



City Council Meeting Agenda

LongviewTexas.gov/Tele
5:30 pm.
August 13, 2020

This meeting will be conducted utilizing a videoconferencing tool. City Council members, staff, and citizens may participate (via audio only) either from the computer of their choice or by attending the City Hall Council Chambers at 300 W. Cotton Street, Longview, Texas.

To participate directly from the computer of your choice, please plan to arrive early to give yourself time to register to the videoconference tool. After registering, you will receive a confirmation email containing information about joining the webinar. The virtual conference meeting room will open at 5:15 p.m., and the meeting will begin at 5:30 p.m. Instructions and direct links to view the meeting or speak during citizen comment can be found at LongviewTexas.gov/Tele.

To participate by attending the City Hall Council Chambers at 300 W. Cotton Street, Longview, Texas, please plan to arrive early to give yourself time to fill out a speaker's card. The meeting will begin at 5:30 p.m.

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

- I. Call to Order**
- II. Roll Call**
- III. Citizen Comment**
- IV. Budget Items**
 - A. Consider a Resolution establishing city fees and charges for the Fiscal Year 2020-2021 – Keith Bonds, City Manager. Pages 4-94

- B. **Public Hearing on Proposed Budget.** A public hearing will be held to consider the proposed FY 2020–2021 Budget – Angela Coen, Director of Finance. **This item requires a public hearing.** Page 95
- C. Consider an Ordinance adopting the Fiscal Year 2020–2021 Annual Operating Budget and appropriating said funds – Keith Bonds, City Manager. Page 96
- D. **PUBLIC HEARING ON PROPOSED TAX RATE.** A public hearing will be held to consider the proposed Fiscal Year 2020 - 2021 Tax Rate (the City Council will vote on the tax rate on Thursday, August 20, 2020, at 5:30 PM by videoconference tool in the same manner as provided above in this agenda or, if required by law, in the City Hall Council Chambers at 300 W. Cotton Street, Longview, Texas) – Angela Coen, Director of Finance. **THIS ITEM REQUIRES A PUBLIC HEARING.** Page 97
- E. Consider a motion to ratify the property tax revenue increase reflected in the fiscal year 2020–2021 Budget – Angela Coen, Director of Finance. Page 98

V. Consent Items

- A. Consider a Resolution authorizing and directing the City Manager or the City Manager’s designee to execute any necessary documents for the purchase of police body camera equipment via the city’s participation in the State of Texas cooperative purchasing program – Mike Bishop, Chief of Police. Pages 99-103
- 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 transit van via the State of Oklahoma interlocal agreement for an amount not to exceed \$54,233.00 using Federal Transit Administration Funds – Scott Lewis, Longview Transit General Manager. Pages 104-107
- C. Consider a Resolution authorizing the City to enter into an interlocal agreement for mutual access to certain CloudLibrary digital resources, also known as the Bibliotheca CloudLink Service – Jennifer Eldridge, Library Manager. Pages 108-110
- D. Consider a Resolution authorizing and directing the City Manager's designee to execute any necessary documents for the application, receipt, and expenditure of the Fiscal Year 2020 Justice Assistance Grant (JAG) from the U.S. Department of Justice in the amount of \$25,998 to be used for youth crime prevention initiatives – Holly Fuller, Partners in Prevention Manager. Pages 111-114

- E. Consider a Resolution to receive a Homeland Security hazardous materials response trailer/equipment transfer from the Athens Fire Department to the Longview Fire Department per a recommendation from the Homeland Security Advisory Council of the East Texas Council of Governments – J.P. Steelman, Fire Chief/Emergency Management Coordinator. Pages 115-118
- F. Consider a Resolution accepting the "Lake O'the Pines Raw Water Intake Repairs" Project and authorizing final payment of \$91,065.37 to Solid Bridge Construction, LLC, of Huntsville, Texas – Rolin McPhee, P.E., Director of Public Works. Pages 119-122
- G. Consider a Resolution allowing the City of Longview to enter into an Interlocal Agreement with Kilgore College for the purpose of allowing their students to obtain state-required clinical hours onboard fire department ambulances – J.P. Steelman, Fire Chief. Pages 123-126

VI. Election Item

Consider an Ordinance changing the dates for early voting in accordance with the proclamation of the Governor for the general election to be held on November 3, 2020, for the purpose of electing a City Council Member for City Council Voting District No. 3 and making provisions for conducting said election jointly with Gregg and Harrison Counties – Angie Shepard, City Secretary. Pages 127-134

VII. Zoning Item

A PUBLIC HEARING will be held to consider application #Z20-06 filed by Dave Carter requesting a rezone from Single Family (SF-2) to General Retail (GR) Zoning District for approximately 13.357 acres for Lots 3A, 4, and 5, Block 1112 L. Wooley Tract subdivision located at 2201 Judson Road – Angela Choy, AICP, City Planner. Pages 135-149

VIII. Adjourn

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

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

CONSIDER A RESOLUTION SPECIFYING FEES AND CHARGES

DESCRIPTION: This resolution would authorize City fees and charges to be updated or revised in order to more accurately compensate the City for its costs in providing facilities, services, and materials and to reflect the city's cost of administering the municipal regulations associated with City permits and applications. These changes are red-lined for your convenience in the resolution and are listed in the summary of fee changes.

RECOMMENDED ACTION: Approval of the Resolution

SOURCE OF FUNDS: N/A

STAFF CONTACT: Angela Coen, Director of Finance
903-239-5521
acoen@longviewtexas.gov

COUNCIL DATE: August 13, 2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, SPECIFYING CITY FEES AND CHARGES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to continue its program of updating and revising fees and charges in order to more accurately compensate the City for its costs in providing facilities, services, and materials and to reflect the City's cost of administering the municipal regulations associated with City permits and applications; and,

WHEREAS, the City Council desires to ensure that City fees and charges are properly and regularly updated to reflect current conditions; and,

WHEREAS, the City Council has adopted ordinances allowing fees and charges to be set by resolution; NOW, THEREFORE,

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

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

Activity Complex

Maude Cobb Convention and Activity Center

Section 2. **Definitions.** For purposes of this resolution, all organizations requesting use of the facilities at the Maude Cobb Convention and Activity Complex shall be categorized as being either Class I: Regular Rates or Class II: IRS Tax Exempt Rates, by the City Manager or the City Manager's designee.

These terms shall be defined as follows:

1 Class I: Regular Rates. This class shall apply to any and all professional exhibitions or contests, promotional dances, commercial shows and promotional theatrical exhibitions, any and all other attractions sponsored or contracted by profit-making or commercial organizations or individuals, and any and all other attractions and purposes which are not clearly within some other class as hereinafter classified. This class shall include all political meetings. This class shall also include conventions of commercial organizations. This classification shall apply where the lessee or its members are engaged in the purchase or sale of commodities, or in business transactions as a part of the convention, and shall include conventions of persons engaged in business for profit of the type identified with the group holding the convention. This class shall also apply to any and all local persons, organizations and associations considered noncommercial who are not currently certified as IRS Tax Exempt organizations to include weddings, private parties, reunions, and any other function not of a commercial nature.

2 Class II: IRS Tax Exempt. This class shall apply to any and all organizations that are currently certified as an IRS Tax Exempt organization. A copy of the current

certification must be submitted at the time of reservation. In all instances of dispute, the Maude Cobb Convention and Activity Complex Manager shall determine the classification of a particular event, which such decision shall be final.

Section 3. **Class I Rentals.** The following schedule of charges shall apply to Class I rentals:

1 Maude Cobb Convention and Activity Center

Activity Rooms:

No. of Rooms	8 am – 5 pm	5 pm – 12 am	All Day (8 am – 12 am)
1	\$130.00	\$130.00	\$190.00
2	\$160.00	\$160.00	\$220.00
3	\$180.00	\$180.00	\$250.00
4	\$210.00	\$210.00	\$275.00
5	\$230.00	\$230.00	\$300.00

Bob Eitelman Conference Room:

8 am- 5 pm	5 pm – 12 am	All Day (8 am – 12 am)
\$250.00	\$250.00	\$375.00

Main Hall:

Sections	Rate (the higher of):
One-half Hall	\$900.00 daily for non-ticketed events, or, \$1,300.00 daily for ticketed events.
Full Hall	\$1,200.00 daily for non-ticketed events, or, \$1,900.00 daily for ticketed events.
Full Hall & Rooms	\$1,500.00 daily for non-ticketed events, or, \$2,200.00 daily for ticketed events.

2 Longview Fairgrounds

Longview Exhibit Building:

Sections	Rate (the higher of):
1	\$400/day for non-ticketed events, or, \$450/day for ticketed events.
2	\$550/day for non-ticketed events, or \$800/day for ticketed events.
3	\$825/day for non-ticketed events, or, \$1,100/day for ticketed events.

If a move-in/out, rehearsal time, or set-up/breakdown day is required, then a minimum fee of one-half of the daily rate specified above shall be charged for such use, if such use is limited to 8 hours or less.

Animal Show Area:

Area	Rate
Small Shed	\$100.00/day
Large Shed	\$125.00/day
Entire Area	\$175.00/day
General Use Area	\$500.00/day

Should extensive electrical power be required, the daily charge for use of the general use area shall be \$250, plus electric power costs. A \$250 deposit per day of use shall be required; with such deposit to be available to pay such power costs in the event some are not paid by the person or organization renting such area.

Rodeo Arena:

Time	the higher of
Full day	\$750/day or 10% of gross ticket sales

Party Barn:

Time	Rate
Full day	\$250

J.R. Curtis Jr. Memorial Garden for the Blind Gazebo

\$25/hour

Section 4. **Class II Rentals.** The following schedule of charges shall apply to Class II rentals:

1 **Maude Cobb Convention and Activity Center**

Activity Rooms:

No. of Rooms	8 am – 5 pm	5 pm – 12 am	All Day 8am – 12 am
1	\$60.00	\$60.00	\$90.00
2	\$70.00	\$70.00	\$110.00
3	\$85.00	\$85.00	\$125.00
4	\$100.00	\$100.00	\$150.00
5	\$115.00	\$115.00	\$175.00

Bob Eitelman Conference Room:

8 am – 5 pm	5 pm – 12 am	All Day 8 am – 12 am
\$120.00	\$120.00	\$180.00

Main Hall:

Sections	Rate (the higher of):
One-half Hall	\$600.00/day
Full Hall	\$800.00/day
Full Hall & Rooms	\$950.00/day

If a move-in/out, rehearsal time, or setup day is required, then a minimum fee of one-half of the daily rate specified above shall be charged for such use, if such use is limited to 8 hours or less.

2 Longview Fairgrounds:

Longview Exhibit Building:

Sections	Rate
1	\$265/day
2	\$365/day
3	\$550/day

If a move-in/out, rehearsal time, or setup day is required, then a minimum fee of one-half of the daily rate specified above shall be charged for such use, if such use is limited to 8 hours or less.

Animal Show Area:

Area	Rate
Small Shed	\$50.00/day
Large Shed	\$60.00/day
Entire Area	\$85.00/day
General Use Area	\$250.00/day

Should extensive electrical power be required, the daily charge for use of the general use area shall be \$250, plus electric power costs. A \$250 deposit per day of use shall be required; with such deposit to be available to pay such power costs in the event some are not paid by the person or organization renting such area.

Rodeo Arena:

Time	Rate
Full day	\$500.00

Party Barn:

Time	Rate
Full day	\$125.00

J.R. Curtis Jr. Memorial Garden for the Blind Gazebo

\$25.00/hour

Section 5. **Setup Charges.** The fees specified in this resolution for rental of facilities at the Maude Cobb Convention and Activity Complex include allowances for setup of said facilities in accordance with the following schedule of charges:

Charges (per day for Class I Rentals / per event for Class II Rentals):

Chairs, each	\$1.00
Tables, each	\$4.00
Staging (4' x 8'), each	\$10.00
Podium floor, each	\$20.00
Acrylic Podium	\$50.00
Easels, each	\$5.00
Stanchions (set of 2)	\$10.00
Flip Chart	\$25.00
Dry Erase Board	\$25.00
Microphone, each	\$25.00
Portable Screen, each	\$50.00
TV with VCR/DVD, each	\$25.00
Coffee Service	1 urn - \$20.00 2-5 urns - \$15.00 per urn 6-15 urns \$12.50 per urn 15 or more urns \$10.00 per urn
Bottled Water each	\$1.00
Projectors, each	\$50.00
60 amp Portable Power Station	\$100.00
Metal Barricades, each	\$5.00

Section 6. **Additional Charges.** In addition to the other charges stated in this resolution, the following rental charges shall be made for use of city facilities at the Maude Cobb Convention and Activity Complex:

Concession Stand, per day	\$100.00
Kitchen: Class I per day Class II per event	\$300.00
Ticket office (any facility), per day	\$ 25.00
For each hour an activity continues after midnight at any city facility, there shall be an additional charge of	\$200/hour or any portion thereof.
For each hour or portion thereof prior to 7:00 a.m. that city facilities are used, there shall be a charge of	\$100/hour
Security	\$40/hour/officer
EMS	\$30/hour/EMT or paramedic (2 personnel per unit minimum)
Fire Watch	\$30/hour/firefighter
Animal Control Officer	\$30/hour/officer
RV Hook Up	\$20/night/hook up
Office Supplies and Copies Copies will be sold at market cost	Office Supplies (based on availability) and
Facility Towable Bleacher	\$100/per non-City sponsored event within City Limits. Plus staff salaries and
Mileage	for outside City Limits.

Section 7. **Holiday Rentals.** The Maude Cobb Convention and Activity Complex will not be available for rentals on the following holidays:

Easter Sunday (includes Good Friday, the following Saturday and Easter Sunday)

Thanksgiving (includes Thanksgiving Thursday and the following Friday, Saturday, and Sunday)

Christmas Eve and Christmas Day.

All other rentals on a holiday observed by the City of Longview will be assessed staff holiday pay. This rate of pay will be calculated after the event once the rate of pay is determined. All applicable social security and retirement benefits will be included.

Section 8. Maude Cobb Convention and Activity Complex Fees

Declared Reasonable; Fee Waivers. The fees previously established by resolution of the Longview City Council for the use of the Maude Cobb Convention and Activity Complex facilities and the provisions set out in this resolution relating to same are hereby found and determined to be reasonable and necessary for the maintenance and support of the Maude Cobb Convention and Activity Complex, and, except as otherwise provided herein, no waiver of such fees shall be granted save and except as provided by ordinance or resolution of the City Council of the City of Longview. The following provisions shall apply to fees for the use of the Maude Cobb Convention and Activity Complex facilities:

1. No fee shall be assessed where the city has by contract duly executed prior to the date of this resolution agreed to waive such fees.

2. No fee shall be assessed for certain functions of the Longview Chamber of Commerce, because of the chamber's efforts in constructing the Maude Cobb Convention and Activity Center. The waiver of fees for the Longview Chamber of Commerce shall be administered as follows:

a. The waiver of fees shall apply only for use of the Maude Cobb Convention and Activity Center. For use of any other portion of the Maude Cobb Convention and Activity Complex, the Longview Chamber of Commerce shall be subject to all normal fees.

b. The Longview Chamber of Commerce may utilize the Maude Cobb Convention and Activity Center without facility rental charge for events of community benefit. Such events would include the annual awards banquet, most seminars, and other events provided for community service. To qualify for this waiver, the facility must be contracted for and the event sponsored by the Longview Chamber of Commerce. As a general rule, events qualifying for waiver of fee under this provision cannot benefit any single member of the Longview Chamber of Commerce and must be instructional or honorary in nature.

c. Events which are designed as fund raisers or membership networking events for the Longview Chamber of Commerce will be subject to the rates for Class II: IRS Tax Exempt Rates in effect on the date of the contract. Such events would include, without limitation, the East Texas Boat RV Camping Expo and the Business Expo.

d. In booking the Maude Cobb Convention and Activity Center, the city will temporarily secure multiple dates for any Longview Chamber of Commerce events. When interest is expressed in a temporarily secured date by another potential lessee, the city shall notify the Longview Chamber of Commerce of such potential lessee, and the Longview Chamber of Commerce shall thereafter advise the city within two working days of the Longview Chamber of Commerce's intent to hold the event on the temporarily secured date, or the date shall be released. In the event the Longview Chamber of Commerce elects to hold the event on the

reserved date, all other dates temporarily held for the Longview Chamber of Commerce event shall be automatically released. The Longview Chamber of Commerce shall execute a customary lease agreement for the date reserved within ten days thereafter, regardless of whether the event is subject to payment of fee or is subject to waiver of fee as provided herein. In the event the Longview Chamber of Commerce releases a date, the other potential lessee may then contract for the released date. Release of one or more dates for a particular event will not affect other temporarily held dates for other events.

3. No fee shall be assessed for use of the facilities in the event of a public calamity or disaster, or in the furtherance of public health programs, or to protect the public health, safety, and welfare, as determined by the City Manager or the City Manager's designee. Furthermore, the City Manager or the City Manager's designee may waive certain fees and charges for City-sponsored activities.

4. Events falling under the auspices of the Longview Convention and Visitor's Bureau may be eligible for discounted, waived or refunded fees and charges based on the number of hotel / motel room nights generated or projected to be generated by the event. The decision will be made by the City Manager or the City Manager's designee based on a review and analysis of the events' impact on the community. Methodology will include a review of total fees owed in comparison to estimated revenues.

Section 9. **Deposits.** The following deposit requirements shall apply to rental of the Maude Cobb Convention and Activity Complex or any part thereof:

1. The city may require a refundable damage deposit in an amount varying from \$100.00 to \$1,000.00 at the time a rental agreement is signed. The City Manager or the City Manager's designee shall determine the amount of the damage deposit to be required in each case, with such decision to be based upon the scope and nature of the proposed use of city facilities.
2. A rental deposit in the amount of 25% of the rental fee shall be required to be paid at the time any facility of the Maude Cobb Convention and Activity Complex is booked for a Class I or Class II activity or event. This rental deposit is refundable up to 90 days prior to the booked date. The fee shall be nonrefundable as of the 90th day prior to the event or activity.

Animal Services

Section 10. **Definitions.** For purposes of this resolution, all organizations requesting use of the Education Room at the Longview Animal Care and Adoption Center shall be categorized as being either Class I: Regular Rates or Class II: IRS Tax Exempt Rates, by the City Manager or the City Manager's designee. These terms shall be defined as follows:

1. ***Class I: Regular Rates.*** This class shall apply to any and all professional events, commercial shows, and any and all other attractions sponsored or contracted by profit-making or commercial organizations or individuals, and any and all other attractions and purposes which are not clearly within some other class as hereinafter classified. This class shall include all political meetings. This class shall

also include conventions of commercial organizations. This classification shall apply where the lessee or its members are engaged in the purchase or sale of commodities, or in business transactions as a part of the event, and shall include meetings of persons engaged in business for profit of the type identified with the group holding the meeting. This class shall also apply to any and all local persons, organizations and associations considered noncommercial who are not currently certified as IRS Tax Exempt organizations to include weddings, private parties, reunions, and any other function not of a commercial nature.

2. **Class II: IRS Tax Exempt.** This class shall apply to any and all organizations that are currently certified as an IRS Tax Exempt organization. A copy of the current certification must be submitted at the time of reservation. In all instances of dispute, the City Manager or the City Manager's designee shall determine the classification of a particular event, which such decision shall be final.

Section 11. **Class I Rentals.** The following schedule of charges shall apply to Class I rentals at the Longview Animal Care and Adoption Center:

No. of Rooms	8 am – 5 pm	5 pm – 12 am	All Day (8 am–12 am)
1	\$80.00	\$80.00	\$135.00

Section 12. **Class II Rentals.** The following schedule of charges shall apply to Class II rentals at the Longview Animal Care and Adoption Center:

No. of Rooms	8 am – 5 pm	5 pm – 12 am	All Day 8am – 12
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			am
1	\$50.00	\$50.00	\$75.00

Section 13. **Additional Facility Charges.** In addition to the other charges stated in this resolution, the following rental charges shall be made for use of City facilities at the Longview Animal Care and Adoption Center:

Refundable Maintenance / Security Deposit	\$100 per event
Building Attendant	\$20 per hour
Late Use Fee	\$100 per hour or portion of an hour that the facilities are used after midnight
Early Use Fee	\$50 per hour or portion of an hour that the facilities are used prior to 7:00 a.m.
Security (if required)	\$35 per hour per officer

Section 14. **Reclaim Fees.** Following are fees to be paid upon reclaiming an animal in the custody of the Longview Animal Care and Adoption Center. Microchip implantation is included with the reclaim fee. The City Manager or the City Manager's designee may waive or reduce fees on a case by case basis, taking into account what is in the best interest of the animal.

