City of Wichita Falls
City Council Agenda

Stephen Santellana, Mayor
Bobby Whiteley, At Large
Michael Smith, District 1
DeAndra Chenault, Mayor Pro Tem
Jeff Browning, District 3
Tim Brewer, District 4
Steve Jackson, District 5

Darron Leiker, City Manager
Kinley Hegglund, City Attorney
Marie Balthrop, City Clerk

Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, November 3, 2020, Beginning At 8:30 A.M.

This meeting can be accessed and viewed at the following locations:

1. **The video may be livestreamed on the City's YouTube page (https://www.youtube.com/cityofwf)**
2. **A livestream will be shown on the Spectrum/Time Warner Cable Channel 1300**
3. **A livestream will be shown on the City's Facebook page (City of Wichita Falls, Texas Government) (https://www.facebook.com/CityofWF)**
4. **A video of the meeting will be posted on the City's YouTube page (https://www.youtube.com/cityofwf)**

Item #

1. Call to Order

2. (a) Invocation: Reverend David Sapata
   DAV TX Chapter 41

   (b) Pledge of Allegiance

3. Presentations
   (a) Employee of the Month – September – Fire, Derek Jones
   (b) Employee of the Month – November – Community Development/Planning, Fabian Medellin

CONSENT AGENDA

4. Approval of minutes of the October 20, 2020 Regular Meeting of the Mayor and City Council.

5. Resolutions
   (a) Resolution authorizing the purchase of one (1) excavator through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. John Deere in the amount of $234,780.00

   (b) Resolution authorizing the purchase of one (1) front end loader through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. John Deere in the amount of $262,080.00

6. Receive Minutes
   (a) Wichita Falls Economic Development Corporation, June 18, 2020

   (b) Lake Wichita Revitalization Committee, August 8, 2020

   (c) Landmark Commission, August 25, 2020

   (d) Wichita Falls Economic Development Corporation, September 17, 2020

REGULAR AGENDA

7. Ordinances
   (a) Ordinance accepting funds in the amount of $33,453.00 received from the FY 2020 Homeland Security Grant Program (HSGP), and authorizing the City Manager, or City Council appointed Authorized Official to execute contracts and other documents related thereto

   (b) Ordinance making an appropriation to the Special Revenue Fund for Integrated HIV Surveillance and Prevention program in the amount of $138,272 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

   (c) Ordinance making an appropriation to the special revenue fund for the Tuberculosis Prevention and Control Program Federal in the amount of $23,449 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

   (d) Ordinance appropriating $2,244.80 of grant funds pursuant to the FY 2020 Patrick Leahy Bulletproof Vest Partnership Grant, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds

   (e) Ordinance appropriating $87,950.61 of grant funds pursuant to the Office of the Governor, Public Safety Office, Criminal Justice Division, 2020 Coronavirus Emergency Supplemental Funding (CESF), appropriating said

funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept said funds

(f) Ordinance appropriating $60,561.67 of grant funds pursuant to the Office of the Governor, Public Safety Office, Homeland Security Grants Division, 2020 State Homeland Security Program, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds

8. Resolutions

(a) Resolution authorizing The City Manager to execute all documents necessary to purchase replacement network equipment from CDW Government LLC in the amount of $349,956.49

(b) Resolution authorizing The City Manager to execute all documents necessary to purchase 7 unlicensed and 2 licensed microwave communication links from Alpha Omega Wireless, Inc. in the amount of $152,497.17

(c) Resolution of support and approval for inclusion of two City of Wichita Falls owned (900 and 910 Ohio) properties in a proposed Indiana Avenue National Register Historic District and Resource Survey

(d) Resolution declaring the City owned property located at 1823 5th Street, also known as Lot 1-C, Block 7, Bellevue Addition, Wichita Falls, Wichita County, Texas as excess real property and authorizing permission to advertise the property to be offered for sale at sealed bid

(e) Resolution approving and adopting bylaws for the Wichita Falls Economic Development Corporation

(f) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) by amending the budget to include up to $1,500,000 for design, engineering, and geotechnical work related to proposed infrastructure improvements at the WFEDC-owned business park

9. Other Council Matters

(a) Staff Reports
COVID-19 Update - Lou Kreidler

(b) Items of concern to members of the City Council

10. Comments from the public to members of the city council concerning items that are not on the city council agenda. People wishing to address the council should sign up prior to the meeting commencing. A three-minute time frame will be adhered to for those addressing their concerns. As comments from the public are

not posted agenda items, the Texas Open Meetings Act prohibits City Council members and Staff from discussing or responding to these comments during Council meetings.

11. Executive Sessions
Executive Session in accordance with Texas Government Code §551.087 to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the City and/or economic development corporations created by the City are conducting economic development negotiations (including, but not limited to, economic development update).

12. Adjourn

Spanish language interpreters, deaf interpreters, Braille copies or any other special needs will be provided to any person requesting a special service with at least 24 hours' notice. Please call the City Clerk's Office at 761-7409.

Every item on this agenda shall be considered a public hearing. Regardless of the agenda heading under which any item is listed, any word or phrase of any item listed on this agenda shall be considered a subject for consideration for purposes of the Texas Open Meetings Act and other relevant law, and City Council may deliberate and vote upon any such subject and resolutions related thereto. Resolutions, ordinances, and other actions concerning any word, phrase, or other subject may be voted upon, regardless of any language of limitation found in this agenda or any document referring to such action. Any penal ordinance, development regulation or charter provision of the City of Wichita Falls or item which is funded by the current or next proposed City of Wichita Falls budget, including, without limitation, any street, water pipe, sewer, drainage structure, department, employee, contract or real property interest of the City of Wichita Falls, may be discussed and deliberated, and the subject is hereby defined as such without further notice. Any item on this agenda may be discussed in executive session if authorized by Texas law regardless of whether any item is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of the City Council. Executive sessions described generally hereunder may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice. Executive sessions described generally hereunder are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087.

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 28th day of October 2020 at 3:00 o'clock p.m.

Marie Balthrop
City Clerk

CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Employee of the month – September 2020.

INITIATING DEPT: Fire Department

COMMENTARY: Presentation of the Employee of the Month Award (plaque, letter of appreciation, dinner for two and check for $100) to Derek Jones.

☒ **Director of Human Resources**

ASSOCIATED INFORMATION: Resolution

☐ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

EMPLOYEE OF THE MONTH
FOR

September, 2020

NAME: Derek Wayne Jones

DEPARTMENT: Fire

HIRED: January 30, 2002

PRESENT POSITION: Captain, Station 5 C-Shift

NARRATIVE: Derek joined the Fire Department on January 30, 2002 at 22 years of age. After serving 6 years as a firefighter, Derek promoted to Fire Equipment Operator. A short 3 years later, saw him promoting to Lieutenant, and then on to Captain in 2016, the position in which he currently serves. Derek is an excellent fire officer, respected by his men and trusted by his supervisors. One of the many tasks in which Derek excels is in the development of rookie firefighters. When a new recruit is placed at Derek's station, his job is to facilitate and monitor the continuing development of that individual. This is a responsibility that Derek does not take lightly. It can and has been said that all recruits that work with Derek know their equipment and their jobs very well before they leave for another assignment.

FAMILY: Derek has been married to Monica for over 15 years. They have one daughter – Bailey 18, and two sons- Parker 14 and Landon 11. Derek is heavily involved in his children's lives. He enjoys coaching little league baseball and football.

Derek is an active member of the Department's Hazmat team and continues to teach and train future hazmat techs.

HOBBIES: In his free time Derek enjoys bicycling and playing golf.

CLOSING: Derek is truly an asset to this department. His dedication to safety and his drive for excellence make him an officer that can be counted on for any task. We look forward to seeing Derek continue to promote through the ranks and are grateful that he has chosen to serve the citizens of Wichita Falls.

CITY COUNCIL AGENDA

November 3, 2020

ITEM/SUBJECT: Employee of the month – November 2020.

INITIATING DEPT: Development Services/Planning

COMMENTARY: Presentation of the Employee of the Month Award (plaque, letter of appreciation, dinner for two and check for $100) to Fabian Medellin.

☒ **Director of Human Resources**

ASSOCIATED INFORMATION: Resolution

☐ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

EMPLOYEE OF THE MONTH

FOR

November 2020

NAME: Fabian Medellin

DEPARTMENT: Development Services Department (Planning Division)

HIRED: Planning Technician, July 19, 2017

PRESENT POSITION: Planner III

NARRATIVE: Fabian joined the Planning Division as the Planning Technician in July 2017. Fabian was key in working with consultants during the Downtown Steering Committee by conducting field research and analysis to shape the Downtown Diagnostic Report. Early in his time as the Planning Technician, he showed an aptitude and interest to take on a larger role in the department. In March 2018, Fabian promoted to the position of Planner II. In this role, he became a facilitator and guide for all commercial and residential development within the city. Fabian also conducted many day-to-day Planning duties for builders, developers, contractors and residents. As the Planner II, Fabian began to assist in improving the development process both residential and commercial properties by proposing and working to pass numerous amendments to the Zoning Ordinance. In March of 2020, Fabian promoted to Planner III. During the pandemic shutdown, Fabian was essential to continued Planning Division operations by working from City Hall, and was instrumental in ensuring development continued. As a part of Fabian's continued work for the community, his goals will shift to focus on leading the efforts of the Council's Strategic Goal of Neighborhood Revitalization.

FAMILY: Fabian met his wife during their time at Old High in Wichita Falls, and were married after graduating. They just celebrated their 15-year anniversary, and are blessed with three sons ages 9, 4 and 1.

HOBBIES: Fabian enjoys spending time outdoors whether that is camping, walking the trails at a park, or just spending time in the backyard.

CLOSING: Fabian holds a Bachelor's of Science in Public Affairs from the University of Texas in Dallas and is scheduled to graduate with his Master's in Urban Planning from the University of Southern California in December 2020.

City of Wichita Falls
City Council Meeting
Minutes
October 20, 2020

Item 1 - Call to Order

The City Council of the City of Wichita Falls, Texas met in regular session on the above date in the Council Chambers of the Memorial Auditorium Building at 8:30 o'clock a.m., with the following members present.

Stephen L. Santellana	-	Mayor
DeAndra Chenault	-	Mayor Pro Tem
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Michael Smith	-	
Bobby Whiteley	-	
Darron Leiker	-	City Manager
Kinley Hegglund	-	City Attorney
Marie Balthrop	-	City Clerk

- - - - - - - -

Mayor Santellana called the meeting to order at 8:31 a.m.

- - - - - - - -

Item 2a – Invocation

Tim Brewer, Councilor District 4, gave the invocation.

- - - - - - - -

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

- - - - - - - -

Item 3a – Proclamation – Pregnancy and Infant Loss Awareness, Chelsey Carrillo

8:33 a.m.

Mayor Santellana read a proclamation proclaiming the month of October as Pregnancy and Infant Loss Awareness month in Wichita Falls, and asked all citizens to join him in raising awareness by educating themselves on the magnitude of this tragedy, and giving support to bereaved families.

- - - - - - - -

Item 3b – Employee of the Month September – Derek Jones, Fire Department
8:35 a.m.

Mr. Jones was unable to attend the meeting so this item was postponed.

- - - - - - - -

Item 3c – Employee of the Month October– Francisco Villalobos, Recreation
8:36 a.m.

Blake Jurecek, Assistant City Manager, recognized Francisco Villalobos as the Employee of the Month for October 2020. Mayor Santellana congratulated Mr. Villalobos and presented him with a plaque, letter of appreciation, restaurant voucher, and check, and thanked him for his service.

- - - - - - - -

Item 4-6 – Consent Items
8:40 a.m.

City Manager Darron Leiker gave a briefing on the items listed under the Consent Agenda.

Moved by Councilor Brewer to approve items on the consent agenda.

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Chenault, Jackson, Smith, and Whiteley

Nays: None

Item 4 – Approval of minutes of the October 6, 2020 Regular Meeting of the Mayor and City Council

Item 5a – Resolution 94-2020

Resolution authorizing the City Manager to execute Professional Services Agreement to Biggs and Mathews Environmental, Inc. for engineering services for the City of Wichita Falls Landfill in the amount of $78,000.00.

Item 6 – Receive Minutes

(a) Park Board, February 27, 2020
(b) Type B Sales Tax Corporation, August 27, 2020

- - - - - - -

Item 7 – Ordinance 62-2020
8:41 a.m.

Ordinance authorizing the City Manager to approve a request from the New Jerusalem Baptist Church to partially vacate and abandon a ten-foot public utility easement consisting of approximately 2,921 square feet across the north western portion of Lot 1-C, Block B, Ray Massie Subdivision running east and west along the north property boundary for approximately 292 feet.

Moved by Councilor Browning to approve Ordinance 62-2020.

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Chenault, Jackson, Smith, and Whiteley

Nays: None

- - - - - - -

Item 8a – Resolution 95-2020
8:44 a.m.

Resolution authorizing the submittal of a grant application to Firehouse Subs Foundation for a 2020 Public Safety Grant.

Moved by Councilor Browning to approve Resolution 95-2020.

Motion seconded by Councilor Whiteley and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Chenault, Jackson, Smith, and Whiteley

Nays: None

- - - - - - -

Item 8b – Resolution 96-2020
8:46 a.m.

Resolution Appointing Gold Star Family Member as an Ex-Officio Member of the Lake Wichita Revitalization Committee.

Moved by Councilor Brewer to approve Resolution 96-2020 and appoint Alicia Castillo as an ex-officio member of the Lake Wichita Revitalization Committee, with a term to expire July 31, 2027.

Motion seconded by Councilor Browning and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Chenault, Jackson, Smith, and Whiteley

Nays: None

- - - - - - -

Mayor Santellana moved to item 10.

Item 10a – Staff Report – COVID-19 Update, Lou Kreidler
8:49a.m.

Lou Kreidler, Director of Health, gave an update on COVID-19 cases. In the last two weeks, there has been a drastic increase in the number of cases, and the positivity rate for last week was 39%. Between March 18, 2020, and September 30, 2020, there were 1,871 cases, and between October 1, 2020, and October 19, 2020, there were 1,151 cases. We are on target this month to see more cases than the previous five-month total. The increase in cases is due to many factors including individuals going to work sick because they thought they had allergies; individuals not wearing a mask or wearing them inappropriately; people having or attending parties without social distancing or wearing a mask; and there has been spread in daycares and churches. Anywhere that people do not social distance and wear masks there has been spread. The graph from last Friday shows that the combined contact and close contact cases together account for 54% of the cases, and this is attributed to family gatherings of any size. As of yesterday at 4:00 p.m., United Regional had 74 COVID or COVID suspected patients in the hospital. They have increased the number of COVID units to five, and currently 25% of their bed capacity are for COVID patients. The hospital is currently operating at over 90% of their capacity, and is right at 100% of their critical care capacity. While there are other hospital beds throughout the region, there is no additional critical care

capacity in the region. Both Kell West and Electra Memorial have COVID patients, patients being seen in the hospital are much sicker than what they saw in the spring, and they are requiring a higher level of care. While United Regional has sufficient resources, they do not have an unlimited staff, and currently have over 60 staff who are quarantined. As COVID spreads, more businesses will be affected. Currently there is not a single department in the City of Wichita Falls that has not been affected by COVID. Now more than ever the Health Department asks that citizens take immediate steps to help slow the spread by taking ownership of your actions, and responsibility for your decisions. Parents are encouraged to start thinking about alternatives to traditional trick-or-treating and Halloween parties, and find creative ways to have fun without increasing the spread. The holiday season is fast approaching and large gatherings for the holidays will only increase the spread. In the spring, we were able to slow the spread by limiting our activities and interactions with others outside of our household. It is more important now than ever to wear a mask at all times when around others, social distance, stay home when you are sick, wash your hands, and use hand sanitizer when washing is not possible. It will take all of us to slow the spread.

It was noted that as United Regional fills up with COVID patients, it will reduce the capacity to care for other critical issues such as heart attacks, car wrecks, etc. United Regional is the only critical care hospital in this region, and serves the surrounding areas.

