

The Management Connection, Inc.
PROFESSIONAL FACILITATION

High Achieving Leaders 2025 Process



Process Steps for Each Principle:

Week 1
Individual Work
(approximately 30 minutes)
Complete Assessment

Week 2
Facilitated Conference
(3 hours)
Principles and Concepts

Week 3
Individual Goal Setting
(appoximately 2 hours)

Week 4
Facilitated conference
(6 hours)
Application and
Accountability

City of Tyler High Achieving Leaders
Class of 2025 Process Schedule

February 10th from 9:00am - 12:00pm at **City U, Tyler**	Orientation
February 24th from 10:00am - 3:00pm at **Table Thoughts Café, Bryan**	Tools for a Successful Process
March 10th from 9:00am - 12:00pm at **City U, Tyler**	Principle 1: Principles & Concepts
March 24th from 10:00am - 3:00pm at **Table Thoughts Café, Bryan**	Principle 1: Application & Accountability
April 14th from 10:00am - 11:30am at **City U, Tyler**	DISC Overview
April 28th from 10:00am - 3:00pm at **Table Thoughts Café, Bryan**	Harwood Case Study
Month of May	*One-on-One Conferences (**Zoom**)*
June 9th from 9:00am - 12:00pm at **City U, Tyler**	Principle 2: Principles & Concepts
June 23rd from 10:00am - 3:00pm at **Table Thoughts Café, Bryan**	Principle 2: Application & Accountability
July 14th from 9:00am - 12:00pm at **City U, Tyler**	Principle 3: Principles & Concepts

July 28th from 10:00am – 3:00pm at **Table Thoughts Café, Bryan**	Principle 3: Application & Accountability
Month of August	*One-on-One Conferences (**Zoom**)*
September 8th from 10:00am – 3:00pm at **Table Thoughts Café, Bryan**	Collective Demonstration of Understanding of Principles 1 – 3
September 22nd from 9:00am – 12:00pm at **City U, Tyler**	Principle 4: Principles & Concepts
October 13th from 10:00am – 3:00pm at **Table Thoughts Café, Bryan**	Principle 4: Application & Accountability
October 27th from 9:00am – 12:00pm at **City U, Tyler**	Principle 5: Principles & Concepts
November 10th from 10:00am – 3:00pm at **Table Thoughts Café, Bryan**	Principle 5: Application & Accountability
November 24th from 9:00am – 12:00pm at **City U, Tyler**	Principle 6: Principles & Concepts
December 8th from 10:00am – 3:00pm at **Table Thoughts Café, Bryan**	Principle 6: Application & Accountability
Month of January	One-on-One Conferences (**Zoom**)
January 26th from 11:00am – 1:00pm **Location TBD**	HAL Graduation

Where will face to face conferences take place?

Table Thoughts Café

Located at:
4444 Carter Creek Parkway, Ste. 110 - Bryan, TX 77802

The conferences scheduled at Table Thoughts Café are to be attended in person.

Refreshments and lunch will be provided during these conferences

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If traveling the night prior, we recommend the following hotels:

- *Calvary Court*
  - 200 Century Ct, College Station, TX 77840
- *Embassy Suites*
  - 201 University Dr E, College Station, TX 77840
- *The Stella Hotel*
  - 4100 Lake Atlas Drive, Bryan, TX 77807

"where reflective thoughts create meaningful discussions"

Table Thoughts Café



The Management Connection, Inc.

PROFESSIONAL FACILITATION

November 21, 2024

The Management Connection, Inc.
4444 Carter Creek Parkway, Suite 110
Bryan, TX 77802
tmc@profacilitator.com
www.profacilitator.com

Ed Broussard
City Manager
City of Tyler
212 N. Bonner Ave.
Tyler, TX 75702

Dear Mr. Broussard,

"The Eye of the Hurricane" represents our Professional Facilitation Model and is most notably found represented as our logo icon. The "eye" is the calm and guide within the chaotic storm. When faced with a constant bombardment of challenges and competing interests, any person or organization may feel like they are whirling in chaos. Focused leadership at all levels creates "The Eye of the Hurricane" within an organization. TMC's Professional Facilitation Model guides in developing or strengthening "The Eye of the Hurricane" in your organization.

