



MINUTES

Of A

REGULAR COUNCIL MEETING

July 28, 2016

The City Council of the City of Longview, Texas, met in a Regular Session, July 28, 2016, at 5:30 P.M. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Andy Mack
Ed Moore
Nona Snoddy
Kasha Williams
Kristen Ishihara
David Wright
Steven Pirtle

Members absent were:

Staff members present were:

David Willard, City Manager
Keith Bonds, Assistant City Manager
Shelly Ballenger, City Secretary
Jim Finley, 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
Angela Coen, Director of Financial Services
Mary Ann Miller, Director of Administration
J.P. Steelman, Fire Chief
Mike Bishop, Police Chief

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

II. Invocation – Willie Marshall, Pastor of Harrison Street Church of Christ gave the invocation.

III. Pledge of Allegiance – Willie Marshall, Pastor of Harrison Street Church of Christ led the pledge of allegiance.

IV. Employee Recognition

The Drainage Concrete Crew was established in Fiscal Year 2008. The crew is responsible for maintaining over 400 inlet boxes, over 500 miles of curbs, over 50 miles of sidewalks, and numerous other concrete drainage structures in our community.

Drainage Concrete Crew - Guthrie Creek was significantly eroding the banks at Wood Place. A scope of work was developed and the project was sent out for bids. The low bid for the project was \$431,000.

The City rejected all bids for the Wood Place project and turned to the Drainage Concrete Crew. With their high level of skill and experience the project was completed for only \$117,350. The savings to our community was \$313,650.

Drainage Concrete Crew: Henry Plunkett, Gregorio Zuniga, Chris Turner, Erik Hawkins, Kim Wallace, Elroy Brooks.

V. Citizen Comment

Jason Frey, 706 Noel Drive, Longview, TX: Spoke on behalf of Mobberly Place Home Owner's Association. Some of his concerns were the speeding that has been occurring

in his neighborhood. Spoke with employee Stephen Ha and wanted to address Council and know what steps could be taken to prevent the speeding in the area.

Sheila Maxey, 21 Aaron Street, Longview, TX: Mentioned concerns with the cross walk and traffic on Cotton and High Streets to get to Kilgore College. She wanted to know if there is anything we could do to make it safer for citizens who walk or use the Transit system.

VI. Public Safety Update

A. Police

Chief Bishop made some public announcements:

If you would like to learn more about the Longview Police Department you can sign up for free to attend the Citizens Police Academy, for the weeks of September 8 – October 20, 2016, on Tuesdays and Thursdays from 6:15 p.m. to 8:15 p.m., for more information call 903-237-1199 or www.LongviewTexas.gov/CPA.

Free Women's Safety Course will be offered on September 19 – 24, 2016. It will be held at the Maude Cobb Activity Center. Registration deadline is September 16, 2016. Please contact 903-237-1199 or go to www.LongviewTexas.gov/WomensSafety for more detailed information.

We had 22 graduates from our Spanish speaking program and wanted to recognize Revolution Lives on Mobberly Street for helping liaison with the Police Department to getting this Spanish speaking Police academy together for our community.

The Longview Police Resource Officers completed a week long day camp with the local Boys and Girls Club of Longview. They were able to meet and greet with all the K-9 Officers and give them a live demonstration of what the officers do.

The Longview Police Officers Association found out several of the children that attended the Boys and Girls Club were in need of school supplies so they went and purchased several hundred dollars worth of school supplies to help them meet their needs.

B. Fire

Chief Steelman spoke of the Early Warning System that we have in place, it is a two step process. We do have the original sirens that give off alerts throughout the city that are meant to get your attention, secondly we have the Code Red notification system that is free to all our citizens. Please contact 903-237-1170 or go to www.LongviewTexas.gov/CodeRed to make sure we have you registered to receive alerts.

Summer Time is here, please stay aware of heat-related illness such as heat exhaustion, and heat stroke. Call 9-1-1!

Fire Reminder – Turn in an Arsonist and receive a reward. Please contact 903-237-1119.

