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## City Council Meeting Agenda

5:30 p.m.

April 27, 2017

300 West Cotton Street

Jo Ann Metcalf Municipal Building

City Hall Council Chamber

- I. Call to Order**
- II. Invocation**
- III. Pledge of Allegiance**
- IV. Employee Recognition**
- V. Citizen Comment**
- VI. Presentation Item**

Presentation of a Proclamation commemorating Sexual Assault Awareness and Prevention Day – Mayor Andy Mack.

- VII. Public Safety Update**

- A. Police
- B. Fire

- VIII. Consent Agenda**

- A. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the receipt and expenditure of grant funding from the Law Enforcement Officer Standards and Education (LEOSE) in the amount of \$1,210.06 for the purpose of continuing education for law enforcement support personnel of the Longview Fire Department – J.P. Steelman, Fire Chief. [Pages 3 - 6](#)
- B. 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 C&C Logging & Tree Service of Longview,

Texas for right-of-way mowing services – Rolin McPhee, Public Works Director. [Pages 7 - 10](#)

- 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 NaturChem, Inc. of Gladewater, Texas for vegetation control – Rolin McPhee, Public Works Director. [Pages 11 - 14](#)

## **IX. Action Items**

- A. 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 Toole Design Group in an amount not to exceed \$145,000.00 for a Bicycle and Pedestrian Plan for the Longview MPO area – Karen Owen, Transportation Planning Manager. [Pages 15 - 18](#)
- B. Consider a Resolution authorizing the City Manager or his designee to enter into an interlocal agreement with Gregg County to accept \$919,890.00 from Gregg County, paid in furtherance of the Texas Department of Transportation Project to widen FM 2206, also known as Harrison Road - Rolin McPhee, P.E., Director of Public Works. [Pages 19 - 22](#)
- C. Consider a Resolution authorizing and directing the City Manager or the City Manager’s designee to enter into an interlocal agreement with the Texas Department of Transportation in furtherance of the FM 2206 Harrison Road Widening Project – Rolin McPhee, P.E., Director of Public Works. [Pages 23 - 26](#)

## **X. Items of Community Interest**

## **XI. Update on Mayor Mack’s Homeless Task Force**

## **XII. 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.

## RECEIPT OF GRANT FUNDING FOR FIRE DEPARTMENT

**DESCRIPTION:** Consider a resolution approving and authorizing the Fire Department to execute the required documents to receive grant funding in the amount of \$1,210.06 from the Texas Comptroller of Public Accounts. This Law Enforcement Officer Standards and Education (LEOSE) grant is for the continuing education for law enforcement personnel of the Longview Fire Department. This money will come at no cost to the City and with no matching funds required.

**RECOMMENDED ACTION:** Approval

**SOURCE OF FUNDS:** No funds required

**STAFF CONTACT:** J.P. Steelman, Fire Chief  
903-237-1227  
[jpsteelman@longviewtexas.gov](mailto:jpsteelman@longviewtexas.gov)

**COUNCIL DATE:** April 27, 2017

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW TO APPLY, RECEIVE, AND EXPEND GRANT FUNDING FROM LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION (LEOSE) IN THE AMOUNT OF \$1,210.06; AUTHORIZING THE ACCEPTANCE OF ALL SPECIAL CONDITIONS IMPOSED IN CONNECTION WITH SAID GRANT FUNDING; FINDING THAT NO MATCHING FUNDS WILL BE REQUIRED TO APPLY FOR, RECEIVE AND EXPEND SAID FUNDS; FINDING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the Fire Department is an emergency service response agency within the City, parts of Gregg and Harrison County, and regionally, which partakes in fire related criminal investigations; and,

WHEREAS, certain Fire Department personnel have law enforcement duties that require additional training to maintain necessary law enforcement licenses; and,

WHEREAS, grant funds are available from the Texas Comptroller of Public Accounts for law enforcement training needs; and,

WHEREAS, these funds are available at no matching cost; 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 is hereby authorized to apply for, accept and expend LEOSE grant funds in the total amount of \$1,210.06.

Section 3. That the City Manager through the City Manager's designee, is hereby authorized to execute all necessary documents, as approved by the City Attorney's Office, incident to applying for, securing and expending said LEOSE grant funds referenced herein.

Section 4. These funds will be utilized for the purchase of educational materials and training-related services, directly related to law enforcement personnel in accordance with the requirements of the granting agency.

Section 5. That no matching funds are required to receive and expend said funds.

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 27<sup>th</sup> day of April 2017.

