



## MINUTES

Of A

### REGULAR COUNCIL MEETING

September 27, 2018

The City Council of the City of Longview, Texas, met in a Regular Session, September 27, 2018, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Andy Mack  
Ed Moore  
Nona Snoddy  
Wray Wade  
Kristen Ishihara  
David Wright  
Steven Pirtle

Members absent were:

Staff members present were:

Keith Bonds, City Manager  
Angie Shepard, City Secretary  
Jim Finley, City Attorney  
Michael Shirley, Director of Development Services  
Rolin McPhee, Director of Public Works  
Laura Hill, Director of Community Services  
Scott Caron, Director of Parks and Recreation

Angela Coen, Director of Financial Services

Mary Ann Miller, Director of Administration  
J.P. Steelman, Fire Chief

Mike Bishop, Police Chief

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

**II. Invocation** – Cameron Nunley and Morgan Rue, Weblos Scout Troop – Den 8 Pack 621 gave the invocation. They are both 4<sup>th</sup> graders and attend Hudson Pep Elementary.

**III. Pledge of Allegiance** Cameron and Morgan also led the pledge of allegiance.

**IV. Employee Recognition**

Longview Fire Department High Angle Rescue Team “A Shift”

On August 31, the Longview Fire Department was requested to assist the Texas State Fire Marshal’s Office and Texas Rangers with an extremely difficult high-angle body recovery. Sadly, an explosion at a facility in Lone Star Texas had resulted in a fatality. A specialized team was required to safely remove the body from approximately 40 feet above the ground.

The State Fire Marshal’s office stated that “from the minute the team arrived, you could tell they were professional and dedicated to their work. They immediately began to survey the situation and form a plan. After more than an hour, they were able to recover the body in a professional manner.....Several of [the team members] approached employees at the plant and asked if there was anything they needed, even going so far as to offer emotional support....”

The crew worked hard to protect the dignity of the victim and his family who were present on the scene. Their professionalism was extraordinary for such a difficult situation from an operational, physical, and emotional standpoint. The crews, working together as a specialized team, exemplified the best of what it means to be a member of the Longview Fire Department.

Steve Dankers  
Jonathan Cameron

David Holly  
Brandon Reeves  
Corey Haisten  
Rance Rogers  
Cory Clanton

#### **V. Community Recognition – Mayor Mack recognized John Richardson**

John Richardson has adopted 2 sections of the Boorman Trail since 2009. The 2 sections are about 2 miles in length and he walks it nearly every day picking up litter. He probably collects 2 Wal-Mart bags each time. We only ask those that adopt-a-park volunteer at least 4 times a year. On days where it reaches over 100 degrees, Mr. Richardson sets up a cooler with ice cold water and passes it out to all of our trail patrons. He has taken it upon himself to move limbs and brush that have fallen on the trail, even taking hand tools to make sure everyone has a clear path.

Mr. Richardson goes above and beyond to treat the trail as if it is his own – for all of us to enjoy. He lets us know about issues, which we are very thankful for. The trail looks amazing, mainly due to his efforts.

#### **VI. Citizen Comment**

Jon Tibbs – 118 Skyline Drive Mr Tibbs would like for the City to consider speed bumps on Skyline Drive. This would save lives and cause most to us the loop. He does not want Skyline being used as a cut thru street.

Deidre Beckworth – 1900 S. Green St #213 Ms Beckwork is currently a client of the clinic on 6<sup>th</sup> Street. She wanted Council to be aware of her situation.

Dan Darr – 8 Spring Creek Place Mr Darr is in favor of the upcoming bond election and thanked the members of the Longview Arboretum.

Jim Martin – 3708 Stracener Mr Martin is opposed to the bond.

Jeremiah Hunter – 314 E. Twilight (Home repair business) He is opposed to the city bond package.

Richard Manley – 3201 Crenshaw St – Mr. Manley is in favor of the city bond package

John Nustand – 314 E Ann Drive Mr Nustand is in favor of the city bond proposal.

Jacon Jones 1800 Centenary Drive Mr Jones is in support of the 2018 Bond Election.

Janie Garrett 203 Eden Drive Apt 125 and Angela Garrett –Rager 537 Hallsville Heights Spoke about the need for health/dementia care.

## **VII. Public Safety Update**

**A.** Police – Chief Mike Bishop was not able to attend.

**B.** Fire – Chief JP Steelman

The Longview Fire Department took their Stop-the-Bleed demonstration to the Chaparral Plaza Shopping Center on September 24.

