



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 Heggland, 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, December 15, 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 Michael Morris
First Presbyterian Church
- (b) Pledge of Allegiance

CONSENT AGENDA

3. Approval of minutes of the December 1, 2020 Regular Meeting of the Mayor and City Council.
4. Resolutions
 - (a) Resolution authorizing the purchase of one (1) Aluminum Solid Waste Transfer Trailer from Travis Body and Trailer, Inc. in the amount of \$76,325.00

- (b) Resolution authorizing the City Manager to award bid and contract for the 2021 Crack Seal Project to SuperSealing USA, LLC in the amount of \$91,438.75
- 5. Receive Minutes
 - (a) Firefighters and Police Officers' Civil Service Commission, June 24, 2020
 - (b) Wichita Falls 4B Sales Tax Corporation (4BSTC), October 1, 2020
 - (c) Wichita Falls Economic Development Corporation, October 15, 2020
 - (d) Lake Wichita Revitalization Committee, November 10, 2020

REGULAR AGENDA

- 6. Public Hearings
 - (a) Conduct a public hearing and consider and take action on an ordinance finding certain buildings and/or structures to be dangerous; requiring property owners to demolish said buildings and/or structures within thirty (30) days of the date of this ordinance and declaring an emergency and immediate effective date
 - i. Public Hearing
 - ii. Take Action
 - (b) Conduct a public hearing and consider and take action on a resolution for the proposed 2020-2024 Five Year Public Housing (PHA) Year Plan and the first year of the Action Plan.
 - i. Public Hearing
 - ii. Take Action
- 7. Ordinances
 - (a) Ordinance adding Section 2-33 to Chapter 2, Article II, Division 1, of the Wichita Falls Code of Ordinances to provide for the appointment of the Mayor Pro-Tem, as approved by the voters at the November 3, 2020 general-special election; and providing an effective date
 - (b) Ordinance amending Sections 2-28(b) and 2-29(1) and (2) of the Wichita Falls Code of Ordinances to provide for changes to term limits for City Council members; providing an effective date
 - (c) Ordinance amending Section 2-85 of Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of Wichita Falls, Texas; amending Division 4 of said Article II, to revise the existing Rules of Procedure and Ethics Policy for the City Council; providing an effective date; providing for inclusion; and providing for severability
 - (d) Ordinance amending Section 2-30 of Chapter 2, Article II, Division 1, of the Wichita Falls Code of Ordinances to provide for changes to compensation

for the Mayor and City Council, as approved by the voters at the November 3, 2020 general-special election; and providing an effective date

- (e) Ordinance authorizing the carry-forward, amendment or transfer of capital and related funds from the 2019-20 Budget to the 2020-21 budget as a part of the fiscal year end closing process and to prepare all funds for audit
- (f) Ordinance making an appropriation to the Special Revenue Fund for the Community and Clinical Health Bridge Project (CCHB) in the amount of \$17,500 received from the Department of State Health Services
- (g) Ordinance amending Chapter 106 of the Code of Ordinances by amending Article III; providing a repealer clause; providing for inclusion; providing for severability; and setting an effective date
- (h) Ordinance appropriating funds from the Tax Increment Financing (TIF) Reinvestment Zone #4 Fund to Downtown Wichita Falls Development, Inc. (DWFD, Inc.) for matching assistance in an amount not to exceed \$10,000 for the creation and development of an Indiana Avenue National Register Historic District and Historic Resources Survey; and authorizing the City Manager to enter into contract with DWFD, Inc. for the stated funds

8. Resolutions

- (a) Resolution approving the transfer of various aged receivable accounts to dormant status as part of the City's fiscal year end closing process
- (b) Resolution confirming an appointment to the Firefighters and Police Officers' Civil Service Commission
- (c) Resolution authorizing the City Manager to approve Change Order No. 1 for the 2020 Alley Rehabilitation Project to Freeman Paving, LLC in the amount of \$29,440.00
- (d) Resolution authorizing the City Manager to approve Change Order No. 2 for the 2020 Asphalt Rehabilitation Project for a reduction of \$49,630.86
- (e) Resolution authorizing the City Manager to execute a contract with NGU Sports Lighting, LLC in the amount of \$259,000 for the installation of a new LED lighting system in the Kay Yeager Coliseum

9. Other Council Matters

- (a) Staff Reports
 - 1. COVID-19 Update – Lou Kreidler
 - 2. Public Safety CAD-RMS Mobile Project Update – Blake Jurecek
- (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 §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of a public officer or employee, including, but not limited to members of the following boards and commissions:
 - Airport Board of Adjustments and Appeals
 - Construction Board of Appeals
 - Landmark Commission
 - Planning & Zoning
 - TIF #2
 - TIF #3
 - TIF #4
 - Zoning Board of Adjustment
12. Appointments to Boards and Commissions
 - Airport Board of Adjustments and Appeals
 - Animal Shelter Advisory Committee
 - Construction Board of Appeals
 - Lake Wichita Revitalization Committee
 - Landmark Commission
 - Park Board
 - Planning & Zoning
 - TIF #2
 - TIF #3
 - TIF #4
 - Water Resources Commission
 - Wichita County/City of Wichita Falls Health District Board
 - Zoning Board of Adjustment
13. 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 _____ day of _____, 2020 at _____ o'clock (a.m.)(p.m.).

City Clerk



City of Wichita Falls
City Council Meeting
Minutes
December 1, 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 Heggland	-	City Attorney
Marie Balthrop	-	City Clerk

Mayor Santellana called the meeting to order at 8:30 a.m.

Item 2a – Invocation

Reverend Richard Hartwell, First Presbyterian Church, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Employee of the Month December – Jacob Whiteman, Finance

8:34 a.m.

Jessica Williams, Director of Finance/CFO, recognized Jacob Whiteman as the Employee of the Month for December 2020. Mayor Santellana congratulated Mr. Whiteman and presented him with a plaque, letter of appreciation, restaurant voucher, and check, and thanked him for his service.

- - - - -

Item 4-6 – Consent Items

8:37 a.m.

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

Moved by Councilor Chenault 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 November 17, 2020 Regular Meeting of the Mayor and City Council

Item 5a – Resolution 109-2020

Resolution authorizing the purchase of one (1) Proteus Portable Camera System through the BuyBoard Purchasing Cooperative from Lonestar Municipal Equipment in Fort Worth, Texas in the amount of \$71,817.55.

Item 5b – Resolution 110-2020

Resolution authorizing the purchase of one (1) Proteus Main Line Sewer Camera System w/Lateral Launch and Storm Drain Tractor Van Conversion through the BuyBoard Purchasing Cooperative from Lonestar Municipal Equipment in Fort Worth, Texas in the amount of \$214,277.62.

Item 6 – Receive Minutes

- (a) Tax Increment Financing #4 (TIF) Board, January 31, 2019
- (b) Wichita Falls-Wichita County Public Health Board, September 11, 2020

- (c) Lake Wichita Revitalization Committee, October 13, 2020
- (d) Planning & Zoning Commission, October 14, 2020
- (e) Landmark Commission, October 27, 2020

Item 7 – Public Hearing

8:38 a.m.

Public Hearing on the amended application of Wichita Falls Chamber of Commerce & Industry to the Texas Commission on Environmental Quality (TCEQ) for a Municipal Setting Designation to add an additional 9.14 acres located at 2005 Old Burk Highway, Wichita Falls, Texas.

Mayor Santellana opened the public hearing at 8:39 a.m.

Russell Schreiber, Director of Public Works, discussed the request to add 9.14 acres to the Municipal Setting Designation located at 2005 Old Burk Highway. There were no comments from the public.

Mayor Santellana closed the public hearing at 8:42 a.m.

Item 8 – Ordinance 74-2020

8:42 a.m.

An Ordinance of the City Council of the City of Wichita Falls, Texas, Amending Chapter 106, Article XI, Ordinance 37-2019 of the Code of Ordinances and pertaining to the Municipal Setting Designation property located at 2400 Burkburnett Road and 2024 Old Burk Highway, City of Wichita Falls, Texas. Concerning the authorizing for the acceptance of deed restrictions prohibiting the use of designated groundwater from beneath the property located at 2005 Old Burk Highway, Wichita Falls, Texas, 76306 to facilitate certification of a Municipal Setting Designation (MSD) of said property by the Texas Commission on Environmental Quality (TCEQ) pursuant to the Texas Solid Waste Disposal Act; and providing for an effective date of this Ordinance.

Moved by Councilor Browning to approve Ordinance 74-2020.

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 9 – Resolution 111-2020

8:46 a.m.

Amendment to Resolution 84-2019 in support of the application of Wichita Falls Chamber of Commerce & Industry to the Texas Commission on Environmental Quality (TCEQ) for a Municipal Setting Designation to add an additional 9.14 Acres located at 2005 Old Burk Highway, Wichita Falls, Texas to the existing Municipal Setting Designation (Ordinance 37-2019) property located at 2400 Burkburnett Road and 2024 Old Burk Highway.

Moved by Councilor Brewer to approve Resolution 111-2020.

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

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

Nays: None

- - - - -

Item 10 – Public Hearing

8:41 a.m.

Public Hearing for the FY 2020 Transit Grant for Capital, Planning, and Operating Assistance for the Wichita Falls Transit System

Mayor Santellana opened the public hearing at 8:47 a.m.

John Burrus, Director of Aviation, Traffic, and Transportation, discussed the 2020 Transit Grant for the Wichita Falls Transit System. There were no comments from the public.

Mayor Santellana closed the public hearing at 8:51 a.m.

- - - - -

Item 11 – Ordinance 75-2020

8:51 a.m.

Ordinance appropriating \$1,608,088 in Federal Funds and \$437,695 in State Funds for the FY 2020 Section 5307 Transit System and authorizing the City Manager to execute all necessary funding agreements related hereto.

Moved by Councilor Browning to approve Ordinance 75-2020.

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

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

Nays: None

- - - - -

Item 12a – Resolution 112-2020

8:52 a.m.

Resolution approving an agreement under the Meet and Confer process to alter the recruiting and hiring process for the Wichita Falls Police Department.

Moved by Councilor Chenault to approve Resolution 112-2020.

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 12b – Resolution 113-2020

8:54 a.m.

Resolution adopting the Texas Coalition for Affordable Power's (TCAP) professional services agreement and Gexa Energy's commercial electric service agreement for power to be provided on and after January 1, 2023, and authorizing the City Manager to sign all necessary documents to execute this agreement.

