



MINUTES

Of A

SPECIAL CALLED CITY COUNCIL MEETING

September 29, 2016

The City Council of the City of Longview, Texas, met in a Regular Session, September 29, 2016, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Dr. Andy Mack presided.

Members present were:

Andy Mack

Nona Snoddy
Kasha Williams
Kristen Ishihara
David Wright
Steven Pirtle

Members absent were:

Ed Moore

Staff members present were:

David Willard, City Manager
Keith Bonds, Assistant City Manager
Shelly Ballenger, City Secretary
Robert Ray, Assistant City Attorney
Michael Shirley, Director of Development Services
Rolin McPhee, Director of Public Works
Laura Hill, Director of Community Services
Scott Caron, Director of Parks and Recreation
J.P. Steelman, Fire Chief
Mike Bishop, Police Chief

I. Call to Order – Mayor Andy Mack called the meeting to order.

II. Invocation – Pastor Kevin Bright of Greggton First Baptist Church gave the invocation.

III. Pledge of Allegiance – Pastor Kevin Bright of Greggton First Baptist Church led the pledge of allegiance.

IV. Employee Recognition

Chris Connealy, State Fire Marshal for the State of Texas, representing the Texas Fire Chief's Association presented the Longview Fire Department with the "Best Practices Designations Program Award". It is the only one in the fire service in the nation. The Longview Fire Department is the first department in East Texas to receive this designation. There are only five departments in the Nation that have achieved this designation.

This recognition was the result of a team effort throughout the fire department, but special thanks are due to Fire Data Analysis Clay Kitchens for his instrumental work in the process.

This city has a fire department that has gone to the extra effort to following the best practices, not only the Texas Fire Service but the National Fire Service. It took them two years to go through this program.

V. Citizen Comment

Jim Martin, 4305 Nandina: Spoke of his concerns with the Fire Station needing repairs and suggested we take a bond out to rebuild.

Mr. Martin felt the City Manager's car allowance should be eliminated if we are having a problem with fueling our patrol cars and stated that our sanitation going to one day a

week is ridiculous. Additionally, he recommended the resignation of the City Manager, Fire Chief and Sanitation Manager if these issues are not handled accordingly.

Cathy Cace, 1102 Mockingbird Lane, thanked the Longview Police Department for helping curb the crime on east Highway 80. She was thankful for the meeting they held to talk amongst the neighbors. She asks that the city and the citizens help revitalize this area.

G. Floyd, 2109 South Eastman Road, asked that we give the Fire Department a standing ovation for their accomplishment received from the state.

VI. Presentation Item

A. Presentation of a Proclamation commemorating the East Texas Down Syndrome Group's 15th Annual Buddy Walk to Goodwill Ambassador Zach Jordan, and his parents, Richard and Amy Traweek –

Dr. Andy Mack, Mayor, extended an invitation to the East Texas Down Syndrome Annual Buddy Walk that will be open to the public on October 8, 2016, at the ROC, First Baptist Church, downtown. It helps promote inclusion and acceptance from society for families and friends that has loved ones with Down's syndrome.

B. Presentation of the Sanitation collection changes –

David Simmons, Sanitation and Beautification Manager briefed the council on the upcoming sanitation changes beginning on Monday, October 3, 2016.

- All trash and recyclables need to be inside the cart with the lid closed.
- Trash outside of carts will not be picked up.
- Extra carts are available: \$5.00 per month per trash carts and \$3.00 per month per recycle carts.
- Carts should be placed four feet apart and four feet from other obstacles, 35 gallon carts are available upon request.
- Yard waste will be collected weekly by a separate truck.
- Yard waste should be in paper yard waste bags or loose in personal containers.
- Residents receive four free bulky item pickups per year. (Limit 8 cubic yards each).

- Residents can order additional pickups for a fee.
- Commercial customers can now order pickups for a fee.
- Residential Services include: Once a week garbage collection, once a week recycling collection, once a week yard waste collection, four free bulky item collections per year, and use of the Compost Site at no additional cost.

Staff surveys in August showed that 93.5% were already in compliance with the changes. If you have questions or need more information please visit our website at LongviewTexas.gov/Collection or call Public Works at 903-237-1250.

