



Special Called City Council Meeting Agenda

LongviewTexas.gov/Tele

9:00 am.

February 24, 2021

This meeting will be conducted utilizing a videoconferencing tool. City Council members, staff, and citizens will participate via audio only. Instructions and direct links to view the meeting or speak during citizen comment can be found at LongviewTexas.gov/Tele.

To participate in citizen comment, please plan to arrive early to give yourself time to register to the videoconference tool. After registering, you will receive a confirmation email containing information about joining the webinar. The virtual conference meeting room will open at 8:45 a.m., and the meeting will begin at 9:00 a.m.

For assistance or questions related to participating in the meeting, please contact the City Secretary's Office at 903-237-1080.

I. Call to Order

II. Roll Call

III. Citizen Comment

IV. Consent Items

- A. Consider a Resolution authorizing the City Manager or the City Manager's designee to apply for, accept and expend grant funds from 2021 State Homeland Security Program for an amount not to exceed \$92,000.00 for the purchase of specialized collapse/stabilization equipment for use by the Fire Department - J.P. Steelman, Fire Chief. Pages 4-7
- B. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute a professional services contract for a program coordinator for Partners in Prevention Mentoring and Coalitions for Drug-Free Youth Programs – Holly Fuller, Partners in Prevention Manager. Pages 8-11

- C. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute a professional services contract for a program coordinator for Partners in Prevention Mentoring Program – Holly Fuller, Partners in Prevention Manager. Pages 12-15
- D. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or his designee to execute any necessary documents with Westech Engineering of Salt Lake City, Utah, in the amount of \$230,862.00 for the construction of the Grace Creek WWTP Trickling Filter #1 Mechanism Replacement Project - Rolin McPhee, P.E., Director of Public Works. Pages 16-19
- E. Consider a Resolution accepting the "Longview Arboretum & Nature Center Phase II" and authorizing final payment of \$35,800 to Casey Slone Construction, LLC, of Marshall, Texas – Scott Caron, Director of Parks and Recreation. Pages 20-23
- F. Consider a Resolution authorizing and directing the City Manager or his designee to negotiate and execute an agreement and any other documents incident to the continued use of facilities located at 301 W. Whaley for the City's Emergency Operations Center - J.P. Steelman, Fire Chief. Pages 24-26

V. Election Item

Consider an Ordinance canceling the Election to fill the expired term for Mayor declaring elected to office the unopposed candidate for a term expiring in May, 2024 – Angie Shepard, City Secretary. Pages 27-31

VI. Action Items

- A. Consider a Resolution authorizing the City Manager to negotiate, finalize and execute, on behalf of the City of Longview, an economic development agreement pursuant to Chapter 380 of the Texas Local Government Code as part of the economic development incentive package negotiated by the Longview Economic Development Corporation and designated "Project Double" — Wayne Mansfield, President/ CEO of Longview Economic DevelopmentCorp.
- B. Consider a Resolution approving and authorizing the City Manager to execute and deliver a letter confirming that the City of Longview has no objection to the designation of a Foreign-Trade Zone as part of the economic development incentive package negotiated by the Longview Economic Development Corporation and designated "Project Double" –

Wayne Mansfield, President/ CEO of Longview Economic Development Corp.

VII. Items of Community Interest and COVID update

VIII. Adjourn

Any final action, decision, or vote on a matter deliberated in a closed meeting will only be taken in an open meeting that is held in compliance with Texas Government Code, Chapter 551. The City Council reserves the right to adjourn into a closed meeting or executive session as authorized by Texas Government Code, Sections 551.001, et seq. (the Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.088 of the Texas Open Meetings Act. In addition, the City Council may consider a vote to excuse the absence of any City Council Member for absence from this meeting or for absence from any previous City Council meeting.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact the City Secretary's Office at 903.237.1080 at least two days before this meeting so that appropriate arrangements can be made. Para ayuda en español, por favor llame al 903.237.1000.

