



City Council Meeting Agenda

5:30 p.m.
February 26, 2015
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. **Consent Agenda**
 - A. Consider an Ordinance authorizing the conveyance of tax foreclosure property known as Lot 3A (South 1/2 lot 3) and Lot 4, Block 5 (New City Block 438), Greenway Addition, City of Longview, Gregg County, Texas, and described in Volume 2815, Page 575 of the deed records of Gregg County (Account #R98491 in the Gregg County Appraisal District records) for the cash sum of \$2,676.91 – Robert Ray, Assistant City Attorney. [Pages 4 - 7](#)
 - B. Consider an Ordinance authorizing the conveyance to the Texas Department of Transportation of property associated with the deceleration lane at the entrance to the Pine Tree ISD football stadium along Loop 281 and authorizing the City Manager or his designee to execute any deeds, agreements, and other documents associated with same – Rolin McPhee, P.E., Director of Public Works. [Pages 8 - 10](#)
 - C. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Excel Utility Construction Inc., of Longview, Texas, in the amount of \$86,780.00 for the 18 Inch Water Line Relocation at George Richey and Judson Road Project – Rolin McPhee, P.E., Director of Public Works. [Pages 11 - 15](#)

- D. 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 Premier Magnesia, LLC of Flint, Texas for magnesium hydroxide slurry for Wastewater Treatment Plant – Rolin McPhee P.E., Director of Public Works. [Pages 16 - 19](#)
- E. Consider acceptance of the December 31, 2014 Quarterly Investment Report – Angela Coen, Director of Finance. [Pages 20 - 21](#)
- F. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for merchant services via the city's participation in the State of Texas cooperative purchasing program – Vickie Semety, Finance Manager and Kimberly Adams, Interim Finance Manager. [Pages 22 - 26](#)
- G. Consider a Resolution authorizing and directing the City Manager to execute any necessary documents for the application, receipt and expenditure of grant funding in an amount not to exceed \$23,400.00 from the 2015 Equipment Project, Edward Byrne Memorial Justice Assistance Grant Program, from the Criminal Justice Division of the Governor's Office for funding to purchase equipment for the Longview Police Department – Don Dingler, Police Chief. [Pages 27 - 30](#)
- H. Consider approval of the following minutes: February 12, 2015 – Shelly Ballenger, City Secretary. [Page 31](#)

VI. Action Items

- A. Consider a Resolution evidencing support for Longview Square, a proposed housing redevelopment project to be built in Longview, and authorizing such other actions as may be necessary or convenient to carry out the purposes of said Resolution – Michael Shirley, AICP, Director of Development Services. [Pages 32 - 34](#)
- B. Consider a Resolution authorizing the City Manager or the City Manager's designee to accept, review, and grant an application pursuant to the City of Longview's Chapter 380 Economic Development Program to provide financial support from the City in the form of a repayable credit not to exceed \$60,000 for Longview Square, a proposed housing redevelopment project to be built in Longview, and authorizing the City Manager to negotiate and execute such agreements and other documents as may be necessary or convenient to carry out the purposes of said Resolution – Michael Shirley, AICP, Director of Development Services. [Pages 35 - 40](#)

- C. Consider an Ordinance amending Chapter 13 of the *Longview City Code* authorizing feral animals to be trapped, spayed or neutered, and released back into the community – Laura Hill, Director of Community Services.
[Pages 41 - 44](#)

VII. Items of Community Interest

VIII. 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.

SALE OF TAX FORECLOSURE PROPERTY AT 1807 SANDLIN

DESCRIPTION: The proposed ordinance would authorize the sale of a tax foreclosure property with a street address of 1807 Sandlin Drive and located near the intersection of Birdsong and Green (approximately one-half block south of Birdsong and a block west of Green).

According to information on the Gregg County Appraisal District (GCAD) website, there are no improvements currently located on the property. GCAD information also indicates that the property was struck off to the City in 2009 and that the potential buyer owns adjacent property immediately to the south.

The ordinance authorizes the sale of the property for the cash sum of \$2,676.91.

