



MINUTES

Of A

REGULAR COUNCIL MEETING

August 10, 2023

The City Council of the City of Longview, Texas, met in a Regular Session, August 10, 2023, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Members absent were:

Andy Mack
Tem Carpenter
Nona Snoddy
Wray Wade
John Nustad
Michelle Gamboa
Steven Pirtle

Staff members present were:

Rolin McPhee, City Manager
Angie Shepard, City Secretary
Robert Ray, City Attorney
Mary Ann Hagenbucher, Assistant City Manager
J.P. Steelman, Fire Chief
Anthony Boone, Police Chief
Michael Shirley, Director of Development Services
Dwayne Archer, Director of Public Works
Laura Hill, Director of Grant Services
John Albertson, Director of Parks and Recreation
Angela Coen, Director of Financial Services
Josh Gamble, Director of Information Technology
Bonnie Hubbard, Director of Administration
Shawn Hara, Director of Community Relations
Dietrich Johnson, Director of Community Services

I. Call to Order – Mayor Andy Mack called the meeting to order at 5:30pm

II. Invocation - Prayer was led by Michelle Wallace with Buckner Children and Family Services, which has locations throughout Texas, Mexico, Central America, South America, and Kenya. Buckner provides a wide range of services from senior living, to family coaching, Foster Care and adoption services, as well as housing and support to single parents in college. This past Saturday, the local organization distributed 2,000 backpacks during the annual School Supply Train in partnership with First Baptist Church Longview.

Congratulations to Michelle, who recently took on a new role as Manager of Program Administration for Buckner across all of their Domestic Programs, but Longview will continue to be home.

III. Pledge of Allegiance – Michelle Wallace also led the pledge.

IV. Citizen Comment - There were no citizens in the audience asking to comment.

V. Public Safety Update

Police – Chief Boone

July Stats: Average response time was 4 minutes and 30 seconds; there were 5,762 calls for service, 3,211 Traffic Stops, 31 DWI cases and 158 crashes.

On July 4th, a large group of volunteers with Generate and YM360 made their second mission trip to Longview to serve our community. These groups were from churches from Mississippi and Missouri, about 140 students volunteered for yard work and litter clean up.

July 18th Tenure Breakfast: Fred Runnels 25 years, LaRoyce Johnson 10 years, Jodanna Gibson 20 years, Melissa Dobbs 5 years, Russell Washburn 30 years and LaDarrian Brown 10 years.

The Library's Summer Reading Club ended on July 19 and LPD officers were able to give Android tablets, thanks to a generous donation by Joe Knox.

Reminder of the temperatures are very warm and even hot inside a car. See the temperature was 102 outside but 172 inside a car.

Commission Ceremony was held July 26 for new officers: Brayden Ainsworth, Maxwell Chappell, Keelan May, Timothy Ecklund, Addison Causey and Paul Petrillo.

Promotion Ceremony was held July 31, promoted to Sergeant was Anthony Minyard and Sheila Delconte.

Fire – Chief Steelman

Recognized at our quarterly tenure breakfast: Robert Collins 5 years, Tim Clanton 15 years, Chief Ross Dyer 15 years, Captain Clint Steelman 15 years, Corey Haisten 15 years, Nick Killian 15 years and Kyle Lipscomb 10 years.

Welcome to the Longview Fire Department – Fire Apprentice Colby Winn, Apprentice Garret Byrd and Apprentice Joe Dembowski.

Stay safe in this heat and learn the warning signs between heat exhaustion and heat stroke. If you or anyone you are with are experiencing symptoms, calls us and let us evaluate.

Happy Retirement to Fire Driver/Engineer Bubba Perry, leaving with 26 years of service.

VI. Consent Agenda

A. Consider a Resolution authorizing the City of Longview to apply for, accept and expend grant funds in an amount not to exceed \$100,000.00 from the National Endowment for the Arts, for sub-grant funding for local Arts & Culture Agencies –

Laura Hill, Director of Grant & Human Services was present and requested the Council to consider the approval of a Resolution to allow the city Grant and Human Services department to be administratively responsible for submitting the application and administering the funding / project on behalf of the city's Cultural Arts office. The National Endowment for the Humanities has issued a call for projects with applications due in July 2023.

The matching fund requirement is available through the annual Arts & Culture Grants allocation from the Hotel Occupancy Tax Fund.

