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## City Council Meeting Agenda

5:30 p.m.

August 28, 2014

300 West Cotton Street

Jo Ann Metcalf Municipal Building

City Hall Council Chamber

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

Presentation of the Convention and Visitors Bureau and Main Street – Kayla Cantej, Longview Chamber of Commerce.

### VI. **Consent Agenda**

- A. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Zoll Medical Corporation for an amount not to exceed \$155,371.00 for the purchase of five (5) cardiac monitors – JP Steelman, Fire Chief. [Pages 3 - 7](#)
- B. Consider an Ordinance amending Chapter 25 of the Longview City Code by adding Article IV, Section 25-40 establishing hours in which the grounds including and surrounding the Longview public library property are closed and not accessible to the public – Kara Spitz, Assistant Director of Community Services. [Pages 8 - 12](#)
- C. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt and expenditure of grant funding from Texas State University for participation in the Tobacco Enforcement Program – Don Dingler, Police Chief. [Pages 13 - 15](#)

- D. Consider a Resolution rejecting the bid of Presser Construction Company of Hallsville, Texas, and awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Haltom Construction Company of Marshall, Texas, in an amount not to exceed \$73,485.00 for right-of-way clearance of the Eastman Lake Sanitary Sewer interceptor Line – Rolin McPhee, P.E., Director of Public Works. [Pages 16 - 20](#)
- E. 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 Terra Renewal Services, Inc. of Dardanelle, Arkansas, for biosolid removal and disposal for the Grace Creek Wastewater Treatment Plant – Rolin McPhee, P.E., Director of Public Works. [Pages 21 - 24](#)
- F. Consider approval of the following minutes: August 14, 2014 – Shelly Ballenger, City Secretary. [Page 25](#)

## VII. Action Item

Consider an Ordinance authorizing the issuance and sale of City of Longview, Texas, General Obligation Refunding Bond, Series 2014 – John Martin, Southwest Securities. [Page 26](#)

## VIII. Budget Items

- A. Discussion of the proposed 2014-2015 budget for the City of Longview – David Willard, City Manager.
- B. **PUBLIC HEARING ON PROPOSED TAX RATE.** The City Council will vote on the tax rate on Thursday, September 11, 2014, at 5:30 PM in the City Hall Council Chambers at 300 West Cotton Street, Longview, Texas – Angela Coen, Director of Finance. **THIS ITEM REQUIRES A PUBLIC HEARING.**

## IX. Items of Community Interest

## X. 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.

## **PURCHASE CARDIAC MONITORS**

- DESCRIPTION:** The City of Longview wishes to purchase five Zoll 12-Lead Cardiac Monitors. The cost of the cardiac monitors will not exceed \$155,371.00 and will be paid for with Fire Department 2013 - 2014 budgeted funds. When in service, these monitors will replace equipment at Fire Stations #1, 2, 3, 5, & 6.
- RECOMMENDED ACTION:** Approval of a Resolution authorizing staff to purchase the 12-Lead Cardiac Monitors directly from Zoll Medical Corporation.
- SOURCE OF FUNDS:** Fire Department Fiscal Year 2013 - 2014 Operating Budget (end-of-year-savings).
- STAFF CONTACT:** J.P. Steelman, Fire Chief  
903-237-1227  
[jpsteelman@longviewtexas.gov](mailto:jpsteelman@longviewtexas.gov)
- COUNCIL DATE:** August 28, 2014

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF CARDIAC MONITORS FROM ZOLL MEDICAL CORPORATION INC. OF CHELMSFORD, MASSACHUSETTS; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE AND/OR OTHER OFFICIAL(S) OF THE CITY AS SHALL BE REQUIRED TO EXECUTE ANY DOCUMENTS NECESSARY FOR SAID PURCHASE; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE BIDDING REQUIREMENTS; 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, research has determined an increase in cardiac related emergencies resulting in more frequent contact with first responders and paramedics and national standards recommend the use of twelve lead monitoring devices; and,

WHEREAS, the citizens of Longview will benefit from early recognition of cardiac complications resulting in prompt advanced treatment and delivery to the Emergency Cardiac Response Team at either Longview hospital; and,

