



MINUTES

Of A

CITY COUNCIL MEETING

August 24, 2023

The City Council of the City of Longview, Texas, met in a Special Called Session, August 24, 2023, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Members absent were:

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

Steven Pirtle

Staff members present were:

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

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

II. Invocation - Mentor and Mentee: Nick Rucker and Trace Watts. Coordinated by Partners in Prevention, the Aspire Mentoring program connects youth with a caring, trained, adult friend providing guidance, support and encouragement. The next New Mentor Orientation is scheduled for Wednesday, September 6, and interested adults are encouraged to become volunteers.

III. Pledge of Allegiance – Nick Rucker and Trace Watts lead the pledge.

IV. Citizen Comment – Stacy Cammack – 2715 Patio St Spoke in support of the CIP drainage project that has affected her home. Wanted to put a face with the project that has been ongoing since 2017.

Jason Jones - 5 Bramlette Place – Spoke about how Salvation is obtained. Not by the good deeds that we do but because this is not something that can be earned. Quoted Bible scriptures and encouraged those that are not saved, please do so now.

V. Consent Agenda

A. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with TI Training Corp for an amount not to exceed \$97,850.00 for the purchase of a Law Enforcement Use of Force Training Simulator –

Anthony Boone, Police Chief was present and requested the Council to consider the approval of a Resolution allowing for the purchase of a Law Enforcement Use of Force Training Simulation System for the Police Department.

The Police Department's current simulator was purchased in 2011, and portions have become outdated potentially causing reliability concerns with the simulation system. The latest TI Training Corp. Use of Force Training Simulation System offers stability and reliability for the Police Department's needs along with the newest technology to train officers in potential use of force situations ranging from de-escalation tactics to deadly force options. Scenarios will simulate traffic stops and other calls for service routinely completed by patrol officers.

The training simulator system and all its sole source components are available with the TI Training Corp..The total purchase price will not exceed \$97,850.00.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF A**

LAW ENFORCEMENT SIMULATOR PACKAGE FROM TI TRAINING CORP. IN GOLDEN, COLORADO; 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 EXECUTE ANY DOCUMENTS NECESSARY FOR SAID PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6198 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Collision and Crime Forensic Solutions for an amount not to exceed \$127,907.47 for the purchase of a Law Enforcement Forensic Mapping Scanner –

Anthony Boone, Police Chief was present and requested the Council to consider the approval of a Resolution adopting the purchase of a Forensic 3D Laser Mapping Scanner for the Police Department.

The Police Department's Traffic and Physical Evidence officers will deploy this tool that will have the ability to quickly and accurately map significant crash scenes and crime scenes with the precise needed data captured for investigative and legal purposes. The tool will allow for the scenes to be processed faster, and for precise data to be utilized with the courts.

The system and all its unique and sole-source technologies are available through Collision & Crime Forensic Solutions. The total purchase price will not exceed \$127,907.47.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF A FORENSIC MAPPING LASER SCANNER PACKAGE FROM

COLLISION AND CRIME FORENSIC SOLUTIONS IN PAPIILLION, NEBRASKA; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS NECESSARY FOR SAID PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6199 appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution making appointments, reappointments and chair designations to various city boards, commissions, and committees –

John Nustad, Council Member District 4 and Michelle Gamboa, Council Member District 5 were present and requested the Council to consider the approval of a Resolution adopting the appointment and reappointment to various committees:

Construction Advisory and Appeals Board

Appointment

Bryce Bagby

Chair

Michael Gentsch

Partners in Prevention Steering Committee

Appointments

Zipporah Westbrook

Public Transportation Advisory Committee

Appointments

Matthew Prosser

Zoning Board of Adjustment

Alternate Appointment

Amanda Robins

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, PROVIDING FOR APPOINTMENTS, REAPPOINTMENTS AND CHAIR DESIGNATIONS TO VARIOUS BOARDS AND COMMISSIONS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

Such Resolution No. 6200 appears in the Resolution and Ordinance records of the City of Longview.