RECOMMENDED ACTION: Approval of the Ordinance

SOURCE OF FUNDS: not applicable

STAFF CONTACT: Robert Ray, Assistant City Attorney
903-237-1091
r-ray@longviewtexas.gov

COUNCIL DATE: February 26, 2015

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CONVEYANCE OF TAX FORECLOSURE PROPERTY KNOWN AS LOT 3A (SOUTH ½ LOT 3) AND LOT 4, BLOCK 5 (NEW CITY BLOCK 438) GREENWAY ADDITION, GREGG COUNTY, TEXAS BEING THAT PROPERTY MORE PARTICULARLY DESCRIBED IN VOLUME 2815, PAGE 575 OF THE DEED RECORDS, GREGG COUNTY, TEXAS (ACCT. # R98491), SAID PROPERTY ALSO KNOWN AS 1807 SANDLIN DRIVE, FOR THE CASH SUM OF \$2,676.91; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview (the "City") has become the owner of certain real property described in the attached Exhibit "A" by virtue of the fact that a sufficient bid was not received at a sale conducted by the Sheriff pursuant to an order of the court in Cause No. 18,370-CCL#2; and,

WHEREAS, a potential buyer of the property has come forward; and,

WHEREAS, it is to the benefit of all the taxing entities involved that the property be returned to their respective tax rolls; NOW, THEREFORE,

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

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

Section 2. That the Mayor be and is hereby directed and authorized to execute the deed and any and all documents necessary to convey the hereinabove

described real property to Ambrocio Estrada Torres for and in consideration of the cash sum of \$2,676.91, said money to be distributed pursuant to Chapter 34 of the Texas Property Tax 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 this ordinance shall become effective immediately from and after its passage.

PASSED AND APPROVED this 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O CA TAX FORECLOSURE 1807 SANDLIN 2-26-15

Exhibit "A"

Lot 3A (South ½ lot 3) and Lot 4, Block 5 (New City Block 438) Greenway Addition, Gregg County, Texas being that property more particularly described in Volume 2815, Page 575 of the Deed Records, Gregg County, Texas (Acct. # R98491)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CONVEYANCE TO THE TEXAS DEPARTMENT OF TRANSPORTATION OF PROPERTY ASSOCIATED WITH THE DECELERATION LANE AT THE ENTRANCE TO THE PINE TREE ISD FOOTBALL STADIUM ALONG LOOP 281; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DEEDS, AGREEMENTS, AND OTHER DOCUMENTS ASSOCIATED WITH SAME; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Pine Tree Independent School District ("PTISD") constructed a deceleration lane on the properties described in the attached Exhibit A in order to accommodate traffic turning into PTISD's newly constructed football stadium located on Loop 281 in the City of Longview (the "City"); and,

WHEREAS, PTISD conveyed the properties described in the attached Exhibit A to the City; and,

WHEREAS, now that the aforesaid deceleration lane is complete, the City wishes to convey the properties described in the attached Exhibit A to the State of Texas, acting by and through the Texas Transportation Commission, so that the State of Texas may maintain said property and deceleration lane as part of the state highway system; and,

WHEREAS, the City Council finds and determines that such a conveyance is in the public interest and serves a public purpose by relieving the City of the burden of maintaining the aforesaid property and deceleration lane, which property and deceleration lane aid the flow of traffic along the aforesaid Loop 281 in the City of

Longview; 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 City Council hereby authorizes and directs the conveyance of the properties described in the attached Exhibit A (said Exhibit A being attached hereto and made a part hereof for all purposes) to the State of Texas.

Section 3. That the City Manager or the City Manager's designee is hereby authorized and directed to execute documents substantially in the form of those set forth in the attached Exhibit A and any and all other deeds, contracts, and documents as may be necessary or convenient to convey the properties described in the attached Exhibit A to the State of Texas.

Section 4. That the meeting at which this ordinance was approved was in all things conducted in strict compliance with Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 5. That this ordinance shall be effective immediately from and after its date of passage.