WHEREAS, the Longview Fire Department Medical Director has recommended the purchase and implementation of protocol(s) for the use of more evasive cardiac monitoring using twelve lead cardiac monitors; and,

WHEREAS, Zoll Medical Corporation, Inc. currently provides hardware and software that is utilized by the Fire Department; and,

WHEREAS, Zoll Medical Corporation, Inc. cardiac monitors are the only monitors which can integrate with this hardware and software; and,

WHEREAS, Zoll Medical Corporation, Inc. of Chelmsford, Massachusetts, provides said cardiac monitoring devices as a sole source vendor; and,

WHEREAS, Zoll Medical Corporation, Inc. cardiac monitors are a single source item for the City's Fire Department, and as such, is exempted from the bidding requirements of Chapter 252 by Section 252.022 (a) (7) of said chapter; and,

WHEREAS, funding for this project is provided from the Longview Fire Department FY 2013-2014 budget; 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, subject to the conditions set forth in this resolution, the City is hereby authorized to purchase cardiac monitors from Zoll Medical Corporation, Inc. of Chelmsford, Massachusetts.

Section 3. That the City Manager, the City Manager's designee and/or other official(s) of the City as shall be required, are hereby authorized to negotiate and execute any and all contracts and other documents on behalf of the City, as approved by the City Attorney's office, incident to the purchase authorized herein.

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 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 of five 12-lead cardiac monitors from Zoll Medical Corporation of Chelmsford, Massachusetts in an amount not to exceed \$155,371.00.

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

- a) Said purchase shall not require an amendment of the city's budget for the current fiscal year; and,
- b) The purchase authorized herein is available from only one source.

Section 6. That the purchase described in this resolution is exempt from state bidding requirements pursuant to section 252.022 (a) (7) 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 28<sup>th</sup> day of August 2014.

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Jay Dean  
Mayor

ATTEST:

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Shelley Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R PUR FIRE CARDIAC MONITORS SOLE SOURCE 8-28-14

## HOURS OF USE FOR LONGVIEW PUBLIC LIBRARY PROPERTY

**DESCRIPTION:** The Library is experiencing disruptive or destructive conduct on the property after closing hours. This ordinance will prohibit an individual from entering or remaining upon the grounds of the Longview Public Library between 10:00 p.m. until 7:00 a.m. thereby providing law enforcement personnel an additional means to enforce orderly conduct and prohibit criminal and disruptive activities.

**RECOMMENDED ACTION:** Passage of Ordinance

**SOURCE OF FUNDS:** N/A

**STAFF CONTACT:** Kara Spitz, Assistant Director of Community Services  
903-237-1340  
[kspitz@LongviewTexas.gov](mailto:kspitz@LongviewTexas.gov)

**COUNCIL DATE:** August 28, 2014



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ADDING AN ARTICLE IV, TO CHAPTER 25 OF THE LONGVIEW CITY CODE ESTABLISHING HOURS OF USE IN WHICH THE GROUNDS INCLUDING AND SURROUNDING THE LONGVIEW PUBLIC LIBRARY PROPERTY ARE CLOSED AND NOT ACCESSIBLE TO THE PUBLIC; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Longview, Texas, (“City Council”) has determined that for the safety and welfare of citizens and for the protection of the Longview Public Library property, it is necessary to enact an ordinance establishing hours of use for the grounds of the Longview Public Library property; and,

WHEREAS, prohibiting individuals from entering or remaining upon the grounds of the Longview Public Library property after it is closed will assist in the efforts to curtail disruptive or destructive conduct of individuals on the property; 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 Chapter 25 of the Code of Ordinances, City of Longview, Texas, is hereby amended by adding a new Article IV to the end of said chapter, said

new article to read as follows:

**“ARTICLE IV.**

**Hours of Use of Certain City Property.**

**Sec. 25-40. Hours of Use for Longview Public Library Property.**

- (a) As used in this section, the following words shall have the meaning ascribed herein:

Longview Public Library Property. The grounds including and surrounding the Longview Public Library Building (222 West Cotton Street) Longview, Gregg County, Texas that are contained within the following boundaries: lots 4 through 13 and alley NCB 136 Longview Original Town and the plaza area and parking lot immediately west of said property.