FEE ITEM	FEE	COMMENTS
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Dog or Cat: 1 st Reclaim	\$100	Must show proof of current rabies vaccination or shelter will vaccinate & charge an additional \$5.00 for rabies vaccination & certificate
Dog or Cat: 2 nd Reclaim	\$125	Must show proof of current rabies vaccination or shelter will vaccinate & charge an additional \$5.00 for rabies vaccination & certificate
Dog or Cat: 3 rd Reclaim	\$135	Includes mandatory spay/neuter, all vaccinations, & microchip
Other small companion animals	\$100	Includes specialized care and housing costs for small mammals, birds and reptiles
Large Exotics (Legal)	\$100	Includes specialized care and housing costs for larger legal exotics, e.g. large

		parrots and reptiles
Large Exotics (Illegal)	\$250 + \$25 daily board or actual cost	Applies to animals prohibited under Chapter 13 of the Longview City Code; \$25 daily boarding will be charged if the animal can be housed at LACAC, otherwise the actual cost of boarding at off-site location will be charged in place of the \$25 daily boarding fee
Small Livestock	\$100	Applies to a single goat, pig, emu, sheep, etc.
Large Livestock	Actual cost	Cows, horses & multiple small livestock will be housed at an off-site facility and owner must pay actual cost of that off-site housing
Dog, Testing / Labwork	\$25 or actual cost, whichever is greater	Applies when blood draws & lab tests are deemed medically necessary by shelter veterinarian on duty
Cat, Testing / Labwork	\$15 or actual cost,	Applies when blood draws

	whichever is greater	& lab tests are deemed medically necessary by shelter veterinarian on duty
Boarding	\$10 per day	Applies per each day or portion of a day after the initial 72 hour stray / hold period
Microchip	\$20	
Vaccinations, worming, flea treatment	\$20	
Rabies vaccination with certificate	\$5	
Quarantine	\$20 per day (\$200 maximum)	

Section 15. **Owner Surrender & Euthanasia Fees.** Following are fees to be paid upon the surrender of an animal to the Longview Animal Care and Adoption Center, including fees for euthanasia. The City Manager or the City Manager's designee may waive or reduce fees on a case by case basis, taking into account what is in the best interest of the animal.

<u>FEE ITEM</u>	<u>FEE</u>	<u>COMMENTS</u>
Owner Surrender: Dog /	\$100 per animal	Applies when a resident of

Cat		Longview surrenders a dog or cat to the City
Out of Jurisdiction Surrender	\$125 per animal	Applies when a person who is not a resident of Longview surrenders a dog or cat to the City
4 Litter with or without mother	\$125	
Animal Control Pick-up	\$75 + \$25 per additional animal in the same trip	Applies when owner requests pickup of an animal by the City
Small Companion Animals	\$100	Applies to guinea pig, rabbit, ferret, etc.
Small Mammals / Birds	\$100	
Exotic / Legal	\$100	Applies to large parrots, reptiles, turtles, etc.
Euthanasia < 2 lbs	\$25	
Euthanasia 3-50 lbs	\$65	Includes disposal fee of \$25
Euthanasia 51-100 lbs	\$80	Includes disposal fee of \$25
Euthanasia 100 lbs +	\$100	Includes disposal fee of \$25

Section 16. **Adoption Fees.** Following are fees to be paid upon the adoption of an animal from the Longview Animal Care and Adoption Center. The City Manager or the City Manager’s designee may waive or reduce fees on a case by case basis, taking into account what is in the best interest of the animal. For purposes of this section, the term “Senior” means a person 55 years of age or older. For purposes of this section, the term “Puppy” means a dog 7 months of age or less that has been weaned. For purposes of this section, the term “Kitten” means a cat 7 months of age or less that has been weaned. The City Manager or the City Manager’s designee is authorized to establish a fee schedule for the adoption of a Puppy based on such factors as the season in which the adoption takes place, the breed of the animal, the size of the animal, and other factors affecting the animal’s chance of adoption.

<u>FEE ITEM</u>	<u>FEE</u>	<u>COMMENTS</u>
Dog	Standard Adult: \$75-\$200 Puppy: \$100-\$200, as established by City Manager or designee Special Needs Canine: \$50	Includes spay/neuter, 1st set of vaccinations, deworming, 30-day flea treatment, Bordetella, Rabies, Heartworm Test, & 30-day pet health insurance
Cat	Standard Adult: \$50-\$200, as established by City	Includes spay/neuter, 1 st set of vaccinations,

	Manager or designee Kitten: \$75-\$200, as established by City Manager or designee	deworming, 30-day flea treatment, rabies, Felv/ FIV Test, Heartworm Test, & 30-day pet health insurance
Senior Discount	15% Discount	Applies when Senior Citizen adopts any animal
First Responders and Military Discount	15% Discount	Applies to all Police, Fire, Military, and Veterans who are adopting.

Section 17. **Dangerous Dog Registration Fees.** In accordance with Section 822.043 of the Texas Health and Safety Code, any person registering a dangerous dog shall pay to the City the maximum annual registration fee allowed by law. Also pursuant to Section 822.043 of the Texas Health and Safety Code, any person re-registering a dangerous dog due to the sale of the dog or the movement of the dog to a new address shall pay the maximum fee allowed by law.

Building Inspection

Section 18. **Building Permit Fees.** The fees to be levied and collected in connection with the issuance of a building permit shall be calculated and determined according to the following schedule: Gregg County and any work conducted on behalf of said county on county property shall be excepted from any and all fees and charges imposed by this section. All fees are non-refundable once plan review or inspections have been performed.

<u>Residential (Single and Two-Family)</u>	<u>Permit Fee</u>
New Additions, Remodel, Alteration, and accessory buildings such as shops and detached garages. (total under roof including each floor)	\$0.25 square foot
Manufactured Home Tie Down and Site	\$30.00
Portable Storage buildings	\$50.00
Fences	\$50.00
Re-roof	\$100.00
Window Replacement	\$100.00
Swimming Pool	\$300.00
Demolition	\$50.00
<u>Commercial (Multi-Family, Retail, Office, Etc.)</u>	
New, Additions, Remodel, and Alteration	Valuation based see Schedule A
Plan Review	One-third of the building permit fee
Roofing	Valuation based see Schedule A
Swimming Pool, spa, and hot tub	Valuation based see Schedule A
Demolition	\$50.00
Fences	Valuation based see Schedule A

<u>Misc.</u>	<u>Permit Fee</u>
Cell Tower and Small Cell Nodes	Valuation based see Schedule A
Building or Structure Moving	\$150
Tent permit	\$30.00
Underground tank, Install (each)	\$50.00
Underground tank, Remove (each)	\$200.00
Retaining Walls	\$100.00
Re-inspection	\$100.00
Work without Required Permit	Double permit fee Min. \$100
After hours Inspections	\$100.00 Plus \$50.00 per hr. after 2 hrs.
Pre Final Inspection Request	\$100.00
Construction Advisory and Appeals Board Hearing (CAAB)	\$307.00
Customer Service Inspection CSI	\$50.00
<u>Building Permit- Mechanical, Electrical, Plumbing, Gas, and Irrigation</u>	
Residential	\$75.00
Commercial	\$100.00
<u>Building Permit- Med Gas and Vacuum</u>	
Minimum	\$30.00 plus 1% of the total job cost,
<u>On-Site Sewerage Facility- OSSF</u>	
Single family dwelling	\$210.00
All other types of on-site sewerage facilities	\$410.00
Real estate inspections of on-site sewerage facility	\$100.00

<u>Building Permit- Fire Protection</u>	<u>Permit Fee</u>
Residential sprinkler system	\$200.00
Fire alarm systems	Valuation based see Schedule A
Commercial sprinkler systems	Valuation based see Schedule A
Underground fire sprinkler main	3% of total job cost
Type I Vent a hood suppression system	Valuation based see Schedule A
<u>Private Infrastructure</u>	
Water, Sewer, Storm Sewer, and Fire Hydrants	3% of total job cost
<u>Building Permit- Signs</u>	
New, additions, remodel, and Alteration	Valuation based see Schedule A
<u>Certificate of Occupancy</u>	
Residential	\$30.00
Commercial	\$100.00
Clean for Show CO	\$75.00
Multi Family Complex CO	\$100.00 plus \$25.00 per building unit
Mobile Food Unit CO	\$100.00
<u>Schedule A-</u> (Value includes Building, Electrical, Plumbing, Roofing, and Mechanical project cost)	
	<u>Permit Fee</u>
\$1,000 and less	\$30.00 minimum fee.
\$1,001 to \$50,000	\$30.00 for the first \$1,000 plus \$5.75 for each additional thousand or fraction thereof, to and including \$50,000.
\$50,001 to \$100,000	\$311.75 for the first \$50,000 plus \$4.57 for each additional thousand or fraction thereof to and including \$100,000.
\$100,001 to \$500,000	\$540.25 for the first \$100,000 plus \$2.91 for each additional thousand or fraction thereof to and

	including \$500,000.
\$500,001 and up	\$1,704.25 for the first \$500,000 plus \$1.78 for each additional thousand or fraction thereof.

<u>Contractor Types</u>	<u>Registration Fee</u>
Commercial (restricted)	\$50.00
Home builder (restricted)	\$50.00
Swimming pool contractor (restricted)	\$50.00
Combination contractor (unrestricted)	\$100.00
Energy Inspector	\$50.00
Air Conditioning and Refrigeration	\$50.00
Master Electrician	0
Master Sign Electrician	0
Responsible Master Plumber	0
Licensed Irrigator	\$50.00
Underground Fire Sprinkler line	\$50.00
Fire Alarm	\$50.00
Fire Sprinkler	\$50.00
Sign Contractor	\$50.00

Section19. **Outdoor Event Permit Fee.** In accordance with Chapter 79 of the Code of Ordinances that regulates outdoor events and parades, a non-refundable filing fee in the amount of two hundred fifty dollars (\$250.00) must be paid to the City of Longview, Texas, with each application to hold an outdoor event in the City of Longview. Said filing fee will be separate and exclusive of any other fees established

and required by the City of Longview for related permits or services. The following are hereby exempted from payment of said fee:

- (1) The City of Longview
- (2) Any non-profit organization that currently has a non-profit or charitable organization designation by the Internal Revenue Service, when the event is organized and controlled by the non-profit organization, with all profits used exclusively for the benefit and declared purposes of the non-profit organization.

Section 20. **Multi-family Dwelling Complex Fees.** The fees to be levied and collected in connection with the regulation of multi-family dwelling complexes shall be as follows:

1. Application fee. The application fee required by Section 19-117 of the Code of Ordinances of the City of Longview shall be \$50.00.
2. Annual license fee. In accordance with Section 19-117 of the Code of Ordinances of the City of Longview, Texas, the annual license fee for a multi-family dwelling license shall be based on the number of units in the multi-family dwelling complex and shall be in an amount as follows:

Less than 10 units	\$ 75.00
10-50 units	\$150.00
51 – 100 units	\$250.00
Over 100 units	\$350.00

For purposes of this section, each dwelling unit, washateria, clubhouse, and office shall count as a separate unit.

3. Late fee. The late fee required by Section 19-117 of the Code of Ordinances of the City of Longview shall be 25% of the annual license fee for the multi-family dwelling complex in question.
4. Re-inspection fee. The multi-family dwelling complex re-inspection fee required under Section 19-117 of the Code of Ordinances of the City of Longview shall be \$50.00.

Section 21. **Administrative fee and filing fee for release of City of Longview Liens or Lis Pendens.** The fee for drafting and filing a release of Lien or Lis Pendens shall include the administrative fee and filing fee for the appropriate county as follows:

Administrative Fee	\$27.00
Gregg County File Fee	\$16.00
Harrison County File Fee	\$26.00

Community Services Administration

Section 22. **Definitions.** For purposes of this resolution, all organizations requesting use of the facilities at the Historic Longview Depot or the city-owned parking lots at Center and Cotton Streets or Fredonia and Cotton Streets shall be categorized as being either Class I: Regular Rates or Class II: IRS Tax Exempt Rates, by the City Manager or the City Manager's designee.

These terms shall be defined as follows:

1 *Class I: Regular Rates.* This class shall apply to any and all professional exhibitions or contests, promotional dances, commercial shows and promotional theatrical exhibitions, any and all other attractions sponsored or contracted by profit-making or commercial organizations or individuals, and any and all other attractions and purposes which are not clearly within some other class as hereinafter classified. This class shall include all political meetings. This class shall also include conventions of commercial organizations. This classification shall apply where the lessee or its members are engaged in the purchase or sale of commodities, or in business transactions as a part of the event, and shall include meetings of persons engaged in business for profit of the type identified with the group holding the meeting. This class shall also apply to any and all local persons, organizations and associations considered noncommercial who are not currently certified as IRS Tax Exempt organizations to include weddings, private parties, reunions, and any other function not of a commercial nature.

2 *Class II: IRS Tax Exempt.* This class shall apply to any and all organizations that are currently certified as an IRS Tax Exempt organization. A copy of the current certification must be submitted at the time of reservation. In all instances of dispute, the

Director of Community Services or the Director's designee shall determine the classification of a particular event, which such decision shall be final.

Section 23. **Class I Rentals.** The following schedule of charges shall apply to Class I rentals at the Historic Longview Depot:

No. of Rooms	8 am – 5 pm	5 pm – 12 am	All Day (8 am – 12 am)
1	\$120.00	\$120.00	\$175.00
2	\$145.00	\$145.00	\$200.00

Section 24. **Class II Rentals.** The following schedule of charges shall apply to Class II rentals at the Historic Longview Depot:

No. of Rooms	8 am – 5 pm	5 pm – 12 am	All Day 8am – 12 am
1	\$50.00	\$50.00	\$75.00
2	\$60.00	\$60.00	\$90.00

In addition to the other charges stated in this resolution, the following rental charges shall be made for use of city facilities at the Historic Longview Depot:

Refundable Maintenance / Security Deposit \$100 per event

Building Attendant \$20 per hour

For each hour an activity continues after midnight at any city facility, there shall be an additional charge of \$100/hour or any portion thereof.

For each hour or portion thereof prior to 7:00 a.m. that city facilities are used, there shall be a charge of \$50/hour

Security \$35/hour/officer

Special Note: Customers are responsible for providing their own tables, chairs, equipment etc.

Section 25. **Municipal Parking Lots / Areas.** Center at Cotton Street and Fredonia at Cotton Street permitted and designated areas in the Downtown Business District: For the purposes of establishing vending operations from public / municipal parking lots and downtown business areas, the permit fee is established at \$25 per week for Class 1 organizations / entities. Class II organizations / entities will be entitled to a fee waiver for qualifying special events but must comply with all other arrangements.

City Secretary

Section 26. **Cemetery Maintenance Fee.** The following one-time fees shall be charged for the maintenance of a grave in any city cemetery:

Full burial \$ 200.00

Half-space burial \$ 100.00

Section 27. **Cemetery Lot Prices.** In accordance with Section 22-15 of the Code of Ordinances of the City of Longview, the purchase prices for lots located in city cemeteries shall be as follows:

- | | | |
|----|-------------------|------------|
| 1. | two-space lots | \$1,200.00 |
| 2. | single-space lots | \$ 500.00 |
| 3. | half-space lots | \$ 250.00 |

Section 28. **Solid Waste Permit Fee.** In accordance with the requirements of Section 49-21 of the Code of Ordinances of the City of Longview, each application for a solid waste permit shall be accompanied by a non-refundable processing fee of \$50.00.

Section 29. **Vehicle for Hire Permit Fee.** In accordance with Section 103-31(b) of the Code of Ordinances of the City of Longview, Texas, every application for a certificate of public convenience and necessity for the operation of public vehicles within the city shall be accompanied by payment of a fee of two hundred fifty dollars (\$250.00).

Engineering

Section 30. **Development Review and Inspection Fees.** A nonrefundable fee must be paid to the City of Longview, Texas, prior to the commencement of construction for all public improvements to be dedicated to the City and all Public and Private Improvements that are required to be built to City standards by the subdivision ordinance. The fee shall be 3% of the construction cost of the

referenced improvements. As the basis for determining said construction cost, the design engineer shall submit either a signed and sealed construction cost estimate or a copy of the executed contract between the developer and contractor. For each contractor installed tap for development that does not involve any work on a Texas Department of Transportation Right-of-Way and that does not involve any other extension of infrastructure, the permit fee shall not be 3% of the construction cost of the improvements but instead shall be as follows:

- | | |
|---------------------|------------|
| 1. Short Side Water | \$75 each |
| 2. Long Side Water | \$150 each |
| 3. Short Side Sewer | \$75 each |
| 4. Long Side Sewer | \$150 each |

Section 31. **Driveway Permit Fees.** In accordance with Section 91-72 of the Longview City Code, a nonrefundable fee must be paid to the City of Longview, Texas upon the issuance of a Driveway Permit as follows:

- | | |
|--------------------------------|----------------|
| 1. Industrial Driveway Permit | \$ 150.00 each |
| 2. Commercial Driveway Permit | \$ 150.00 each |
| 3. Residential Driveway Permit | \$ 45.00 each |

Section 32. **Oil and Gas Drilling Operations Fees.** In addition to any other fees imposed by law, the following fees shall apply to oil and gas drilling operations that are subject to the provisions of Chapter 61 of the Longview City Code:

1. The filing fee under Section 61-31 of the Longview City Code for an application for a permit to drill and operate an oil or gas well shall be \$1,000.00.

2. Upon the happening of one or more of the events described in Section 61-38 of the Longview City Code, the cash deposit filed by the applicant with the application for an oil and gas drilling operations permit shall be returned to the applicant, except there shall be retained there from by the city a processing fee of \$100.00.
3. The fee imposed by Section 61-39 of the Longview City Code for the transfer of an oil and gas drilling operations permit is hereby established at \$200.00.
4. The fee for consideration of an application for an oil and gas drilling operations permit by the city council, as authorized by Section 61-72(d) of the Longview City Code, shall be \$750.00.
5. In accordance with Section 61-82 of the Longview City Code, the annual fee for the operation of an oil or gas well operating within the city shall be \$20.00.

Section 33. **Private Street Acceptance Application Fee.** In accordance with Section 91-1 of the Longview City Code, the fee to be filed with an application requesting that the City of Longview accept a private street shall be \$50.00.

Section 34. **Sidewalk, Curb, and Gutter License Fees.** In accordance with Section 91-75 of the Code of Ordinances of the City of Longview, there is hereby established a fee of \$50.00 for a driveway constructor's license.

Section 35. **Flood Zone Determination Letter.** Any formal request for a letter certifying Flood Zone status will be charged a fee of \$27.00.

Environmental Health

Section 36. **Food Service Establishment Permit Fees.** That the fees to be levied and collected in connection with food establishment regulations and permits shall be as follows:

1. Fee for review of plans. Preceding any required review of plans for a food service establishment in accordance with Chapter 46 of the Code of Ordinances of the City of Longview, the person operating (or who will be operating) the food establishment shall pay to the city a fee of \$200.00 for said review.
2. Annual permit fee. In addition to any fee due under Subsection (1) of this section, any person operating a food service establishment shall pay an annual permit fee. Said permit fee may be prorated. If a permit for a permanent food service establishment is not renewed prior to December 31 for a given year, a late penalty shall be added to the annual permit fee and said late fee must be paid before the permit is reinstated. The following fees are hereby established for the indicated food service establishments:

Classification of Establishment	Annual Permit Fee
Category I	\$375.00
Category II	\$275.00
Category III	\$225.00
Catering Permit	\$ 75.00
Day Care Permit	\$150.00
Limited Mobile Food Unit	\$ 125.00
Unrestricted Mobile Food Unit	\$250.00
Restricted Mobile Food Unit	\$200.00

Hazardous Food Variance / Mobile Food Unit	\$25.00
Late Penalty	\$ 100.00
Risk Control Plan & Remedial Training	\$200 per occurrence for Grade C, D or F
Temporary Food Service Permit:	
First three days	\$ 50.00
Each additional day	\$ 5.00

3. Definitions. The following definitions shall apply to this section:

- a. Category I – Food establishments that require a high frequency of inspection under the Texas Food Establishment Rules may be classified by the regulatory authority as Category I. The term includes a food establishment that prepares, serves, and sells food from raw meats or seafood, extensively handles foods, serves a highly susceptible population, or is subject to one or more other factors that require more frequent inspection. Without limiting the types of food establishments that may be included in this category, examples of Category I food establishments include full service restaurants, fast food restaurants, hospitals, schools, and supermarkets. Category I food establishments shall include food establishments, such as meat markets and seafood markets, that neither 1) prepare meat, seafood or other food for final consumption nor 2) serve meat, seafood or other food already prepared for final consumption.
- b. Category II – Food Establishments that require a moderate frequency of inspection under the Texas Food Establishment Rules may be classified by the Regulatory Authority as

Category II. The term includes, without limitation, a food establishment that, with limited food handling, prepares, serves, or sells food from pre-cooked ingredients or from ingredients or utilizes processes with a moderate potential for creating a food-borne hazard. Without limiting the types of food establishments that may be included in this category, examples of Category II food establishments include: Delis, sandwich shops, convenience stores, donut shops, concession stands, and hotel/motel serving breakfast.

- c. Category III– Food establishments that require a low frequency of inspection under the Texas Food Establishment Rules may be classified by the regulatory authority as Category III. The term includes, without limitation, a food establishment that, with limited food handling, sells only prepackaged foods or prepares, serves, or sells food from ingredients with a low potential for creating a food-borne hazard. Without limiting the types of food establishments that may be included in this category, examples of Category III food establishments include packaged food stores, seasonal food service, produce markets, commissaries, bakeries, and lounges.
- d. Limited Service Mobile Food Units – Mobile food units that require a low frequency of inspection under the Texas Food Establishment Rules may be classified by the regulatory authority as Limited Service Mobile Food Unit. This type of mobile unit, with limited food handling, sells only packaged food from ingredients with a low potential for creating a food-borne hazard. The term includes the following types of mobile food vending operations: (i) Ice Cream Trucks or Push Carts serving packaged, frozen treats that are allowed to drive thru neighborhoods and stop for brief periods of time to serve their product; (ii) Mobile Food Units selling whole fruits and raw vegetables that are allowed to drive thru neighborhoods and stop for brief periods of time to serve their product; (iii) Trucks selling packed frozen steaks, chicken, seafood, and other frozen food permitted to sell products door-to-door and limited to neighborhoods and local businesses; (iv) Mobile Food Units that set up monthly permitted events such as Longview Trades Days.
- e. Restricted Mobile Food Units – Mobile Food Units that require a moderate frequency of inspection under the Texas Food Establishment Rules may be classified by the regulatory authority as Restricted Mobile Food Units. This

type of mobile food unit offers only pre-packaged foods and no opened food preparation or handling occurs in the unit. All food items including beverages and condiments in this type of mobile food unit are pre-packaged at an approved food establishment or come pre-packed from an approved source.