PASSED AND APPROVED this 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O PW PTISD TURN LANE TO TXDOT 2-26-15

18-INCH WATER LINE RELOCATION AT GEORGE RICHEY AND JUDSON ROAD

DESCRIPTION: Consider a Resolution awarding a contract in the amount of \$86,780.00 and authorizing the City Manager or his designee to execute any necessary documents with Excel Utility Construction Inc., of Longview, Texas the construction of the referenced project. The following eleven proposals were opened on February 13, 2015:

Bidder	Amount
Excel Utility Construction, Inc. Longview, TX	\$ 86,780.00
RBIS, LLC Texarkana, TX	\$110,662.00
Crocker Construction, LLC Grand Cane, LA	\$113,450.00
Belt Construction Inc. Longview, TX	\$116,169.40
Haltom Construction Marshall, TX	\$119,700.00
ASB Utility Construction LLC Shreveport, LA	\$131,000.00
W.M. Miller Construction Co. Longview, TX	\$137,377.30
East Texas Bridge Inc. Longview, TX	\$155,555.00
7-H Construction Company Inc. Tyler, TX	\$166,085.00
AAA Sanitation Inc. Tyler, TX	\$174,230.00
Whitestone Civil Construction, LLC Cedar Park, TX	\$191,900.00

The scope of work includes the installation of 160 linear feet of encasement for water line and appurtenances across George Richey Road at Judson Road.

KSA Engineering has examined the bids and the qualifications of the low bidder, and recommends that the City award the contract to Excel Utility Construction in the amount of \$86,780.00. Staff concurs with their recommendation.

RECOMMENDED ACTION: Passage of the Resolution.

SOURCE OF FUNDS: Funding is available from Water Utility CIP Fund.

STAFF CONTACT:

Rolin McPhee, P.E., Director of Public Works
903-237-1336
rmcphee@longviewtexas.gov

COUNCIL DATE:

February 26, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF EXCEL UTILITY CONSTRUCTION , INC., OF LONGVIEW, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "18-INCH WATER LINE RELOCATION AT GEORGE RICHEY AND JUDSON ROAD"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND EXCEL UTILITY CONSTRUCTION COMPANY, FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview desires to begin construction of the project known as "18-Inch Water Line Relocation at George Richey and Judson Road"; and,

WHEREAS, said project will involve, among other things, the installation of 160 linear feet of encasement for water line and appurtenances across George Richey Road at Judson Road; and,

WHEREAS, funding for this project is provided from the from the Water Utility CIP Fund; 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 Excel Utility Construction Inc. of Longview, Texas, of the project known as "18-Inch Water Line Relocation at George Richey and Judson Road" in the amount of \$86,780.00 is the lowest bid submitted to the City of Longview for construction of said project.

Section 3. That the City of Longview hereby accepts the aforementioned bid by Excel Utility Construction Company Inc. of Longview, Texas, in the amount of \$86,780.00.

Section 4. That the City Manager, his designee or other official of the City 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 a bid by Excel Utility Construction Company Inc. of Longview, Texas, for the project known as "18-Inch Water Line Relocation at George Richey and Judson Road".

Section 5. 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 6. 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 7. That this resolution shall become effective from and after its passage.

PASSED AND APPROVED this 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PW AWARD BID WATERLINE RELOCATE RICHEY & JUDSON 02-26-15

MAGNESIUM HYDROXIDE SLURRY

DESCRIPTION: This item is for an annual requirements style agreement for magnesium hydroxide slurry for use at the City of Longview Wastewater Treatment Plant. In this agreement magnesium hydroxide is provided on an as needed basis. The awarded vendor will provide the City a 6000 gallon mixing tank, mixer and pump for the mixing of the chemical. Magnesium hydroxide is a non-hazardous, municipal grade alkaline slurry used in the treatment of municipal wastewater. It is used to buffer the wastewater to enhance the treatment process by raising the pH & alkalinity and reducing sludge production. This product is similar to "milk of magnesia" used to treat acid stomach. The Wastewater Treatment Plant estimates spending approximately \$175,000.00 annually on magnesium hydroxide.

This bid was advertised in the local newspaper as required by law. On February 11, 2015 two bids were on file.

