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## **City Council Meeting Agenda**

5:30 p.m.

March 08, 2018

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. Community Recognition**
- VI. Citizen Comment**
- VII. Presentation Items**

Presentation of the Fiscal Year 2016-2017 Comprehensive Annual Financial Report – Adrienne Deason, CPA, Henry and Peters, PC.

- VIII. Public Safety Update**

- A. Police
- B. Fire

- IX. Consent Agenda**

- A. Consider a Resolution authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute any necessary documents for the application, receipt and expenditure of grant funds in the amount of \$10,636.20 from the Law Enforcement Officer Standards and Education (LEOSE) fund for the purpose of continuing education and

training for law enforcement personnel of the Longview Police Department – Mike Bishop, Police Chief. [Pages 4-7](#)

- B. Consider a Resolution authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute any necessary documents for the Longview Police Department to acquire regular license plates for certain vehicles – Dwayne Archer, Assistant Public Works Director. [Pages 8-10](#)
- C. Consider a Resolution awarding a contract to and authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute any necessary documents with Always Green of Longview for buildings and cemeteries grounds maintenance – Dwayne Archer, Assistant Public Works Director. [Pages 11-14](#)
- D. Consider a Resolution accepting the Transit Building Roof Renovations Project and authorizing final payment in the amount of \$7,850.60 to Curtis-McKinley Roofing and Sheet Metal, Inc. of Longview, Texas – Rolin McPhee, P.E., Director of Public Works. [Pages 15-18](#)
- E. Consider a Resolution authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute a Memorandum of Understanding by and between the Longview Police Department and the United States Secret Service for reimbursement of certain overtime costs and other expenses in participation of joint operations with the U.S. Secret Service's North Texas Financial Crimes Task Force – Mike Bishop, Police Chief. [Pages 19-21](#)
- F. Consider approval of the following minutes: January 11, 2018 and February 8, 2018 – Angie Shepard, City Secretary. [Page 22](#)

## **X. Action Items**

- A. Consider an Ordinance canceling the Election to fill the expired term for Mayor and City Council Districts 1, 2 and declaring elected to office the unopposed candidates for a term expiring in May 2021 – Angie Shepard, City Secretary. [Pages 23-28](#)
- B. Consider an Ordinance amending Section 4-163 of the Longview City Code to authorize the City Manager or the City Manager's designee to execute any waiver or dismissal of any penalties and interest resulting from any lien imposed by the City – Michael Shirley, Director of Development Services. [Pages 29-32](#)
- C. Consider an Ordinance dismissing and waiving all liens, penalties, and interest against certain real property for a sum of one hundred dollars with

a street address of 204 Fredonia and authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute and deliver any and all documents necessary to evidence said dismissal and waiver - Michael Shirley, Director of Development Services. [Pages 33-38](#)

- D. Consider an Ordinance dismissing and waiving all liens, penalties, and interest against certain real property with a street address of 1702 and 1708 Clearwood and authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute and deliver any and all documents necessary to evidence said dismissal and waiver - Michael Shirley, Director of Development Services. [Pages 39-44](#)

## **XI. Items of Community Interest**

## **XII. Mayor Mack's Scholarship**

## **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.

## GRANT APPLICATION

**DESCRIPTION:** Consider a Resolution authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute any necessary documents for the application, receipt, and expenditure of grant funding from the State of Texas Law Enforcement Officer Standards and Education (LEOSE) fund in the amount of \$10,636.20 for the purpose of continuing education for law enforcement personnel.

**RECOMMENDED ACTION:** Resolution and Council approval

**SOURCE OF FUNDS:**

**STAFF CONTACT:** Mike Bishop, Chief of Police  
903-237-1100  
[mbishop@longviewtexas.gov](mailto:mbishop@longviewtexas.gov)

**COUNCIL DATE:** March 8, 2018

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY OF LONGVIEW POLICE DEPARTMENT TO APPLY, RECEIVE, AND EXPEND GRANT FUNDING FROM LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION (LEOSE) IN THE AMOUNT OF \$10,636.20; 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 Texas Law Enforcement Officer Standards and Education program provides funds for the purpose of supporting continuing education and training for law enforcement agencies; 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 \$10,636.20.

