



MINUTES

Of A

REGULAR COUNCIL MEETING

March 10, 2022

The City Council of the City of Longview, Texas, met in a Regular Session, March 10, 2022, 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
Tem Carpenter
Nona Snoddy
Wray Wade
Kristen Ishihara
David Wright

Members absent were:

Steven Pirtle

Staff members present were:

Rolin McPhee, City Manager
Angie Shepard, City Secretary
Jim Finley, City Attorney
Michael Shirley, Director of Development Services
Dwayne Archer, Director of Public Works
Laura Hill, Director of Grant Services
Scott Caron, Director of Parks and Recreation
Angela Coen, Director of Financial Services
Mary Ann Miller, Assistant City Manager
J.P. Steelman, Fire Chief
Anthony Boone, Acting Police Chief
Josh Gamble, Director of Information Technology
Bonnie Hubbard, Director of Administration

- I. **Call to Order** – Mayor Andy Mack called the meeting to order.
- II. **Invocation** – Joshau Simms with Thrive gave the invocation.
- III. **Pledge of Allegiance** Joshua Simms also led the Pledge of Allegiance
- IV. **Citizen Comment** - There were no citizens in the audience asking to comment.
- V. **Public Safety Update**
 - A. **Police** – Acting Chief Anthony Boone – We have some results from our first week of our new customer service survey's. Overall, they were good results. We received a 4.81 out of 5 for our dispatchers and a 4.81 for our Longview Police officers they spoke with. The question was asked about how safe they feel living in Longview. We received a 3.97 out of 5 so we still have some work to do. This past Saturday, it was Dr. Seuss Celebration at the Longview Public Library and I have the opportunity to read to some of the kids. It's always an honor when you are asked to help with things in our community.
 - B. **Fire** – Chief JP Steelman – Thank you to Pine Tree Parkway Elementary for allowing Deputy Fire Marshal Cody Corrin to participate with your "Genius Hours" and have the kids learn about fire safety. Had a great time reading at the Longview Library's Dr. Seuss celebration. We had a full-scale exercise at the airport on March 9th. We had 11 Longview Fire personnel that was able to participate. We were happy to provide Covid vaccination to the inmates at Gregg County, we vaccinated 115 of this at risk population.
- VI. **Consent Agenda**
 - A. **Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with E-Rate to receive and expend funds for the City of Longview Library Internet Service –**

Joshua Gamble, Director of Information Services was present and requested the Council to consider the approval of a Resolution approving and authorizing the City Manager to authorize receipt of E-Rate funds through the Federal Communications Commission. E-rate is a federal program governed by the Federal Communications Commission that provides 90% discounts on Internet Access for the Longview Public Library.

A Request for Proposal was issued according to applicable law and FCC procedures. The RFP was opened on January 13, 2022. City of Longview will only be responsible for 10% of the expenditures for the Longview Public Library's internet service. Conterra Networks received the best score during the evaluation and is selected to provide these services.

The evaluation team scored based on the following criteria:

30% Price
20% Compatibility with Network 20%
20% Proposer Experience & Performance 20%
10% Stability/Uptime 10%
10% Meets and Understands Needs 10%
10% Compliance to Specifications 10%

- Conterra Networks, Charlotte, North Carolina
- ETEX Communications, Gilmer, TX
- Telecomp Holdings, Inc., Houston, TX
- Consolidated Communications Enterprise Services, Inc., Conroe, TX
- Fidelity Communications, Phoenix, AZ

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 EXECUTE ANY NECESSARY DOCUMENTS FOR THE APPLICATION, RECEIPT, AND EXPENDITURE OF GRANT FUNDS NOT TO EXCEED \$10,746 ANNUALLY AND \$53,730 FOR THE LIFE OF THE CONTRACT FROM THE FEDERAL COMMUNICATIONS COMMISSION FOR THE REIMBURSEMENT OF FUNDS USED TOWARD E-RATE BROADBAND SERVICES; AUTHORIZING THE TIMELY SUBMITTAL OF SAID APPLICATION; PROVIDING FOR COMPLIANCE WITH PROGRAM RULES OF THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; PROVIDING THAT NO MATCHING FUNDS ARE REQUIRED; 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. 5919 appears in the Resolution and Ordinance records of the City of Longview