- - - - - - -

Item 10b – Items of Concern to Members of the City Council
8:57 a.m.

Councilor Smith reiterated the need to wear masks, social distance, wash your hands, etc., and to understand that we are not just protecting ourselves, but are protecting our family and neighbors. It has been said that this may be the darkest period to date concerning the pandemic. The pandemic is not over, is not going away, and we all have to work together to slow the spread. Councilor Smith and others participated in Community Champions Day last Wednesday delivering meals for The Kitchen. Meals on Wheels delivers over 800 meals, and they are in need of volunteers. He encouraged citizens to vote, early voting is taking place now, and Election Day is November 3rd.

Councilor Browning encouraged everyone to educate themselves regarding candidates and issues on the ballot, go vote, and stay safe.

Councilor Jackson stated that the Meals on Wheels program is an awesome program and he participated last Wednesday delivering meals. It was a blessing and the clients were very appreciative. The first annual car show for Base Camp Lindsay was held this past weekend with over 125 entries. They continue to raise the funds to reroof the facility, and he appreciates everyone that came out. On any given night, there are 75 homeless veterans on the street in Wichita Falls. He encouraged everyone to help

Base Camp Lindsay as much as they can, and volunteers are needed. Vote November 3rd, and early voting continues through the 30th of this month. Councilor Jackson inquired about the final count on the Census. The final counts will not be received until later next year, but it was stated that 90% or more participated in the Census in our area and statewide.

Councilor Brewer continues to be excited and stated there are job openings and the housing market is booming with sales and new homes being built. It is exciting to see the new businesses including a new Starbucks on Southwest Parkway this month, and Panera Bread that will be at the old Golden Corral location. There is continued progress on the hotel on McNeil, and he welcomed the new businesses and residents to Wichita Falls.

Councilor Whiteley recognized David Toogood for being appointed by the Governor to the Governor's Committee to Support the Military. Kudos to Chelsey Carrillo for her very moving speech; it took a lot of courage to come and speak today. Congratulations to Francisco Villalobos for being employee of the month. He thanked Meals on Wheels for inviting them to participate last week, but stated that the real heroes are the individuals that deliver every day. Councilor Whiteley mentioned the City Charter Propositions on the ballot and stated this topic has been discussed for months at council meetings, it has been on the website, and in the newspaper. He encouraged everyone to educate themselves by visiting the City's website and to go out and vote. Thank you to Firehouse Subs for the grants they provide across the country. This business originated with firefighters and they have grown to where they can contribute to communities across the nation. Councilor Whiteley discussed the painting unveiling that Harry Patterson held, and he thanked Mr. Patterson for what he does for our community.

Councilor Chenault said good morning and stated that the East of the Falls Community Development Corporation will provide Shuttle to the Polls on Election Day, November 3rd, for citizens that are 55 or older. Citizens can call the Martin Luther King Center to request a ride. The shuttle will pick up every 30 minutes from 6:45 a.m. until 6:30 p.m., if you do not have transportation this is a way you can get to the polls.

Mayor Santellana discussed the non-profits in our area and stated that volunteerism is down. He was able to participate in Meals on Wheels where he read a proclamation, he and Chief Borrego did a video for First Step for their candlelight vigil, and he attended a Downtown Development meeting this week. This past weekend the Heritage Assembly of God Church hosted the Farmers to Families program and gave out meal boxes to the community, and they intend to apply for the program again. Very proud to see Francisco Villalobos and his family here. It says a lot that he was born in Mexico, started as a temporary employee with the City, received his citizenship, worked his way up to a full-time position, and is now being recognized as employee of the month. Early voting lines were very long in the beginning, but are getting better. It is nice to see that many voters coming out. Mayor Santellana encouraged citizens to consider donating

blankets or jackets to area shelters as the weather gets colder. Flu shots are now available and he encouraged everyone to get their flu shot. Grab a friend, support your candidates, and go vote. He stated that the letter jacket campaign for Hirschi students was successful and it assisted students that could not afford a jacket.

Councilor Smith stated that information on the City Charter amendment propositions is found on the City's webpage, under the City Clerk's election information page. He encouraged voters to get the information before voting, and Mr. Leiker encouraged citizens to call the City if they have any questions.

Councilor Chenault stated that the Overcoming Word Praise Center is having a feed our community Farmers to Families event on October 28th beginning at 12:00 p.m. They will have over 1200 boxes of food that will be given out first come first serve. The address is 1801 Airport Drive, and masks will be required.

- - - - - - -

Item 11 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda
9:20 a.m.

There were no comments from the public.

- - - - - - -

Item 12 – Executive Session

City Council adjourned into Executive Session at 9:21 a.m. in accordance with Texas Local Government Code §551.074 and §551.087.

City Council reconvened at 10:23 a.m.

Mayor Santellana announced that no votes or polls were taken.

- - - - - - -

Item 9 – Board and Commission Appointments
10:24 a.m.

Moved by Councilor Smith to make the following appointments to the Lake Wichita Revitalization Committee:

Place 7 – Crystal Byrd, term to expire July 31, 2027.
Place 11, Voting Alternate – Jeremy Garza, term to expire July 31, 2027.

Motion seconded by Councilor Chenault and carried by the following vote:
Ayes: Mayor Santellana, Councilors Brewer, Browning, Chenault, Jackson, Smith, and Whiteley

Nays: None

Moved by Councilor Whiteley to make the following appointment to an unexpired term on the Wichita Falls Economic Development Corporation:

Place 1 – Brent Hillery, term to expire July 31, 2021

Motion seconded by Councilor Browning and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Chenault, Jackson, Smith, and Whiteley

Nays: None

- - - - - - -

Item 13 –Adjourn

Mayor Santellana adjourned the meeting at 10:26 a.m.

PASSED AND APPROVED this 3rd day of November 2020.

_____
Stephen L. Santellana, Mayor

ATTEST:

_____
Marie Balthrop, TRMC, MMC
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution authorizing the purchase of one (1) excavator through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. in the amount of $234,780.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Efficiently Delivery City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: The excavator is used at the City's Transfer Station and will replace Unit 1088 which is a 2004 Kamatsu with over 21,000 hours. The existing excavator engine overheats and the AC air compressor does not work. In order to safely operate in the enclosed facility, the cab needs air due to work environment requiring the cab to be closed while in operation. The new excavator will be a 2021 John Deere 210G LC FT4 Excavator from Yellowhouse Machinery Co. through the Sourcewell Cooperative Purchasing in the amount of $234,780.00.

Texas Local Government Local Government Code §252.022 exempts items purchased through interlocal cooperative purchasing contracts from the State's competitive bidding requirements. This chapter does not apply to expenditure for. . . (12) personal property sold. . under an interlocal contract for cooperative purchasing administered by a regional planning commission established under Chapter 391.

Staff recommends the purchase of one (1) excavator through the Sourcewell Cooperative Purchasing from Yellowhouse John Deere in the amount of $234,780.00.

Budgeted Cost $240,000.00.

☒ **Purchasing** ☒ **Director of Public Works**

ASSOCIATED INFORMATION: Resolution , Sourcewell Quote

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of one (1) excavator through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. in the amount of $234,780.00

WHEREAS, Texas Local Government Local Government Code §252.022 exempts items purchased through interlocal cooperative purchasing contracts from the State's competitive bidding requirements; and

WHEREAS, the City Council of the City of Wichita Falls has passed a resolution approving the participation in such cooperative agreements; and

WHEREAS, the City Council finds that Warren Cat is offering one (1) excavator through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. John Deere and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

City Staff is authorized to execute all documents necessary to purchase one (1) excavator from Yellowhouse Machinery Co. through the Sourcewell Cooperative Purchasing in the amount of $234,780.00.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk


DEERE
210G

JOHN DEERE

YELLOWHOUSE MACHINERY CO.

Quote Summary

Prepared For:
CITY OF WICHITA FALLS CWF CENTRAL SERVICES
COMPLEX/FLEET MAINTANCE
2100 SEYMOUR HWY
WICHITA FALLS, TX 76301
Business: 940-761-7466

Prepared By:
GEOFF DRYSDALE
Yellowhouse Machinery Co.
2800 Central E Freeway
Wichita Falls, TX 76301
Phone: 940-322-3337
geoffd@yellowhouse.us

Sourcewell Quote
Contract #032119-JDC

Quote Id: 22910101

Last Modified On: 06 October 2020
Expiration Date: 30 October 2020

Equipment Summary	Selling Price		Qty		Extended
2021 JOHN DEERE 210G LC FT4 EXCAVATOR - Factory Order	$ 234,780.00	X	1	=	$ 234,780.00
John Deere Extended Warranty-5 Year 5000Hr Full Machine Warranty w/Premium Plus Package	$ 0.00	X	1	=	$ 0.00
Equipment Total					**$ 234,780.00**

Quote Summary	
Equipment Total	$ 234,780.00
SubTotal	$ 234,780.00
Total	$ 234,780.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 234,780.00**

Salesperson : X _____

Accepted By : X _____

Confidential

JOHN DEERE

YELLOW HOUSE MACHINERY CO.

Selling Equipment

Quote Id: 22910101 **Customer:** CITY OF WICHITA FALLS CWF CENTRAL SERVICES COMPLEX/ FLEET MAINTANCE

2021 JOHN DEERE 210G LC FT4 EXCAVATOR - Factory Order

Hours:
Stock Number:

Code	Description	Qty
05R2FF	210G LC FT4 EXCAVATOR	1
	Standard Options - Per Unit	
080Z	STANDARD EXCAVATOR	1
170C	JDLink Ultimate - 5 Year Subscription	1
1095	Engine Stage IV Emissions	1
1600	English Customer Delivery Packet	1
3350	Triple Semi-Grouser Shoes	1
4130	Seat, Heated Air-Suspension	1
6835	One Piece Boom with Arm Cylinder and Plumbing	1
7160	Arm with Bucket Cylinder and Linkage	1
7495	Auxiliary High-Flow Hydraulic Lines w/ AFL (Electronic Proportional Control, Pilot Level Mounted)	1
7901	Less Grade Reference Ready Mounts	1
8001	Less Bucket	1
9015	Engine Block Heater	1
9060	Fuel Filter, Severe-Duty	1
9070	Engine Air Centrifugal Pre-Cleaner	1
9115	Automatic Reversing Cooling Fan	1
9150	Light Package	1
9160	Track Frame Undercover	1
9180	Single Pedal Propel	1
9700	Chrome Exhaust	1
	Dealer Attachments	
AT430784	Rear Work Lights Package	1
HKX	HKX Low Flow Aux Kit for Rotation	1
PEMB	Pemberton 2/3 Tined CBD Rotating Grapple	1
Lincoln	Lincoln Auto Lube System	1
	Service Agreements	
	John Deere Extended Warranty - 5 Year 5000Hr Full Machine Warranty w/ Premium Plus Package	

YELLOWHOUSE ULTIMATE UPTIME

POWERED BY JOHN DEERE WORKSIGHT ™





Please check preferred package below.





☐ **BASE PACKAGE**

- 12 MONTH COMPREHENSIVE MACHINE WARRANTY.
- **CUSTOMIZED EXTENDED WARRANTY PACKAGES AVAILABLE.*
- WAIVE TRAVEL TIME AND MILEAGE FOR FIRST SIX MONTHS WITHIN OUR ASSIGNED AREA OF RESPONSIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.
- 36 MONTH JDLINK COVERAGE INCLUDING CUSTOMER VISIBILITY.
- 36 MONTH SERVICE ADVISOR REMOTE COVERAGE.
- 12 MONTHS FREE YELLOW-HOUSE "YTAC" DIAGNOSTIC CALL CENTER WITH MACHINE SOFTWARE UPDATES.
- MACHINE ADJUSTED TO YOUR APPLICATION AT PRE-DELIVERY.
- ACCESS TO PARTS DROP BOX LOCATIONS.
- FREE ONLINE PARTS ORDERING.
- OIL AND FILTERS FURNISHED FOR 100 HOURS SERVICE WHERE APPLICABLE. CUSTOMER PERFORMS INTERVAL.
- FOLLOW-UP CALL AFTER FIRST 250 HOURS OF OPERATION ON MACHINES WITHIN OUR ASSIGNED AREA OF RESPONSI-BILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.

☐ **PREMIUM PACKAGE**

- ALL BASE PACKAGE ITEMS PLUS:
- TRAVEL TIME AND MILEAGE CHARGES WAIVED TO MATCH EXTENDED WARRANTY PERIOD WITHIN OUR ASSIGNED AREA OF RESPONSIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.
- **36 MONTH, 3000 HOUR POWER-TRAIN AND HYDRAULIC WARRANTY OR CUSTOMIZED PACKAGE TO FIT YOUR NEEDS.*
- 24 MONTHS FREE YELLOWHOUSE "YTAC" DIAGNOSTIC CALL CENTER WITH MACHINE SOFTWARE UPDATES.
- OIL SAMPLES FURNISHED DURING WARRANTY DURATION.
- **OPTIONAL PREVENTATIVE MAINTENANCE OIL, FILTERS/ CONSUMABLES FURNISHED DURING WARRANTY PERIOD.*
- YELLOWHOUSE PERFORMS 100 HOUR SERVICE ON REQUIRED MODELS ON MACHINES WITHIN OUR ASSIGNED AREA OF RESPON-SIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.

Items accompanied by asterisks are available with additional charges.

YELLOWHOUSE

JOHN DEERE

☐ **PREMIUM PLUS PACKAGE**

- ALL BASE AND PREMIUM PACKAGE ITEMS PLUS:
- **60 MONTH 5000 HOUR POWER-TRAIN AND HYDRAULIC WARRANTY OR CUSTOMIZED PACKAGE TO FIT YOUR NEEDS.*
- FREE YELLOWHOUSE "YTAC" DIAGNOSTIC CALL CENTER AND MACHINE SOFTWARE UPDATES FOR WARRANTY DURATION.
- **PREVENTIVE MAINTENANCE AGREEMENT AVAILABILITY MATCHING EXTENDED WARRANTY TERM.*
- HYDRAULIC HOSE FAILURES COVERED DURING EXTENDED WARRANTY TERM EXCLUDING DAMAGE.
- WAIVE MACHINE TRANSPORT-ATION FEE TO AND FROM SHOP FOR WARRANTABLE REPAIRS WITHIN OUR ASSIGNED AREA OF RESPONSIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.
- WAIVE PARTS FREIGHT CHARGE FOR MACHINE DOWN ORDERS.
- WAIVE PREMIUM CHARGES FOR OVERTIME LABOR.
- MACHINE HEALTH FLUID SAMPLING WITH DATA ANALYZED BY JOHN DEERE PROGNOSTIC ENGINE. RESULTS REVIEWED BY YELLOWHOUSE WORKSIGHT™ TEAM.

PACKAGE SELECTED: _____ **SERIAL #:** _____

DATE : _____ **CUSTOMER SIGNATURE:** _____

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution authorizing the purchase of one (1) front end loader through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. in the amount of $262,080.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Efficiently Delivery City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: This front end loader will be used at the City Landfill to replace Unit 1045 which has a failed motor and transmission. The current repair costs are greater than the replacement amount. The new front end loader will be a 2021 John Deere 644L Wheel Loader from Yellowhouse Machinery Co. through the Sourcewell Cooperative Purchasing in the amount of $262,080.00.

Texas Local Government Local Government Code §252.022 exempts items purchased through interlocal cooperative purchasing contracts from the State's competitive bidding requirements. This chapter does not apply to expenditure for. . . (12) personal property sold. . under an interlocal contract for cooperative purchasing administered by a regional planning commission established under Chapter 391.

Staff recommends the purchase of one (1) front end loader through the Sourcewell Cooperative Purchasing from Yellowhouse John Deere in the amount of $262,080.00.

Budgeted Cost $265,000.00.