Moved by Councilor Browning to approve Resolution 113-2020.

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 13a1 – Staff Report – COVID-19 Update, Lou Kreidler

9:03a.m.

Lou Kreidler, Director of Health, gave an update on COVID-19 cases. Mrs. Kreidler presented a graph showing cases by week and discussed the increase of cases since Halloween and the fear that they will continue to rise after Thanksgiving. Next she presented a graph showing the trend in weekly cases. Mrs. Kreidler discussed examples of stories she has heard that resulted in a large number of exposures from Thanksgiving gatherings and she expects higher case counts due to this. Mrs. Kreidler shared a graph showing the peak weekly hospital forecast and discussed the hospital's Stage 5 Surge Level. The hospital is actively transferring less critical patients to other hospitals, received an IV infusion tent for IV therapies, and have converted a PCU into an ICU. She implored citizens to understand that COVID is real, wear a mask, and do not have large gatherings. Please consider alternative ways to celebrate Christmas to keep your family and friends safe. They have seen reinfections from individuals that were positive in the Spring, and COVID-19 is worse than any disease we have seen in our lifetime.

- - - - -

Item 13a2 – Staff Report – Downtown Update, Terry Floyd

9:17a.m.

Terry Floyd, Director of Development Services, gave an update on efforts regarding the Downtown Strategic Plan including a temporary encroachment agreement that will allow businesses to temporarily display their items on the sidewalk through April 1, 2021. Those interested should contact Development Services. Jana Schmader, Director of Downtown Development, discussed the recovery and retention efforts for the central business district. Tonight there will be a virtual downtown public forum to discuss downtown revitalization efforts, the proposed downtown property maintenance code, and the proposed vacant structure registration ordinance. The proposed ordinances are available on the City's website.

- - - - -

Item 13b – Items of Concern to Members of the City Council

9:22 a.m.

Councilor Brewer thanked everyone in District 4 for voting for him.

Councilor Jackson thanked Cub Scout Troop 1 for inviting him to speak. Hope everyone has a good Thanksgiving, stay safe, and God bless every one of us.

Councilor Browning encouraged everyone to stay safe.

Councilor Smith encouraged everyone to remember our non-profits and the work they do. As you consider end of year giving please consider the non-profits as they do work that no one else does.

Councilor Whiteley congratulated the employee of the month. He is excited about the meeting tonight regarding the downtown maintenance code and moving forward with our downtown development plan. Councilor Whiteley discussed the various grants awarded and commended staff for saving taxpayer dollars.

Councilor Chenault said good morning and thanked everyone for coming out today. Project Texoma Soups and Socks is a program by KFDX that is accepting donations of soup, socks, hygiene items, blankets, etc. for the homeless. They are also accepting monetary donations and have a Go Fund Me page. They will be at Faith Mission on December 19th from 10:45 – 1:00 accepting donations. Child Care Partners at 119 E. Wichita, provides childcare for low income families. They are accepting donations of pajamas for children and youth. Youth Opportunities Center located at 401 Madison will be handing out 1200 boxes of food tomorrow.

Mayor Santellana encouraged citizens to remember non-profits as it has been a tough year. Supporting downtown is extremely important and part of our strategic plan, and he is glad Downtown Development is thinking outside of the box to assist these businesses. He encouraged citizens to donate blankets, coats, hats, etc. to the shelters.

Councilor Jackson thanked Mayor Santellana and Councilor Chenault for mentioning these items. There was a workday at Base Camp Lindsey and they have plenty of donated food but they are in need of coats, blankets, and hygiene items. They will distribute these items on December 19th at Big Blue downtown.

- - - - -

Item 14 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda

9:32 a.m.

There were no comments from the public.

- - - - -

Item 15 –Adjourn

Mayor Santellana adjourned the meeting at 9:32 a.m.

PASSED AND APPROVED this 15th day of December 2020.

Stephen L. Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

**CITY COUNCIL AGENDA
DECEMBER 15, 2020**

ITEM/SUBJECT: Resolution authorizing the purchase of one (1) Aluminum Solid Waste Transfer Trailer from Travis Body and Trailer, Inc. in the amount of \$76,325.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Bids were opened on November 20, 2020 for the purchase of one (1) aluminum solid waste transfer trailer for the Sanitation Division. Four responsive bids were received meeting all specifications.

VENDOR	MODEL	UNIT	TOTAL
EAST MANUFACTURING CORP	EAST MFG UNLOADER TRAILER	\$76,800.00	\$76,800.00
MAC TRAILER MANUFACTURING	MAC MOVING FLOOR SP	\$79,701.00	\$79,701.00
SPECTOR MANUFACTURING INC.	SPEC TEC	\$78,396.00	\$78,396.00
TRAVIS BODY & TRAILERS, INC.	TRAVIS	\$76,325.00	\$76,325.00

This replacement trailer is used for transporting solid waste from the Transfer Station to the Landfill. Since the bid amount of \$76,325.00 is well under the budgeted amount of \$85,000.00, Staff recommends award of the bid for the aluminum solid waste transfer trailer to Travis Body & Trailers, Inc.

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

ASSOCIATED INFORMATION: Resolution, Bid Tab

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of one (1) Aluminum Solid Waste Transfer Trailer from Travis Body and Trailer, Inc. in the amount of \$76,325.00

WHEREAS, the City advertised and requested bids for the purchase of one Aluminum Solid Waste Transfer Trailer; and

WHEREAS, bids were received and publicly opened on November 20, 2020; and

WHEREAS, the City Council finds that the lowest responsible bidder was Travis Body & Trailers, Inc.

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

The bid for the purchase of one Aluminum Solid Waste Transfer Trailer is awarded to Travis Body & Trailer, Inc. in the amount of \$76,325.00, and City Staff is authorized to execute all documents necessary to purchase said item in accordance with the bid specifications.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

BID 20-24
ALUMINUM SOLID WASTE TRANSFER TRAILER

VENDOR	MODEL	TOTAL
EAST MANUFACTURING CORP RANDOLPH OH	EAST MFG UNLOADER TRAILER	\$76,800
MAC TRAILER MANUFACTURING ALLIANCE OH	MAC MOVINGFLOOR SP	\$79,701.00
SPECTOR MANUFACTURING, INC SAINT CLAIR PA	SPEC TEC	\$78,396.00
TRAVIS TRAILERS BROKEN ARROW OK	TRAVIS	\$76,325.00



**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2021 Crack Seal Project to SuperSealing USA, LLC in the amount of \$91,438.75.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On November 24, 2020 bids were opened for the 2021 Crack Seal Project. This project is generally described as the cleaning and sealing of cracks and joints on various City streets, and associated work. The engineer's estimate for this project is \$100,000.00.

The bids received for this project are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
SuperSealing USA, LLC - San Antonio, TX	\$ 91,438.75
Crack Seal of Texas, LLC - Mathis, TX	\$121,502.00
American Pavement Solutions - Green Bay, WI	\$127,857.45
JLT Contracting, LLC - Cushing, OK	\$156,485.00
Wall Asphalt Services, Inc. - Billings, MT	\$211,715.00

Completion of this project should require approximately 90 consecutive days to complete.

The project scope includes the Base Bid plus all the Additive Alternate items.

Staff has contracted the contractor's references and confirmed they have completed similar projects for other cities. Staff recommends award of the contract to SuperSealing USA, LLC in the amount of \$91,438.75, based on unit price quantities.

Staff estimates the project will begin January 2021 with 90 consecutive days to complete.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab, Location Maps

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2021 Crack Seal Project to SuperSealing USA, LLC in the amount of \$91,438.75

WHEREAS, the City of Wichita Falls has advertised for bids for the 2021 Crack Seal Project; and

WHEREAS, it is found that the lowest responsible bidder is SuperSealing USA, LLC who made a unit price bid with an estimated total of \$91,438.75.

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

The unit price bid for the 2021 Crack Seal Project is awarded to SuperSealing USA, LLC in an estimated total amount of \$91,438.75, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

Bid Tab - 2020 Crack Seal Project CWF20-100-03			
Pay Item	Description	Quantity	Unit
BASE BID			
5.1-C	Clean and Seal Cracks	75,150	LB
Additive Alternative			
5.1-C-ALT1	Clean and Seal Cracks	600	LB
5.1-C-ALT2	Clean and Seal Cracks	1,200	LB
5.1-C-ALT3	Clean and Seal Cracks	950	LB
5.1-C-ALT4	Clean and Seal Cracks	12,100	LB
5.1-C-ALT5	Clean and Seal Cracks	2,050	LB
Total Base Bid Plus AddlAlt 1 Thru 5 Bid		92,050	LB
Engineer's Estimate		\$100,000.00	

	SuperSealing USA		Crackseal of Texas LLC		American Pavement Solutions, Inc.		JLT Contracting, LLC		Wall Asphalt Services, Inc.	
	Unit Price	Amount Bid	Unit Price	Amount Bid	Unit Price	Amount Bid	Unit Price	Amount Bid	Unit Price	Amount Bid
Total Base Price	\$0.975	\$73,271.25	\$1.320	\$99,198.00	\$1.389	\$104,383.35	\$1.700	\$127,755.00	\$2.300	\$172,845.00
Alternate Bids	\$1.075	\$645.00	\$1.320	\$792.00	\$1.389	\$833.40	\$1.700	\$1,020.00	\$2.300	\$1,380.00
	\$1.075	\$1,290.00	\$1.320	\$1,584.00	\$1.389	\$1,666.80	\$1.700	\$2,040.00	\$2.300	\$2,760.00
	\$1.075	\$1,021.25	\$1.320	\$1,254.00	\$1.389	\$1,319.55	\$1.700	\$1,615.00	\$2.300	\$2,185.00
	\$1.075	\$13,007.50	\$1.320	\$15,972.00	\$1.389	\$16,806.90	\$1.700	\$20,570.00	\$2.300	\$27,830.00
	\$1.075	\$2,203.75	\$1.320	\$2,706.00	\$1.389	\$2,847.45	\$1.700	\$3,485.00	\$2.300	\$4,715.00
Award Total		\$91,438.75		\$121,506.00		\$127,857.45		\$156,485.00		\$211,715.00