Section 3. That the Acting City Manager through the Acting 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 training and continuing education for 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 8th day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R POLICE GRANT LEOSE 3-8-18

## AFFIDAVIT TO ACQUIRE REGULAR LICENSE PLATE

**DESCRIPTION:** This item is for authorization of the Fleet Services Manager to acquire regular license plates for certain vehicles purchased by the Longview Police Department.

**RECOMMENDED ACTION:** Approval of Resolution

**SOURCE OF FUNDS:** Sublet Account 043-043-000-2440

**STAFF CONTACTS:** Jon Keasler, Fleet Services Manager  
903-237-1203  
[jkeasler@longviewtexas.gov](mailto:jkeasler@longviewtexas.gov)

Dwayne Archer, Assist Director of Public Works  
903-237-1287  
[darcher@longviewtexas.gov](mailto:darcher@longviewtexas.gov)

**COUNCIL DATE:** March 8, 2018



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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE ACTING CITY MANAGER OR THE ACTING CITY MANAGER'S DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS FOR THE LONGVIEW POLICE DEPARTMENT TO ACQUIRE REGULAR LICENSE PLATES FOR CERTAIN VEHICLES; MAKING CERTAIN FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council finds and determines that it is in the best interest of the Police Department to acquire regular license plates for certain unmarked vehicles; and,

WHEREAS, Article 6701m-2 Vernon's Annotated Civil Statutes, mandates the City Council must authorize a request for regular license plates by resolution; NOW, THEREFORE,

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

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

Section 2. That the City Council hereby requests that the Texas State Department of Highways and Public Transportation issue regular license plates to the City of Longview Police Department for unmarked vehicles upon proper application.

Section 3. That the Fleet Services Manager for the City of Longview shall be the City's authorized representative in this matter and shall execute proper and necessary documents pertaining to this purpose.

Section 4. That the City Council hereby affirms the vehicles in question will be operated by the Longview Police Department in the performance of its official duties.

Section 5. That the meeting at which the aforesaid resolution was passed was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 6. That this resolution shall be effective from and after its date of passage.

PASSED AND APPROVED this 8<sup>th</sup> day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R POLICE AFFIDAVIT REG LICENSE PLATES 3-8-18

## BUILDINGS AND CEMETERIES GROUND MAINTENANCE

<b>DESCRIPTION:</b>	<p>This item is for an annual agreement for mowing and grounds maintenance services for buildings and cemeteries for the City of Longview. In this agreement work is performed according to a predetermined set schedule throughout the year. Work to be performed will include, but is not limited to mowing, trimming, weed control, edging and mulching.</p> <p>Mowing Services bids were advertised in the local newspaper as required by law and posted on the City of Longview website. On February 21, 2018 - 7 bids were received and opened.</p> <p>The bids were from:</p> <p>Always Green of Longview, TX - \$69,890.00 RDA Vegetation of Gilmer, TX - \$84,486.96.00 Southern Grounds Maintenance of Longview, TX - \$90,206.00 Pro Mowers of Daingerfield, TX - \$144,180.00 Rayos Lawn Care, White House, TX - \$157,460.00 Expert Lawn of Henderson, TX-\$205,890.00 C&amp;C Logging of Longview, TX - \$271,600.00</p>
<b>RECOMMENDED ACTION:</b>	<p>Approval of the Resolution awarding Always Green of Longview, TX the Buildings &amp; Cemeteries Grounds Maintenance bid # 1718-11</p>
<b>SOURCE OF FUNDS:</b>	<p>001-035-000-5190, Maintenance Contracts</p>
<b>STAFF CONTACTS:</b>	<p>Jaye Latch,Purchasing Manager 903-237-1324 <a href="mailto:jlatch@longviewtexas.gov">jlatch@longviewtexas.gov</a></p> <p>Rolin McPhee,Public Works Director 903-237-1336 <a href="mailto:darcher@longviewtexas.gov">darcher@longviewtexas.gov</a></p>
<b>COUNCIL DATE:</b>	<p>March 8, 2018</p>

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF ALWAYS GREEN OF LONGVIEW, TEXAS, FOR BUILDINGS AND CEMETERIES GROUND MAINTENANCE; AUTHORIZING AND DIRECTING THE ACTING CITY MANAGER, OR THE ACTING CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND ALWAYS GREEN 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 buildings and cemeteries ground maintenance for the City of Longview; and,

WHEREAS, Always Green of Longview, Texas submitted the lowest and best bid for mowing services for buildings and cemeteries ground maintenance; 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 Always Green of Longview, Texas is the lowest and best bid submitted to the City of Longview for buildings and cemeteries ground maintenance.