B. Consider a Resolution awarding a contract in the amount of \$464,769.65 to Cutler Repaving, Inc., of Lawrence, Kansas for the construction of the 2022 HMAc Hot-in-place Recycling project -

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution awarding a contract in the amount of \$464,769.65 and authorizing the City Manager or his designee to execute any necessary documents with Cutler Repaving, Inc. of Lawrence, KS, for the construction of the referenced project. The following bids were opened on February 24, 2022:

<u>Bidders</u>	<u>Proposed Amount</u>
Cutler Repaving, Inc. Lawrence, KS	\$ 464,769.65

The scope of work includes paving approximately 30,000 square yards of pavement on Fourth Street and necessary appurtenances for completing the project

Public Works has examined the bid and the qualifications of the low bidder, and recommends award of the contract to Cutler Repaving, Inc. of Lawrence, KS in the amount of \$464,769.65.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF CUTLER REPAVING, INC. OF LAWRENCE, KANSAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "2022 H.M.A.C HOT IN PLACE RECYCLING"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND CUTLER REPAVING, 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. 5920 appears in the Resolution and Ordinance records of the City of Longview

- C. 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 funds in the amount of \$8,002.39 from the Law Enforcement Officer Standards and Education (LEOSE) fund for the purpose of continuing education and training for law enforcement personnel of the Longview Police Department –**

Anthony Boone, Acting Police Chief was present and requested the Council to consider the approval of 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 from the State of Texas Law Enforcement Officer Standards and Education (LEOSE) fund in the amount of \$8002.39 for the purpose of continuing education for law enforcement personnel.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW POLICE DEPARTMENT TO APPLY, RECEIVE, AND EXPEND GRANT FUNDING FROM LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION (LEOSE) IN THE AMOUNT OF \$8002.39; AUTHORIZING AND DIRECTING THE POLICE AS THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, ACCEPTING AND EXPENDING SAID GRANT FUNDING; PROVIDING FOR COMPLIANCE WITH THE PROGRAM RULES OF THE GRANTING AGENCY; FINDING THAT NO MATCHING FUNDS WILL BE REQUIRED TO APPLY FOR, RECEIVE AND EXPEND SAID FUNDS; 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. 5921 appears in the Resolution and Ordinance records of the City of Longview

- D. 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 a TexTreasures Original grant in the amount of \$32,185.00 from the Texas State Library and Archives Commission for a high resolution book scanner and all expenses involved with acquiring the book scanner including shipping –**

Jennifer Eldridge, Library Manager was present and requested the Council to consider the approval of a Resolution approving the applying and acceptance of a TexTreasures grant from the Texas State Library and Archives Commission in the amount of \$32,185.00 for FY22-23. The funds would provide the library with the necessary funds to pay for a high resolution book scanner for digitizing Longview and LeTourneau University's history, in partnership with LeTourneau University's Margaret Estes Library. In addition to the scanner, the funds would pay for the installation, calibration, and provide staff training. Moreover, it would cover the costs to ship the scanner to the library and an annual service contract that covers the scanner's warranty for 15 months. Lastly, the scanner needs an accompanying computer to use the scanner. All book scanner vendor and scanner costs were vetted through the City of Longview's IT department.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW TO APPLY FOR, ACCEPT AND EXPEND TEXTREASURES ORIGINAL GRANT FUNDS IN THE AMOUNT OF \$32,185.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION; AUTHORIZING THE TIMELY SUBMITTAL OF SAID APPLICATION; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH PROGRAM RULES OF THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION; PROVIDING FOR FUNDING; 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. 5922 appears in the Resolution and Ordinance records of the City of Longview

