



Special Called City Council Meeting Agenda

5:30 p.m.
September 29, 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. Employee Recognition

V. Citizen Comment

VI. Presentation Items

- A. Presentation of a Proclamation commemorating the East Texas Down Syndrome Group's 14th Annual Buddy Walk to Alex Mack, niece of Mayor Mack, and TJ Angus, Buddy Walk Chairman – Dr. Andy Mack, Mayor.
- B. Presentation of a Proclamation designating October 4-10, 2015 as Fire Prevention Week in Longview – Dr. Andy Mack, Mayor.

VII. Public Safety Update

VIII. Public Hearing

A PUBLIC HEARING will be held to receive public comment on the proposed removal of the "park" designation from Hinsley Park and the proposed sale or conveyance of said land for other purposes.

IX. Consent Agenda

- A. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute service agreements with Tiburon Inc. for the purpose of providing system maintenance and management for the City of Longview's CommandCAD Computer-aided Dispatch System, Police Records Management System, Fire Department Mobile Dispatch System, Municipal Court Warrant Officer Mobile Dispatch System and all associated interfaces – Matt Ainsworth, Public Safety Communications Manager. [Pages 4 - 8](#)
- B. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute service agreements with Motorola Inc. for the purpose of providing system maintenance and system management for the City of Longview's 800 MHz radio system – Matt Ainsworth, Public Safety Communications Manager. [Pages 9 - 12](#)
- C. Consider a Resolution accepting the 2015 HMAC Hot-In-Place Recycling Project and authorizing final payment in the amount of \$49,886.50 to Cutler Repaving, Inc. of Lawrence, Kansas – Rolin McPhee, P.E., Director of Public Works. [Pages 13 - 16](#)
- D. Consider a Resolution accepting the 2015 Chip Seal Project and authorizing final payment in the amount of \$398,529.21 to NE-TEX Construction of New Boston, Texas – Rolin McPhee, P.E., Director of Public Works. [Pages 17 - 20](#)
- E. Consider a Resolution accepting the Akin Park Trail Improvements Project and authorizing final payment in the amount of \$38,597.88 to C.E. Marler and Associates, Inc., of Kilgore, Texas – Rolin McPhee, P.E., Director of Public Works. [Pages 21 - 24](#)
- F. Consider a Resolution authorizing an agreement with AT&T or the appropriate affiliated entity to continue the city's use of a portion of the AT&T Building located at 301 W. Whaley Street as an Emergency Operations Center for an initial annual fee of \$13,500.00 increasing by 2% annually – J.P. Steelman, Fire Chief. [Pages 25 - 28](#)
- G. Consider approval of the following minutes: August 27, 2015 and September 3, 2015 – Shelly Ballenger, City Secretary. [Page 29](#)

X. Discussion

Presentation regarding the transition of Convention and Visitors Bureau and Main Street programs – Shawn Hara, Media and Tourism Manager.

XI. Action Item

Consider a Resolution appointing members to the Longview Economic Development Corporation's Board – Dr. Andy Mack, Mayor and Council. [Pages 30 - 31](#)

XII. Mayor Mack's Book Club Discussion

Discussion of Mayor Mack's Book Club reading "The Go-Giver" – Dr. Andy Mack, Mayor.

XIII. Items of Community Interest

XIV. 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.

TIBURON SYSTEM SERVICE AGREEMENT

DESCRIPTION:	<p>Consider a resolution approving and authorizing the City Manager or the City Manager's designee to execute service agreements with Tiburon/Tritech Inc. for the purpose of providing system maintenance and system management for the City of Longview's CommandCAD 2.8 computer-aided dispatching system and associated Police and Fire Interfaces</p> <p>System maintenance and management is required to allow continuous dispatching services for public safety and records keeping operations for the Longview Police Department.</p> <p>The maintenance service agreement covers maintenance of the computer-aided dispatch system and associated interfaces for 12 months at \$86,543, the Police Records Management System and associated interfaces for 12 months at \$86,610, the Fire Department Mobile Dispatching Software for 12 months at \$11,915, and the Longview Municipal Court Warrant Officer Mobile Dispatching Software for 12 months at \$843.</p>
RECOMMENDED ACTION:	Approval of resolution
SOURCE OF FUNDS:	Funding is through the General Fund Account #001-018-000-5190, 001-017-000-5190, 001-024-000-5190 and 001-005-000-5190
STAFF CONTACT:	Matt Ainsworth, Public Safety Communications Manager 903-237-1166 mainsworth@longviewtexas.gov
COUNCIL DATE:	September 29, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE SERVICE AGREEMENTS BY AND BETWEEN THE CITY OF LONGVIEW, TEXAS, AND TIBURON/TRITECH INC, FOR COMPUTER SOFTWARE MAINTENANCE OF THE CITY OF LONGVIEW COMMAND CAD 2.8 COMPUTER AIDED DISPATCHING SYSTEM AND ASSOCIATED POLICE, FIRE, AND MUNICIPAL COURT INTERFACES; AUTHORIZING THE RENEWAL OF SAID AGREEMENTS AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID AGREEMENT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID AGREEMENT IN THE CONCURRENT BUDGET YEAR; CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND TIBURON/TRITECH INC FOR THE ABOVE REFERENCED SERVICES IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FINDING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview operates a citywide Computer Aided Dispatch (CAD) system, associated Police Records system (RMS), and Fire Department and Municipal Courts Mobile CAD; and,