- f. Unrestricted Mobile Food Units – Mobile Food Units that require a high frequency of inspection under the Texas Food Establishment Rules may be classified by the regulatory authority as Unrestricted Mobile Food Units. This type of mobile food unit offers only food that is packaged or prepared on the mobile food unit itself.
 - g. Hazardous Food Variance – A hazardous food variance is a variance required to allow non-fast cooked food items or refrigerated raw poultry and seafood on the unrestricted mobile food unit.
 - h. Day Care Permit – A day care permit is a permit required for any facility licensed by the State of Texas that serves open food to either adults or children. The term open food refers to everything served, from prepared meals to snacks and drinks.
4. Fee exemptions. A food establishment operated solely by a nonprofit entity shall be exempt from the fees imposed by this section; provided, however, that such an establishment shall in all other respects be subject to the regulations and permit requirements relating to food service establishments. For purposes of this fee exemption, the term “nonprofit entity” shall not include any political subdivision of the State of Texas. The regulatory authority may require any information necessary to determine whether an organization is nonprofit for purposes of this exemption.
5. Fees for food establishment publications. A non-refundable fee must be paid to the City of Longview, Texas, upon submission of a request for food establishment publications as follows:
- | | |
|--------------------------------|---------|
| Texas Food Establishment Rules | \$25.00 |
|--------------------------------|---------|
6. Risk control plans and training fees. An establishment that receives a score of “C” or below shall be put under a risk control plan. Management and all employees must attend a food service operations class and the establishment will be closed

during the training. A mandatory fee of \$200 will be charged to the food establishment to account for the supplemental training expenses.

Section 37. **Pool Permit Fees.** That, in accordance with Section 19-134 of the Code of Ordinances of the City of Longview, the fees to be levied and collected in connection with the issuance of a pool permit shall be calculated and determined according to the following schedule:

Application fee	\$100.00
Pool permit fee	\$300.00
Re-inspection fee	\$100.00 per occurrence
Late Fee	\$100.00

Fire Department

Section 38. **Ambulance Service License Fees.** There is hereby imposed a non-refundable application fee of seven hundred fifty dollars (\$750.00) for an application for a license to provide non-emergency ambulance service within the City of Longview. The annual renewal fee for such a license is hereby set at three hundred fifty dollars (\$350.00) or thirty dollars (\$30.00) per ambulance unit, whichever is greater. In addition to the aforementioned charges, there is also hereby imposed a charge of thirty dollars (\$30.00) per hour during which a city inspector must wait on site between inspections; provided, however, that said charge shall be imposed only after the first ambulance unit has been inspected and only for those time periods during which the city inspector is required to wait more than thirty (30) minutes between inspections. In addition to the aforementioned charges there is hereby imposed a re-inspection fee of \$50.00 per ambulance unit for each ambulance unit that fails inspection and has to be

inspected again; if more than one re-inspection of the same unit is required, said fee shall be imposed for each additional re-inspection.

Section 39. **Emergency Ambulance Service Fees.** The following schedule of charges for emergency ambulance service provided by the Longview Fire Department Emergency Medical Service is hereby approved and adopted:

1. Mileage:

Charge for each mile of transport from pickup to destination --\$14.00

2. Basic Life Support (BLS) -- \$795.00

Advanced Life Support, Level 1 (ALS1) – \$907.00

Advanced Life Support, Level 2 (ALS2) – \$1,050.00

In this section, the terms “Basic Life Support (BLS)”, “Advanced Life Support, Level 1 (ALS1)”, and “Advanced Life Support, Level 2 (ALS2)” have the meaning assigned to those terms in the Medicare rules relating to ground ambulance transports.

3. Treatment / No-Transport -- \$175.00

Charged anytime one or more advanced life support procedures are performed and the patient refuses transport to a medical facility

Section 40. **Resident Emergency Ambulance Subscription Service Fee.** The fee for a one-year membership in the City’s emergency ambulance subscription service is \$70.00. Individuals who are not residents of the City of Longview are not eligible for this subscription service.

Section 41. **Hazmat Service Fees.** The Longview Fire Department will bill for Hazmat services performed in any circumstance at the following rates:

Level 1 (Scheduled Events and Confined Space Standbys)

Level 1 Hazmat Services (includes one apparatus & two technicians)	\$100.00/hour
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Level 1 events require a minimum of 2 hours of billing. The event will be billed in 1-hour increments.

Level 1 events require a minimum of 24 hours notification. An additional \$100.00 charge will be assessed if less than 24 hours' notice is given.

Additional apparatus and/or technicians needed for Level 1 events will be billed at the same rate as provided below.

Equipment and supplies for Level 1 events will incur additional charges as detailed below.

Level 2 (Single-Unit Emergency Response)

Level 2 Hazmat Services \$500.00/hour
(includes one apparatus & three to four technicians)

Level 2 events will be billed in 1-hour increments.

Additional apparatus and/or technicians needed for Level 2 events will be billed at the same rate as provided below.

Equipment and supplies for Level 2 events will incur additional charges as detailed below.

Level 3 (Multiple-Unit Emergency Response)

Level 3 Hazmat Services \$1,500.00 for the first hour
(includes three apparatus & eight technicians) \$ 500.00/additional hour

Level 3 events will be billed in 1-hour increments.

Additional apparatus and/or technicians needed for Level 3 events will be billed at the same rate as provided below.

Equipment and supplies for Level 3 events will incur additional charges as detailed below.

Equipment and Supplies/Labor

Additional apparatus	\$ 40.00/hour for each
Additional technicians	\$ 30.00/hour for each
Oil Absorbent Socks	\$100.00/each
BioSolve	\$ 30.00/gallon
Nature Sorb	\$ 30.00/bag
Plug 'n' Dike	\$ 20.00/each

Foam (AFFF)	\$ 20.00/gallon
Additional Apparatus	\$ 60.00/hour
Hazmat Gloves	\$ 15.00/each
Hazmat Suits	\$ 60.00/each

Section 42. **Fire Prevention Code Inspection Fees.** The fees to be levied and collected for annual inspection to ensure compliance with the official fire prevention code of the city shall be as follows:

Day care center	\$75.00
Hospitals	\$ 5.00/bed
Mental Health/M.H.M.R. Facility	\$ 75.00
Nursing Home/Assisted Living Facility	\$250.00
Any mandated inspection not otherwise classified	\$75.00

Follow-up inspection for violations:

1 st and 2 nd inspections	no charge
3 rd inspection	\$75.00
4 th inspection	\$125.00
After hours inspection (2 hour minimum)	\$75.00
Mandatory staff/facility training	\$75.00 or \$7.50 per person (whichever is higher)

The fee for Mandatory staff / facility training may be waived or reduced by the Fire Marshal if, in the judgment of the Fire Marshal, waiver or reduction of the fee is in the public interest because the training provided primarily benefits the general public.

As used in this section, the term “Group I (institutional) and R4 Occupancies” shall mean any entity defined as a Group I occupancy or as an R4 occupancy by the fire code of the City of Longview, including without limitation hospitals, nursing homes, jails and assisted living facilities.

As used in this section, “Any mandated inspection not otherwise classified” includes any required fire safety inspection of any entity that is not otherwise classified under this section, whether said inspection is required by state, federal, or local law, by an accreditation or licensing entity, by an insurer, or by any other entity. The term includes,

without limitation, Foster care (both child and adult), Department of Mental Health and Mental Retardation facilities, etc.

As used in this section, the term "After hours inspection" includes any inspection performed outside the hours of 8:00 AM to 5:00 PM local time. The term also includes any inspection performed on a city holiday and any inspection performed on Saturday or Sunday.

As used in this section, the term "Mandatory staff / facility training" includes any fire safety training which is required by federal, state, or local law, by an accreditation or licensing entity, by an insurer, or by any other entity that requires the employees being trained to have "in service" fire safety training.

Section 43. **Burn Permit Fee.** That a non-refundable fee must be paid to the City of Longview, Texas, for each operational permit for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Said fee will be separate and exclusive of any other fees established and required by the City of Longview for any other related or unrelated permits or services. Said fee must be submitted before the issuance of any permit of the aforesaid type and is hereby established at \$150.00 per day. The following are hereby exempted from payment of the burn permit fee established by this section:

1. Cooking fires
2. Recreational fires
3. Ceremonial fires
4. Warming fires

Section 44. **Required Operational Permits.** There is hereby imposed a non-refundable fee of \$75.00 per day for each application for an operational permit under the authority of Section 105.6 of the 2003 International Fire Code (IFC).

Section 45. **Fire Alarm Service Fee.** As authorized by Section 40-86 of the Longview City Code, there is hereby imposed a service fee of \$250.00 for the 5th

false alarm at an alarm site in the same calendar year and for each subsequent false alarm occurring at the same alarm site during the remainder of the calendar year.

Section 46. **Fire Alarm Permit Fee.** Pursuant to Section 40-83 of the Longview City Code, there is hereby imposed a nonrefundable alarm permit fee of \$10.00 per calendar year to be charged in accordance with said section.

Section 47. **Fire Flow Verification Fee.** There is hereby imposed a non-refundable fee that must be paid to the City of Longview, Texas, for conducting the inspections and testing necessary to verify fire flow at a particular location. Said fee will be in addition to and separate and exclusive of any other fees established and required by the City of Longview for a building permit or for any other related or unrelated permits or services. Said fee is hereby established at \$150.00 per fire flow verification.

Section 48. **Fire Training Center Rooms and Building Rentals.**

SECTIONS	RATE
Class Rooms The classroom rental has limited access to the kitchen area	\$50/day
Building The rental of the Fire Training Center building includes full access to the kitchen	\$450/day

**Day rental is M-F, 8-5 anything outside of this will have to be coordinated with the Section Training Chief*

General

Section 49. **Return Payment Fee.** In accordance with Section 3.506 of the Texas Business and Commerce Code, a return payment fee of \$30 will be charged to any customer of any City department for a return payment, whether the payment was made by check, by other written format, by ACH payments, or by other means. The customer will be subject to the return payment fee where any payment is returned to the

department by the bank. The reason for a payment return may include, but is not limited to, the following:

- 1 insufficient funds
- 2 closed or frozen bank accounts
- 3 stop payment request at the bank
- 4 unauthorized payment reported to bank or card holder
- 5 fraudulent or suspicious activity reported by bank or card holder
- 6 incorrect account and/or routing numbers

Housing & Community Development

Section 50. **Re-issued Check Fee.** There is hereby imposed a non-refundable fee of \$5.00 that must be paid to the City of Longview, Texas, for each Housing and Community Development check that is issued to replace a previously issued check that was not cashed or deposited.

Section 51. **Optional Inspection Fees.** There is hereby imposed an optional, non-refundable fee for pre-inspections and move-out/vacate inspections. Said optional inspection fee(s) does not replace any required inspections as mandated in accordance to HUD 24 CFR 982.405. The optional inspection fee is based on the number of bedrooms in the unit being inspected and the fee shall be as follows:

Inspection Type	Fee
Pre-inspection 0-2 bedroom unit	\$50.00
Pre-inspection 3-4 or more bedroom unit	\$75.00

Pre-inspection 5-6 bedroom unit	\$100.00
Move out/Vacate inspection 0-2 bedroom unit	\$100.00
Move out/Vacate inspection 3-4 bedroom unit	\$125.00
Move out/Vacate inspection 5-6 bedroom unit	\$150.00

Geographic Information Systems

Section 52. **Map Publications.** There is hereby imposed a fee for pre-existing map publications that have already been created. Map publications that are not currently created will have a fee imposed of the actual cost. A non-refundable fee must be paid to the City of Longview, Texas, upon submission of a request for GIS publications as follows:

Pre-Existing Standard 42"X42" Map without Aerial Photos	\$12.00
Pre-Existing Standard 42"X42" Map with Aerial Photos	\$16.00
Pre-Existing Standard 60"X60" Map without Aerial Photos	\$20.00
Pre-Existing Standard 60"X60" Map with Aerial Photos	\$28.00
Pre-Existing Map Books	\$20.00
Other requests	Actual cost

Section 53. **GIS Data.** There is hereby imposed a fee for subsets of GIS data. A non-refundable fee must be paid to the City of Longview, Texas, upon submission of a request for GIS data as follows:

- | | | |
|----|--------------------|------------------|
| 1. | Data Subset (CD-R) | \$25.00 per hour |
| 2. | Data Subset (DVD) | \$25.00 per hour |

Section 54. **Training Services.** There is hereby imposed a fee for ESRI Authorized Training Services. A non-refundable fee must be paid to the City of Longview, Texas, upon submission of a request for GIS Training Services as follows:

ESRI Authorized Training	\$450.00 per student per day or \$4500.00 per day for an entire class of up to 12 students
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Library

Section 55. **Overdue Book / DVD/BLU-RAY Fees.** There is hereby imposed a fee for overdue books. Said fee is hereby set at \$0.25 per day per book for each day or part of a day during which the book is overdue; provided, however, that said fee shall not exceed a total of \$20.00 per such book in any one occurrence. There is hereby imposed a fee for overdue DVD/BLU-RAYs. Said fee is hereby set at \$2.00 per day per DVD/BLU-RAY for each day or part of a day during which the DVD/BLU-RAY is overdue; provided, however, that said fee shall not exceed a total of \$20.00 per such DVD/BLU-RAY in any one occurrence. There is hereby imposed a fee for overdue interlibrary loan materials. Said fee is hereby set at \$0.50 per day per interlibrary loan material for each day or part of a day during which the interlibrary loan material is overdue; provided, however, that said fee shall not exceed a total of \$20.00 per such interlibrary loan material in any one occurrence. In addition to any fee for overdue materials, there is hereby imposed a material recovery fee on each patron who has failed to pay any fee owed under this section for a period of sixty (60) or more days. Said material recovery fee is hereby set at \$10.00 per instance in which such a patron has failed to pay such fees. Each instance in which a patron has paid all fees owed under this section and then incurs new fees under this section that are not paid within the required 60-day period shall be considered a separate instance for which another material recovery fee is imposed. For purposes of this section, a book, DVD/BLU-RAY

or interlibrary loan material is overdue when the book, DVD/BLU-RAY or interlibrary loan material is not returned on or before the Longview Public Library's close of business on the date on which the book, DVD/BLU-RAY, or interlibrary loan material is required to be returned under the rules and procedures adopted by the City Manager or the City Manager's designee for the operation of the Longview Public Library. For purposes of this section, the term "book" shall include any book, book on compact disk and/or book in any other form that is owned by or under the control of the Longview Public Library but shall not include any interlibrary loan material. For purposes of this section, the term "DVD/BLU-RAY" shall refer to a Digital Versatile/Video Disc, a digital medium on which audio, video, photographic images, or data are stored that is owned by or under the control of the Longview Public Library. For purposes of this section, the term "interlibrary loan material" shall include any item, other than a video, that is on loan to the Longview Public Library from another library. The only exception to fees pertaining to Over Due Books and DVD/BLU-RAY shall be allowed annually the first day in November until the Tuesday before Thanksgiving. This exception will be in exchange for "**Food for Fines**" to encourage more donations for local food drives during the holiday season. During this time, patrons will be allowed to bring 1 canned or boxed foods (non-perishable) per \$1 worth in fines. The fee exchange for food cannot exceed \$20.00 and will not be applied to Interlibrary Loan materials. Moreover, the cans or food must be equal or greater than 12 ounces.

Section 56. **Proctor Fee.** There is hereby imposed a fee for the administration, observation, or supervision of a test or exam on behalf of an educational institution; a board, agency, or association responsible for professional licensing or

certifications; a government agency; or any other entity. Said fee is hereby set at \$30.00 per first two hours of examination event and \$10 for each additional hours needed past the first two hours of the same exam.

Section 57. **Lost Library Card Fee.** There is hereby imposed a fee for lost library cards. Said fee is hereby set at \$5.00 per lost card per incident.

Section 58. **Print/Copy Card Fees.** Patrons who wish to print from the computers or make copies of materials may do so by adding a print deposit to their library card. There are no refunds on print/copy deposits. The fee is \$0.25 for each black and white print or copy and \$0.75 for each color print or copy.

Section 59. **Testing Materials; Select Series and Various Disney Movies Deposit.** Practice testing materials such as defensive driving book, SAT books, nursing practice books, etc. require a cash or check deposit of \$20.00. Additionally, selected Disney movies and popular series require a cash or check deposit of \$20.00. These deposits are refunded upon the return of the material or applied to an outstanding balance.

Section 60. **Lost or Damaged Materials Fees.** Patrons are responsible for the replacement cost for lost or damaged materials. The fee is the retail list price of the material. If a material is returned with a missing disc, there is a fee of \$10.00 for the missing item. Additionally, the patron must pay any repair and/or processing fees necessary to return damaged materials to their former condition.

Section 61. **Point of Sale Items.** The library will have items for patrons as a convenience or commemorative of their visit to the Longview Public Library. These items will include but not be limited to, books bags, headphones, flash drives, pens,

mugs, umbrellas, t-shirts, and holiday keepsakes. The City Manager or the City Manager's designee shall establish the price to be charged for each such item. These items should be no less than \$1.00 and shall not exceed \$25.00. Refunds are not available for point of sale items.

Section 62. **Replacement DVD Case.** Patrons who damage DVD cases with the locking mechanism on the side or return DVD's without the case the DVD was originally in, will be charged a \$5.00 replacement fee. Refunds are not available for Replacement DVD cases.

Section 63. **Renting the Cecile Moeschle Room.** The library does have the Moeschle Room available to "for-profit" groups and "non-profit" groups to rent in the event of a business meeting, planning meeting, family gatherings, etc. This space accommodates 120 people and is equipped with 120 chairs and 10 rectangular (6) Foot tables. The room also has a projector and sound system to play audio. Those wishing to use the projector, must leave a collateral at the children's desk, in the form of a Driver's License or Passport, in order to borrow the remote control and cords needed to use projector. Borrower must also supply their own laptop by their own organization. The rates for the "for profit" groups include: \$50.00 for up to 2 hours in the room. This must include set up and break down time. For up to 8 hours of use in the room will total \$150. Hours available are only while staff are present at the library. Monday, Wednesday, Friday, Saturday the times available are 7:00am-6:00pm. Tuesday and Thursday from 7:00am-9:00pm. Lastly, on Sunday from 12:00pm-5:00pm. The rates for "non-profit" groups include: \$25 for up to 2 hours of use in the room. \$100 for up to 8 hours of use in the room. To receive "non-profit" rates, borrowers must supply a copy of a current and

valid 501(c)3 form that applies to the event being held, for which the 501(c)3 is needed. Availability for the room is on first come, first serve basis and must be arranged ahead of time with the library's Administrative Assistant. Setting up the room can be done by the borrowers or staff. If staff are to set up the room, a non-refundable fee of \$30 will be imposed for each instance and a minimum of 48 hours' notice is needed. All payments for renting the Moeschle Room and payment for staff set up, must be paid in advance by cash or check. Checks that are returned due to insufficient funds will be charged \$30.00.

Section 64. **Digital Archival Preservation.** The library has implemented a digital archive called Community Sharespace, through which the library will accept documents with historical provenance from a list of approved Longview institutions. For the digital archive, institutions may bring documents from approved individuals/organizations and staff/volunteers will digitize and upload documents onto the library's website. The City Manager or the City Manager's designee shall establish the price to be charged for each such item(s). Prices will be based on size and scope of materials being digitally archived. Once digitization is complete, the owner of the documents will be asked to retrieve said item(s). Charges for Community Sharespace are approved under Texas Administrative Code, rule 1.72(b) for "in-depth reference services on a contractual basis."

Maximum Digital Archival Project not to exceed: **\$2,000**

Municipal Court

Section 65. **Parking Validation Stamp Fee.** In accordance with Section 97-133 of the Longview City Code, each merchant operating a business within a two-hour parking zone may submit an application for a parking validation stamp. The merchant shall pay a non-refundable fee of \$35.00 annually for said stamp.

Section 66. **Teen Court Fee.** In accordance with Section 28-8 of the Longview City Code, each person who requests a teen court program shall pay a non-refundable fee of \$20.00 as provided by Article 45.052 of the Texas Code of Criminal Procedure, as amended to cover the costs of administering the teen court program, and said fee shall be deposited in the municipal treasury. In addition to said fee and also in accordance with Section 28-8 of the Longview City Code, each person who requests a teen court program shall pay a non-refundable fee of \$20.00 as provided by Article 45.052 of the Texas Code of Criminal Procedure to cover the cost to the teen court for performing its duties under the teen court program. The municipal court shall pay the fee to the teen court program, and the teen court program must account to the municipal court for the receipt and disbursement of the fee. Both of said fees (a total of \$40.00) shall be assessed in each case filed after the effective date of this section for each person requesting teen court. Anything to the contrary in this resolution notwithstanding, this section shall be effective immediately from and after passage of this resolution.