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Dr. Andy Mack  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R FIRE GRANT LEOSE 4-27-17

## RIGHT-OF-WAY MOWING SERVICES

**DESCRIPTION:** This item is for an annual agreement for right-of-way mowing services for the City of Longview Public Works Division. In this agreement work is performed according to a predetermined set schedule throughout the year.

Right-of-way Mowing Services bids were advertised in the local newspaper as required by law. On April 5, 2017 - 5 bids were received and opened.

The bids were from:

C & C Logging and Tree Service, Longview, Texas  
\$71,000.00

TLC Lawn & Landscaping, Gilmer, Texas - \$143,750.00

Pro Mowers, Daingerfield, Texas - \$71,250.00

DNC Cleaning, Carthage, Texas - \$75,000.00

HX Farms, Inc., Hallsville, Texas - \$99,500.00

**RECOMMENDED ACTION:** Approval of the Resolution awarding C&C Logging and Tree Service of Longview, TX the Right-of-Way Mowing Services bid # 1617-10

**SOURCE OF FUNDS:** 001-035-000-5190, Maintenance Contract

**STAFF CONTACTS:** Jaye Latch, Purchasing Manager  
903-237-1324  
[jlatch@longviewtexas.gov](mailto:jlatch@longviewtexas.gov)

Rolin McPhee, Public Works Director  
903-237-1336  
[rmcphee@longviewtexas.gov](mailto:rmcphee@longviewtexas.gov)

**COUNCIL DATE:** April 27, 2017

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF C&C LOGGING & TREE SERVICE OF LONGVIEW, TEXAS, FOR RIGHT-OF-WAY MOWING SERVICES; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND C&C LOGGING & TREE SERVICE OF LONGVIEW, 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 BIDDING REQUIREMENTS IN ACCEPTING SAID BID; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIRMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of Longview issued and advertised an invitation to bid for right-of-way mowing services for the City of Longview Public Works Division; and,

WHEREAS, C&C Logging & Tree Service of Longview, Texas submitted the lowest and best bid for right-of-way mowing services; and,

WHEREAS, funding will be provided from budgeted funds for the corresponding budget year; 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 bid submitted by C&C Logging & Tree Service of Longview, Texas is the lowest and best bid submitted to the City of Longview for right-of-way mowing services.

Section 3. That the City of Longview hereby accepts the aforementioned bid from C&C Logging & Tree Service of Longview, Texas.

Section 4. That the total amount of the contract for right-of-way mowing services to be provided by C&C Logging & Tree Service of Longview, Texas, shall not exceed budgeted funds for Fiscal Year 2016-2017.

Section 5. That the City Manager, the City Manager's designee or other official of the City of Longview as shall be required, are hereby authorized and directed to execute any and all contracts and other documents, as approved by the City Attorney's Office incident to the acceptance on behalf of the City of Longview of aforesaid bid from C&C Logging & Tree Service of Longview, Texas for said right-of-way mowing services.

Section 6. That the City Manager, the City Manager's designee or other official of the City of Longview as shall be required, is hereby authorized to renew 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.

Section 7. That the process by which the aforementioned bid was received and accepted in all things complied with the applicable purchasing requirements of state and federal law, including but not limited to the requirements of

Chapter 252 of the Texas Local Government Code.

Section 8. 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 9. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 27th day of April, 2017.

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Dr. Andy Mack  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R BID PW RIGHT-OF-WAY MOWING SERVICES 4-27-17

## BID-VEGETATION CONTROL

- DESCRIPTION:** This item is for an annual agreement for herbicide spraying on guardrails, curbs, gutters, right of ways, drainage ditches, creeks and Lake O' the Pines water line. In this agreement work is performed according to a predetermined set schedule throughout the year. Herbicide spraying is needed to control the growth of weeds and grasses.
- A bid for vegetation control was advertised in the local newspaper as required by law. On March 29, 2017 - 2 bids were received and opened.
- The bids were from:
- NaturChem of Gladwater, TX - \$143,156.06  
Edko of Tyler, TX - \$147,430.70
- RECOMMENDED ACTION:** Approval of the Resolution awarding NaturChem of Gladewater, TX the Vegetation Control bid # 1617-11
- SOURCE OF FUNDS:** 041-044-000-5111 Drainage Contractural Services, 010-073-000-5111 and 010-080-000-5111 Water and Sewer Fund
- STAFF CONTACTS:** Jaye Latch, Purchasing Manager  
903-237-1324  
[jlatch@longviewtexas.gov](mailto:jlatch@longviewtexas.gov)
- Rolin McPhee, Public Works Director  
903-237-1330  
[rmcphee@longviewtexas.gov](mailto:rmcphee@longviewtexas.gov)
- COUNCIL DATE:** April 27, 2017