E. Consider a Resolution in support of enhanced passenger rail service along the Interstate 20 Corridor –

Dietrich Johnson, Director of Community Services was present and requested the Council to consider the approval of a Resolution authorizing the support of the development of passenger rail along the I-20 corridor. Over the years, the City of Longview has been working with the Texas Eagle Marketing and Performance Organization and the East Texas Corridor Council to expand services along the I-20 Corridor to complement and enhance the passenger rail service offered by Texas Eagle located at the Historic Longview Depot. Plans are in place to provide an east-west connection consisting of two daily passenger trains for the regions of Dallas, Fort Worth and Atlanta and would run through the city of Shreveport and would enable new passenger rail service onward north to the east coast

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS TO SUPPORTING THE DEVELOPMENT OF PASSENGER RAIL SERVICE FROM FORT WORTH, TEXAS THROUGH THE CITY OF LONGVIEW, TEXAS TO ATLANTA, GEORGIA ALONG THE INTERSTATE 20 CORRIDOR; 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. 5923 appears in the Resolution and Ordinance records of the City of Longview

F. Consider approval of the following minutes: January 27, February 10 and February 15, 2022 –

Angie Shepard, City Secretary was present and requested the Council to consider the approval of the January 27, February 10 and the February 15, 2022 minutes.

MOTION: Council Member Ishihara made a motion to approve the consent agenda.

SECOND: Council Member Wright seconded the motion.

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

VII. Zoning Items

- A. **A PUBLIC HEARING will be held to consider application #Z22-03 filed by Mike Helms requesting a rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District for approximately 0.3304 acres of AB 262 A Jordan Survey Tract 40-03 Section 3 located at 1700 North Eastman Road**

Angela Choy, AICP, City Planner was present and gave the staff report:

APPLICATION #Z22-03

STAFF REPORT

March 10, 2022

APPLICANT: Mike Helms
LOCATION: Approximately 0.3304 acres of AB 262 A Jordan Survey Tract 40-03 Section 3 located at 1700 North Eastman Road.
REQUEST: Rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	MF-3	Vacant/Playground
NORTH	PD	Office
SOUTH	GR	Retail
WEST	PD & GR	Retail & Office
EAST	GR	Office

COUNCIL DISTRICT:

District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:

The Comprehensive Plan designates this area for Public/Semi-Public (PSP).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 0.3304 acres of AB 262 A Jordan Survey Tract 40-03 Section 3 from Multi-Family (MF-3) to General Retail (GR) located at 1700 North Eastman Road. The applicant owns this property as well as the property located in front of it that is situated along Eastman Road. The applicant would like to build a storage building on the property.

Eastman Road is classified as a principal arterial roadway and is maintained by TXDOT. Staff finds the proposed zoning change is consistent with surrounding uses and adjacent zoning; therefore, the request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request.

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 Carpenter made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: APPROXIMATELY 0.3304 ACRES OF AB 262 A JORDAN SURVEY TRACT 40-03 SECTION 3 LOCATED AT 1700 NORTH EASTMAN ROAD IS HEREBY REZONED FROM MULTI-FAMILY (MF-3) TO GENERAL RETAIL (GR); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS

ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Ishihara seconded the motion.

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

Such Ordinance is No. 4352 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider application #Z22-04 filed by Austin Reich requesting a rezone from Single-Family (SF-4) to Townhome (TH) Zoning District for approximately 36.892 acres of AB 262 A Jordan Survey Tract 15 Section 4, AB 360 A Jordan Survey and Lot 7, Richardson Addition located south of Page Road and west of Victor Drive –**

Angela Choy, AICP, City Planner was present and gave the staff report:

APPLICATION #Z22-04

STAFF REPORT

March 10, 2022

APPLICANT: Austin Reich
LOCATION: Approximately 36.892 acres of AB 262 A Jordan Survey Tract 15 Section 4, AB 360 A Jordan and Lot 7, Richardson Addition located south of Page Road and west of Victor Drive.
REQUEST: Rezone from Single-Family (SF-4) to Townhome (TH) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-4	Vacant & Residential
NORTH	SF-4	Residential
SOUTH	SF-4 & A	Vacant