TMC requires participants to acknowledge their responsibility in ensuring they achieve their expectations. This commitment is broken down into four categories which encompass our Facilitation Principles. (1) Personal Value: Value the person for their willingness to contribute. (2) Personal Contribution: Contribute your best for the benefit of the group. (3) Personal Investment: Take the Best from the group and learn from it. (4) Personal Accountability: Choose to be successful.

We would like to thank you for choosing TMC as your professional facilitation firm. The following documents include the Work Plan and Invoice for Professional Facilitation of the High Achieving Leaders Development Process - 2025. We appreciate the opportunity to work with you and the City of Tyler.

Committed to your leadership,



Joe M. Gonzalez
Chief Executive Officer

The Management Connection, Inc.
PROFESSIONAL FACILITATION

Work Plan #3558

HIGH ACHIEVING LEADERS PROCESS

Area	Today's Date	Target Date	Date Achieved
High Achieving Leaders Class of 2025	November 21, 2024	January 2026	

Goal Statement: A descriptive statement of the DESIRED OUTCOME.
(a S.M.A.R.T. Goal is Specific, Measurable, Actionable, Responsible and Time-bound)

The Management Connection, Inc. (TMC) will provide Professional Facilitation services and facilitative support to The City of Tyler in the High Achieving Leaders process through January 2026.

This is a year-long process. Full Day Conferences will be held at Table Thoughts Café in Bryan, TX and other components will be held virtually via Zoom.

Stakeholder Benefits from Achieving This Goal

- Participants will understand the principles behind scientifically validated behavioral characteristics of "High Achieving Leaders" and become equipped to model these behaviors.
- Participants will gain in-depth self-awareness enabling them to make informed choices and actively engage in focused development.
- Participants will create a Personal Leadership Development Plan.
- Participants will learn how to understand the connection between knowledge of personality traits and increased effectiveness in leadership and teamwork.

Process Overview

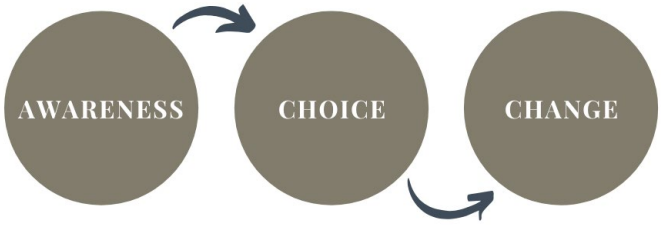
Certified Professional Facilitation of the six principles of High Achieving Leaders, based on Jay Hall's validated "High Achieving Leaders" study.

HIGH ACHIEVING LEADERS

Who is the High Achieving Leader?



Principle 1: Leadership Values	*Discover how High Achieving Leaders "see" and value human potential* ➢ Beliefs about people drive our behavior and thus become self-fulfilling prophecies ➢ Learn how McGregor's classic "Theory X – Theory Y" and Brunswik's "Lens" demonstrate beliefs about human potential ➢ Guided interactions reveal with startling clarity how leaders' values work for or against them ➢ Harwood Case Study
Principle 2: Employee Involvement	*Discover how High Achieving Leaders engage employees' desire for participation* ➢ Do our leadership practices expand employee involvement? ➢ Discover practices that cause employees to want to get involved in meaningful and productive ways, while improving quality and performance
Principle 3: Communication	*Discover how High Achieving Leaders create balanced connections through communication* ➢ Principle reveals how the dynamics of interpersonal communication make the work climate more productive ➢ Analyze your personal communication practices and rediscover their impact ➢ The Luft-Ingram Model (Johari Window) gives you a proven framework for understanding and applying these experiences
Principle 4: Motivation	*Discover how High Achieving Leaders maximize performance by harnessing the motivational process* ➢ Diagnose motivational symptoms in your team ➢ Articulate what you believe about the motivation driving your employees ➢ Reconcile beliefs with reality ➢ Learn to align your leadership practices with the "real motivators"
Principle 5: Empowerment	*Discover how High Achieving Leaders use and share power to energize organizational performance* ➢ Explore how you feel about power and your use of personal power as a leader ➢ Learn how power issues deeply impact your organization – your employees' commitment and their work mission
Principle 6: Leadership Style	*Discover the leadership style of High Achieving Leaders* ➢ Discover your predominant leadership style ➢ Analyze the strengths and weaknesses of various leadership styles and their appropriateness ➢ Discover leadership style aspects within the classic models of human dynamics ➢ Forge a personal framework for making the best leadership style choices ➢ Synthesize what was learned in prior principles into an overall leadership style