Section 3. That the City of Longview hereby accepts the aforementioned bid from Always Green of Longview, Texas.

Section 4. That the total amount of the contract for buildings and cemeteries grounds maintenance to be provided by Always Green of Longview, Texas, shall not exceed budgeted funds for any corresponding budget year.

Section 5. That the Acting City Manager, the Acting 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 Always Green of Longview, Texas for building and cemeteries ground maintenance.

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 8th day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R BID BLDG & CEMETERIES GROUND MAINT 3-8-18

## TRANSIT BUILDING ROOF RENOVATIONS

<b>DESCRIPTION:</b>	<p>Consider a resolution accepting the Transit Building Roof Renovations project and authorizing final payment in the amount of \$7,850.60 to Curtis-McKinley Roofing &amp; Sheet Metal, Inc. Approval of final payment will begin the contractors one-year warrenty period.</p> <p>The City Council awarded a contract to Curtis-McKinley Roofing &amp; Sheet Metal, Inc. on September 14, 2017 in the amount of \$85,826.00. The final construction cost is \$78,506.00.</p> <p>The scope of work includes installation of 12,629 square foot roof, including fully adhered thermoplastic polyolefin (TPO) roof system, flashing, gutters, parapet and miscellaneous work as necessary to complete the installation.</p> <p>The project has been completed in accordance with the contract. Public Works Engineering Staff recommends acceptance of the project and approval of final payment.</p>
<b>RECOMMENDED ACTION:</b>	Passage of the Resolution.
<b>SOURCE OF FUNDS:</b>	Funding is available from the Facility Building Fund.
<b>STAFF CONTACT:</b>	Rolin C. McPhee, P.E., Director of Public Works 903-237-1336 <a href="mailto:rmcphee@LongviewTexas.gov">rmcphee@LongviewTexas.gov</a>
<b>COUNCIL DATE:</b>	March 8, 2018

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "TRANSIT BUILDING ROOF RENOVATIONS"; AUTHORIZING AND APPROVING FINAL PAYMENT TO CURTIS-MCKINLEY ROOFING & SHEET METAL, INC., FOR COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, on September 14, 2017 the City Council awarded to Curtis-McKinley Roofing & Sheet Metal Inc. of Longview Texas, in the amount of \$85,826.00 for the project known as "Transit Building Roof Renovations"; and,

WHEREAS, this project provided for the removal and installation of 12,629SF roof including fully adhered thermoplastic polyolefin (TPO) roof system, flashing, gutters, parapet and miscellaneous work as necessary to complete the installation; and,

WHEREAS, the final construction cost for said project is \$78,506.00; and,

WHEREAS, the project has been completed and the contractor, Curtis-McKinley Roofing & Sheet Metal, Inc. has requested final payment in the amount of \$7,850.60; and,

WHEREAS, the final amount of \$7,850.60 is due to the contractor as final payment; and,

WHEREAS, the acceptance of the work by Curtis-McKinley Roofing & Sheet Metal, Inc. on the aforementioned contract and the approval of final payment



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

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

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

Section 2. That the work performed by Curtis-McKinley Roofing & Sheet Metal, Inc., on the project known as "Transit Building Roof Renovations" is hereby accepted as complete and the final payment in the amount of \$7,850.60 for the completion of said project is hereby approved.

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

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

PASSED AND APPROVED this 8<sup>th</sup> day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R PW FINAL PAY TRANSIT BLDG ROOF REPAIR 3-8-18

## MEMORANDUM OF UNDERSTANDING

**DESCRIPTION:** Consider a resolution authorizing and directing the City Manager or the City Manager's designee to execute a Memorandum of Understanding by and between the Longview Police Department and the United States Secret Service for reimbursement of certain overtime costs and other expenses in participation of joint operations with the U.S. Secret Service's North Texas Financial Crimes Task Force.