If awarded, the supplemental funding from the NEA would be administered through the Cultural Arts Office as sub-grants to Longview's Non-Profit Arts & Culture Agencies. The grant request is \$100,000

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 GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$100,000.00 FROM THE NATIONAL ENDOWMENT FOR THE ARTS TO ASSIST IN PROVIDING ADDITIONAL SUB-GRANTS FOR THE CITY'S ANNUAL ARTS & CULTURE GRANT PROGRAM; 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, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH ALL APPLICABLE PROGRAM RULES; PROVIDING FOR FUNDING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6183 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider a Resolution naming the City's Cultural Arts Office as the Community Coordinator for "America-250 / Semiquincentennial" activities in support of Federal and State initiatives to celebrate the United States' 250th birthday in 2026 –**

Laura Hill, Director of Grant & Human Services was present and requested the Council to consider the approval of a Resolution allowing the Community Services Department's Cultural Arts Office to assume primary responsibility for coordinating local recognition of this special opportunity in support of State and Federal initiatives. The United States will celebrate its' 250th birthday / anniversary on July 4, 2026. The U.S. Congress and Texas Congress have passed resolutions in support of a nationwide recognition of this important national event.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW OFFICE OF CULTURAL ARTS TO SERVE AS THE LONGVIEW SEMIQUINCENTENNIAL EVENT(S)

ORGANIZER TO COLLABORATE WITH THE TEXAS 250 AND AMERICA 250 COMMISSIONS 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. 6184 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Evoqua Water Technologies, LLC for Sodium Chlorite Solution for use at the City of Longview's Water Treatment Plant

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the annual agreement for Sodium Chlorite for the City of Longview's Water Treatment Plant. Sodium Chlorite is used in the disinfection process at the Sabine and Cherokee Water Treatment Plants and will be ordered on an as needed basis. The Water Treatment Plants estimate needing up to 200,000 lbs. annually.

A Request for Bid was advertised as required by law. On July 7, 2023, two bids were on file:

Univar USA Inc. - NO BID
Evoqua Water Technologies, LLC - \$1.216 per lb.

City Staff recommends awarding the bid to Evoqua Water Technologies.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF EVOQUA WATER TECHNOLOGIES, LLC, FOR SODIUM CHLORITE FOR THE CITY OF LONGVIEW WATER TREATMENT PLANT; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND EVOQUA WATER TECHNOLOGIES, LLC, FOR SAID

SODIUM CHLORITE; 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 BIDDING REQUIREMENTS IN 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. 6185 appears in the Resolution and Ordinance records of the City of Longview.

- D. Consider a Resolution authorizing the City of Longview to apply for, accept and expend grant funds of \$25,531 from the U.S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for crime prevention and education and youth mentoring services through Partners in Prevention –**

Holly Fuller, Manager of Partners in Prevention was present and requested the Council to consider the approval of a Resolution allowing the Partners in Prevention department to apply for funding through the Bureau of Justice Assistance (BJA), who seeks applications for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the U.S. Department of Justice's mission by assisting local jurisdictions' efforts to prevent or reduce crime and violence.

BJA set a predetermined amount of \$25, 531 for the City of Longview. No matching funds are required.

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 GRANT FUNDS IN THE AMOUNT OF \$25,531 FROM THE 2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE

ASSISTANCE, FOR USE BY THE CITY OF LONGVIEW, PARTNERS IN PREVENTION; AUTHORIZING THE ACCEPTANCE OF ALL SPECIAL CONDITIONS IMPOSED IN CONNECTION WITH SAID GRANT FUNDING; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH ALL APPLICABLE PROGRAM RULES; PROVIDING FOR FUNDING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6186 appears in the Resolution and Ordinance records of the City of Longview.

E. Consider a Resolution awarding a contract in the amount of \$248,409.80 and authorizing the City Manager or his designee to execute any necessary documents with Striping Technology, LP, of Tyler, Texas, for the construction of the "Traffic Signal Installation at Magnolia Lane and McCann Road" 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 \$248,409.80 to Striping Technology, LP of Tyler, TX for the construction of the referenced project. The following bid was opened on June 20, 2023:

| Bidder | Amount |
|---------------------------------------|--------------|
| Striping Technology, LP. Tyler, TX | \$248,409.80 |

The scope includes the installation of a three-way traffic signal at the intersection of Magnolia Lane and McCann Road.

CW Engineering has examined the bids and the qualifications of the low bidder, and recommends award of the contract to Striping Technology, LP. of Tyler, TX in the amount of \$248,409.80. 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 STRIPING TECHNOLOGY, LP, OF TYLER, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED “TRAFFIC SIGNAL INSTALLATION AT MAGNOLIA LANE AND MCCANN ROAD”; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND STRIPING TECHNOLOGY, LP, FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING 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. 6187 appears in the Resolution and Ordinance records of the City of Longview.