AVALON PL

SUMMER TR

GLENHAVEN RD

SHEPHERD ACCESS RD

ROANOKE DR

PARKDALE RD

REDFOX RD

LYNWOOD EAST PARK

NEWHAVEN RD

WESTCLIFF DR

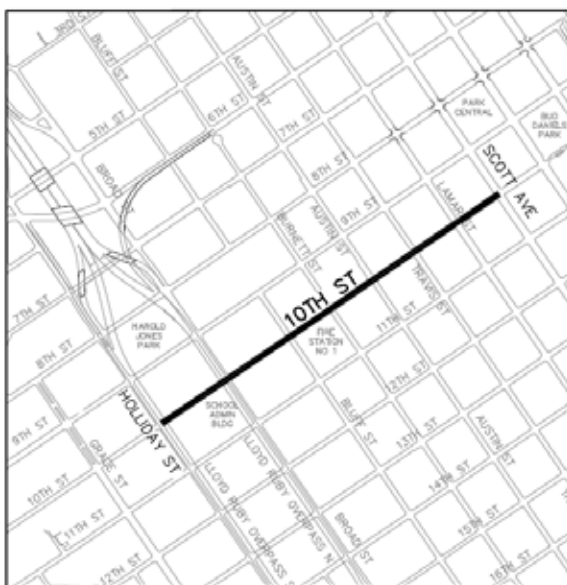
GRANDVIEW PL

CENTRAL-FREEMAN

NOT TO SCALE

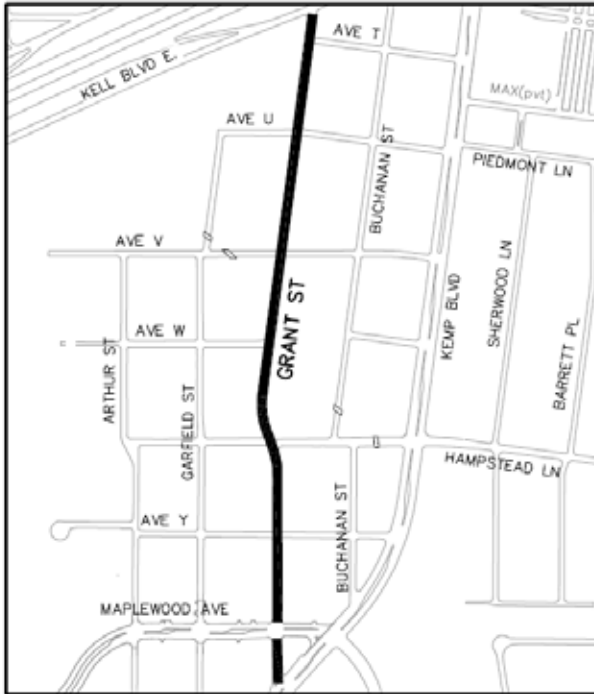


NOT TO SCALE

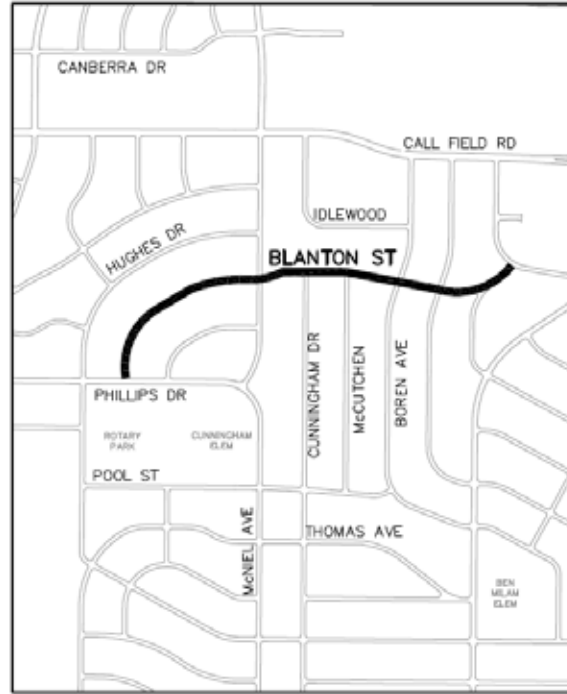


A map of the area around Garfield St and Kessler Blvd. The map shows a grid of streets including Kessler Blvd, Garfield St, Arthur St, Ave J, Ave K, Ave L, Grant St, Ave M, Ave N, Hollywood Ave, York St, Hayes St, and Houston Glen. A thick black line highlights the segment of Garfield St between Arthur St and York St.

2021 Crack Seal Project CWF21-100-01



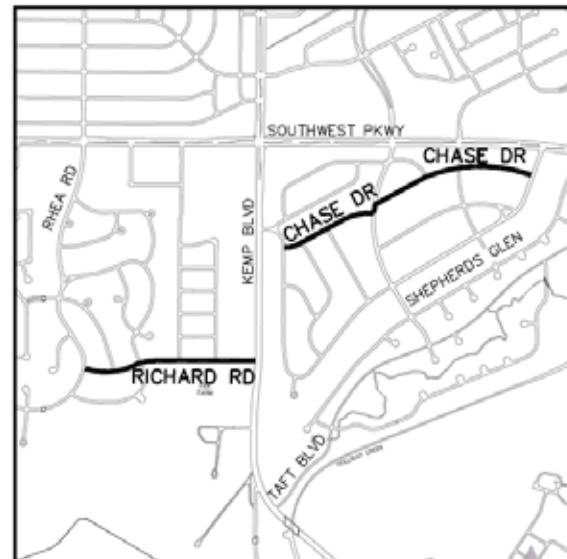
GRANT ST
NOT TO SCALE



BLANTON ST
NOT TO SCALE



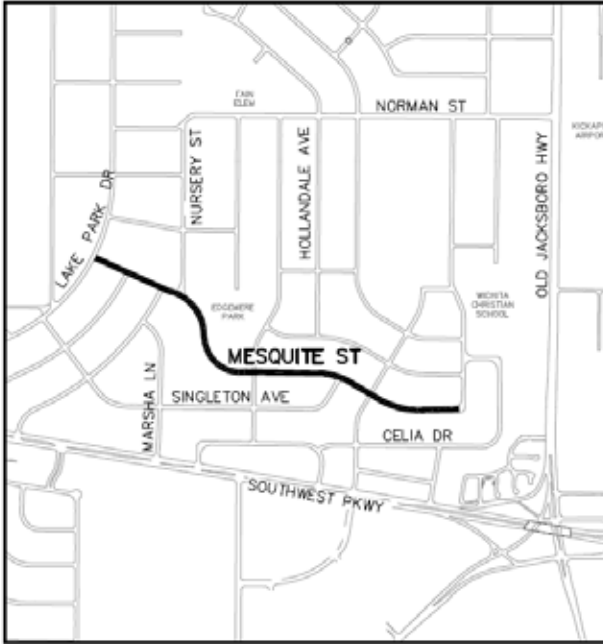
CUNNINGHAM DR
NOT TO SCALE



RICHARD RD
CHASE DR
NOT TO SCALE



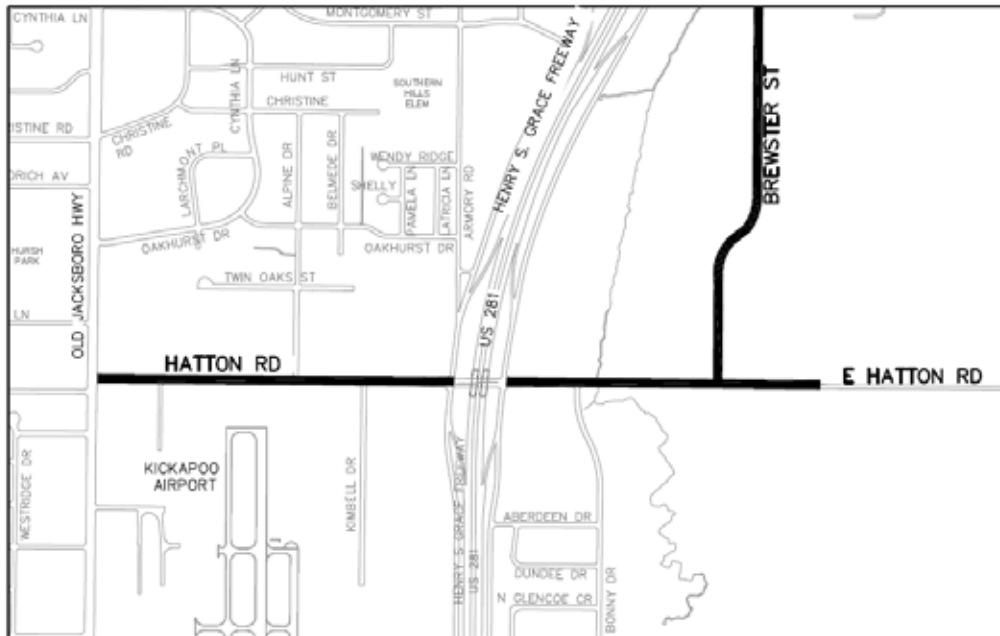
2021 Crack Seal Project CWF21-100-01



MESQUITE ST
NOT TO SCALE



LAWRENCE RD
NOT TO SCALE



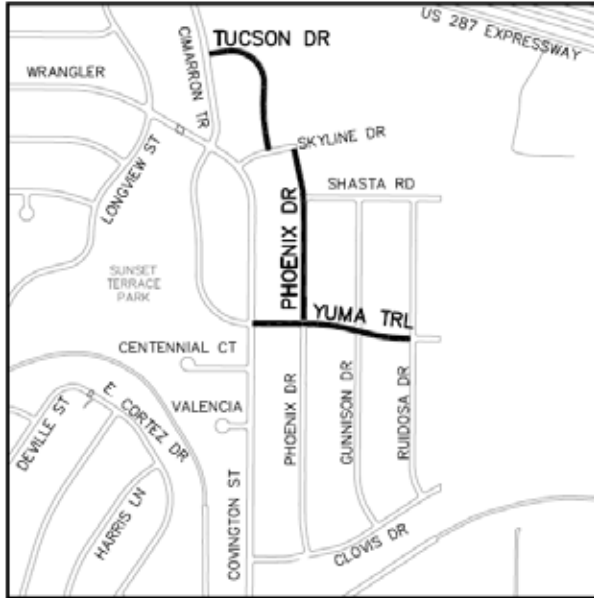
HATTON RD
BREWSTER ST
NOT TO SCALE



2021 Crack Seal Project CWF21-100-01



7TH ST
NOT TO SCALE



TUCSON DR (ADD/ALT)
PHOENIX DR (ADD/ALT)
YUMA TRL (ADD/ALT)
NOT TO SCALE



GRANT ST (ADD/ALT)
NOT TO SCALE



NETA LN (ADD/ALT)
NOT TO SCALE

**MINUTES OF THE FIRE FIGHTERS AND POLICE OFFICERS'
CIVIL SERVICE COMMISSION
JUNE 24, 2020**

Present:

Jim Heiman	§	Commission Members
Laura Fidelie	§	
John Buckley	§	
Christi Klyn, Civil Service Director	§	
Julia Vasquez, First Assistant City Attorney	§	
Manuel Borrego, Police Chief	§	City Administration
Ken Prillaman, Fire Chief	§	
Donald Hughes, Assistant Fire Chief	§	
Brian Lester, HR Supervisor	§	
	§	

1. Call to Order

Chairman Heiman called the meeting to order at 2:01 p.m.