- (b) The Longview Public Library Property will be closed to the public each day from 10:00 p.m. until 7:00 a.m.

- (c) A person commits an offense if he is on the premises of the Longview Public Library Property during hours in which the property is closed. The definition of the offense set forth herein plainly dispenses with the requirement of any culpable mental state or mental element.

- (d) A person shall not be in violation of subsection (c) if that person is:

(1) Attending or working at a meeting, special event, activity, convention, or program that was being conducted with city authorization on the Longview Public Library Property or subsequently leaving the meeting, special event, activity, convention, or program within a reasonable time after it had ended for the day;

(2) On the Longview Public Library Property in accordance with the terms of a lease, rental agreement, contract, or other written permission from the city; or

3) A city employee or a law enforcement officer in the performance of official duties.”

Section 3. That all provisions of the ordinances of the City of Longview in conflict with the provision of this Ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Longview not in conflict with the

provision of this Ordinance shall remain in full force and effect.

Section 4. That should any sentence, paragraph, subdivision clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Longview City Code as a whole.

Section 5. That the City Secretary is directed to publish this ordinance in the official newspaper of the City of Longview in compliance with the provisions of Section 4.07 of the City Charter.

Section 6. That the meeting at which this ordinance was approved was 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 the date of passage.

PASSED AND APPROVED this 28th day of August, 2014.

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Jay Dean  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

O LIB GROUNDS HOURS 8-28-14

## GRANT APPLICATION

**DESCRIPTION:** Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute a Contract by and between the City of Longview, Texas and Texas State University to apply for and accept a grant in an amount not to exceed \$6,150.00 from Texas State University. Grant funds will be used for on-site compliance inspections of tobacco permitted retail outlets and follow-up inspections.

**RECOMMENDED ACTION:** Resolution and Council approval

**SOURCE OF FUNDS:**

**STAFF CONTACT:** Don Dingler, Chief of Police  
903-237-1100  
[ddingler@longviewtexas.gov](mailto:ddingler@longviewtexas.gov)

**COUNCIL DATE:** August 28, 2014

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE APPLICATION, ACCEPTANCE AND EXPENDITURE OF A GRANT AWARD OF \$6,150.00 FROM TEXAS STATE UNIVERSITY REGARDING A TOBACCO COMPLIANCE GRANT; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING, SECURING AND EXPENDING SAID GRANT AWARD; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the Texas State University has made money available to be used for tobacco enforcement; and,

WHEREAS, the Longview Police Department plans to use the grant funds for on-site compliance inspections of tobacco permitted retail outlet; and,

WHEREAS, both the Police Department and the City Council of the City of Longview desire to educate the public, merchants and youth regarding the use and sale of tobacco products in order to reduce the sale of tobacco products to underage persons; 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.

Section 2. That the City of Longview through the City Manager, his designee or other official of the City that may be required are hereby authorized to apply, accept and expend a grant award of \$6,150.00 from Texas State University to

provide and enhance City of Longview Police Department's on-site compliance inspections of tobacco permitted retail outlet.

Section 3. That the City Manager , his designee or other official of the City that may be required are hereby authorized and directed to execute all necessary documents, as approved by the City Attorney's Office, incident to the application, acceptance and expenditure on behalf of the City of Longview of a said grant award.

Section 4. That the meeting at which this resolution was passed 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 be effective from and after its date of passage.

PASSED AND APPROVED this 28th day of August, 2014.

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Jay Dean  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R POLICE GRANT TSU TOBACCO COMPLIANCE 08-28-14

## BID 1314-15 EASTMAN LAKE RIGHT-OF-WAY CLEARING

**DESCRIPTION:** This item is for the clearing, grubbing, fertilizing and Hyrdo-Mulching of the right of way known as the Eastman Lake Sanitary Sewer Interceptor Line for the Water Distribution/Water Collection Department. The Eastman Lake Sewer Line is overgrown and needs to be cleared to allow better access for sewer line maintenance. This sewer line is located at the dead end of Pittman Street and heads north toward east Cotton Street between Club Drive and Flagstick Park. Evaluation is based on lowest and best price for Bid #1314-15 Eastman Lake Right-of-Way Clearance.