- D. Consider an Ordinance enacting a new Section 28-9 to Chapter 28 of the Longview City Code to create the position of Juvenile Case Manager and provide for the appointment, duties, and qualifications of that position –**

Kirby Hewett, Municipal Court Administrator was present and requested the Council to consider the approval of an Ordinance authorizing the Municipal Court to create and establish the position of Juvenile Case Manager. The Municipal Court processes Class C misdemeanors filed in the City's jurisdiction, including those filed against juveniles. Cases involving juveniles require more involvement and attention than those involving adults. The Juvenile Case Manager supervises cases involving juveniles, reports information and recommendations to the Municipal Judge and the Clerk of the Municipal Court, and administers the Court's juvenile docket.

The following Ordinance was approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ENACTING A NEW SECTION 28-9 TO CHAPTER 28 OF THE CODE OF ORDINANCES, CITY OF LONGVIEW, TEXAS; CREATING THE POSITION OF JUVENILE CASE MANAGER; PROVIDING FOR THE APPOINTMENT OF SAME; SETTING FORTH THE DUTIES AND QUALIFICATIONS OF SAID JUVENILE CASE MANAGER; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Ordinance No. 4456 appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the purchase of two storage arrays including mounts, cables, subscription services and warranties for the City's expanding information system from Sequel Data Systems using the City's participation in the State of Texas Department of Information Resources (DIR) cooperative purchasing agreement for an amount not to exceed \$150,000. –**

Joshua Gamble, Director of Information Services was present and requested the Council to consider the approval of a Resolution authorizing the City Manager or the City Manager's designee to execute any necessary documents for the purchase of two storage arrays including mounts, cables, subscription services and warranties for the City's expanding information system. The items will be purchased from Sequel Data Systems using the City's participation in the State of Texas Department of Information Resources (DIR) cooperative purchasing agreement, for an amount not to exceed \$150,000.

The City utilizes a centralized storage device that hosts all of the City's files and video surveillance data. The City's data storage needs are exceeding the existing storage devices capacity. This purchase will be a replacement to the existing storage array pair. This new equipment is a portion of the disaster recovery and server workload balancing mechanism for the City's continually expanding information systems.

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

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER, THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS NECESSARY FOR THE PURCHASE OF TWO STORAGE ARRAYS, SOFTWARE AND SERVICES, INCLUDING MOUNTS, CABLES,

SUBSCRIPTION SERVICES AND WARRANTIES, THROUGH THE CITY'S PARTICIPATION IN THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$150,000; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6201 appears in the Resolution and Ordinance records of the City of Longview.

- F. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the purchase of additional cybersecurity hardware, software, and services from Darktrace Holdings Limited for an amount not to exceed \$100,000 for the remainder of the existing term which expires July 31, 2026 –**

Joshua Gamble, Director of Information Services was present and requested the Council to consider the approval of a Resolution authorizing and direct the City Manager or the City Manager's designee to execute any necessary documents for the purchase of additional appliances to expand the existing cybersecurity defense service including mounts, cables, subscription services and warranties for the City's expanding information system. This purchase would be from Darktrace Holdings Limited, as the Sole Source Provider of said cybersecurity solution, for an amount not to exceed \$100,000 for the remainder of the existing term, which expires July 31st 2026.

The City operates and maintains a citywide cyber defense system that must be managed, maintained and expanded as needed to allow continuous functionality of the City's information system.

The initial purchase of this cybersecurity defense service for the current term was approved by City Council July 21st, 2022 via resolution 5977.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER, THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS NECESSARY FOR THE PURCHASE OF ADDITIONAL CYBERSECURITY HARDWARE, SOFTWARE, AND SERVICES, INCLUDING MOUNTS, CABLES, SUBSCRIPTION SERVICES AND WARRANTIES, FROM DARKTRACE HOLDINGS LIMITED AS THE SOLE SOURCE PROVIDER FOR AN AMOUNT NOT TO EXCEED \$100,000 FOR THE REMAINDER OF THE EXISTING TERM WHICH EXPIRES JULY 31, 2026; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6202 appears in the Resolution and Ordinance records of the City of Longview.

G. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Origin Bank for primary bank depository services –

Angela Coen, Finance Director was present and requested the Council to consider the approval of a Resolution adopting the contract for primary bank depository services. The City sent a Request for Applications (RFA) for the City's depository contract to all local banks and advertised in the Longview News Journal as required by State law. The City received applications from Cadence Bank, Origin Bank (incumbent), Prosperity Bank, JPMorgan Chase Bank, Southside Bank, and Texas Bank and Trust. Each submission was evaluated to determine that it complied with all requirements of the RFA.

