



City Council Meeting Agenda

5:30 p.m.

February 28, 2019

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. Public Safety Update**
 - A. Police
 - B. Fire
- VIII. Consent Agenda**
 - A. Consider a Resolution authorizing application for and acceptance of a grant in an amount not to exceed \$35,000.00 from the Office of the Governor, Criminal Justice Division, Juvenile Services, to support the Partners in Prevention Mentoring Program – Holly Fuller, Partners in Prevention Manager. [Pages 3-6](#)
 - B. Acceptance of the December 31, 2018 Quarterly Investment Report – Angela Coen, Director of Finance. [Pages 7-8](#)

IX. Election Item

Consider an Ordinance canceling the Election to fill the expired term for City Council District 5 and declaring elected to office the unopposed candidate for a term expiring in May, 2022 – Angie Shepard, City Secretary. [Pages 9-13](#)

X. Action Item

Consider a Resolution accepting the donation of \$60,000 from AMBUCS Longview Too and authorizing the purchase of a shade canopy for the AMBUCS Longview Too / Neal McCoy Playground at Spring Hill Park for an amount not to exceed \$90,000 via the local government purchasing cooperative administered by Region VIII Education Service Center and known as The Interlocal Purchasing System (“TIPS”) – Scott Caron, Director of Parks and Recreation. [Pages 14-18](#)

XI. Items of Community Interest

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.

PARTNERS IN PREVENTION MENTORING PROGRAM

DESCRIPTION:	<p>The Office of the Governor, Criminal Justice Division, is soliciting an application for projects that support juvenile justice and delinquency prevention during the state fiscal year 2019-20.</p> <p>The purpose of the grant solicitation is to support programs that prevent violence in and around schools and to improve the juvenile justice system and develop effective education, training, prevention, diversion, treatment and rehabilitation programs in the area of juvenile delinquency. Mentoring is a proven strategy to deter juvenile crimes. Partners in Prevention will submit an application for funding to support the Mentoring Program.</p> <p>The grant amount is not to exceed \$35,000 and requires no matching funds from the city.</p> <p>Partners in Prevention Mentoring Program will utilize the funds for program supplies, mentor/mentee activities, and contractual personnel, as required by the grant.</p>
RECOMMENDED ACTION:	Passage of resolution.
SOURCE OF FUNDS:	Amount: -0-
STAFF CONTACT:	Holly Fuller, Partners in Prevention Manager, 903-237-1016 hfuller@LongviewTexas.gov
COUNCIL DATE:	February 28, 2019

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A GRANT IN AN AMOUNT NOT TO EXCEED \$35,000.00 FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUVENILE SERVICES, TO SUPPORT PARTNERS IN PREVENTION MENTORING PROGRAM INVOLVING JUVENILE JUSTICE AND DELINQUENCY PREVENTION DURING THE STATE FISCAL YEAR 2020 GRANT CYCLE; AUTHORIZING THE TIMELY SUBMITTAL OF SAID APPLICATION; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR AND SECURING SAID GRANT; PROVIDING FOR RETURN OF FUNDS FOR MISUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview finds it in the best interest of the citizens of Longview and surrounding areas that the Partners in Prevention Mentoring Program be operated for the 2019-2020 year; and

WHEREAS, the Office of the Governor provides funds through the Criminal Justice Division, Juvenile Services, for projects that support juvenile justice and delinquency prevention; and,

WHEREAS, mentoring is a proven strategy in deterring youth from crime; and,

WHEREAS, funds will be used to support the Partners in Prevention Mentoring Program to provide adult, trained mentors to youth in greatest need; and,

WHEREAS, funds will be used specifically for mentor training materials, program supplies, and personnel; and,

WHEREAS, this grant does not require any matching funds from the City of Longview; NOW, THEREFORE,

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

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

Section 2. That the City of Longview is hereby authorized to file an application and all attendant documents necessary to qualify for a grant from the Office of the Governor in an amount not to exceed \$35,000.00 to fund “Partners in Prevention Mentoring Program”.

Section 3. That the City of Longview is hereby authorized to submit an application and accept funding from the Office of the Governor in a timely manner.

Section 4. That the City Manager or the City Manager’s designee is hereby authorized and directed to execute all necessary documents, as approved by the City Attorney’s Office, incident to applying for and securing said grant.

Section 5. That the City of Longview designates the City Manager or the City Manager’s designee as the grantee’s authorized official and said authorized official is hereby given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Longview.

Section 6. That the City of Longview agrees that in the event of loss or misuse of the Criminal Justice Division funds the City Council assures that the funds will be returned to the Criminal Justice Division in full.

Section 7. That the meeting at which this resolution was approved was in

all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 8. That this resolution shall be effective immediately from and after its date of passage.

PASSED AND APPROVED this 28th day of February, 2019.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

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INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2018

DESCRIPTION:

The Investment Report for the quarter ending December 31, 2018 is presented as required by the Public Funds Investment Act.

The City's investments for the quarter were in compliance with the City's investment Policy and the Public Funds Investment Act. The City had investments in Texpool, Cutwater Texas Class Investment Pool, Nexbank Money Market and Certificate of Deposits.