Section 67. **Security Fee** Repealed November 19, 2019 by Ordinance 4243

Section 68. **Technology Fee.** Repealed November 19, 2019 by Ordinance 4243

Section 69. **Processing Fee.** In accordance with Local Government Code Section 132.002 and 132.003, a processing fee in the amount of 3 percent shall be paid by each person that makes payment by credit card of a fee, fine, court cost, or other charge via the on-line internet payment method. The processing fee shall be deposited into the municipal general fund and used to cover the cost of processing the payment by credit card.

Section 70. **Administrative Fee for Failure to Appear or Failure to Pay.** There is hereby imposed a fee pursuant to Texas Transportation Code Section 706.006, as said section may from time to time be amended. Said fee shall in all respects comply with all applicable provisions of Chapter 706 of the Transportation Code and other law, including without limitation any provisions establishing the amount, disposition, use, and/or collection of said fee. The amount of said fee shall be the maximum amount allowed by Texas Transportation Code Section 706.006, as said section may from time to time be amended.

Section 71. **Other Fees.** The Court Clerk, with the permission of the City Manager, is authorized to establish or collect any and all other fees authorized by state statute.

Parks and Recreation

Section 72. **Aquatic Activity Fees.** The fees to be levied and collected in connection with aquatic activities and programs shall be as follows:

Swimming Pool Rentals	\$50.00/hour
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(2-hour minimum) plus staff salaries
 \$100.00 refundable security deposit

Outdoor Swimming Pool General Admission

Resident Fee	
Longview Swim Center and Ingram Pool	\$2.00/Child \$3.00/Adult
Non Resident	\$3.00/Child \$4.00/Adult

Longview Swim Center and Ingram Pool Annual Passes

Child	\$ 50.00
Adult	\$ 75.00
Family (all persons residing in one house)	\$100.00
Daycare (1-25 children)	\$250.00
Daycare (26-50 children)	\$300.00
Daycare (51-75 children)	\$350.00
Daycare (76-100 children)	\$400.00
Daycare (101+ children)	\$450.00

Section 73. **Athletic Field Fees.** The fees to be levied and collected in connection with rental of athletic fields and the use of athletic field lights shall be as follows:

Athletic Complexes	Field Rental	Field Max	Light Fee	Security Deposit
<u>Class A Fields:</u> Lear and Spring Hill	\$40/hour	\$160/day	\$35/hour	\$200
<u>Class B Fields:</u> McWhorter East, Timpson, Womack, Hinsley	\$30/hour	\$120/day	\$35/hour	\$200
<u>Class C Fields:</u>	\$20/hour	\$80/day	\$35/hour	\$200

McWhorter
West,
Broughton,
Stamper and
Lloyd Walker

Note:

Special pricing for UIL Play-offs or Special Play-offs: \$250 for 1st game and \$150 for subsequent games.

For purposes of this resolution, the term “Athletic Fields” includes the athletic fields located at Broughton Park, Hinsley Park, Lear Park, Lloyd Walker Park, McWhorter Park, Spring Hill Park, Timpson Park, Stamper Park, and Womack Park.

Section 74. **Cancellation/Schedule Change Fees.** The entity reserving any Athletic Fields will be responsible for checking the accuracy of any playing schedule issued by the Parks and Recreation Department (the “department”). Any cancellation or schedule changes requested for any playing schedule after the department has issued final confirmation of the schedule must be submitted to the department in writing two (2) business days in advance of the change. Any adjustment to the day, time or assigned field will be considered a change. There is hereby imposed a fee for any such requested change that is approved. Said fee will be in the amount of \$25.00 plus \$5.00 refund processing fee. Cancellations or scheduling changes due to inclement weather are exempt from said fee.

Section 75. **Facility Fees.** The fees to be levied and collected in connection with the rental of city parks and other recreation facilities shall be as follows:

Harvey Johnson Community Center	\$25.00/hour (2-hour minimum) Plus staff salaries \$100.00 security deposit
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Panther Park Community Center	\$25.00/hour (2-hour minimum) Plus staff salaries \$100.00 security deposit
Stamper Park Resource Center	\$25.00/hour (2-hour minimum) Plus staff salaries \$100.00 security deposit
Green Street Recreation Center	\$25.00/hour (2-hour minimum) Plus staff salaries \$100.00 security deposit
Green Street Recreation Center Kitchen	\$40/event (when GSRC is rented)
Broughton Center Classrooms/Lobby	\$25.00/hour (2-hour minimum) Plus staff salaries \$100.00 security deposit
Broughton Center& PMJRC Gym	\$40.00/hour (3-hour minimum) Plus staff salaries \$100.00 security deposit
Teague Park Amphitheater	\$15.00/hour (2-hour minimum) \$100.00 security deposit
Heritage Plaza	\$15.00/hour (2-hour minimum) \$100.00 security deposit
The Green	\$15.00/hour (2-hour minimum) \$100.00 security deposit
Park / Facility Parking Lots	\$55.00/day \$200.00 security deposit
Facility Towable Bleachers	\$100/ non-City Sponsored event within City limits.

Plus staff salaries and Mileage for outside City Limits.

Facility Towable Lights

\$100/day + refill fuel non-City Sponsored event within City limits.

Metal Barricades

\$5.00, each

Security

\$40/hour/officer

Event Staff

\$30/hour/employee

Pavilions Resident Rental Non-Resident Rental Availability

Type	Resident Rental	Non-Resident Rental	Availability
Class A: Mann, Kidsview, The Green, McWhorter	\$20/hour	\$30/hour	2 hour max
	\$100 daily max	\$150 daily max	
Class B: Broughton W, Lois Jackson, Spring Hill Park, Stamper Park, Teague N., Teague S.	\$10/hour	\$15/hour	6am-11pm
	\$50 daily max	\$75 daily max	
Class C: Akin, Birdie, Bennie Jackson, Broughton E, Flewellen, Hinsley, Ingram 1, Ingram 2, Panther, Patterson, Pinewood, Rollins, Rotary,	\$5/hour	\$10/hour	6am-11pm

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|----|--------------------|------------------------------------|
| 5. | Softball
season | \$10.00 per participant, per |
| 6. | Swim Team | \$5.00 per participant, per season |
| 7. | Track | \$5.00 per participant, per season |

Fees are due in the office of the Parks and Recreation Department no later than two weeks following the first regularly scheduled league game of each season.

Any entity that fails to pay any fee by the deadline set forth in this section will not be permitted the use of City of Longview facilities for practices, league play or tournaments until the entity has paid in full all outstanding fees due under this section.

Additionally, the Director of Parks and Recreation, or the director's designee, may require partial or full payment of fees in advance for any entity with a history of late payment of the fees imposed under this section.

Section 78. **Vendor Permit Fee.** A Vendor Permit is issued to individuals or entities seeking to utilize Park Property for the purpose of generating revenue. This includes but is not limited to selling items, collecting fees for an event, requesting/soliciting donations, holding classes or camps. This process does not apply to activities on athletic fields. Organizations providing legal proof of non-profit status must request the appropriate permits but fees may be waived. The fees to be levied and collected in connection with a park vendor permit for "For-Profit" individuals or entities shall be as follows:

For-profit agency or individual	\$50.00/day
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Section 79. **Concession Fee.** Concession fees are paid by approved concessionaires to operate concession stands at designated athletic facilities: Lear

Park (Softball Fields 5-8, Baseball and Soccer); McWhorter Park; Hinsley Park; Spring Hill Park; and Timpson Park. The fee to operate a concession is \$5.00 per game.

Section 80. Mobile Food Units Permitted to Operate in Designated Parks.

A Mobile Food Unit Permit is issued to mobile food unit operators seeking to utilize park property for the purpose of generating revenue. A mobile food unit permit will be granted only when the City Manager or the City Manager's designee has determined that the products or services offered will provide an enhancement to the park. Permit period is from first date of permit through December 31 of the same calendar year and is limited to the season and hours of operation specified.

Mobile Food Unit Fee	\$50 / unit / month
Concession Review Fee	\$100

Section 81. Concession Stand Fee. There is hereby imposed a Concession Stand Fee of \$50 per day to be charged to each mobile food unit operating in a park on a day when a concession stand operated by a youth sports association is open in that park. The City Manager or the City Manager's designee is hereby authorized and directed to collect said Concession Stand Fee and remit the proceeds to the youth sports association operating the concession stand. If there is more than one concession stand operated by a youth sports association open in the same park on the same day a mobile food unit is operating in that park, proceeds from the Concession Stand Fee will be divided equally among said youth sports associations.

Section 82. RV Overnight Permit. There is hereby imposed a fee for parking a Recreational Vehicle in a Park Overnight. A RV Overnight Permit is issued to

applicable costs to the City. The City's costs may include, but are not limited to, the costs of providing instructors, safety personnel, referees, maintenance and administrative services, facilities, materials, and equipment. The fees established by the City Manager or the City Manager's designee shall be based on the following categories and shall not exceed the amounts set forth in this section:

Team Sports

Adult Team Sports	\$maximum \$70 per game
Youth Team Sports	\$maximum \$70 per game

The Texas Amateur Athletic Federation (TAAF) Fee shall equal the applicable fee paid to the TAAF.

Late Fee	maximum \$100 per team
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Per Person Athletic Registration

Adult Sports	maximum \$150 each
Youth Sports	maximum \$150 each
TAAF Fee	maximum \$5 each
Late Fee	maximum \$15 each

Softball Fees (miscellaneous)

Outfield Sign Sponsorships

The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be charged for sign sponsorships up to a maximum of \$500 per sign. The amount charged for a sign sponsorship shall be rationally related to the number and location of the signs sponsored.

Section 86. **Recreation Center Memberships.** The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be

charged to individuals, families or eligible groups for membership fees at the Broughton Recreation Center, Green Street Recreation Center and/or the Paula Martin Jones Recreation Center. The amount of said fees shall be based on the City's cost of providing labor, materials, equipment and facilities for the relevant membership and may vary based on the applicable costs to the City. The City's costs may include, but are not limited to, the costs of personnel, equipment, supplies, and administrative services. The fees established by the City Manager or the City Manager's designee shall be based on the following and shall not exceed the amounts set forth in this section:

Per Person Based on Category	maximum \$500
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Section 87. **Recreation Class Fees.** The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be charged to recreation class participants. The amount of said fees shall be based on the City's cost of providing instruction, materials, supplies, equipment and facilities for the relevant event or activity and may vary from event to event or activity to activity based on the applicable costs to the City. The City's costs may include but are not limited to the costs of providing instructors, facilities, materials, supplies, equipment and administrative services (including, without limitation, marketing). The fees established by the City Manager or the City Manager's designee shall be based on the following and shall not exceed the amounts set forth in this section.

Based on Instructor(s), facilities and equipment requirements on a per person basis	maximum \$1500
Late Registration Fee	maximum \$15

Section 88. **Aquatics.** The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be charged to participants utilizing the City's Instructional Aquatic Program. The amount of said fees shall be based on the City's cost of providing labor, materials, and facilities for the relevant class and may vary from activity to activity based on the applicable costs to the City. The City's costs may include but are not limited to the costs of providing instructors, lifeguards, administrative services, facilities, materials, equipment and supplies. The fees established by the City Manager or the City Manager's designee shall be based on the following categories and shall not exceed the amounts set forth in this section.

Aquatic Certification Courses (CPO, Lifeguarding, Instructor & Instructor Trainer Courses)	maximum \$600 per person
Learn-To-Swim, public (Basic to Advanced Group Instruction)	maximum \$150 per person
Learn-To-Swim, private (Basic to Advanced Private or Semi-Private Lessons)	maximum \$400 per person
Late Fee	maximum \$15

Section 89. **Sports Tourism.** The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be charged in support of the Sports Tourism Program. The amount of said fees shall be based on the City's cost of providing labor, materials, and facilities for the relevant event or activity and may vary from event to event or activity to activity based on the applicable costs to the City. The City's costs may include, but are not limited to third party sanction fees, officials, awards, equipment, facilities, supplies, personnel, insurance, and administrative costs. The fees established by the City Manager or the City Manager's designee shall be

based on the following categories and shall not exceed the amounts set forth in this section.

Gate / Entrance Fees	maximum \$150 (varies per person /family / team)
Tournament Registration	maximum \$1500 per event

Section 90. **Concession Stand Fee.** In accordance with the Longview Parks and Recreation Department Concession Policy originally adopted by the Longview City Council in Resolution No. 3925, the City Manager or the City Manager's designee is authorized to develop an equitable fee schedule for concession facilities subject to said policy. As described in said policy, said fee schedule will be based on a competitive selection process and the minimum acceptable fee for the right to operate a concession is \$4.00 per game.

Section 91. **Concession Operations.** The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be charged to for items (food, beverage and personal use) sold in city-operated concession stands.

Per Item Fee	maximum \$15.00
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Section 92. **Special Events.** The City Manager or the City Manager's designee is hereby authorized to establish the amount of fees to be charged to individuals or groups participating in city-sponsored / city-provided special events. The amount of said fees shall be based on the City's cost of providing labor, materials, and facilities for the relevant event or activity and may vary from event to event or activity to activity based on the applicable costs to the City. The City's costs may include, but are

Plat Vacation (including filing fee)	\$232.00
Final plat recording in Gregg County	Cost established by Gregg County
Final plat recording in Harrison County	Cost established by Harrison County (Harrison County charges for every page, including tax certificates.)
Plat Variance	\$232.00

Section 96. **Site Plan Review Fees.** A non-refundable fee must be paid to the City of Longview, Texas, upon submission of an application for site plan review as follows:

Site Plan Review	\$307.00
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Section 97. **Zoning Change Requests and Zoning Permits.** A non-refundable fee must be paid to the City of Longview, Texas, upon submission of an application for zoning change requests as follows:

1. Basic Rezoning Application \$307.00
2. Planned Development Application \$307.00
3. Board of Adjustment Application/ Variance \$307.00
4. Specific Use Permit Application \$307.00
- 5.

Section 98. **Zoning Publications.** A non-refundable fee must be paid to the City of Longview, Texas, upon submission of a request for zoning publications as follows:

1. Zoning Verification Letter \$ 27.00
2. Site Verification Fee \$ 50.00
3. Shared Parking Agreement \$200.00

Section 99. **Temporary Outdoor Vendor Permit Fee.** Every application for a Temporary Outdoor Vendor Permit to be issued under the authority of Chapter 67 of the Longview City Code shall be accompanied by payment of a permit fee of \$75.00 for each location for each time specified.

Section 100. **Annexation (Voluntary) Fee.** Every application for property owner requested voluntary annexation will be accompanied by a fee of \$307.00

Police Department

Section 101. **Accident Report Fee.** The fee for a copy of an accident report shall be the maximum fee allowed by Texas law. In accordance with Texas Transportation Code Section 550.065, such a report may be certified by the Chief of Police or the chief's designee for an additional fee of \$2.00.

Section 102. **Door-to-Door Solicitor Permit Fee.** There is hereby imposed a fee of \$10.00 for the issuance of a Door-to-Door Solicitor permit under the authority of Chapter 67 of the Longview City Code.

Section 103. **Escort Fee.** Each person requesting that the Longview Police Department provide a police officer to escort a funeral procession, to escort the moving of a house, heavy equipment, or other large object, or to escort any other procession, object, or group shall pay a fee of \$50.00 for each hour or part of an hour that a police officer is assigned to escort the procession, object, or group. The person shall pay said fee for each officer so assigned, and a minimum of two officers shall be required to be assigned to such an escort.

Section 104. **Fingerprinting Fee.** In accordance with Section 80.001 of the Texas Human Resources Code, there is hereby established a fee for fingerprinting services to be provided by the Longview Police Department, the amount of said fee to be \$10.00 per fingerprint card.

Section 105. **Parade Permit Fee.** In accordance with Chapter 79 of the Code of Ordinances which regulates outdoor events and parades, a non-refundable filing fee in the amount of fifty dollars (\$50.00) must be submitted with the application for permit for each parade held within the jurisdiction of the City of Longview. Said filing fee will be separate and exclusive of any other fees established and required by the City of Longview for related permits or services. The following are hereby exempted from payment of said fee:

1. The City of Longview
2. Any non-profit organization which currently has a non-profit or charitable organization designation by the Internal Revenue Service, when the event is organized and controlled by the non-profit organization, with all profits used exclusively for the benefit and declared purposes of the non-profit organization.

Section 106. **Secondhand Dealer License Fee.** In accordance with Section 70-62 of the Longview City Code, the annual license fee for second-hand dealers is hereby established at \$25.00.

Section 107. **Secondhand Jewelry and Precious Metals Permit Fee.** The fee for the issuance of a regular permit for the business of buying or trading for used jewelry, money, silverware or precious metal in accordance with Chapter 76 of the Longview City Code shall be \$20.00. The fee for the issuance of a temporary permit for such business shall be \$10.00.

Section 108. **Metal Recycling Licensing Fee.** In accordance with Section 70-94 of the Longview City Code, the annual fee for metal recycling license shall be fifty dollars \$50.00.

Section 109. **Credit Access Business Fee (“Payday Lending”).** In accordance with Section 20-6 of the Longview City Code, the annual fee for a certificate of registration of a credit access business is hereby established at \$20.00.

Section 110. **Transportation Operating Authority Permit Fee.** Every application for a transportation operating authority permit (as required under Section 103-38 of the Code of Ordinances of the City of Longview, Texas) shall be accompanied by payment of a fee of two hundred fifty dollars (\$250.00).

Section 111. **Sexually-Oriented Business Fees.** In accordance with Section 58-119 of the Longview City Code, the annual fee for a sexually-oriented business license is hereby set at \$500.00. In accordance with Section 58-119 of the Longview City Code, each employee of a sexually-oriented business shall pay a \$50.00 annual fee with each sexually-oriented business application.

Public Safety Communications

Section 112. **E9-1-1 Fee.** That the E9-1-1 Fee imposed on each access line by Article III to Chapter 95 of the Longview City Code shall be as follows:

<u>Type of Access Line</u>	<u>Fee Amount</u>
Voice Over Internet Protocol	\$0.90 per access line per month
Residence	\$0.90 per access line per month
Business	\$1.60 per access line per month
Trunk	\$2.25 per access line per month

For purposes of this section, the terms “access line” and “E9-1-1 Fee” shall have the meanings assigned to them in Article III to Chapter 95 of the Longview City Code.

Public Works

Section 113. **Commercial Garbage Collection Rates Inside City.** That, for commercial customers of the City that are located inside the corporate limits of the City, the fair and reasonable rates for the collection and removal of commercial garbage and trash as specified in Section 49-9 of the Code of Ordinances of the City of Longview, Texas, shall be as follows:

Commercial Garbage Service - Weekly garbage and recycling service, including the use of a 95 gallon garbage cart and 95 gallon recycling cart is available to commercial units for a monthly fee of \$30.06. Additional carts are available for a monthly fee of \$7.50 for each garbage cart and \$7.50 for each recycling cart.

Bulky item collections are available to commercial customers for a fee of \$100 to dispose of up to four (4) cubic yards. For amounts over four (4) cubic yards an additional fee of \$50 will be charged for each 0-4 cubic yards. In addition to the above fees, an additional fee of twenty dollars (\$20) will be charged for each mattress and/or appliance collected.

In addition to any charges imposed in this resolution, each commercial unit shall pay any fuel charge established by ordinance for the collection of garbage.

Section 114. **Commercial Garbage Collection Rates Outside City.** That, for commercial customers of the City that are located outside the corporate limits of the City, the fair and reasonable rates for the collection and removal of commercial garbage and trash as specified in Section 49-9 of the Code of Ordinances of the City of Longview, Texas, shall be double the rates specified in this resolution for commercial customers of the City that are located inside the corporate limits of the City. In addition

to any charges imposed in this resolution, each commercial customer shall pay any fuel charge established by ordinance for the collection of garbage., The fuel charge shall not be doubled for commercial customers of the City that are located outside the corporate limits.

Section 115. **Garbage Service Late Charge.** That if any bill for Sanitation service is not paid on or before the date the same is due and payable, a late charge of ten percent of the total amount of charges on such bill for said services, or \$1.50, whichever is greater, shall be added thereto.

Section 116. **Residential Garbage Collection Rates Inside City.** That, for residential customers of the City that are located inside the corporate limits of the City, the fair and reasonable rates for the collection and removal of garbage, recycling, yard waste, and bulky items as defined in the Sanitation Administrative Regulations. For each residential unit as defined in Section 49-2 of the Code of Ordinances, Sanitation services is required and shall be charged at \$17.20 per month. Residential units are provided use of a 95 gallon garbage cart and a 95 gallon recycling cart. Additional carts are available for a monthly fee of \$5.00 for each garbage cart and \$5.00or each recycling cart. Garbage and recycling collection is provided once a week. Residential units are also provided four (4) bulky item collections of eight (8) cubic yards per twelve months as a part of their basic service. Additional bulky item collections are available for a fee of \$50 to dispose of up to four (4) cubic yards. For amounts over four (4) cubic yards an additional fee of \$25 will be charged for each 0-4 cubic yards. In addition to any charges imposed in this resolution, each residential unit shall pay any fuel charge established by ordinance for the collection of garbage. An additional fee of

twenty dollars (\$20) will be charged for each mattress and/or appliance collected. Collection of mattresses and/or appliances will not be eligible for a free bulky item pickup.