☒ **Purchasing** ☒ **Director of Public Works**

ASSOCIATED INFORMATION: Resolution , Sourcewell Quote

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of one (1) front end loader through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. in the amount of $262,080.00

WHEREAS, Texas Local Government Local Government Code §252.022 exempts items purchased through interlocal cooperative purchasing contracts from the State's competitive bidding requirements; and

WHEREAS, the City Council of the City of Wichita Falls has passed a resolution approving the participation in such cooperative agreements; and

WHEREAS, the City Council finds that Warren Cat is offering one (1) front end loader through the Sourcewell Cooperative Purchasing from Yellowhouse Machinery Co. John Deere and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

City Staff is authorized to execute all documents necessary to purchase one (1) front end loader from Yellowhouse Machinery Co. through the Sourcewell Cooperative Purchasing in the amount of $262,080.00.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk


DEERE

JOHN DEERE

YELLOWHOUSE MACHINERY CO.

Quote Summary

Prepared For:

CITY OF WICHITA FALLS LANDFILL
2100 SEYMOUR HWY
WICHITA FALLS, TX 76301

Prepared By:

GEOFF DRYSDALE
Yellowhouse Machinery Co.
2800 Central E Freeway
Wichita Falls, TX 76301
Phone: 940-322-3337
geoffd@yellowhouse.us

Sourcewell Quote
Contract #032119-JDC

Quote Id: 22909781

Last Modified On: 06 October 2020
Expiration Date: 30 October 2020

Equipment Summary	Selling Price		Qty		Extended
2021 JOHN DEERE 644L WHEEL LOADER - Factory Order	$ 262,080.00	X	1	=	$ 262,080.00
John Deere Extended Warranty-5 Year 5000Hr Full Machine Warranty w/Premium Plus Package	$ 0.00	X	1	=	$ 0.00
Equipment Total					**$ 262,080.00**

Quote Summary	
Equipment Total	$ 262,080.00
SubTotal	$ 262,080.00
Total	$ 262,080.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 262,080.00**

Salesperson : X _____ **Accepted By : X** _____

JOHN DEERE

Selling Equipment

YELLOW HOUSE MACHINERY CO.

Quote Id: 22909781 **Customer:** CITY OF WICHITA FALLS LANDFILL

2021 JOHN DEERE 644L WHEEL LOADER - Factory Order

Hours:
Stock Number:

Code	Description	Qty
7600DW	644L WHEEL LOADER	1
	Standard Options - Per Unit	
170C	JDLink Ultimate 5 Year Subscription	1
0924	John Deere PowerTech Engine	1
1010	Standard Wheel Loader	1
1120	5-Speed Powershift Transmission with Lock-up Torque Converter	1
1217	140 amp Alternator	1
1330	Chrome Curved Stack	1
1430	Engine Air Intake System with Centrifugal Precleaner	1
1520	Automatic Reversing Hydraulic Fan	1
1610	Standard Fuel Filter with Water Separator and Standard Fuel Fill	1
1910	Premium Cab	1
1945	7 inch Monitor with Dedicated Rear Camera Display	1
1970	Hydrau Hydraulic Fluid	1
2020	High Lift Z-BAR	1
2120	Steering Wheel Only	1
2240	Premium Seat, Heated and Ventilated with Heavy Duty Air Suspension	1
2360	Joystick Controls	1
2403	Three Function Hydraulics	1
2510	Ride Control	1
2605	English Decals and Manuals	1
2730	30 Amp Converter	1
2870	No Payload Scale with Cycle Counter	1
3046	Front Hydraulically Locking Differential and Rear Conventional Differential Axles	1
3120	Manual Axle Differential Lock	1
4621	Michelin XHA2, 23.5R25 L3 Single Star Radial Tires On 3pc. Rims	1
5320	Less Tire Pressure Monitoring System	1
5560	Full Coverage Front and Rear Fenders with Mudflaps	1
5620	Left And Right Side Steps	1

JOHN DEERE

YELLOW HOUSE MACHINERY CO.

Selling Equipment

Quote Id: 22909781 **Customer:** CITY OF WICHITA FALLS LANDFILL

5840	No Fork Frame	1
5940	No Tines	1
7140	Premium LED Work and Drive Lights	1
8220	Rear Hitch and Counterweight	1
8235	Rear Camera and Rear Object Radar Detection	1
8275	LED Strobe Beacon with Left Beacon Bracket	1
8350	Remote Powered and Heated Exterior Mirrors	1
8370	Premium AM/FM/Weather Band (WB) with Bluetooth, Remote Aux and Remote USB Port	1
8450	Cab with Air A/C Charge	1
8559	Hydraulic Coupler - JRB 418 Pattern	1
8860	Bolt-on Cutting Edge	1
8942	4.5 Cu. Yd. Bucket	1
9045	Quick Fluid Service	1
9055	Throttle Lock	1
9115	Powered Cab Fresh Air Pre-Cleaner	1
9127	Seat Belt with Minder Switch and External Indicator Light	1
9140	Fire Extinguisher	1
9210	Electrical Corrosion Prevention Package	1
9240	Engine Compartment Light	1
9410	Transmission and Bottom Guards	1
9525	Slow Moving Vehicle (SMV) Emblem	1
	Service Agreements	
	John Deere Extended Warranty - 5 Year 5000Hr Full Machine Warranty w/ Premium Plus Package	

YELLOWHOUSE ULTIMATE UPTIME

POWERED BY JOHN DEERE WORKSIGHT ™





Please check preferred package below.





☐ **BASE PACKAGE**

- 12 MONTH COMPREHENSIVE MACHINE WARRANTY.
- **CUSTOMIZED EXTENDED WARRANTY PACKAGES AVAILABLE.*
- WAIVE TRAVEL TIME AND MILEAGE FOR FIRST SIX MONTHS WITHIN OUR ASSIGNED AREA OF RESPONSIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.
- 36 MONTH JDLINK COVERAGE INCLUDING CUSTOMER VISIBILITY.
- 36 MONTH SERVICE ADVISOR REMOTE COVERAGE.
- 12 MONTHS FREE YELLOW-HOUSE "YTAC" DIAGNOSTIC CALL CENTER WITH MACHINE SOFTWARE UPDATES.
- MACHINE ADJUSTED TO YOUR APPLICATION AT PRE-DELIVERY.
- ACCESS TO PARTS DROP BOX LOCATIONS.
- FREE ONLINE PARTS ORDERING.
- OIL AND FILTERS FURNISHED FOR 100 HOURS SERVICE WHERE APPLICABLE. CUSTOMER PERFORMS INTERVAL.
- FOLLOW-UP CALL AFTER FIRST 250 HOURS OF OPERATION ON MACHINES WITHIN OUR ASSIGNED AREA OF RESPONSI-BILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.

☐ **PREMIUM PACKAGE**

- ALL BASE PACKAGE ITEMS PLUS:
- TRAVEL TIME AND MILEAGE CHARGES WAIVED TO MATCH EXTENDED WARRANTY PERIOD WITHIN OUR ASSIGNED AREA OF RESPONSIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.
- **36 MONTH, 3000 HOUR POWER-TRAIN AND HYDRAULIC WARRANTY OR CUSTOMIZED PACKAGE TO FIT YOUR NEEDS.*
- 24 MONTHS FREE YELLOWHOUSE "YTAC" DIAGNOSTIC CALL CENTER WITH MACHINE SOFTWARE UPDATES.
- OIL SAMPLES FURNISHED DURING WARRANTY DURATION.
- **OPTIONAL PREVENTATIVE MAINTENANCE OIL, FILTERS/ CONSUMABLES FURNISHED DURING WARRANTY PERIOD.*
- YELLOWHOUSE PERFORMS 100 HOUR SERVICE ON REQUIRED MODELS ON MACHINES WITHIN OUR ASSIGNED AREA OF RESPON-SIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.

Items accompanied by asterisks are available with additional charges.

YELLOWHOUSE
JOHN DEERE

☐ **PREMIUM PLUS PACKAGE**

- ALL BASE AND PREMIUM PACKAGE ITEMS PLUS:
- **60 MONTH 5000 HOUR POWER-TRAIN AND HYDRAULIC WARRANTY OR CUSTOMIZED PACKAGE TO FIT YOUR NEEDS.*
- FREE YELLOWHOUSE "YTAC" DIAGNOSTIC CALL CENTER AND MACHINE SOFTWARE UPDATES FOR WARRANTY DURATION.
- **PREVENTIVE MAINTENANCE AGREEMENT AVAILABILITY MATCHING EXTENDED WARRANTY TERM.*
- HYDRAULIC HOSE FAILURES COVERED DURING EXTENDED WARRANTY TERM EXCLUDING DAMAGE.
- WAIVE MACHINE TRANSPORT-ATION FEE TO AND FROM SHOP FOR WARRANTABLE REPAIRS WITHIN OUR ASSIGNED AREA OF RESPONSIBILITY OR A 150 MILE RADIUS OF ANY OF OUR LOCATIONS.
- WAIVE PARTS FREIGHT CHARGE FOR MACHINE DOWN ORDERS.
- WAIVE PREMIUM CHARGES FOR OVERTIME LABOR.
- MACHINE HEALTH FLUID SAMPLING WITH DATA ANALYZED BY JOHN DEERE PROGNOSTIC ENGINE. RESULTS REVIEWED BY YELLOWHOUSE WORKSIGHT™ TEAM.

PACKAGE SELECTED: _____ **SERIAL #:** _____

DATE : _____ **CUSTOMER SIGNATURE:** _____

MINUTES OF THE
WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

June 18, 2020

PRESENT:

Leo Lane, President	§	WFEDC Members
David Toogood, Vice-President	§	
Phyllis Cowling	§	
Darron Leiker	§	
Bobby Whiteley	§	Councilor at-Large
Paul Menzies, Assistant City Manager	§	City Staff
Blake Jurecek, Assistant City Manager	§	
R. Kinley Hegglund, Jr., City Attorney	§	
Linda Merrill, Recording Secretary	§	
Henry Florsheim, CEO	§	CCI
David Leezer, Vice President of Business Attraction	§	
Travis Haggard, V.P., Business Retention & Expansion	§	
Scott Poenitzsch, Chairman	§	
Ripley Tate, Past-Chair	§	
Mark Dora, Member	§	8600 Central Venture
Anthony Inman, Member	§	
Bob Carter, Chairman	§	Panda Biotech
Blake Carter, VP, Business Development	§	
Scott Evans, Executive Vice President	§	

PRESENT:

Reno Gustafson, Secretary-Treasurer	§	WFEDC Member

---

1. Call to Order

Leo Lane called the meeting to order at 3:00 p.m.

2. Financial Report

Paul Menzies noted that the sales tax report for June was better than anticipated. Reflective of April's receipts, it covered the full month of the City's economic shutdown due to the coronavirus pandemic. Some estimates had the loss as high as 40% less than the same time period a year ago. However, the receipts came in at only 11.5% less. Normally that would not be good news, but it exceeded expectations.

The cumulative for the year is a little more than 1% less than the same time period last year. The next benchmark will be May's receipts, which will show whether the City is seeing a semblance of recovery.

The staff and Chamber personnel audited some of the Board's existing projects to unencumber some money. For example, the DEEAG grant is closed out, from the City's perspective. That unencumbers about $1.2 million. Three hundred thousand dollars was unencumbered from the Vitro project, at the Burkburnett Economic Development Corporation paid that sum, giving the fund a $1.5 million increase in available cash.

3. Approval of Minutes (May 21, 2020)

David Toogood moved for approval; seconded by Darron Leiker, the motion carried 4-0.

4. Discussion and possible action related to Panda Biotech recruitment project

Henry Florsheim presented this project. Panda Biotech is an industrial hemp processing company that is looking for a location to get a large project started. The company intends to make a $9 million capital investment, with an initial creation of 50 jobs. This project, brought to the Board by David Leezer, has the ability to have a positive impact on the agricultural community.

The incentive package includes a $2 million forgivable loan; cash for jobs of $350,000; up to $150,000 for rehabilitation of the rail spur leading into the former Delphi facility; and relocation assistance of up to $300,000.

Scott Evans, Executive Vice President, said Panda Biotech was formed two years ago on the strength of the potential in industrial hemp. It is a processing facility that takes hemp straw and turns it into textile grade fiber. It is then sold to major brands to blend with other fibers to make clothing.

The residual product from the hemp is called the hurd. It has several applications, including animal bedding and bioplastics. It has the potential to bring a lot of ancillary businesses to the area.

They had originally thought to locate in the high plains area, but the incentives offered for this project offset the capital it will take to move the hemp straw produced elsewhere. This area is not the first site choice from the agricultural side of things. A lot of revenue will be made simply from shipping.

In addition, he was pleasantly surprised at the condition of the Delphi building.

Bonds in the amount of $80 million have been approved to be sold on the company's behalf with the State of Texas. They are in the process of raising $30-35 million in equity, as well. The company donated 60 tons of hemp seed to the state to kick start the industry. A lot of that seed did come to this area, and trials are ongoing.

They have big aspirations. There is no large-scale processing facility in the country, but this project will fill that missing link in the supply chain. Household name brands are excited to

get this hemp fiber, as it is a more sustainable option than cotton or other materials. They not only want to use the hemp, but also want the Texas logo on their product.

They intend to hire fifty employees to start, ranging from engineers and mechanics ($100,000 to $200,000 salary range), to labor jobs ($20.00 per hour). They could easily fit three lines in the building, increasing to 200 jobs.

Mr. Florsheim said this type of industry attracts a lot of media coverage. If it is a right fit for Wichita Falls, it stands to put the community on the forefront of the industrial hemp industry.

5. Discussion and possible action related to Braun Intertec work at ATCO building

Mr. Florsheim said it was very clear after the Board's last meeting that there was confusion about the financials regarding Braun Intertec. Some questions did not get asked that probably should have been asked that that meeting. He ran through the financial

February 20, 2020

Braun Intertec had been paid $235,000

Outstanding balance of approximately $50,000

Total liability: $285,000

Motion at this meeting was to approve an amended contract with Braun Intertec to finalize the work that has been previously agreed to in the three prior contracts, coupled with the new proposal with an addendum stating that the monies owed will not exceed $90,000.

The vote changed the maximum owed to Braun Intertec to $325,000 ($235,000 + $90,000)

February 2020 - May 1

$50,000 in additional work was performed by Braun Intertec.

$285,000 had been paid ($235,000 + $50,000)

Left $40,000 to be paid ($325,000 - $285,000)

May 21, 2020

Motion to retract the 2/20/20 approval of the Braun Intertec contract, and adopt the contract presented today (5/21/20) to complete the work, including the work to be done on the additional 9-acre tract to the south, at a cost not to exceed $60,000.

As of this date, $285,000 in work had been done.

Points of contention:

Scenario 1: If the May vote meant the $60,000 was the maximum that could be spent after that date, then the $285,000 + the new $60,000 = $345,000. This would mean the correct amount of expenditures have been approved to wrap up the work currently under contract.

Scenario 2: If the $60,000 motion took the place of the $90,000 motion, then $235,000 + $60,000 = $295,000. As $285,000 has been paid, that would leave only $10,000 available to spend on the new agreement, and would leave $50,000 unallocated.

There is around $40,000 in the existing professional services budget that could be used for this project; however, that would not cover the $50,000 shortfall in Scenario 2.

The concern is, have sufficient funds been allocated by the Board, and has the Council approved the right budget amendment?

Ms. Cowling requested a hard copy of this presentation, and copies were made available to the Board.

6. Executive Session

Mr. Lane adjourned the meeting into executive session at 3:32 p.m. pursuant to Texas Government Code §§551.072 and 551.087. David Toogood announced the meeting back into regular session at 4:23 p.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further action were taken on these items in executive session.