Bid documents were mailed and emailed to Vendors and posted on the City of Longview Website. Bids were also advertised in the local newspaper. On August 8, 2014 three (3) bids were on file and were opened.

The bids are as follows:

Haltom Construction Co. of Marshall, TX - \$73,485.00  
East Texas Bridge of Longview, TX - \$93,540.00  
Preser Construction Co., Inc. of Hallsville, TX - \$12,600.00 ( partial bid, mulching only)

Presser Construction Company did not bid on all items requested, and turned in a partial bid. All items listed in the bid are needed for project to be adequately completed.

**RECOMMENDED ACTION:** Approval of the Resolution awarding Haltom Construction Co. of Marshall, Texas the Right-of-Way clearance bid, Bid # 1314-15.

**SOURCE OF FUNDS:** 010-080-000-5111, Contractual Services

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

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

**COUNCIL DATE:** August 28, 2014



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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, REJECTING THE BID OF PRESSER CONSTRUCTION COMPANY OF HALLSVILLE, TEXAS, FOR CLEARANCE OF THE RIGHT OF WAY FOR THE EASTMAN LAKE SANITARY SEWER INTERCEPTOR LINE; ACCEPTING THE BID OF HALTOM CONSTRUCTION COMPANY OF MARSAHLL, TEXAS, FOR CLEARANCE OF SAID RIGHT OF WAY; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY FOR THE REJECTION OR ACCEPTANCE OF SAID BIDS; 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 right of way for the Eastman Lake sewer interceptor line is overgrown and needs to be cleared for better access for sewer line maintenance; and,

WHEREAS, the City of Longview issued and advertised an invitation to bid for right of way clearing for said interceptor line; and,

WHEREAS, Presser Construction Company of Hallsville, Texas, did not bid on all services requested and only submitted a partial bid only for mulching services; and,

WHEREAS, the bid submitted by Haltom Construction Company of Marshall, Texas, for said clearance services is the lowest bid submitted that complies with the specifications set forth in the invitation to bid; and,

WHEREAS, Section 252.043 of the Texas Local Government Code allows a contract to be awarded to the bidder who provides the goods or service at the best value for the City of Longview; and,

WHEREAS, in determining the best value for the City pursuant to the authority set forth in the aforesaid Section 252.043, the City may consider any relevant criteria specifically listed in the request for bids, such as the aforesaid bid specifications; and,

WHEREAS, in determining the best value for the City pursuant to the authority set forth in the aforesaid Section 252.043, the City may also consider the extent to which the goods and services meet the City's needs, including such needs as are reflected in the aforesaid specifications; and,

WHEREAS, funding for this project will be provided from budgeted funds from account 010-080-000-5111; 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 Presser Construction Company of Hallsville, Texas, for right of way clearing of the Eastman Lake sanitary sewer interceptor line provided for only partial services and did not meet published specifications for right of way clearance, and therefore, is hereby rejected.

Section 3. That the bid submitted by Haltom Construction Company, of Marshall, Texas, provides the requested right of way clearing of the Eastman Lake sanitary sewer interceptor line at the best value for the City of Longview.

Section 4. That the City of Longview hereby accepts the aforementioned bid for Haltom Construction Company.

Section 5. That the total amount of the contract for said right of way clearing to be provided by Haltom Construction Company of Marshall, Texas, shall not exceed \$73,485.00.

Section 6. That the City Manager, his 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 rejection on behalf of the City of Longview of a bid from Presser Construction Company of Hallsville, Texas, and for acceptance on behalf of the City of Longview of aforesaid bid from Haltom Construction Company, of Marshall, Texas for right of way clearing of the Eastman Lake sanitary sewer interceptor line.

Section 7. That the process by which the aforementioned bids were 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 28th day of August, 2014.