2021 State Homeland Security Program Grant Funding

DESCRIPTION: Allow the Fire Department to apply for, receive and expend 100% grant funding (with no match) from the State Homeland Security Program funding in an amount not to exceed \$92,000.00. This funding will be used to purchase collapse and stabilization equipment for use by the department in victim rescue situations.

RECOMMENDED ACTION: Approval of a resolution authorizing staff to apply for, receive and expend SHSP Grant Funding.

SOURCE OF FUNDS: This is a State Homeland Security Program and is a 100% grant with no matching funds required.

STAFF CONTACTS: J.P. Steelman, Fire Chief
(903) 237-1227
jpsteelman@longviewtexas.gov

COUNCIL DATE: February 24th, 2021

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPLY FOR, ACCEPT AND EXPEND GRANT FUNDING FOR AN AMOUNT NOT TO EXCEED \$92,000.00 THROUGH THE OFFICE OF THE GOVERNORS' (OOG) HOMELAND SECURITY GRANT DIVISION (HSGD) THROUGH THE STATE HOMELAND SECURITY PROGRAM (SHSP), AS MANAGED BY THE EAST TEXAS COUNCIL OF GOVERNMENTS FOR THE IMPLEMENTATION OF A "SPECIAL OPERATIONS TEAM STRUCTURAL COLLAPSE ENHANCEMENT PROJECT"; PROVIDING FOR MATCHING FUNDING; AUTHORIZING AND DIRECTING THE CITY MANAGER, THE CITY MANAGER'S DESIGNEE OR OTHER OFFICIAL OF THE CITY AS MAY BE NECESSARY OR CONVENIENT TO EXECUTE ANY AND ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY OR CONVENIENT IN APPLYING, ACCEPTING, REJECTING, ALTERING, TERMINATING, SECURING AND EXPENDING SAID GRANT FUNDING; PROVIDING FOR RETURN OF FUNDS FOR LOSS OR MISUSE; 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.

WHEREAS, the OOG's HSGD currently serves as the State Administrative Agency (SAA) for the State of Texas' SHSP which provides grant funding that can be used to support programs and project aimed at maintaining and/or enhancing the City of Longview's emergency preparedness and response capabilities; and,

WHEREAS, the City Council finds it in the best interest of the citizens of the Longview to apply for grant funding to implement a project entitled "Special Operations Team Structural Collapse Enhancement Project" which would be implemented under the FY 21 SHSP; and,

WHEREAS, the City of Longview has filed Grant/Application number 4215101 under the HSGD's FY21 Request for Applications State Homeland Security Program (SHSP) by the February 11, 2021 submission deadline; and,

WHEREAS, the City of Longview has established its eligibility to apply for, receive and expend funding through the FY21 SHSP grant program;

NOW, THEREFORE,

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. That the City Council of the City of Longview approves submission of a grant application for the "Special Operations Team Structural Collapse Enhancement Project" to the OOG for an amount up to \$92,000.00.

Section 3. The City of Longview agrees to provide applicable matching funds, if it is required, for the said project by the FY 21 SHSP grant application.

Section 4. That the City Council authorizes the City Manager, as the Authorized Official or the City Manager's designee, to apply for, accept, reject, alter or terminate the application on behalf of the City of Longview.

Section 5. That the City Manager, as the Authorized Official or the City Manager's designee, is hereby authorized and directed to execute any and all contracts other documents, as approved by the City Attorney's Office, incident to the application, acceptance, rejection, alteration, termination and expenditure on behalf of the City of Longview for the grant referenced herein.

Section 6. In the event of loss or misuse of grant funds, the governing body will return all funds to the State of Texas Office of the Governor.

Section 7. That the meeting at which this resolution was approved

was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 8. That this resolution shall be effective immediately from and after its date of passage.