2. Approval of Minutes (11/12/19)

Ms. Fidelie moved for approval of the minutes. Seconded by Mr. Buckley, the motion carried 3-0.

3. Review Appeals of the WFFD Fire Equipment Operator administered on June 9, 2020.

a. **Question 6** – Source General Order Section 7-2.2.1, Answer Key B

Any occurrence involving the Electrical Provider's facilities and equipment that is deemed as not being an immediate danger to people or property, is a definition of

- _____.
- A. Code 3 Emergency Response
 - B. Priority Response
 - C. Non-Priority Response
 - D. Code 1 Response

Appellant not present.

Due to conflict with the source material. Ms. Fidelie moved to accept both Answers B. and C. as correct responses to Question 6. Seconded by Mr. Buckley, the motion carried 3-0.

5. Report from Fire Chief

Chief Prillaman thanked the Commission for being there and hearing the appeals. He stated that there are several anticipated retirements approaching in 2021, and that an additional testing cycle may be needed after the upcoming testing cycle in August of 2020.


6. Report from Police Chief

Chief Borrego thanked the Commission for being there. He stated that as a result of COVID, the Department was intent on holding off as long as possible on a new testing cycle.

The Department is currently adequately staffed, and many of the recruitment needs will be able to wait until 2021.

7. Adjourn

Ms. Fidelie moved to adjourn the meeting at 2:10 p.m. Seconded by Mr. Buckley, the motion carried 3-0.


Jim Peter Heiman, Chairman

**MINUTES OF THE
WICHITA FALLS 4B SALES TAX CORPORATION (4BSTC)**

October 1, 2020

Present:

Glenn Barham, Vice-President	§	Members
Rick Hatcher, Secretary-Treasurer	§	
Dave Clark	§	
Darron Leiker	§	
Michael Mills	§	
Nick Schreiber	§	
Paul Menzies, Assistant City Manager	§	City Staff
Blake Jurecek, Assistant City Manager	§	
R. Kinley Hegglund, Jr., City Attorney	§	
James McKechnie, Deputy City Attorney	§	
Terry Floyd, Director, Community Development	§	
Pat Hoffman, Property Administrator	§	
Linda Merrill, Recording Secretary	§	
Jana Schmader	§	DWFD
Tom Taylor	§	District 5 Candidate

Absent:

Tony Fidelie, President	§	Members
-------------------------	---	---------

1. Call to Order.

Glenn Barham called the meeting to order at 3:02 p.m.

2. Approval of Minutes of 8/27/20.

Michael Mills moved for approval, seconded by Dave Clark. The motion carried 6-0.

3. Report of Financial Condition

Paul Menzies informed the Board that the City Council had voted to approve the 4BSTC's fiscal year budget for 2020-21, which is effective as of today.

The September sales tax report (reflective of July's receipts) are down 2.6% from the same period last year. There are still a couple of months left in this fiscal year, and the trend is still slightly ahead of last year.

Darron Leiker stated the October report (August's receipts) should be out next week. The State's numbers were released today, and they are down 6.1%.

4. Bids for Spaces at the Lindeman Parking Garage.

Pat Hoffman said the sealed bids for reserved spaces in the Lindeman Parking Garage were opened on September 16. Bids were received from three individuals, as follows:

Roger Clement – one parking space on the first floor for \$52 per month.

Margie Hogan – one parking space on the third floor for \$30 per month.

Will Kelty - all available spaces on all floors for \$5 per space, per month.

Mr. Menzies said this is a real estate discussion, and is eligible to be discussed in detail in executive session.

5. Executive Session.

Mr. Barham adjourned the meeting into executive session at 3:07 p.m. pursuant to Texas Government Code section 551.087. He announced the meeting back into regular session at 3:56 p.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further action was taken on these items in executive session.

6. Motions

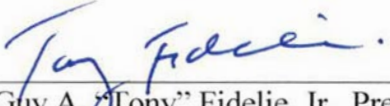
Lindeman Parking Garage spaces

Mr. Hatcher commented that it is a good idea for the 4BSTC to provide downtown parking. Staff has diligently determined the market value for each floor of the garage. Bids have been received at, above, and below that market price.

He then moved to reject all current bids, and authorize City staff to negotiate prices for the parking spaces with the current potential lessees and other potential lessees. Seconded by Darron Leiker, the motion carried 6-0.

7. Adjourn.

The meeting adjourned at 3:58 p.m.


Guy A. "Tony" Fidelie, Jr., President

**MINUTES OF THE
WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION**

October 15, 2020

PRESENT:

Leo Lane, President	§	WFEDC Members
David Toogood, Vice-President	§	
Phyllis Cowling, Secretary-Treasurer	§	
Darron Leiker	§	
Stephen Santellana, Mayor	§	Mayor and Council
Bobby Whiteley, Councilor at Large	§	
Paul Menzies, Assistant City Manager	§	City Administration
Julia Vasquez, Deputy City Attorney	§	
Russell Schreiber, Director of Public Works	§	
Linda Merrill, Recording Secretary	§	
Henry Florsheim, CEO	§	CCI
David Leezer, V.P, Business Attraction	§	
Taylor Davis, Director of Talent Partnership	§	
Karen Bivona, Office Manager	§	
Jasmine Amo, Intern, Economic Development	§	

1. Call to Order

Leo Lane called the meeting to order at 2:30 p.m.

2. Strategy Update

Henry Florsheim informed the Board that the City Council approved its proposed budget for fiscal year 2020-21. There was a lot of Council discussion on the downtown economic development position. He tried to make it very clear that this position would work in partnership with the Chamber and with Downtown Wichita Falls Development. He and Jana Schmader have met, along with Board members from both entities, to discuss the recruitment process and determine the strategy for that position. They should have a path to proceed within the next couple of weeks.

During the strategic planning session held in August, Alysia Cook recommended that he get feedback from the Board in terms of what is needed to move forward. As a reminder, he reiterated his recommendations from that meeting:

1. Consider site and building inventory in future strategic decisions.
2. Heavy emphasis on growing the talent pool.
3. Kickstarter makerspace initiative.
4. Support downtown revitalization through new economic development position.
5. Support refilling of business intelligence position.
6. Have Chamber staff manage board member materials.

Phyllis Cowling asked if there is a definition of the makerspace initiative. Mr. Florsheim said it was believed that Dexter was going to create one that the WFEDC could support. However, that is no longer in the works, which allows for the opportunity to start from scratch.

Mr. Lane opined that site development is a priority, followed closely by workforce development - but all are important. Mr. Florsheim replied that there is a very active program regarding workforce development, and they will continue to make outreaches virtually and in person. The new emerging leaders' initiative will do a lot to help the younger demographic become more engaged in community development.

Ms. Cowling noted it would be helpful to have a map of available sites. Mr. Florsheim said such information will be made available to the Board at its next meeting during this discussion period.

Mr. Florsheim continued, noting that Alysia Cook had connected certain performance indicators to six catalysts within the economic development strategy. He asked the Board if these performance indicators are what the team should be pursuing. David Toogood said the performance indicators are more like a task list; if the task is performed, that is the performance indicator. He thinks it would be worthwhile to discuss key metrics that are more perpetual.

3. Discussion/Possible Action Related to Business Park Infrastructure and Environmental Review

Mr. Florsheim said one building has been constructed in the Business Park during his seven-year tenure. But within the past six months, there have been three solid prospects. There have been site visits made, and it is an exciting time. However, it also serves to prioritize those things not done, such as upgrades to infrastructure.

David Leezer said he has had multiple conversations with prospects. Four hundred acres of the 535-acre Business Park are still available, which is a recruitment tool. But site consultants come to a location to find a way to knock it off the list. Infrastructure is a key aspect of review.

Within the Board's packet are two maps –a generalized map of the Business Park, and a utilities map. There is concern that the water and sewer lines do not extend further west than the edge of Lot 7. He also explained that Lot 9 is only 16 acres. There is a proposal for the Board to consider dropping that acreage into Lot 8.

A pressing need is extension of Midwestern Parkway East to Hammon Road, as it would provide two points of access to and from the Business Park. With the single point of entry/exit currently available, the businesses of Old Dominion and/or FedEx could be disrupted if there is an accident that blocks that access way.

Fisher Road is a boulevard about 200 feet in length; the proposal is to continue it as a boulevard to Midwestern Parkway East, extend the water line from Hammon Road, and create a sewer lift station on the southern portion of Lot 2. Hammon Road itself needs an upgrade, due to increased truck traffic.

Long-term needs include expanding Production Boulevard to the northern border of Wichita Clutch. That would create an additional entry/exit point and ease potential congestion in the Park.

Today, the Board is being requested to fund geotechnical reports for Lots 7 and 8, immediately south of Old Dominion and FedEx. This would differentiate the Business Park from other entities, and show that it is forward thinking and ahead of the game.

4. Discussion/Possible Action related to Opportunity Strategies Work Plan

Mr. Lane said there are a lot of items to tackle regarding the work plan. He segregated all the things needing to be done into three categories: administrative procedures, calendar maintenance; and items/notebook checklist. He includes the bylaws, policies and educational training in that category. These are not “one and done items” for the most part; rather, they will be ongoing activities.

The Board’s relationships with its economic development partners (MSU, SMAC, DWFD, Chamber) must include expectations, and assurances that the partners are in compliance with their respective contracts.

The work strategy component, already discussed, is to ensure the economic development plan is going in the right direction.