F. Consider a Resolution awarding a contract in the amount of \$2,020,254.00 and authorizing the City Manager or his designee to execute any necessary documents with D&D Pipeline Consultants of Longview, Texas, for the construction of the Reel Road Widening Utilities Relocation Project –

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution award a contract in the amount of \$2,020,254.00 to D&D Pipeline Consultants of Longview, Texas for the construction of the referenced project. The following bids were opened on July 11, 2023:

| Bidder | Amount |
|---------------------------|-------------------------------|
| D&D Pipeline Consultants. | \$2,020,254.00 Longview, TX |
| Wicker Construction, Inc. | \$3,221,562.00 Shreveport, LA |

The scope of work includes the construction of 5,574 linear feet of 8-12-inch water main, 4,441 linear feet of 8-inch sanitary sewer, and related work along Reel Road from Knobcrest to Pine Tree Road, and any miscellaneous work as necessary to complete the installations.

The revised construction contract amount for the project will be \$2,020,254.00. Hayes Engineering has examined the low bid and recommends award of the contract. 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 D&D PIPELINE CONSULTANTS, LLC, OF LONGVIEW, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "REEL ROAD WIDENING – UTILITIES RELOCATION"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND D&D PIPELINE CONSULTANTS, LLC, FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING 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. 6188 appears in the Resolution and Ordinance records of the City of Longview.

G. Consider a Resolution awarding a contract in the amount of \$7,114,038.00 and authorizing the City Manager or his designee to execute any necessary documents with Wicker Construction, of Shreveport, Louisiana, for the construction of the George Richey Widening Utilities Relocation 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 \$7,114,038.00 to Wicker Construction, of Shreveport, Louisiana for the construction of the referenced project. The following bids were opened on July 13, 2023:

| Bidder | Amount |
|---------------------------------------|----------------|
| Wicker Construction Shreveport, LA | \$7,114,038.00 |

East Texas Bridge, \$9,600,580.50
Longview, TX

The scope of work includes the construction of 18,494 linear feet of 8-18-inch water main, 11,787 linear feet of 8-inch of sanitary sewer, and related work along FM 2275 from White Oak city limits to S.H. 300, and any miscellaneous work as necessary to complete the installations.

The revised construction contact amount for the project will be \$7,114,038.00. Hayes Engineering has examined the low bid and recommends award of the contract. 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 WICKER CONSTRUCTION, INC., OF SHREVEPORT, LA, FOR CONSTRUCTION OF THE PROJECT ENTITLED “FM 2275 - UTILITIES RELOCATION”; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER’S DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND WICKER CONSTRUCTION, INC., FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING 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. 6189 appears in the Resolution and Ordinance records of the City of Longview.

H. Consider a Resolution authorizing the City Manager or his designee to enter into a Special Utility Agreements the Texas Department of Transportation (TxDOT) for the utility relocation costs associated with widening FM 2275 –

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution authorizing the City Manager or his designee to enter into a Special Utility Agreement with TxDOT for the utility relocation costs associated with widening FM 2275.

According to current estimates, TxDOT will reimburse approximately \$2,943,370.28 of the utility relocation costs incurred by the City. These costs are comprised of the utilities that are located in city easements. These costs include right-of-way acquisition, utility relocations engineering and construction.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING A SPECIAL UTILITY AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF LONGVIEW FOR REIMBURSEMENT OF UTILITY RELOCATION COSTS ASSOCIATED WITH THE FM 2275 GEORGE RICHEY ROAD WIDENING PROJECT; AUTHORIZING AND DIRECTING THE CITY MANAGER (OR THE CITY MANAGER'S DESIGNEE) AND ALL OTHER SUCH OFFICIALS OF THE CITY AS MAY BE REQUIRED TO EXECUTE SAID AGREEMENT AND ANY AND ALL OTHER DOCUMENTS, AS APPROVED BY THE CITY ATTORNEY'S OFFICE, INCIDENT TO PARTICIPATION IN SAID AGREEMENT; 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.

Such Resolution No. 6190 appears in the Resolution and Ordinance records of the City of Longview.

I. Acceptance of the City of Longview's June Quarterly Investment Report

Angela Coen, Director of Finance was present and requested the Council to consider the approval of the June investment report.

The Investment Report for the quarter ending June 30, 2023 is presented as required by the Public Funds Investment Act.

The City's investments for the quarter were in compliance with the City's investment Policy and the Public Funds Investment Act. The City had investments in Texpool, Cutwater Texas Class Investment Pool, Nexbank Money Market, TexasBank Money Market, U.S Securities and Certificate of Deposits.