One-on-ones	➢ Each participant will have a one-on-one with a Professional Facilitator after Principle 2, Principle 4, and Principle 6. ➢ The months set aside for One-On-Ones are designed to create time and space for the participants to reflect on and apply the concepts from the previous Principles. ➢ During their one-on-one, participants will have an opportunity to ask key questions about the content and application of the Principles, discuss the progress of their goals, and create accountability for their insights and participation throughout the process.
Insight Tools for Awareness: DISC 4D Report and Leadership Report	PURPOSE: Awareness is always the necessary first step on the path to change.  ➢ The DISC 4D Report and Leadership Report will directly support the principles and concepts within the High Achieving Leaders process, as participants gain insight and awareness of their leadership. This awareness enables participants to make informed choices and actively engage in focused development. ADMINISTRATION SERVICES: ➢ Administration of the DISC 4D Report and Leadership Report o Set up electronic links for each participant o Monitor completion o Process reports o Create DISC and Goal Setting Toolkits FACILITATION SERVICES: ➢ Leadership Goal Setting Conference o One-on-one conference with each participant to identify strengths and areas of development within their leadership based on DISC 4D Report and Leadership Report. o Participants establish their goal statement for their personal goal for the process. ➢ Participants are given the Goal Setting Toolkit to utilize and reference throughout the process.
Process Deliverables	➢ DISC 4D Report and Leadership Report ➢ DISC Insight Analysis/Leadership Goal Setting Conference ➢ (6) High Achieving Leaders Assessments (Principles 1-6) ➢ High Achieving Leaders Plan of Action

Action Steps (List the specific actions you will take to achieve this goal)	Target Date	Who	Percentage Completion
1. Participants selected for the Class of 2025 High Achieving Leadership Development Process	November 2024	City of Tyler	100%
2. Material Preparation for the High Achieving Leadership 2025 Process	December 2024	TMC	
3. Assessment Administration a. HAL participants will complete the DISC 4D Report b. TMC will prepare DISC 4D Reports and Toolkits	January 2025	TMC & Participants	
Orientation			
4. Conference: Orientation a. Purpose and Desired Outcome i. What is a High Achieving Leader? ii. Choosing the "Developer" Style of Leadership iii. Review of Schedule and Logistics iv. TMC's Role and Expectations b. DISC Insights Conference	Zoom Meeting February 10, 2025 9:00am – 12:00pm	TMC & Participants	
5. Conference: Tools for a Successful Process a. Team Goal b. Facilitation Principles c. "Insight" Mindset	Table Thoughts Cafe February 24, 2025 10:00am – 3:00pm	TMC & Participants	
Principle 1 – Leadership Values			
6. Self-Assessment a. TMC will distribute assessments to participants and participants will score and review their assessments.	Week 1	Participants	
7. Half Day Conference a. Principles and Concepts	Zoom Meeting March 10, 2025 9:00am – 12:00pm	TMC & Participants	
8. Goal Setting	Week 3	Participants	

9. Full Day Conference a. Application and Accountability	Table Thoughts Cafe March 24, 2025 10:00am – 3:00pm	TMC & Participants	
Case Study & DISC Overview			
10. Half Day Conference a. DISC Overview	Zoom Meeting April 14, 2025 10:00 – 11:30am	TMC & Participants	
11. Full Day Conference a. Complete case study assessment b. Principles and Concepts	Table Thoughts Cafe April 28, 2025 10:00am – 3:00pm	TMC & Participants	
One-On-Ones			
12. One-on-Ones a. DISC 4D Report b. Leadership Report c. Personal Goal d. Goal Setting Toolkit	May 2025	TMC & Participants	
Principle 2 – Employee Involvement			
13. Self-Assessment a. TMC will distribute assessments to participants and participants will score and review their assessments.	Week 1	Participants	
14. Half Day Conference a. Principles and Concepts	Zoom Meeting June 9, 2025 9:00am – 12:00pm	TMC & Participants	
15. Goal Setting	Week 3	Participants	
16. Full Day Conference a. Application and Accountability	Table Thoughts Cafe June 23, 2025 10:00am – 3:00pm	TMC & Participants	
Principle 3 – Communication			
17. Self-Assessment a. TMC will distribute assessments to participants and participants will score and review their assessments.	Week 1	Participants	
18. Half Day Conference a. Principles and Concepts	Zoom Meeting July 14, 2025 9:00am – 12:00pm	TMC & Participants	
19. Goal Setting	Week 3	Participants	