PASSED AND APPROVED this 24th day of February 2021.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R FIRE 2021 SHSP 2-24-21

PROFESSIONAL SERVICES CONTRACT FOR PARTNERS IN PREVENTION MENTORING PROGRAM AND COALITION FOR DRUG - FREE YOUTH

DESCRIPTION : Consider a Resolution approving professional services contract for Program Coordinator for Partners in Prevention Mentoring Program and Coalition for Drug-Free Youth to assist Partners in Prevention Manager. Coordinator facilitates strategies to reduce substance misuse among youth, hold monthly coalition meetings, support volunteer mentors, conduct criminal history background checks, placement of mentors with mentees, and facilitate group activities. Coordinator participates in the Mentoring Advisory Council, plans, implements and evaluates Mentoring Program activities, gathers data required by grantors and funders, and submit reports as required. The contract will not exceed \$45,000 a year with up to 4 one-year renewals.

RECOMMENDED ACTION : Council approval of the Resolution approving contract for the Program Coordinator for Partners in Prevention.

SOURCE OF FUNDS : City of Longview, Greater Longview United Way, Justice Assistance Grant, Youth Collaboratory and other grant sources.

STAFF CONTACT : Holly Fuller, Partners in Prevention Manager ,
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COUNCIL DATE : February 24, 2021

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AN AGREEMENT WITH WHITNEY PIERCE FOR PERSONAL AND PROFESSIONAL SERVICES AS A PROGRAM COORDINATOR FOR PARTNERS IN PREVENTION MENTORING AND COALITIONS FOR DRUG-FREE YOUTH PROGRAMS; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE THE AFORESAID AGREEMENT; AUTHORIZING THE RENEWAL OF SAID AGREEMENT AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SUCH AGREEMENT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID AGREEMENT IN THE CONCURRENT BUDGET YEAR; FINDING 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.

WHEREAS, the City of Longview (sometimes called the "City" in this resolution) desires to engage the personal and professional services of Whitney Pierce to serve as a program coordinator for Partners in Prevention Mentoring and Coalitions for Drug-Free Youth Programs; and,

WHEREAS, the City Council finds and determines that the services described in this resolution constitute personal and professional services within the meaning of §252.022 (a) (4) of the Texas Local Government Code exempting said services from the requirements of a competitive purchasing process; and,

WHEREAS, the City Council finds and determines that the services described in this resolution are not subject to the requirements of Chapter 2254 of the Texas Government Code; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. That the City Manager or the City Manager's designee and any other official of the City as shall be required are hereby authorized to negotiate and execute any and all contracts and other documents, as approved by the City Attorney's Office, incident to an agreement between the City of Longview, Texas, and Whitney Pierce to provide personal and professional services as a program coordinator for Partners in Prevention Mentoring and Coalitions for Drug-Free Youth Programs.

Section 3. That the total expenditure of City funds required by the aforesaid agreement with Whitney Pierce shall not exceed \$45,000 plus approved reimbursement for travel and materials during the initial one-year term of said agreement.

Section 4. That the City Manager, the City Manager's designee and any other official of the City of Longview as shall be required, are hereby authorized to renew the agreement authorized in this resolution for up to four additional one-year terms, provided that the total expenditure of City funds required by each such agreement for any one renewal term shall not exceed funds budgeted for said contract in the concurrent budget year.

Section 5. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 6. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 24th day of February, 2021.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PIP PERSONAL SERVICES K WHITNEY PIERCE 2-24-21

PROFESSIONAL SERVICES CONTRACT FOR PARTNERS IN PREVENTION MENTORING PROGRAM

DESCRIPTION : Consider a Resolution approving professional services contract for Program Coordinator for Partners in Prevention Mentoring Program to assist Partners in Prevention Manager. Coordinator supports volunteer mentors, conducts criminal history background checks, placement of mentors with mentees, and facilitates group activities. Coordinator participates in the Mentoring Advisory Council, plans, implements and evaluates Mentoring Program activities, gathers data required by grantors and funders, and submit reports as required. The contract will not exceed \$35,000 a year with up to 4 one-year renewals.