Quarter Ending June 30, 2023

Texpool \$ 959,651
Ending Yield 5.05%
Weighted Average Maturity 1 Days
Interest Earned \$14,249

Texas Class \$4,142,671
Ending Yield 5.27%
Weighted Average Maturity 1 Days
Interest Earned \$79,397

Certificate of Deposits \$30,486,739
Ending Yields
12 Months 4.77%
6 Months 5.63%
9 Months 5.43%
12 Months 5.22%
18 Months 4.70%
Interest Earned \$229,743

Security \$20,954,155
12 Months FHLB 3.34%
15 Months FNMA 3.25%
18 Months T-Note 3.25%
Interest Earned \$192,123

NEXBANK Money Market Account \$29,507,588 Ending Yield 5.30%
Interest Earned \$414,644

BTH Money Market Account \$11,475,603
Ending Yield 5.26%
Interest Earned \$285,334

Texas Bank Money Market Account \$5,015,343
Ending Yield 4.66%
Interest Earned \$15,343

Texpool is a local government investment pool. The primary objectives of the pool are to preserve capital and protect principal, maintain sufficient liquidity, provide safety of funds and investments, diversify to avoid unreasonable or avoidable risks, and maximize the return on the pool. The pool seeks to maintain a \$1.00 value per share as required by the Texas Public Funds Investment Act. Texpool investments consist exclusively of U.S. Government securities, repurchase agreements collateralized by U.S. Government securities, and AAA-rated no-load money market mutual funds. Texpool is rated AAA by Standard & Poor's, the highest rating a local government investment pool can achieve. The weighted average maturity of the portfolio is limited to 60 days calculated using the reset date for variable rate notes ("VRNs") and 90 days or fewer using the final maturity date for VRNs, with the maximum maturity for any individual security in the portfolio not exceeding 397 days for fixed rate securities and 24 months for VRNs.

Through our depository bank, BTH, City funds are in an interest bearing account, with pledged securities for collateral. Per the depository contract, interest is an earnings credit rate at the fed funds rate, adjusted the first business day each month.

J. Consider a Resolution proposing a tax rate for 2023 and scheduling a public hearing on the proposed tax rate –

Angela Coen, Director of Finance was present and requested the Council to consider the approval of a Resolution proposing a 2023 tax rate and scheduling a public hearing for rate.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, PROPOSING A TAX RATE FOR 2023; ESTABLISHING A DATE FOR THE CONSIDERATION OF THE ORDINANCE ADOPTING A TAX RATE; SCHEDULING A PUBLIC HEARING ON THE PROPOSED 2023 TAX RATE; AUTHORIZING AND DIRECTING THE POSTING AND PUBLICATION OF SAID TAX RATE AND 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. 6191 appears in the Resolution and Ordinance records of the City of Longview.

K. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the purchase of switches, software and services for the Police Department's expanding information system from Flair Data Systems using the City 's participation in the State of Texas Department of Information Resources (DIR) cooperative purchasing agreement for an amount not to exceed \$70,000 –

Joshua Gamble, Director of Information Services was present and requested the Council to consider the approval of a Resolution authorizing and direct the City Manager or the City Manager's designee to execute any necessary documents for the purchase of switches, software and services for the Police Department's expanding information system from Flair Data Systems using the City 's participation in the State of Texas Department of Information Resources (DIR) cooperative purchasing agreement for an amount not to exceed \$70,000.

The Police Department utilizes legacy core network infrastructure equipment to analyze, process and store data for Police Department Operations. This purchase will be a replacement to the existing legacy core network infrastructure equipment. The new equipment is a portion of the disaster recovery and server workload balancing mechanism for the Police Department's continually expanding information system.

The purchase of this equipment is available through a State of Texas contract through the Texas Department of Information Resources (DIR) and has been properly bid as per state law. The City is a member of the State of Texas cooperative purchasing program and is able to purchase the hardware using these awarded contracts.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER, THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO EXECUTE ANY DOCUMENTS NECESSARY FOR THE PURCHASE OF SWITCHES, SOFTWARE AND SERVICES, INCLUDING MOUNTS, CABLES, SUBSCRIPTION SERVICES AND WARRANTIES (COLLECTIVELY, "CORE NETWORK INFRASTRUCTURE"), THROUGH THE CITY'S PARTICIPATION IN THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR)

COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$70,000; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE BIDDING 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.

Such Resolution No. 6192 appears in the Resolution and Ordinance records of the City of Longview.

L. Consider a Resolution approving and adopting the Consolidated Action Plan and CDBG funds budget for the City of Longview for the fiscal year 2023-2024 –

Dakota Brown, Community Development Administrator was present and requested the Council to consider the approval of a Resolution adopting the Consolidated Action Plan and CDBG funds budget for the City of Longview's FY23-24.

The Community Development Block Grant (CDBG) Entitlement Program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing housing and a suitable living environment, by expanding economic opportunities, principally for low and moderate-income persons. The program is authorized under Title One of the Housing and Community Development Act of 1974m Public Law 93-383, as amended: 42 U.S.C.-5301 et seq.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING AND ADOPTING THE CONSOLIDATED ACTION PLAN AND CDBG FUNDS BUDGET FOR THE CITY OF LONGVIEW FOR FISCAL YEAR 2023-2024; PROVIDING THAT SAID PLAN SHALL SUPERCEDE ALL PREVIOUS SUCH PLANS; 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. 6193 appears in the Resolution and Ordinance records of the City of Longview.