VII. Consent Agenda

- A. Consider a Resolution authorizing the application for, acceptance of, and expenditure of Regional Solid Waste Program grants in an amount of up to \$2,000 from the East Texas Council of Governments (ETCOG) for public outreach pertaining to educating residents and increasing participation in the City's Recycling Program for Fiscal Year 2017 –**

Dwayne Archer, Assistant Director, Public Works requested a Resolution to apply for a Solid Waste Program Grant from the East Texas Council of Governments, in the amount of \$2000.00 to assist in the funding a public outreach for educating residents and increasing participation in the City's recycling program for Fiscal Year 2017.

This will allow the Sanitation Division to purchase educational and advertising items relating to Recycling for an educational outreach to the citizens of Longview.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE EAST TEXAS COUNCIL OF GOVERNMENTS (ETCOG) FOR A REGIONAL SOLID WASTE PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$2,000; AUTHORIZING THE

TIMELY SUBMITTAL OF SAID APPLICATION; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, ACCEPTING, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH REGIONAL PLANS AND PROGRAM RULES; SPECIFICALLY FINDING THAT ANY REQUIRED MATCHING FUNDS WILL COME FROM THE 2016 - 2017 FISCAL YEAR BUDGET; 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. 5083 appears in the Resolution and Ordinance records of the City of Longview.

- B. 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 Henry Schein Animal Health for supply of the items listed in Group 1 of the City's invitation to bid for Animal Shelter Pharmaceuticals and rejecting all bids for Groups 2-5 of said invitation to bid –**

Shannon DeRosa Manager, Longview Animal Care and Adoption Center requested an annual agreement for pharmaceuticals for the City of Longview Animal Care and Adoption Center. In this agreement pharmaceuticals are ordered on an as needed basis. City of Longview standard contract term is for one year with 4 one year renewal options. Pricing is fixed, an increase can be requested only at the anniversary of the contract and must be approved by City staff. City of Longview published a bid that was separated into 5 groups: Group 1- Vaccines, Group 2 - Flea 7 Wormers, Group 3 - Dietary, Group 4 - Medication, Group 5 - Miscellaneous Surgical. The published specifications stated that the bid would be awarded by group and that bidders were to bid all items in each group.

Bids were advertised twice in the local newspaper as required by law and also published on the City of Longview website. The bid document was also sent to 15 pharmaceutical companies via email. On June 24, 2016, four bids were received and opened.

The bids were from: Boehringer Ingelheim, American Health Service, MWI Animal Health, and Henry Schein Animal Health.

Boehringer Ingelheim and American Health Service submitted incomplete bids. Henry Schein and MWI submitted more complete bids, however, MWI took exception to the fixed pricing and stated that pricing would have to be subject to change at any time during the contract term. Henry Schein took exception to the fixed pricing for Groups 2-5, they stated they would agree to fixed pricing only on Group 1. Henry Schein submitted the lowest and best bid for Group 1 that met all specifications. Bids for all other groups from all bidders did not meet published specifications. It was determined that the items in groups 2-5 are very volatile in pricing and not available for fixed contract pricing. Purchasing for all other groups will be done by obtaining quotes periodically throughout the year to ensure we are getting the best pricing for all items. The Animal Shelter has budgeted an estimated \$90,000 annually for Pharmaceuticals.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF HENRY SCHEIN ANIMAL HEALTH FOR GROUP 1 OF THE CITY'S INVITATION TO BID FOR ANIMAL SHELTER PHARMACEUTICALS AND REJECTING ALL BIDS FOR GROUPS 2-5 OF SAID INVITATION TO BID; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND HENRY SCHEIN ANIMAL HEALTH FOR GROUP 1, ANIMAL SHELTER PHARMACEUTICALS; AUTHORIZING THE RENEWAL OF SAID CONTRACT AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID CONTRACT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID CONTRACT IN THE CONCURRENT BUDGET YEAR; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING AND ACCEPTING SAID BID; 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. 5084 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution establishing the date, time, and place for a public hearing on the proposed Fiscal Year 2016 - 2017 budget –

Angela Coen, Director of Finance: Section 9.06 of the City Charter and Section 102.006 of the Texas Local Government Code require the City Council to set the date, time and location for a public hearing on the proposed budget. This resolution sets a public hearing on the proposed budget, to be held on Thursday, September 1, 2016. It will be held in the City Council Chambers.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LONGVIEW, TEXAS, ESTABLISHING THE DATE,
TIME, AND PLACE FOR A PUBLIC HEARING ON THE
PROPOSED FISCAL YEAR 2016 - 2017 BUDGET;
DIRECTING THE CITY OF LONGVIEW TO POST AND
PUBLISH SAID HEARING AS REQUIRED BY LAW;
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.**

Such Resolution No. 5085 appears in the Resolution and Ordinance records of the City of Longview.