**RECOMMENDED ACTION:** Resolution and Council approval

**SOURCE OF FUNDS:** N/A

**STAFF CONTACT:** Mike Bishop, Chief of Police  
903-237-1100  
[mbishop@longviewtexas.gov](mailto:mbishop@longviewtexas.gov)

**COUNCIL DATE:** March 8, 2018

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CHIEF OF POLICE TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LONGVIEW POLICE DEPARTMENT AND THE UNITED STATES SECRET SERVICE FOR REIMBURSEMENT OF CERTAIN OVERTIME COSTS AND OTHER EXPENSES IN PARTICIPATION OF JOINT OPERATIONS WITH THE UNITED STATES SECRET SERVICE; 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 United States Secret Service's North Texas Financial Crime Task Force has requested joint operations with the Longview Police Department in conducting official investigations pursuant to the provisions of the Treasury Forfeiture Fund Act of 1992 31 U.S.C. 9703, as amended; and,

WHEREAS, United States Secret Service (USSS) and the City of Longview Police Department desire to enter into this Memorandum of Understanding for overtime costs and other expenses in participation of joint operations with the United States Secret Service; NOW, THEREFORE,

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

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

Section 2. That the Acting City Manager, the City Manager's designee, or

other official of the City as shall be required, is hereby authorized and directed to negotiate and execute any and all agreements and other documents, as approved by the City Attorney's Office, incident to a Memorandum of Understanding with the United States Secret Service for overtime costs and other expenses in participation of joint operations with the United States Secret Service; and,

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

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

PASSED AND APPROVED this 8th day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R POLICE USSS MOU 03-8-18

**CONSIDER APPROVAL OF THE FOLLOWING MINUTES**

January 11, 2018 and February 08, 2018

## CANCEL ELECTION FOR MAYOR AND CITY COUNCIL DISTRICTS 1 AND 2

**DESCRIPTION:** Consider an Ordinance canceling the Election to fill the expired term for Mayor and City Council Districts 1 and 2 and declaring elected to office the unopposed candidates for a term expiring in May, 2021.

**RECOMMENDED ACTION:** The recommended action is approval of the ordinance.

**SOURCE OF FUNDS:** There are no funds needed.

**STAFF CONTACT:** Angie Shepard, City Secretary  
903-237-1081  
[ashepard@longviewtexas.gov](mailto:ashepard@longviewtexas.gov)

**COUNCIL DATE:** March 8, 2018

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, CONFIRMING THE CERTIFICATION OF ANDY MACK AS AN UNOPPOSED CANDIDATE FOR ELECTION AS MAYOR; CONFIRMING THE CERTIFICATION OF ED MOORE AS AN UNOPPOSED CANDIDATE FOR ELECTION AS CITY COUNCIL MEMBER FOR COUNCIL VOTING DISTRICT NO. 1; CONFIRMING THE CERTIFICATION OF NONA SNODDY AS AN UNOPPOSED CANDIDATE FOR ELECTION AS CITY COUNCIL MEMBER FOR COUNCIL VOTING DISTRICT NO. 2; DECLARING ANDY MACK ELECTED AS MAYOR; DECLARING ED MOORE ELECTED AS CITY COUNCIL MEMBER FOR COUNCIL VOTING DISTRICT NO. 1; DECLARING NONA SNODDY ELECTED AS CITY COUNCIL MEMBER FOR COUNCIL VOTING DISTRICT NO. 2; DECLARING THE MAY 5, 2018, CITY ELECTION CANCELED; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Longview, Texas, by Ordinance No. 4139, passed and approved January 11, 2018, did thereby in accordance with City Charter and state law call for an election to be held on the first Saturday in May, 2018, the same being May 5, 2018, for the purpose of electing members of the City Council for Mayor and City Council Voting Districts Nos. 1 and 2 to three (3) year terms; and,

WHEREAS, as a consequence of said ordinance, the offices of the City Secretary were held open in accordance with state law to receive applications for those individuals filing for election to the City Council of the City of Longview for Mayor and Voting Districts Nos. 1 and 2; and,