VII. Public Safety Update

A. Police

Chief Bishop: The Texas Department of Public Safety Triennially audit as required by the FBI's Criminal Justice Information Services (CJIS) Division was performed on our Public Safety Communications Department recently.

Some of the items they check are:

- Network security
- incident response plan
- response to alerts and advisories
- CJIS training records
- review of department practices, policies, and procedures in relation to information technology.

This has been the second consecutive audit cycle that the Longview Police Department was designated 100% in compliance with all areas reviewed.

We would like to invite you to the commissioning ceremony of two of our newest recruits: Shawn Isbell and Sheila Williams at the Roy Stone Training Room, Monday, October 3, 2016, at 10:00 a.m.

There will be a Retirement Service honoring Lanie Smith, SIA Detective on Friday, September 30, 2016, at 10:00 a.m. also at the Roy Stone Training Room.

We have 117 Total Registered National Night Out Parties and if you would still like your neighborhood to participate you need to contact your PAR officer for next Tuesday. Go to LongviewTexas.gov/NNO for more information or details.

Chief Bishop thanked Kevin Hawkins and Patrick Williams for inviting some officers down to a panel interview with the community. In return, it provided the Police Department an opportunity to mingle with the community. They discussed different police procedures and also the community voiced concerns to the officers about different things that are going on across the nation.

Council Member Wright: Do officers write tickets for throwing trash or cigarettes out, if they see citizens in violation?

Chief Bishop: Officers do give citations for that violation, but I will follow up with them to pay attention if they see someone committing the offense.

B. Fire

Chief Steelman: A heartfelt and sincere thank you to our entire Longview Community for the tremendous support on our 9/11 Remembrance Appreciation. We had several officers that went to New York during the 9/11 devastation and assisted.

The participants were: Captain - C. Gray, Fire Driver - J. Cameron, Fire Fighter / Medic - B. Brown, Fire Fighter / Medic - J. Cameron, Fire Fighter / Medic - J. Pittelkow, Fire Fighter / Medic - J. Stelly, Fire Fighter / Medic - D. Wasilowski, and Fire Fighter / EMT - G. Wolf. These officers climbed 110 stories during the rescue.

Some of the updates and repairs for Fire Station #5 will be begin Friday, September 30, 2016, with the interior remediation to begin October, 3, 2016.

It's that time a year again where we offer open enrollment. It begins October 1, 2016. \$70 a year covers all qualified residents for a Longview household.

VIII. Consent Agenda

A. Consider a Resolution authorizing and directing the disbursement of grants of Hotel/Motel Occupancy Tax monies –

Dietrich Johnson, Assistant Director of Community Services was present and requested the Council to consider the approval of a Resolution adopting the direction and the disbursement of grants of Hotel/Motel Occupancy Tax monies.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND APPROVING THE DISBURSEMENT OF GRANTS OF HOTEL OCCUPANCY TAX MONIES AS RECOMMENDED BY THE CULTURAL ACTIVITIES ADVISORY COMMISSION; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE CONTRACTS WITH THE GRANTEEES AND ANY OTHER DOCUMENTS INCIDENT TO SAID DISBURSEMENT OF GRANTS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5110 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider a Resolution authorizing an agreement between the City of Longview and the Gregg County Historical Foundation allowing the placement of a historical clock in City-owned right-of-way located near the Gregg County Historical Museum –**

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the authorization of an agreement between the City of Longview and the Gregg County Historical Foundation allowing the placement of a historical clock in City-owned right-of-way located near the Gregg County Historical Museum.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY OF

LONGVIEW AND THE GREGG COUNTY HISTORICAL FOUNDATION TO AUTHORIZE THE PLACEMENT OF A HISTORICAL CLOCK OWNED BY THE GREGG COUNTY HISTORICAL FOUNDATION WITHIN CITY-OWNED RIGHT-OF-WAY LOCATED NEAR THE GREGG COUNTY HISTORICAL MUSEUM; PLACING CONDITIONS ON SAID AUTHORIZATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5111 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with James D. White Electric, Inc., of White Oak, Texas, in the amount of \$496,841.57 for the construction of the Lake-O-Pines Raw Water Pump Station Switchgear Replacement Project –**