The department also gave a Cooking Fire Safety instruction class to the Spring Hill Jr. High Culinary Class. On the 24<sup>th</sup> of September.

Longview Firefighters gave a Fire safety and puppet show to the students of Bramlette Elementary and Chrisman School.

The Lufkin Fire Department paid their debt to the Longview Fire for the Lobo's Football big win over Lufkin. They came down and washed some of fire equipment.

EMS Ambulance service opens October 1. Only \$70 covers everyone in your household.

CodeRed – A free service provided by the City of Longview.

## **VIII. Consent Agenda**

**A. Consider a Resolution authorizing the City Manager or the City Manager's designee to enter into a maintenance agreement with Harris Computer Systems for utility billing software maintenance and support.**

Willie Marshall, Water Utilities Manager was present and requested the Council to consider the approval of a Resolution adopting the utility billing software maintenance agreement.

The City of Longview utility billing department currently uses Harris software for utility billing management and in order to keep the software current and working properly a maintenance agreement is necessary. In September 2002, in response to an RFP for a utilities billing management system, the Harris Computer Systems was selected and purchased. Harris Computer Systems is the only provider of the Harris utility billing system maintenance and support, therefore, is a sole source and is not subject to the competitive bidding procedures. From the initial year, the annual maintenance fees have increased in proportion to the value of the system. The current annual maintenance fee is \$98,487.00, which covers licensing of eight different software components.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE MAINTENANCE AGREEMENTS BY AND BETWEEN THE CITY OF LONGVIEW, TEXAS, AND HARRIS COMPUTER SYSTEMS OF OTTAWA, ONTARIO CANADA, FOR COMPUTER SOFTWARE MAINTENANCE FOR THE CITY OF LONGVIEW'S UTILITY BILLING SOFTWARE; CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND HARRIS COMPUTER SYSTEMS FOR THE ABOVE REFERENCED SERVICES IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; AUTHORIZING THE RENEWAL OF SAID AGREEMENTS AT THE CITY MANAGER'S DISCRETION PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID AGREEMENT FOR ANY RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID AGREEMENT IN THE CONCURRENT BUDGET YEAR; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE**

Such Resolution No.5381 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 Managers designee to execute any necessary documents for the purchase of Traffic Signal Equipment via the city's purchasing agreement with the local government purchasing cooperative administered by the Texas Association of School Boards ("TASB Buyboard").**

Rolin McPhee, Director of Public Works was present and requested the Council to consider the approval of a Resolution which would allow for the purchase of Siemens/Iteris Traffic Signal Equipment for use with the City's Traffic Control System.

The decision to switch to Siemens/Iteris traffic signal controller equipment was made during the 2007/2008 budget preparation. Since that time, a substantial investment has been made for this equipment and software. The Traffic Division expects to spend approximately \$85,000.00 in fy2018/2019 for this equipment. Siemens/Iteris traffic equipment is available for purchase through the Texas Association of School Boards (TASB) BuyBoard cooperative purchasing program.

We recommend that the City purchase Siemens/Iteris Traffic control equipment from Iteris, Inc. using the TASB BuyBoard purchasing cooperative program. The equipment listed has been properly bid and by purchasing from the TASB BuyBoard purchasing cooperative agreement we fulfill bidding requirements under Chapter 252 of the Local Government Code.

The total of all transactions will not exceed the City's budgeted funds.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF TRAFFIC CONTROL SIGNAL EQUIPMENT VIA THE CITY'S PURCHASING AGREEMENT WITH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE**

**ADMINISTERED BY THE TEXAS ASSOCIATION OF SCHOOL BOARDS (“TASB BUYBOARD”); 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 PURCHASES; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASES ARE 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.**

Such Resolution No. 5382 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager’s designee to execute any necessary documents with ABS Utility Construction, LLC, of Shreveport, Louisiana, in the amount of \$716,617 for the construction of the Whatley Road Lift Station Force Main Improvements and Evergreen Street Sewer Line Replacement Project.**

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution awarding a contract in the amount of \$716,617 to ABS Utility Construction, LLC, of Shreveport, Louisiana, for the construction of the referenced project. The following bids were opened on September 6, 2018:

Bidder	Amount
ASB Utility Construction, LLC. Shreveport, LA	\$ 716,617.00
Wicker Construction, Inc. Shreveport, LA	\$ 840,279.75
AAA Sanitation, Inc. Tyler, TX	\$ 868,594.50
BELT Construciton, Inc. Texarkana, AR	\$ 999,574.30

The scope of work includes approximately 4,050 linear feet of twelve-inch force main at Whatley Road lift station (Whatley Road to Lafamo Road), work required to reclaim abandoned eight-inch force main (Lafamo Road to Silver Falls Road), approximately 1,550 linear feet of eight-inch sewer main at Evergreen Street (Gilmer Road to Gilmer Creek), and miscellaneous work as necessary to complete the installations.