D. Consider a Resolution accepting the 2016 Street Overlay Project and authorizing final payment in the amount of \$196,441.50 to Reynolds and Kay, LTD of Tyler, Texas –

Rolin McPhee, P.E., Director of Public Works: Consider a Resolution accepting the 2016 Street Overlay Project and authorizing final payment in the amount of \$196,441.50 to Reynolds and Kay, LTD. Approval of final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Reynolds and Kay, LTD. on March 14, 2016 in the amount of \$198,828.00. The final cost is \$196,441.50 and is shown as final payment.

The project provided for the construction of asphalt overlay at Fourth Street from Marshall to Jefferson and Hawkins Parkway from Eastman Road to Fourth Street and miscellaneous work as necessary to complete the work.

The project has been completed in accordance with the contract. The City recommends acceptance of the project and approval of final payment.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "2016 STREET OVERLAY"; AUTHORIZING AND APPROVING FINAL PAYMENT TO REYNOLDS and KAY, LTD., OF TYLER, TEXAS, FOR COMPLETION OF SAID PROJECT; 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. 5086 appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider a Resolution awarding a contract in the amount of \$9,173,135.00 to Longview Bridge and Road, Ltd., of Longview, Texas, for the construction of Cotton Street Improvements – Green Street to M. L. King Jr., Blvd. –**

Rolin McPhee, P.E., Director of Public Works. Consider a Resolution awarding a contract in the amount of \$9,173,135.00 to Longview Bridge and Road, Ltd., of

Longview, Texas, for the construction of the referenced project. The following bids were opened on June 28, 2016:

Bidder	Amount
Longview Bridge and Road, Ltd Longview, Texas	\$9,173,135.00
East Texas Bridge, Inc. Longview, Texas	\$9,383,195.00

This project provides for the reconstruction of Cotton Street, a four lane concrete street, curb and gutter, drainage inlets and pipe, pavement markings and signs, sidewalk, and water and sewer improvements from Green Street to M. L. King Jr., Blvd. This project was approved in the 2011 Bond Election.

Hayes Engineering has examined the low bid and the qualifications of the bidder, and recommends award of the contract to Longview Bridge and Road, Ltd. staff concurs with their recommendation.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF LONGVIEW BRIDGE AND ROAD, LTD., OF LONGVIEW, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "COTTON STREET IMPROVEMENTS – GREEN STREET TO M. L. KING, JR., BLVD"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND LONGVIEW BRIDGE AND ROAD, LTD., FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE PURCHASING REQUIREMENTS IN SOLICITING, RECEIVING, AND ACCEPTING SAID BID; 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. 5087 appears in the Resolution and Ordinance records of the City of Longview.

- F. Consider a Resolution authorizing an agreement with Hilltop Securities, Inc. for municipal financial advisory services including, but not limited to the issuance and sale of debt obligations –**

This item was VOTED on separately from the Consent Agenda.

Angela Coen, Director of Finance. The City of Longview acquires municipal financial advisory services from Hilltop Securities (previously Southwest Securities) in connection with the issuance of obligations of indebtedness and continuing disclosure of the City of Longview's bonded debt. Southwest Securities/Hilltop has provided this service for 29 years, with the last fee structure change authorized in 2011. Hilltop Securities is proposing a new agreement with an updated pricing structure.

This agreement is a professional service and is exempt from the competitive purchasing process. Hilltop Securities is a long-time provider of financial advisory services for the City of Longview, therefore having unique experience and detailed knowledge of the financial history, practices, and plans of the City.

The term of the proposed agreement is 3 years with two 1 year renewal options.

Council Member Moore: Moved to inform public there is no conflict of interest pertaining to this matter and he will abstain from the vote.

This entire vote is on its own. Therefore, we need the motion, second and vote for this item. The vote will read: (6,0,1) Council Member Moore abstained.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING A MUNICIPAL ADVISORY AGREEMENT WITH HILLTOP SECURITIES INC. FOR FINANCIAL ADVISORY SERVICES; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF LONGVIEW;

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.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried (6, 0, 1).