WHEREAS, Section 2.051 of the Texas Election Code provides a process



for election of unopposed candidates as officers of a political subdivision other than a county in which write-in votes may be counted only for names appearing on a list of write-in candidates and in which each candidate whose name is to appear on the ballot is unopposed, and in which no proposition is to appear on the ballot; and,

WHEREAS, the City Secretary of the City of Longview, Texas, in conformance with Section 2.052 of the Election Code, and as the authority responsible for having the official ballot prepared on behalf of the City of Longview, has certified in writing that only a single candidate's name is to be placed on each ballot for the positions of Mayor and City Council Members from City Council Voting Districts Nos. 1 and 2, respectively, and hence each such candidate is running unopposed; and,

WHEREAS, in conformance of Section 2.052 of the Election Code, the City Secretary as the authority responsible for having the official ballot prepared has further certified in writing that no candidate's name is to be placed on a list of write-in candidates for the position of Mayor or for the positions of City Council Members for City Council Voting Districts No. 1 and 2; and,

WHEREAS, the aforesaid certification by the City Secretary of the City of Longview has been delivered to the City Council of the City of Longview after the filing deadlines for placement on the ballot and list of write-in candidates, in conformance with Section 2.052(b) of the Local Government Code; and,

WHEREAS, by virtue of such certification, the City Secretary has certified to the City Council that Andy Mack is eligible to be elected to the office of Mayor and is unopposed; and,

WHEREAS, by virtue of such certification, the City Secretary has certified

to the City Council that Ed Moore is eligible to be elected to the office of Council member for City Council District No. 1 and is unopposed; and,

WHEREAS, by virtue of such certification, the City Secretary has also certified to the City Council that Nona Snoddy is eligible to be elected to the office of Council member for City Council District No. 2 and is unopposed; and,

WHEREAS, the City Council of the City of Longview, Texas, by ordinance desires to declare each unopposed candidate elected to office and to cancel the election pursuant to Chapter 2, Subchapter C, Section 2.051, *et seq.*, of the Texas Election Code; NOW, THEREFORE,

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

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

Section 2. That the certification of the City Secretary of the City of Longview, Texas, that the filing deadlines for placement on the ballot and list of write-in candidates for the May 5, 2018, election has passed, and Andy Mack is the only candidate to have placed his name on the ballot for election for Mayor and is thereby an unopposed candidate for election as Mayor, is hereby in all things confirmed.

Section 3. That the certification of the City Secretary of the City of Longview, Texas, that the filing deadlines for placement on the ballot and list of write-in candidates for the May 5, 2018, election has passed, and Ed Moore is the only candidate to have placed his name on the ballot for election from Council Voting District No. 1 and is thereby an unopposed candidate for election as City Council Member for

City Council Voting District No. 1, is hereby in all things confirmed.

Section 4. That the certification of the City Secretary of the City of Longview, Texas, that the filing deadlines for placement on the ballot and list of write-in candidates for the May 5, 2018, election has passed, and Nona Snoddy is the only candidate to have placed her name on the ballot for election from Council Voting District No. 2 and is thereby an unopposed candidate for election as City Council Member for City Council Voting District No. 2, is hereby in all things confirmed.

Section 5. That Andy Mack is hereby elected as Mayor for the City of Longview for a three-year term and shall be delivered a Certificate of Election by the City Secretary from and after the election day of May 5, 2018.

Section 6. That Ed Moore is hereby elected as Council Member for the City of Longview City Council Voting District No. 1 for a three-year term and shall be delivered a Certificate of Election by the City Secretary from and after the election day of May 5, 2018.

Section 7. That Nona Snoddy is hereby elected as Council Member for the City of Longview City Council Voting District No. 2 for a three-year term and shall be delivered a Certificate of Election by the City Secretary from and after the election day of May 5, 2018.

Section 8. That, pursuant to Section 2.053(b) of the Texas Election Code, there being no further candidates for election on the ballot of May 5, 2018, and no propositions to appear thereon, in accordance with state law the election previously ordered for May 5, 2018, shall not be held and shall be in all things canceled.

Section 9. That the City Secretary shall in accordance with state law post

a copy of this ordinance on Election Day, May 5, 2018, at each polling place that would have been used in the election previously called.

Section 10. That the meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 11. That this ordinance shall be effective immediately from and after its date of passage and publication as required by law.