Mr. Lane suggests the board form a subcommittee in order to get work done outside of Board meeting hours.

Mr. Florsheim said the Chamber had previously offered to take on the administrative duties of maintaining the Board’s notebooks. He suggests creating drop box folders to be made available to the Board members. His staff will spend time before the next meeting gathering the appropriate files. They can manage the calendar, conflict of interest forms, etc., once they receive marching orders from the Board. Ms. Cowling noted this had been discussed at the retreat. Mr. Lane said they could send out appropriate information as the time draws close, such as evaluation forms.

Ms. Cowling said the Board will talk later about bylaws. She requests that some items within the bylaws get placed on the calendar. In addition, the budget time frame will be very different from what has gone before, and those items will need to be calendared.

5. Discussion/Possible Action related to Calendar of Activities

Mr. Lane noted there is a lot of overlap in what is being discussed today. It is important for the Board to have a well-maintained calendar of activities. Mr. Toogood said he put together a monthly calendar when he reviewed the requirements laid out in the bylaws. Some of those items have specific time requirements, while others are requirements but not tied to specific months.

June:

- Annual performance evaluation
- Annual work plan for the next year (This has to be done prior to the budget being adopted)

July:

- Adopt annual budget (latest time to be adopted is 60 days prior to the start of the fiscal year)

Mr. Lane said if the budget is to be adopted in July, allocations must be established for the Board’s partnerships in June at the latest, making proposals due from them in May.

Mr. Leiker said the earlier the budget is adopted, the less sales tax data will be on hand. He suggested that the bylaws require the budget to be adopted by the first of the fiscal year. The Board would, of course, not wait until September 30, but that could be the technical requirement.

- Election of Board officers (not specifically required for July).

Mr. Leiker said July makes sense; the City Council makes appointments to the various City boards and commissions in July and December of each year.

- Development of the Work Plan

Ms. Cowling agreed with placing this item in July, and the Board can adjust next year if necessary. Mr. Florsheim said he supposed the work plan would be created before the economic development partnerships submit their budget proposals to the Board. In order to give the Board ample time to review, these proposals would need to be submitted in July.

Ms. Cowling remarked that the work plan definition is nebulous. It is not a tactical plan, but rather a directional one, consisting of goals and objectives.

She also noted the bylaws state the treasurer shall submit the comptroller report to the state. As the treasurer will not actually submit this report, this needs to be revised such that the treasurer *shall cause* the report to be submitted.

Mr. Florsheim questioned the content of the quarterly reports required of the economic development partners. Mr. Leiker said it would be basically bullet points of activities. Mr. Toogood said these are due on the 15th of the month at the end of the quarter. There may not need to be a presentation, but rather, a standardized report that the Board can review prior to the meeting and ask questions if necessary.

6. Discussion/Possible Action related to Procedures for Third-Party Contracts

Mr. Lane said there is a need to work on making a better process between the Board and its economic development partners. Mr. Florsheim asked how the Board wished the third-party entities to provide information.

Ms. Cowling said the first place to start is with what is required per any agreements; then, add things that would be helpful. She acknowledged the Board needs to be clear on expectations, adding that this is another item to be calendared. Mr. Leiker said he would like to see end-of-year activity reports.

7. Discussion/Possible Action related to Bylaws

David Toogood noted he is referring to the tracked changes version of the draft bylaws that also contain comments made by Phyllis Cowling.

Changes made:

1. Article I, Purpose and Powers – administrative changes recommended by the City Attorney.
2. Article I, Purpose and Powers – Ms. Cowling added the phrase “as defined in and governed by the Act.”
3. Article II, Board of Directors – In subsection (b), the rotation of members’ service years is outlined. The Board members wish to retain their three-year terms, which is impossible to synchronize. Mr. Toogood changed the language to read as follows: “Place 1 shall be appointed in a year by itself; Places 2 and 3 shall be appointed in the subsequent year, and Places 4 and 5 shall be appointed in the year subsequent to Place 2. The cycle then repeats the following year, starting again with Place 1.”

4. The last sentence of subsection (b) is deleted: "Board members shall continue to serve until the end of their term, resignation, removal or their successor is appointed."
5. Opportunity Strategies recommended terms begin on October 1. Mr. Toogood said he has no objection to the change from the July appointments (to serve beginning August 1), but it will cause all terms to extend by two months. As background, Mr. Leiker said the City Council appoints members to the City's many boards and commissions in July and December. He is not sure how the Council would feel about appointing Board members outside of those dates. Mr. Toogood suggested keeping the bylaws as written. Members could be appointed in July, but not begin to serve until October. Mr. Leiker said the Council makes appointments with the assumption those Board members will start promptly. Ms. Cowling recommended they leave it as October, and if the Council objects, it can be amended.
6. Mr. Toogood said there was a limitation on how many terms could be served by each Board member. However, Mr. Heggland raised a legal concern in that there are no term limits defined in state law. By setting term limits, the Board would be restricting the will of the Council if they wished for someone to serve more than two terms. He believes it is best in practice not to stay on the Board indefinitely, but they will not restrict it in the bylaws.
7. There were changes made to information regarding compliance with the Open Meetings Act in order to make it easier to understand.
8. The term secretary/treasurer was separated out into two offices.
9. The requirement for a bond has been deleted, due to the fact the Board has D&O insurance.
10. The requirement that a Board member reside within the city limits has been deleted, as the state law provides no residency requirement for a Type A Board.
11. Article IV, Functional Corporate Duties and Requirements – requires the completion of an annual work plan, which has been discussed.
12. Also within this same Article IV is a requirement for an annual performance evaluation.
13. Section 2, Annual Corporate Budget – the requirement that the Board adopt a proposed budget was changed from 60 days to 30 days prior to the beginning of the fiscal year.
14. Section 5, State Comptroller Report – this section was amended to read: "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."
15. Article V, Miscellaneous Provisions – Section 8, Conflicts of Interest, was completely rewritten by the City Attorney.

Mr. Toogood moved to adopt the paper copy of the bylaws to which he referred earlier with the changes noted. Seconded by Mr. Leiker, the motion carried 4-0.

Mr. Toogood also noted the City Clerk has a sheet prepared with each Board member's name, term of office, and appointment date. He moved that this sheet be amended to change the place number designated by the City to the new place numbers so that there is proper alignment. Seconded by Ms. Cowling, the motion carried 4-0.

8. Discussion/Possible action related to Owens Corning Lease of Former ATCO Building

Mr. Florsheim explained that Owens Corning has been renting storage space in the Delphi building for some time. Panda Biotech is in the process of buying the building, so Owens Corning is now searching for other rental space. It has requested a short-term lease in the ATCO building. The Chamber approached Clayton Homes to determine if this would be an option. Clayton Homes agreed, provided there is included in the lease a 30-day notice clause to vacate the premises. Mr. Florsheim requests the Board give Mr. Lane the right to negotiate this lease.

Ms. Cowling moved to authorize Mr. Lane to enter into an agreement with Owens Corning regarding a short-term lease of the former ATCO building, as discussed. Mr. Leiker seconded the motion, and asked about the rental fees. Mr. Florsheim said the intent is not to give them this lease; they are paying now and can continue. The motion carried 4-0.

9. Consent Agenda (Financial Report; 9/17/20 WFEDC Minutes)

Ms. Cowling moved for approval of the consent agenda. Seconded by Mr. Toogood, the motion carried 4-0.

10. Executive Sessions


Mr. Lane adjourned the meeting into executive session at 3:55 p.m. pursuant to Texas Government Code §§551.072 and 551.087. He announced the meeting back into regular session at 4:50 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.

11. Motions

Mr. Leiker moved to approve funding at a cost not to exceed \$1.5 million for preliminary engineering design and geotechnical work according to Option 2's proposed infrastructure improvements to the Wichita Falls Business Park. Seconded by Mr. Toogood, the motion carried 4-0.

12. Adjourn

The meeting adjourned at 4:53 p.m.


Leo Lane, President

MINUTES
LAKE WICHITA REVITALIZATION COMMITTEE
November 10, 2020

PRESENT:

■ Members

David Coleman, Chair
Tim Brewer, City Council Rep
Kathie Forehand-Chaddick, Secretary
Ford Swanson
Kendrick Jones
Eve Montgomery
Sharon Roach
Jeremy Garza
Alicia Castillo, Gold Star Family

■ Staff

Russell Schreiber, Public Works Director
Vikesh Desai, Engineering
Terry Points, Parks Department
Robert Mauk, TX Parks & Wildlife

■ Guests

Claire Kowalik, TRN

ABSENT: Eric Stevens, Pete Gill, Marcy Brown Marsdon, Crystal Byrd

1. **Call to Order:** David called the meeting to order at 10:00 am, declared a quorum, and introduced Alicia Castillo (our new ex-officio Gold Star Family member) and Jeremy Garza (our new Voting Alternate member).
2. **Approval of Minutes:** October meeting minutes were approved unanimously.
- 3.a. **Project Updates: Boardwalk TP&W grant project:** Vikesh stated that the warranty expires in June 2021, and that he will submit annual reports to TP&W.
- 3.b. **Veteran's Plaza Project:**

Terry Points stated his preference for no flag pole on the Plaza, but rather to use flag holders (like what Rotary does) for special events.

The LWRC is now a member of the Herschel Woody Williams Medal of Honor Foundation, which oversees installation of the Gold Star Family Monuments. City Council approved creation of an ex-officio Gold Star Family member on our Committee, and appointed Alicia Castillo to that position. We have now met all requirements of the HWWMOHF to have them install a Gold Star Family Monument at our Plaza.

David and Kathie will review all the Brick orders and let Vikesh know how many of each brick has been ordered. Then KHA will submit two proposed layouts for the LWRC to review and vote to approve one.

November 10, 2020

3.c. Lake Deepening Alternatives

David reported that Jim Hallock (Earth Blocks Texas LLC) has made 6 Compressed Earth Blocks and delivered them to the testing lab in San Antonio. They will be tested for compressive strength on 1 December, and the lab will produce test reports that can be given to project owners and their structural engineers to promote the use of CEBs in local construction projects. Sand was added to the lake bed materials at three different ratios (1:1, 1.25:1, and 1.5:1) so we can determine the optimum sand content.