Section 117. **Residential Garbage Collection Rates Outside City.**

That, for residential customers of the City that are located outside the corporate limits of the City, the fair and reasonable rates for the collection and removal of garbage, for each residential unit using or occupying any building, house or structure or part thereof for residential purposes shall be double the rates specified in this resolution for residential units of the City that are located inside the corporate limits of the City. In addition to any charges imposed in this resolution, each residential customer shall pay any fuel charge established by ordinance for the collection of garbage. The fuel charge shall not be doubled for residential customers of the City that are located outside the corporate limits.

Section 118. **Cart Return Fee.** That, for residential customers where a cart has been reported and verified as being located curbside other than the day of collection and all corrective actions as outlined in the Sanitation Collection Administrative Regulations have been conducted, a cart return service will be provided at a fee of \$5.00 per cart returned to the residential unit.

Section 119. **Compost Fees.** Residential customers are provided use of the Compost Site at no additional cost. Commercial and nonresidential customers may purchase compost and mulch, as available, for the below listed fees.

Screened Compost Fee - \$15.00 per Cubic Yard

Unscreened Compost Fee - \$5.00 per Cubic Yard

Mulch Fee - \$10.00 per Cubic Yard

Disposal at the Compost Site is available to commercial and non-residential customers at a fee of \$5.00 per cubic yard of compostable waste delivered to the site.

Section 120. **Sewer Service Definitions.** That the following definitions shall apply to Sections 121 & 122 of this resolution:

1. *Red Flags Rules* means the City of Longview policy for protecting utility accounts against any potential fraudulent activity. This program has been adopted in compliance with the Federal Trade Commission's rules on identity theft, known as "Red Flags Rules," that require financial institutions, utilities, and other creditors to set up programs aimed at preventing identity theft. Red Flags are defined in the Rules as a "pattern, practice or specific activity that indicates the possible existence of identity theft."
2. *Customer* means any person or entity who (or which) has applied or contracted for wastewater service from the City's wastewater system. Save and except for multifamily residences, a person or entity served by more than one water meter is considered a separate customer for each separate water meter.
3. *Manufactured housing park* means a tract of land divided into two or more lots intended to be leased or licensed to others for the purpose of locating a HUD-code manufactured home or a mobile home, as the terms "HUD-code manufactured home" and "mobile home" are defined in Chapter 1201 of the Texas Occupations Code.
4. *Multifamily residence* means a residential establishment with more than one unit.
5. *Duplex residence* means a multifamily residence with only two units.
6. *Residential establishment* means any structure or group of structures within which more than 50 percent of the floor space is occupied or intended for occupancy as living quarters. Residential establishment does not include hotels, motels, inns, lodging houses or any similar establishment in which lodging is furnished for consideration and in which less than 75 percent of the accommodations are occupied by permanent residents. Residential establishment does not include group quarters. Group quarters are living arrangements for other than ordinary household life, such as dormitories, military barracks, hospitals, homes for the aged, and prisons.

- a. *Note-if property contains both a commercial and residential type units, the account will default to commercial property for billing purposes.*
- 7. *Single family residential customer* means a customer whose meter is connected to, and services exclusively, a residential establishment with one unit.
- 8. *Unit* means a house, an apartment, a townhouse, a mobile home, a HUD-code manufactured home, a group of rooms, or a single room occupied or intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants do not live and eat with any other persons in the structure and which quarters have either:
 - a. Direct access from the outside of the structure or through a common hall; or
 - b. Complete kitchen facilities for the exclusive use of the occupants. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or non-related persons who share living arrangements.

Section 121. **Sewer Service Late Charge.** That if any bill for sewer service is not paid on or before the date the same is due and payable, a late charge of ten percent of the total amount of charges on such bill for said services, or \$1.50, whichever is greater, shall be added thereto.

Section 122. **Sewer Rates.** That the following schedule of rates and charges is hereby established for the use and service of the wastewater system of the City:

- 1. The following wastewater rates shall apply to customers within the corporate limits of the City:
 - a. Monthly charge for multifamily residences with 3 or more units, per unit -- \$16.35
 - b. Monthly charge for manufactured housing park, per lot with access to sewer -- \$16.35
 - c. Monthly charge for hotels or motels, per unit -- \$16.35

- d. Minimum monthly charge for all other users [except those listed in (a)-(c) above] based upon consumption of up to 2,000 gallons of water per month -- \$12.40
 - e. Wastewater rate for all customers [except those listed in (a)-(c) above] per 1,000 gallons of water used in excess of 2,000 gallons/month -- \$3.95
2. For each single family residential customer and each customer in a duplex residence (as defined in Section 132 of this resolution), the consumption rate shall be based upon the average monthly water usage as billed for the months of November through February. The utility department may estimate such average use for new customers with no previous billing history. For a customer with an average monthly water usage exceeding 22,000 gallons, the maximum monthly sewer charge shall be based on an average monthly water usage of 22,000 gallons.
 3. For each non-residential unit customer, the consumption rate shall be based on the actual water usage for each month by that customer.
 4. The following wastewater rates shall apply to customers outside the corporate limits of the City:
 - a. Monthly charge for multifamily residences with 3 or more units, per unit -- \$27.62
 - b. Monthly charge for manufactured housing park, per lot with access to sewer -- \$27.62
 - c. Monthly charge for hotels or motels, per unit -- \$27.62
 - d. Minimum monthly charge for all other users [except for those listed in (a)-(c) above], based upon consumption of up to 2,000 gallons of water per month -- \$21.24
 - e. Wastewater rate for all customers [except those listed in (a) – (c) above] per 1,000 gallons of water used in excess of 2,000 gallons/month -- \$ 6.38
 5. None of the wastewater charges described in this section will be imposed on new construction for the first 180 days beginning on the date on which a water meter is installed. After the expiration of said 180-day period, the charges on such construction shall be as follows until the account is transferred to a new owner or occupant:
 - a. Monthly charge per unit \$12.40
 - b. Upon transfer of the account to a new owner or occupant, wastewater charges shall be in accordance with the other provisions of this section.

6. None of the wastewater charges described in this section will be imposed on any customer who provides proof satisfactory to the Public Works Director that said customer contributes no water whatsoever to the wastewater system of the City.

Section 123. **Sewer Tap Fees.** The following schedule of rates and charges is hereby established for the installation and/or location of all house laterals from the City sewer to the property line:

1. For a 4-inch or 6-inch sewer tap, without pavement excavation or subsurface pavement boring, the charge shall be \$2,530.00
2. For a 4-inch or 6-inch sewer tap, with pavement excavation or subsurface pavement boring, the charge shall be \$4,780.00
3. For the installation of City clean out at right-of-way on existing service line, the charge shall be \$1,034.00
4. Sewer taps larger than 4-6 inches or taps requiring the installation of a manhole shall be assessed a charge based on the actual cost as determined by the Public Works Director.
5. If a sewer service line has been installed by a private developer or other private party and the City receives a request to locate said service line, a service fee of \$80.00 will be charged for attempting to locate said line.
6. All sewer taps requiring Texas Department of Transportation (TxDOT) permits shall be assessed a fee based on the actual cost as determined by the Public Works Director.
7. For the installation of a clean out box over an existing clean out, the charge shall be \$234.00

Section 124. **Water Service Definitions.** That the following definitions shall apply to Sections 125, 126, 127, 128, 129, 130, 131, 132, 133 & 134 of this resolution:

1. *Red Flags Rules* means the City of Longview policy for protecting utility accounts against any potential fraudulent activity. This program has been adopted in compliance with the Federal Trade Commission's rules on identity theft, known as "Red Flags Rules," that require financial institutions, utilities, and other creditors to set up programs aimed at preventing identity theft. Red Flags are defined in the

Rules as a “pattern, practice or specific activity that indicates the possible existence of identity theft.”

2. *Customer* means any person or entity who (or which) has applied or contracted for treated water service from the City’s water works system and for whom (or for which) a meter has been installed. Save and except for multifamily residences, a person or entity served by more than one meter is considered a separate customer for each separate meter.
3. *Fire Detector Check* means the approved device used to monitor water flow in a private fire protection system. This device consists of a main line check valve with a metered bypass and control valves. All such accounts shall not be subject to the minimum monthly charge for water. These charges shall be in accordance with the schedule of rates in proportion to the amount of water used, as shown by the meter, for water usage.
4. *Gross quantity* means the total quantity of water actually delivered through a meter to a customer during a monthly billing cycle.
5. *Manufactured housing park* means a tract of land divided into two or more lots intended to be leased or licensed to others for the purpose of locating a HUD-code manufactured home or a mobile home, as the terms “HUD-code manufactured home” and “mobile home” are defined in Chapter 1201 of the Texas Occupations Code.
6. *Multifamily minimum* means the total gallons of water for a multifamily residence paid for by paying the minimum rate, said total gallons determined by multiplying the total number of units in a multifamily residence by 2,000 gallons per unit.
7. *Multifamily residence* means a residential establishment with more than two units.
8. *Multifamily residential customer* means a customer, including a resale customer, whose meter is connected to, and serves primarily, a multifamily residence.
9. *Raw water customer* means any person or entity who (or which) has applied or contracted for untreated water service from the City’s water works system and for whom (or for which) a raw water meter has been installed. A person or entity served by more than one raw water meter is considered a separate raw water customer for each separate meter.
10. *Resale customer* means a customer engaged in the business of selling water whose meter is connected to, and serves, a water distribution system which serves two or more separately metered structures which, in the aggregate, are within the definition of residential establishment as that term is defined herein.

11. *Residential establishment* means any structure or group of structures within which more than 50 percent of the floor space is occupied or intended for occupancy as living quarters. Residential establishment does not include hotels, motels, inns, lodging houses or any similar establishment in which lodging is furnished for consideration and in which less than 75 percent of the accommodations are occupied by permanent residents. Residential establishment does not include group quarters. Group quarters are living arrangements for other than ordinary household life, such as dormitories, military barracks, hospitals, homes for the aged, and prisons.
- a. *Note-if property contains both a commercial and residential type units, the account will default to commercial property for billing purposes.*
12. *Single family residential customer* means a customer other than a resale customer, whose meter is connected to, and services exclusively, a residential establishment with one unit.
13. *Unit* means a house, an apartment, a townhouse, a mobile home, a HUD-code manufactured home, a group of rooms, or a single room occupied or intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants do not live and eat with any other persons in the structure and which quarters have either:
- a. Direct access from the outside of the structure or through a common hall; or
- b. Complete kitchen facilities for the exclusive use of the occupants. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or non-related persons who share living arrangements.
14. *Theft of Water Service* shall refer to any customer who reconnects his water service in any way after the City has deactivated the water account for nonpayment of a delinquent bill, the Reactivation Fee, Meter Reset Fee (if applicable), and the Meter Tampering Fee shall be paid before the water service account will be reactivated.
15. *Water Sprinkler* means any residential or commercial water connection used for the purpose of lawn watering or landscape irrigation. All such accounts shall be subject to the minimum monthly demand charge for water based on meter size. These charges shall be in accordance with the schedule of rates based on meter size in proportion to the amount of water used, as shown by the meter, for water usage.

Section 125. **Water Service Installation Charges.** In accordance with Section 106-16 of the Code of Ordinances of the City of Longview, in those instances

where the City shall install or cause to be installed water service connections, the City shall charge for the installation a sum sufficient to cover the cost thereof, such sum to include the tap cost and the meter set up charges and to be collected by the City at the following rates:

Meter Size (Inches) and Type of Connection	Water Service Installation Fee (including tap and meter set-up)
1" connection, without pavement excavation or subsurface pavement boring	\$2,900.00
1" connection, with pavement excavation or subsurface pavement boring	\$3,500.00
1 ½" – 2 " and larger connections	Charge based on actual cost as determined by Public Works Director
All taps requiring Texas Department of Transportation (TxDOT) permits	Charge based on actual cost as determined by Public Works Director
Relocation of existing meters 5/8"-2"	\$300.00

Section 126. **Water Service Late Charge.** That if any bill for water service is not paid on or before the date the same is due and payable, a late charge of ten percent of the total amount of charges on such bill for said services, or \$1.50, whichever is greater, shall be added thereto.

Section 127. **Water Meter Set Charge.** In accordance with Section 106-16 of the Code of Ordinances of the City of Longview, in those instances in which private developers or other persons have made the required taps in conformance with City ordinance, the City shall set the meter and the following meter set charges shall apply:

Meter Size (Inches)	Meter Set Charge
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1"	\$630.00
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Section 128. **Raw Water Rates Inside City limits.** The rates for raw water service to any raw water customer within the City limits of the City of Longview shall be as set by contract between the City and said customer.

Section 129. **Raw Water Rates Outside City limits.** The rates for raw water service to any raw water customer outside the City limits of the City of Longview shall be as set by contract between the City and said customer.

Section 130. **Treated Water Rates Inside City limits.** Unless otherwise provided by contract, the following monthly rates shall apply for treated water service to customers within the corporate limits of the City of Longview:

1. The minimum monthly billing rate for all water service within the City limits of the City of Longview, Texas, save and except for service to multifamily residences, shall entitle the user to the first two thousand (2,000) gallons of service and shall be based upon the meter size for service as follows:

Meter Size, Service Diameter, Inches	Demand Charge/ Minimum Rate
5/8"	\$10.50
1"	\$26.25
1 ½"	\$52.50
2"	\$84.00
3"	\$168.00
4"	\$288.75
6"	\$591.15
8"	\$892.50
10"	\$1,365.00
12"	\$1,732.50

2. In addition to the minimum charge established in subsection (1) of this section, the following schedule of rates shall be charged in proportion to the amount of water used, as shown by the meter, to all customers, except multifamily residences, within the City limits of the City of Longview:

Gallons Per Month	Rate Per 1,000 Gallons/Service
First 2,000	Included in minimum charge reflected in subsection (1) above
Next 48,000	\$2.65/1,000 gals.
Next 4,950,000	\$2.65/1,000 gals.
All over 5,000,000	\$2.65/1,000 gals.

3. The minimum monthly billing rate for all water service within the City limits of the City of Longview, Texas, for multifamily residences, is and shall be \$10.50 per unit, entitling the customer to a maximum of 2,000 gallons per unit water service.
4. The minimum charge for utility services (water, sewer and garbage services) shall be billed monthly, whether or not those services are used by the customer; e.g., water meter is turned off for nonpayment; residence is vacant, but the account is active (has not been closed), etc. Each active water account customer shall pay the minimum monthly charge, regardless of “zero usage”, in accordance with the applicable meter size installed, as reflected by the most current fee resolution, which shall entitle the customer to the first 2000 gallons of water and other available utility services. The minimum monthly charge for all utility services will be imposed without respect to the use of those services on active accounts.
5. When the gross quantity of water delivered to a multifamily residence exceeds the multifamily minimum, the following schedule of rates shall be charged in proportion to the amount of water used, as shown by the meter, for water usage in excess of the multifamily minimum for each multifamily unit:

Gallons Per Month	Rate Per 1,000 Gallons/Service
First 2,000	Included in minimum charge reflected in subsection (3) above
Next 48,000	\$2.65/1,000 gals.
Next 4,950,000	\$2.65/1,000 gals.

All over 5,000,000	\$2.65/1,000 gals.
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6. The minimum monthly rate for water service for each manufactured housing park with a meter located inside the city limits shall be computed by multiplying the total number of lots with access to water in the manufactured housing park by \$_____10.50.

Section 131. **Treated Water Rates Outside City Limits.** Unless otherwise provided by contract, the following monthly rates shall apply for treated water service to customers outside the corporate limits of the City of Longview:

1. The minimum monthly billing rate for all water service outside the City limits of the City of Longview, Texas, save and except for service to multifamily residences, shall entitle the user to the first two thousand (2,000) gallons of service and shall be based upon the meter size for service as follows:

Meter Size, Service Diameter, Inches	Demand Charge/_Minimum Rate
5/8"	\$19.14
1"	\$39.38
1 ½"	\$78.75
2"	\$126.00
3"	\$252.00
4"	\$433.12
6"	\$886.72
8"	\$1,338.75
10"	\$2,047.50
12"	\$2,598.75

2. In addition to the minimum charge established in subsection (1) above, the following schedule of rates shall be charged in proportion to the amount of water used, as shown by the meter, to all customers, except multifamily residences, outside the City limits of the City of Longview:

Gallons Per Month	Rate Per 1,000 Gallons/Service
First 2,000	Included in minimum charge reflected in subsection (1) above
Next 48,000	\$4.00/1,000 gals.
Next 4,950,000	\$4.00/1,000 gals.
All over 5,000,000	\$4.00/1,000 gals.

The minimum monthly billing rate for all water service outside the City limits of the City of Longview for multifamily residences is and shall be \$19.14 per unit, entitling the customer to a maximum of 2,000 gallons per unit water service.

- When the gross quantity of water delivered to a multifamily residence exceeds the multifamily minimum, the following schedule of rates shall be charged in proportion to the amount of water used, as shown by the meter, for water usage in excess of the multifamily minimum for each multifamily unit outside the City limits of the City of Longview:

Gallons Per Month	Rate Per 1,000 Gallons/Service
First 2,000	Included in minimum charge reflected in subsection (3) above
Next 48,000	\$4.00/1,000 gals.
Next 4,950,000	\$4.00/1,000 gals.
All over 5,000,000	\$4.00/1,000 gals.

The minimum monthly rate for water service for each manufactured housing park with a meter located outside the city limits shall be computed by multiplying the total number of lots with access to water in the manufactured housing park by \$19.14.

Section 132. **Red Flags Rules Requirements.** In accordance with the City of Longview Red Flags Rules policy, the applicant for water service must provide the required personal identifying information, either in person or over the phone, when opening, transferring or closing a utility service account. This information is subject to verification by the City and any use of false information shall be grounds for denial, suspension and/or termination of utility service. Inasmuch as the customer is responsible for all water going through the meter, the customer must either close the water account; or authorize another person to terminate utility service on their behalf. The customer shall be responsible for all monthly billings incurred until the closing read date of the utility service account, including all charges incurred from the initial date of service, until the account has been closed or such utility services have been assumed by a new customer.

Section 133. **Water Service Account Activation Fees.** That, in accordance with Section 106-26 of the Code of Ordinances of the City of Longview, Texas, a non-refundable fee is owed to the City upon the activation or reactivation of a water service account as follows:

1. **Account Activation Fee.** A \$50.00 nonrefundable fee shall be charged for activating a water account. If a request is made for this service after hours, (see 147.1) an additional \$50.00 (total \$100.00) charge will be assessed.
2. **Reactivation Fee.** A \$50.00 nonrefundable fee shall be charged to any customer whose past due account has been deactivated. Said fee will be added to the total amount due, regardless of whether the water service was actually turned off or not. If a request is made to reactivate a water account after hours (see 147.1), an additional \$50 (total \$100) charge will be assessed.
3. **Inspection Water Use Fee.** A \$50 fee shall be charged in advance to any customer or person who requests that water be turned on at a service address for the purpose of conducting a plumbing inspection to transfer ownership of real estate property.

4. Transfer Fee (transfer of residential account). A \$50.00 transfer fee will be charged to turn on a water meter at one location and off at another in connection with the transfer of service from one service address to another location. To be eligible for this \$50 transfer fee, the customer must have the water meter at the new service address turned on no later than the 14th day after the water meter is turned off at the old service address. Otherwise, the new service address will be considered a new account subject to all applicable fees, including without limitation an Activation Fee
5. Any activation, reactivation, temporary courtesy activation, temporary deactivation, or transfer of account other than residence to be determined by the City Manager or the City Manager's agent.
6. Meter Reset Fee- In accordance with Section 106-19 of the Code of Ordinances of the City of Longview, in any case where a customer reconnects or otherwise passes discontinued service without the permission of the City, the customer's meter will be removed and an additional charge of \$50.00 will be made and collected before the meter is reset. Said \$50.00 charge is in addition to any other charges due.

Section 134. Water Utility Services Fees. Unless otherwise provided by contract, the following fees shall be charged to customers:

1. After Hour Service Fee. A \$50.00 fee shall be charged to any customer who requests any water-related service after normal working hours: after 5:00p.m., Monday through Friday, on weekends and holidays.
2. Bulk Water Fee. For customers who take water by bringing tank trucks or other containers to an area designated by the city for dispensing water to such containers, the fee shall be \$20.00 for each 2,000 gallons.
3. Emergency Service Turn-off Fee. A \$50 fee shall be charged to any customer who requests that his service be turned off for emergency purposes.
4. Meter Testing Fee. A \$75 fee shall be charged to a customer who requests a meter be tested, the meter will be removed for testing. If the meter is found to be within industry tolerances (AWWA standards), the customer will be charged this fee to cover the cost of testing the old meter and replacing it with a new meter. If the meter is found to be outside the industry tolerances, there is no charge to the customer.

The fees for all testing and replacements of meter sizes above 1 inch shall be determined by Director of Public Works based on the prevailing costs for meter testing, replacement materials and labor.