Quarter Ending December 31, 2018

Texpool \$ 858,119
Ending Yield 2.29%
Weighted Average Maturity 1 Days
Interest Earned \$4,766

Texas Class \$1,476,159
Ending Yield 2.50%
Weighted Average Maturity 1 Days
Interest Earned \$13,454

Certificate of Deposits \$22,368,805
Ending Yields
12 months 2.74%
12 Months 2.04%
18 Months 1.65%
21 Months 1.69%
24 Months 1.73%
24 Months 2.06%
24 Months 1.40%
24 Months 2.25%
24 Months 2.96%
Interest Earned \$115,231

Southside Money Market Account
Ending Yield 2.19%

NEXBANK Money Market Account
Ending Yield 2.53%

BTH Money Market Account
Ending Yield 2.47%

Texpool is a local government investment pool. The primary objectives of the pool are to preserve capital and protect principal, maintain sufficient liquidity,

provide safety of funds and investments, diversify to avoid unreasonable or avoidable risks, and maximize the return on the pool. The pool seeks to maintain a \$1.00 value per share as required by the Texas Public Funds Investment Act. Texpool investments consist exclusively of U.S. Government securities, repurchase agreements collateralized by U.S. Government securities, and AAA-rated no-load money market mutual funds. Texpool is rated AAAM by Standard & Poor's, the highest rating a local government investment pool can achieve. The weighted average maturity of the portfolio is limited to 60 days calculated using the reset date for variable rate notes ("VRNs") and 90 days or fewer using the final maturity date for VRNs, with the maximum maturity for any individual security in the portfolio not exceeding 397 days for fixed rate securities and 24 months for VRNs.

Through our depository bank, Southside Bank, City funds are in an interest bearing account, with pledged securities for collateral. Per the depository contract, interest is earned at the daily 30-Day T-Bill rate plus thirty five basis points.

RECOMMENDED ACTION: Receive written investment report. No formal action required.

STAFF CONTACT: Angela Coen, Director of Finance
903-239-5521
acoen@ci.longview.tx.us

COUNCIL DATE: February 28, 2019

CANCEL ELECTION FOR CITY COUNCIL DISTRICT 5

DESCRIPTION: Consider an Ordinance canceling the Election to fill the expired term for City Council District 5 and declaring elected to office the unopposed candidates for a term expiring in May, 2022.

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

COUNCIL DATE: February 28, 2019

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, CONFIRMING THE CERTIFICATION OF DAVID WRIGHT AS AN UNOPPOSED CANDIDATE FOR ELECTION AS CITY COUNCIL MEMBER FOR CITY COUNCIL VOTING DISTRICT NO. 5 FOR THE MAY 4, 2019, GENERAL ELECTION; DECLARING DAVID WRIGHT ELECTED AS CITY COUNCIL MEMBER FOR CITY COUNCIL VOTING DISTRICT NO. 5; DECLARING THE MAY 4, 2019, GENERAL ELECTION FOR CITY COUNCIL VOTING DISTRICT NO. 5 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. 4191, passed and approved January 10, 2019, did thereby in accordance with City Charter and state law call for an election to be held on the first Saturday in May, 2019, the same being May 4, 2019, for the purpose of electing members of the City Council for City Council Voting Districts Nos. 5 and 6 to three (3) year terms; and,

WHEREAS, as a consequence of said ordinance, the offices of the City Secretary were 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 Voting Districts Nos. 5 and 6; and,

WHEREAS, Subchapter C to Chapter 2 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 the ballot for the position of City Council Member from City Council Voting District No.5, and hence 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 City Council Member for City Council Voting District No. 5; 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 Election Code; and,

WHEREAS, by virtue of such certification, the City Secretary has certified to the City Council that David Wright is eligible to be elected to the office of Council Member for City Council District No.5 and is unopposed; and,

WHEREAS, the City Council of the City of Longview, Texas, by ordinance desires to declare the unopposed candidate elected to office and to cancel the general election for the purpose of electing a member of the City Council for City Council Voting

District No. 5 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 4, 2019, general election has passed, and that David Wright is the only candidate to have placed his name on the ballot for election as City Council Member for City Council Voting District No. 5 and is thereby an unopposed candidate for election as City Council Member for City Council Voting District No. 5, is hereby in all things confirmed.

Section 3. That David Wright is hereby elected as Council Member for the City of Longview, City Council Voting District No. 5, 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 4, 2019.

Section 4. That pursuant to Section 2.053(b) of the Texas Election Code, there being no further candidates for City Council Member for the City of Longview for City Council Voting District No. 5 on the ballot of May 4, 2019, and no propositions to appear thereon, in accordance with state law the general election for City Council Member for City Council Voting District No. 5 shall not be held and shall be in all things canceled.

Section 5. That the City Secretary shall, in accordance with state law, post a copy of this ordinance on Election Day, May 4, 2019, at each polling place that would have been used in the previously called election for City Council Member for City Council Voting District No. 5.

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 be effective immediately from and after its date of passage and publication as required by law.