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the authorization and directing the City Manager or the City Manager's designee to execute any necessary documents with James D. White Electric, Inc., of White Oak, Texas, in the amount of \$496,841.57 for the construction of the Lake-O-Pines Raw Water Pump Station Switchgear Replacement Project.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF JAMES D. WHITE ELECTRIC, INC., OF WHITE OAK, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "LAKE-O-PINES RAW WATER PUMP STATION SWITCHGEAR REPLACEMENT"; AUTHORIZING AND DIRECTING THE CITY MANAGER

OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND JAMES D. WHITE ELECTRIC, INC., FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5112 appears in the Resolution and Ordinance records of the City of Longview.

- D. Consider a Resolution authorizing city staff to acquire parcels 2014-H-005, 2014-H-032, 2014-H-045, 2014-T-001, 2014-T-002, 2014-T-003, and 2014-D-004 in the amount of \$70,512.00, for right-of-way as required to complete the Cotton Street Reconstruction Project –**

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the authorization for city staff to acquire parcels 2014-H-005, 2014-H-032, 2014-H-045, 2014-T-001, 2014-T-002, 2014-T-003, and 2014-D-004 in the amount of \$70,512.00, for right-of-way as required to complete the Cotton Street Reconstruction Project.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTIES IN THE HAMILTON MCNUTT SURVEY A-129, THE ALEXANDER JORDAN SURVEY, A-262, AND THE M. D. GREER SURVEY, A-836, CITY OF LONGVIEW, GREGG COUNTY, TEXAS, SAID PROPERTIES CONSISTING OF THE FOLLOWING FEE PARCELS: APPROXIMATELY 502.4 SQUARE FEET (PARCEL 2014-H-005), APPROXIMATELY 2,624 SQUARE FEET (PARCEL 2014-

H-032), AND APPROXIMATELY 806.3 SQUARE FEET (PARCEL 2014-H-045); ALONG WITH THE FOLLOWING TEMPORARY CONSTRUCTION EASEMENTS: APPROXIMATELY 500 SQUARE FEET (PARCEL 2014-T-001), 2,322 SQUARE FEET (PARCEL 2014-T-002), AND APPROXIMATELY 737.7 SQUARE FEET (PARCEL 2014-T-003); AND A DRAINAGE EASEMENT WITH APPROXIMATELY 9.49 SQUARE FEET (PARCEL 2014-D-004), AUTHORIZING THE ACQUISITION OF SAID PROPERTIES BY FEE SIMPLE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5113 appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with 7-H Construction Company, Inc., of Tyler, Texas, in the amount of \$113,364.00 for the construction of the Loop 281 - Pine Tree Road Utilities Relocation Project –**

This item was VOTED on separately from the Consent Agenda per Council Member Wright.

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting and authorizing the direction of the City Manager or the City Manager's designee to execute any necessary documents with 7-H Construction Company, Inc., of Tyler, Texas, in the amount of \$113,364.00 for the construction of the Loop 281 - Pine Tree Road Utilities Relocation Project.

Council Member Wright: Asked Robert Ray, Assistant City Attorney to clarify the competition process for bids in Public Works, including why our choice sometimes are out of town vendors versus local and the reason of choosing slightly higher bidders than others?

Robert Ray, Assistant City attorney: Spoke of the state law that requires us to do the competitive process on anything over \$50,000.00, but there is a clause that allows local preference to bidders that are within 5% of the going bid, if their principle place is within the local city.

However, that said, by its own terms does not apply to construction projects. It's extremely rare that we have Public Works projects that are under \$100,000.00 so we can't apply that 5% in those circumstances, but when possible we do.

This entire vote is on its own. Therefore, we need the motion, second and vote for this item. The vote will read: (6,0).

MOTION: Council Member Williams made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF 7-H CONSTRUCTION COMPANY, INC. OF TYLER, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "LOOP 281-PINE TREE ROAD UTILITY RELOCATION"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND 7-H CONSTRUCTION COMPANY, INC., FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Wright seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5114 and appears in the Resolution and Ordinance records of the City of Longview.