M. Consider a Resolution authorizing the City of Longview to apply for, accept and expend grant funds in an amount not to exceed \$300,000 from the Office of the Governor, Public Safety Office, Criminal Justice Division to procure Bullet Resistant Shields for Public Safety response needs –

Laura Hill, Director of Grant & Human Services was present and requested the Council to consider the approval of a Resolution authorizing the City to apply for, accept and expend grant fund from the Office of the Governor, Public Safety Office, Criminal Justice Division has issued a call for projects with applications being due on Sept 1 2022. The City of Longview, Grant and Human Services Department will be administratively responsible for submitting the application and administering the funding / project on behalf of identified peace officers in the Longview Police Department and the Longview Fire Department if the grant is approved. No City Funds will be required, there is not a matching fund requirement.

The Grant application will be to equip approximately 55 peace officers in The City of Longview with a Bullet-Resistant Shield per specifications and requirements of the grant for the safety and protection of Longview's Peace Officers. The application was developed in collaboration with the Longview Police Department and the Longview Fire Department

The total purchase price will not exceed \$300,000.

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 GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$300,000.00 FROM THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION, FOR BULLET-RESISTANT SHIELDS FOR PEACE OFFICERS; 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, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH ALL APPLICABLE PROGRAM RULES; PROVIDING FOR THE RETURN OF SAID GRANT FUNDS TO THE

STATE OF TEXAS IN THE EVENT OF LOSS OR MISUSE OF SAID FUNDS; PROVIDING FOR FUNDING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6194 appears in the Resolution and Ordinance records of the City of Longview.

- N. Consider a Resolution authorizing the City of Longview to apply for, accept and expend grant funds in an amount not to exceed \$250,000 from the U.S Department of Transportation Rural and Tribal Assistance Pilot Program to study navigation and traffic flow on 4th Street between Loop 281 and Hawkins Pkwy –**

Laura Hill, Director of Grant & Human Services was present and requested the Council to consider the approval of a Resolution authorizing the City to apply for, accept and expend grant fund from US Department of Transportation, Build America Bureau has issued a call for projects. The City of Longview, Grant and Human Services Department is administratively responsible for submitting the application and administering the funding/project if the grant is approved. There is no matching fund requirement for this grant if the application is selected.

The grant is from the US Department of Transportation-Build America Bureau. The Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law or BIL, created the Rural and Tribal Assistant Pilot program to provide early-stage development assistance for rural and tribal infrastructure projects. The program will award grants for either the hiring of staff or the procurement of expert firms to provide financial, technical, and legal assistance; assistance with development-phase activities; and information regarding innovative financing best practices and case studies. This Notice of Funding Opportunity (NOFO) makes \$3.4 million available for awards under the Program. Assistance will be provided in the form of direct monetary grants for recipients to hire staff or procure advisory assistance. Procurements for and contracts with grantee-contracted advisors procured for this award must comply with the requirements set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

If received, these Funds would be used to study traffic navigation/flow on 4th street from Loop 281 to Hawkins Parkway.

Request a not-to-exceed amount of \$250,000

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 GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$250,000.00 FROM THE U.S. DEPARTMENT OF TRANSPORTATION BUILD AMERICA BUREAU – RURAL AND TRIBAL ASSISTANCE PILOT PROGRAM FOR THE SUPPORT OF A GRANT TO STUDY TRAFFIC NAVIGATION/FLOW ON 4TH STREET FROM LOOP 281 TO HAWKINS PARKWAY IN LONGVIEW, TEXAS; 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, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH ALL APPLICABLE PROGRAM RULES; PROVIDING FOR THE RETURN OF SAID GRANT FUNDS TO THE U.S. DEPARTMENT OF TRANSPORTATION IN THE EVENT OF LOSS OR MISUSE OF SAID FUNDS; PROVIDING FOR FUNDING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6195 appears in the Resolution and Ordinance records of the City of Longview.

- O. Consider a Resolution awarding a contract in the amount of \$235,558.00 and authorizing the City Manager or his designee to execute any necessary documents with Storer Equipment Company, Ltd and Storer Services of Shreveport, Louisiana, for the construction of the Grace Creek WWTP Boiler Replacement Project. –**

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution awarding schedule 1 for a contract in the amount of \$236,558.00 to Storer Equipment Company, Ltd and Storer Services from

Shreveport, LA for the construction of this project. The following bids were opened on July 13, 2023:

| Bidder | Amount |
|--|--------------|
| Storer Equipment Company, Ltd and Storer Services, Shreveport, LA | \$236,558.00 |

The scope of work includes the replacement of a boiler at the Grace Creek Wastewater Treatment Plant (WWTP) Plant and any other miscellaneous work necessary to complete the installations.