4. Discussion of Brick Sales and Fundraising Initiatives:

The letters to local philanthropy foundations are still pending, and we are planning for a year-end fundraising push. Kathie mentioned that Eric had recommended we get a PO Box for correspondence with potential donors, and the Committee approved up to \$250 to rent a PO Box for the next year. Ford said he researched the value of the trailer mounted smoker, and recommended we start at \$6,000 to sell it (rather than trying to raffle it). David mentioned that the Polar Engraving website will still be available for memorial brick orders for another week or two.

5. Other Business Matters:

Robert stated that TP&W Inland Fisheries has a new Grant program to improve Angler access to lakes. They are no-match grants up to \$50,000 or perhaps more. The due date for pre-proposals is 12 February, and Terry and Kathie will work with Robert to complete an application.

Sharon asked if our meeting time would remain 10:00 am, and the consensus was Yes.

Kathie stated our third new member, Crystal Byrd, could not attend today, but will attend next month and has skills in graphic arts and website design.

6. Adjournment: The meeting adjourned at 10:44 am.



David Coleman, Chair



Date

CITY COUNCIL AGENDA December 15, 2020

ITEM/SUBJECT: Conduct a public hearing and consider and take action on an ordinance finding certain buildings and/or structures to be dangerous; requiring property owners to demolish said buildings and/or structures within thirty (30) days of the date of this ordinance and declaring an emergency and immediate effective date.

INITIATING DEPT: Development Services/Building & Code Administration

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Revitalize Depressed and Declining Neighborhoods

COMMENTARY:

- November 11, 2020 – Notice of public hearing/issue via certified mail to property owners
- November 12, 13, 2020 – Notice of public hearing/issue published in TRN.
- December 15, 2020 - City Council public hearing and consideration of declaring subject structures dangerous.
- January 15, 2020 – If declaration(s) approved by City Council, deadline for property owners to remediate or demolish.

Pursuant to statute and local ordinance, the City Council can, after a public hearing on the matter, deem structures that have deteriorated to a certain threshold as “dangerous”. Once structures are deemed dangerous, the property owner then has 30-days to either (1) receive a restoration permit for remediation/improvement of the structure to a livable condition, or (2) demolish. If after 30-days the structure remains dangerous, the City can effect demolition and place a lien for such costs on the property.

Staff is requesting the City Council deem twelve (12) structures, listed on the following pages, as dangerous. If approved, the property owners will then have (30) days in which to remove the structures. If such action has not been taken after 30-days, staff will complete the required Department of Housing and Urban Development (HUD) environmental review process and seek bids for the removal of the structures.

The City Council can also provide additional time for compliance with a restoration permit (i.e. 60 days, 90 days, etc.) if requested by the property owner. If after that time the structure remains out of compliance, City abatement can commence without any further City Council action.

Staff recommends the City Council (1) conduct the public hearing to provide each of the 12 property owners an opportunity to provide input/recommendation, and (2) approve the ordinance deeming the properties as dangerous structures.

☒ **Assistant City Manager**

☒ **Director of Development Services**

☒ **Neighborhood Services Manager**

ASSOCIATED INFORMATION: Ordinance, List of Structures

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance finding certain buildings and/or structures to be dangerous; requiring property owners to demolish said buildings and/or structures within thirty (30) days of the date of this ordinance and declaring an emergency and immediate effective date

WHEREAS, the Building and Code Administration Division and the City of Wichita Falls, acting under the provisions of Article VIII of Chapter 22 of the Code of Ordinances of the City of Wichita Falls, has served notice to the owners of the property listed in Section 2 of this ordinance, that the building or buildings on the premises have been classified as dangerous structures and that certain corrections were needed to be made or the building(s) demolished; and,

WHEREAS, the property owners and all other persons having an interest in the property have been duly served by the Building and Code Administration Division of the time and date of the Public Hearing for the property owners to appear before the City Council to show cause why such buildings or structures in Section 2 should not be demolished in accordance with the State of Particulars set forth in the Building and Code Administration Division's notice; and said Public Hearing was had and held at the time and place fixed therefore, the day of the approval of this ordinance, in the Council Chambers in the City of Wichita Falls, Texas, and at such Public Hearing, protests and objections were made in accordance with the **List of Objections** (to be attached after meeting) and said hearing was continued until all desiring to be heard were given full fair opportunity to be heard and the City Council of the City of Wichita Falls, having fully considered all property matters, is of the opinion that the said hearing should be closed; and,

WHEREAS, the City Council finds that the photographs and other evidence presented at the hearing and in the **List of Structures to be Repaired and List of Structures for which Repair is Authorized** justify the determinations herein that the described buildings be demolished or repaired as established in this ordinance.

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

1. The aforementioned public hearings are closed, and the protests and objections are overruled, except as identified on **List of Objections**. If corrective actions are not completed within the period authorized by the City Council acting as Building Commission, the structure will be demolished.

2. From the evidence presented in the aforementioned Public Hearing by property owners appearing and the Building and Code Administration Division for the City of Wichita Falls, the buildings and/or structures at the locations listed in the attached **List of Structures to be Demolished**, with the corresponding property owners, are found to be dangerous buildings which cannot be repaired as defined in said Article VIII of Chapter

22 of the Code of Ordinances of the City of Wichita Falls, and the property owners listed therein and any other person having an interest in said buildings as shown by the title search by the City of Wichita Falls are hereby commanded to demolish the buildings and/or structures in accordance with the State of Particulars set forth in the Building and Code Administration Division's notice. The property owners listed on the attached **List of Structures to be Demolished** and any other person having an interest in said buildings as shown by title search by the City of Wichita Falls are further commanded to demolish in accordance with the State of Particulars set forth in the Building and Code Administration Division's notice within 30 days from the date of this ordinance.

3. If, within 30 days from the date of this ordinance, any building listed in Section 2 of this ordinance has not been demolished and removed, then it shall be demolished and removed at the expense of the City, by the City or the City's contractors (subject to City funding), and the net cost for demolition or removal shall be charged to the owners of the property and assessed on the land on which the building stood.

4. The dangerous building demolition order for the properties listed in the **List of Structures for which Repair is Authorized** is suspended for 30 days from this date, and the dangerous building demolition order is to be valid again if the property owner does not obtain a restoration permit to restore this building within such time. If the property owner obtains a restoration permit to restore this building within the aforementioned period of time, then the dangerous building declaration for this property is suspended for the additional time of 90 days, and the dangerous building demolition order is to be valid again if the property owner does not bring this building into compliance with all codes of the City of Wichita Falls within the aforementioned 90 days. If the property owner brings this building into substantial compliance (as determined by the City's building official) with all codes of the City of Wichita Falls within the aforementioned 90 days, then this dangerous building order will be terminated. The owner's failure to comply with either of the aforementioned deadlines will authorize the City to demolish the structure without further notification to the owner or any other party.

List of Structures for which Repair is Authorized:

5. These structures pose a danger of collapse and conflagration, harbor pests, spread disease, and are places of assembly for dangerous criminals; therefore, their demolition constitutes an emergency for the immediate preservation of the public business place, property, health, safety and general welfare of the public, as this ordinance shall become effective immediately from and after the date of its passage and accordingly it is so ordained.

PASSED AND APPROVED this the 15th day of December, 2020.

M A Y O R

ATTEST:

City Clerk

List of Structures to be demolished as follows:

ADDRESS	OWNER	DATE OF NOTICE
1. 1918 Windthorst Rd (Secondary Living Quarters Only – Unit B) TR 1C, 1 AC BLK 12 SOUTH SIDE ACRES	John D Nichols ETAL 1918 Windthorst Rd Wichita Falls, TX 76301	02/24/20
TAXES OWED (11/17/20)	WATER DISCONNECTED	OTHER MISC. INFO.
\$0.00	05/02/01	
 		
 		

Interior Walls / Ceiling: Broken sheetrock / holes in wall and ceiling, ceiling collapsing, interior vandalized, unable to enter, water damage.


Floors: Deteriorated wood members, floor covering damaged or deteriorated, water damage, vandalized.

Windows/Screens: Screens and windows broken / missing.

Foundation: Needs extensive repairs.

Roof: Holes in roof, deteriorated ceiling joist, roofing material, over-hang, and rafters.

Sanitary Conditions: Abandoned appliances, stagnant, unwholesome water, filth, rubbish, trash, mold / fungus growth.

ADDRESS	OWNER	DATE OF NOTICE
2. 1304 Tulip St. (Main) LOT 3 BLK 3 JACKSON-DENMAN	Vestwell Investments, LLC 4308 Stella Ct Arlington, TX 76017	06/19/20
TAXES OWED (11/17/20) \$343.92 (2017-2019)	WATER DISCONNECTED 05/13/10	OTHER MISC. INFO.
		

Exterior Walls: Cracks / holes in wall, loose members, protective coating / paint missing.


Interior Walls/Ceiling: Water damage, broken sheetrock / holes in wall & ceiling, interior vandalized, water damage.

Floors: Water damage, vandalized, floor covering deteriorated.

Doors / Windows: Doors and windows damaged / missing.

Roof: Holes in roof, deteriorated roofing material, deteriorated ceiling joists and rafters.

Sanitary Conditions: Rubbish, trash.

ADDRESS	OWNER	DATE OF NOTICE
3. 2805 Cumberland Ave. (Accessory Structure Only) Lot 3 Blk 54A Highland	Karen A Petty, Janet K Cannon, Howard D Estes & Cynthia L Mills 2200 Poolville Cut Off Rd Poolville, TX 76487	12/05/19
TAXES OWED (11/17/20) \$1496.64 (2019)	WATER DISCONNECTED 07/30/19	OTHER MISC. INFO.
		

Exterior Walls: Walls listing or collapsed, deteriorated structural members, protective coating/paint missing, water damage.

Doors / Windows: Doors and Windows broken or missing.

Roof: Requires complete reconstruction, deteriorated ceiling joist, roofing material, rafters, roof has collapsed.

ADDRESS	OWNER	DATE OF NOTICE
4. 1417 N 7 th St. (Accessory Structure Only) Lot 9 Blk 19 Scotland	Billy Kendall Williams 1417 N 7 th St Wichita Falls, TX 76306	01/17/20
TAXES OWED (11/17/20) \$159.73 (2017-2019)	WATER DISCONNECTED Water Active	OTHER MISC. INFO.
		

Exterior Walls: Crack / holes in walls, deteriorated structural members, loose members, protective coating / paint missing.

Roof: Deteriorated ceiling joists, roofing material, rafters, holes in roof, roof sagging.

Foundation: Foundation listing, structure is collapsing.