The bids were as follows:

Premier Magnesium, LLC of Flint, Texas - \$2.25 per gallon
Water Tech, Inc. of Fort Smith, AR - \$2.98 per gallon
Univar, USA, Inc. of Kent, WA - no bid

RECOMMENDED ACTION: Approval of the Resolution awarding Premier Magnesia, LLC of Flint, Texas the Magnesium Hydroxide Slurry Bid # 1415-03.

SOURCE OF FUNDS: 010-081-000-2390

STAFF CONTACTS: Jaye Latch, Purchasing Manager
903-237-1324
jlatch@longviewtexas.gov

Rolin McPhee, Director of Public Works
903-237-1336
rmcphee@longviewtexas.gov

COUNCIL DATE: February 26, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF PREMIER MAGNESIA, LLC. OF FLINT, TEXAS FOR MAGNESIUM HYDROXIDE SLURRY; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND PREMIER MAGNESIA, LLC OF FLINT, TEXAS FOR SAID PURCHASE; 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 magnesium hydroxide slurry for use at the City of Longview wastewater treatment plant; and,

WHEREAS, Premier Magnesia, LLC of Flint, Texas submitted the lowest and best bid for magnesium hydroxide slurry; 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 Premier Magnesia, LLC of Flint, Texas is the lowest and best bid submitted to the City of Longview for magnesium hydroxide slurry.

Section 3. That the City of Longview hereby accepts the aforementioned bid from Premier Magnesia, LLC of Flint, Texas.

Section 4. That the total amount of the contract for magnesium hydroxide slurry to be provided by Premier Magnesia, LLC of Flint, Texas shall not exceed budgeted funds for Fiscal Year 2014-2015.

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 Premier Magnesia, LLC of Flint, Texas for said purchase of magnesium hydroxide slurry.

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 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R BID AWARD MAGNESIUM HYDROXIDE SLURRY 12-26-15

INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2014

DESCRIPTION:

The Investment Report for the quarter ending December 31, 2014 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 and Certificate of Deposits.

Quarter Ending December 31, 2014

Texpool	\$ 1,913,666	
	Ending Yield	0.04%
	Weighted Average Maturity	1 Days
	Interest Earned	\$192

Texas Class	\$ 3,988,043	
	Ending Yield	0.10%
	Weighted Average Maturity	1 Days
	Interest Earned	\$367

Certificate of Deposits	\$34,710,227	
	Ending Yields	
	12 Months	0.62%
	12 Months	0.50%
	15 Months	0.54%
	18 Months	0.30%
	18 Months	0.42%
	24 Months	0.64%
	24 Months	0.56%
	24 Months	0.57%
	24 Months	1.02%
	30 Months	0.85%
	30 Months	0.73%
	36 Months	0.88%
	Interest Earned	\$72,660

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@longviewtexas.gov

COUNCIL DATE: February 26, 2015

MERCHANT SERVICES

DESCRIPTION:

This item would allow for the purchase of Merchant Services for City of Longview various departments.

The City currently accepts credit card payments for services, fees, fines and/or permits. The City departments that accept credit card payments are: The Library, Municipal Court, Development Services, Water Utilities, Finance, Compost, EMS, Maude Cobb, and Police Department.

The City must contract with a merchant services provider to process credit card payments.

Staff recommends that the City utilize the State of Texas Merchant services contract which was recently awarded.

The State of Texas worked with key stakeholders to develop a comprehensive Request for Proposal (RFP) that supports best in class customer service for state agencies, and local government partners. This contract includes state of the art transaction processing, best in class pricing and robust reporting options. The total processing volume of this contract, if all renewals are exercised is expected to be approximately \$4 billion dollars. The City is currently paying approximately .80 cents per transaction. Transactions under this contract are .02 cents per transaction. By taking advantage of this contractual opportunity the City will realize a .78 cent per transaction savings. This represents an approximate \$56,000.00 annual savings for the City of Longview.