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Jay Dean  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R BID EASTMAN LAKE LINE CLEARING 08-28-14

## 1314-11 BIOSOLID REMOVAL AND DISPOSAL

<b>DESCRIPTION:</b>	<p>This item is for an annual agreement for removal and disposal of biosolid material from the Grace Creek Wastewater Treatment Plant. In accordance with the Texas Commission on Environmental Quality (TCEQ) and the Environmental Protection Agency (EPA) biosolids are removed and disposed of in a state permitted location. Biosolids are removed approximately 4 days per week, 52 weeks per year. The wastewater treatment plant estimates spending approximately \$200,000 per year on biosolid removal and disposal.</p> <p>Bid documents were mailed and emailed to biosolid removal vendors and posted on the City of Longview Website. Bids were advertised in the local newspaper and on August 14, 2014 one bid was on file.</p> <p>The bids were as follows: Terra Renewal Services, Inc. of Dardanelle, AR - \$11.89 per cubic yard to remove to land application, \$34.60 per cubic yard to remove to landfill. Synagro of Baltimore, MD - no bid</p>
<b>RECOMMENDED ACTION:</b>	Approval of the Resolution awarding Terra Renewal Services, Inc. the Biosolid Removal and Disposal Bid # 1314-11.
<b>SOURCE OF FUNDS:</b>	010-081-000-5560, Sludge Hauling
<b>STAFF CONTACTS:</b>	Jaye Latch, Purchasing Manager 903-237-1324 <a href="mailto:jlatch@longviewtexas.gov">jlatch@longviewtexas.gov</a>  Rolin McPhee, Director of Public Works 903-237-1336 <a href="mailto:rmcphee@longviewtexas.gov">rmcphee@longviewtexas.gov</a>
<b>COUNCIL DATE:</b>	August 28, 2014

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF TERRA RENEWAL SERVICES, INC. OF DARDANELLE, ARKANSAS, FOR BIOSOLID REMOVAL AND DISPOSAL SERVICES FOR THE GRACE CREEK WASTEWATER TREATMENT PLANT; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND TERRA RENEWAL SERVICES, INC. FOR SAID BIOSOLID REMOVAL AND DISPOSAL 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 biosolid removal and disposal services; and,

WHEREAS, Terra Renewal Services, Inc. of Dardanelle, Arkansas, submitted the lowest and best bid for biosolid removal and disposal; and,

WHEREAS, funding will be provided from budgeted funds; 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 Terra Renewal Services, Inc. of Dardanelle, Arkansas, is the lowest and best bid submitted to the City of Longview for biosolid removal and disposal services.

Section 3. That the City of Longview hereby accepts the aforementioned bid from Terra Renewal Services, Inc. of Dardanelle, Arkansas, for said services.

Section 4. That the total amount of the contract for biosolid removal and disposal to be provided by Terra Renewal Services, Inc. shall not exceed budgeted funds.

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 Terra Renewal Services, Inc., of Dardanelle, Arkansas, for said biosolid removal and disposal 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 28th day of August, 2014.

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Jay Dean  
Mayor

ATTEST:

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Shelly Ballenger  
City Secretary

APPROVED AS TO FORM:

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Jim Finley  
City Attorney

R BID BIOSOLID REMOVAL WWTP. 08-28-14



**CONSIDER APPROVAL OF THE FOLLOWING MINUTES**

August 14, 2014

## **APPROVE AN ORDINANCE AUTHORIZING A SALE OF GENERAL OBLIGATION REFUNDING, SERIES 2014 BONDS**

**DESCRIPTION:** Southwest Securities, the City's Financial Advisor, has proposed refinancing the 2016 through 2019 maturities of the Series 2005 General Obligation Bonds. The 2005 Bonds are optional for early redemption on June 1, 2015.

**RECOMMENDED ACTION:** Passage of Ordinance.

**SOURCE OF FUNDS:**

**STAFF CONTACT:** Angela Coen, Finance Director  
903-239-5521  
[acoen@ci.longview.tx.us](mailto:acoen@ci.longview.tx.us)

**COUNCIL DATE:** August 28, 2014