Council Member Moore abstained.

Such Resolution No. 5088 and appears in the Resolution and Ordinance records of the City of Longview.

G. Consider a Resolution designating a chairperson for the Construction Advisory and Appeals Board –

Nona Snoddy, Council Member District 2 and David Wright, Council Member District 5 designated Anne Hugman as a chairperson for the Construction Advisory and Appeals Board.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DESIGNATING A CHAIRPERSON FOR THE CONSTRUCTION ADVISORY AND APPEALS BOARD; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS REGARDING THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

Such Resolution No. 5089 appears in the Resolution and Ordinance records of the City of Longview.

H. Consider approval of the following minutes: June 9, 2016, June 20, 2016, and June 23, 2016 –

Shelly Ballenger, City Secretary, requested approval of the June 9, 2016, June 20, 2016 and the June 23, 2016 Minutes.

MOTION: Council Member Williams made a motion to approve the consent agenda except item E.

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (7, 0).

VIII. Budget Item

Presentation of the proposed Fiscal Year 2016 - 2017 budget for the City of Longview –

David Willard, City Manager presented several PowerPoints to Council as followed:

CITY OF LONGVIEW FISCAL YEAR 2015 – 2016 GENERAL FUND

Fiscal Year 2015 - 2016	Budget	Year End	
Beginning Fund Balance	\$12,270,718	\$12,270,718	
Revenues	\$64,633,838	\$62,090,457	(\$2,543,381)
Expenditures	<u>\$66,459,755</u>	<u>\$63,916,374</u>	<u>(\$2,543,381)</u>
Fund Balance	<u>\$10,444,801</u>	<u>\$10,444,801</u>	
Budget Amendment	\$1,480,000	\$1,480,000	
Ending Fund Balance	<u>*\$8,964,801</u>	<u>*\$8,964,801</u>	

	<u>13.49%</u>	<u>13.49%</u>	
* \$2,318,825 above 10%			

CITY OF LONGVIEW FISCAL YEAR 2015 – 2016 REDUCTIONS

City Council	\$38,320	Traffic	\$76,445
City Manager	\$142,262	Fire	\$245,625
City Attorney	\$36,561	Health	\$55,845
IT and GIS	\$95,000	Animal Shelter	\$2,532
Municipal Court	\$23,882	Beautification	\$111,315
Finance	\$23,089	Streets	\$624,046
Planning and Zoning	\$39,632	Parks	\$79,552
Facility Services	\$56,400	Recreation	\$5,358
Human Resources	\$19,598	Community Services	\$5,319
Purchasing	\$4,775	Library	\$74,044
Police	\$81,714	Vehicle Replacement	\$1,104,501
Public Safety Communications	\$83,848	Building Inspection	\$18,378
Partners in Prevention	\$28,335		

FISCAL YEAR 2015 – 2016 GENERAL FUND WITH ACTUALS

Fiscal Year 2015 - 2016	Budget	Year End	Actual
Beginning Fund Balance	\$12,270,718	\$12,270,718	\$12,294,144
Revenues	\$64,633,838	\$62,090,457	\$61,897,887
Expenditures	<u>\$66,459,755</u>	<u>\$63,916,374</u>	<u>\$63,483,948</u>
Fund Balance	<u>\$10,444,801</u>	<u>\$10,444,801</u>	<u>\$10,708,083</u>
Budget Amendment	\$1,480,000	\$1,480,000	\$1,480,000
Ending Fund Balance	<u>*\$8,964,801</u>	<u>*\$8,964,801</u>	<u>*\$9,228,083</u>
	<u>13.49%</u>	<u>13.49%</u>	<u>14.20%</u>

Budget Assumptions - Impact of sales tax decline in Fiscal Year 2015 – 2016: Continue mid-year budget cuts from FY 2015-16, budget without use of general fund balance, no property tax rate increase, no rate increase for water, sewer, or sanitation, full year of animal shelter operations, progress on Comprehensive Plan where possible, and make reductions but limit impact on service.

Beginning Fund - Balance was \$9,228,083.00, revenues accumulated are \$64,674,897.00, expenditures were at \$64,674,897.00 and an ending fund balance at 14.27%* was at \$9,228,083.00 which is \$2,760,593.00 above our 10% requirement.