ADDRESS	OWNER	DATE OF NOTICE
5. 1601 30 th St. (Main) Lot 1 Blk 7 Country Club Addit	David P Cargal C/O Malissa Cargal 3102 Hollywood Ave Wichita Falls, TX 76309	06/17/20
TAXES OWED (11/17/20) \$669.93 (2017-2019)	WATER DISCONNECTED 07/08/09	OTHER MISC. INFO. Fire date 10/16/19 500 Year Flood Plain
		


Exterior Walls: Fire damage, protective coating / paint missing, loose members, deteriorated structural members, cracks / holes in wall.

Interior Walls / Ceiling: Fire damage, broken sheetrock, holes in wall and ceiling, vandalized, water damage.

Roof: Fire damage, requires complete reconstruction, holes in roof, roof sagging, deteriorated roofing material, ceiling joist, over hang, rafters.

Doors & Windows: Fire damage, doors and windows broken / missing.

Sanitary Conditions: Abandoned appliances, rubbish, trash.

ADDRESS	OWNER	DATE OF NOTICE
6. 31 Vickie Dr. (Mobile Home) IPO Acct;1971 Artcraft 12x60=720 SN#ACG4503* Located On: 3210 Iowa Park 4.78 AC BLK 4 Hirschi and Business Personal Property	Trailer Owner: Debra Champion 2304 Avenue M Wichita Falls, TX 76309 Mobile Home Park Owner: Wayne Hansen Holdings, LLC	10/04/19
TAXES OWED (11/17/20)	WATER DISCONNECTED	OTHER MISC. INFO.
\$72.56 (2017-2019)	Water Active to Mobile Home Park	Fire date 07/18/18 100 Year Flood Plain
		

Exterior Walls: Fire damage, cracks / holes in wall, deteriorated structural members, loose members.

Interior Walls/Ceiling: Fire damage, broken sheetrock, holes in wall and ceiling, interior vandalized, water damage.

Floors: Fire damage, deteriorated wood members, floor covering damaged / deteriorated, water damage, holes in floor, areas unable to enter.

Roof: Fire damage.

Sanitary Conditions: Rubbish and trash.

ADDRESS	OWNER	DATE OF NOTICE
---------	-------	----------------

7. 611 Humphreys (Main) Lot 1 Blk 1 & W 1/2 Lot A Less Row Blk 23 Bat 2nd Snoddy	Armonique Jefferson Address Unknown	01/17/20
TAXES OWED (11/17/20)	WATER DISCONNECTED	OTHER MISC. INFO.
\$356.90 (2018-2019)	10/27/18	500 Year Floodplain Fire date: 04/28/19
		

Exterior Walls: Fire damage, cracks / holes in wall, deteriorated structural members, walls listing, protective coating / paint missing, loose members, walls collapsed or missing.

Roof: Fire damage, requires complete reconstruction, deteriorated ceiling joists, roofing material, rafters, holes in roof, roof sagging / collapsed or missing.

Interior Walls / Ceiling: Fire damage, broken sheetrock / holes in wall, vandalized, water damage.

Windows / Doors: Damaged doors and windows broken / missing.

Sanitary Conditions: Rubbish, trash.

ADDRESS	OWNER	DATE OF NOTICE
8. 2300 Yale Ave. (Main) Lot 14 Blk 1 Fellows	James Putney Jr, Diana Baker, Timothy Putney Sr ETAL C/O Timothy Putney Sr. 2201 10 th St Wichita Falls, TX 76309	02/27/20
TAXES OWED (11/17/20)	WATER DISCONNECTED	OTHER MISC. INFO.
\$2329.31 (2017-2019)	03/03/18	Fire Date: 09/06/19
		

Exterior Walls: Fire damage, cracks / holes in walls, deteriorated structural members, loose members, protective coating / paint missing, walls listing.

Roof: Fire damage, holes in roof, roof sagging, deteriorated ceiling joists, roofing material, rafters.

Interior Walls / Ceiling: Fire damage, broken sheetrock / holes in wall and ceiling, interior vandalized, water damage.

Floors: Fire damage, water damage, vandalized.

Windows / Doors: Fire damage, broken / missing windows and doors.

Foundation: Fire damage

Sanitary Conditions: Rubbish, trash

ADDRESS	OWNER	DATE OF NOTICE
9. 2118 Roberts Ave. (Main) Lot 7 Blk 13 E Sunset Heights	Kevin Hemming 2001 Margaret Dr Wichita Falls, TX 76306	09/10/19
TAXES OWED 11/17/20)	WATER DISCONNECTED	OTHER MISC. INFO.
\$0	03/02/18	Fire Date: 02/24/2018
		

Exterior Walls: Fire Damage, cracks / holes in wall, deteriorated structural members, loose members, protective coating/paint missing.

Roof: Fire damage, holes in roof, deteriorated rafters, ceiling joist, roof sagging.

Interior Walls / Ceiling: Fire damage, broken sheetrock / holes in wall and ceiling, water damage.

Doors / Windows: Fire damage, windows, screens and doors broken or missing.

Sanitary Conditions: Rubbish, trash, filth.

ADDRESS	OWNER	DATE OF NOTICE
10. 2100 8 th St (Accessory Structure Only) Lot 15 Blk 9 Floral Heights	Johnny Lee Weems 3917 Colonial Dr Anderson, IN 46012	02/24/20
TAXES OWED (11/17/20) \$0	WATER DISCONNECTED Water Active	OTHER MISC. INFO.
		


Exterior Walls: Loose members, deteriorated structural members, cracks and holes in wall protective coating / paint missing.

Roofs: Deteriorated ceiling joists, rafters, roofing material, holes in ceiling.

Interior Walls / Ceilings: Water damage, broken sheetrock / holes in walls and ceiling.

Doors / Windows: Broken / missing window panes & frames.

Sanitary Conditions: Stagnant water, rubbish, trash, mold / fungus growth.

ADDRESS	OWNER	DATE OF NOTICE
11. 400 Chester Ave. (Accessory Structure Only) W50 Ft Lots 9-10 Blk 30 Hinckley	Paul L Stout 400 Chester Ave Wichita Falls, TX 76301	06/19/20
TAXES OWED (11/17/20)	WATER DISCONNECTED	OTHER MISC. INFO.
\$0.00	11/09/17	500 Year Floodplain
		

Exterior Walls: Cracks / holes in walls, loose members, protective coating / paint missing.


Roof: Holes in roof, deteriorated roofing material, ceiling joist, rafters.

Interior Walls/Ceiling: Broken sheetrock / holes in walls & ceiling, water damage.

Floors: Water damage, holes in floor, water damaged, vandalized.

Doors / Windows: Missing / broken windows.

Sanitary Conditions: Rubbish, trash, junk, mold / fungus growth.

ADDRESS	OWNER	DATE OF NOTICE
12. 713 Indiana Ave. (Commercial) Lot 11 Blk 163 Original Town, WF	713 Indiana, LLC 708 Indiana Ave. Wichita Falls, TX 76301	07/13/20
TAXES OWED (11/17/2020) \$0	WATER DISCONNECTED 07/28/05	OTHER MISC. INFO. Demo previously ordered 10/19/2010
		

Exterior Walls: Deteriorated structural members, loose members.

Roof: Requires complete reconstruction, deteriorated ceiling joists, deteriorated roofing material, deteriorated rafters, holes in roof, roof collapsed.

Interior Walls/Ceilings: Water damage, interior vandalized, areas unable to enter.

Floors / Stairways: Deteriorated wood members, water damage, holes in floor, areas unable to enter.

Foundation: Deteriorated floor joists, needs extensive repairs, areas unable to enter.

Sanitary Conditions: Rubbish, trash.

CITY COUNCIL AGENDA
December 15, 2020

ITEM/SUBJECT: Conduct a public hearing and consider and take action on a resolution for the proposed 2020-2024 Five Year Public Housing (PHA) Year Plan and the first year of the Action Plan.

INITIATING DEPT: Development Services/Housing

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Support Neighborhood Revitalization

COMMENTARY: Annually, the City Council reviews and approves the documents that guide operations of the City's federally funded Housing Choice Voucher (formerly Section 8) Program, normally being the one-year Action Plan. This year, the 2020-2024 Five Year Public Housing Agency Action (PHA) Plan and the first year of that plan is attached to this item for review and approval. A public hearing is required for the approval of these plans.

The Public Housing Agency Plan serves as a broad document outlining the programs the Housing Division intends to provide. Staff is not recommending any modifications to the Fifth Year of the Five Year Action Plan.

It has been customary during the annual review of the PHA plans to also review the status of the program. Below are a few current program details:

- 808 families currently being assisted
- 686 families currently on the waiting list
- \$327 – current average cost per unit

This item includes the year 2020 and typically is brought before the City Council for approval earlier in the year. However, due to COVID the Department of Housing and Urban Development (HUD) extended the deadline for plan submittal.

Staff recommends the approval of this Resolution. If approved, the documents will be submitted to HUD.

☒ **Neighborhood Services Manager**

☒ **Director of Development Services**

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: PHA Five (5) Year and Annual Action Plan

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Resolution No. _____

Resolution approving the 2020-2024 Five Year Public Housing Agency (PHA) Action Plan and the First Year Annual Action Plan

WHEREAS, the Housing Division must annually submit for City Council approval, the Division's Five Year Action Plan and Annual Action Plan; and

WHEREAS, as a result of this year's review of both plans, city staff is recommending no modifications be made; and

WHEREAS, the City Council has conducted the required Public Hearing for this action.