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF NATURCHEM, INC. OF GLADEWATER, TEXAS, FOR VEGETATION CONTROL SERVICES; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND NATURCHEM, INC. OF GLADEWATER, 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 BIDDING REQUIREMENTS IN ACCEPTING SAID BID; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIRMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of Longview issued and advertised an invitation to bid for vegetation control services for the City of Public Works Division; and,

WHEREAS, NaturChem, Inc. of Gladewater, Texas submitted the lowest and best bid for vegetation control services; and,

WHEREAS, funding will be provided from budgeted funds for the corresponding budget year; 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 bid submitted by NaturChem, Inc. of Gladewater, Texas is the lowest and best bid submitted to the City of Longview for vegetation control services.

Section 3. That the City of Longview hereby accepts the aforementioned bid from NaturChem, Inc. of Gladewater, Texas.

Section 4. That the total amount of the contract for vegetation control services to be provided by NaturChem, Inc. of Gladewater, Texas, shall not exceed budgeted funds for Fiscal Year 2016-2017.

Section 5. That the City Manager, the City Manager's designee or other official of the City of Longview as shall be required, are hereby authorized and directed to execute any and all contracts and other documents, as approved by the City Attorney's Office incident to the acceptance on behalf of the City of Longview of aforesaid bid from NaturChem, Inc. of Gladewater, Texas for said vegetation control services.

Section 6. That the City Manager, the City Manager's designee or other official of the City of Longview as shall be required, is hereby authorized to renew 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.

Section 7. That the process by which the aforementioned bid was received and accepted in all things complied with the applicable purchasing requirements of state and federal law, including but not limited to the requirements of

Chapter 252 of the Texas Local Government Code.

Section 8. 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 9. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 27th day of January, 2017.

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Dr. Andy Mack  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R BID PW VEGETATION CONTROL SERVICES 04-27-17

## CONTRACT FOR PROFESSIONAL SERVICES

<b>DESCRIPTION:</b>	<p>Consider a resolution authorizing the City Manager or his designee to enter into a contract with Toole Design Group in an amount not to exceed \$145,000.00 to create a Bicycle and Pedestrian Plan for the Longview Metropolitan Planning Organization (MPO) area.</p> <p>As an extension of the Comprehensive Plan, the Bicycle and Pedestrian Plan will establish a pedestrian and bicycle network for transportation and recreational purposes while promoting walkability and connectivity in an efficient and safe environment.</p> <p>A Request for Qualifications (RFQ) was published and six (6) proposals were received.</p> <p>A review committee was comprised of representatives from Longview Development Services, the MPO, Parks and Recreation, Public Works, and Longview Transit.</p> <p>The following criteria was used in determining the recommended proposal: 25% staff qualifications and experience with similar projects; 25% demonstrated knowledge of the work requirements; 25% proposed work plan and project schedule; 25% compliance with instructions.</p> <p>Based on a review of the listed criteria, it is recommended that the contract for the Bicycle and Pedestrian Plan be awarded to Toole Design Group based out of their Madison, Wisconsin office.</p>
<b>RECOMMENDED ACTION:</b>	Award of resolution to Toole Design Group
<b>SOURCE OF FUNDS:</b>	300-501-000-5111 MPO Contractual Services
<b>STAFF CONTACTS:</b>	<p>Jaye Latch, Purchasing Manager 903-237-1324 <a href="mailto:jlatch@longviewtexas.gov">jlatch@longviewtexas.gov</a></p> <p>Karen Owen, Transportation Planning Manager 903-237-1062 <a href="mailto:kowen@longviewtexas.gov">kowen@longviewtexas.gov</a></p>
<b>COUNCIL DATE:</b>	April 27, 2017

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER, THE MANAGER'S DESIGNEE OR OTHER OFFICIAL OF THE CITY AS SHALL BE REQUIRED, TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN CITY OF AND LONGVIEW AND TOOLE DESIGN GROUP OF SILVER SPRINGS, MARYLAND FOR A BICYCLE AND PEDESTRIAN PLAN; DETERMINING THAT SAID SERVICES ARE EXEMPT FROM STATE BIDDING 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 issued a request for qualifications for a Bicycle and Pedestrian Plan for the Metropolitan Planning Organization; and,