Revenue Summary - Revenue Loss for the Fiscal Year 2016 - 2017 General Fund will be affected from: Sales Tax Loss from previous budget \$2,359,857.00, miscellaneous other revenue loss \$ 704,934.00, revenue gain for Fiscal Year 2016 - 2017 General Fund, property tax revenue \$108,711.00, George Richey reimbursement \$ 848,500.00, utility reimbursement on street bond \$553,979.00 (15-year payment schedule), and the Deferred Drainage CIP project \$750,000.00.

Major Budget Issues with Reductions and Savings - Continued mid-year cuts, no vehicle replacement \$994,503.00, no fire apparatus replacement \$110,000.00, savings from mid-year lease pay-offs \$325,000.00, and no “new one-time” projects \$360,000.00.

Major Budget Issues with New Expenses - Restored street repave budget \$500,000.00, Health Fund cost increase, City cost increase \$466,276.00, increase employee contribution, roof for Paula Martin Jones Recreation Center \$100,000.00, roof for Longview Transit \$70,000.00, Fire SCBA equipment replacement \$465,000.00, year of Animal Care and Adoption Center \$65,000.00.

Major Budget Issues with Comprehensive Plan - LEDCO contributions, trail enhancement design, transit operation \$300,000, \$60,000.00 increase to demolition budget \$150,000.00, Property Maintenance Code Fiscal Year 2015 – 2016, Unified Development Code Fiscal Year 2015 – 2016 and the Small Area Plans for Fiscal Year 2015 – 2016.

FISCAL YEAR 2016 – 2017 TOTAL BUDGET

General Fund	\$64,674,897
Enterprise Funds	\$40,238,036
Special Revenue Funds	\$20,438,072
Internal Service Funds	\$17,609,127
Debt Service Funds	<u>\$13,828,828</u>
Total Budget	<u>\$156,788,960</u>

Fiscal Year 2015 – 2016 Budget Amendment request is from the significant amount of claims in health fund, request to use OPEB reserves for health fund, which will not impact general fund balance reserves and cause for a formation of a committee to review funds.

BUDGET CALENDAR

Thursday, July 28 Council Meeting

Present Budget to Council
Set Public Hearing Dates

Thursday, August 11 Council Meeting

Budget Discussion
Fee Changes Discussion
Preliminary Vote on Tax Rate

Thursday, August 25 Council Meeting

Public Hearing on Tax Rate

Thursday, September 1 Special Council Meeting

Public Hearing on Budget
Public Hearing on Tax Rate
Adopt Budget
Adopt Fee Changes
Separate Vote to Ratify Rate

Thursday, September 8 Council Meeting

Adopt Tax Rate

IX. Action Items

- A. Consider a Resolution authorizing City Staff to acquire certain property in the Hamilton McNutt Survey, A-129, designated as parcels 2014-H-005 and 2014-T-001 by eminent domain, in furtherance of the Cotton Street Improvements Project –**

MOTION: Council Member Williams made a motion this item be **TABLED** until further discussed.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

- B. Consider a Resolution authorizing City Staff to acquire certain property in the Alexander Jordan Survey, A-262, designated as parcels 2014-H-032, 2014-D-004, and 2014-T-002 by eminent domain, in furtherance of the Cotton Street Improvements Project –**

MOTION: Council Member Williams made a motion this item be **TABLED** until further discussed.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

- C. Consider a Resolution authorizing City Staff to acquire certain property in the M. D. Greer Survey, A-83, designated as parcels 2014-H-045 and 2014-T-003 by eminent domain, in furtherance of the Cotton Street Improvements Project –**

MOTION: Council Member Williams made a motion this item be **TABLED** until further discussed.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

D. Consider a Resolution authorizing City Staff to acquire certain property in the M. D. Greer Survey, A-83, designated as parcel 2014-H-062 by eminent domain, in furtherance of the Cotton Street Improvements Project –

Rolin McPhee, P.E., Director of Public Works: I'd like to ask that you make and approve the following motion:

I move that the City of Longview authorize the use of the power of eminent domain to acquire certain property in the M. D. Greer Survey, A-83, City of Longview, Gregg County, Texas, said property consisting of a parcel of land of approximately 1,092 square feet (parcel 2014-H-062), all of said parcel being a portion of the same tract of land being called Lots 1A and 2A, Block 36, Mobberly's East Addition, conveyed from Bessie Birdwell Bowen to Tresha J. Compton and Lawrence B. Johnson by the deed recorded in volume 1886, page 68, Public Official Records Gregg County Texas; and conveyed from Tresha J. Compton and Lawrence B. Johnson to Larry Y. Williams by the deed recorded in volume 2131, page 372; said tract, and said parcel, all being more particularly described in Attachment A of the resolution before you tonight, for the purpose of constructing both a public roadway rebuilding Cotton Street and certain associated public improvements, including without limitation, public drainage improvements, public sanitary sewer improvements and public water pipeline improvements.

Council Member Moore: I make that motion.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTY IN THE M. D. GREER SURVEY, A-83, CITY OF LONGVIEW, GREGG COUNTY, TEXAS, SAID PROPERTY CONSISTING OF A PARCEL OF LAND CONSISTING OF APPROXIMATELY 806.3 SQUARE FEET (PARCEL 2014-H-045), ALONG WITH APPROXIMATELY 737.7 SQUARE FEET OF TEMPORARY CONSTRUCTION

EASEMENT(PARCEL 2014-T-003); GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE PROPERTY FOR THE COTTON STREET IMPROVEMENTS PROJECT; AUTHORIZING THE ACQUISITION OF SAID PROPERTY BY EMINENT DOMAIN OR OTHERWISE; 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.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Resolution No. 5090 and appears in the Resolution and Ordinance records of the City of Longview.

E. Consider an Ordinance amending the membership of the Comprehensive Plan Advisory Committee –

Michael Shirley, Development Services Director: Consider an Ordinance amending the membership of the Comprehensive Plan Advisory Committee. The City Council wishes to expand the membership of the Comprehensive Plan Advisory Committee from seven members to twelve.

That Section 4-118 of Article VII of Chapter 4 of the Code of Ordinances, City of Longview, Texas, is hereby amended to read as follows:

“Sec. 4-118. Comprehensive Plan Advisory Committee.

(a) There is hereby created a long-term planning advisory committee for the city, which shall be officially known as the Comprehensive Plan Advisory Committee.

(b) The Comprehensive Plan Advisory Committee shall have the following powers and duties:

(1) To advise the Longview City Council and other boards and commissions in matters dealing with the Longview Comprehensive Plan;

- (2) To regularly review the progress status of the goals, objectives, and strategies of the Longview Comprehensive Plan; and
 - (3) To make recommendations to the Longview City Council and other boards and commissions concerning updates to the Longview Comprehensive Plan.
- (c) The Comprehensive Plan Advisory Committee shall consist of twelve (12) members appointed by the City Council. In addition to the twelve members appointed by the City Council, two (2) City Council members and the chairperson of the Planning and Zoning Commission shall serve as liaisons to the Comprehensive Plan Advisory Committee. Said liaisons may participate in all meetings of the Comprehensive Plan Advisory Committee but shall not be voting members of the committee.
- (d) The City Council shall have the authority to remove, with or without cause, any member of the Comprehensive Plan Advisory Committee from office.
- (e) The powers and duties of the Comprehensive Plan Advisory Committee are of an advisory nature only. Nothing contained herein shall in any manner affect the power of the city to take whatever action or pass whatever ordinances it shall deem advisable or necessary at any time, including without limitation, any action or ordinance relating to the Longview Comprehensive Plan or to the Future Land Use Map and Development Goals.
- (f) Sec.4-102(d) shall not apply to the Comprehensive Plan Advisory Committee.”

Section 4. That, notwithstanding anything to the contrary contained in this ordinance or the Longview City Code, the terms of the members of the Comprehensive Plan Advisory Committee shall be staggered. Accordingly, the initial term of six (6) voting members of the Committee shall be for one (1) year, and the initial term of the remaining six (6) voting members shall be for two (2) years. Thereafter, all terms shall be for two (2) years. The City Council may designate those members who will serve the initial one-year term; provided, however, that if the City Council fails to make such a designation, then the selection of the members who shall serve the initial one (1) year term shall be by lot.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING THE MEMBERSHIP OF THE COMPREHENSIVE PLAN ADVISORY COMMITTEE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE

TEXAS OPEN MEETINGS ACT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Moore seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance No. 4063 and appears in the Resolution and Ordinance records of the City of Longview.