US Bank Payment Solutions offered the best combination of price and services for Merchant Services considering both qualitative and quantitative criterion. Therefore US Bank was awarded the contract for all State of Texas Agencies. As a member of the State of Texas purchasing cooperative program, the city may choose to participate in this contract. The price and services offered are the best fit for the City of Longview.

We recommend that the City purchase merchant services by using the cooperative purchasing program that was established by the State of Texas. The merchant services listed have been properly bid and by purchasing from this cooperative purchasing program we

fulfill bidding requirements under Chapter 252 of the Local Government Code. The merchant services proposal was awarded to US Bank Payment Solutions.

The total of all transactions will not exceed each individual departments budget for merchant services.

RECOMMENDED ACTION: Approval of the purchase of merchant services from US Bank Payment Solutions using the State of Texas cooperative purchasing program.

SOURCE OF FUNDS: Each individual departments' fund for merchant services

STAFF CONTACTS: Kimberly Adams, Interim Finance Manager
903-237-1028
kadams@longviewtexas.gov

Vickie Semety, Finance Manager
903-237-1082
vsemety@longviewtexas.gov

COUNCIL DATE: February 26, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE PURCHASE OF MERCHANT SERVICES VIA THE CITY'S PARTICIPATION IN THE STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM; 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 INCIDENT TO SAID SERVICES; SETTING FORTH THE CONDITIONS OF SUCH AUTHORIZATION; DETERMINING THAT SAID PURCHASE IS EXEMPT FROM STATE BIDDING REQUIREMENTS; AUTHORIZING THE RENEWAL OF SAID CONTRACT VIA THE STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM AT THE CITY MANAGER'S DISCRETION FOR DURATION OF THE STATE OF TEXAS CONTRACT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview (hereinafter called the "City") receives payment for city services via credit card; and,

WHEREAS, the City must contract for merchant services for processing of credit card payments; and,

WHEREAS, the City has previously entered a cooperative agreement with the State of Texas so that the City may participate in the purchasing programs administered by the State of Texas; and,

WHEREAS, the City is able to purchase the aforesaid merchant services through the State of Texas cooperative purchasing program; and,

WHEREAS, Section 271.102 of the Texas Local Government Code

authorizes the purchase of such services 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 the State of Texas; and,

WHEREAS, funding for the purchases described herein 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, subject to the conditions set forth in this resolution, the City is hereby authorized to purchase merchant services via the City's participation in the State of Texas cooperative purchasing program.

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 or renewals authorized herein.

Section 4. That the authorization provided herein is contingent upon all of the following:

- a) Any purchase authorized herein shall not require an amendment of the City's budget for the current fiscal year; and,
- b) Any purchase authorized herein shall be made through the City's participation in the State of Texas cooperative purchasing program.

Section 5. That the purchases described in this resolution are exempt

from state purchasing requirements pursuant to section 271.102 of the Texas Local Government Code.

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 purchase merchant services via the State of Texas cooperative purchasing program and to renew any resulting contract for such services as long as said contract may be renewed via the City's participation in the State of Texas cooperative purchasing program.

Section 7. 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 8. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 26th day of February.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PUR STATE K MERCHANT SERVICES 02-26-15

GRANT APPLICATION

DESCRIPTION: Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to apply for and execute any necessary documents to accept a grant in an amount not to exceed \$23,400.00 from The 2015 Equipment Project, Edward Byrne Memorial Justice Assistance Grant Program, from the Criminal Justice Division of the Governor's Office for the purchase of equipment for the Longview Police Department.

RECOMMENDED ACTION: Resolution and Council approval

SOURCE OF FUNDS: N/A

STAFF CONTACT: Don Dingle, Chief of Police
903-237-1100
ddingle@longviewtexas.gov

COUNCIL DATE: February 26, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING APPLICATION, ACCEPTANCE AND EXPENDITURE OF GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$23,400.00 FROM THE 2015 EQUIPMENT PROJECT, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, FROM THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE FOR USE BY THE CITY OF LONGVIEW POLICE DEPARTMENT; AUTHORIZING THE ACCEPTANCE OF ALL SPECIAL CONDITIONS IMPOSED IN CONNECTION WITH SAID GRANT FUNDING; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR RETURN OF FUNDS FOR LOSS OR MISUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Criminal Justice Division of the Governor's Office sponsors the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the purpose of supporting initiatives that reduce crime and its effect on communities; and,