RECOMMENDED ACTION : Council approval of the Resolution approving contract for the Program Coordinator for Partners in Prevention.

SOURCE OF FUNDS : City of Longview, Greater Longview United Way, Justice Assistance Grant, Youth Collaboratory and other grant sources.

STAFF CONTACT : Holly Fuller, Partners in Prevention Manager ,
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COUNCIL DATE : February 24, 2021

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AN AGREEMENT WITH ADORA HALL FOR PERSONAL AND PROFESSIONAL SERVICES AS A PROGRAM COORDINATOR FOR PARTNERS IN PREVENTION MENTORING AND COALITIONS FOR DRUG-FREE YOUTH PROGRAMS; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE THE AFORESAID AGREEMENT; AUTHORIZING THE RENEWAL OF SAID AGREEMENT AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SUCH AGREEMENT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID AGREEMENT IN THE CONCURRENT BUDGET YEAR; FINDING 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.

WHEREAS, the City of Longview (sometimes called the "City" in this resolution) desires to engage the personal and professional services of Adora Hall to serve as a program coordinator for Partners in Prevention Mentoring and Coalitions for Drug-Free Youth Programs; and,

WHEREAS, the City Council finds and determines that the services described in this resolution constitute personal and professional services within the meaning of §252.022 (a) (4) of the Texas Local Government Code exempting said services from the requirements of a competitive purchasing process; and,

WHEREAS, the City Council finds and determines that the services described in this resolution are not subject to the requirements of Chapter 2254 of the Texas Government Code; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. That the City Manager or the City Manager's designee and any other official of the City as shall be required are hereby authorized to negotiate and execute any and all contracts and other documents, as approved by the City Attorney's Office, incident to an agreement between the City of Longview, Texas, and Adora Hall to provide personal and professional services as a program coordinator for Partners in Prevention Mentoring and Coalitions for Drug-Free Youth Programs.

Section 3. That the total expenditure of City funds required by the aforesaid agreement with Adora Hall shall not exceed \$35,000 plus approved reimbursement for travel and materials during the initial one-year term of said agreement.

Section 4. That the City Manager, the City Manager's designee and any other official of the City of Longview as shall be required, are hereby authorized to renew the agreement authorized in this resolution for up to four additional one-year terms, provided that the total expenditure of City funds required by each such agreement for any one renewal term shall not exceed funds budgeted for said contract in the concurrent budget year.

Section 5. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 6. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 24th day of February, 2021.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PIP PERSONAL SERVICES K ADORA HALL 2-24-21

GRACE CREEK WWTP - TRICKLING FILTER #1 MECHANISM REPLACEMENT

DESCRIPTION: Consider a resolution awarding a contract in the amount of \$230,862.00 to WesTech Engineering, Inc. of Salt Lake City, UT for the construction of the referenced project. The following bids were opened on February 9, 2021:

Bidder	Amount
WesTech Engineering, Inc. Salt Lake City, UT	\$230,862.00
Bar Constructors, Inc. Lancaster, TX	\$299,000.00

The scope includes fabricating and delivering the arms and manifold of trickling filter #1 to the Grace Creek Wastewater Treatment Plant. The trickling filter mechanism will be installed by city personal.

City staff has examined the bids and the qualifications of the low bidder, and recommends award of the contract to WesTech Engineering, Inc. of Salt Lake City, UT in the amount of \$230,862.

RECOMMENDED ACTION: Passage of resolution.

SOURCE OF FUNDS: Funding is available from the Utility CIP Fund.