KSA Engineers has examined the bids and the qualifications of the low bidder, and recommends that the City award the contract to ABS Utility Construction, LLC, in the amount of \$716,617. Staff concurs with their recommendation.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF ABS UTILITY CONSTRUCTION, LLC., OF SHREVEPORT, LOUISIANA, FOR CONSTRUCTION OF THE PROJECT ENTITLED "WHATLEY ROAD LIFT STATION FORCE MAIN IMPROVEMENTS AND EVERGREEN STREET SEWER LINE REPLACEMENT"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND ABS UTILITY CONSTRUCTION, LLC., FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

Such Resolution No. 5383 appears in the Resolution and Ordinance records of the City of Longview.



**D. Consider an Ordinance regarding Atmos Energy Corporation's proposal to increase natural gas rates pursuant to its Statement of Intent filed on or about June 1, 2018.**

Jim Finley, City Attorney was present and requested the Council to consider the approval of an Ordinance that would deny the ATMOS Energy's proposed increase in rates and approval of an alternative increase in rates.

On or about June 1, 2018, Atmos Energy Corporation ("Atmos" or "Company") filed a Statement of Intent with members of the coalition of cities known as the Atmos Texas Municipalities ("ATM") comprised of about 50 cities, of which the City is a member, to increase rates by approximately \$4.5 million, which equates to an increase of about 8% in annual non-gas-cost revenue in the ATM cities. On a system-wide basis, Atmos's proposed increase would be the equivalent of about \$46.0 million; this equates to an increase in annual revenue of about 7.3%.

ATM's Special Counsel and rate experts recommend that the ATM cities approve an increase in Atmos Energy's annual revenue of about \$12.81 million (on a system-wide basis), which equates to an increase of about \$1.3 million for the ATM cities and represents an increase of about 2% in annual revenue.

Additionally, Special Counsel and rate experts recommends that the ATM cities approve a surcharge to recover the ATM cities' rate case expenses incurred through August 31, 2018, which total about \$116,000.00, as allowed under the Gas Utility Regulatory Act § 103.022. The monthly surcharges to recover the ATM cities' rate-case expenses for an average Residential customer is approximately \$0.01 per month (based on a surcharge of \$0.00030/ccf).

The following Ordinance was approved:

**AN ORDINANCE BY THE CITY OF LONGVIEW, TEXAS ("CITY") DENYING A PROPOSED INCREASE SOUGHT BY ATMOS ENERGY-MIDTEX DIVISION IN CONNECTION WITH THE RATE INCREASE FILING IT MADE ON ABOUT JUNE 1, 2018; APPROVING AN ALTERNATIVE INCREASE IN RATES; DIRECTING ATMOS TO FILE CONFORMING TARIFFS AND TO REIMBURSE THE CITY'S RATE CASE EXPENSES; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE**

Such Ordinance No. 4186 appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider a Resolution approving a decrease in rates related to the application of the Southwestern Electric Power Company (“SWEPCO”) for authority to decrease rates submitted on or about April 4, 2018.**

Jim Finley, City Attorney was present and requested the Council to consider the approval of a Resolution adopting the application for authority to decrease rates submitted by Southwestern Electric Power Company.

On or about April 4, 2018, Southwestern Electric Power Company (“SWEPCO” or “Company”) filed a Statement of Intent to decrease its base revenues in compliance with the Public Utility Commission of Texas’s (“PUCT”) final order in SWEPCO’s recently completed base rate case, Docket No. 46449. At the end of Docket No. 46449, when approving the “final order” for new rates, the Commission required SWEPCO to adjust its rates in order to give effect to the change in federal tax law resulting from the passage of the *Tax Cuts and Jobs Act of 2017* (“TCJA”).

Among other things, the TCJA lowers the corporate income tax rate from 35% to 21%. An average residential customer using 1,200 kWh per month, would see a reduction in their bill of about \$3.66 per month.