WHEREAS, the City of Longview Police Department has qualified for and wishes to apply for a 2015 Equipment Project, Edward Byrne Justice Assistance Grant, in an amount not to exceed \$23,400.00 from the Criminal Justice Division of the Governor's Office, which will be used by the Longview Police Department to purchase laptops and an evidence refrigerator; 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 Police Department, by and through the City Manager, is hereby authorized to apply for, accept, reject, alter, or terminate, on behalf of the City of Longview, a 2015 Equipment Project, Edward Byrne Memorial Justice Assistance Grant (JAG) Program award not to exceed the amount of \$23,400.00 from the Criminal Justice Division of the Governor's Office.

Section 3. That the City of Longview is hereby authorized to submit said application to the Criminal Justice Division of the Governor's Office in a timely manner.

Section 4. That the City of Longview hereby accepts and agrees to all special conditions imposed in connection with the aforementioned grant before the end of the 6-month grant period.

Section 5. That the City of Longview Police Department, by and through the City Manager, is hereby authorized and directed to execute any and all contracts and other 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 2015 Equipment Project, Edward Byrne Memorial Justice Assistance Grant (JAG) Program award, in an amount not to exceed \$23,400.00 from the Criminal Justice Division of the Governor's Office.

Section 6. The City of Longview agrees that in the event of loss or misuse of the Criminal Justice Division funds that the funds awarded 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 12th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R POLICE CJD GRANT II 2-26-15

CONSIDER APPROVAL OF THE FOLLOWING MINUTES

February 12, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, EVIDENCING SUPPORT FOR LONGVIEW SQUARE, A PROPOSED HOUSING REDEVELOPMENT PROJECT TO BE BUILT IN LONGVIEW, AND AUTHORIZING SUCH OTHER ACTIONS AS MAY BE NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Longview LS, LP, a Texas to-be-formed limited partnership (“Applicant”), is proposing the acquisition and rehabilitation of 120 units of affordable housing for low-income families to be called Longview Square (the “Development”), which will be located at 1600 Pine Tree, Longview, Gregg County, Texas 75604, and which will be owned by the Applicant; and,

WHEREAS, the Applicant is applying to the Texas Department of Housing and Community Affairs (the “TDHCA”) for Housing Tax Credits to provide equity financing for the Development, and the Housing Tax Credits are competitively awarded, largely on the basis of points; and,

WHEREAS, pursuant to Title 10, Rule 11.9(d)(1) of the Texas Administrative Code [10 TAC §11.9(d)(1)], the TDHCA will provide up to 17 points for a municipality’s resolution of support for a development which will be located in such municipality’s jurisdiction; and,

WHEREAS, the City Council of the City of Longview, Texas, wishes to

evidence its support for the proposed Development in the City of Longview (the "City") and to facilitate the possible award of Housing Tax Credits to the project described herein; 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 for the purpose of supporting the Development and qualifying for points under 10 TAC §11.9(d)(1), the City of Longview, Texas, acting through the Longview City Council, the City's governing body, hereby confirms that the City supports and encourages the proposed acquisition and rehabilitation of Longview Square development to be located at 1600 Pine Tree, Longview, Gregg County, Texas 75604, and that this formal action has been taken to put on record the opinion expressed by the City on this date for the purpose of 10 TAC §11.9(d)(1).

Section 3. That the City Council hereby approves and authorizes the execution on behalf of the City of all other documents and writings whatsoever that may be necessary or convenient, in the reasonable opinion of either the City Manager or the City Attorney, for carrying out this resolution.

Section 4. That David Willard, City Manager, is hereby authorized, empowered, and directed to certify this resolution to the TDHCA.