A review committee comprised of the Finance Director, Finance Manager, Accountant, and advisors from the City's investment advisory firm, Valley View Consulting, reviewed and evaluated each application. The following criteria was used in determining the recommended application:

1. Ability to perform and provide the required and requested services;

2. References provided and quality of services;
3. Cost of Services;
4. Transition cost, retention and transition offers and incentives;
5. Interest paid on interest bearing accounts and deposits;
6. Earnings credit calculation on compensating balances;
7. Completeness of application and agreement to points outlined in the RFA;
8. Convenience of locations;
9. Previous service relationship with the City;
10. Financial strength and stability of institution.

The analysis began with an overall review of each bank's general financial strength and ability to provide the bank services necessary to meet the City's current and potential future service needs. Each of the responding banks exhibited acceptable financial strength and adequately passed the bank service test. Each bank's fee schedule was analyzed based on the City's banking service needs and estimated activity level. This was to ensure that all fees were understood by the City.

Each bank proposed two potential earnings sources: soft-dollar earnings credit and hard-dollar interest. Earnings credit generates "earnings" that can only be used to offset banking fees. Earnings credit above the applicable fees is not paid to the City as interest. Hard-dollar interest is the normal type of earnings that credited to the City's accounts, and kept by the City. In the analysis, each bank's potential earnings credit was compared to the hard-dollar interest. Tabulations are provided.

After examining cost and earnings, the City requested a presentation from Origin Bank, JPMorgan Chase, Cadence and Southside Bank to demonstrate its ability to provide the required and requested services along with their on-line system capabilities.

Based on review of the criteria, it is recommended that the contract for primary bank depository services be awarded to Origin Bank. Analyzing the net earnings proposed by Origin Bank along with the other criteria, it was determined by the committee that Origin Bank can perform the required scope of services with the most advantageous terms for the City. The contract would become effective on October 1, 2023.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE APPLICATION OF ORIGIN BANK FOR DEPOSITORY AND INVESTMENT SERVICES; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND ORIGIN BANK FOR THE ABOVE

REFERENCED DEPOSITORY AND INVESTMENT SERVICES; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE PURCHASING REQUIREMENTS IN ACCEPTING SAID APPLICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6203 appears in the Resolution and Ordinance records of the City of Longview.

- H. Consider a Resolution awarding a contract in the amount of \$216,950.00 and authorizing the City Manager or his designee to execute any necessary documents with True Roads Construction, LLC, of Hallsville, Texas, for the construction of the "Guthrie Creek Pickleball Parking Lot" Project –**

Dwayne Archer, Director of Public Works was present and requested the Council to consider the approval of a Resolution awarding a contract in the amount of \$216,950.00 and authorizing the City Manager or his designee to execute any necessary documents with True Roads Construction, LLC of Hallsville, Texas, for the construction of the referenced project. The following bids were opened on August 15, 2023:

<u>Bidders</u>	<u>Proposed Amount</u>
True Roads Construction, LLC Hallsville, TX	\$ 216,950.00
W.R. Welborn & Son, Inc. Judson, TX	\$ 217,406.00
WMS R and B, LLC Marshall, TX	\$ 299,855.00
Acumen Enterprises, Inc. Desoto, TX	\$ 500,630.38

The scope of work includes constructing 960 square yards of concrete parking lot along Meadowbrook Drive and necessary appurtenances for completing the project

Hayes Engineering, Inc. has examined the bids and the qualifications of the low bidder, and recommends award of the contract to True Roads Construction, LLC of Hallsville, Texas in the amount of \$ 216,950.00.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF TRUE ROADS CONSTRUCTION, LLC, OF HALLSVILLE, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "GUTHRIE CREEK PICKLEBALL PARKING LOT"; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND TRUE ROADS CONSTRUCTION, LLC, FOR THE ABOVE-REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING, RECEIVING AND ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6204 appears in the Resolution and Ordinance records of the City of Longview.