JCR Engineers, LLC., and the Public Works Engineering staff have examined the low bid and the qualifications of the bidder, and have recommended award of the contract to Storer Equipment Company, Ltd and Storer Services.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF STORER EQUIPMENT COMPANY, LTD, AND STORER SERVICES OF SHREVEPORT, LA, FOR CONSTRUCTION OF THE PROJECT ENTITLED "GRACE CREEK WWTP BOILER REPLACEMENT"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND STORER EQUIPMENT COMPANY, LTD, AND STORER SERVICES, FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN SOLICITING, RECEIVING, AND ACCEPTING SAID BIDS; 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. 6196 appears in the Resolution and Ordinance records of the City of Longview.

- P. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate, finalize, and execute any agreements and other documents necessary to provide for continued use of the lease**

and subscription accounting systems originally purchased from DebtBook and for associated management and maintenance services for a period of up to 37 months and an amount not to exceed \$53,750.00 and authorizing renewals of said agreements as long as the City continues to use said accounting systems and DebtBook continues to be the sole source vendor for said management and maintenance services –

Angela Coen, Director of Finance was present and requested the Council to consider the approval of a Resolution allowing for the execution of a 37 month renewal service agreement with DebtBook subscription and maintenance of the Lease and Subscription Accounting software currently in place.

System maintenance and management is required on an ongoing basis to allow for functional system operations and compliance with GASB Accounting pronouncements. DebtBook is the only authorized provider for these services.

The maintenance service agreement covers subscription and maintenance for a period of 37 months for an amount that shall not exceed \$53,750.00. This agreement can be renewed, at the discretion of the City, as long as the vendor remains sole-source.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE ANY AGREEMENTS AND OTHER DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND DEBTBOOK FOR LEASE AND SUBSCRIPTION ACCOUNTING SOFTWARE AND RELATED MANAGEMENT AND MAINTENANCE SERVICES; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO RENEW SAID AGREEMENTS AND DOCUMENTS; MAKING THE AUTHORIZATIONS PROVIDED HEREIN CONTINGENT UPON CERTAIN CONDITIONS; 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. 6197 appears in the Resolution and Ordinance records of the City of Longview.

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

SECOND: Council Member Gamboa seconded the motion.

| | | |
|-------|--------------------------|-----|
| VOTE: | Council Member Carpenter | Yes |
| | Council Member Snoddy | Yes |
| | Council Member Wade | Yes |
| | Council Member Nustad | Yes |
| | Council Member Gamboa | Yes |
| | Council Member Pirtle | Yes |
| | Mayor Mack | Yes |

VII. Action Item

Consider all matters incident and related to the issuance and sale of "City of Longview, Texas, General Obligation Improvement Bonds, Series 2023", including the adoption of an ordinance authorizing the issuance of such bonds and approving all other matters incident thereto –

John Martin, Hilltop Securities Inc. requested Council to authorize the issuance of General Obligation Improvement Bonds for the City of Longview.

MOTION: Council Member Nustad made the following motion:

I move to adopt an ordinance authorizing the issuance and sale of "City of Longview, Texas, General Obligation Improvement bonds, Series 2023" and approving all other matters related thereto.

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF LONGVIEW, TEXAS, GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2023; PROVIDING FOR THE PAYMENT OF SAID BONDS; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

SECOND: Council Member Pirtle seconded the motion.

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

Such Ordinance is No. 4451 and appears in the Resolution and Ordinance records of the City of Longview.

VIII. Zoning Items

- A. A PUBLIC HEARING will be held to consider application #Z23-19 filed by Jim Heslep requesting a rezone from Heavy Commercial (C-2) to Single Family (SF-5) Zoning District for Lots 8-13 Block C (NCB 3437) Greggton Heights Subdivision located on the southeast corner of East Grand Avenue and Avenue C. –**

Angela Choy, AICP, City Planner presented the staff report:

APPLICATION #Z23-19

STAFF REPORT

August 10, 2023

APPLICANT: Jim Heslep
LOCATION: Lots 8-13 Block C (NCB 3437) Greggton Heights Subdivision located on the southeast corner of East Grand Avenue and Avenue C.
REQUEST: Rezone from Heavy Commercial (C-2) to Single Family (SF-5) Zoning District.

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|----------------------|---|
| SUBJECT PARCEL | C-2 | Single Family Homes & Vacant |
| NORTH | SF-5 | Single Family Homes & Vacant |
| SOUTH | SF-5 & C-2 | Single Family Homes, Warehouse & Office |
| WEST | SF-5 & C-2 | Single Family Homes & Warehouse |
| EAST | SF-5 | Vacant |

COUNCIL DISTRICT:

District 2 – Council Member Nona Snoddy

FUTURE LAND USE:

The Comprehensive Plan designates this area for Commercial (COM).

STAFF COMMENTS:

The applicant is requesting to rezone Lots 8-13 Block C (NCB 3437) Greggton Heights Subdivision located on the southeast corner of East Grand Avenue and Avenue C from Heavy Commercial (C-2) to Single Family (SF-5) Zoning District.