STAFF CONTACT: Rolin C. McPhee, P.E., Director of Public Works,
903-237-1336
rmcphee@longviewtexas.gov

COUNCIL DATE: February 24, 2021

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF WESTECH ENGINEERING, INC., OF SALT LAKE CITY, UTAH, FOR CONSTRUCTION OF THE PROJECT ENTITLED "GRACE CREEK WWTP – TRICKLING FILTER #1 MECHANISM REPLACEMENT"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND WESTECH ENGINEERING, INC. OF SALT LAKE CITY, UTAH, 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.

WHEREAS, the City of Longview desires to begin construction of the project known as "Grace Creek WWTP – Trickling Filter #1 Mechanism Replacement"; and,

WHEREAS, this project includes the replacement of the trickling filter mechanism at the Grace Creek Wastewater Treatment Plant; and,

WHEREAS, funding for this project is provided from the Utility CIP fund;
NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. That the bid submitted by WesTech Engineering, Inc., of Salt Lake City, Utah, for fabrication and delivery of the project known as “Grace Creek WWTP – Trickling Filter #1 Mechanism Replacement” in the amount of \$230,862.00 is the lowest bid submitted to the City of Longview for construction of said project.

Section 3. That the City of Longview hereby accepts the aforementioned bid by WesTech Engineering, Inc., of Salt Lake City, Utah, in the amount of \$230,862.00.

Section 4. That the City Manager, his designee or other official of the City as shall be required, are hereby authorized and directed to execute any and all contracts and other documents, as approved by the City Attorney’s Office, incident to the acceptance on behalf of the City of Longview of a bid by WesTech Engineering, Inc., of Salt Lake City, Utah, for the project known as “Grace Creek WWTP – Trickling Filter #1 Mechanism Replacement”.

Section 5. That the process by which the aforementioned bid was received and accepted in all things complied with the applicable purchasing requirements of state and federal law, including but not limited to the requirements of Chapter 252 of the Texas Local Government Code.

Section 6. That the meeting at which the aforesaid bid was accepted was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 7. That this resolution shall become effective from and after its passage.

PASSED AND APPROVED this 24th day of February, 2021.

Dr Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PW BID GRACE CREEK WWTP TRICKLING FILTER MECHANISM REPLACE 2-24-21

LONGVIEW ARBORETUM & NATURE CENTER PHASE II

DESCRIPTION:	<p>Consider a resolution accepting the "Longview Arboretum & Nature Center Phase II" and authorizing final payment of \$35,800.00 to Casey Slone Construction, LLC, of Marshall, Texas. Approval of the final payment will begin the contractor's one-year warranty period.</p> <p>The City Council awarded a contract to Casey Slone Construction, LLC, on May 14, 2020 in the amount of \$358,000.00. The final construction cost is \$358,000.00.</p> <p>The project provided the construction of a city park with additional parking, site lighting, an entry kiosk, pergolas, and related work on 26 acres at 10 Grand Boulevard located between Grace Creek and Maude Cobb Convention & Activity Complex.</p> <p>The project has been completed in accordance with the contract. MHS Planning and Design, LLC recommends acceptance of the project and approval of the final payment. City staff concurs with the recommendation.</p>
RECOMMENDED ACTION:	Passage of resolution.
SOURCE OF FUNDS:	Funding is available from the 2019 Bond Issue.
STAFF CONTACT:	Scott Caron, CPRP, Director of Parks and Recreation 903-237-1231 scaron@longviewtexas.gov
COUNCIL DATE:	February 24, 2021

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED “LONGVIEW ARBORETUM & NATURE CENTER PHASE II”; AUTHORIZING AND APPROVING FINAL PAYMENT TO CASEY SLONE CONSTRUCTION, LLC, OF MARSHALL, TEXAS, FOR THE COMPLETION OF SAID PROJECT; 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.