WHEREAS, said CAD, RMS, and Mobile Dispatch systems must be managed and maintained to allow continuous functionality for the Police Department, Fire Department, Municipal Courts, and Public Safety Communications Division; and,

WHEREAS, system maintenance and management services are required

components to provide continuous dispatch services to meet the needs of the City of Longview; and,

WHEREAS, said CAD, RMS, and Mobile Dispatch systems and the management and maintenance thereof are necessary to preserve and protect the public health and safety of residents of the City of Longview; and,

WHEREAS, Tiburon/Tritech Inc. provides CAD, RMS, and Mobile Dispatch system management for the CommandCAD 2.8 Computer-aided dispatch system, RMS 7.9 Records Management system, and Mobile Dispatch system as a sole source vendor; and,

WHEREAS, these system maintenance and management services are a single source professional service for the City's staff; and,

WHEREAS, as a result of the foregoing, the acquisition of said services is exempt from the bidding requirements of Chapter 252 of the Texas Local Government Code; and,

WHEREAS, funding for these services is provided in the 2015-2016 fiscal year from account 001-018-000-5190 (PSC), 001-017-000-5190 (PD), 001-024-000-5190 (FD), and 001-005-000-5190 (Courts); NOW, THEREFORE,

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

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

Section 2. That the City Manager, the City Manager's designee, or other official of the City as shall be required, is hereby authorized and directed to negotiate

and execute any and all agreements and other documents, as approved by the City Attorney's Office, incident to the acceptance on behalf of the City of Longview of a service agreement for the Tiburon/Tritech CommandCAD Software and associated interfaces for \$86,543 for 12 months, a service agreement for the system management of the Tiburon/Tritech Records Management System and associated interfaces for \$86,610 for 12 months, a service agreement for the Tiburon/Tritech MobileCOM/Firehouse interface for \$11,915 for 12 months, and a service agreement for Tiburon/Tritech MobileCOM (Courts) for \$843 for 12 months.

Section 3. 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 4. That the meeting at which the aforesaid service agreements were accepted was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

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

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PS TIBURON MAINTENANCE 9-29-15

RADIO SYSTEM SERVICE AGREEMENT

DESCRIPTION:	<p>Consider a resolution approving and authorizing the City Manager or the City Manager's designee to execute service agreements with Motorola Inc for the purpose of providing system maintenance and system management for the City of Longview's 800 MHz radio system.</p> <p>System maintenance and management is required to allow continuous radio communications for public safety and general government radio communication needs.</p> <p>The maintenance service agreement covers maintenance of the radio system infrastructure components for 12 months at \$179,137.32. The system management agreement is for 12 months at \$43,145.54.</p>
RECOMMENDED ACTION:	Approval of resolution
SOURCE OF FUNDS:	Funding is through the General Fund Account #001-018-000-5190
STAFF CONTACT:	Matt Ainsworth, Public Safety Communications Manager 903-237-1166 mainsworth@longviewtexas.gov
COUNCIL DATE:	September 29, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE SERVICE AGREEMENTS BY AND BETWEEN THE CITY OF LONGVIEW, TEXAS, AND MOTOROLA, INC., FOR RADIO SYSTEM MAINTENANCE AND RADIO SYSTEM MANAGEMENT OF THE CITY OF LONGVIEW 800 MHZ RADIO SYSTEM; AUTHORIZING THE RENEWAL OF SAID AGREEMENTS AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID AGREEMENT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID AGREEMENT IN THE CONCURRENT BUDGET YEAR; CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND MOTOROLA FOR THE ABOVE REFERENCED SERVICES IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FINDING THAT THE MEETING AT WHICH THE RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview operates a citywide 800 MHz radio system; and,