- F. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt and expenditure of grant funding in an amount up to \$10,838.59 from the Piney Woods Regional Advisory Council (RAC-G) EMS 3588 Fund –**

J.P. Steelman, Fire Chief was present and requested the Council to consider the approval of a Resolution adopting the authorization and direction of the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt and expenditure of grant funding in an amount up to \$10,838.59 from the Piney Woods Regional Advisory Council (RAC-G) EMS 3588 Fund.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW TO APPLY, RECEIVE AND EXPEND GRANT FUNDING FROM THE FROM THE PINEY WOODS REGIONAL ADVISORY COUNCIL (RAC-G) IN THE AMOUNT OF \$10,838.59; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT FUNDS; FINDING THAT NO FUNDS WILL BE REQUIRED TO RECEIVE AND EXPEND SAID FUNDS; FINDING THAT THE ITEMS PURCHASED WITH THESE FUNDS WILL NOT ADD ADDITIONAL ANNUAL COSTS TO EMERGENCY RESPONSE OR MANAGEMENT PROGRAMS; FINDING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5115 appears in the Resolution and Ordinance records of the City of Longview.

- G. Consider a Resolution authorizing and directing the acceptance, receipt, transfer and expenditure of a grant in an amount not to exceed \$8,000.00 sponsored by the Texas Water Smart Program in conjunction with the Texas Department of Agriculture Certified Retirement Community to support Longview Museum of Fine Art's sculpture garden –**

Melida Heien, Main Street Coordinator was present and requested the Council to consider the approval of a Resolution adopting the authorization and direction with the acceptance, receipt, transfer and expenditure of a grant in an amount not to exceed \$8,000.00 sponsored by the Texas Water Smart Program in conjunction with the Texas Department of Agriculture Certified Retirement Community to support Longview Museum of Fine Art's sculpture garden.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE APPLICATION FOR, ACCEPTANCE, RECEIPT, TRANSFER AND EXPENDITURE OF GRANT FUNDING IN AN AMOUNT NOT TO EXCEED \$8,000.00 SPONSORED BY THE TEXAS DEPARTMENT OF AGRICULTURE, THE TEXAS WATER SMART FOUNDATION AND THE TEXAS NURSERY AND LANDSCAPE ASSOCIATION TO SUPPORT THE LONGVIEW MUSEUM OF FINE ARTS SCULPTURE GARDEN; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR OR INCIDENT TO CARRYING OUT THE PURPOSES OF THIS RESOLUTION; RATIFYING ANY PREVIOUSLY SUBMITTED APPLICATIONS TO PARTICIPATE IN SAID PROGRAM; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5116 appears in the Resolution and Ordinance records of the City of Longview.

- H. Consider a Resolution authorizing and directing the application for, acceptance, receipt, transfer and expenditure of a grant in an amount not to exceed \$25,000.00 sponsored by the Levitt Foundation to support One Hundred Acres of Heritage, Inc. programs for enhancement of downtown music series –**

Melida Heien, Main Street Coordinator was present and requested the Council to consider the approval of a Resolution adopting, authorizing and directing the application for, acceptance, receipt, transfer and expenditure of a grant in an amount not to exceed \$25,000.00 sponsored by the Levitt Foundation to support One Hundred Acres of Heritage, Inc. programs for enhancement of downtown music series.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE APPLICATION FOR, ACCEPTANCE, RECEIPT, TRANSFER AND EXPENDITURE OF GRANT FUNDING IN AN AMOUNT NOT TO EXCEED \$25,0000 SPONSORED BY THE LEVITT FOUNDATION TO SUPPORT ONE HUNDRED ACRES OF HERITAGE, INC. IN THEIR EFFORT TO ENHANCE THE DOWNTOWN LIVE MUSIC SERIES IN 2017; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR OR INCIDENT TO CARRYING OUT THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR FUNDING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 5117 appears in the Resolution and Ordinance records of the City of Longview.