The following Resolution was approved:

**RESOLUTION BY THE CITY OF LONGVIEW (“CITY”) APPROVING A DECREASE IN RATES RELATED TO THE APPLICATION OF THE SOUTHWESTERN ELECTRIC POWER COMPANY’ (“SWEPCO”) FOR AUTHORITY TO DECREASE RATES SUBMITTED ON OR ABOUT APRIL 4, 2018; DIRECTING SWEPCO TO PROVIDE A REFUND; DIRECTING SWEPCO TO REIMBURSE THE CITY’S RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT**

Such Resolution No. 5384 appears in the Resolution and Ordinance records of the City of Longview.

**F. Consider a Resolution authorizing and directing the disbursement of grants of Hotel/Motel Occupancy Tax monies.**

Dietrich R. Johnson, Assistant Director of Community Services was present and requested the Council to consider the approval of a Resolution adopting the Cultural Activities Advisory Commission grant request.

The Cultural Activities Advisory Commission receives and reviews grant request for the arts and culture grant program. The CAAC received thirty-two projects from eight cultural organizations for a total request of \$472,321. After a discussion with applicants, reviewing applications and available funding, the Commission is recommending the award of \$275,000. The funding cycle will reflect a full funding year, October 2018 - September 2019.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND APPROVING THE DISBURSEMENT OF GRANTS OF HOTEL OCCUPANCY TAX MONIES AS RECOMMENDED BY THE CULTURAL ACTIVITIES ADVISORY COMMISSION; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE CONTRACTS WITH THE GRANTEES AND ANY OTHER DOCUMENTS INCIDENT TO SAID DISBURSEMENT OF GRANTS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

Such Resolution No. 5385 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 Clean Cut General Contractors, LLC**

**of White Oak, Texas for Community Development Division Full Home Rehabilitation and Emergency Repair Program.**

Dakota Brown, Community Development Administrator was present and requested the Council to consider the approval of a Resolution adopting an annual agreement CDBG Home Rehabilitation & Emergency Repair. This program provides housing rehabilitation assistance to low/moderate income individuals within the the city of Longview. Bid documents were mailed and emailed to vendors and posted on the City of Longview Website. Bids were advertised in the local newspaper as required by law. On August 8, 2018 three bids were on file.

The bids were as follows:

Clean Cut General Contractors, LLC -White Oak, TX-\$127,167.00  
First General Services, Longview, TX-\$166,839.30  
Leland Bradlee Construction, Inc., Longview, TX-\$330,425.00

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF CLEAN CUT GENERAL CONTRACTORS, LLC, OF WHITE OAK, TEXAS, FOR THE COMMUNITY DEVELOPMENT DIVISION FULL HOME REHABILITATION AND EMERGENCY REPAIR PROGRAM; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND CLEAN CUT GENERAL CONTRACTORS, LLC, OF WHITE OAK, TEXAS, FOR SAID SERVICES; AUTHORIZING THE RENEWAL OF SAID CONTRACT AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID CONTRACT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID CONTRACT IN THE CONCURRENT BUDGET YEAR; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING, RECEIVING, AND ACCEPTING SAID BID; DETERMINING THAT THE**

**MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

Such Resolution No. 5386 appears in the Resolution and Ordinance records of the City of Longview.

**H. Consider approval of the following minutes: July 12, 2018, July 26, 2018 and August 9, 2018 – Angie Shepard, City Secretary.**

Angie Shepard, City Secretary was present and requested the Council to consider the approval of the July 12, 2018, July 26, 2018 and August 9, 2018 minutes

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

**SECOND:** Council Member Pirtle seconded the motion.

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

**IX. Action Item**

**Consider a Resolution adopting a Five-year Capital Improvements Program (CIP) and allocating funds for the 2018-2019 Projects.**

Alton Bradley, P.E., City Engineer was present and requested the Council to consider the approval of a Resolution adopting the five-year Capital Improvements Program (CIP) and allocating funds for the 2018-2019 Projects.

The 2019-2023 Capital Improvements Program (CIP) represents the fourteenth 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 2019-2023 CIP contains 85 projects totaling \$217.8 million. The 2019 CIP contains 14 projects totaling \$10.8 million. Funding for the these projects would come from the general and utility capital reserve funds.

MOTION: Council Member Moore made a motion the following Ordinance 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 2019-2023 AND ALLOCATING FUNDS FOR THE 2018-2019 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 PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT AND DECLARING AN EFFECTIVE DATE.**

SECOND: Council Member Ishihara seconded the motion.

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

Such Ordinance is No. 5387 and appears in the Resolution and Ordinance records of the City of Longview.

## **XII. Adjourn**

The meeting was adjourned at 6:24 p.m.

[seal]

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Angie Shepard  
City Secretary