PASSED AND APPROVED this 8<sup>th</sup> day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

O ELECTION CANCEL MAYOR DIS 1 & 2 3-8-18

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO WAIVE PENALTIES AND INTEREST RESULTING FROM ANY LIEN**

**DESCRIPTION:** Consider an ordinance amending Section 4-163 of the Longview City Code to authorize the City Manager or the City Manager's designee to execute any waiver or dismissal of any penalties and interest resulting from any lien imposed by the City

**RECOMMENDED ACTION:** Approval of Ordinance

**SOURCE OF FUNDS:** No impact

**STAFF CONTACTS:** Michael Shirley, AICP, Director of Development Services  
903-237-1059  
[mshirley@longviewtexas.gov](mailto:mshirley@longviewtexas.gov)

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**COUNCIL DATE:** March 8, 2018

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING SECTION 4-163 OF THE CODE OF ORDINANCES OF THE CITY OF LONGVIEW BY ADDING A NEW PROVISION (16) TO SUBSECTION (a) OF SAID SECTION, THEREBY AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY WAIVER OR DISMISSAL OF ANY PENALTIES AND INTEREST (OR ANY PORTION THEREOF) RESULTING FROM A LIEN IMPOSED BY THE CITY; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the Longview City Code contains various provisions authorizing the imposition of liens against property for certain ordinance violations or for the costs incurred by the City of Longview in correcting certain ordinance violations; and,

WHEREAS, penalties and/or interest may accrue as a result of such liens, thus increasing the total amount of the lien; and,

WHEREAS, the City Council finds that such penalties and interest may increase the amount of the City's lien against a piece of property to an amount that impedes the sale and/or development of the property; and,

WHEREAS, some liens may remain in place long enough to present difficulties in substantiating the origins and/or validity of said liens; and,

WHEREAS, the City Council wishes to expedite the modification or dismissal of the amounts of penalties and/or interest resulting from such liens where

such modification or dismissal is practical and equitable; and,

WHEREAS, as a result of the foregoing, the City Council wishes to authorize the City Manager to waive or dismiss penalties or interest on liens imposed pursuant to provisions of the Longview City Code; NOW, THEREFORE,

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

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

Section 2. That Section 4-163, Subsection (a) of the Code of Ordinances, City of Longview, Texas, is hereby amended by deleting the period at the end of subsection (15) and inserting a semicolon in its place and by adding a subsection (16) to the end of said Subsection (a), said subsection (16) to read as follows:

“(16) Any waiver or dismissal of any penalties and interest (or any portion thereof) resulting from a lien imposed by the city pursuant to any provision of the Longview City Code or imposed by the city as a result of the violation of any provision of the Longview City Code.”

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

Section 4. That, except as expressly amended by this ordinance, the provisions of Section 4-163 of the Longview City Code shall remain unchanged and in full force and effect.

Section 5. That if any paragraph, clause, sentence, or other provision of this ordinance shall be or is hereafter declared unlawful by a court of competent jurisdiction, the remainder of the provisions adopted hereto shall continue in full force and effect.

Section 6. That all ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed to the extent of such inconsistency only, such that this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered herein.

Section 7. That this ordinance shall become effective immediately from and after its date of passage.

PASSED AND APPROVED this 8<sup>th</sup> day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

O CM LIEN DISMISSAL AUTHORITY 3-8-18



**AN ORDINANCE DISMISSING AND WAIVING ALL LIENS, PENALTIES, AND INTEREST  
AT 204 FREDONIA**

**DESCRIPTION:** Consider an ordinance dismissing and waiving all liens, penalties, and interest against certain real property for a sum of one hundred dollars with a street address of 204 Fredonia and authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute and deliver any and all documents necessary to evidence said dismissal and waiver.

Upon review of a request for waiver of a lien, staff could not find any information or files on this address to substantiate the validity of the Lien. The owners have requested that the city release the lien for the sum of one hundred dollars.