- I. **Consider approval of the following minutes: August 11, 2016, August 25, 2016 and September 1, 2016 – Shelly Ballenger, City Secretary.**

MOTION: Council Member Ishihara made a motion to approve the consent agenda with the exception of Item E.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

IX. Action Items

- A. **A PUBLIC HEARING will be held to consider a request filed by PCH I-20 Venture, LLC to abandon a portion of a 40.10 foot wide street right-of-way known as Lily Street consisting of .376 acres located south of Pittman Street and north of Eastman Road –**

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting the abandonment of a portion of a 40.10 foot wide street right-of-way known as Lilly Street.

The public hearing was declared open.

Richard Henson, P.O. Box 817, Gilmer, was present for questions, if any.

The public hearing was declared closed.

MOTION: Council Member Williams made a motion the following Ordinance be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, VACATING AND ABANDONING THE CITY'S INTEREST IN A 40.10-FOOT-WIDE STREET RIGHT-OF-WAY KNOWN AS LILLY STREET, CONSISTING OF ONE PARCEL OF LAND TOTALING 0.376 ACRES, MORE OR LESS, AND LYING OVER AND

ACROSS THE PROPERTIES SHOWN AND DESCRIBED IN THE ATTACHED EXHIBIT A IN THE CITY OF LONGVIEW, GREGG COUNTY, TEXAS; AUTHORIZING DEEDS TO EVIDENCE ABANDONMENT OF SAID RIGHT-OF-WAY AND ANY OTHER DOCUMENTS AS MAY BE NECESSARY FOR SAID ABANDONMENT; CONDITIONING SAID ABANDONMENT AND AUTHORIZATION UPON THE EXECUTION BY THE PROPERTY OWNERS OF APPROPRIATE DOCUMENTS RELEASING THE CITY AND HOLDING THE CITY HARMLESS AS A CONSEQUENCE OF SAID ABANDONMENT AND UPON THE EXECUTION OF PUBLIC UTILITY EASEMENTS FOR EXISTING WATER, SEWER, AND FRANCHISE UTILITIES LOCATED WITHIN SAID RIGHT-OF-WAY; ESTABLISHING OTHER CONDITIONS FOR SAID ABANDONMENT AND AUTHORIZATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance No. 4078 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider a request filed by PCH I-20 Venture, LLC to abandon a portion of a 62.20 foot wide street right-of-way known as Swancy Street consisting of .286 acres located west of Pittman Street and east of Carrie Lane –**

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting the abandonment of a portion of a 62.20 foot wide street right-of-way known as Swancy Street.

The public hearing was declared open.

Richard Henson, P.O. Box 817, Gilmer was present and available for questions.

The public hearing was declared closed.

MOTION: Council Member Williams made a motion the following Ordinance be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, VACATING AND ABANDONING THE CITY'S INTEREST IN A 62.20-FOOT-WIDE STREET RIGHT-OF-WAY KNOWN AS SWANCY STREET, CONSISTING OF ONE PARCEL OF LAND TOTALING 0.286 ACRES, MORE OR LESS, AND LYING OVER AND ACROSS THE PROPERTIES SHOWN AND DESCRIBED IN THE ATTACHED EXHIBIT A IN THE CITY OF LONGVIEW, GREGG COUNTY, TEXAS; AUTHORIZING DEEDS TO EVIDENCE ABANDONMENT OF SAID RIGHT-OF-WAY AND ANY OTHER DOCUMENTS AS MAY BE NECESSARY FOR SAID ABANDONMENT; CONDITIONING SAID ABANDONMENT AND AUTHORIZATION UPON THE EXECUTION BY THE PROPERTY OWNERS OF APPROPRIATE DOCUMENTS RELEASING THE CITY AND HOLDING THE CITY HARMLESS AS A CONSEQUENCE OF SAID ABANDONMENT AND UPON THE EXECUTION OF PUBLIC UTILITY EASEMENTS FOR EXISTING WATER, SEWER, AND FRANCHISE UTILITIES LOCATED WITHIN SAID RIGHT-OF-WAY; ESTABLISHING OTHER CONDITIONS FOR SAID ABANDONMENT AND AUTHORIZATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Wright seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance No. 4079 and appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Freese and Nichols, Inc. for the creation of a Unified Development Code –

Michael Shirley, Director of Development Services was present and requested the Council to consider the approval of a Resolution adopting and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Freese and Nichols, Inc. for the creation of a Unified Development Code.