5. Data Collection Report Fee: A fee of \$50 shall be charged to a “smart meter” customer for the second and each subsequent data collection report requested within a 12-month period. If a customer has a water meter capable of generating a comprehensive data logging report of water usage, the customer may request one data collection report within a year at no charge, to monitor the customer’s consumption history or resolve a billing concern.
6. Meter Obstructing and Tampering Fee. A fee of \$150, for the first instance, \$250 for the second instance and \$500 for each instance thereafter, shall be charged to any customer whose service has been obstructed, covered or otherwise rendered inaccessible to the City for meter reading or service maintenance purposes; or has been tampered with in the following manner:
 - a. broken meter lock;
 - b. damaged or broken curb stop;
 - c. removal or tampering of register
 - d. meter lock removed;
 - e. broken meter;
 - f. stolen meter;
 - g. unauthorized connection inserted;
 - h. any unauthorized water usage.
 - i. Obstructing access to meter

The fact that water service is turned on to any premise by an occupant thereof without the authority of the City shall not relieve the customer or user of liability for the unauthorized use of water and damage to City property.

7. Return Trip Service Fee. A \$50.00 fee shall be charged to any customer who misses two scheduled water service appointments and requests a third appointment to provide the requested service.
8. Same Day Service Fee. A \$50.00 fee shall be charged to any customer who requests any water related service by performed on the same day.
9. Temporary Service Turn-off and Account Suspension Fee. A \$50.00 fee shall be charged to any customer who requests that his water be temporarily turned off and his account services temporarily suspended for any reason. All such accounts will be turned off at the meter until the customer requests that his services resume. During this time, no water, sewer or garbage services will be received by or charged to the customer. The fee shall be assessed at the time of the request.
10. Landlord Transfer Fee. A \$25.00 fee shall be charged to any landlord who requests to transfer or revert water services to his or her name after a tenant has moved out of such property. The water services will be billed to the landlord until he or she closes the water account or a new tenant establishes a new water services account.

It shall be the responsibility of any new tenant moving into the property to establish a new water services account.

11. Equipment Damage Fee. All persons violating Section 106-38 of the Longview City Code by causing damage to water service equipment shall be charged for all standard costs associated with replacing the service equipment. Said charges shall include all associated labor and material expense and equipment use expense, based on fair market prices as determined by the Director of Public Works. In accordance with the Texas Administrative Code, an itemized bill of such charges shall be provided to the customer.
12. Returned Payment Fee. A returned payment fee of \$30 will be charged to any customer account for a returned payment, whether the returned payment was made by check, by other written format, by ACH payment, or by other electronic format. An account will be subject to the returned payment fee where any payment is returned to the department by the bank. The reasons for a payment return may include, but are not limited to, the following:
 - a. insufficient funds
 - b. closed or frozen bank account
 - c. stop payment requested at the bank
 - d. unauthorized payment reported by bank or cardholder
 - e. fraudulent or suspicious activity reported by bank or cardholder
 - f. Incorrect account and/or routing numbers.

Nothing in the preceding shall be construed to prevent the City from pursuing civil or criminal penalties against any person or parties tampering with, damaging and/or using without authorization water service to the maximum allowed by local or state laws.

13. Fire Hydrant Meter Transferring Fee. A \$200 fire hydrant meter transferring fee will be charged to remove, transport, and reinstall a fire hydrant meter from one construction worksite to another construction worksite at the request of a customer. This \$200 fee shall apply to each request to have the fire hydrant meter moved to another location. Under no circumstances is a customer or any other person authorized to move a fire hydrant meter.

14. Fire Hydrant Meter Tampering Fee. There is hereby imposed a fee of \$500 for each occurrence of fire hydrant meter tampering. The term "fire hydrant meter tampering" means any removal of a fire hydrant meter by any person other than an authorized representative of the City of Longview. In addition, the term includes any connection to or installation of a fire hydrant meter without first obtaining all required permits and authorizations and complying with all applicable laws, rules, and regulations. The term also includes any damage to a fire hydrant meter and includes

the failure to return a fire hydrant meter.

Transportation

Section 135. **Public Transportation Fares.** The fees to be levied and collected in connection with city transit shall be as follows:

Adults 15 and older	\$1.00
Children 6-14	\$0.75
Children 5 and under	Free
Medicare, Senior and Disabled	\$0.50
Transfers	Free

Water Quality

Section 136. **Groundwater Discharge Permit Fee.** There is hereby imposed a fee of \$1,900.00 for a groundwater discharge permit:

Section 137. **Industrial Waste Permit Fee.** There is hereby imposed a fee of \$900.00 for an industrial waste permit:

Section 138. **Sampling Fees.** There are hereby imposed the following fees for the sampling of wastewater, each such fee to be charged per sample analyzed:

1.	ammonia nitrogen	\$25.00
2.	biochemical oxygen demand	\$25.00
3.	chemical oxygen demand	\$25.00
4.	pH (field)	\$15.00
5.	pH (lab)	\$15.00
6.	total suspended solids	\$20.00

7. Sampling Fee \$50.00

In addition to the above fees for the sampling and/or testing of wastewater, any person whose wastewater is sampled by the City of Longview or the City's designee for testing in accordance with the City's wastewater regulations shall pay the cost of any independent laboratory work or tests performed in connection with such sampling.

Section 139. **Transported Waste Fees.** There are hereby imposed (1) a fee of \$30.00 for a transported waste permit; and (2) a fee of \$0.05 per gallon of hauled septic/portable toilet waste. In addition, there is hereby imposed a fee of \$50.00 per year for each grease trap waste transport permit issued pursuant to Section 106-184 of the Longview City Code; and (2) a fee of \$0.20 per gallon of grease trap waste hauled to the wastewater treatment plant. For purposes of computing the fee for the transported waste permit and the fee for the grease trap waste transport permit, each vehicle shall be considered to be a separate permit.

Section 140. That, in accordance with Section 132.002 of the Texas Local Government Code and subject to such rules and procedures as the City Manager or the City Manager's designee may prescribe, each City of Longview employee or other official who collects fees, fines, court costs, or other charges on behalf of the City of Longview is hereby authorized to accept payment by credit card of such fees, fines, court costs, or other charges.

Section 141. That the City Manager is hereby authorized to accept and to authorize City of Longview employees to accept payment of City fees, fines, court costs, or other charges by such electronic and other methods of payment as the City Manager

may, in the City Manager's reasonable discretion, deem advisable, and the City Manager is further authorized to prescribe such rules and procedures for same as the City Manager may, in the City Manager's reasonable discretion, deem advisable.

Section 142. That the meeting at which this resolution was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 143. That all other prior resolutions or portions of resolutions of the City of Longview in conflict with the terms and provisions of this resolution are hereby repealed to the extent of such conflict only.

Section 144. That the repeal of any resolution or portion of a resolution by this resolution shall not affect the validity of any pending enforcement action or fees outstanding and due and payable for services rendered on or before the effective date of this resolution.

Section 145. That if any section, paragraph, subdivision, clause, phrase or provision of this resolution is hereafter determined to be invalid or violative of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Council of the City of Longview that all other terms and provisions of this resolution not affected thereby shall remain in full force and effect.

Section 146. That, except as expressly provided otherwise herein, this resolution shall be effective from and after the 1st day of October, 2019.

PASSED and APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R BUDGET FEES 2020-21 8-13-20

PUBLIC HEARING ON PROPOSED BUDGET FOR FY2020-2021

DESCRIPTION:	<p>The Texas Government Code requires that a Municipality hold a public hearing on the proposed fiscal budget. This is the required hearing.</p> <p>The vote to adopt the FY2020-2021 proposed budget will be considered immediately after this item on Thursday, August 13, 2020, at 5:30 PM.</p>
RECOMMENDED ACTION:	Open Public Hearing on Proposed FY2020-2021 Budget.
SOURCE OF FUNDS:	N/A
STAFF CONTACT:	Angela Coen, Director of Finance 903-239-5521 acoen@longviewtexas.gov
COUNCIL DATE:	August 13, 2020

ADOPTION OF THE 2020-21 BUDGET

DESCRIPTION: In accordance with the Texas Government Code and the city charter, the budget is being submitted for City Council approval.

RECOMMENDED ACTION: Approval of the Ordinance to adopt the FY2020-21 Budget.

SOURCE OF FUNDS: N/A

STAFF CONTACT: Angela Coen, Director of Finance
903-239-5521
acoen@longviewtexas.gov

COUNCIL DATE: August 13, 2020

PUBLIC HEARING ON PROPOSED TAX RATE FOR FY2020-2021

DESCRIPTION:	<p>Section 26.05 of the Texas Tax Code and the city charter requires that a Municipality hold a public hearing on the property tax rate. This is the required hearing.</p> <p>The proposed tax rate is 0.5589. 15.92 for Debt Service 39.97 for Operations & Management</p> <p>The vote to adopt the tax rate will be on Thursday, August 20, 2020, at 5:30 PM.</p>
RECOMMENDED ACTION:	Open Public Hearing on Proposed Tax Rate.
SOURCE OF FUNDS:	N/A
STAFF CONTACT:	Angela Coen, Director of Finance 903-239-5521 acoen@longviewtexas.gov
COUNCIL DATE:	August 13, 2020

RATIFY THE PROPERTY TAX REVENUE INCREASE

DESCRIPTION: In accordance with the Texas Tax Code Sec. 26.05(b) the adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget.

RECOMMENDED ACTION: Motion and vote

SOURCE OF FUNDS: N/A

STAFF CONTACT: Angela Coen, Director of Finance
903-239-5521
acoen@longviewtexas.gov

COUNCIL DATE: August 13, 2020

POLICE BODY CAMERA EQUIPMENT

DESCRIPTION:	<p>This item would allow for the purchase of police body camera equipment, software, annual maintenance and support. The police body cameras and software updates will replace older technology and allow for the integration with existing police software systems. The State of Texas has an awarded contract for police body cameras and software. This purchase is for a state of the art body camera system. The price for the cameras and equipment will not exceed \$169,393.00. The camera system and software will require annual maintenance and support. This annual maintenance and support is also available through a contract with the State of Texas. The Police Department estimates spending approximately \$65,340.00 per year on maintenance and support. The Police Department will budget annually for the maintenance and support.</p>
RECOMMENDED ACTION:	<p>Approval of the purchase of police body camera equipment, software, annual support and maintenance through the State of Texas cooperative purchasing program.</p>
SOURCE OF FUNDS:	<p>Body camera equipment and software; 048-670-000-7025, Redflex Account, Annual support and maintenance; 001-017-000-5190 maintenance contracts.</p>
STAFF CONTACTS:	<p>Jaye Latch, Purchasing Manager 903-237-1324 jlatch@longviewtexas.gov</p> <p>Mike Bishop, Chief of Police 903-237-1101 mbishop@longviewtexas.gov</p>
COUNCIL DATE:	<p>August 13, 2020</p>

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF POLICE BODY CAMERA EQUIPMENT, SOFTWARE, ANNUAL MAINTENANCE AND SUPPORT VIA THE CITY'S PARTICIPATION IN THE STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM KNOWN AS THE DEPARTMENT OF INFORMATION RESOURCES (DIR); 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 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 PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview (hereinafter called the "City) Police Department has previously purchased body cameras and software; and,

WHEREAS, the police body cameras and software updates will replace older technology and allow for the integration with existing police software systems; and,

WHEREAS, the City has previously entered a cooperative agreement with the State of Texas and the Department of Information Resources (DIR) so that the City may participate in the purchasing programs administered by the State of Texas; and,

WHEREAS, the City is able to purchase the aforesaid body cameras, equipment, annual maintenance and support through the State of Texas cooperative purchasing program known as DIR; and,

WHEREAS, Section 271.083 of the Texas Local Government Code authorizes the purchase of such police body camera without the need for the City to engage in a competitive purchasing process where the purchase is made through the City's participation in a cooperative purchasing program with the State of Texas; and,

WHEREAS, funding for the purchase of said body camera equipment and software shall be provided from the Redflex Photo Enforcement Account, 048-670-000-7025 in an amount not to exceed \$169,393.00; and,

WHEREAS, funding for the annual purchase of maintenance and support for said body camera equipment and software shall be provided from maintenance contract account number 001-017-000-5190; and,

WHEREAS, any expenditure for annual maintenance and support shall not exceed budgeted funds in any corresponding budget year; and,

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

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

Section 2. That, subject to the conditions set forth in this resolution, the City is hereby authorized to purchase body camera equipment, software, annual support and maintenance for the Police Department via the City's participation of the State of Texas cooperative purchasing program known as DIR.

Section 3. That the City Manager, the City Manager's designee and/or other official(s) of the City as shall be required, are hereby authorized to negotiate and execute any and all contracts and other documents on behalf of the City, as approved by the City Attorney's office, incident to the purchases authorized herein.

Section 4. That the authorization provided herein is contingent upon all of the following:

- a. The purchase for body cameras and software authorized herein shall not exceed \$169,393.00;
- b. The purchase of annual support and maintenance shall not exceed budgeted funds in any corresponding budget year;
- c. The purchased of police body camera equipment, software, annual support and maintenance pursuant to this resolution are purchased under the state contract through the State of Texas cooperative purchasing programs know as DIR; and,

Section 5. That the purchases described in this resolution are exempt from state purchasing requirements pursuant to section 271.083 of the Texas Local Government Code.

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

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

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PUR POLICE-BODY CAMERA EQUIPMENT STATE K 8-13-20

PURCHASE OF 1 TRANSIT VAN

DESCRIPTION:	<p>This item is for the purchase of one (1) transit van for Longview Transit. The van will be purchased using the City's participation in the State of Oklahoma Cooperative Purchasing Program. This van will replace an existing van that has exceeded its useful life. State of Oklahoma issued a bid and awarded a contract for transit vans. The bid and subsequent award complies with State of Texas competitive bidding laws.</p> <p>100% of the funding is provided by the Federal Transit Administration (FTA) with no required local funds (match) by City of Longview. The total amount of the purchase will not exceed \$54,233.00.</p>
RECOMMENDED ACTION:	Approval of the resolution authorizing the purchase of one (1) transit van via State of Oklahoma Cooperative purchasing contract.
SOURCE OF FUNDS:	100% Federal Transit Administration FTA.
STAFF CONTACTS:	<p>Jaye Latch, Purchasing Manager jlatch@longviewtexas.gov 903-237-1324</p> <hr/> <p>Scott Lewis, Longview Transit General Manager 903-753-2287 slewis@longviewtransit.com</p>
COUNCIL DATE:	08/13/2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF ONE (1) TRANSIT VAN FOR LONGVIEW TRANSIT THROUGH THE CITY'S PARTICIPATION IN THE STATE OF OKLAHOMA COOPERATIVE PURCHASING AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$54,233.00; AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO EXECUTE ANY DOCUMENTS NECESSARY FOR SAID PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE SATISFIES STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview (hereinafter sometimes called the "City") is interested in purchasing one (1) transit van to be used by Longview Transit to transport citizens for existing transit service; and,

WHEREAS, the State of Oklahoma has a competitively bid contract for the purchase of such van; and,

WHEREAS, Section 791.025 of the Texas Government Code and Section 271.102 of the Texas Local Government Code authorize the City to enter into cooperative purchasing agreements for the purchase of functions, goods, and services, including without limitation the aforesaid transit van; and,

WHEREAS, purchases pursuant to such a cooperative purchasing agreement satisfy all competitive purchasing requirements applicable to the City of Longview; and,

WHEREAS, the City participates in a cooperative purchasing program with the State of Oklahoma pursuant to a cooperative purchasing agreement between said parties; and,

WHEREAS, funding for the aforesaid transit van will be provided in full from the Federal Transit Administration (FTA); and,

WHEREAS, the cost of said transit vehicle will not exceed \$54,233.00 and will not require any direct funding from the City of Longview; NOW, THEREFORE,

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

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

Section 2. That, subject to the conditions set forth in this resolution, the City of Longview is hereby authorized to purchase one (1) transit van for an amount not to exceed \$54,233.00 via the City's participation in the State of Oklahoma's cooperative purchasing program.

Section 3. That the funding for said purchase will be funded in full from the Federal Transit Administration (FTA).

Section 4. That the purchase authorized herein shall not require an amendment of the City's budget.

Section 5. That the City Manager, the City Manager's designee and/or other official(s) of the City as shall be required, are hereby authorized and directed to execute any and all contracts and/or other documents incident to said purchase on behalf of the City, as approved by the City Attorney or the City Attorney's designee.

Section 6. That, pursuant to Section 791.025 of the Texas Government Code and Section 271.102 of the Texas Local Government Code, any purchase made

pursuant to the authorization granted in this resolution satisfies any applicable state competitive purchasing requirements.

Section 7. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 8. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R TRANSIT VAN VIA OKLAHOMA COOPERATIVE PURCHASING 8-13-20

APPROVE APPLYING AND ACCEPTING THE LONGVIEW PUBLIC LIBRARY ENTERING AN INTERLOCAL AGREEMENT WITH PARTICIPATING LIBRARIES OF CLOUDLINK

DESCRIPTION: Consider a Resolution for the Approval of Interlocal Cooperation Agreement for Mutual Access to Cloudlibrary Digital Resources with 27 partner libraries including Austin Public Library, Dallas Public Library, and Laredo Public Library. All these digital resources combined total over 170,000 titles or \$6.8 million in content. The proposed agreement will allow member libraries to share digital ebooks and audiobooks that will be offered through Bibliotheca Cloudlibrary. Participation in this agreement includes the approval of the Interlocal Cooperation Agreement, an annual participation fee of \$1,000, and a minimum of \$10,000 or 10% (whichever is lower) from each library's material's budget to be contributed to the overall acquisitions of content. By contributing this minimum amount, the Longview Public Library will be able to reduce their e-materials budget by over half and gain access to 76.5% more titles than before.

RECOMMENDED ACTION: Approval of Resolution.

SOURCE OF FUNDS: \$11,000, No Match Required

STAFF CONTACT: Jennifer Eldridge, Library Manager
903-237-1340
jeldridge@longviewtexas.gov

COUNCIL DATE: August 13, 2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL AGREEMENT FOR MUTUAL ACCESS TO CERTAIN CLOUDLIBRARY DIGITAL RESOURCES, ALSO KNOWN AS THE BIBLIOTHECA CLOUDLINK SERVICE; 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.

WHEREAS, the City of Longview (also called the “City” herein) is a local government engaged in promotion of public health and welfare by, among other things, providing access to a broad range of library services to the public through the Longview Public Library; and,

WHEREAS, the Longview Public Library desires to further expand public access to digital content by sharing cloud resources with other public libraries; and,

WHEREAS, the Bibliotheca cloudLink service allows libraries to share their cloud resources with each other; and,

WHEREAS, the City desires to become a party to the interlocal agreement attached hereto as Exhibit A so that the Longview Public Library may access the Bibliotheca cloudLink service; NOW, THEREFORE,

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

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

Section 2. That the City Manager, or the City Manager's designee, and any other official of the City as shall be necessary or convenient, are hereby authorized to execute, on behalf of the City of Longview, an agreement substantially in the form of the attached Exhibit A, which exhibit is made a part hereof for all purposes.

Section 3. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 4. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R LIBRARY CLOUDLINK INTERLOCAL AGREEMENT 8-13-20

JUSTICE ASSISTANCE GRANT FY2020 LOCAL SOLICITATION

DESCRIPTION: The Bureau of Justice Assistance through U.S. Department of Justice is soliciting program applications from local government agencies for the Edward Byrne Memorial Justice Assistance Grant (JAG) Local Solicitation Program to develop and enhance crime prevention, conduct prevention and education programs, personnel to implement the programs, and supplies for Partners in Prevention. Partners in Prevention will utilize these funds for the established Partners in Prevention Mentoring Program and substance abuse prevention initiative as a strategy to reduce youth crime and violence, as well as the annual crime prevention awareness event, National Night Out.

The City of Longview is eligible to receive funding in the amount of \$25,998. Matching funds are not required.

City of Longview will accept and utilize the grant funds to address youth crime prevention, support National Night Out, and for contractual staff.

RECOMMENDED ACTION: Passage of Resolution

SOURCE OF FUNDS: -0-

STAFF CONTACT: Holly Fuller, Partners in Prevention Manager
903-237-1016
hfuller@LongviewTexas.gov

COUNCIL DATE: August 13, 2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$25,998 FROM THE 2020 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 GRANT FUNDING; AUTHORIZING AND DIRECTING THE CITY OF LONGVIEW PARTNERS IN PREVENTION PROGRAM MANAGER OR OTHER OFFICIAL OF THE CITY AS SHALL BE REQUIRED TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the U.S. Department of Justice sponsors the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the purpose of crime prevention, personnel, and supplies; and,

WHEREAS, the City of Longview Partners in Prevention has qualified for the 2020 Edward Byrne Justice Assistance Grant, for the amount of \$25,998 from the U.S. Department of Justice, to be used by the City of Longview Partners in Prevention to conduct crime prevention initiatives, mentoring, substance abuse prevention, support of contractual staff, and program supplies; and,

WHEREAS the award is made in the first fiscal year of the appropriation and may be expended during the following three (3) years, for a total grant period of four (4) years; NOW, THEREFORE,

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

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

Section 2. That the City of Longview Partners in Prevention, by and through the Program Manager, is hereby authorized to accept the grant allocation of \$25,998 on behalf of the City of Longview a 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program from the U.S. Department of Justice.

Section 3. That the City of Longview Partners in Prevention, by and through the Program Manager, shall deposit said \$25,998 grant which is not commingled with other funds, in accordance with all applicable U.S. Department of Justice.

Section 4. That the City of Longview hereby accepts and agrees to all special conditions imposed in connection with the aforementioned grant before the end of the 48-month grant period.