**RECOMMENDED ACTION:** Approval of Ordinance

**SOURCE OF FUNDS:** No impact

**STAFF CONTACTS:** Michael Shirley, AICP, Director of Development Services  
903-237-1059  
[mshirley@longviewtexas.gov](mailto:mshirley@longviewtexas.gov)

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**COUNCIL DATE:** March 8, 2018

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DISMISSING AND WAIVING ALL LIENS, PENALTIES, AND INTEREST AGAINST CERTAIN REAL PROPERTY FOR A SUM OF ONE HUNDRED DOLLARS WITH A STREET ADDRESS OF 204 FREDONIA; AUTHORIZING AND DIRECTING THE ACTING CITY MANAGER OR THE ACTING CITY MANAGER'S DESIGNEE TO EXECUTE AND DELIVER ANY DOCUMENTS NECESSARY TO EVIDENCE SAID DISMISSAL AND WAIVER; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, there is located within the City of Longview certain real property with a street address of 204 Fredonia, said real property more fully described in the attached Exhibit A (said real property hereinafter called the "Subject Property"); and,

WHEREAS, as a result of certain violations of City of Longview ordinances and the corrections of said violations by the City of Longview, the City of Longview has imposed against the Subject Property the liens described in the attached Exhibit B; and,

WHEREAS, the City of Longview calculates that the aforesaid liens have accrued penalties and interest in the amounts set forth in the attached Exhibit B (all of the aforesaid liens, penalties, and interest hereinafter collectively called the "Accrued Liens"); and,

WHEREAS, the City Council finds that the total amount of the Accrued Liens is such that it impedes the sale and/or development of the Subject Property; and,

WHEREAS, the owner of the Subject Property disputes the amount and validity of the Accrued Liens; and,

WHEREAS, as a result of the foregoing, the City Council wishes to waive and dismiss the Accrued Liens in their entirety for a sum of one hundred dollars and to authorize and direct the Acting City Manager or the Acting City Manager's designee to execute and deliver any documents necessary to evidence said waiver and dismissal; NOW, THEREFORE,

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

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

Section 2. That the attached Exhibit A is made a part of this ordinance for all purposes.

Section 3. That the attached Exhibit B is made a part of this ordinance for all purposes.

Section 4. That the City of Longview hereby waives and dismisses the Accrued Liens in their entirety.

Section 5. That the Acting City Manager or the Acting City Manager's designee is hereby authorized and directed to execute and deliver any documents necessary to evidence the waiver and dismissal of the Accrued Liens, provided that any and all such documents must be in a form approved by the City Attorney.

Section 6. That the meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas

Government Code Chapter 551.

Section 7. That this ordinance shall become effective immediately from and after its date of passage.

PASSED AND APPROVED this 8<sup>th</sup> day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

O DEV LIEN DISMISSED FREDONIA 3-8-18

Exhibit A

204 Fredonia LTS 7A & 8A NCB 50 (PT LTS 7 & 8) LONGVIEW  
ORIGINAL TOWN SITE

## Exhibit B

Address	Lien #	Lien Yr	Lien Amt	Years	Interest	Lien+Int	Ltr Dft Fee	GC Filing	Total
							27.00	\$16.00	
204 Fredonia	021650	1995	19,300.00	23	44,390.00	63,690.00	27	16	<b>\$63,733.00</b>
	<b>TOTAL</b>		<b>19,300.00</b>		<b>44,390.00</b>	<b>63,690.00</b>	<b>27.00</b>	<b>16.00</b>	<b>\$63,733.00</b>

**AN ORDINANCE DISMISSING AND WAIVING ALL LIENS, PENALTIES, AND INTEREST  
AT 1702 AND 1708 CLEARWOOD**

**DESCRIPTION:** Consider an ordinance dismissing and waiving all liens, penalties, and interest against certain real property with a street address of 1702 and 1708 Clearwood and authorizing and directing the Acting City Manager or the Acting City Manager's designee to execute and deliver any and all documents necessary to evidence said dismissal and waiver.