PASSED AND APPROVED this 28th day of February, 2019.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O ELECTION CANCEL DIST 5 2-28-19

SPRING HILL PARK, AMBUCS TOO/NEAL MCCOY PLAYGROUND SHADE CANOPY

DESCRIPTION: Consider a resolution accepting the donation of \$60,000 from AMBUCS Too for the purchase and installation of shade canopy over the Neal McCoy Playground at Spring Hill Park. The equipment will be made through the local government purchasing cooperative The Interlocal Purchasing System (TIPS), managed by the Region VIII Education Service Center. The equipment listed has been properly bid and by purchasing from this purchasing cooperative agreement we fulfill bidding requirements under Chapter 252 of the Local Government Code. The transaction will not exceed \$90,000.

RECOMMENDED ACTION: Passage of resolution.

SOURCE OF FUNDS: Funding is available from the donation and Parks budget.

STAFF CONTACT: Scot Caron, Director of Parks and Recreation
903-237-1231
scaron@longviewtexas.gov

COUNCIL DATE: February 28, 2019

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE DONATION OF \$60,000 FROM AMBUCS LONGVIEW TOO AND AUTHORIZING THE PURCHASE OF A SHADE CANOPY FOR THE AMBUCS LONGVIEW TOO / NEAL MCCOY PLAYGROUND AT SPRING HILL PARK VIA THE CITY'S PURCHASING AGREEMENT WITH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ADMINISTERED BY REGION VIII EDUCATION SERVICE CENTER AND KNOWN AS THE INTERLOCAL PURCHASING SYSTEM ("TIPS"); AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY FOR SAID ACCEPTANCE AND PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE COMPETITIVE PURCHASING REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, AMBUCS Longview Too is a nonprofit organization dedicated to creating mobility and independence for people with disabilities; and,

WHEREAS, funds were raised by AMBUCS Longview Too for the installation of Longview's only universally accessible playground, the AMBUCS Longview Too / Neal McCoy Playground at Spring Hill Park; and,

WHEREAS, a shade structure over said playground will increase its usability during the summer; and,

WHEREAS, the City of Longview, acting by and through the City of Longview Parks Department, owns and operates the AMBUCS Longview Too / Neal

McCoy Playground at Spring Hill Park; and,

WHEREAS, the proposed shade canopy would be the first shade canopy over a playground structure in a City of Longview park; and,

WHEREAS, the proposed shade canopy will be purchased with monies from AMBUCS Longview Too and the City of Longview Parks Department operating budget; and,

WHEREAS, the City is party to an interlocal cooperative purchasing agreement with the Region VIII Education Service Center and, as a party to said agreement, is able to purchase the aforesaid shade canopy through The Interlocal Purchasing System (TIPS) administered by the Region VIII Education Service Center; and,

WHEREAS, Section 271.102 of the Texas Local Government Code authorizes the purchase of said equipment without the need for the City to engage in a competitive purchasing process where the purchase is made through the City's participation in a cooperative purchasing program with another local government or a local cooperative organization; and,

WHEREAS, Region VIII Education Service Center is such a local cooperative organization and TIPS is such a cooperative purchasing program;

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

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

Section 2. That the City Council does hereby authorize the acceptance of

a donation of up to \$60,000.00 from AMBUCS Longview Too for use in the purchase and installation of a shade canopy at the AMBUCS Longview Too / Neal McCoy Playground at Spring Hill Park.

Section 3. That the City Manager, the City Manager's designee, and/or other appropriate City officials are hereby authorized to negotiate and execute all documents necessary to the acceptance and expenditure of a donation of up to \$60,000.00 from AMBUCS Longview Too for use in the purchase and installation of a shade canopy at the AMBUCS Longview Too / Neal McCoy Playground at Spring Hill Park.

Section 4. That the City Manager, the City Manager's designee and/or other official(s) of the City as shall be required, are hereby authorized and directed to negotiate and execute any and all contracts and other documents on behalf of the City of Longview, as approved by the City Attorney's Office, incident to the purchase and installation of a shade canopy for the AMBUCS Longview Too / Neal McCoy Playground at Spring Hill Park for an amount not to exceed \$90,000.00.

Section 5. That the authorization provided herein is contingent upon all of the following:

- a) the purchase authorized herein shall not require an amendment of the City's budget;
- b) the aforesaid shade canopy and all goods and equipment appurtenant to same shall be purchased through TIPS;
- c) the installation of the aforesaid shade canopy shall be purchased through TIPS;

d) engineering services (if any) necessary for the installation of the aforesaid shade canopy shall be purchased in accordance with applicable law; and

e) all documents executed pursuant to the authorization granted herein shall be in a form acceptable to the City Attorney.

Section 6. That the purchase described in this resolution is exempt from state competitive purchasing requirements pursuant to section 271.102 of the Texas Local Government Code.

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

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

PASSED AND APPROVED this 28th day of February, 2019.

Dr. Andy Mack
Mayor

ATTEST:

Angie Shepard
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PARKS AMBUCS DONATION SHADE CANOPY SPRING HILL PARK 2-28-19