F. Consider a Resolution appointing the members of the Comprehensive Plan Advisory Committee –

Michael Shirley, Development Services Director: Consider a Resolution appointing the members of the Comprehensive Plan Advisory Committee: Rob Bassett, and Steve Crane nominated by Council Member Wright; Jearl Morris, and Bill Parrymore nominated by Council Member Moore; Rosalind Beard, and Janice Shaw nominated by Council Member Snoddy; Marsha Johnson, and Tony Powell nominated by Council Member Williams; Gary Ford, and Shawnda Parker nominated by Council Member Ishihara; and Jeff Brown and Johnny Medrano nominated by Council Member Pirtle.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPOINTING THE MEMBERS OF THE COMPREHENSIVE PLAN ADVISORY COMMITTEE AND DESIGNATING THE CHAIRPERSON OF SAID COMMITTEE; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Resolution No. 5091 and appears in the Resolution and Ordinance records of the City of Longview.

X. Zoning / Public Hearing Item

Consider amending Chapter 19, Article 9 “Energy Conservation Code,” to adopt the energy efficiency chapter of the International Residential Code for single-family residential construction as that term is defined in Texas Health and Safety Code Section 388.002 (12) and the International Energy Conservation Code for all other construction as said codes existed on May 1, 2015 – THIS ITEM REQUIRES A PUBLIC HEARING.

Mark Savasta, City Building Official: Consider adoption of Chapter 11 of the 2015 International Residential Code and the 2015 International Energy Conservation Code. House Bill 1726, amending the State Health and Safety Code, Chapter 388 “Texas Building Energy Performance Standards,” mandates municipalities make this adoption by September 1, 2016. The Texas State Energy Conservation Office (SECO) has adopted by rule the 2015 IECC to be effective November 1, 2016. Effective November 1, 2016, the International Energy Conservation Code (IECC) aka the Energy Code, will be in effect for use in Texas for all residential, commercial, and industrial construction that is not single-family.

Prescriptive – Sections N1101.14 – N1104: By the book: Just tell me what I have to do and that is what I’ll do. The building thermal envelope shall meet the minimum requirements of the IECC including R-values, duct R-value, U-factors, Solar Heat Gain Coefficient (SHGC), duct blaster results blower door results; types and efficiencies of heating, cooling and water heating.

Performance – Section N1105 and 1101.14 through N1104 labeled: Establishes criteria for compliance using simulated energy performance analysis including heating, cooling, and service water heating energy only plus the “Mandatory” requirements listed in the Prescriptive Path.

Requires that a proposed residence (proposed design) be shown to have an annual energy cost that is less than or equal to the annual energy cost of the standard reference design. You must show that the annual energy cost for the building is less than the annual energy cost of a building that just meets the prescriptive requirements.

Energy Rating Index (ERI) – Section N1106: Gives builders the option of complying with the code by meeting a target ERI score. This is a numerical score where 100 equates to the levels prescribed in the 2006 IECC and 0 is equivalent to a net-zero-energy home. By design, the ERI is intended to be more stringent than the Prescriptive, or Performance Paths, due to trade-offs of shorter-lived measures for permanent energy efficiency.

The ERI compliance path represents an evolutionary step toward a code based on whole-house energy consumption and not a debate over specific values of individual components. ERI allows builders to select the most cost-effective energy efficiency measures to achieve the best performance for each home depending on its climate zone, rather than installing a series of prescriptive measures.

Significant Changes Residential: Envelope leakage and duct leakage testing are required; duct and envelope testing requirements are more stringent than in the 2009. Improved window performance, wall/ceiling insulation, efficient lighting requirement has gone from 50% to 75%, whole house mechanical ventilation is required, and hot water piping insulation is required.

Significant Changes Commercial: HVAC – new equipment efficiencies, additional requirements for ventilation systems, lighting, water heating, improved efficiency, controls, occupancy sensors, day lighting controls, additional efficiency packages with choice of 1 of 6 above code options for compliance.