**RECOMMENDED ACTION:** Consideration of the request

**SOURCE OF FUNDS:**

**STAFF CONTACTS:** Michael Shirley, AICP, Director of Development Services  
903-237-1059  
[mshirley@longviewtexas.gov](mailto:mshirley@longviewtexas.gov)

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**COUNCIL DATE:** March 8, 2018

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DISMISSING AND WAIVING ALL LIENS, PENALTIES, AND INTEREST AGAINST CERTAIN REAL PROPERTY WITH A STREET ADDRESS OF 1702 and 1708 CLEARWOOD; AUTHORIZING AND DIRECTING THE ACTING CITY MANAGER OR THE ACTING CITY MANAGER'S DESIGNEE TO EXECUTE AND DELIVER ANY DOCUMENTS NECESSARY TO EVIDENCE SAID DISMISSAL AND WAIVER; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, there is located within the City of Longview certain real property with a street address of 1702 and 1708 Clearwood, said real property more fully described in the attached Exhibit A (said real property hereinafter called the "Subject Property"); and,

WHEREAS, as a result of certain violations of City of Longview ordinances and the corrections of said violations by the City of Longview, the City of Longview has imposed against the Subject Property the liens described in the attached Exhibit B; and,

WHEREAS, the City of Longview calculates that the aforesaid liens have accrued penalties and interest in the amounts set forth in the attached Exhibit B (all of the aforesaid liens, penalties, and interest hereinafter collectively called the "Accrued Liens"); and,

WHEREAS, the City Council finds that the total amount of the Accrued Liens is such that it impedes the sale and/or development of the Subject Property; and,

WHEREAS, the owner of the Subject Property disputes the amount and



validity of the Accrued Liens; and,

WHEREAS, as a result of the foregoing, the City Council wishes to waive and dismiss the Accrued Liens in their entirety for and to authorize and direct the Acting City Manager or the Acting City Manager's designee to execute and deliver any documents necessary to evidence said waiver and dismissal; NOW, THEREFORE,

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

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

Section 2. That the attached Exhibit A is made a part of this ordinance for all purposes.

Section 3. That the attached Exhibit B is made a part of this ordinance for all purposes.

Section 4. That the City of Longview hereby waives and dismisses the Accrued Liens in their entirety.

Section 5. That the Acting City Manager or the Acting City Manager's designee is hereby authorized and directed to execute and deliver any documents necessary to evidence the waiver and dismissal of the Accrued Liens, provided that any and all such documents must be in a form approved by the City Attorney.

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

Section 7. That this ordinance shall become effective immediately from

and after its date of passage.

PASSED AND APPROVED this 8<sup>th</sup> day of March, 2018.

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Dr. Andy Mack  
Mayor

ATTEST:

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Angie Shepard  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

O DEV LIEN DISMISSED CLEARWOOD 3-8-18

## Exhibit A

1702 Clearwood LT 18 BLK 3511 CLEARWOOD PLACE  
1708 Clearwood LT 21 BLK 3511 CLEARWOOD PLACE

## Exhibit B

Address	Lien #	Lien Yr	Lien Amt	Years	Interest	Lien+Int	Ltr Dft Fee	GC Filing	Total
							27.00	\$16.00	
1702, 1708 Clearwood	021438	1988	200.00	30	600.00	800.00	27	16	\$843.00
1702, 1708 Clearwood	017123	1989	200.00	29	580.00	780.00			\$780.00
1702, 1708 Clearwood	011693	1991	200.00	27	540.00	740.00			\$740.00
1708 Clearwood	003968	1991	200.00	27	540.00	740.00			\$740.00
1708 Clearwood	007378	1992	200.00	26	520.00	720.00			\$720.00
1708 Clearwood	014892	1992	200.00	26	520.00	720.00			\$720.00
1708 Clearwood	016178	1993	200.00	25	500.00	700.00			\$700.00
1708 Clearwood	015168	1994	200.00	24	480.00	680.00			\$680.00
1708 Clearwood	001219	1995	200.00	23	460.00	660.00			\$660.00
1708 Clearwood	018205	1995	200.00	23	460.00	660.00			\$660.00
1702 Clearwood	007395	1992	200.00	26	520.00	720.00			\$720.00
1702 Clearwood	016177	1993	200.00	25	500.00	700.00			\$700.00
1702 Clearwood	015170	1994	200.00	24	480.00	680.00			\$680.00
1702 Clearwood	005778	1996	200.00	22	440.00	640.00			\$640.00
	<b>TOTAL</b>		<b>2,800.00</b>		<b>7,140.00</b>	<b>9,940.00</b>	<b>27.00</b>	<b>16.00</b>	<b>\$9,983.00</b>