WHEREAS, Toole Design Group of Silver Springs, Maryland provided the best qualifications in considering the published evaluation criteria for said Bicycle and Pedestrian Plan; and,

WHEREAS, the Longview City Council finds and determines that the services described herein constitute professional services with the meaning of §2254.002 of the Texas Government Code exempting said services from the requirements of a competitive purchasing process and allowing for the utilization of the request for qualifications method to procure the aforesaid services for a Bicycle and Pedestrian Plan; and,

WHEREAS, funding for the services described herein is provided from 300-501-000-5111 MPO Contractual 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, after considering the published criteria described request for qualifications the above-described proposal of Toole Design Group of Silver Springs, Maryland was deemed by the Longview City Council to provide the contract with the best qualifications creation of a Bicycle and Pedestrian Plan.

Section 3. That the total amount for the purchase described herein for the Bicycle and Pedestrian Plan to be provided by Toole Design Group shall not exceed \$145,000.00.

Section 4. That the City Manager, the City Manager's designee and/or any other official or representative of the City of Longview as shall be required, is/are hereby authorized to negotiate and execute any and all contracts and other documents, as approved by the City Attorney's Office, incident to the aforesaid agreement with Toole Design Group of Silver Springs, Maryland for said Bicycle and Pedestrian Plan.

Section 5. That the process, by which the aforementioned request for qualifications was solicited, received and accepted in all things complied with the applicable requirements of state and federal law, including but not limited to the requirements of Chapter 2254.002 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 27<sup>h</sup> day of April, 2017.

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Dr. Andy Mack  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R MPO BIKE & PED PLAN 4-27-17

## INTERLOCAL AGREEMENT FOR FM 2206 – GREGG COUNTY

**DESCRIPTION:** Consider a resolution authorizing the City Manager or his designee to enter into an interlocal agreement with Gregg County to accept \$919,890.00 from Gregg County, paid in furtherance of the Texas Department of Transportation Project to widen FM 2206, also known as Harrison Road.

According to current estimates, Phase I will require \$3,222,950.00 worth of local area government participation, and Phase II will require approximately \$1,080,110.00. These costs are comprised of three different components. These components are 10% right-of-way acquisition, 10% of utility relocations and 100% non-reimbursable, government owned utility relocations. Total local government participation is estimated at \$4,303,060.00.

To complete Phase I of this project, the City of Longview will be required to contribute \$263,450.00 for the 10% right-of-way acquisition costs, \$309,500.00 for 10% of the utility invest approximately \$2,650,000.00 in the relocation of non-reimbursable utilities. The total investment is estimated to be \$3,222,950.00.

In the recent past, the City of Longview and Gregg County have attempted to become near equal participants in transportation projects benefiting the local area. To continue this partnership in a similar vein, please consider and approve an interlocal agreement allowing Gregg County to provide the City with a contribution of \$919,890.00 in furtherance of the FM 2206 project. A contribution in this amount will allow the City and Gregg County to be near equal partners in this project.

**RECOMMENDED ACTION:** Passage of Resolution

**SOURCE OF FUNDS:** N/A

**STAFF CONTACT:** Rolin McPhee, P.E., Director of Public Works  
903-237-1336  
[rmcphee@longviewtexas.gov](mailto:rmcphee@longviewtexas.gov)

**COUNCIL DATE:** April 27, 2017

RESOLUTION NO. \_\_\_\_\_

**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 INTERLOCAL AGREEMENT BETWEEN THE CITY OF LONGVIEW AND GREGG COUNTY IN FURTHERANCE OF THE FM 2206 HARRISON ROAD WIDENING PROJECT; CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL NECESSARY DOCUMENTS IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; 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 Texas Department of Transportation (also called "TxDOT" herein) has funding available to begin right-of-way acquisition, utility relocation, and construction for a project that will widen FM 2206 (the "FM 2206 Harrison Road Widening Project") as approved by the Longview Metropolitan Planning Organization Policy Board; and,

WHEREAS, the proposed FM 2206 Harrison Road Widening Project will enhance transportation and economic development opportunities in the City of Longview and in Gregg County; and,

WHEREAS, in order to begin construction, the first phase of the FM 2206 Harrison Road Widening Project will require approximately \$3,222,950.00 in local participation, which includes \$263,450.00 for the local right-of-way contribution, \$309,500.00 for the utility adjustment contributions, and \$2,650,000.00 for unreimbursed water and sewer utility relocations; and,

WHEREAS, the costs of the FM 2206 Harrison Road Widening Project are to be partially born by TxDOT and will require participation by local government; and,