WHEREAS, on May 14, 2020, the City Council awarded a contract to Casey Slone Construction, LLC, of Marshall, Texas in the amount of \$358,000.00 for the project known as “Longview Arboretum & Nature Center Phase II”; and,

WHEREAS, said project included the construction of a city park with additional parking, site lighting, an entry kiosk, pergolas, and related work on 26 acres at 10 Grand Boulevard located between Grace Creek and Maude Cobb Convention & Activity Complex; and,

WHEREAS, the final construction cost for said project was \$358,000.00; and,

WHEREAS, the project has been completed and the contractor, Casey Slone Construction, LLC, of Marshall, Texas has requested final payment in the amount of \$35,800.00; and,

WHEREAS, the final amount of \$35,800.00 is due to the contractor as final payment; and,

WHEREAS, the acceptance of the work by Casey Slone Construction, LLC, of Marshall, Texas on the aforementioned contract and the approval of final payment therefore will begin the one-year warranty period for said work; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. That the work performed by Casey Slone Construction, LLC, of Marshall, Texas on the project known as “Longview Arboretum & Nature Center Phase II” is hereby accepted as complete and that final payment of \$35,800.00 for the completion of said project is hereby approved.

Section 3. That the City Manager or the City Manager’s designee is hereby authorized and directed to execute any and all such change orders and other documents as may be necessary or convenient to carry out the purposes of this resolution.

Section 4. That the meeting at which the aforesaid resolution was passed was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 5. That this resolution shall become effective from and after its passage.

PASSED AND APPROVED this 24th day of February 2021.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PARKS FINAL PAY LANC PHASE II 2-24-21

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY AND ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY FOR OR INCIDENT TO THE RENEWAL OF A LICENSE AGREEMENT WITH AT&T CORPORATION OR ITS SUCCESSORS, ASSIGNS, AFFILIATES OR SUBSIDIARIES FOR THE CONTINUED USE OF FACILITIES LOCATED AT 301 W. WHALEY STREET FOR THE CITY'S EMERGENCY OPERATIONS CENTER; FINDING 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.

WHEREAS, the City of Longview (hereinafter the "City") is currently licensed to use certain facilities in the building located at 301 W. Whaley Street in the City of Longview, Texas, for the City's Emergency Operations Center ("EOC"); and,

WHEREAS, said facilities are owned or controlled by AT&T Corporation or by one or more of its successors, assigns, affiliates or subsidiaries ("AT&T"); and,

WHEREAS, AT&T and the City entered into a revocable license agreement, dated August 1, 2000, whereby AT&T granted the City a revocable license to use certain facilities at the location referenced above for an EOC; and,

WHEREAS, said license agreement was extended for an additional five (5) year term as amended by Supplemental License Agreement No. 2 in 2005; and,

WHEREAS, said license agreement was extended for an additional five (5) year term as amended by Supplemental License Agreement No. 3 in 2011; and,

WHEREAS, said license agreement was extended for an additional five (5) year term as amended by Supplemental License Agreement No. 4 in 2015; and,

WHEREAS, AT&T has offered the continued use of said facilities on terms similar to those of the current license agreement; and,

WHEREAS, the City Council finds that the continued location of the EOC at its present location under terms similar to those provided in the original and supplemental license agreements and subject to such other terms and agreements as may be approved by the City Attorney will serve a public purpose and help to protect public health and safety by enhancing emergency operations; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. That the City Manager or the City Manager's designee is hereby authorized to negotiate and execute an agreement and such other documents as may be necessary for or incident to an agreement with AT&T Corporation or with one or more of its successors, assigns, affiliates or subsidiaries for the continued use of the above-described facility at 301 W. Whaley Street in the City of Longview, Texas, as an Emergency Operations Center for the City of Longview.

Section 3. That the authorization granted hereby shall be and is hereby conditioned upon receipt of all necessary documents in a form acceptable to the City Attorney.

Section 4. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 5. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 24th day of February, 2021.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R FIRE EOC LICENSE RENEWAL 2-24-21

CANCEL ELECTION FOR MAYOR

DESCRIPTION: Consider an Ordinance canceling the Election to fill the expired term for Mayor and declaring elected to office the unopposed candidate for a term expiring in May, 2024.