- I. Consider a Resolution authorizing the purchase of a new Fire Engine (Engine #6) from Siddons-Martin Emergency Group via the City's cooperative purchasing agreement with the Houston-Galveston Area Council for a purchase price not to exceed \$1,353,222.00**

J.P. Steelman, Fire Chief was present and requested the Council to consider the approval of a Resolution authorizing the Fire Department to acquire, by its apparatus replacement schedule, the replacement of its existing Fire Engine #6 using our cooperative purchasing agreement with the Houston-Galveston Area Council (HGAC). The final cost of the apparatus to be purchased is \$1,353,222.00.

The fire engine is a pumper-style and may be purchased from Siddons-Martin Emergency Group through the City's interlocal agreement with HGAC. HGAC has gone through the competitive bidding process and has, on contract, the fire engine recommended by the Longview FD's Fleet Replacement Program which was implemented in 2012.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER, THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS NECESSARY FOR THE PURCHASE OF A FIRE ENGINE FROM SIDDONS-MARTIN EMERGENCY GROUP VIA THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 6205 appears in the Resolution and Ordinance records of the City of Longview.

J. Consider approval of the July 13 and July 20, 2023, minutes –

Angie Shepard, City Secretary was present and requested the Council to consider the approval of the July 13th and 20th minutes.

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

SECOND: Council Member Snoddy seconded the motion.

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

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

VI. Action Items

A. Consider a Resolution adopting a Five-year Capital Improvements Program (CIP) and allocating funds for the 2023-2024 Projects –

Alton Bradley, P.E., City Engineer was present and requested the Council to consider the approval of a Resolution adopting a five-year Capital Improvements Program (CIP) and allocating funds for the 2023-2024 Projects.

The 2024-2028 Capital Improvements Program (CIP) represents the nineteenth annual review of the Five-Year Capital Improvements Program. Projects were submitted for consideration only after they were scored using a factoring scale for urgency and priority as adopted by the City Council. The 2024-2028 CIP contains 88 projects totaling \$151.68 million. The 2024 CIP contains 13 projects totaling \$5.64 million.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR THE CITY OF LONGVIEW FOR FISCAL YEARS 2024-2028 AND ALLOCATING FUNDS FOR THE 2023-2024 FISCAL YEAR PROJECTS; PROVIDING FOR ANNUAL REVIEW AND POSSIBLE REVISION AND UPDATE OF SAID PLAN; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE

SECOND: Council Member Nustad seconded the motion.

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

Such Resolution No. 6206 and appears in the Resolution and Ordinance records of the City of Longview.

B. Consider an Ordinance amending the budget for the City of Longview, Texas, for fiscal year 2022-2023 by appropriating Reserve Funds in the amount of \$488,842.80 for construction of the project entitled “Delia Drive Realignment”

Dwayne Archer, Director of Public Works and Michael Shirley, AICP Director of Development Services was present and requested the Council to consider the approval of an Ordinance amending the budget for the construction of the project entitled “Delia

Drive Realignment:. In order to appropriate funds for the construction of the project known as "Delia Drive Realignment". This project includes construction and realignment of Dealia Drive at Page Road and necessary appurtenances for completing the project. A budget amendment is necessary to use funds from the Reserve Fund in the amount of \$488,842.80.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING THE BUDGET FOR THE CITY OF LONGVIEW, TEXAS, FOR FISCAL YEAR 2022-2023 BY ALLOCATING FUND BALANCE IN THE AMOUNT OF \$448,842.80 TO ACCOUNT 300-00-850-0000-44005 FOR THE CONSTRUCTION OF THE PROJECT ENTITLED "DELIA DRIVE REALIGNMENT"; PROVIDING FOR FILING WITH THE COUNTY CLERKS OF GREGG AND HARRISON COUNTIES; DETERMINING 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 PROVIDING AN EFFECTIVE DATE.

SECOND: Council Member Gamboa seconded the motion.

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

Such Ordinance is No. 4457 and appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution authorizing the City Manager or his designee to enter into an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) for the costs associated with Delia Drive Realignment –

Dwayne Archer, Director of Public Works and Michael Shirley, AICP Director of Development Services was present and requested the Council to consider the approval of a Resolution adopting the Advanced Funding Agreement with Texas Department of Transportation. This resolution will commit the City to realign Delia Drive and authorize the City Manager or his designee to enter into an Advance Funding Agreement with Texas Department of Transportation (TxDOT). This agreement requires the city be responsible for 100% of cost overruns.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE AN ADVANCE FUNDING AGREEMENT (AND ANY AND ALL OTHER DOCUMENTS INCIDENT TO SAME) FOR THE PROJECT ENTITLED "DELIA DRIVE REALIGNMENT"; COMMITTING THE CITY OF LONGVIEW TO PERFORM OR CAUSE TO BE PERFORMED SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED AND ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Gamboa seconded the motion.