Additional Changes: A permanent certificate, filled out by the builder or the consultants, must be posted on a wall near the furnace, in the utility room, or other approved location. The certificate shall list the predominant R values of insulation installed in or on ceiling/roof, walls, foundation and ducts outside conditioned spaces; U-factors for fenestration and the solar heat gain coefficient of fenestration, and the results from any required duct system and building envelope air leakage testing done on the building. The certificate shall list the types and efficiencies of heating and cooling and service water heating equipment.

Costs and Benefits of Adopting the 2015 Energy Codes: Energy codes save homeowners and renters money on their utility bills. The energy savings from the new costs will more than offsets the additional cost. Over the length of a mortgage, these accumulated savings can be as much as \$10,000 per home, which varies in the

Climate Zone	Incremental Construction Cost	Percent of Energy Savings	Utility Bill Savings Estimate	Life Cycle Cost Savings	Annual Mortgage Cash Flow Savings
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different climate zones.

CZ2	\$1,920	15.9	\$215	\$5,774	\$103
CZ3	\$2,495	27.6	\$323	\$10,190	\$125
CZ4	\$2,005	23.6	\$349	\$8,226	\$236

Implementation and Training: All projects permitted or applied for prior to September 1, 2016 will be grandfathered to the 2009 energy codes. The Building Department will allow a learning curve for all stakeholders until January 1, 2017. In preparation for adoption of the Energy Code: The East Texas Builders Association hosted two separate trainings, March 10 and April 26. The City of Longview hosted trainings May 19 at the Longview Library. The City of Longview is currently exploring hosting a joint training with the International Code Council early in the fall for the Energy Code.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPOINTING THE MEMBERS OF THE COMPREHENSIVE PLAN ADVISORY COMMITTEE AND DESIGNATING THE CHAIRPERSON OF SAID COMMITTEE; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance is No. 4064 and appears in the Resolution and Ordinance records of the City of Longview.

XI. Items of Community Interest

Council Member Moore: Thanked everyone who attended his Town Hall meeting.

Council Member Snoddy: Sent kudos to Chief Bishop for his interaction with the youth in the community. She also thanked Chief Steelman.

Council Member Williams: Thanked the Council Members and the Mayor for coming to the Christian Methodist Episcopal Conference at the Hilton Conference Center. Additionally, she thanked Chief Steelman for being in attendance also.

Family Dollar will be opening on Saturday, July 30, 2016, at 8:00 a.m. on 939 E. Young Street. They will be giving away bicycles, hot dogs and different prizes for the citizens in the community. The Fire and Police department will be there. Please come out if you have a chance.

Sunday, July 31, 2016, at 2:00 p.m. Community Collaboration will be meeting at the Longview Library. They are an organization that makes sure there aren't events colliding with each other so everyone can get out at participate with all the various events in the community.

Council Member Pirtle: Thanked the City Inspector, Rolin McPhee and Michael Shirley, for educating him in the last few weeks of how things run around here and thanked him for putting up with him.

Mayor Mack: Wanted to tell the staff how proud he was on the compliments he gets versus the complaints he use to receive in e-mails from citizens. He was very appreciative to receive a statement saying how pleasant our staff was to an elderly person. That is the attitude of a Go-Giver and he wants us to keep it up.

A few upcoming events Mayor Mack wanted to mention was: The Dog Days of Summer will be approaching on Saturday, August 13, 2016, from 10:00 a.m. until Noon at the Longview Swim Center, 1111 W. Fairmont Street. For more information call 903-237-1270 or go to LongviewTexas.gov/Parks.

Learn how you can be a Go-Giver – Help bring wheelchair accessible swings to Longview parks with a donation. Our goal is to have a swing in every district at a park.

Upcoming Events for August: Longview Kennel Club Dog Show, Arts View Peter Pan Jr. Performance, Longview Community Center – Beauty and the Beast, 5th Annual Guthrie Creek Warm Up Disc Golf.

Mayor Mack wanted to acknowledge Dan Droege and his staff for their unbelievable event at the Balloon Race this past weekend.

XII. Mayor Mack's Book Club

Starting on August 8, 2016, every Monday at 7:00 p.m. join the discussion on Facebook with the new book, The Shark and the Goldfish by Jon Gordon. He is the same author of The Energy Bus. We will be reading and discussing this book over a 4 – week period. So please purchase a book from a local vendor.

XIII. Adjourn

The meeting was adjourned at 6:54 p.m.

Shelly Ballenger
City Secretary