Section 5. That the City of Longview Partners in Prevention, by and through the Program Manager, or other official of the City as shall be required, is hereby authorized and directed to execute any and all contracts and other documents, as approved by the City Attorney's Office, incident to the application, acceptance and expenditure on behalf of the City of Longview of the 2020 Edward Byrne Memorial

Justice Assistance Grant (JAG) Program award in the amount of \$25,998 from the U.S. Department of Justice.

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

Section 7. That this resolution shall be effective immediately from and after its date of passage.

PASSED AND APPROVED this 13th day of August 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PIP JAG 2020 8-13-20

Transfer of State Homeland Security Program Grant Funded Equipment

- DESCRIPTION:** Allow the Fire Department to formally receive a trailer and multiple pieces of Homeland Security 100% grant-funded Hazardous Materials response equipment from the Athens FD, keeping it within the ETCOG-region. This trailer/equipment transfer was approved by the Homeland Security Advisory Committee of ETCOG after a thorough vetting process (see attached photos and details).
- RECOMMENDED ACTION:** Approval of a resolution authorizing staff to receive ownership of a grant funded trailer and associated equipment from the Athens FD.
- SOURCE OF FUNDS:** No funds required for the acquisition of the trailer and equipment. Any funding needed for future maintenance of this equipment is already calculated into the FD's normal operating budget for ongoing maintenance of similar specialty response equipment that the FD already possesses..
- STAFF CONTACTS:** J.P. Steelman, Fire Chief
(903) 237-1227
jpsteelman@longviewtexas.gov
- COUNCIL DATE:** August 13th, 2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE RECEIPT OF A HAZARDOUS MATERIALS RESPONSE TRAILER AND EQUIPMENT FROM THE ATHENS FIRE DEPARTMENT TO THE LONGVIEW FIRE DEPARTMENT AS APPROVED BY THE HOMELAND SECURITY ADVISORY COUNCIL OF THE EAST TEXAS COUNCIL OF GOVERNMENTS FOR REDISTRIBUTION; AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FINDING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Longview Fire Department maintains a local and regional responsibility for response to hazardous materials emergency incidents; and,

WHEREAS, the Athens Fire Department possesses a trailer and cache of grant-funded hazardous materials emergency response equipment that they can no longer support due to manpower and training limitations; and,

WHEREAS, stipulations of the original State Homeland Security Program grant state that the grant funded equipment can be redistributed within the ETCOG region upon completion of use by the original receiving agency; and,

WHEREAS, the Longview Fire Department's Special Operations Team wishes to secure and utilize these various aspects of hazardous materials emergency response equipment to aid in their local and regional emergency protection services; NOW, THEREFORE,

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

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

Section 2. That the City Council does hereby authorize the receipt of hazardous materials emergency response trailer and equipment approved by the Homeland Security Advisory Council of the East Texas Council of Governments for redistribution from the Athens Fire Department to the Longview Fire Department.

Section 3. That said authorization is contingent on the receiving agency's formal acknowledgement of receipt and ability to comply with the use and maintenance requirements of the original grant guidance.

Section 4. That the Mayor, City Manager, and other appropriate City officials are hereby authorized to execute all documents necessary to the conveyance of the hazardous materials emergency response trailer and equipment referenced herein.

Section 5. That the authorization granted hereby shall be and is hereby conditioned upon receipt of all necessary documents in a form acceptable to the City Attorney.

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

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

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R FIRE RECEIVE EQUIPMENT ATHENS FD 8-13-20

LAKE O' THE PINES RAW WATER INTAKE REPAIRS

DESCRIPTION:	<p>Consider a resolution accepting the "Lake O' the Pines Raw Water Intake Repairs" and authorizing final payment of \$91,065.37 to Solid Bridge Construction, LLC, of Huntsville, Texas. Approval of the final payment will begin the contractor's one-year warranty period.</p> <p>The City Council awarded a contract to Solid Bridge Construction, LLC, on September 12, 2019 in the amount of \$1,658,009.00. The final construction cost is \$1,621,807.39.</p> <p>The project provided repairs to the Lake O' the Pines Raw Water Intake by constructing sheet piling walls and miscellaneous work as necessary to complete the repairs.</p> <p>The project has been completed in accordance with the contract. KSA Engineers recommends acceptance of the project and approval of the final payment. City staff concurs with the recommendation.</p>
RECOMMENDED ACTION:	Passage of resolution.
SOURCE OF FUNDS:	Funding is available from the Water Utility CIP Fund and FEMA.
STAFF CONTACT:	Rolin McPhee, P.E., Director of Public Works 903-237-1336 rmcphee@longviewtexas.gov .
COUNCIL DATE:	August 13, 2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED “LAKE O’ THE PINES RAW WATER INTAKE REPAIRS”; AUTHORIZING AND APPROVING FINAL PAYMENT TO SOLID BRIDGE CONSTRUCTION, LLC, OF HUNTSVILLE, TEXAS, FOR THE COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on September 12, 2019, the City Council awarded a contract to Solid Bridge Construction, LLC, of Huntsville, Texas in the amount of \$1,658,009.00 for the project known as “Lake O’ the Pines Raw Water Intake Repairs”; and,

WHEREAS, the project “Lake O’ the Pines Raw Water Intake Repairs” included structural repairs to the Lake O’ the Pines Raw Water Intake system; and,

WHEREAS, the final construction cost for said project was \$1,621,807.39; and,

WHEREAS, the project has been completed and the contractor, Solid Bridge Construction, LLC, of Huntsville, Texas has requested final payment in the amount of \$91,065.37; and,

WHEREAS, the final amount of \$91,065.37 is due to the contractor as final payment; and,

WHEREAS, the acceptance of the work by Solid Bridge Construction, LLC, of Huntsville, Texas on the aforementioned contract and the approval of final

payment therefore will begin the one-year warranty period for said work; NOW,
THEREFORE,

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

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

Section 2. That the work performed by Solid Bridge Construction, LLC, of
Huntsville, Texas on the project known as “Lake O’ the Pines Raw Water Intake
Repairs” is hereby accepted as complete and that final payment of \$91,065.37 for the
completion of said project is hereby approved.

Section 3. That the meeting at which the aforesaid resolution was passed
was in all things conducted in strict compliance with the Texas Open Meetings Act,
Texas Government Code Chapter 551.

Section 4. That this resolution shall become effective from and after its
passage.

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PW FINAL PAY LAKE O' PINES RAW WATER INTAKE REPAIRS 8-13-20

INTERLOCAL AGREEMENT

- DESCRIPTION:** Allow the City of Longview to establish an interlocal agreement with Kilgore College that would allow students enrolled in their EMS education programs to ride onboard Longview FD ambulances for the purpose of obtaining their state-required clinical hours of training.
- RECOMMENDED ACTION:** Approval of the resolution. This process stands as an excellent opportunity to potentially recruit Paramedics and EMT students as future employees of the department. This program has been working effectively since the late-1980's.
- SOURCE OF FUNDS:** No funding required.
- STAFF CONTACTS:** J.P. Steelman, Fire Chief
(903) 237-1227
jpsteelman@longviewtexas.gov
- COUNCIL DATE:** August 13th, 2020

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LONGVIEW AND KILGORE COLLEGE TO ALLOW FOR THEIR STUDENTS TO OBTAIN STATE-REQUIRED CLINICAL HOURS ON-BOARD OF LONGVIEW FIRE DEPARTMENT AMBULANCES; CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL NECESSARY DOCUMENTS IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FINDING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview Fire Department and Kilgore College each have a vested interest in working together to promote and achieve effective emergency medical services and associated training which benefits the citizens of the City of Longview, Texas and surrounding areas; and,

WHEREAS, previously the City of Longview has authorized similar agreements with other institutions for emergency medical service education and training; and,

WHEREAS, both the City of Longview Fire Department and Kilgore College seek to collaborate in an effective manner for the training of both students seeking to become state certified emergency medical service personnel; NOW, THEREFORE,

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

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

Section 2. That the City Manager or his designee is hereby authorized to negotiate and execute an interlocal agreement by and between the City of Longview and Kilgore College allowing students to obtain state-required clinical hours on Longview Fire Department ambulances.

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

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

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

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R FIRE KILGORE COLLEGE 8-13-20

CHANGE EARLY VOTING DATES

DESCRIPTION:	Consider an Ordinance changing the dates for early voting in accordance with the proclamation of the Governor for the general election to be held on November 3, 2020, for the purpose of electing a City Council Member for City Council Voting District No. 3 and making provisions for conducting said election jointly with Gregg and Harrison Counties.
RECOMMENDED ACTION:	Approval of the Ordinance
SOURCE OF FUNDS:	N/A
STAFF CONTACT:	Angie Shepard, City Secretary 903-237-1081 ashepard@longviewtexas.gov
COUNCIL DATE:	August 13, 2020

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, CHANGING THE DATES FOR EARLY VOTING IN ACCORDANCE WITH THE PROCLAMATION OF THE GOVERNOR FOR THE GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING A CITY COUNCIL MEMBER FOR CITY COUNCIL VOTING DISTRICT NO. 3; MAKING PROVISIONS FOR CONDUCTING SAID ELECTION JOINTLY WITH GREGG AND HARRISON COUNTIES; PROVIDING A SEVERABILITY CLAUSE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Longview, Texas, by Ordinance No. 4249, passed and approved January 9, 2020, did thereby in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of Longview, Texas, call for an election to be held on the first Saturday in May, 2020, the same being May 2, 2020, for the purpose of electing members of the City Council for City Council Voting Districts Nos. 3 and 4 to three (3) year terms; and,

WHEREAS, on February 27, 2020, the City Council of the City of Longview, Texas, passed and approved Ordinance No. 4257 declaring the unopposed candidate for City Council Member for City Council Voting District No. 4 elected to office and canceling the general election for the purpose of electing said member; and,

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to

allow all local political subdivisions that are utilizing the May 2, 2020, uniform election date to postpone their elections to the November 3, 2020, uniform election date; and,

WHEREAS, pursuant to the aforesaid proclamation of the Governor, the City Council enacted Ordinance No. 4261 postponing to November 3, 2020, the General Election originally ordered for May 2, 2020, for the purpose of electing a City Council Member for City Council Voting District No. 3; and,

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on July 27, 2020, the Governor of the State of Texas signed a proclamation extending the period for early voting for the November 3, 2020, uniform election date; and,

WHEREAS, in accordance with Texas law, the City of Longview will conduct a joint election with Gregg County for those residents of City Council Voting District No. 3 who are also residents of Gregg County and a joint election with Harrison County for those residents of City Council Voting District No. 3 who are also residents of Harrison County; NOW, THEREFORE,

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

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

Section 2. That, for each resident of the portion of City Council Voting District No. 3 that lies within Gregg County, the polling places and hours of voting for the November 3, 2020, uniform election date for the purpose of electing a member of the City Council for City Council Voting District No. 3 shall be the same polling places and hours of voting established by Gregg County for said resident to vote on said date, the

same being set forth in Exhibit A, which said exhibit shall be attached hereto and made a part hereof.

Section 3. That, for each resident of the portion of City Council Voting District No. 3 that lies within Gregg County, the polling places, dates, and hours of voting for early voting by personal appearance for the purpose of electing a member of the City Council for City Council Voting District No. 3 shall be the same polling places, dates, and hours of voting established by Gregg County for said resident for early voting by personal appearance, the same being set forth in Exhibit A, which said exhibit shall be attached hereto and made a part hereof.

Section 4. That the early voting clerk for purposes of conducting all early voting that occurs in Gregg County shall be the early voting clerk for Gregg County, the same being Kathryn Nealy, whose contact information is set forth in Exhibit A.

Section 5. That the presiding judge of the early voting ballot board, the members of the early voting ballot board, the election judges, the alternate election judges, and all such other officials and election workers required by law to conduct the November 3, 2020, election in Gregg County or required to conduct early voting for said election shall be selected by Gregg County as provided by law, and compensation for all such officials and election workers shall be established by Gregg County as provided by law.

Section 6. That the method of voting for said election in Gregg County shall be the method of voting selected by Gregg County, the same being the Hart InterCivic Verity Duo 2.3.1/2.3.2 voting system.

Section 7. That the voter registration deadline for the November 3, 2020, election in Gregg County, the deadline to submit an application for ballot by mail, the deadline to submit a marked mail ballot, and the official to whom such applications and ballots must be submitted shall all be as determined in accordance with applicable law.

Section 8. That the City Manager or the City Manager's designee is hereby authorized and directed to negotiate, finalize, and execute an agreement with the Gregg County Elections Administrator and/or other official(s) of Gregg County as may be necessary or appropriate for the purposes of conducting the postponed election for member of the City Council for City Council Voting District No. 3 on November 3, 2020, and early voting for same, jointly with Gregg County as envisioned in this ordinance and to allow the Gregg County Elections Administrator to provide services in regard to said election and early voting.

Section 9. That, for each resident of the portion of City Council Voting District No. 3 that lies within Harrison County, the polling places and hours of voting for the November 3, 2020, uniform election date for the purpose of electing a member of the City Council for City Council Voting District No. 3 shall be the same polling places and hours of voting established by Harrison County for said resident to vote on said date, the same being set forth in Exhibit B, which said exhibit shall be attached hereto and made a part hereof.

Section 10. That, for each resident of the portion of City Council Voting District No. 3 that lies within Harrison County, the polling places, dates, and hours of voting for early voting by personal appearance for the purpose of electing a member of the City Council for City Council Voting District No. 3 shall be the same polling places,

dates, and hours of voting established by Harrison County for said resident for early voting by personal appearance, the same being set forth in Exhibit B, which said exhibit shall be attached hereto and made a part hereof.

Section 11. That the early voting clerk for purposes of conducting all early voting that occurs in Harrison County shall be the early voting clerk for Harrison County, the same being Donald Robinette, whose contact information is set forth in Exhibit B.

Section 12. That the presiding judge of the early voting ballot board, the members of the early voting ballot board, the election judges, the alternate election judges, and all such other officials and election workers required by law to conduct the November 3, 2020, election in Harrison County or required to conduct early voting for said election shall be selected by Harrison County as provided by law, and compensation for all such officials and election workers shall be established by Harrison County as provided by law.

Section 13. That the method of voting for said election in Harrison County shall be the method of voting selected by Harrison County, the same being HART HVS equipment: eScan, JBC and eSlates; and KNowlnk poll books.

Section 14. That the voter registration deadline for the November 3, 2020, election in Harrison County, the deadline to submit an application for ballot by mail, the deadline to submit a marked mail ballot, and the official to whom such applications and ballots must be submitted shall all be as determined in accordance with applicable law.

Section 15. That the City Manager or the City Manager's designee is hereby authorized and directed to negotiate, finalize, and execute an agreement with the Harrison County Elections Administrator and/or other official(s) of Harrison County

as may be necessary or appropriate for the purposes of conducting the postponed election for member of the City Council for City Council Voting District No. 3 on November 3, 2020, and early voting for same, jointly with Harrison County as envisioned in this ordinance and to allow the Harrison County Elections Administrator to provide services in regard to said election and early voting.

Section 16. That this ordinance does not repeal or supersede Ordinance No. 4257, passed and approved February 27, 2020, by the City Council of the City of Longview, Texas, declaring the unopposed candidate elected to office and canceling the general election for the purpose of electing a City Council Member for City Council Voting District No. 4.

Section 17. That Ordinance No. 4261 of the City of Longview is repealed only to the extent of any conflict with the provisions of this ordinance and said Ordinance No. 4261 shall remain in full force and effect to the extent that it does not conflict with this ordinance.

Section 18. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

Section 19. That the meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 20. That this ordinance shall be effective immediately from and after its date of passage and publication as required by law.

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O COVID ELECTION CHANGE EARLY VOTING DATES 8-13-20

APPLICATION #Z20-06

STAFF REPORT
August 13, 2020

APPLICANT: Dave Carter
LOCATION: Approximately 13.357 acres for Lots 3A, 4, and 5, Block 1112 L. Wooley Tract subdivision located at 2201 Judson Road.
REQUEST: Rezone from Single Family (SF-2) to General Retail (GR).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-2	Residential
NORTH	GR	Vacant
SOUTH	GR & MF-3	Offices & Apartments
WEST	GR & SF-2 & SF-4	Vacant & Residential
EAST	PD09-02 & GR	Residential & Restaurant

COUNCIL DISTRICT:
District 6 – Council Member Steve Pirtle

FUTURE LAND USE:
The Comprehensive Plan designates this area for Mixed Use (MUN).

STAFF COMMENTS:
The applicant is requesting a rezone of approximately 13.357 acres for Lots 3A, 4, and 5 Block 1112 L. Wooley Tract Subdivision from Single Family (SF-2) to General Retail (GR) Zoning District located at 2201 Judson Road.

Judson Road is maintained by TXDOT and is a principal arterial roadway. Principal arterial roadways serve major centers of metropolitan areas and provide a high degree of mobility. They are designed to service relatively high traffic volumes, have high operational speeds, and service a significant portion of through travel. 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 surrounding uses.

STAFF RECOMMENDATION:
The Planning and Zoning Commission (9-0) and Staff recommend approval for this request.

STAFF CONTACT:
Angela Choy, AICP, City Planner
achoy@longviewtexas.gov
903-237-1073



APPLICATION FOR AMENDMENT TO THE DISTRICT ZONING MAP (REZONING)

Application is hereby made to amend the Zoning Ordinance and to change the Zoning District Map of the City of Longview, Texas, as hereinafter set forth, and in support of such request the following facts are shown:

APPLICANT Dave Carter, 8235 Douglas Avenue, Ste. 720 Dallas 75225
(Name) (Mailing Address, City, and Zip)
214-244-1777 dave@ndcholdings.com
(Phone) (E-mail address)

LEGAL DESCRIPTION OF PROPERTY (Lot, Block, and Subdivision or Abstract, Survey, Tract and Section)

STREET ADDRESS 2201 Judson Road
WIDTH IN FEET See Attached DEPTH IN FEET

APPLICANT'S INTEREST IN PROPERTY (Owner, Agent, Lease, Option, etc.)

CHANGE REQUESTED FROM SF-2 DISTRICT TO GR DISTRICT

REASON FOR REQUEST/ PROPOSED USE OF PROPERTY Under Contract to Purchase property and sale/develop land for retail uses

ARE THERE DEED RESTRICTIONS THAT WOULD PREVENT THIS PROPERTY BEING USED IN THE MANNER HEREIN PROPOSED? [X] NO [] YES IF YES, PLEASE PROVIDE DEED RESTRICTIONS.

HAVE ALL PERSONS HAVING ANY FINANCIAL INTEREST IN THE REQUEST BEEN LISTED OR ARE SIGNATORIES TO THIS APPLICATION? [X] YES [] NO

June 30th, 2020
Date

Gregory J. Wright
Signature of Property Owner

THE FOLLOWING IS TO BE COMPLETED ONLY IF A PERSON (S) OTHER THAN THE OWNER IS MAKING THIS APPLICATION.

I, Dave Carter, do certify that I am authorized to act for Gregory Wright owner of the above property in making this zoning application.

Signature Date 06-30-2020

FOR OFFICE USE ONLY
APPLICATION FEE: \$307.00
CASE NO: 72020-7171
PERMIT NO:

ESTATE OF JIMMIE JOE MCKINLEY, DECEASED
Michael Beal Benedict, Independent Executor
3730 Apache Circle
Kingsland, Texas 78639

June 25, 2020

City of Longview
Planning & Zoning Dept.
410 S. High St
Longview, Texas 7560

Re: Application for Amendment to the District Zoning Map (Rezoning) for the property located at 2201 Judson Road, Longview, Texas, consisting of 2 tracts of land totaling approximately 13.357 acres, a portion of which land is situated in the P.P. Rains Survey, Abstract 258, Gregg County, Texas, and the remaining portion of such land being known as Lot 5, as shown on the Amended Plat of The L. Wooley Tract, as recorded in Instrument No. 200307333, of the Deed Records of Gregg County, Texas (collectively, the "Property")

To Whom It May Concern:

Michael Beal Benedict, as Independent Executor of the Estate of Jimmie Joe McKinley, deceased, being the sole owner of the Property referenced above (the "Owner"), hereby consents to the filing by NDC HOLDINGS, LP (Attention: Dave Carter) (the "Applicant") of an Application for Amendment to the District Zoning Map (Rezoning) (the "Application") in order to change the current zoning of the Property from Single Family to General Retail. In connection with the Application, the undersigned, acting on behalf of Owner, hereby appoints and authorizes the Applicant named herein to act on Owner's behalf as Representative/Agent with respect to the Application.