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

Such Resolution No. 6207 and appears in the Resolution and Ordinance records of the City of Longview.

- D. Consider an Ordinance approving the acquisition of an approximately 22,512 sq. ft. portion of property located in the Alexander Jordan Survey A-360, City of Longview, Harrison County, Texas, designated as right-of-way tract number 2023-H-001 for the Delia Drive Realignment for a purchase price not to exceed \$270,880 and authorizing the City Manager or the City Manager's designee to negotiate and execute contracts and other documents incident to said acquisition –**

Dwayne Archer, Director of Public Works and Michael Shirley, AICP Director of Development Services was present and requested the Council to consider the approval of an Ordinance approving the acquisition of approximately 22,512 sq. ft. portion of property for the Delia Dr. re-alignment. The property is located in the Alexander Jordan Survey A-360, City of Longview, Harrison County, Texas, designated as row tract number 2023-H-001. The ordinance authorizes the City Manager or the City Manager's designee to negotiate and execute contracts and other documents related to the realignment.

During the project development of the HISD West Elementary, the realignment of Delia was identified as a need. HISD elected not to construct the realignment as part of the

project. Garrett Boersma and Jeff Kroyer are developers that have purchased the 5 acre tract adjacent to Delia Dr. and Page Rd. intersection. In July of 2022 City Council authorized staff to negotiate a developer agreement in which the developer would construct the road and be paid back. Since that time city staff has worked with TxDOT staff to secure project funding through a TxDOT Off-system Safety Improvement Grant that has been awarded to TxDOT.

The Purchase is broken down as:

- Purchase the property required for the new ROW based on appraisal for \$160,880.
- Pay the developer damages in the amount of \$110,000 for delays in development that have and will occur due to the project completion estimated in late August of 2025.
- Incentivize the developer with development and building fee waivers for their development of the residual property.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING THE ACQUISITION OF A PORTION OF CERTAIN REAL PROPERTY LOCATED IN THE ALEXANDER JORDAN SURVEY A-360, CITY OF LONGVIEW, HARRISON COUNTY, TEXAS, DESIGNATED AS RIGHT-OF-WAY TRACT NUMBER 2023-H-001, ACCORDING TO THE CITY'S NUMBERING SYSTEM; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ACCEPT FORMAL DEEDS AND NEGOTIATE AND EXECUTE CONTRACTS AND OTHER DOCUMENTS INCIDENT TO SAID ACQUISITION ON BEHALF OF THE CITY; PROVIDING FOR CONSIDERATION; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO OBTAIN PROFESSIONAL SURVEYS OF AND TITLE INSURANCE FOR THE PROPERTY; PROVIDING FOR FILING; PROVIDING FOR PAYMENT OF CLOSING AND OTHER INCIDENTAL COSTS; FINDING AND DETERMINING 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.

SECOND: Council Member Gamboa seconded the motion.

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

Such Ordinance is No. 4458 and appears in the Resolution and Ordinance records of the City of Longview.

VII. Budget Items

A. Consider a Resolution specifying City fees and charges related to engineering development review and inspection fees in accordance with HB 3492 of the 88th Regular Session of the Texas Legislature –

Michael Shirley, AICP, Director of Development Services was present and requested the Council to consider the approval of a Resolution amending Fee Resolution related to Engineering Development Review and Inspection fees in accordance with HB 3492.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, SPECIFYING CITY FEES AND CHARGES RELATED TO ENGINEERING DEVELOPMENT REVIEW AND INSPECTION FEES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED 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.

SECOND: Council Member Snoddy seconded the motion.

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

Such Resolution No. 6208 and appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution establishing City fees and charges for the Fiscal Year 2023-2024 –

Rolin McPhee, City Manager was present and requested the Council to consider the approval of a Resolution 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.

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

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.

SECOND: Council Member Snoddy seconded the motion.

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

Such Resolution No. 6209 and appears in the Resolution and Ordinance records of the City of Longview.