WEST	SF-4	Residential & Vacant
EAST	SF-4	Residential

COUNCIL DISTRICT:

District 3 & 4 – Council Members Wray Wade and Kristen Ishihara

FUTURE LAND USE:

The Comprehensive Plan designates this area for Low Density Residential (LDR) and Floodplain (FP).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 36.892 acres of AB 262 A Jordan Survey Tract 15 Section 4, AB 360 A Jordan Survey and Lot 7, Richardson Addition located south of Page Road and west of Victor Drive. The applicant would like to develop a neighborhood of townhomes with approximately 90 lots.

The applicant submitted a rezone for this property last October in which the Planning and Zoning Commission recommended denial (7-0). The applicant withdrew the request prior to the City Council meeting. The applicant has come back with a new request and included a lot on Victor Drive for access purposes. This lot will provide the needed second point of access that meets the Fire Code requirements as well as the requirements set forth in the UDC.

A neighborhood meeting was held on February 8, 2022, in the Council Chambers where staff addressed many of the concerns that the neighbors had which included traffic, drainage and capacity of water and sewer.

Page Road is classified as a collector and is maintained by the City. Collector roads provide for the collection and distribution of traffic between arterial and local streets. This type of development is appropriate along this roadway, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the Comprehensive plan; therefore does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request

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 Ishihara made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: APPROXIMATELY 36.892 ACRES OF AB 262 A JORDAN SURVEY TRACT 15 SECTION 4, AB 360 A JORDAN SURVEY AND LOT 7, RICHARDSON ADDITION LOCATED SOUTH OF PAGE ROAD AND WEST OF VICTOR DRIVE ARE HEREBY REZONED FROM SINGLE-FAMILY (SF-4) TO TOWNHOME (TH); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Wright seconded the motion.

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

Such Ordinance is No. 4353 and appears in the Resolution and Ordinance records of the City of Longview.

- C. **A PUBLIC HEARING will be held to consider application #Z22-05 filed by Kyle Stephens requesting a rezone from Agricultural (A) to General Retail (GR) Zoning District for approximately 1.315 acres of Lot 1, Block 1 Good Shepherd North Park located at 323 East Hawkins Parkway –**

Angela Choy, AICP, City Planner was present and gave the staff report:

APPLICATION #Z22-05

STAFF REPORT

March 10, 2022

APPLICANT: Kyle Stephens
LOCATION: Approximately 1.315 acres of Lot 1, Block 1 Good Shepherd North Park located at 323 East Hawkins Parkway.
REQUEST: Rezone from Agriculture (A) to General Retail (GR) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	GR & A	Medical Offices & Hospital
NORTH	A	Vacant
SOUTH	GR	Retail & Restaurants
WEST	A & GR	Church and Assisted Living
EAST	GR	Gym

COUNCIL DISTRICT:

District 4 – Council Member Kristen Ishihara

FUTURE LAND USE:

The Comprehensive Plan designates this area for Retail (RET) and Low Density Residential (LDR).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 1.315 acres of Lot 1, Block 1 of Good Shepherd North Park located at 323 East Hawkins Parkway. The applicant would like to expand the existing building and parking.

Hawkins Parkway is classified as a minor arterial roadway and is maintained by the City. Staff finds the proposed zoning change is consistent with surrounding uses and adjacent zoning; therefore, the request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (8-0) and Staff recommend approval for this request.

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 Ishihara made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED (WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN) BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO-WIT: APPROXIMATELY 1.315 ACRES OF LOT 1, BLOCK 1 GOOD SHEPHERD NORTH PARK LOCATED AT 323 EAST HAWKINS PARKWAY ARE HEREBY REZONED FROM AGRICULTURE (A) TO GENERAL RETAIL (GR); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

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

Such Ordinance is No. 4354 and appears in the Resolution and Ordinance records of the City of Longview.