7. Motions

Darron Leiker moved to approve the incentive agreement for Panda Biotech for the project discussed at today's meeting, as outlined below:

- WFEDC will grant Panda Biotech a $2 million forgivable loan, so long as the company creates and retains 50 jobs over a period of five years; the loan will be forgiven at a rate of 20% for each of those five years.
- WFEDC will have first lien on the building and land at 8600 Central Freeway North in Wichita Falls, Wichita County, Texas.
- WFEDC will grant cash for jobs in an amount not to exceed $350,000 to Panda Biotech.
- WFEDC will grant relocation costs for those employees hired outside of Wichita County, Texas, who locate to an area within the County, not to exceed $300,000.
- WFEDC will reimburse expenses for repair of the rail spur on the property located at 8600 Central Freeway North in Wichita Falls, Wichita County, Texas, in an amount not to exceed $150,000.

Seconded by Ms. Cowling, the motion carried 3-0 (Leo Lane abstained from voting).

8. Adjourn

The meeting adjourned at 4:28 p.m.

Leo Lane, President

MINUTES

LAKE WICHITA REVITALIZATION COMMITTEE

September 8, 2020

PRESENT:

■ Members

Kathie Forehand-Chaddick; Secretary
David Coleman, Chair
Tim Brewer, City Council Rep
Pete Gill
Eve Montgomery
Sharon Roach

Russell Schreiber, Public Works Director ■ Staff
Vikesh Desai, Engineering

Robert Mauk, TP&W Rep Ex-officio ■ Guests
Jeremy Garza, KFDX

ABSENT: John Pezzano, Kendrick Jones, Steve Young, Marcy Brown Marsdon, Eric Stevens, Ford Swanson

1. **Call to Order**: David called the meeting to order at 1:02 and declared a quorum

2. **Approval of Minutes:** Minutes for the August meeting were approved unanimously.

3.a. **Project Updates: Boardwalk TP&W grant project**: Vikesh stated that the last TP&W reimbursement is still pending, they are behind due to COVID.

3.b. **Veteran's Plaza Project**:

Since the last meeting, KHA submitted 70% design plans. Vikesh distributed them for comment, and David got Committee input and provided comments to Vikesh. 90% design plans will be provided on September 30th. Vikesh stated that Terry Points has offered for City forces to install the Landscaping portion of the project if we need to save money, after bids are opened.

Kathie stated that the TP&W Grant may not be needed to achieve full funding of the Veteran's Plaza project. However, we would like to proceed to request City Council approval of a Resolution to authorize the City Manager to apply for the Grant, just in case. David will ask Blake if this process would be acceptable.

Regarding a cutoff date for Brick purchases, the group agreed that we will let KHA know how many of each size brick has been ordered at the 90% design stage. After that, we will add a certain number of one size of blank bricks, to be installed during construction and engraved in place later.

3.d. Lake Deepening Alternatives

Jim Hallock (Earth Blocks Texas LLC) submitted a "Phase One" invoice for $1,965 for preparing the lake bed samples and getting lab plasticity tests. These tests will let us know how much sand must be added to the lake bed materials to make Compressed Earth Blocks. The Committee approved payment of this invoice. The next step will be to create some blocks and determine their compressive strength. If the CEBs have adequate strength, then we will market the blocks for sale.

4. Discussion of Brick Sales and Fundraising Initiatives:

We will participate in Texoma Gives on Thursday, 10 September, from 6am to 10pm. Kathie has set up matches through the day, using Mr. Patterson's donation to match the new donations. She will also set up 10-10-10 Challenges for people to donate $10 and challenge 10 of their friends to donate $10 on the 10th of September. Events will be held at the MSU soccer field (unless changed due to weather):

- 6 am: Kathie and Pete
- 3:00-5:30: David, Kathie, Pete and Ford
- 10 pm: David

Other fundraising opportunities we will pursue are a Gannett Foundation grant, letters to local philanthropists, and a DAR donation that they would like to see matched.

5. Members attendance at meetings

David read the City Policy on meeting attendance to the group (Resolution 21-2015) and discussion followed regarding our members attendance. Steve Young has not attended a meeting in over a year, and the Committee voted unanimously to request City Council replace him with one of the applicants we have. David will discuss the process with the City Clerk.

6. Other Business Matters:

David and Kathie will go to Robert Mauk's office after the meeting to see what we have in Lake Wichita promotional items, tshirts, yard signs, etc.

7. Adjournment: The meeting adjourned at 1:45 pm.

Coleman

David Coleman, Chair

13 Oct 2020

Date

MINUTES

LANDMARK COMMISSION

August 25, 2020

MEMBERS PRESENT:

Michele Derr	■ Chairperson
John Dickinson	■ Member
Christy Graham	■ Vice-Chairperson
Joel Hartmangruber	■ Member
Andy Lee	■ Member
Nadine McKown	■ Member
Janel Ponder Smith	■ Member
Tim Brewer	■ Council Liaison
Terry Floyd, Development Services Director	■ City Staff
Amy Gardner, Legal	■ City Staff
Karen Gagné, Planning Administrator	■ City Staff
Christal Ashcraft, Development Services Asst.	■ City Staff

MEMBERS ABSENT:

Blake Haney	■ P&Z Liaison
Marcela Trice	■ Member

Guests:

Devin & Lindsey Taber, Applicants	1600 Tilden Street
Michael Lindhurst, Insurance Adjuster Consultant, *Via Telephone*	1600 Tilden Street
Jerald & Rowena Jackson, Wichita Theatre	919 Indiana Avenue
Steve Dietrichs, Downtown Property Owner	927 Indiana Avenue
Jared Canter, Pella Windows & Doors	Grapevine, Texas
Shana Bjorg, Pella Windows & Doors	Grapevine, Texas
Matt English, Architect, Harper Perkins Architects	909 10th Street

---

I. Call to Order, Welcome and Introductions

Chairperson Michele Derr called the meeting to order at 12:03 p.m. Ms. Derr had Commission members, staff and guests introduce themselves. Chairperson Derr had a procedural item and stated Open Meetings Act and Public Information Act courses needed to be completed by Labor Day. Ms. Amy Gardner stated agenda item VIII, New Business would be removed.

II. Review & Approval of Minutes from June 23, 2020 & Special Meeting August 5,2020

Chairperson Michele Derr called for review and approval of the June 23, 2020 and August 5, 2020 Landmark Commission meeting minutes. Vice-Chair, Ms. Christy Graham made a motion to approve the minutes, Ms. Janel Ponder-Smith seconded the motion. Minutes were unanimously approved.

III. Action Item: Design Review - 1600 Tilden *(West Floral Heights Historic District)*

- Roofing Repair and/or Replacement: *Seeking determination regarding most appropriate treatment to address damage to original ludowici clay tile roof, circa 1922.*

Ms. Karen Gagné presented the case and stated staff received an application from Mr. & Mrs. Taber with concerns about the tile roof of their home at 1600 Tilden. The residential home is a large contributing structure with a tile roof constructed in 1922. The structure has a complex roof, which is believed to be the original tile that had been previously painted at an unknown time. The home is unchanged since 2005, when the district was created.

One of the key features of the home is the large, tiled roof that sustained storm damage in late 2018. Previous owners in years past, had attempted to repair sections of the roof, however, the patch work and smaller size tiles have only added to the degradation. Ms. Ms. Gagné stated the roof was not damaged in just a few sections, but the entire roof had sustained damage and broken tiles from storms, lack of proper maintenance, water damage and what would be expected from a roof that was constructed 98 years ago.

The current home owners contacted their home insurance provider in early 2019 regarding damage from a storm in December 2018 and have maintained communication. Mr. and Mrs. Taber are requesting to replace the entire roof in an effort to ensure the retention and preservation of historic style, architecture and character of the structure.

Staff introduced Mr. Taber to the Commission for his statement and any comments. Mr. Taber stated there was significant damage sustained from a broken tree branch landing on the roof in December 2018. Mr. Taber is in negotiations with his insurance company to have the roof replaced in its entirety. The insurance company has agreed to repair the roof in sections, however, being that this roof was constructed in 1922, the tiles were handmade. The tile company is still in business today and provides a 75-year material guarantee on their product. However, tiles that are mass produced today are smaller and would not interlock with the existing tiles on the roof, which would only allow for water and other elements to damage the structure further. The tiles could be replaced with handmade tiles, at an exorbitant cost to the homeowners. Mr. Taber advised he has contacted Mr. Michael Lindhurst, an Insurance Adjuster Consultant, to mediate between the insurance company and himself.

Chairperson Derr asked what Mr. Taber's insurance consultant had suggested. Mr. Lindhurst spoke to the Commission via teleconference and stated he agreed with Mr. Taber and staff that the best course of action would be to replace the entire roof with new, mass produced tile that would all match and retain form, fit and color of original tile. Mr. Lindhurst stated he is requesting on Mr. Taber's behalf that the Commission recommend replacing the existing roof in its entirety. Ms. Janel Ponder-Smith asked Mr. Lindhurst if it was normal for insurance companies to not replace an entire roof when damaged on a historical home, that it did not seem feasible. Mr. Lindhurst stated it really depended on the grey areas of the individual's insurance policy, however, Mr. Taber's policy did state repairs could be made but that it would not be cost efficient or practical. Mr. Lindhurst stated the contractor would not issue any kind of warranty for any repairs on this roof, only for a replacement.

Ms. Graham asked Mr. Taber if his request was to replace the roof with handmade tiles or the smaller reproductions that are mass produced. Mr. Taber advised the mass produced

tiles were the most economical choice. Ms. Graham made a motion to approve the design review application with the Ludowici clay tiles for the replacement of the entire roof with new, unpainted tile at 1600 Tilden Avenue. Ms. Janel Ponder-Smith seconded the motion. Motion passed unanimously.

IV. Action Item: Design Review – 909 10th Street, First United Methodist Church (FUMC)
Wichita Falls Landmark #4 *(Recorded Texas Historic Landmark - 1983)*
***Texas Historical Commission Approval on 08/12/2020*

- Phase I – Reroofing Project
- Phase II Restoration Project
  - Cleaning Exterior Masonry Facades
  - Remove/Replace Deteriorated Window Sealants on Masonry Openings – All Facades & Bell Tower
  - Repaint All Bell Tower Windows – Matching Existing Color
  - Clean/Prep All Joints At Copings; Install New Coping Sealant on Flat Horizontal Joints; All Others Repointed with Cementitious Mortar
  - Raking/Repointing Mortar Joints (Select Locations)
  - Repair Damaged Coping Stones with Edison Coatings System 45
  - Limestone Repair Material
  - Remove/Replace Joint Sealants at Entrance Granite Steps Matching Masonry Color

Ms. Karen Gagné stated the subject property is a Wichita Falls landmark as well as a Recorded Texas Historic Landmark (RTHL), located at the intersection of 10th Street and Travis. The church is a very important landmark to the city, a model of gothic revival architecture built in 1928 and has remained essentially unchanged since its designation in 1984. The church came before the Landmark Commission a few years ago to incorporate updates to the west courtyard area.

Ms. Gagné stated the deterioration was visible in person and in the photos from the east façade on brick and stonework from environmental elements and aging. It is noticeable that the copper downspouts stop around the stonework detail midway up the wall. This is partly due to previous theft of copper. To avoid the costly replacement cycle they stopped about 8-10 ft. above ground, therefore, resulting in water damage to the exterior masonry over many years. Ms. Gagné stated this request is a long term maintenance and restoration project versus replacement. The caulking is where the replacements will be made.

Matt English, architect at Harper Perkins Architects, on behalf of FUMC contacted staff during the "shelter in place" time, which allowed staff to go onsite to record and photograph the areas of concern. During this time staff reached out to the Texas Historical Commission for approval and received an official approval from THC on August 12th, 2020. Ms. Gagné stated there is damage to the limestone façade as well as the roof, which is approximately 20 years old.

Staff introduced Mr. Matt English, architect for the project, for any additional information or questions from the Commission. There were no questions from the Commission. Mr. Andy Lee made a motion to approve the design review application which included all items previously approved by THC. Ms. Nadine McKown seconded. The motion passed unanimously.

V. Action Item: Design Review – Request Letter of Support – *Research & Potential Investigation for an Indiana Avenue National Register District & Historic Sites Inventory*

Overview & Proposal

Ms. Gagné stated the best person to present the proposal was Landmark Commission member, Mr. Andy Lee, owner, Andy Lee Company. Mr. Lee stated he was seeking support for a letter to consider research & potential investigation to pursue the formation of an Indiana Avenue Historic District and National Register application with THC and the National Park Service. Mr. Lee advised he would be submitting a proposal to the TIF #4 board in the future to assist with matching both private funding sources combined with a THC - CLG grant application. THC requires a 50% match. Funds would be required and utilized for the cost of researching and creating the historic district to support Post Oak Preservation consultant's proposal for $18,500 to complete the survey and the National Register/Texas Historical Commission (THC) application requirements.

The City of Wichita Falls is recognized by THC as a Certified Local Government (CLG) based on its historic preservation program and therefore eligible to apply for annual CLG grants. The City's received CLG grants in the past for various preservation projects. Mr. Lee outlined the proposed historic district would be consistent with the City of Wichita Falls Strategic Goals and Policies adopted March 25, 2019: redevelop downtown – create a Downtown Plan; establish and leverage public private partnerships; and promote downtown as a destination. The formation of a National Register Historic District on Indiana Avenue will help achieve these goals.

Mr. Lee stated the Texas Historical Commission has recommended the Indiana historic district and requires the historical resource survey of the area and future survey of the downtown area. Mr. Lee continued to outline initial research details to the Commission, including the proposed area which would focus on the 900 block of Ohio and 900 block of Indiana with some key properties in the 1000 block of Indiana.

The development team has already begun working with numerous property owners along Indiana, including work in 2019 with owners of the Bailey-Moline-Filgo Building which applied and received National Register designation which would be a property within the proposed district boundary. In addition, Ardent Urban Development Inc., owner, Steve Dietrichs paid $7,500 to Post Oak Preservation for the historical surveys and National Register applications for 3 buildings on Indiana which included The Wichita Theatre, recent National Register recipient with renovation plans in the next few years. Creation of the national register district can assist in the process for owners to obtain historic tax credits during a building renovation/rehabilitation project.

Chairperson Derr asked if the Commission had any questions or comments. Vice-Chairperson, Christy Graham stated she agreed with Mr. Lee's proposal and believed the Indiana Historic District was needed. Ms. Graham made the motion to write a letter of support from the Landmark Commission. Ms. Janel Ponder-Smith asked Mr. Lee if all property owners were in agreement. Mr. Lee indicated most were in agreement; only a couple remained undecided. Ms. Ponder-Smith stated she did not know if the Commission should support this if the property owners did not. Mr. Lee stated 90% did agree. *Motion reiterated:* Ms. Graham motioned to have staff write a letter of support from the Landmark

Commission for investigating potential development of an Indiana Ave Historic District. Mr. John Dickinson seconded motion. The motion passed unanimously.

VI. Presentation from Pella Windows & Doors: Window Options for Historic Renovations

A presentation was given by Ms. Shana Bjorg, Contractor Development Manager, and Jared Canter, Trade Sales Manager, with Pella Windows and Doors. Samples were displayed and product information distributed to the Commission. Many options were provided as replacements on historic homes/structures that had previously been approved by preservation districts in other cities.

VII. Other Business:

a) Monthly Reports

Depot Square:

Ms. Derr gave updates:

- Farmers Market – Open Tuesdays, Thursdays & Saturdays
- Sept. 12th – Indiana Block Party, 1p.m. – Midnight, corner of 8th & Indiana
- Sept. 19th – 9th St Studio, Juried Art Exhibit, Memento: Art That Reminds Us, 7-10 p.m.
- Sept. 3rd – Kemp Center – Late Thursdays, 5-8 p.m.
- Circle Trail – Has app for download on smart devices

West Floral Heights:

Ms. Ponder-Smith stated there were no updates.

Ms. Gagné stated there was a contact change for the West Floral Heights Neighborhood Association President – Mr. Nick Delgadillo.

b) Updates:

612 7th Street – Underground BBQ

Ms. Gagné advised this property previously had rotating tenants and the new tenant had installed a sign on the front façade of the property without a permit. The owner met with staff for Landmark requirements and stated the sign company made a mistake on the current sign and it would be replaced by a larger version. Staff asked the owner to notify them once the sign was received so that a review could be requested from the Landmark Commission to determine method of attachment to the masonry, etc.