WHEREAS, said radio system must be managed and maintained to allow continuous radio communication for the Police Department, Fire Department and all general government departments within the city; and,

WHEREAS, system maintenance and management services are required components to provide continuous radio service to meet the needs of the City of Longview; and,

WHEREAS, said radio system and the management and maintenance thereof are necessary to preserve and protect the public health and safety of residents of the City of Longview; and,

WHEREAS, Motorola provides radio systems maintenance and system management for the 800 MHz radio system as a sole source vendor; and,

WHEREAS, these system maintenance and management services are a single source professional service for the City's public safety communications staff; and,

WHEREAS, as a result of the foregoing, the acquisition of said services is exempt from the bidding requirements of Chapter 252 of the Texas Local Government Code; and,

WHEREAS, funding for these services is provided in the 2015-2016 fiscal year from account 001-018-000-5190; NOW, THEREFORE,

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

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

Section 2. That the City Manager, the City Manager's designee, or other official of the City as shall be required, is hereby authorized and directed to negotiate and execute any and all agreements and other documents, as approved by the City Attorney's Office, incident to the acceptance on behalf of the City of Longview of a service agreement for the citywide 800 MHz radio system infrastructure for \$179,132.32 for 12 months and a service agreement for the system management of the citywide 800 MHz radio system for \$43,145.54 for 12 months.

Section 3. 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 4. That the meeting at which the aforesaid service agreements were accepted was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

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

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PSC MOTOROLA RADIO SYSTEM 9-29-15

2015 H.M.A.C. HOT IN PLACE RECYCLING

DESCRIPTION: Consider a resolution accepting the "2015 H.M.A.C. Hot in-Place Recycling" project and authorizing final payment of \$49,886.50 to Cutler Repaving, Inc. of Lawrence, Kansas. Approval of the final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Cutler Repaving, Inc. on February 12, 2015 in the amount of \$750,887.50. The final construction cost is \$574,376.53.

The project provided for the installation of approximately 55,000 square yards of asphalt overlay on Hawkings Parkway (Ben Hogan to Oak Forest), Blueridge Parkway (from Gilmer to Sherwood and Ruidoso to Balsam), and Birdsong Street (Green to Andrews).

The project has been completed in accordance with the contract. Staff recommends acceptance of the project and approval of final payment.

RECOMMENDED ACTION: Passage of the resolution.

SOURCE OF FUNDS: Funding is available from the General Fund and Gregg County.

STAFF CONTACT: Rolin McPhee, P.E., Director of Public Works
903-237-1336
rmcphee@LongviewTexas.gov

COUNCIL DATE: September 29, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED “2015 H.M.A.C. HOT IN-PLACE RECYCLING”; AUTHORIZING AND APPROVING FINAL PAYMENT TO CUTLER REPAVING, INC., OF LAWRENCE, KANSAS, FOR THE COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on February 12, 2015, the City Council awarded a contract to Cutler Repaving, Inc., of Lawrence Kansas, in the amount of \$750,887.50 for the project known as “2015 H.M.A.C. Hot In-Place Recycling”; and,

WHEREAS, the project “2015 H.M.A.C. Hot In-Place Recycling” involved the installation of approximately 55,000 square yards of asphalt overlay on streets citywide; and,

WHEREAS, the final construction cost for said project was \$574,376.53; and,

WHEREAS, the project has been completed in accordance with the plans and specifications and the contractor, Cutler Repaving, Inc. has requested final payment in the amount of \$49,886.50; and,

WHEREAS, the final amount of \$49,886.50 is due to the contractor as final payment; and,

WHEREAS, the acceptance of the work by Cutler Repaving, Inc. of Lawrence Kansas, on the aforementioned contract and the approval of final payment

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

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

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

Section 2. That the work performed by Cutler Repaving, Inc. of Lawrence Kansas, on the project known as "2015 H.M.A.C. Hot In-Place Recycling" is hereby accepted as complete and that final payment of \$49,886.50 for the completion of said project is hereby approved.

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

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

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PW FINAL PAY HMAC HOT IN PLACE RECYCLING 9-29-15

2015 CHIP SEAL

DESCRIPTION: Consider a resolution accepting the "2015 Chip Seal" project and authorizing final payment of \$398,529.21 to NE-TEX Construction, LLC, of New Boston, Texas. Approval of the final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to NE-TEX Construction, LLC, on May 18, 2015 in the amount of \$453,750.00. The final construction cost is \$398,529.21.

The project provided for the installation of approximately 142,000 square yards of Chip Seal at various locations within the City of Longview.