Currently, Lots 8-11 are occupied by single-family dwellings. The existing dwellings were constructed between 2017 and 2020 and the applicant would like to build two single family homes on Lots 12 and 13.

East Grand Avenue and Avenue C are classified as local streets and are maintained by the City of Longview. This type of development is appropriate along these roadways as long as access management is followed.

Staff finds the proposed zoning change is consistent with the surrounding uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:

The Planning and Zoning Commission (7-0) and Staff recommend approval of 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: THAT LOTS 8-13 BLOCK C (NCB 3437) GREGGTON HEIGHTS SUBDIVISION LOCATED ON THE SOUTHEAST CORNER OF EAST GRAND AVENUE AND AVENUE C BE REZONED FROM HEAVY COMMERCIAL (C-2) TO SINGLE FAMILY (SF-5) ZONING DISTRICT; 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 Pirtle seconded the motion.

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

Such Ordinance is No. 4452 and appears in the Resolution and Ordinance records of the City of Longview.

B. A PUBLIC HEARING will be held to consider application #S23-06 filed by Raimund Gideon requesting a Specific Use Permit (SUP) to allow for a Bed and Breakfast in Single Family (SF-3) Zoning District for Lots 13 & 14 Block 2 (NCB 350) Mobberly Place #2 located at 701 Noel Drive. –

Angela Choy, AICP, City Planner presented the staff report:

APPLICATION #S23-06

S T A F F R E P O R T

August 10, 2023

APPLICANT: Raimund Gideon
LOCATION: Lots 13 & 14 Block 2 (NCB 350) Mobberly Place #2
REQUEST: Specific Use Permit to allow for a Bed and Breakfast in Single Family (SF-3) Zoning District located at 701 Noel Drive.

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|----------------------|------------------------|
| SUBJECT PARCEL | SF-3 | One-Family Dwelling |
| NORTH | SF-3 | One-Family Dwelling |
| SOUTH | SF-3 | One-Family Dwelling |
| WEST | SF-3 | One-Family Dwelling |

EAST

SF-3

One-Family Dwelling

COUNCIL DISTRICT:

District 3 – Council Member Wray Wade

FUTURE LAND USE:

The Future Land Use map designates this area for Low Density Residential (LDR).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit to allow for a Bed and Breakfast in Single Family (SF-3) Zoning District located at 701 Noel Drive.

A Specific Use Permit is required for a Bed and Breakfast in Single Family (SF-3) Zoning District to ensure no negative impact on surrounding properties. The applicant is renting out his garage apartment while his family is living in the main structure. The UDC defines a bed and breakfast as a residential unit offered for rental to guests for residential purposes for a period of one (1) to thirty (30) nights where the owner or lessee of the unit must be living on-site on a permanent basis. Such rentals may include a shared room or a single room. These uses are conducted by the homeowner or tenant, not by a hotel or other business.

Noel Drive is a local roadway and maintained by the City of Longview. 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 future land use map and surrounding uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:

The Planning and Zoning Commission (7-0) and Staff recommend approval of 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 Wade made a motion the following Ordinance be approved:

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT
(SUP) IN ACCORDANCE WITH THE UNIFIED**

DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR A BED AND BREAKFAST IN SINGLE FAMILY (SF-3) ZONING DISTRICT FOR LOTS 13 & 14 BLOCK 2 (NCB 350) MOBBERLY PLACE #2 LOCATED AT 701 NOEL DRIVE; 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 Gamboa seconded the motion.

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

Such Ordinance is No. 4453 and appears in the Resolution and Ordinance records of the City of Longview.

C. A PUBLIC HEARING will be held to consider application #S23-07 filed by Mark Massingill requesting a Specific Use Permit (SUP) to allow for indoor amusement in General Retail (GR) Zoning District for the use of radio controlled car track located at 1615B Pine Tree Road (Abstract 71 D. Ferguson Survey Tracts 40, 41 & 41-02 Section 1). –

Angela Choy, AICP, City Planner presented the staff report:

APPLICATION #S23-07

STAFF REPORT

August 10, 2023

APPLICANT: Mark Massingill

LOCATION: AB 71 D Ferguson Survey Tracts 40, 41 and 41-02 Section 1

REQUEST: Specific Use Permit to allow for indoor amusement in General Retail (GR) Zoning District for the use of radio controlled car track located at 1615B Pine Tree Road.

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|----------------------|----------------------------------|
| SUBJECT PARCEL | GR | Retail Strip Center |
| NORTH | SF-4 | Pine Tree ISD |
| SOUTH | GR | Daycare |
| WEST | GR | Retail Strip Center |
| EAST | GR | Retail Strip Center & Apartments |

COUNCIL DISTRICT:
District 1 – Council Member Temple Carpenter III

FUTURE LAND USE:
The Future Land Use map designates this area for Retail (RET).