The City wishes to consolidate and streamline all of the processes and regulations outlined within the current development ordinances that are not clearly defined, are cumbersome, or have become obsolete and will need to be analyzed and rewritten.

The City wishes to modernize the land development regulations in an effort to address major issues facing the community, content problems, and weaknesses including but not limited to the following:

Inconsistent and confusing ordinance format and structure, unclear, contradictory language, outdated standards and regulations.

Lack of graphics and illustrations and/or information with different dimensional requirements than district standards.

Lack of sufficient and clear definitions.

Lack of cross-references within sections, section headings, and comprehensive index.

Lack of coordination between the zoning ordinance, subdivision ordinance, design standards manual, and other associated development ordinances.

UDC Scope

Review the City's Comprehensive Plan, and in-particular, the twenty seven goals identified as the City's highest priorities numbered

10 - Incorporate design guidelines

13 - Require all new developments to provide sidewalks

14 - Develop streetscape/urban design standards

22 - Identify and develop minimum design and construction standards for infrastructure

27 - Implement a parkland dedication ordinance

Review, assess and recommend potential amendments as well as consolidate the land use regulations of the Zoning Ordinance, Subdivision Ordinance, Public Utility Design Standard Memorandums, Driveway Standards, and the Drainage Criteria and Erosion Control Design Manual, Interim Street Design Guidelines, Flood Damage and Tree Preservation Ordinance to ensure elected and appointed officials, staff, and the general public understands the use of the UDC.

Prepare a Unified Development Code that will clearly define the expectations of the City in regards to appearance, quality, density of development, design standards, and address any identified weaknesses.

Use charrette methods or workshops to cooperatively develop regulations with staff, elected and appointed officials, and the development/business community.

Coordinate the development of the Unified Development Code with other concurrent projects, particularly the Comprehensive Plan and Small Area Plans.

Provide guidance regarding zoning map amendments which are a result of text amendments to the Unified Development Code in accordance with the Comprehensive Plan.

General Project Scope

Not to exceed 18 Months from kick off

Advisory Committee

Public involvement is critical to the development of the Unified Development Code.

Code diagnostic and report presented to City Council prior UDC preparation to ensure consensus on the direction of the new UDC.

Prepare a UDC that maintains the Development friendly atmosphere that is desired by the community.

Selection Process

On August 23, 2016, City of Longview issued a Request for Proposals (RFP). The RFP was advertised in the local newspaper as required by law and published on City of Longview website. The proposal document was sent out via email to 13 potential proposers.

On September 7, 2016, two proposals were received. They were from Freese & Nichols of Dallas, Texas and KSA Engineers of Longview, Texas.

A review committee was comprised of the Assistant City Manager, Director of Development Services, Director of Public Works, Assistant Director of Development Services and the City Planner.

The following criteria were used in determining the recommended proposal:

- 25% - Experience in providing professional planning services
- 25% - Education and experience of professional personnel including sub-consultants
- 25% - Ability to meet the consulting needs of the City of Longview; approach to accomplish the scope of work
- 25% - Pricing information

Based on a review of the listed criteria it is recommended that the contract be awarded to Freese and Nichols.

Council Member Pirtle: What was the cost basis on each one?

Michael Shirley, Director of Development Services: Freese and Nichols estimate was \$250,000; and KSA gave more of a range when we spoke with them at \$180,000 to \$260,000.

Council Member Williams: Asked if we chose Freese and Nichols because they have assisted us with the 5-Year Comprehensive Plan or were there other particulars?

Michael Shirley, Director of Development Services: Confirmed that it was one reason, but also because they are familiar with local policy and some other things also.

MOTION: Council Member Ishihara made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROPOSAL OF FREESE AND NICHOLS, INC. FOR THE CREATION OF A UNIFIED DEVELOPMENT CODE; AUTHORIZING

AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE A CONTRACT WITH FREESE AND NICHOLS, INC TO PROVIDE A UNIFIED DEVELOPMENT CODE OF ORDINANCES; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING AND ACCEPTING SAID PROPOSAL; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIRMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5118 and appears in the Resolution and Ordinance records of the City of Longview.