713 Indiana Avenue

Ms. Gagné stated there had been sidewalk repairs made to the property where the structure has been slated for demolition, however, those repairs did not meet standards. Further reviews in the future.

1512 Tilden

Staff advised the Commission that the property owner had stated last month he was installing a temporary electric pole and would need to have it inspected. As of the time of the meeting, no calls had been received for an inspection at the property.

c) Sec. 106: Invitation to Consult: HUD Development of Statewide Programmatic Agreement

Ms. Gagné stated HUD would like to remove routine activities from the federal Sec. 106 review process and indicated staff would provide a response to the POC at HUD.

d) CLG 2021 Grants: Letter of Intent Due September 30th 2020

Staff advised the current budget year had no matching or above current funds to offset the required match for a CLG grant application. In addition, in order to inform THC of interest in a FY2021 grant, the city manager would have to approve and council authorize applying for such funds with match funds already pre-determined. Related to Mr. Lee's item regarding a potential Indiana Ave. National Register of Historic Places district, funding assistance to defray application/research costs would need to be from private funds, foundations or other matching fund programs, potentially from the downtown TIF zone. However, the TIF #4 increment funds may be dedicated to other downtown improvement initiatives outlined in the Downtown Strategic Plan. Staff suggested with limited financial resources utilizing 2021 as a development year to put together a detailed plan for a FY2022 CLG grant.

e) Window Rehabilitation Workshop – Hull Millworks:

Due to COVID and inability to have groups over 10 persons this has been canceled with a reschedule date to be determined.

f) Design Review – Staff Authorized – Minor Alteration/Repairs

- 3010 10th Street *(West Floral Heights)* – replacement roofing
- 1409 Grant *(West Floral Heights)* – plumbing permit/foundation inspection & replacement roofing
- 1415 Buchanan *(West Floral Heights)* – replacement roofing
- 1404 Hayes *(West Floral Heights)* – replacement roofing
- 1405 Hayes *(West Floral Heights)* – replacement roofing
- 1305 Grant *(West Floral Heights)* – replacement roofing
- 1500 Hayes *(West Floral Heights)* – replacement roofing
- 1 Crestway *(Morningside)* – sewer line repair – CWF Landmark
- 2812 9th Street *(Morningside)* – new HVAC system – *information only*
- 108 Pembroke *(Morningside)* – mechanical permit – *information only*
- 109 Pembroke *(Morningside)* – replacement roofing – *information only*

g) Articles & Periodicals/THC Items:

- Preservation News (National Trust)

VIII. Adjourn

Next regularly scheduled meeting September 22, 2020 at 12 p.m.
Meeting adjourned at 2:05 p.m.

Michele Derr

Michele Derr, Chairperson

10-27-2020

Date

MINUTES OF THE
WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

September 17, 2020

PRESENT:

Leo Lane, President	§	WFEDC Members
David Toogood, Vice-President	§	
Reno Gustafson, Secretary-Treasurer	§	
Phyllis Cowling	§	
Darron Leiker	§	
Stephen Santellana, Mayor	§	Mayor and Council
Bobby Whiteley, Councilor at Large	§	
Paul Menzies, Assistant City Manager	§	City Administration
R. Kinley Hegglund, City Attorney	§	
Terry Floyd, Director of Development Services	§	
Linda Merrill, Recording Secretary	§	
Henry Florsheim, CEO	§	CCI
David Leezer, V.P, Business Attraction	§	
Travis Haggard, V.P., BR&E	§	
Katie Britt, Director of Marketing	§	
Taylor Davis, Director of Talent Partnership	§	
Karen Bivona, Office Manager	§	
Jasmine Amo, Intern, Economic Development	§	
Glenn Barham	§	SMAC
Jana Schmader	§	DWFD
Jeanette Charos	§	

---

1. Call to Order

Leo Lane called the meeting to order at 3:00 p.m.

2. Presentations related to third-party economic development contracts

SMAC

Glenn Barham said SMAC is making a request of $150,000 from the WFEDC for its 2020-21 operating year. This is the same amount requested last year. Burkburnett, Iowa Park, and Wichita County have committed to their same funding levels as last year.

During the COVID-19 pandemic, SMAC continued to enhance relations between the community and Sheppard AFB. While traveling and events were canceled, virtual visits at the local, state and national level continued and will continue into the new year. SMAC will also educate Texas legislators on the importance of protecting the statewide low-level military training routes.

The capital campaign drive is moving forward; they have collected $189,652, or 63% of the goal of $300,00.

Expenditures are anticipated at $290,440, with increases in insurance, office space rental, and computer maintenance costs.

Savings realized from the canceled October event will be used to provide airmen in training a dinner in early 2021 prepared by the Mavericks.

DWFD

Jana Schmader said the DWFD organization has undergone an evolution. Prior to 2018, its core competency was in marketing, special events, historical preservation advocacy and projects. She was hired in 2018, and it was paramount that DWFD take a more active role in economic development. That year, the new branding campaign was rolled out, repositioning Wichita Falls for business development, locals and visitors.

October 2019 brought about a new strategy of business recruitment, retention and expansion. They have helped over 40 businesses and investors. She has scouted and/or toured 45 properties for local and regional investors. The DWFD has facilitated predevelopment meetings, prepared seven incentive packages for the 4B Sales Tax Corporation (100% of which were approved). There have been 8 closing on properties downtown, with 12 in the development phase or under construction. DWFD has developed a virtual tour of buildings to be sent off to investors.

DWFD assists in project management from start to finish, including code compliance, as a liaison between equity partners/lenders, putting together proposals for 4B presentation, and providing consultation on historic tax credits. Each down business has different needs. DWFD provides training and education, and acts as the marketing information arm of downtown.

COVID-19 was a blow to the district and to the organization. The first thing DWFD was to distribute real time information, and current rules/regulations. They connected several businesses to PPE vendors, and researched state/national funding available to businesses.

DWFD and the Chamber of Commerce and Industry have spent this past year working on a collaborative, complementary effort. They are aware it is vitally important to have role clarity.

The proposal is close to that of last year, but with more added value. There is an increase in salaries, and they are requesting software for customer relationship management. This software allows for logging in information on developers, as well as downtown building inventory, and pairing the two.

IdeaWF

Mr. Lane said IdeaWF has suspended its program for one year, but asks that the WFEDC extend an offer next year equal to last year's contribution.

Chamber of Commerce and Industry

Henry Florsheim said this year has been exciting in terms of economic development: The Stanley building was sold, and the city landed Pamlico Air and Panda Biotech. The talent partnership won a statewide workforce excellence award. It was announced today that the Pamlico/Stanley Tools project won a community development award from the Texas Economic Development Council. This is the second time in four years Wichita Falls has won the award (first for the Vitro Glass project).

This year's budget request includes increases in salaries and related benefits. The Chamber had held off filling its vacant research position and the downtown economic development position due to the downturn in sales tax collections because of the COVID-19 pandemic. But since the WFEDC gave the go-ahead to fill these positions, he can report that the research position has been filled, and they will start in the near future to recruit a downtown business attraction person.

He agrees that there is a good relationship between the Chamber and DWFD, and they are actively working together on projects.

Alysia Cook of Opportunity Strategies just delivered a document that outlines action items regarding economic development strategy, and provides for specific deliverables. That document will help guide the Chamber and the Board in figuring out their next steps.

The Chamber is offering to take on the role of administrative support for the Board at no extra charge, despite Ms. Cook's advice that the Chamber request more funding for this task. He and office manager Karen Bivona believe they can absorb those duties.

Between DWFD and the Chamber, only a small portion of the 10% promotional cap dollars are budgeted.

The Chamber requests that the WFEDC budget $50,000 (reduced from last year's $200,000) to offset the cost to recruit outside employees for businesses unable to fill positions locally.

3. Discussion related to performance agreement for Panda Biotech/Panda High Plains Hemp Gin LLC

Mr. Gustafson and Mr. Lane left the meeting during this topic of discussion due to conflicts of interest.

Mr. Florsheim said the question of collateral needs to be resolved before the performance agreement can be completed, but the topic today concerns the due date for job creation. Initially set for the end of the 4th quarter, Panda is requesting that it be moved to the end of the first quarter of 2022.

The Chamber has worked nearly every day on this project, taking Panda to the Commissioners Court for tax abatement, introducing them to the farming community, and coordinating discussions with bond counsel. Things are still progressing positively.

Kinley Hegglund said no vote is required on this issue today. Once the topic was closed for discussions, Mr. Lane and Mr. Gustafson returned to the meeting.

4. Discussion related to performance agreement for DuPlooy Farm & Trucking LLC

Mr. Haggard said DuPlooy Trucking is requesting an amendment to its performance agreement signed in February 2020.

The company was originally operating out of Oklahoma and Byers, Texas. The performance agreement was predicated on the company locating its business inside the city limits of Wichita Falls. They have purchased NRG Trucking, which includes that company's building at 1701 Scott Street. A transaction with Halliburton for property within the city limits fell through, so they signed a lease on property on Highway 281, just outside the city limits. Mechanical work is performed on the trucks at this location, as well as driver training. Their goal is to build inside the city limits, but they are requesting the performance agreement be amended to expand the acceptable location to Wichita County.

In addition, the performance agreement initially called for 90 truck drivers and 2 dispatch administrative personnel. DuPlooy Trucking requests that these numbers be amended to require only 72 truck drivers, and move those 18 positions to the administrative side, moving that number of personnel to 20.

Next, the company requests that the cash for job and relocation benefit, which was originally at a 12-month requirement, be reduced to a 6-month time frame.

Finally, the company is requesting leniency from the WFEDC for residency requirements for over-the-road truckers whose permanent address is the truck itself. These truckers have mail delivered to addresses of family members, but have no fixed address other than their vehicle.

5. Discussion related to Clayton Homes project

Mr. Haggard said the topic for discussion is ongoing cleanup efforts at the proposed future site of Clayton Homes Manufacturing. Clayton Homes had its own environmental agency, Strata, do vapor barrier and air quality tests. Those results show a higher level of TCP than recommended in one area. Braun Intertec said Strata had done more tests than are normally performed, and only one sample site revealed that higher level. The air quality test did not show the quality of air was jeopardized; the concentration was high in one spot, but not throughout the entire building.

Clayton Homes wants TCEQ to review the sampling performed by Strata, and acknowledge that it is aware of that higher level of TCP. That would relieve some liability, and efforts would be made to get rid of the toxins so that employees would have a safe working environment.

There are some issues with this request: (1) It is unknown whether TCEQ will accept Strata's test results, as it is not the agent of record (which is Braun Intertec); (2) the lab that performed the tests is not accredited; and (3) the air quality test findings concur with what TCEQ has already evaluated.

However, Clayton Homes is the buyer and creator of jobs, so there are two proposals to present to the Board:

Option 1	More tests are performed and large areas are treated to mitigate the TCP levels. This option is potentially costlier.
Option 2	More testing to seek the areas showing the high concentration of TCP; find the leakage and mitigate it. This is costlier upfront, but on the backside, it could lower the cost of mitigation.

The request is for $65,000 for the testing, and remediation on top of that is the potential of $265,000.

David Toogood asked if the Board has any liability if an environmental issue arises after Clayton Homes has closed on the property. Mr. Haggard said Clayton Homes will buy a five-year environmental insurance policy, and will include the City of Wichita Falls as an additional insured. There will be a restriction from TCEQ that no drinking water will come from this site.

Mr. Lane said this project to get TCEQ and Clayton Homes satisfied will take longer and cost more money. Mr. Haggard agreed. Mr. Lane said he would prefer to wait for the test results before agreeing to the remediation funds. Ms. Cowling agreed; stating she would feel more comfortable knowing an actual dollar amount before voting on that aspect.

Ms. Cowling asked the current due diligence deadline. Mr. Haggard said it is November 10.

6. Discussion and possible action related to appointment of officers

Mr. Gustafson nominated the following slate of officers through 2021: Leo Lane, president; David Toogood, vice president, and Phyllis Cowling, secretary/treasurer. Seconded by Mr. Leiker, the motion carried 5-0.

7. Approval of Minutes (6/30/20 and 8/14/20)

David Toogood moved for approval. Reno Gustafson noted the starting time of the meeting was incorrect on the August 14, 2020 minutes. With that correction, the motion carried 5-0.

8. Financial Report

Paul Menzies reminded the Board that the practice has been to project the sales tax revenue number as flat based on the current year's figure. Staff is still projecting a 6% reduction on sales tax revenues for next year. That may change, as there are still two months left in the year. However, the Board will stay consistent with the practice of the City Council. The number could possibly be $4.1 million.

Annual programs are consistent with the current year. Earlier this year, the Chamber switched from a fiscal year to a calendar year. A request today for the Chamber contract would start January 1. For budget purposes, the Board has money in this fiscal year budget to cover the 4th quarter of the Chamber's existing contract (about $260,000). If next year's contract is approved, 75% would be earmarked in the Board's next fiscal year budget.

SMAC and DWFD are not yet included, but will be if approved today.

The Board typically pays $140,000 for debt service for the municipal airport terminal.

Mr. Florsheim's request that the Board set aside $50,000 for the employee recruitment program is not reflected in the budget, but that change will be made if the Board so desires.

The estimated unreserved cash for new projects next year is at $4.1 million. That number is based on the estimated year-end cash from about a year ago. That number is running way ahead, so it will probably be $3.5 million higher than that.

9. Executive Sessions

Mr. Lane adjourned the meeting into executive session at 4:04 p.m. pursuant to Texas Government Code §§551.072 and 551.087. He announced the meeting back into regular session at 5:28 p.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further action was taken on the items in executive session.

10. Motions

SMAC

Mr. Gustafson moved to approve the expenditure of $150,000 to the Sheppard Military Affairs Committee for the 2020-21 operating year. Seconded by Mr. Toogood, the motion carried 5-0.

DWFD

Mr. Leiker moved to approve the expenditure of $110,000 to Downtown Wichita Falls Development for the 2020-21 operating year. Seconded by Ms. Cowling, the motion carried 5-0.

CCI

Mr. Toogood moved to approve the expenditure of $1,099,830 to the Chamber of Commerce and Industry for the 2021 calendar year. Seconded by Mr. Gustafson, the motion carried 5-0.

Clayton Homes

Ms. Cowling moved to approve the expenditure of $65,056 for additional testing at the proposed site of Clayton Homes Manufacturing. Seconded by Mr. Leiker, the motion carried 5-0.

DuPlooy Trucking

Mr. Leiker moved to amend the DuPlooy Trucking incentive agreement as follows:

1. Reallocate the cash for jobs incentive by:
    a. Reducing the number of truck drivers from 90 to 72
    b. Increasing the number of dispatch personnel from 2 to 20
2. Approve a six-month cash-for-jobs incentive at one-half the original rate. The second half of that original rate would be made from months 6-12, providing the company moves all operations into the city limits or enters into a payment in lieu of tax agreement with the City. (The first payment to the company shall be paid as outlined in the original performance agreement.)

Seconded by Ms. Cowling, the motion carried 5-0.

2020-21 Budget

Mr. Toogood moved to accept the 2020-21 WFEDC budget as presented, with the following changes:

1. Add a $50,000-line item in support of the Chamber's relocation incentive program
2. Include all of the projects approved at today's meeting

Seconded by Mr. Gustafson, the motion carried 5-0.

11. Adjourn

The meeting adjourned at 5:34 p.m.

Leo Lane, President

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Ordinance accepting funds in the amount of $33,453.00 received from the FY 2020 Homeland Security Grant Program (HSGP), and authorizing the City Manager, or City Council appointed Authorized Official, to execute contracts and other documents related thereto.