WHEREAS, the City is willing to enter into an agreement with TxDOT whereby the City will provide the required local participation; and,

WHEREAS, Gregg County is willing to enter an interlocal agreement with the City of Longview whereby Gregg County will fund a portion of said required local participation; and,

WHEREAS, the City Council recognizes the importance of working with Gregg County to benefit the entire local area and to support Gregg County's efforts to provide funding towards the FM 2206 Harrison Road Widening Project; and,

WHEREAS, as a consequence of the foregoing, the City of Longview and Gregg wish to enter into an interlocal agreement pursuant to which Gregg County will contribute \$919,890 in furtherance of the FM 2206 Harrison Road Widening Project;

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) is hereby authorized and directed to negotiate, finalize, and execute an interlocal agreement (in a form acceptable to the City Attorney) between the City of Longview and Gregg County for Gregg County to contribute \$919,890 towards the FM 2206 Harrison Road Widening Project.

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 be effective immediately from and after its date of passage.

PASSED AND APPROVED this 27<sup>th</sup> day of April, 2017.

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Dr. Andy Mack  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R PW INTERLOCAL AGREEMENT FM 2206 WIDENING 4-27-17

## FM 2206 RIGHT OF WAY CONTRIBUTION AGREEMENT

**DESCRIPTION:** Consider a resolution authorizing the City Manager or his designee to enter into an agreement with the Texas Department of Transportation in furtherance of the FM 2206 Harrison Road Widening Project.

As per the Texas State Administrative Code, 43 TAC §15.55(c), local participation is required for projects improving existing Farm to Market roads. The local participation is defined as 10% of the costs of additional rights-of-way as well as 10% of the costs associated with eligible utility adjustments. The total estimated cost of Right of Way Acquisition is \$2,634,500.00, and the City's contribution at 10% is \$263,450.00. The total estimated cost of the eligible Utility Adjustments is \$3,095,000.00, and the City's contribution at 10% is \$309,500.00. The total City of Longview payment to the State in this agreement is \$572,950.00.

**RECOMMENDED ACTION:** Passage of resolution

**SOURCE OF FUNDS:** Gregg County Project Contribution

**STAFF CONTACT:** Rolin McPhee, Director of Public Works  
903-237-1336  
[rmcphee@LongviewTexas.gov](mailto:rmcphee@LongviewTexas.gov)

**COUNCIL DATE:** April 27, 2017

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AN AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF LONGVIEW TO CONTRIBUTE RIGHT OF WAY FUNDS TO THE FM 2206 HARRISON ROAD WIDENING PROJECT; AUTHORIZING AND DIRECTING THE CITY MANAGER (OR THE CITY MANAGER'S DESIGNEE) AND ALL OTHER SUCH OFFICIALS OF THE CITY AS MAY BE REQUIRED TO EXECUTE SAID AGREEMENT AND ANY AND ALL OTHER DOCUMENTS, AS APPROVED BY THE CITY ATTORNEY'S OFFICE, INCIDENT TO PARTICIPATION IN SAID AGREEMENT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of Longview requests that the State of Texas, acting by and through the Texas Department of Transportation, assume responsibility for acquisition of all necessary right of way and adjustment of utilities for the improvement of FM 2206 from 2.05 miles east of SH42 (Fisher Road) east to Loop 281 (the "FM 2206 Harrison Road Widening Project"); and,

WHEREAS, pursuant to 43 Texas Administrative Code §15.55, local participation is required for the FM 2206 Harrison Road Widening Project; and,

WHEREAS, local participation is defined as 10% of the costs of additional right of way as well as 10% of the costs associated with eligible utility adjustments; and,

WHEREAS, the total estimated cost of right of way and utility adjustments for the FM 2206 Harrison Road Widening Project is \$5,729,500 with 10% being \$572,950.00; and,



WHEREAS, this resolution authorizes and directs the City Manager to enter into an agreement with the Texas Department of Transportation for the City's contribution of funds for the FM 2206 Harrison Road Widening Project; 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 is hereby authorized to enter into an agreement with the Texas Department of Transportation substantially in the form of the attached Exhibit A.

Section 3. That the City Manager (or the City Manager's designee) and all other such officials of the City of Longview as may be required are hereby authorized and directed to execute an agreement substantially in the form of the attached Exhibit A and any and all other documents, as approved by the City Attorney's Office, incident to the City of Longview's participation in said agreement.

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 27<sup>th</sup> day of April, 2017.

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Dr. Andy Mack  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R PW FM2206 ROW CONTRIBUTION AGREEMENT 4-27-17