Section 5. 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 6. That this resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R CMO TAX CREDIT PROJECT SUPPORT 2-26-15

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ACCEPT, REVIEW, AND GRANT AN APPLICATION PURSUANT TO THE CITY OF LONGVIEW'S CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM TO PROVIDE FINANCIAL SUPPORT FROM THE CITY IN THE FORM OF A REPAYABLE CREDIT NOT TO EXCEED \$60,000 FOR LONGVIEW SQUARE, A PROPOSED HOUSING REDEVELOPMENT PROJECT TO BE BUILT IN LONGVIEW; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE SUCH AGREEMENTS AND OTHER DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; ESTABLISHING OTHER RESTRICTIONS AND CONDITIONS RELATED TO THE SUBJECT MATTER HEREOF; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Longview (the "City") has a need for multifamily housing that is affordable to its citizens of modest means; and,

WHEREAS, Longview LS, LP, a Texas to-be-formed limited partnership ("Applicant"), is applying to the Texas Department of Housing and Community Affairs (the "TDHCA") for Housing Tax Credits to provide equity financing for a proposed acquisition and rehabilitation of 120 units of affordable housing for low-income families to be called Longview Square (the "Development"), which will be located at 1600 Pine Tree, Longview, Gregg County, Texas 75604, and which will be owned by the Applicant; and,

WHEREAS, the governing body of the City (the "City Council") wishes to

evidence the City's support for this proposed Development in the City; and,

WHEREAS, the City may support the Applicant's application to the TDHCA pursuant to Title 10, Part 1, Chapter 11, Rule 11.9(d)(2) of the Texas Administrative Code, by providing local political subdivision financial support for the Development through a loan, a grant or a contribution in kind, and such support will qualify the Development for points that are needed in order to compete for Housing Tax Credits to provide financing for the Development; and,

WHEREAS, the Applicant has applied to the City for local political subdivision financial support for the Development; and,

WHEREAS, the City Council wishes to evidence its support for this proposed Development and to facilitate the possible award of Housing Tax Credits to the Development; and,

WHEREAS, the City wishes to support the Development by providing the Applicant with a credit of \$60,000 (\$500 per Low Income Unit) for the purpose of paying permitting fees, utility tap fees and other fees owing to the City in connection with the construction of the Development; and,

WHEREAS, such credit shall be repayable by the Applicant and shall be evidenced by a \$60,000 promissory note with a maturity of 15 years, bearing interest at 3.00% per annum, and being payable in annual installments, amortized over 30 years; and,

WHEREAS, the promissory note shall be executed after \$60,000 in City fees have been credited to the Applicant, and the Applicant shall be responsible for paying all City fees in excess of that amount; and,

WHEREAS, the City anticipates that with a firm commitment of this form of City financial support, the Development will qualify for 10 points out of a maximum of 14 points; and,

WHEREAS, the City Council hereby determines that the Development will satisfy the criteria for participation in the City's Chapter 380 Economic Development Program as set forth in Article I to Chapter 33 of the Longview City Code; and,

WHEREAS, the City Council hereby specifically determines that the Development will bring benefit to the City consistent with Section 33-8 of the Longview City Code and has considered the factors set forth in said section, including without limitation the following: the Applicant has applied for and appears to be otherwise qualified for other incentive programs which increase the feasibility of the Development, to wit, the tax credit incentive program cited above; the local market conditions are appropriate for the construction of additional affordable housing such as that provided by the Development; and housing such as that provided by the Development positively affects business activity in the City by providing housing for workers and their families, stimulating the local construction industry, and easing the burden of housing costs on low-income workers, thus freeing income for other spending that stimulates the local economy; 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 approves and authorizes the

financial support of the Development through a repayable credit in an amount not to exceed \$500 per Low Income Unit (as the term "Low Income Unit" is used in Title 10, Part 1, Chapter 11, Rule 11.9(d)(2)(B) of the Texas Administrative Code) constructed as part of the Development and \$60,000 in total, to be used for permitting fees, utility tap fees, and other fees that may become owing by the Applicant to the City in connection with the construction of the Development.

Section 3. That the credit made available to the Applicant shall be evidenced by a promissory note from the Applicant to the City with a maturity of 15 years, bearing interest at 3.00% per annum, and being payable in annual installments, amortized over 30 years.