INITIATING DEPT: Fire

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City of Wichita Falls has been notified that we have been approved to receive a Department of Homeland Security Grant in the amount of $33,453.00 for Fiscal Year 2020 (Grant #4023301). This grant award is part of the State Homeland Security Program (SHSP) funds. The 2020 SHSP funding will be used for equipment, training and materials to form a Technical Rescue Team in the NORTEX Region. Currently, the NORTEX region does not have a Technical Rescue Team trained and equipped in the 11 county area. This equipment will help begin the process of equipping Wichita Falls Fire Department personnel with the tools needed to work in confined space, trench rescue, collapsed structure and high angle rescue. There is no required City match for these grant funds.

Staff recommends approval of the ordinance.

☒ **Fire Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

GOVERNOR GREG ABBOTT

Dear Grantee:

Congratulations on your award! To activate your agency's grant, the Authorized Official must log on to eGrants at https://eGrants.gov.texas.gov and go to the 'My Home' tab. In the 'Pending Applications' section, locate the application with a 'Current Status' of "Pending AO Acceptance of Award". Click on the grant number and proceed to the 'Accept Award' tab. From this tab, click on the 'Accept' button. Grants must be accepted within 45 calendar days of the date the award was issued.

Be sure to review the Grantee Conditions and Responsibilities Memo for a quick overview of general items every grantee should be aware of. You can also find more detailed information on the eGrants website including helpful resources, links, and tools needed to properly administer HSGD grants. The Guide to Grants, also on the website, contains answers to questions frequently asked by grantees.

If you have any questions regarding this award, feel free to contact your grant manager, whose name is referenced in the Statement of Grant Award or you may always contact our office via the eGrants Help Desk at eGrants@gov.texas.gov.

We look forward to working with you to ensure the success of your program

Nancy N Carrales

Nancy N. Carrales
Executive Director
Homeland Security Grants Division

Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter E, Division 4 of the Texas Administrative Code, and the Uniform Grant Management Standards (UGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	4023301	**Award Amount:**	$33,453.00
Date Awarded:	10/16/2020	**Grantee Cash Match:**	$0.00
Grant Period:	12/01/2020 - 05/31/2021	**Grantee In Kind Match:**	$0.00
Liquidation Date:	08/29/2021	**Total Project Cost:**	$33,453.00
Program Fund:	HS-Homeland Security Grant Program (HSGP)		
Grantee Name:	Wichita Falls, City of		
Project Title:	Technical Rescue Team		
Grant Manager:	Margaret Buentello		
DUNS Number:	059463133		

CFDA:	97.067 - Homeland Security Grant Program (HSGP)
Federal Awarding Agency:	U.S. Department of Homeland Security, Federal Emergency Management Agency
Federal Award Date:	9/4/2020
Federal/State Award ID Number:	EMW-2020-SS-00054
Total Federal Award/State Funds Appropriated:	$98,320,229.00
Pass Thru Entity Name:	Texas Office of the Governor – Homeland Security Grants Division (HSGD)

Is the Award R&D:	No
Federal/State Award Description:	The purpose of the HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 31 core capabilities essential to achieving the National Preparedness Goal (the Goal) of a secure and resilient Nation. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community.

Ordinance No. _____

Ordinance accepting funds in the amount of $33,453.00 received from the FY 2020 Homeland Security Grant Program (HSGP) and authorizing the City Manager, or City Council appointed Authorized Official, to execute contracts and other documents related thereto

WHEREAS, the Emergency Preparedness Office has received notice of the award of the 2020 Homeland Security Grant funding from the Texas Governor's Office; and,

WHEREAS, the City's Emergency Preparedness Office desires to receive these funds to purchase the necessary equipment for a Technical Rescue Team; and,

WHEREAS, these funds were already appropriated through the adoption of the FY 2020 budget.

WHEREAS, the City of Wichita Falls agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Wichita Falls assures that the funds will be returned to the Office of the Governor in full.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The 2020 Homeland Security Grant Fund in the amount of $33,453.00 is hereby accepted and the City Manager, or City Council approved Authorized Official, is authorized to execute a contract with the Texas Governor's office accepting the grant and any other documents related thereto.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for Integrated HIV Surveillance and Prevention program in the amount of $138,272 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Actively Communicate and Engage the Public

STRATEGIC OBJECTIVE: Enhance Public Outreach and Engagement

COMMENTARY: Approval of this ordinance will appropriate $138,272 in funding for an extension to the current pilot project in the Wichita Falls- Health Delivery Service (HDSA) area to create a comprehensive package of rural health care services. The HDSA is comprised of the following counties: Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Young, Wichita, and Wilbarger. This pilot grant will expand on the current HIV prevention grant activities and is designed to reduce the burden of the Human Immunodeficiency Virus (HIV), syphilis and hepatitis C Virus (HCV) in specified priority populations. If this pilot project is successful in our area, it will be replicated in other areas of the State. There is no City match required for this grant.

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for Integrated HIV Surveillance and Prevention program in the amount of $138,272 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

WHEREAS, the Health District and the Department of State Health Services desire to enter into a contract for continued public health services; and

WHEREAS, approval of these funds could not have been anticipated prior to the adoption of the 2020-2021 budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

There is hereby appropriated in the Special Revenue Fund $138,272 for the Integrated HIV Surveillance and Prevention Program, and the City Manager is authorized to enter into a contract with the Department of State Health Services for the Wichita Falls-Wichita County Public Health District.

PASSED AND APPROVED this the 3rd day of November 2020

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Ordinance making an appropriation to the special revenue fund for the Tuberculosis Prevention and Control Program (Federal) in the amount of $23,449 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: This is a renewal grant for the Tuberculosis program. There is a required match of 20% or $4,690 which makes the total grant budget $28,139. The match requirement is met by in-kind services from the City of Wichita Falls. There is one full-time employee covered by this grant who primarily performs directly observed therapy, contact investigations, and provider education. The contract period for this grant is January 1, 2021 to December 31, 2021

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for the Tuberculosis Prevention and Control Program (Federal) in the amount of $23,449 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

WHEREAS, the Health District and the Department of State Health Services desire to enter into a contract for continued Tuberculosis prevention and control; and

WHEREAS, approval of these funds could not have been anticipated prior to the adoption of the 2020 - 2021 budget,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

There is hereby appropriated in the Special Revenue Fund $23,449 for the Tuberculosis Program and the City Manager is authorized to enter into a contract with the Department of State Health Services for the Wichita Falls-Wichita County Public Health District.

PASSED AND APPROVED this the 3rd day of November, 2019.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Ordinance appropriating $2,244.80 of grant funds pursuant to the FY 2020 Patrick Leahy Bulletproof Vest Partnership Grant, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City Council on June 2, 2020 authorized the City Manager to apply for the FY 2020 Patrick Leahy Bulletproof Vest Partnership Grant in the amount of $23,495.00. The Patrick Leahy Bulletproof Vest Partnership Grant notified the City of Wichita Falls that it has been awarded $2,244.80. The Police Department intends to use these funds to assist in the purchase of bulletproof vests for officers.

Staff recommends approval of the ordinance.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Ordinance appropriating $2,244.80 of grant funds pursuant to the FY 2020 Patrick Leahy Bulletproof Vest Partnership Grant, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds

WHEREAS, the City of Wichita Falls has been notified that it has been awarded $2,244.80 in grant funding from the Patrick Leahy Bulletproof Vest Partnership Grant; and,

WHEREAS, the City of Wichita Falls will use these funds to purchase bulletproof vests for the Wichita Falls Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is hereby authorized to accept grant funding for bulletproof vests from the FY 2020 Patrick Leahy Bulletproof Vest Partnership Grant in the amount of $2,244.80.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Ordinance appropriating $87,950.61 of grant funds pursuant to the Office of the Governor, Public Safety Office, Criminal Justice Division, 2020 Coronavirus Emergency Supplemental Funding (CESF), appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept said funds.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficient Delivery of City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City Council on May 19, 2020 authorized the City Manager to apply for the Office of the Governor, Public Safety Office, Criminal Justice Division, 2020 Coronavirus Emergency Supplemental Funding (CESF) Program in the amount of $87,950.61. The City was recently awarded these non-matching grant funds. The Police Department intends to use these funds to supplement and replace Personal Protective Equipment and supplies for Police Personnel and for overtime funding incurred by emergency dispatchers and Department personnel due to the Coronavirus.

Staff recommends the City Council approve the attached ordinance appropriating the grant funds.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance appropriating $87,950.61 of grant funds pursuant to the Office of the Governor, Public Safety Office, Criminal Justice Division, 2020 Coronavirus Emergency Supplemental Funding (CESF), appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept said funds

WHEREAS, the City of Wichita Falls has been notified that it has been awarded a non-matching grant, from the Office of the Governor, Public Safety Office, Criminal Justice Division, 2020 Coronavirus Emergency Supplement Funding (CESF) Program, in the amount of $87,950.61; and,

WHEREAS, the Police Department intends to use these funds to supplement and replace Personal Protective Equipment and supplies for Police Personnel and for overtime funding incurred by emergency dispatchers and Department personnel due to the Coronavirus.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is hereby authorized to execute all documents necessary to accept said funds from the Office of the Governor, Public Safety Office, Criminal Justice Division, 2020 Coronavirus Emergency Supplemental Funding (CESF) Program, in the amount of $87,950.61.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Ordinance appropriating $60,561.67 of grant funds pursuant to the Office of the Governor, Public Safety Office, Homeland Security Grants Division, 2020 State Homeland Security Program, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficient Delivery of City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City Council on August 4, 2020 authorized the City Manager to apply for the Office of the Governor, Public Safety Office, Homeland Security Grants Division, 2020 State Homeland Security Program – LETPA Projects (SHSP-L) Grant in the amount of $60,561.67. The City was recently awarded these non-matching grant funds. The Police Department intends to use these funds to upgrade and replace equipment for the Department's Crisis Response Team, consisting of SWAT and Crisis Negotiators.

Staff recommends the City Council approve the attached ordinance appropriating the grant funds.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance appropriating $60,561.67 of grant funds pursuant to the Office of the Governor, Public Safety Office, Homeland Security Grants Division, 2020 State Homeland Security Program, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds

WHEREAS, the City of Wichita Falls has been notified that it has been awarded a non-matching grant, from the Office of the Governor, Public Safety Office, Homeland Security Grants Division, 2020 State Homeland Security Program – LETPA Projects (SHSP-L), in the amount of $60,561.67; and,

WHEREAS, the Police Department intends to use these funds to upgrade and replace equipment for the Department's Crisis Response Team, consisting of SWAT and Crisis Negotiators.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is hereby authorized to execute all document necessary to accept said funds from the Office of the Governor, Public Safety Office, Homeland Security Grants Division, 2020 State Homeland Security Program – LETPA Projects (SHSP-L), Grant Number 3996401, in the amount of $60,561.67.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution authorizing The City Manager to execute all documents necessary to purchase replacement network equipment from CDW Government LLC in the amount of $349,956.49.

INITIATING DEPT: Information Technologies & Facilities

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: During the pandemic, the Information Technology division has been tasked with the challenge of providing employees the ability to work remotely and in socially distanced environments. In order to continue to meet the bandwidth requirements of a remote and socially distanced work environment, the Information Technology division will need to improve the City's network infrastructure. These new concepts require an increased bandwidth in order for staff members to stream video for required training, video conferencing and more conference calls. The majority of our network infrastructure will not accommodate these new requirements. In addition, over 50% of our network equipment has exceeded its life cycle and is no longer supported by its vendor. By upgrading this equipment, we will be able to accommodate quarantined and socially distanced staff members and offer more contactless services to the citizens. The IT division would like to use available technology funds from the CARES Act for this purchase. CDWG is a participant of the Texas Department of Information Resources purchasing systems (DIR) therefore their products and services have been competitively bid.

Staff recommends the City Council authorize the City Manager to sign all documents necessary to purchase replacement network equipment from CDW Government LLC in the amount of $349,956.49 from the technology portion of the CARES Act.

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing The City Manager to execute all documents necessary to purchase replacement network equipment from CDW Government LLC in the amount of $349,956.49 from the technology portion of the CARES Act

WHEREAS, the funds are available via the CARES Act to replace the aging network infrastructure that cannot adequately support a remote work environment and are no longer supported by warranty; and,

WHEREAS, the vendor of choice is a participant of the State DIR Vendors for the purchase of network replacement equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is authorized to execute all documents necessary to purchase replacement network equipment from CDW Government LLC in the amount of approximately $349,956.49 from the technology portion of the CARES Act.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution authorizing the City Manager to execute all documents necessary to purchase 7 unlicensed and 2 licensed microwave communication links from Alpha Omega Wireless, Inc. in the amount of $152,497.17.

INITIATING DEPT: Information Technologies & Facilities

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: During the pandemic, the Information Technology division has been tasked with the challenge of providing employees the ability to work remotely and in socially distanced environments. Currently, the communication links for 6 of our 8 Fire Stations have been failing due to being over 10 years old. The Fire Department employees are having to perform more of their day-to-day tasks and required training from the Fire Stations to meet social distancing and safe practice requirements. This project will replace the failed links at Fire Stations 3 through 8. There will need to be 3 additional links installed to provide a connection for the locations that do not have a clear line of sight to our central communication hub. By upgrading these communication links, they will be able to accomplish these objectives. The IT division would like to use available technology funds from the CARES Act for this purchase. Alpha Omega Wireless is a participant of The Interlocal Purchasing Systems (TIPS) therefore their products and services have been competitively bid.

Staff recommends the City Council authorize the City Manager to sign all documents necessary to purchase 7 unlicensed and 2 licensed microwave communication links from Alpha Omega, Inc. in the amount of $152,497.17 from the technology portion of the CARES Act.

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing The City Manager to execute all documents necessary to purchase 7 licensed and 2 unlicensed microwave communication links from Alpha Omega, Inc. in the amount of $152,497.17 from the technology portion of the CARES Act

WHEREAS, the funds are available via the CARES Act to replace the communication links at Fire Stations 3-8 that are in excess of 10 years old and are no longer supported by warranty; and,

WHEREAS, the vendor of choice is a participant of The Interlocal Purchasing System (TIPS) for the purchase of these licensed and unlicensed microwave communication links.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is authorized to execute all documents necessary to purchase 7 unlicensed and 2 licensed microwave communication links from Alpha Omega Wireless , Inc. in the amount of approximately $152,497.17 from the technology portion of the CARES Act.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution of support and approval for inclusion of two City of Wichita Falls owned (900 and 910 Ohio) properties in a proposed Indiana Avenue National Register Historic District and Resource Survey.

INITIATING DEPT: Development Services/Planning Division

STRATEGIC GOAL: Redevelop Downtown, Accelerate Economic Growth

STRATEGIC OBJECTIVE: Pursue Public Private Partnerships, Support Neighborhood Revitalization

COMMENTARY:

- August 25, 2020 – City's Landmark Commission approves letter of support for research and potential investigation of an Indiana Ave. National Register Historic District and Historic Resource Survey.
- **November 3, 2020** – City Council to consider inclusion of City-owned properties in proposed District.

Summary

Developer Andy Lee and several downtown property owners are proposing to create the "Indiana Ave National Historic District" (see map, below). The proposed historic district designation through The National Register (NR) would allow those private properties to be eligible for historic tax credits to be used for renovation. The area proposed by the group to be included in the District includes the City-owned Bud Daniels Park at 900 Ohio and its adjacent parking lot. As such, the group needs the City's permission to include these two properties in their application to the NR.

The National Register (NR) designation does not impose restrictions on the use, alteration, or disposal of properties; nor does it require that properties be maintained, repaired, or restored unless the owner applies for federal and/or state historic tax credits. Additionally, as this designation would be through the NR and not the City of Wichita Falls, there would be no local design review process for alterations; only the City's standards development review process.