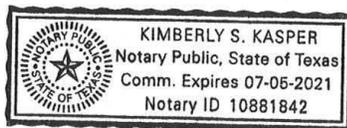
ESTATE OF JIMMIE JOE MCKINLEY, DECEASED

By: Michael Beal Benedict
Michael Beal Benedict, Independent Executor

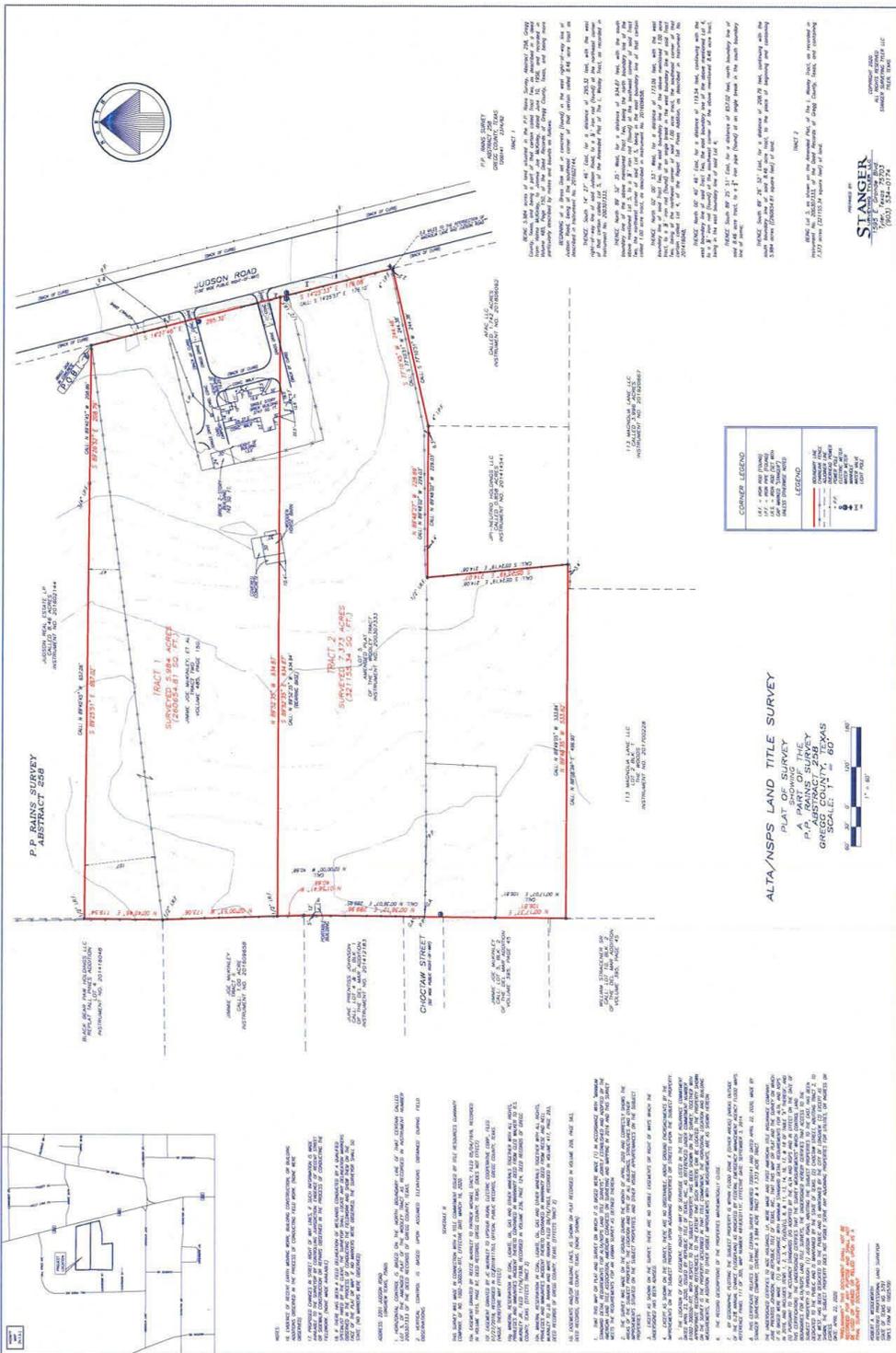
STATE OF TEXAS §
 §
COUNTY OF TEXAS §

Before me, the undersigned authority, personally appeared Michael Beal Benedict, in his capacity as Independent Executor of the ESTATE OF JIMMIE JOE MCKINLEY, DECEASED, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this 25th day of June, 2020.



Kimberly S. Kasper
Notary Public in and for the State of Texas

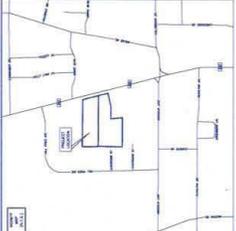


CORNER LEGEND	
●	Iron Pipe
○	Iron Nail
○	Iron Stake
○	Iron Bolt
○	Iron Screw
○	Iron Nut
○	Iron Washer
○	Iron Plate
○	Iron Disc
○	Iron Ring
○	Iron Chain
○	Iron Link
○	Iron Bolt
○	Iron Nut
○	Iron Washer
○	Iron Plate
○	Iron Disc
○	Iron Ring
○	Iron Chain
○	Iron Link

ALTA/NSPS LAND TITLE SURVEY
 PLAT OF SURVEY
 SHOWING THE
 P.P. RAINS SURVEY
 GREGG COUNTY, TEXAS
 SCALE: 1" = 80'



STANGER
 SURVEYORS
 1000 N. W. 10th St.
 P.O. Box 1000
 Amarillo, Texas 79101
 (806) 335-4074

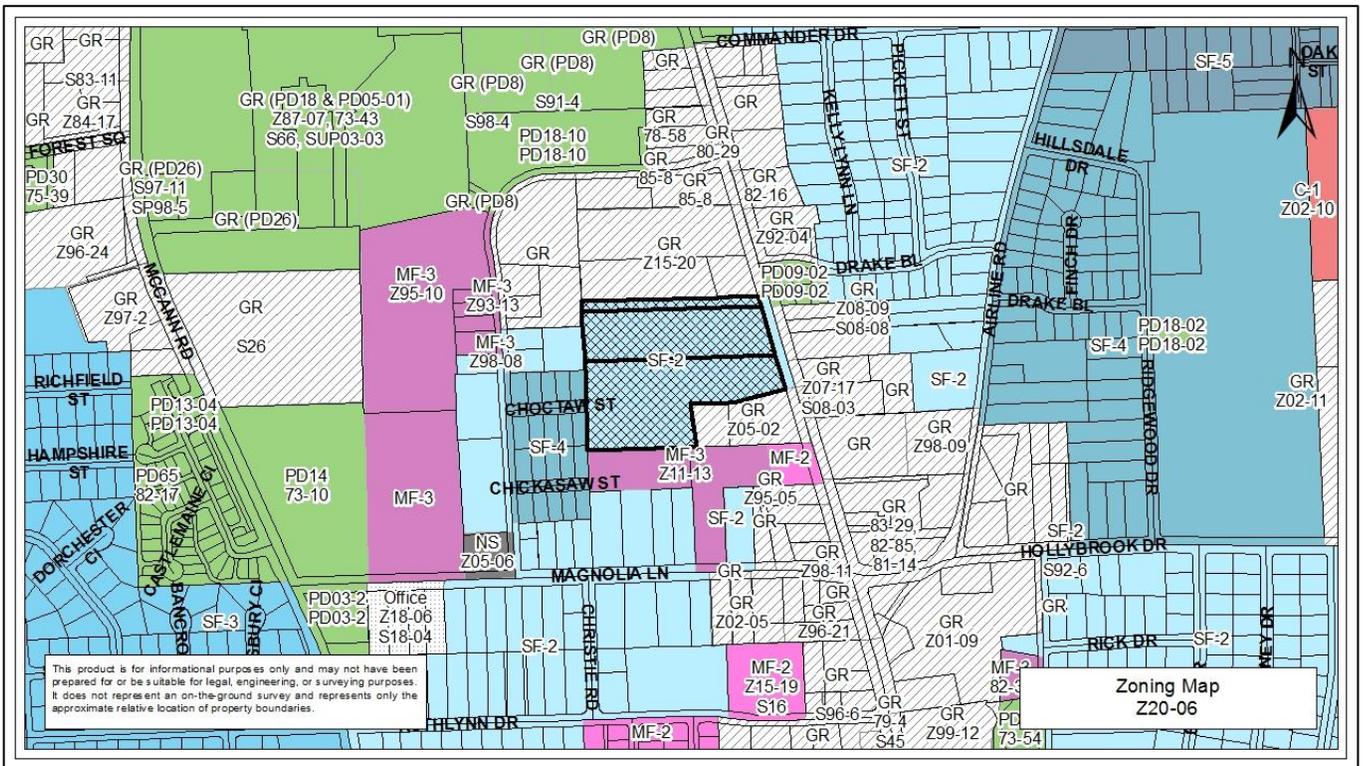


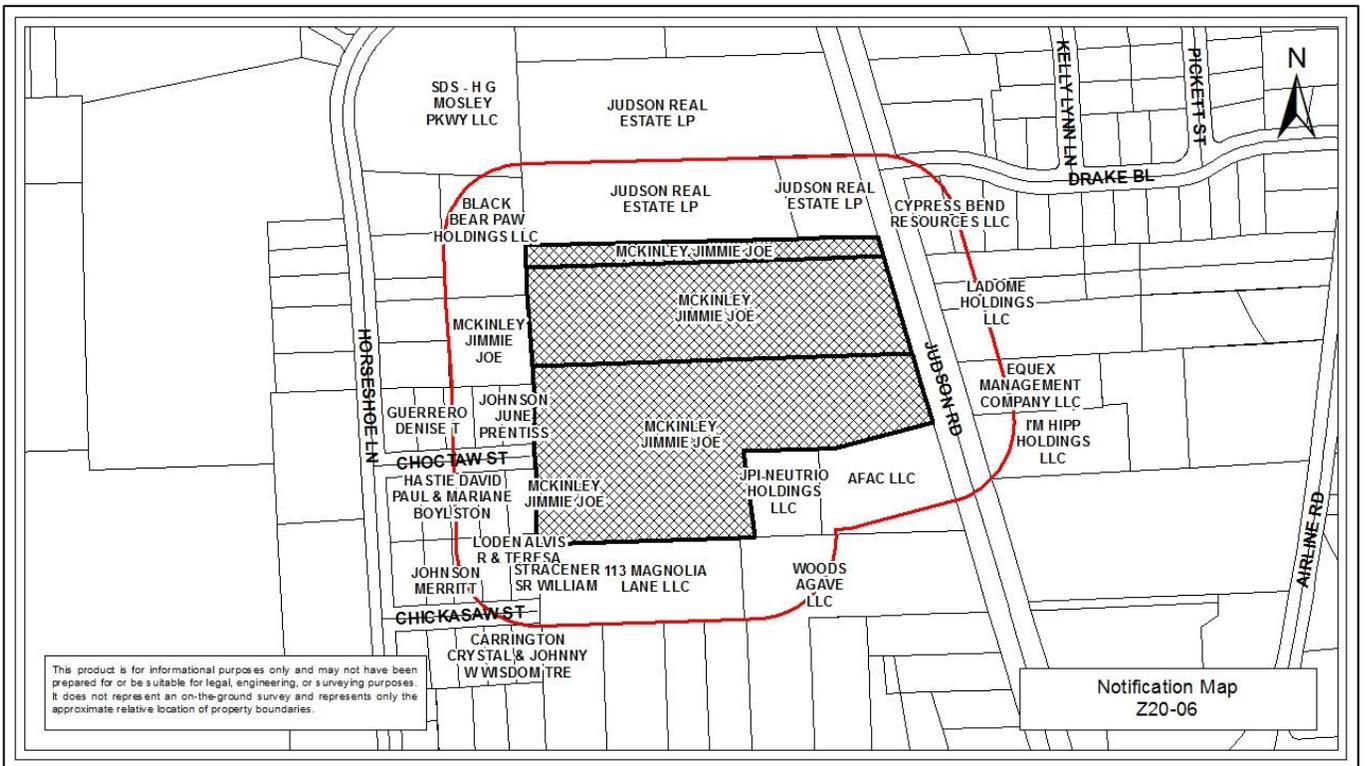
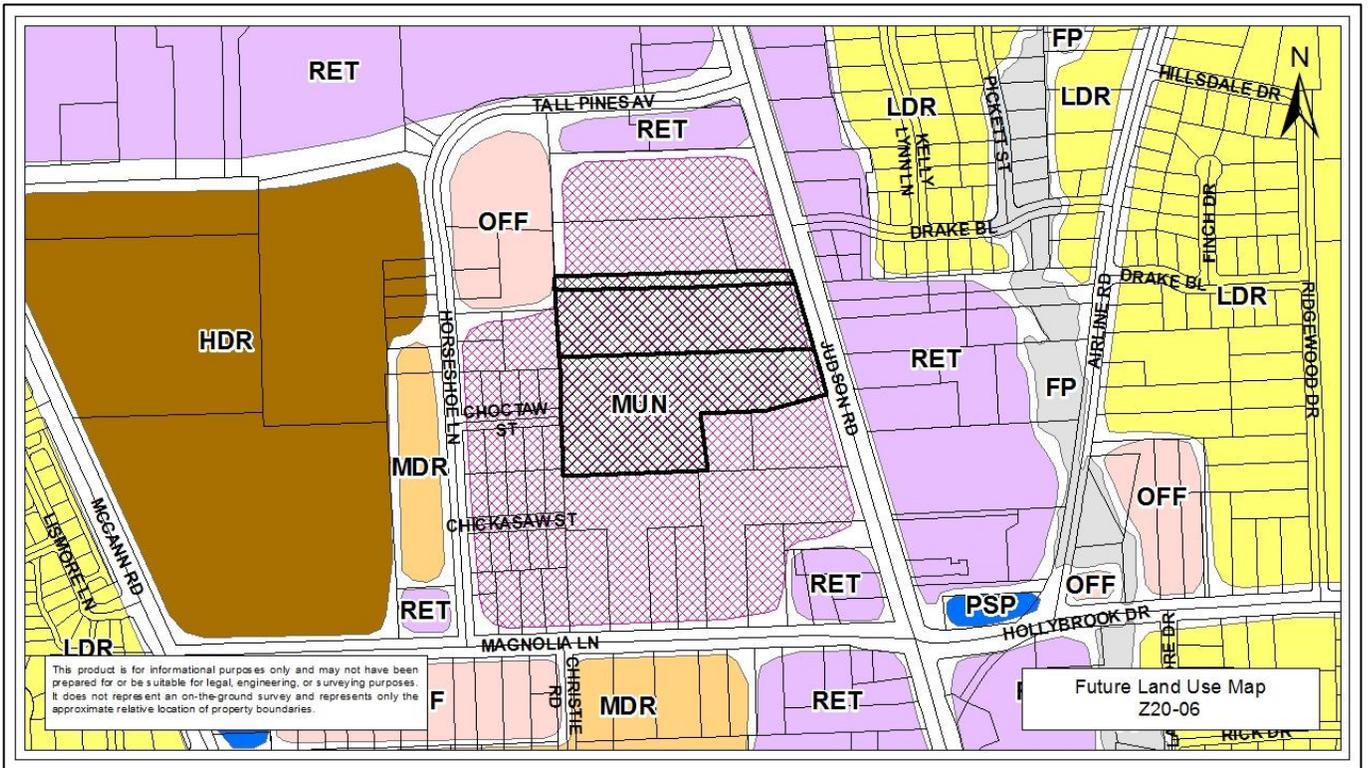
BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

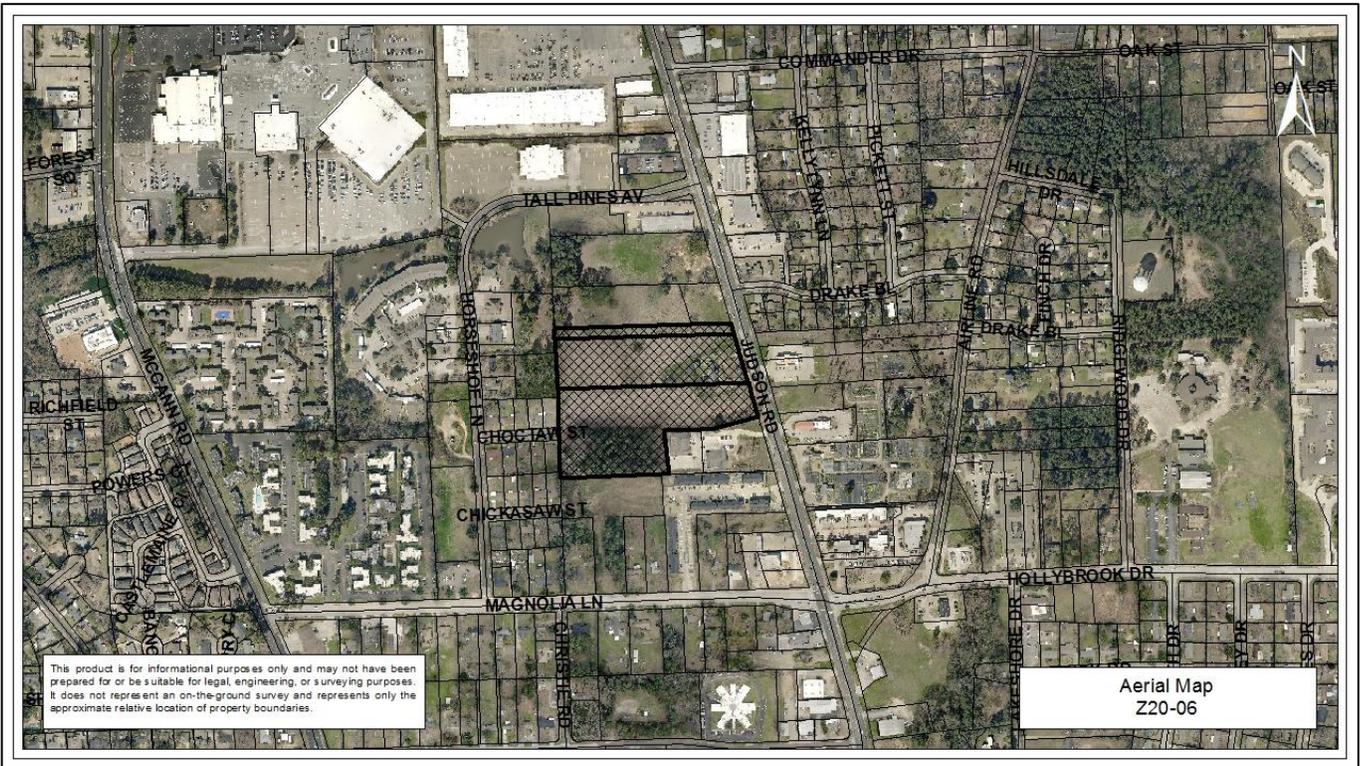
Given under my hand and seal of office this _____ day of _____, 2008.

Notary Public in and for the State of Texas

My commission expires _____















ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, 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, TO-WIT: THAT APPROXIMATELY 13.357 ACRES OF LOTS 3A, 4, AND 5, BLOCK 1112 L. WOOLEY TRACT SUBDIVISION, BE REZONE FROM SINGLE FAMILY (SF-2) TO GENERAL RETAIL (GR) ZONING DISTRICT LOCATED AT 2201 JUDSON ROAD; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, 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.

WHEREAS, the City Planning and Zoning Commission of the City of Longview, Texas, and the City Council of the City of Longview, Texas, in compliance with the Charter of the City of Longview and the State laws in reference to the Zoning Ordinance regulations of the zoning map, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners, generally and to persons interested, situated in the affected area and in the vicinity thereof, the City Council of the City of Longview, Texas, being of the opinion that the zoning changes should be made as set forth herein; NOW,

THEREFORE,

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

Section 1. That the basic Zoning Ordinance of the City of Longview, Texas, Ordinance No. 96, of the Ordinance of the City as amended, be, and the same is hereby amended insofar as the property herein described is concerned, and such property shall be classified and placed into the use district hereinafter set forth and be subject to the provisions of said ordinance generally, and the official zoning map of said city, is hereby amended and corrected so that the following described real property, to-wit: that approximately 13.357 acres of Lots 3A, 4, and 5, Block 1112 L. Wooley Tract subdivision, be rezone from Single Family (SF-2) to General Retail (GR) Zoning District located at 2201 Judson Road.

Section 2. The City Planner is hereby directed to correct the Official Zoning District Maps in the office of the City Secretary, the Building Inspector and the City Planner to reflect the herein changes in zoning.

Section 3. That in all other respects the use of the herein above-described property shall be subject to all the applicable regulations of the Zoning Ordinance of the City of Longview, as amended.

Section 4. That both the Planning and Zoning Commission meeting and the City Council meeting at which this ordinance was approved were in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 5. That this ordinance is adopted in accordance with Chapter 211

of the Texas Local Government Code.

Section 6. That violations of this ordinance shall be subject to such penalties and enforcement as provided for violations of the City of Longview Zoning Ordinance (Ordinance No. 96 of the City of Longview, Texas, as amended).

Section 7. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict only; provided, however, that the repeal of an ordinance by this ordinance does not affect the prior operation of the ordinance or any prior action taken under it, any obligation or liability previously acquired, accrued, or incurred under such prior ordinance, any violation of the prior ordinance or any penalty, forfeiture, or punishment incurred under said ordinance before its repeal, and any investigation, proceeding, or remedy under said prior ordinance and the penalty, forfeiture, or punishment imposed as a result of such investigation, proceeding, or remedy shall be imposed as if the prior ordinance had not been repealed.

Section 8. That if any section, paragraph, subdivision, clause, subsection, phrase, sentence, or other provision of this ordinance shall be judged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid or unconstitutional.

Section 9. That the City Secretary is directed to publish this ordinance in the official newspaper of the City of Longview in compliance with the provisions of Section 4.07 of the City Charter, which publication shall be sufficient if it contains the title of this ordinance and the penalty provided therein for violation thereof.

Section 10. That this ordinance shall be effective immediately from and after its passage and publication as required by law.

PASSED AND APPROVED this 13th day of August, 2020.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O P&Z Z20-06 8-13-20