STAFF COMMENTS:
The applicant is requesting a Specific Use Permit to allow for indoor amusement in General Retail (GR) Zoning District for the use of radio controlled car track located at 1615B Pine Tree Road (Abstract 71 D. Ferguson Survey Tracts 40, 41 & 41-02 Section 1).

A Specific Use Permit is required for indoor amusement within General Retail (GR) zoning district to ensure no negative impact on surrounding properties.

Pine Tree Road is a minor arterial roadway and maintained by TxDOT. 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 future land use map and surrounding uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:
The Planning and Zoning Commission (7-0) and Staff recommend approval of 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 GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR INDOOR AMUSEMENT IN GENERAL RETAIL (GR) ZONING DISTRICT FOR THE USE OF RADIO CONTROLLED CAR TRACK LOCATED AT 1615B PINE TREE ROAD (ABSTRACT 71 D. FERGUSON SURVEY TRACTS 40, 41 & 41-02 SECTION 1); 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 Pirtle seconded the motion.

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

Such Ordinance is No. 4454 and appears in the Resolution and Ordinance records of the City of Longview.

D. A PUBLIC HEARING will be held to consider application #S23-08 filed by Jason Jones requesting a Specific Use Permit (SUP) to allow for a Spa, Salon or Barber Shop in Office (O) Zoning District for Lots 1 & 2 Block 887A Judson Road Drive Subdivision and Abstract 224 JW Yates Survey Tract 13 located at 1514 Judson Road. –

Angela Choy, AICP, City Planner presented the staff report:

APPLICATION #S23-08

STAFF REPORT

August 10, 2023

APPLICANT: J. Allen Jones Properties, LLC
LOCATION: Lots 1 and 2 Block 887A Judson Road Drive Subdivision and Abstract 224 JW Yates Survey Tract 13 located at 1514 Judson Road.
REQUEST: Specific Use Permit to allow for a Spa, Salon or Barber Shop in Office (O) Zoning District

| | <u>ZONING</u> | <u>LAND USE</u> |
|----------------|---------------|-------------------------------|
| SUBJECT PARCEL | O | Previously Real Estate Office |
| NORTH | O | Office |
| SOUTH | GR | Daycare |
| WEST | GR | Office and Retail/Spa/Salon |
| EAST | O | Daycare |

COUNCIL DISTRICT:

District 4 – Council Member John Nustad

FUTURE LAND USE:

The Future Land Use map designates this area for Office (O).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit to allow for a Spa, Salon or Barber Shop in Office (O) Zoning District for 1514 Judson Road. A Specific Use Permit is required for Spa, Salon or Barber Shop in (O) zoning districts to ensure no negative impact on surrounding properties.

Currently, there several Spa, Salon or Barber Shops along Judson Road within a block or two of this location.

Judson Road is a principal arterial and maintained by TxDOT. 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 future land use map and surrounding uses; therefore, it does not constitute spot zoning.

STAFF RECOMMENDATION:

The Planning and Zoning Commission along with Staff recommends approval of this request (6-0-1). Jason Jones recused himself.

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 Nustad made a motion the following Ordinance be approved:

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR A SPA, SALON OR BARBER SHOP IN OFFICE (O) ZONING DISTRICT FOR LOTS 1 & 2 BLOCK 887A JUDSON ROAD DRIVE SUBDIVISION AND ABSTRACT 224 JW YATES SURVEY TRACT 13 LOCATED AT 1514 JUDSON ROAD; 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 Gamboa seconded the motion.

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

Such Ordinance is No. 4455 and appears in the Resolution and Ordinance records of the City of Longview.

IX. Budget Items

A. Discussion of the proposed 2023-24 budget for the City of Longview –

Rolin McPhee, City Manager gave an overview of the total proposed budget for FY23-24. It was initially the same presentation but the main difference is the final tax valuations significantly exceeded the initial valuation that were provided by our appraisal districts.

Mr. McPhee proposed a 3% reduction in the proposed property tax rate. The reduction enables us to maintain our balanced budget proposed last month with the same expenses and provides financial relief to our residents. Minimizing the portion of property taxes needed annually to support maintenance and operations is a key element to ensure a healthy financial outlook for the city moving forward.

B. Discussion of the proposed 2023-24 fee resolution –

Rolin McPhee, City Manager stated we are proposing a minor reduction of fees associated with parade entries to encourage cooperation. Another set of adjustments are related to increased material costs, which will affect utility fees.

Finally, we propose changing some fees related to pretreatment. This will align our fee ordinance with a state approved plan that we have been following since its adoption.

X. Items of Community Interest

XI. Adjourn

The meeting was adjourned at 6:03 p.m.

[seal]

Angie Shepard
City Secretary