RECOMMENDED ACTION: The recommended action is approval of the ordinance.

SOURCE OF FUNDS: There are no funds needed.

STAFF CONTACT: Angie Shepard, City Secretary
903-237-1081
ashepard@longviewtexas.gov

COUNCIL DATE: February 24, 2021

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, CONFIRMING THE CERTIFICATION OF ANDY MACK AS AN UNOPPOSED CANDIDATE FOR ELECTION AS MAYOR; DECLARING ANDY MACK ELECTED AS MAYOR; DECLARING THE MAY 1, 2021, CITY ELECTION CANCELED; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Longview, Texas, by Ordinance No. 4289, passed and approved December 12, 2020, did thereby in accordance with City Charter and state law call for an election to be held on the first Saturday in May, 2021, the same being May 1, 2021, for the purpose of electing members of the City Council for City Council Voting Districts Nos. 1, 2 and Mayor to three (3) year terms; and,

WHEREAS, as a consequence of said ordinance, the offices of the City Secretary were held open in accordance with state law to receive applications for those individuals filing for election to the City Council of the City of Longview for Voting Districts Nos. 1, 2 and Mayor; and,

WHEREAS, Section 2.051 of the Texas Election Code provides a process for election of unopposed candidates as officers of a political subdivision other than a county in which write-in votes may be counted only for names appearing on a list of write-in candidates and in which each candidate whose name is to appear on the ballot is unopposed, and no proposition is to appear on the ballot; and,

WHEREAS, the City Secretary of the City of Longview, Texas, in conformance with Section 2.052 of the Election Code, and as the authority responsible

for having the official ballot prepared on behalf of the City of Longview, has certified in writing that only a single candidate's name is to be placed on the ballot for the position of Mayor and hence such candidate is running unopposed; and,

WHEREAS, in conformance of Section 2.052 of the Election Code, the City Secretary as the authority responsible for having the official ballot prepared has further certified in writing that no candidate's name is to be placed on a list of write-in candidates for the position of Mayor; and,

WHEREAS, the aforesaid certification by the City Secretary of the City of Longview has been delivered to the City Council of the City of Longview after the filing deadlines for placement on the ballot and list of write-in candidates, in conformance with Section 2.052(b) of the Local Government Code; and,

WHEREAS, by virtue of such certification, the City Secretary has certified to the City Council that Andy Mack is eligible to be elected to the office of Mayor and is unopposed; and,

WHEREAS, the City Council of the City of Longview, Texas, by ordinance desires to declare the unopposed candidate elected to office and to cancel the election pursuant to Chapter 2, Subchapter C, Section 2.051, *et seq.*, of the Texas Election Code; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. That the certification of the City Secretary of the City of Longview, Texas, that the filing deadlines for placement on the ballot and list of write-in candidates for the May 1, 2021, election has passed, and Andy Mack is the only candidate to have placed his name on the ballot for election for Mayor and is thereby an unopposed candidate for election as Mayor, is hereby in all things confirmed.

Section 3. That Andy Mack is hereby elected as Mayor for the City of Longview, for a three-year term and shall be delivered a Certificate of Election by the City Secretary from and after the election day of May 1, 2021.

Section 4. That pursuant to Section 2.053(b) of the Texas Election Code, there being no further candidates for the election of Mayor on the ballot of May 1, 2021, and no propositions to appear thereon, in accordance with state law the election previously ordered for May 1, 2021, shall not be held and shall be in all things canceled.

Section 5. That the City Secretary shall in accordance with state law post a copy of this ordinance on Election Day, May 1, 2021, at each polling place that would have been used in the election previously called.

Section 6. That this ordinance shall be effective immediately from and after its date of passage and publication as required by law.

PASSED AND APPROVED this 24th day of February, 2021.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O CANCEL ELECTION MAYOR 2-24-21