20. Full Day Conference a. Application and Accountability	Table Thoughts Cafe July 28, 2025 10:00am – 3:00pm	TMC & Participants	
One-On-Ones			
21. One-on-Ones a. Goal Accountability	August 2025	TMC & Participants	
Mid Process Review			
22. Full Day Conference a. Collective Demonstration of Understanding Principles 1 – 3	Table Thoughts Cafe September 8, 2025 10:00am – 3:00pm	TMC & Participants	
Principle 4 – Motivation			
23. Self-Assessment a. TMC will distribute assessments to participants and participants will score and review their assessments.	Week 1	Participants	
24. Half Day Conference a. Principles and Concepts	Zoom Meeting September 22, 2025 9:00am – 12:00pm	TMC & Participants	
25. Goal Setting	Week 3	Participants	
26. Full Day Conference a. Application and Accountability	Table Thoughts Cafe October 13, 2025 10:00am – 3:00pm	TMC & Participants	
Principle 5 – Empowerment			
27. Self-Assessment a. TMC will distribute assessments to participants and participants will score and review their assessments.	Week 1	Participants	
28. Half Day Conference a. Principles and Concepts	Zoom Meeting October 27, 2025 9:00am – 12:00pm	TMC & Participants	
29. Goal Setting	Week 3	Participants	
30. Full Day Conference a. Application and Accountability	Table Thoughts Cafe November 10, 2025 10:00am – 3:00pm	TMC & Participants	

Principle 6 – Leadership Style			
31. Self-Assessment a. TMC will distribute assessments to participants and participants will score and review their assessments.	Week 1	Participants	
32. Half Day Conference a. Principles and Concepts	Zoom Meeting November 24, 2025 9:00am – 12:00pm	TMC & Participants	
33. Goal Setting	Week 3	Participants	
34. Full Day Conference a. Application and Accountability	Table Thoughts Cafe December 8, 2025 10:00am – 3:00pm	TMC & Participants	
One-On-Ones			
35. One-On-Ones	January 2026	TMC & Participants	
Final Presentation			
36. Final Presentation	January 26, 2026	TMC, Participants, City Manager, & Tyler Leadership Team	

INVOICE

Invoice #3558A

January 2, 2025

The Management Connection, Inc.
PROFESSIONAL FACILITATION

Ed Broussard
City Manager
City of Tyler
212 N. Bonner Ave.
Tyler, TX 75702

RE: High Achieving Leaders - Class of 2025

Thank you for choosing The Management Connection, Inc. (TMC) as your professional facilitation firm. This is an Invoice for professional facilitation of the High Achieving Leaders Process. We appreciate the opportunity to work with you and the City of Tyler.

SERVICE	INVESTMENT
Professional Facilitation	**$57,600.00**
Materials • 4D DISC Reports • Leadership Reports • Models for Management Assessment Sets (Modules 1-6) • High Achieving Leaders Action Plans	**$11,500.00**
Total	**$69,100.00**
Payment I *Due & Payable Upon Receipt*	**$15,100.00**

PAYMENT OPTIONS:

Electronic Funds Transfer
Check payable to:
The Management Connection, Inc.
4444 Carter Creek Parkway, Suite 110
Bryan, TX 77802
EIN: 06-1685067

979-846-4481
sydney@profacilitator.com
www.profacilitator.com

We appreciate our relationship with you and look forward to each opportunity to serve as your professional facilitation firm.

Committed to your leadership,

Joe M. Gonzalez
Chief Executive Officer

Payment I	***Due Upon Receipt***	**$15,100.00**
Payment II	**TBD**	
Payment III	**TBD**	
Payment IV	**TBD**	
Payment V	**TBD**	
Payment VI	**TBD**	
Payment VII	**TBD**	