VIII. Action Item

A. Consider a Resolution authorizing a tax abatement agreement between the City of Longview and Aviagen North America, Inc., A Delaware Corporation –

Wayne Mansfield, President/CEO of Longview Economic Development Corporation was present and requested the Council to consider the approval of a Resolution authorizes a tax abatement agreement between the City of Longview (the “City”) and Aviagen North America, Inc. (“Aviagen”). Under the agreement, Aviagen would invest a minimum of \$24,245,000 to construct a new poultry breeder hatchery on property in the Longview Business Park that Aviagen has purchased from the Longview Economic Development Corporation. The proposed agreement would also require Aviagen to employ at least 69 full-time employees on site. In return, the City will grant a 50% tax abatement for 10 years. The property is located in Harrison County, which will have the opportunity to consider participating in the tax abatement agreement

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY SECRETARY TO ATTEST TO A TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF LONGVIEW AND AVIAGEN NORTH AMERICA, INC., A DELAWARE CORPORATION, AND/OR ANY AFFILIATES OF SAID COMPANY, FOR PROPOSED IMPROVEMENTS AND JOB CREATION AND RETENTION WITHIN AN ENTERPRISE ZONE LOCATED IN THE CITY OF LONGVIEW, TEXAS; FINDING THAT THE TERMS OF THE TAX ABATEMENT AGREEMENT APPROVED HEREIN AND THE PROPERTY SUBJECT TO SAID AGREEMENT MEET THE APPLICABLE GUIDELINES AND CRITERIA ADOPTED BY SAID CITY COUNCIL UNDER THE AUTHORITY OF

SECTION 312.002 OF THE TEXAS TAX CODE; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO DELIVER NOTICE TO ALL OF THE OTHER TAXING UNITS WITH JURISDICTION OVER THE PROPERTY DESCRIBED HEREIN IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 312.2041 OF THE TEXAS TAX CODE; PROVIDING THAT FAILURE TO DELIVER SAID NOTICE AND/OR FAILURE TO STRICTLY COMPLY WITH THE REQUIREMENTS OF SAID SECTION 312.2041 SHALL NOT AFFECT THE VALIDITY OF THE TAX ABATEMENT AGREEMENT AUTHORIZED HEREBY; 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.

SECOND: Council Member Snoddy seconded the motion.

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

Such Resolution No. 5924 and appears in the Resolution and Ordinance records of the City of Longview

B. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the purchase of a Custom Four-Story WHP Fire Training Burn Tower under the Federal supply schedules of the United States General Services Administration and the purchase of sole source items necessary for the construction of same using the Public Safety Bond for an amount not to exceed \$933,610.00 –

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the for a purchase in the amount of \$933,610.00 and authorizing the City Manager or his designee to execute any necessary documents with WHP, Grandview Missouri, for the construction of the above referenced project. This includes \$535,504.20 via General Services Administration (GSA) and \$63,521.76 Sole Source Technical Building Material, \$74,200.00 Sole Source Foundation, \$240,384.00 Sole Source Labor/freight and \$20,000.04 in Contingency.

The scope of work includes installation of 1,500 square foot, 4-story burn tower and 2-story building, including three burn rooms, 1-story gable roof, balcony with stairs and miscellaneous work as necessary to complete the installation.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF A FIRE TRAINING BURN TOWER AND BUILDING UNDER THE FEDERAL SUPPLY SCHEDULES OF THE UNITED STATES GENERAL SERVICES ADMINISTRATION AND THE PURCHASE OF SOLE SOURCE ITEMS NECESSARY FOR THE CONSTRUCTION OF SAME; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS INCIDENT TO SAID PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; 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.

SECOND: Council Member Snoddy seconded the motion.

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

Such Resolution No. 5925 and appears in the Resolution and Ordinance records of the City of Longview

IX. Items of Community Interest

MOTION: Councilmember Carpenter made a motion to excuse Councilmember Pirtle.

SECOND: Council Member Wade seconded the motion.

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

X. Adjourn

The meeting was adjourned at 5:58 p.m.

[seal]

Angie Shepard
City Secretary