C. PUBLIC HEARING ON PROPOSED BUDGET. A public hearing will be held to consider the proposed FY 2023-2024 Budget –

Angela Coen, Director of Finance was present for the Public Hearing; The Texas Government Code requires that a Municipality hold a public hearing on the proposed fiscal budget. This is the required hearing.

The vote to adopt the FY2023-2024 proposed budget will be considered immediately after this item.

The public hearing was declared open at 5:55pm

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

The public hearing was declared closed at 5:55

D. Consider an Ordinance adopting the Fiscal Year 2023-2024 Annual Operating Budget and appropriating said funds –

Rolin McPhee, City Manager was present and requested the Council to consider the approval of an Ordinance adopting the FY23-24 Budget. In accordance with the Texas Government Code and the city charter, the budget is being submitted for City Council approval.

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

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR FISCAL YEAR 2023-2024 EXPENDITURES BY THE CITY OF LONGVIEW, TEXAS; APPROPRIATING FUNDS FROM VARIOUS REVENUE SOURCES AND AUTHORIZING THE EXPENDITURE OF SAID FUNDS IN ACCORDANCE WITH SAID BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Wade seconded the motion.

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

Such Ordinance is No. 4459 and appears in the Resolution and Ordinance records of the City of Longview.

E. PUBLIC HEARING ON PROPOSED TAX RATE. A public hearing will be held to consider the proposed Fiscal Year 2023 - 2024 Tax Rate (the City Council will vote on the tax rate on Thursday, August 24, 2023, at 5:30 PM in the City Hall Council Chambers at 300 W. Cotton Street, Longview, Texas) –

Angela Coen, Director of Finance was present for the public hearing:

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.

The proposed tax rate is 0.5619.
16.43 for Debt Service
39.76 for Operations & Management

The vote to adopt the tax rate will be the next item.

The public hearing was declared open at 5:56 pm.

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

The public hearing was declared closed at 5:56 pm.

F. Consider a motion to ratify the property tax revenue increase reflected in the Fiscal Year 2023–2024 Budget –

Angela Coen, Director of Finance was present and 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. This motion confirms that the adoption of this year's budget will raise \$7,164,929 more in property taxes than last year.

MOTION: Council Member Nustad made the following motion:

I move to ratify the property tax revenue increase reflected in the fiscal year 2023-2024 Budget.

SECOND: Council Member Gamboa seconded the motion.

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

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

G. Consider an Ordinance adopting the 2023 tax rate and levying said rate –

Angela Coen, Director of Finance was present and requested the Council to consider the approval of an Ordinance adopting the 2023 tax rate and levying said rate. In accordance with the Texas Tax Code and the city charter, the tax rate is being submitted for City Council approval. The tax rate is recommended to be set at \$0.5619 per \$100 valuation on all taxable property in the City of Longview, Texas

MOTION: Council Member Nustad made the following Motion to approve the Ordinance.

I move that the property tax rate be increased by the adoption of a tax rate of 56.19 cents per one hundred dollars of valuation, which is effectively a 16.7- percent increase in the tax rate.

AN ORDINANCE FIXING THE RATE AND LEVYING THE TAXES FOR THE YEAR 2023 IN AND FOR THE CITY OF LONGVIEW, TEXAS; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Gamboa seconded the motion.

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

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

Such Ordinance is No. 4460 and appears in the Resolution and Ordinance records of the City of Longview.

H. Consider a Resolution approving the Longview Economic Development Corporation 2023 – 2024 budget –

Wayne Mansfield, LEDCO President/CEO was present and requested the Council to consider the approval of a Resolution approving and adopting the FY23-24 Longview Economic Development Corporation budget.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING THE BUDGET OF THE LONGVIEW ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR 2023-2024; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION PASSED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Nustad seconded the motion.

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

Such Resolution No. 6210 and appears in the Resolution and Ordinance records of the City of Longview.

VIII. Items of Community Interest

Mayor Mack asked for Council Member Pirtle's absence to be excused.

MOTION: Council Member Snoddy made a motion to excuse Council Member Pirtle.

SECOND: Council Member Gamboa seconded the motion.

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

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IX. Adjourn

The meeting was adjourned at 6:13 p.m.

[seal]

Angie Shepard
City Secretary