Section 4. That this firm commitment of financial support for the Development is conditioned upon (i) an award of Housing Tax Credits being made to the Development by the TDHCA by December 31, 2015; and (ii) Applicant's closing on construction loan and equity financing for the Development on or before July 1, 2016; and is intended to comply with Title 10, Part 1, Chapter 11, Rule 11.9(d)(2)(B),(C) and (D) of the Texas Administrative Code and the requirements of the TDHCA.

Section 5. That, subject to the conditions and provisions set forth in this resolution, the City Manager or other person designated by the City Manager as the Administrator pursuant to Article I to Chapter 33 of the Longview City Code, is hereby authorized to accept, review, and grant an application from the Applicant (or any affiliate or subsidiary thereof) pursuant to the City's Chapter 380 Economic Development Program to provide financial support from the City in the form of a repayable credit not to exceed \$60,000 for the Development as described herein.

Section 6. That the City Council hereby approves and authorizes the execution on behalf of the City of all other documents and writings whatsoever (including, without limitation, a 380 Agreement with the Applicant, or any affiliate or subsidiary thereof, pursuant to Article I to Chapter 33 of the Longview City Code) that may be necessary or convenient, in the reasonable opinion of either the City Manager or the City Attorney, for carrying out this resolution.

Section 7. That David Willard, City Manager, is hereby authorized, empowered, and directed to certify this resolution to the TDHCA.

Section 8. That the meeting at which this resolution was approved was conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 9. That this resolution shall be effective immediately from and after its date of passage.

PASSED AND APPROVED this 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R CMO TAX CREDIT PROJECT FUNDING LONGVIEW SQR 2-26-15

**AN ORDINANCE AUTHORIZING FERAL ANIMALS TO BE TRAPPED, SPAYED OR
NEUTERED, AND RETURNED TO THE COMMUNITY**

DESCRIPTION: Consider amending Chapter 13 of the Longview City Code to authorize the humane trapping of feral animals, especially the growing number of feral cats, spaying or neutering the animals, providing any necessary medical care, and then returning the animal to the area of the community from which it was removed, with the goal of enhancing and extending the life of homeless animals, reducing the number of euthanizations, while ultimately reducing the number of feral animals in the community.

RECOMMENDED ACTION: Passage of the Ordinance.

SOURCE OF FUNDS: No funds are required to be expended by the City.

STAFF CONTACT: Laura Hill, Director of Community Services
903-237-1392
lhill@longviewtexas.gov

COUNCIL DATE: February 26, 2015

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, CITY OF LONGVIEW, TEXAS, BY ADDING A NEW ARTICLE VIII TO SAID CHAPTER; PROVIDING FOR A TRAP, NEUTER, AND RELEASE PROGRAM FOR FERAL ANIMALS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; 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 health and safety of citizens and neighborhoods, to reduce the population of homeless animals, enhance and extend the life of homeless animals, and to reduce the number of animal euthanizations, it is necessary to enact an ordinance providing for the trapping, neutering, and then releasing of feral animals; 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 13 of the Code of Ordinances, City of Longview, Texas, is hereby amended by adding a new Article VIII to the end of said chapter, said new article to read as follows:

“ARTICLE VIII.

Programs Created

Sec. 13-33. Trap, Neuter, Release Program Created.

The animal shelter for the City of Longview or a designee of the animal shelter that is approved by the administrator, the animal control authority, or any animal control officer, is hereby authorized to trap or otherwise capture any feral animal, cause that feral animal to be spayed or neutered, provide necessary vaccinations or other medical care deemed necessary by the animal shelter or the designee of the animal shelter for the health and welfare of said animal, and then return the animal into the community as close as possible to the location from which the animal was taken. This program does not interfere with the authority of any police officer, animal control officer, or other person designated by the administrator to otherwise exercise any authority granted pursuant to state law or in Chapter 13.”

Section 3. That all provisions of the ordinances of the City of Longview in conflict with the provision of this Ordinance 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 26th day of February, 2015.

Jay Dean
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

O ENVIRO HEALTH TRAP NEUTER RELEASE 02-26-15