Details

Development of an Ohio/Indiana Avenue National Register Historic District has evolved from early discussions among the City's Landmark Commission and the DDSC's Historic Preservation Subcommittee during 2016 and 2018. Most recently Andy Lee Company in partnership with Post Oak Preservation Solutions (San Antonio) and Downtown Wichita Falls Development Inc. (DWFD) are actively working with property

owners to begin formulating a national historic district focused on the 900/1000 block of Indiana and also the 900 block of Ohio, encompassing +/- 15 land parcels. In discussions with Greg Smith, National Register Coordinator, Texas Historical Commission (THC), both City and Wichita County Heritage Society staff were advised to create a second historic district downtown rather than expand the existing Depot Square National Register Historic District. The rationale behind the creation of this new district being all properties currently in the Depot District would be reassessed for eligibility by THC/National Parks Service if the district were expanded. The most logical direction moving forward was to consider distinct districts within the downtown core, particularly the Indiana area based on recommendations from THC.

A National Register designation provides recognition of significant properties, encourages preservation of historic properties, promotes heritage tourism, and buildings/sites must be at least 50-years old and meet criteria established by the THC and National Park Service. Perhaps most importantly, pursuing a National Register of Historic Places designation provides basic eligibility for property owners to apply for federal and state historic tax credits for rehabilitation projects without the requirement of local design guidelines. The designation does not restrict the owner's ability to alter, manage or dispose of the property. This non-restriction of alterations, management and/or disposal also applies to City-owned properties included in the district.

The project development group contacted all property owners in the proposed district and the City is not aware of any owner-opposition to the proposed Indiana Avenue historic district. Within the proposed district are two city-owned properties: 1) Bud Daniel Park (900 Ohio), and 2) a parking lot (910 Ohio) immediately behind Wichita Theatre (refer to Attachment 'A'). Inclusion of the two city lots is critical to ensure the district is contiguous thus giving 901 Ohio the opportunity to be part of the project and potentially eligible for tax credits. Again, this designation does not restrict future City uses of the property.

Recommendation:
Staff recommends approval of the resolution.

☒ **Assistant City Manager** ☒ **Director of Development Services**

ASSOCIATED INFORMATION: Resolution: Attachment 'A'

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Resolution No. _____

Resolution of support and approval for inclusion of two City of Wichita Falls owned (900 and 910 Ohio) properties in a proposed Indiana Avenue National Register Historic District and Resource Survey

WHEREAS, the proposed National Register of Historic Places district was part of the recommendations from the Historic Preservation Subcommittee to the Downtown Development Steering Committee (DDSC) in 2018; and

WHEREAS, the City of Wichita Falls Landmark Commission at their August 25, 2020 meeting recommended to support the investigation and research for a National Register of Historic Places - Indiana Avenue Historic District and Resource Survey; and

WHEREAS, the proposed National Register of Historic Places - Indiana Avenue Historic District is consistent with the City's Strategic Goals for Redevelopment of Downtown enhancing the opportunity for economic redevelopment incentives with the ability to be eligible to apply for federal and state historic tax credits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The property at 900 Ohio, owned by the City of Wichita Falls, being further described as Lots 1 and 2, North 20ft of Lot 3, Block 182 Original Townsite, outlined in Attachment A, is included in the proposed Indiana Avenue National Historic District; and

2. The property at 910 Ohio, owned by the City of Wichita Falls, being further described as the South 30ft Lot 3 and all of Lots 4-7, Block 182, Original Townsite, outlined in Attachment A, is included in the proposed Indiana Avenue National Historic District.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

ATTACHMENT A



Indiana National Historic District (INHD)
Location Map

Legend

- INHD Boundary
- INHD Properties
- City Property
- Parcels

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Fabian Medellin
DATE PRODUCED: 13 August 2020

Disclaimer
The City of Wichita Falls has attempted to verify the accuracy of the information contained in the following map at the time of publication. The City of Wichita Falls assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution declaring the City owned property located at 1823 5th Street, also known as Lot 1-C, Block 7, Bellevue Addition, Wichita Falls, Wichita County, Texas as excess real property and authorizing permission to advertise the property to be offered for sale at sealed bid.

INITIATING DEPT: Property Management

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Revitalize Depressed and Declining Neighborhoods

COMMENTARY:

- Circa 1904 – City acquires land;
- 1946 – City and the U.S. Navy entered into a lease agreement for land. The Navy subsequently constructed the main building and the site was utilized as a Naval and Marine Corps Reserve Training Center until 1992;
- 1993 - Navy vacates the property and provides clear title to the City for the main building;
- 1994 - City and WFISD enter in lease agreement for use as the facility, which housed the Denver Alternative School until late 2019;
- 2020 – WFISD vacates main building and two modular buildings;
- **November 3, 2020** – City Council to consider declaring property excess and to seek bids for sale;
- January 2021 – Anticipated bid opening and City Council action to accept or reject bids.

Pursuant to State law, approval of this item will deem the City-owned property at 1823 5th Street (see attached map) including the land, main building, and two modular buildings to be excess property and to be offered for sale to the general public through the sealed bid process. Interested parties will have the opportunity to examine the property by appointment. Additionally, City staff will conduct an "open house" on at least two different occasions with notification to the public of the viewing times. The City will retain the adjacent property containing the supply yard and the Denver Water Tower.

As required by law, the property has recently been appraised by an independent certified appraiser and the "fair market value" has been determined as follows:

$445,000.00

(1) **$405,000.00** for the main building (approximately 9,000 sf and the 2.26 acres)

(2) **$25,000.00** for the 1,824 sf modular building
(3) **$15,00.00** for the 715 sf modular building

The property is currently zoned General Commercial.

If approved, City staff anticipates an approximate 60-day period once bids packets are available until bids are due. As such, it appears at this time City Council could consider accepting or rejecting bids in January 2021.

Staff recommends approval of the resolution.

☒ **Asst. City Manager** ☒ **Property Administrator**

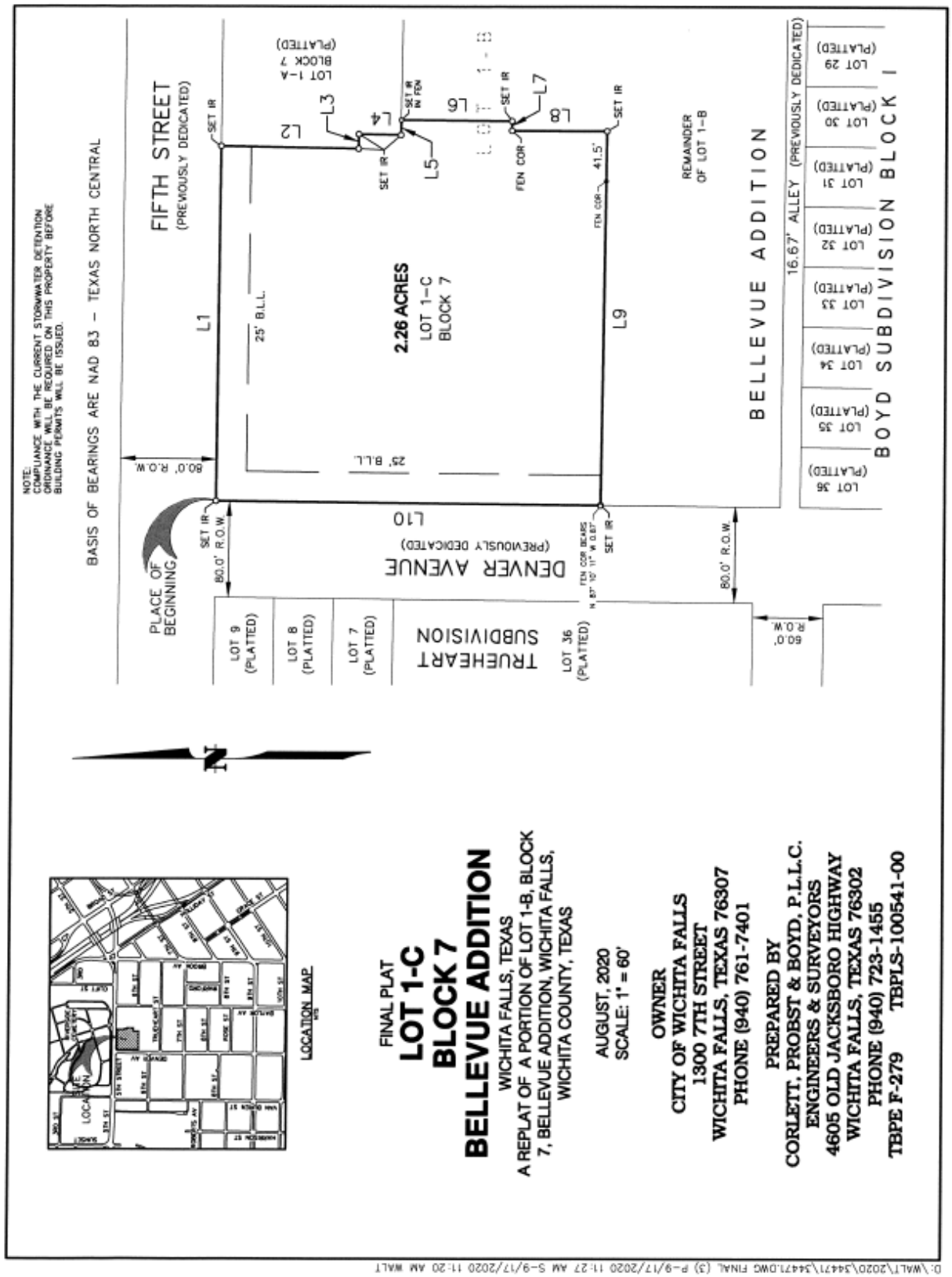
ASSOCIATED INFORMATION: Resolution, Plat Map, Exterior Building Pictures, Interior Building Pictures, Property Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Plat Map


NOTE:
COMPLIANCE WITH THE CURRENT STORMWATER DETENTION ORDINANCE WILL BE REQUIRED ON THIS PROPERTY BEFORE BUILDING PERMITS WILL BE ISSUED.
BASIS OF BEARINGS ARE NAD 83 – TEXAS NORTH CENTRAL
FIFTH STREET
(PREVIOUSLY DEDICATED)
LOT 1-A BLOCK 7 (PLATTED)
SET IR
SET IR IN FEN
FEN COR
SET IR
SET IR
41.5'
FEN COR
L1
L2
L3
L4
L5
L6
L7
L8
L9
L10
25' B.L.L.
25' B.L.L.
2.26 ACRES
LOT 1-C
BLOCK 7
REMAINDER OF LOT 1-B
BELLEVUE ADDITION
16.67' ALLEY (PREVIOUSLY DEDICATED)
BOYD SUBDIVISION BLOCK I
LOT 29 (PLATTED)
LOT 30 (PLATTED)
LOT 31 (PLATTED)
LOT 32 (PLATTED)
LOT 33 (PLATTED)
LOT 34 (PLATTED)
LOT 35 (PLATTED)
LOT 36 (PLATTED)
80.0' R.O.W.
PLACE OF BEGINNING
SET IR
80.0' R.O.W.
DENVER AVENUE
(PREVIOUSLY DEDICATED)
FEN COR TEXAS
N 89° 10' 11" W 0.67'
SET IR
80.0' R.O.W.
60.0' R.O.W.
TRUEHEART SUBDIVISION
LOT 9 (PLATTED)
LOT 8 (PLATTED)
LOT 7 (PLATTED)
LOT 36 (PLATTED)
N
LOCATION MAP
FINAL PLAT
LOT 1-C
BLOCK 7
BELLEVUE ADDITION
WICHITA FALLS, TEXAS
A REPLAT OF A PORTION OF LOT 1-B, BLOCK 7, BELLEVUE ADDITION, WICHITA FALLS, WICHITA COUNTY, TEXAS
AUGUST, 2020
SCALE: 1" = 60'
OWNER
CITY OF WICHITA FALLS
1300 7TH STREET
WICHITA FALLS, TEXAS 76307
PHONE (940) 761-7401
PREPARED BY
CORLETT, PROBST & BOYD, P.L.L.C.
ENGINEERS & SURVEYORS
4605 OLD JACKSBORO HIGHWAY
WICHITA FALLS, TEXAS 76302
PHONE (940) 723-1455
TBPE F-279 TBPLS-100541-00
D:\WALT\2020\34471\34471.DWG FINAL (3) P-9/17/2020 11:27 AM S-9/17/2020 11:20 AM WALT

1823 5th Street





Main Building Interior





Main Building Interior





1,824 sf Modular Building



Interior



715 sf Modular Building



Interior



Property Location Map





Resolution No. _____

Resolution declaring the City owned property located at 1823 5th Street, also known as Lot 1-C, Block 7, Bellevue Addition, Wichita Falls, Wichita County, Texas as excess real property and authorizing permission to advertise the property to be offered for sale at sealed bid

WHEREAS, the City owns property which has been determined as excess and no longer necessary for City operations and desires to sell the property and put it back on the tax roll;

WHEREAS, the City Council of the City of Wichita Falls, deems it reasonable to offer the property located at 1823 5th Street for sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The property located at 1823 5th Street and more specifically described in the attached **Plat Map**, **Exterior Photographs, Interior Photographs**, and **Property Location Map**, may be offered for sell through the sealed bid process.

2. The City of Wichita Falls retains the right to refuse any and all bids if they feel the bids are inadequate and do not reflect a good representation of the property value.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution approving and adopting bylaws for the Wichita Falls Economic Development Corporation.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice effective governance

COMMENTARY: The Wichita Falls Economic Development Corporation (WFEDC) wishes to adopt bylaws for the WFEDC. The Board has drafted proposed bylaws and on October 15, 2020 they voted to recommend that the attached be approved and adopted by the Wichita Falls City Council. Should the City Council adopt these bylaws, the WFEDC will then ratify the City action at the next WFEDC meeting. These bylaws correspond with the Development Corporation Act, and do not limit any City Council power granted by State law.

☒ **City Attorney**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒**City Manager Approval**

Resolution No. _____

Resolution approving and adopting bylaws for the Wichita Falls Economic Development Corporation

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Council hereby approves and adopts those certain bylaws for the Wichita Falls Economic Development Corporation, a copy of which is attached hereto.

PASSED AND APPROVED this 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk

BYLAWS OF THE
WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

These Bylaws (referred to as the "Bylaws") govern the affairs of the Wichita Falls Economic Development Corporation, a public instrumentality and a non-profit corporation (hereinafter referred to as the "Corporation") governed by the Development Corporation Act (hereinafter referred to as the "Act").

ARTICLE I.
PURPOSE AND POWERS

Section 1. Purpose.
The Corporation exists to promote economic development in Wichita Falls, on behalf of the City of Wichita Falls (the City").

Section 2. Powers.
The Corporation is established as a Type A corporation as defined in and governed by the Act and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law.

ARTICLE II.
BOARD OF DIRECTORS

Section 1. Powers, Number and Term of Office.
(a) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the "Board") and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these bylaws, the Board shall exercise all of the powers of the Corporation.
(b) The Board shall consist of five (5) directors, appointed by the City Council (the "Council"). Each member of the Board shall serve at the pleasure of the Council for a term of three (3) years. Place 1 shall be appointed in a year by itself, places 2 and 3 shall be appointed in the subsequent year, and then places 4 and 5 shall be appointed in the year subsequent to places 2 and 3. The cycle then repeats the following year starting again with place 1. Terms shall begin on October 1 of each year. In case of a vacancy on the Board, the Council shall appoint a successor to serve the remainder of the unexpired term. Board members shall continue to serve until resignation, removal, or their successor is appointed.
(c) These terms are renewable by the City Council.
(d) Board members will be selected based on interest in the work of the Corporation, special expertise, and civic service. Special expertise includes, but is not limited to, business skills in finance, accounting, law, personal credibility, business accomplishments and interpersonal skills.
(e) Any director may be removed from office by the Council at will.

Section 2. Meetings of Directors.
The directors may hold their meetings at such place or places in the City as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at 1300 7th Street, Wichita Falls, Texas. All regular meetings shall be held within the city limits. Board members shall be expected to regularly attend all Board meetings. Special consideration can be granted for absences for good cause. The Council shall be advised of and may remove any Board member who is absent from three consecutive regular or special meetings.