The project has been completed in accordance with the contract. Staff recommends acceptance of the project and approval of final payment.

RECOMMENDED ACTION: Passage of the resolution.

SOURCE OF FUNDS: Funding is available from the General Fund.

STAFF CONTACT: Rolin McPhee, P.E., Director of Public Works
903-237-1336
rmcphee@LongviewTexas.gov

COUNCIL DATE: September 29, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "2015 CHIP SEAL"; AUTHORIZING AND APPROVING FINAL PAYMENT TO NE-TEX CONSTRUCTION, LLC, OF NEW BOSTON, TEXAS FOR THE COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on May 18, 2015, the City Council awarded a contract to NE-TEX Construction, LLC of New Boston, Texas, in the amount of \$453,750.00 for the project known as "2015 Chip Seal"; and,

WHEREAS, the project "2015 Chip Seal" involved the installation of approximately 142,000 square yards of chip seal citywide; and,

WHEREAS, the final construction cost for said project was \$398,529.21; and,

WHEREAS, the project has been completed in accordance with the plans and specifications and the contractor, NE-TEX Construction, LLC has requested final payment in the amount of \$398,529.21; and,

WHEREAS, the final amount of \$398,529.21 is due to the contractor as final payment; and,

WHEREAS, the acceptance of the work by NE-TEX Construction, LLC of New Boston, Texas, on the aforementioned contract and the approval of final payment therefore will begin the one-year warranty period for said work; NOW, THEREFORE

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

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

Section 2. That the work performed by NE-TEX Construction, LLC of New Boston, Texas, on the project known as “2015 Chip Seal” is hereby accepted as complete and that final payment of \$398,529.21 for the completion of said project is hereby approved.

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

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

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PW FINAL PAY 2015 CHIP SEAL 9-29-15

AKIN PARK TRAIL IMPROVEMENTS

DESCRIPTION:	<p>Consider a resolution accepting the "Akin Park Trail Improvements" project and authorizing final payment of \$38,597.88 to C. E. Marler & Associates, Inc., of Kilgore, Texas. Approval of the final payment will begin the contractor's one-year warranty period.</p> <p>The City Council awarded a contract to C. E. Marler & Associates, Inc., on April 23, 2015 in the amount of \$119,093.25. On August 13, 2015, a change order was approved in the amount of \$4000.00 for additional trail pavement increasing the total contract to \$123,093.25. The final construction cost is \$123,093.25.</p> <p>The project provided for the reconstruction and/or upgrade of approximately 1,500 square yards of substandard trail pavement with concrete between Delwood and Eden Drives.</p> <p>The project has been completed in accordance with the contract. Staff recommends acceptance of the project and approval of final payment.</p>
RECOMMENDED ACTION:	Passage of the resolution.
SOURCE OF FUNDS:	Funding is available from the City's 2007 Bond Fund.
STAFF CONTACT:	Rolin McPhee, P.E., Director of Public Works 903-237-1336 rmcphee@LongviewTexas.gov
COUNCIL DATE:	August 29, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "AKIN PARK TRAIL IMPROVEMENTS"; AUTHORIZING AND APPROVING FINAL PAYMENT TO C. E. MARLER & ASSOCIATES, INC., OF KILGORE, TEXAS, FOR THE COMPLETION OF SAID PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on April 23, 2015, the City Council awarded a contract to C. E. Marler & Associates, Inc., of Kilgore, Texas, in the amount of \$119,093.25 for the project known as "Akin Park Trail Improvements"; and,

WHEREAS, the project "Akin Park Trail Improvements" included the reconstruction and or upgrade of approximately 1,500 square yards of substandard trail pavement with concrete between Delwood and Eden Drives; and,

WHEREAS, on August 13, 2015, Change Order No. 1 in the amount of \$4,000.00 for additional reconstruction and upgrade of substandard trail pavement with concrete was approved; and,

WHEREAS, the final construction cost for said project was \$123,093.25; and,

WHEREAS, the project has been completed and the contractor, C. E. Marler & Associates, Inc., has requested final payment in the amount of \$38,597.88; and,

WHEREAS, the final amount of \$38,597.88 is due to the contractor as

final payment; and,

WHEREAS, the acceptance of the work by C. E. Marler & Associates, Inc., of Kilgore, Texas, on the aforementioned contract and the approval of final payment therefore will begin the one-year warranty period for said work; NOW, THEREFORE

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

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

Section 2. That the work performed by C. E. Marler & Associates, Inc., of Kilgore, Texas, on the project known as "Akin Park Trail Improvements" is hereby accepted as complete and that final payment of \$38,597.88 for the completion of said project is hereby approved.