D. Consider a Resolution approving a concession policy for the City of Longview and authorizing new concession agreements with Youth and/or Adult Recreational Sports Associations –

Scott Caron, Director of Parks and Recreation was present and requested the Council to consider the approval of a Resolution adopting and approving a concession policy for the City of Longview and authorizing new concession agreements with Youth and/or Adult Recreational Sports Associations.

MOTION: Council Member Ishihara made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING THE CITY OF LONGVIEW CONCESSION POLICY; AUTHORIZING CONTRACTS WITH YOUTH AND/OR ADULT RECREATIONAL SPORTS ASSOCIATIONS ALLOWING SAID ASSOCIATIONS TO OPERATE CONCESSION

FACILITIES IN KEEPING WITH SAID POLICY; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5119 and appears in the Resolution and Ordinance records of the City of Longview.

E. Consider a Resolution providing for appointment to the Longview Economic Development Corporation's Board of Directors –

Mayor Mack: Announced LEDCO's Board of Directors newest elected Voting Board Member, Natalie Lynch, where her first 3 - year term is for, Fiscal Year 2016 – 2017, Fiscal Year 2017 – 2018, Fiscal Year 2018 – 2019 and Non-Voting Board Member, John Martin's first 2 – year term, Fiscal Year 2016 – 2017, and Fiscal Year 2017 – 2018.

MOTION: Council Member Ishihara made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, PROVIDING FOR APPOINTMENTS TO THE LONGVIEW ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5120 and appears in the Resolution and Ordinance records of the City of Longview.

Mayor Mack asked for Council Member Moore to be excused.

MOTION: Council Member Williams made a motion to excuse Council Member Moore.

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (6, 0).

X. Items of Community Interest

Council Member Snoddy congratulated the newly elected LEDCO members and Chief Steelman on his prestigious award from the state.

Also, she challenged Longview High's Class of 1978 to become more proactive with the city's council meetings.

Council Member Williams: Thanked all the city staff that came out to assist with the Code Enforcement Sweep of District 3. Some of the citations were as follows:

19 – Overgrown vegetation with residences, 37 – Overgrown vegetation without a resident, 71 – Junk and Litter, 109 – Junk vehicles, 277 – Tires, 22.9 Tons of bulky item pick – up, 15 tons of trash and 25 fire hydrants painted.

She expressed her appreciation to all departments that extended help that weekend.

Council Member Ishihara: Gave Mayor Mack “kudus” for his State of the City speech.

Council Member Wright: Congratulated new LEDCO members.

David Willard, City Manager: Congratulated new LEDCO members also.

Mayor Mack: Downtown live continues through the end of October at Heritage Plaza. The free concert series features Leap of Faith on September 30, Thieves of Sunrise on October 7, Noonday on October 14, and Cole Allen on October 28.

Movies on the Plaza will be held Saturday, October 1 at Heritage Plaza. The event starts at 6:30 p.m. and the movie will begin at dark. I can't tell you what movie will be playing, but the weather should be fantastic or supercalifragilisticexpialidocious.

National Night Out will be held Tuesday, October 4. Please plan to attend a block party in your neighborhood. You'll get to know your neighbors, and you'll have the opportunity to interact with law enforcement. Learn more and see a map of parties at LongviewTexas.gov/NNO.

Each October, the Longview Public Library is transformed into the "Haunted Library" for the free community event on October 21 – 22. Volunteers are needed to help with all facets of the event. Please contact the library for more information.

XI. Mayor Mack's Book Club

The Shark and the Goldfish by Jon Gordon

Mayor Mack: Instead of waiting for someone to come and pick you up we have to learn to seize the day! How we handle our problems makes all the difference in the world.

I really enjoyed this book and hope everyone else did.

We will continue our book club sometime during the fall and the book will be one that digs much deeper and makes you examine yourself. So I'm excited and I think you will really enjoy it.

Adjourn

The meeting was adjourned at 7:28 p.m.

[seal]



Shelly Ballenger
City Secretary