Section 3. Notice of Meetings.
(a) Regular meetings of the Board shall be held at such times and places as shall be designated from time to time by the Board, but not fewer than four (4) per year. Special meetings of the Board shall be held whenever called by the president or by written request of two or more board members.
(b) The Secretary shall cause notice of the time and place of holding each meeting of the Board to be given to each Director. The notice must be in writing either by mail or email and may additionally be made in person or by telephone. Notice of each meeting shall also be given to the public in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code, as amended.

Section 4. Quorum.
Three voting members shall constitute a quorum for the conduct of the official business of the Corporation. No action can be approved without the affirmative vote of at least three members. A Board member may not vote by proxy.

Section 5. Conduct of Business.
(a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.
(b) At all meetings of the Board, the president shall preside, and, in the absence of the president, the vice president shall exercise the powers of the president.
(c) The secretary of the Corporation shall act as secretary of all meetings of the Board but, in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 6. Committees of the Board.
The Board may designate two or more directors to constitute an official committee of the Board to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 7. Compensation of Directors.
Directors shall not receive any salary or compensation for their services as directors. However, they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder.

ARTICLE III.
OFFICERS

Section 1. Titles and Term of Office.
(a) The officers of the Corporation shall be a president, vice president, a secretary, and a treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the president shall not hold the office of secretary or treasurer. Terms of office shall be one (1) year with the right of an officer to be reelected.
(b) All officers shall be subject to removal from office at any time by a vote of a majority of the entire Board.
(c) A vacancy in the office of any officer shall be filled by a vote of a majority of the directors.

Section 2. Powers and Duties of the President.
The president shall be the chief executive officer of the Corporation and, subject to the paramount authority of the Board, the president shall be in general charge of the properties and affairs of the Corporation, shall preside at all meetings of the Board, and may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation.

Section 3. Powers and Duties of the Vice President.
In the absence of the president, or in the event of the president's inability or refusal to act, the vice president will perform the duties of the president, and when so acting, will have all the powers of and be subject to all the restrictions of the president. The vice president will perform such other duties as from time to time may be assigned by the president or the Board of Directors.

Section 4. Treasurer.
The Treasurer shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these Bylaws. When necessary or proper, the Treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes and other obligations in or drawn upon such bank or banks or depositories as shall be designated by the Board consistent with these Bylaws. The Treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all monies received and paid out on account of the Corporation. The Treasurer shall, at the expense of the Corporation, give such bond for the faithful discharge of his duties in such form and amount as the Board or the Council may require.

Section 5. Secretary.
The Secretary shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, may sign with the President in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of Secretary subject to the control of the Board.

Section 6. Appointment of Officers.
The president, vice president, secretary and treasurer shall be named from among the members of the Board.

Section 7. Compensation. Officers who are members of the Board shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder. Other officers may be compensated as directed by the Board.

ARTICLE IV.
FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. General Development Plan.
(a) The Board shall research, develop, prepare, and submit to the Council for its approval, an annual work plan, which shall set out goals and objectives of the Corporation, including but not limited to, short-term and long-term goals for the economic development of the City, including business recruitment, attraction, and retention.
(b) The Board shall conduct an annual performance evaluation detailing the Corporation's achievement of its prior goals and objectives, as well as review and update the annual work plan each year prior to submission of the annual budget required by other provisions of these Bylaws.

Section 2. Annual Corporate Budget.
At least sixty (30) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the Council. The budget shall not be effective until the same has been approved by the Council.

Section 3. Books, Records, Audits.
(a) The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities and affairs.

(b) At the request of the Board, the Council may direct that the books, records, accounts and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

(c) The Corporation, or the City if the option described in subsection (b) is selected, shall cause its books, records, accounts and financial statements to be audited at least once each fiscal year by an outside, independent auditing and accounting firm selected by the Corporation. Such audit shall be at the expense of the Corporation.

(d) All books, records, accounts, and financial statements shall be kept and administered in accordance with the Texas Public Information Act, Chapter 552, Texas Government Code.

Section 4. Quarterly Reports.
The Corporation or contracted staff shall prepare a quarterly progress report, detailing the projects and work accomplished during the previous quarter. This report shall be submitted to the Board and City Council by the 15th day of the month following the end of each quarter.

Section 5. State Comptroller Report.
The contracted staff, with notice to the Treasurer, shall submit to the State Comptroller's Office a report in the form required by the Comptroller by the date required by the Comptroller.

Section 6. Deposit and Investment of Corporate Funds.

(a) All proceeds from the issuance of bonds, notes or other debt instruments ("Obligations") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture or other documents authorizing or relating to their issuance.

(b) All other monies of the Corporation shall be deposited, secured and/or invested in the manner provided for the deposit, security and/or investment of the public funds of the City. The Board shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds therefrom for use by and for the purposes of the Corporation upon the signature of its treasurer and such other persons as the Board shall designate. The accounts, reconciliation and investment of such funds and accounts may be performed by the Finance Department of the City. The Corporation shall pay reasonable compensation for such services to the City.

Section 7. Expenditures of Corporate Money.

(a) The monies of the Corporation, including sales and use taxes collected pursuant to Section 4A of the Act, monies derived from the repayment of loans, rents received from the least or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

(i) Expenditures from the proceeds of Obligations shall be identified and described in the orders, resolutions, indentures or other agreements submitted to and approved by the Council prior to the sale and delivery of the Obligations to the purchaser thereof required by Section 6 of this Article;

(ii) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of monies derived from sources other than the proceeds of Obligations, may be used for the purposes of financing or otherwise providing one or more "Projects," as defined in the Act. The specific expenditures shall be described in a resolution or order of the Board and shall be made only after the approval thereof by the Council.

(iii) All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article.

Section 8. Issuance of Obligations.
No Obligations, including refunding obligations, shall be sold, and delivered by the Corporation unless the Council shall approve such Obligations by action taken no more than sixty (60) days prior to the date of sale of the Obligations.

ARTICLE V.
MISCELLANEOUS PROVISIONS

Section 1. Principal Office.

(a) The principal office of the Corporation shall be located at 1300 7th Street, Wichita Falls, Texas.

(b) The Corporation shall have and shall continually designate a registered agent at its registered office, as required by the Act.

Section 2. Fiscal Year.
The fiscal year of the Corporation shall be the same as the fiscal year of the City.

Section 3. Resignations.
Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein or, if no time be specified, at the time of its receipt by the president or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 4. Approval or Advice and Consent of the Council.
To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the Council, such advice and consent shall be evidenced by a certified copy of a resolution, order or motion duly adopted by the Council.

Section 5. Services of City Staff and Officers.
Subject to the paramount authority of the City Manager under the Charter of the City, the Corporation shall have the right to utilize the services of the City Attorney, the City Clerk, and the staff and employees of the Finance Department of the City, provided (i) that the Corporation shall pay reasonable compensation to the City for such services, and (ii) the

performance of such services does not materially interfere with the other duties of such personnel of the City.

Section 6. Indemnification of Directors, Officers and Employees.

(a) As provided in the Act and in the Articles of Incorporation, the Corporation is, for the purposes of the Texas Tort Claims Act, Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code, a governmental unit and its actions are governmental functions.

(b) The Corporation shall indemnify each and every member of the Board, its officers and its employees, and each member of the Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorneys' fees, incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation. The Corporation may also purchase and maintain insurance on behalf of any Board member or employee. Copies of all insurance and bond policies will be filed with the City Clerk.

Section 7. Robert's Rules of Order.

The rules and procedures as stated in Robert's Rules of Order or specified rules adopted by the Council or Board shall govern the proceedings of the Board or its committees unless in conflict with State law.

Section 8. Conflicts of Interest.

Should any member of the Board have a conflict of interest pursuant to any State laws or municipal ordinances regulating conflict of interest of municipal or government officers, with an item then before the Board, he will openly declare same before discussion proceeds, and he will be prohibited from discussing the item or voting on the question if such is required by State law. Said member of the Board will also file the appropriate conflict of interest paperwork prior to said meeting with the City Clerk as required by State law.

No member of the Board shall enter into a written contract with the Wichita Falls Economic Development Corporation where the Board member will receive a financial benefit, nor will the Board enter into a written contract with a company owned wholly, or in part, by a member of the Board or that employs a member of the Board.

Section 9. Nepotism.

No person related within the second degree by affinity, or the third degree by consanguinity to any member of the Board or any officer of the Corporation shall be appointed to any paid office, position, clerkship, or other position of service to the Corporation.

Section 10. Legal Construction.

If any Bylaw provision is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not affect any other provision, and the Bylaws

shall be construed as if the invalid, illegal or unenforceable provision had not been included in the Bylaws.

ARTICLE VI.
EFFECTIVE DATE, AMENDMENTS

Section 1. Effective Date.

These Bylaws shall become effective upon the occurrence of the following events:
(1) the approval of these Bylaws by the Council; and,
(2) the adoption of these Bylaws by the Board.

Section 2. Amendments to Articles of Incorporation and Bylaws.
The Articles of Incorporation of the Corporation may be amended only in the manner provided in the Articles of Incorporation and the Act. The Bylaws may be amended, altered, or repealed by an affirmative vote of three Board members, but such amendment, alteration or repeal shall not be effective until approved by Council.

Section 3. Dissolution of the Corporation.
The Corporation is a non-profit corporation. Upon dissolution, all the Corporation's assets shall be distributed to the City of Wichita Falls in accordance with the procedures outlined in The Act.

Section 4. Interpretation of Bylaws.
These Bylaws shall be liberally construed to effectuate their purposes. If any word, phrase, clause, sentence, paragraph, section or other part of these Bylaws, or the application thereof to any person or circumstances, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or part of these Bylaws to any other person or circumstance shall not be affected thereby.

APPROVED AND ADOPTED by the City Council of the City of Wichita Falls, Texas, by passage of Resolution No. _____, on the 3rd day of November, 2020.

_____
M A Y O R

Attest:

_____
City Clerk

ADOPTED by the Board of Directors on the _____ day of _____, 2020.

_____ _____

_____ _____

_____

CITY COUNCIL AGENDA
November 3, 2020

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) by amending the budget to include up to $1,500,000 for design, engineering, and geotechnical work related to proposed infrastructure improvements at the WFEDC-owned business park.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Support Implementation of the ED Plan

COMMENTARY:

Timeline

- October 15, 2020 – WFEDC Board approves budget amendment of up to $1.5M for project;
- **November 3, 2020** – City Council to consider approval of budget amendment;
- November 19, 2020 (tentative) – WFEDC Board to consider contract for design and engineering services
- March 2021 (estimated) – If contract approved, design and engineering plans completed.

At its October meeting, the WFEDC Board approved an amendment to their fiscal 2021 budget in an amount not to exceed $1.5M to facilitate the design, engineering, and geotechnical work related to proposed infrastructure improvements at the WFEDC-owned business park. If approved by the City Council, these funds would be used to hire a third-party engineering firm to provide design and engineering plans for the extension and/or widening of Hammon Road, Fisher Road, Midwestern Parkway East, as well as water, sewer, and drainage improvements as indicated on the attached map. There are no definitive plans for construction of these improvements or the budgeting of such at this time.

The WFEDC-owned Business Park on the City's southeast side includes approximately 400+ acres of undeveloped property. The proposed infrastructure improvements, for which this design and engineering project could later facilitate, would improve the marketability of the Park and its attractiveness to potential business and industry clients by making sites more "shovel ready" for private investment. City staff as well as economic development staff from the Chamber will be available for questions at the meeting.

Texas Local Government Code §501.073 requires the City Council to approve all programs and expenditures of the WFEDC. The WFEDC budget currently includes approximately $5.5M in unreserved fund balance for use towards this expenditure.

The WFEDC Board and City staff recommend approval of this item.

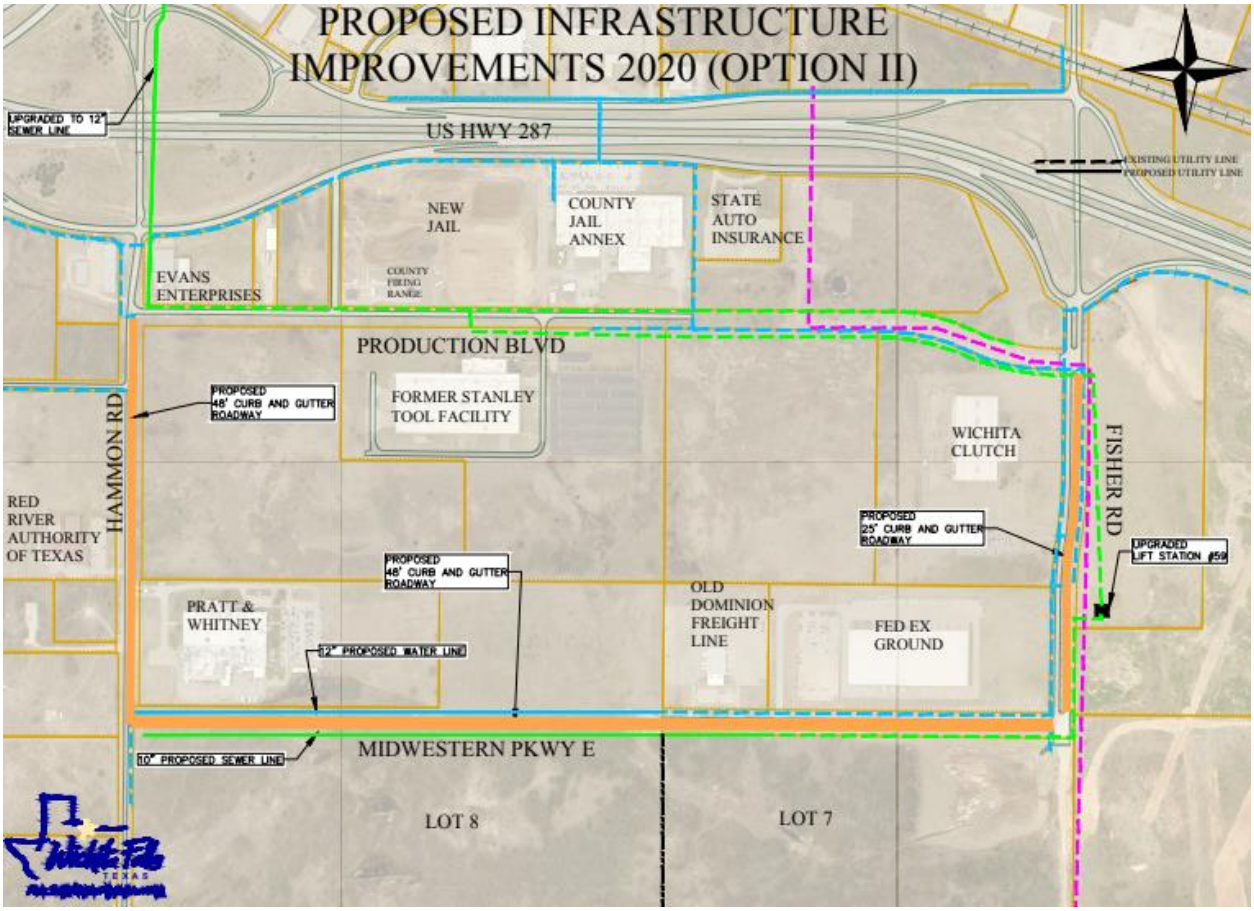
☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Map, Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to $1,500,000 for design, engineering, and geotechnical work related to proposed infrastructure improvements at the WFEDC-owned business park

WHEREAS, Texas Local Gov't. Code §501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation"; and,

WHEREAS, on October 15, 2020, the WFEDC approved the Project listed below and as stated in its agenda.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The Wichita Falls Economic Development Corporation's approval and funding of the following programs and expenditures as described below and in said corporation's agenda, are approved:

> A total of up to $1,500,000 to be used for design, engineering, and geotechnical work related to proposed infrastructure improvements at the WFEDC-owned business park.

2. The current fiscal year budget of the WFEDC is amended to provide for the aforementioned expenditures and changes thereto.

PASSED AND APPROVED this the 3rd day of November, 2020.

_____
M A Y O R

ATTEST:

_____
City Clerk