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

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

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R PW FINAL PAY AKIN PARK TRAIL IMPROVEMENTS 9-29-15

RENEW AGREEMENT FOR EMERGENCY OPERATIONS CENTER

DESCRIPTION: The proposed resolution authorizes the renewal of a 5-year license agreement with AT&T Corporation (or its affiliate, as appropriate) for the use of the 3rd floor of the AT&T Building at 301 W. Whaley St. as the City's Emergency Operations Center. The initial annual fee for this agreement is \$13,500.00 per year and will increase by 2% each year. The current agreement expires on September 30, 2015.

RECOMMENDED ACTION: Approval of the resolution

SOURCE OF FUNDS: Fire Department Operating Budget, Rents (001-024-000-5310)

STAFF CONTACT: J.P. Steelman, Fire Chief
903-237-1227
jpsteelman@longviewtexas.gov

COUNCIL DATE: September 29, 2015

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 NEGOTIATE AND EXECUTE ANY AND ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY FOR OR INCIDENT TO THE RENEWAL OF A LICENSE AGREEMENT WITH AT&T CORPORATION OR ITS SUCCESSORS, ASSIGNS, AFFILIATES OR SUBSIDIARIES FOR THE CONTINUED USE OF FACILITIES LOCATED AT 301 W. WHALEY STREET FOR THE CITY'S EMERGENCY OPERATIONS CENTER; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Longview (hereinafter the "City") is currently licensed to use certain facilities in the building located at 301 W. Whaley Street in the City of Longview, Texas, for the City's Emergency Operations Center ("EOC"); and,

WHEREAS, said facilities are owned or controlled by AT&T Corporation or by one or more of its successors, assigns, affiliates or subsidiaries ("AT&T"); and,

WHEREAS, AT&T and the City entered into a revocable license agreement, dated August 1, 2000, whereby AT&T granted the City a revocable license to use certain facilities at the location referenced above for an EOC; and,

WHEREAS, said license agreement was extended for an additional five (5) year term as amended by Supplemental License Agreement No. 2 in 2005; and,

WHEREAS, said license agreement was extended for an additional five (5) year term as amended by Supplemental License Agreement No. 3 in 2011; and,

WHEREAS, AT&T has offered the continued use of said facilities on terms

similar to those of the current license agreement, as amended by the aforesaid supplemental license agreements, provided that the City pay \$1,125 per month for utilities with said fee to increase 2% in each successive year of said agreement; and,

WHEREAS, the City Council finds that the continued location of the EOC at its present location under terms similar to those provided in the original and supplemental license agreements and subject to such other terms and agreements as may be approved by the City Attorney will serve a public purpose and help to protect public health and safety by enhancing emergency operations; NOW, THEREFORE,

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

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

Section 2. That the City Manager or the City Manager's designee is hereby authorized to negotiate and execute a license agreement and such other documents as may be necessary to or incident to the renewal of a license agreement with AT&T Corporation or with one or more of its successors, assigns, affiliates or subsidiaries for the continued use of the above-described facility at 301 W. Whaley Street in the City of Longview, Texas, as an Emergency Operations Center for the City of Longview on substantially the same terms as those described in the preamble to this resolution.

Section 3. That the authorization granted hereby shall be and is hereby conditioned upon receipt of all necessary documents in a form acceptable to the City Attorney.

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

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

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R FIRE EOC LICENSE RENEWAL 9-29-15

CONSIDER APPROVAL OF THE FOLLOWING MINUTES

August 27, 2015
September 3, 2015

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, PROVIDING FOR APPOINTMENTS TO THE LONGVIEW ECONOMIC DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council provides for appointments or reappointments to the various boards and commissions; and,

WHEREAS, there are vacancies on the Longview Economic Development Corporation's Board of Directors; and,

WHEREAS, these appointments or reappointments are necessary in order to ensure full membership on said board; NOW, THEREFORE,

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

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

Section 2. That the City Council of the City of Longview, Texas, does hereby submit the following persons whose names are attached hereto, marked as Exhibit "A" and for all purposes incorporated herein as nominees and confirm their appointment or reappointment, as applicable, to the Longview Economic Development Corporation's Board.

Section 3. That these appointments are to be effective immediately upon passage of this resolution.

Section 4. 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 5. That this resolution shall be effective immediately on and after its passage.

PASSED AND APPROVED this 29th day of September, 2015.

Dr. Andy Mack
Mayor

ATTEST:

Shelly Ballenger
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney

R B&C APPOINT LEDCO 9-29-15