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

The attached PHA Five Year Action Plan and first year Annual Action Plan is hereby approved.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

PHA 5-Year and Annual Plan		U.S. Department of Housing and Urban Development Office of Public and Indian Housing		OMB No. 2577-0226 Expires 8/30/2011									
1.0 PHA Information PHA Name: City of Wichita Falls Housing Assistance Program PHA Code: TX498 PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): 12/2020													
2.0 Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: N/A Number of HCV units: 989													
3.0 Submission Type <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only													
4.0 PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)													
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program <table border="1"> <tr> <th>PH</th> <th>HCV</th> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </table>	PH	HCV						
PH	HCV												
	PHA 1:												
	PHA 2:												
	PHA 3:												
5.0 5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.													
5.1 Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: The Housing Choice Voucher Program administered by the City of Wichita Falls provides rental assistance for low-income individuals and families to provide decent, safe and sanitary housing at an affordable cost. The HCVP is committed to addressing the needs of both program participants and property owners while being good stewards of our resources.													
5.2 Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. Goals and Objectives: <ul style="list-style-type: none"> § Increase the availability of decent, safe and affordable housing <ul style="list-style-type: none"> · Work with property owners to increase affordable housing choices for low-income families · Conduct outreach efforts to potential voucher landlords · Achieve greater cost effectiveness and improved efficiencies in providing high quality housing and services · Improve voucher management (SEMAP) scores · Provide replacement vouchers as needed · Better utilization of allocated vouchers · Increase voucher payment standards · Increase access to information and resources on fair and affordable housing · Make project-rental subsidies accessible to qualified families § Improve community quality of life and economic vitality <ul style="list-style-type: none"> · Implement measures to deconcentrate program participants by providing information on rental units available in all areas of Wichita Falls. · Implement measures to encourage new property owners to participate in the program to help to increase the number of available units within areas served. § Promote self-sufficiency of families and individual <ul style="list-style-type: none"> · Increase the number and percentage of employed persons receiving assistance 													

	<ul style="list-style-type: none"> · Provide information for supportive services to increase independence for elderly or families with disabilities · Promote Earned Income Disallowance (EID) for people with disabilities · Provide First Time Homebuyers and Habitat for Humanity information for program participants to encourage homeownership <p>§ Ensure Equal Opportunity in Housing</p> <ul style="list-style-type: none"> · Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability · Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability · Undertake affirmative measures to ensure accessible housing to person with all varieties of disabilities regardless of the unit size required · Designate an employee to ensure that eligible persons with disabilities are granted reasonable accommodation in order to take full advantage of the Housing Choice Voucher Program and related services <p>§ Violence Against Women Act Reauthorization Act (VAWA)</p> <ul style="list-style-type: none"> · Protect clients and family members of clients who are victims of domestic, dating violence, or stalking from being terminated from housing based on acts such violence against them in accordance with the VAWA act.
6.0	<p>PHA Plan Update</p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <p>The PHA has not made any revision to its last Annual Plan.</p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p>City of Wichita Falls Five-Year PHA Plan, Annual PHA Plan, Plan Elements, and relevant information regarding the Public Hearing and Proposed PHA Plans and Amendments are available at the local field office at 1300 7th Street, Room 301 at the Memorial Auditorium.</p>
7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p>Not Applicable for the Housing Choice Voucher program</p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p> <p>Not Applicable for the Housing Choice Voucher program</p>
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>Not Applicable for the Housing Choice Voucher program</p>
8.3	<p>Capital Fund Financing Program (CFFP).</p> <p><input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p> <p>Not Applicable for the Housing Choice Voucher program</p>

9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>PHA STATEMENT OF CONSISTENCY WITH THE CONSOLIDATED PLAN</p> <ol style="list-style-type: none"> 1. Consolidated Plan Jurisdiction: <ul style="list-style-type: none"> § City of Wichita Falls also to include: Burkburnett, Iowa Park, Archer and Electra. 2 The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the Jurisdiction: <ul style="list-style-type: none"> § The PHA has based its statement of needs of families on its waiting list on the needs expressed in the Consolidated Plan. § The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan. 3 In agreement with the Wichita Falls Housing Agency PHA Plan, the Wichita Falls County Five-Year Consolidated Plan has five priority housing needs: <ul style="list-style-type: none"> § Decrease substandard rental Housing § Increase rental assistance to low and moderate income households § Increase the level of affordable housing § Increase affordable housing units for the elderly § Increase home ownership for low and moderated income first time home buyers 4 In addition, other important challenges to be met by the Agency are: <ul style="list-style-type: none"> § Compliance with regulatory requirement of SEMAP, and; § To understand and take advantage of opportunities in the new laws and regulation to better serve our clients and community. <p>This Annual PHA exemplifies the commitment of the Wichita Falls Housing Agency to meet the housing needs of the low-income residents. The Agency will partner with other agencies from all levels of the government, the business community and residents will use this plan to improve the quality of life for Wichita Falls residents.</p>
-----	--

Page 1 of 2

form **HUD-50075** (4/2008)

9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <p>I. Strategy for Addressing Housing Needs</p> <ol style="list-style-type: none"> 1 Maximize the number of affordable units available to the PHA with it current resources by: <ul style="list-style-type: none"> § Maintain or increasing lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction § Undertake measures to ensure access to affordable housing among families regardless of unit size required § Maintain or increase lease-up rates by marketing the program to new owners § Maintain or increase lease-up rates by effectively screening applicants to increase owner acceptance of the program 2 Increase the number of affordable housing units by: <ul style="list-style-type: none"> § Apply for additional vouchers should they become available. 3 Target available assistance to Families at or below 30% of AMI <ul style="list-style-type: none"> § Exceed HUD federal targeting requirement for families at or below 30% of AMI for this agency 4 Target available assistance to Families at or below 50% of AMI <ul style="list-style-type: none"> § Adopt rent policies to support and encourage work 5 Target available assistance to the elderly and families with disabilities <ul style="list-style-type: none"> § Market to local non-profit agencies that assist families with disabilities
-----	--

	<p>§ Wait list preference for persons and families with disabilities</p> <p>6 Conduct activities to affirmatively further fair housing</p> <p>§ Counsel tenant as to locations of units outside of low income areas and provide guidance to assist locating available units</p> <p>7 Conduct activities to encourage homeownership among current participating families including the elderly and disabled:</p> <p>§ Increase homeownership by education through presentations of the first time homebuyers program.</p> <p>§ Provide one-on-one housing counseling for families interested in becoming homeowner.</p> <p>§ Provide information on the Habitat for Humanity Program.</p> <p>§ Refer our families to financial counseling services in our area.</p> <p>II. Reasons for Selecting Strategies</p> <p>§ Limited availability of sites for assisted housing</p> <p>§ Influence of the housing market on PHA programs</p> <p>§ Funding constraints</p> <p>§ Results of consultation with advocacy groups</p> <p>§ Refer our families to financial counseling services in our area</p> <p>§ Result of consultation with Resident Advisory Board</p> <p>§ Result of consultation with local and state government</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in meeting mission and goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5 Year Plan.</p> <p>The City of Wichita Falls will promote affordable quality housing through a comprehensive approach involving community input, outreach, education, assessment, counseling, referrals, financial assistance and the enforcement of regulations and standards. In doing so, the Wichita Falls Housing Assistance Program Administrative Plan and its policy and procedures will be made available for community input. Wichita Falls will educate the landlords to achieve their goal which will provide housing opportunities to low income families. Wichita Falls will assess counseling and help our tenant to become homeowners and self-sufficient through various supportive services. Wichita Falls will be informed of new and existing rules and regulations to better serve our clients and improve on their quality of life.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification" See form TX498-01 Attachment D</p>
11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only) (i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Ordinance adding Section 2-33 to Chapter 2, Article II, Division 1, of the Wichita Falls Code of Ordinances to provide for the appointment of the Mayor Pro-Tem, as approved by the voters at the November 3, 2020 general-special election; and providing an effective date.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Review and Update the City Charter As Needed

COMMENTARY: At the general-special election held November 3, 2020, the citizens of Wichita Falls voted to adopt Charter proposition VIII, to allow the Council to choose how to pick the Mayor Pro-Tem. As such, Section 2-33 has been added to provide that the Councilor-at-Large shall be the Mayor Pro-Tem.

☒ **City Attorney**

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance adding Section 2-33 to Chapter 2, Article II, Division 1, of the Wichita Falls Code of Ordinances to provide for the appointment of the Mayor Pro-Tem, as approved by the voters at the November 3, 2020 general-special election; and providing an effective date

WHEREAS, the citizens of Wichita Falls passed Charter Proposition VIII during the special-general election held November 3, 2020; and,

WHEREAS, such proposition provided for the appointment of the Mayor Pro-Tem; and,

WHEREAS, this change requires amendment to the existing Code of Ordinances.

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

1. Chapter 2, Article II, Division 1 of the Wichita Falls Code of Ordinances is hereby amended by the addition of Section 2-33, which section shall hereafter read as follows:

“Sec. 2-33. – Mayor Pro-Tem

The Mayor Pro-Tem will be the person who holds the position of Councilor at-Large, in accordance with authority granted pursuant to Charter section 35.

Secs. 2-34—2-50. – Reserved.”

2. This ordinance shall become effective November 16, 2021.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Ordinance amending Sections 2-28(b) and 2-29(1) and (2) of the Wichita Falls Code of Ordinances to provide for changes to term limits for City Council members; providing an effective date.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Review and Update the City Charter As Needed

COMMENTARY: At the general-special election held November 3, 2020, the citizens of Wichita Falls voted to adopt Charter proposition IX. Council terms were increased for Council members from two to three years, necessitating changes to Sections 2-28(b) and 2-29(1) and (2).

☒ **City Attorney**

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance amending Sections 2-28(b) and 2-29(1) and (2) of the Wichita Falls Code of Ordinances to provide for changes to term limits for City Council members as approved by the voters at the November 3, 2020 general-special election; and providing an effective date

WHEREAS, the citizens of Wichita Falls passed Charter Proposition IX during the special-general election held November 3, 2020; and,

WHEREAS, such proposition increased terms of office for City Council members; and,

WHEREAS, this change requires amendment to the existing Code of Ordinances.

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

1. Chapter 2, Article II, Division 1 of the Wichita Falls Code of Ordinances is hereby amended at Sections 2-28 and 2-29 so that such sections shall hereafter read as follows:

“Sec. 2-28. – Election; term of office.

(a) The mayor and one councilor shall be elected from the city at large. The other five councilors shall be elected from the five single-member districts. Any candidate for councilor from a district must receive a plurality of the votes cast for the district in which the councilor resides. The mayor and the councilor at large must each receive a plurality of the votes cast in the entire city.

(b) The mayor and each councilor, upon election, shall serve a term of ~~two~~ three years, except as provided in Charter section 12, and shall continue to serve until a successor is duly elected and sworn into office. Members of Council elected prior to 2020 shall serve a term of two years.

Sec. 2-29. - Elections.

To implement the system of single-member representation and ensure an orderly transition in the city council:

(1) District one, district two and the position of councilor at-large will stand for regular election in ~~odd-numbered years~~ 2021 and every three years thereafter.

(2) District three, district four, district five and the mayor's position will stand for regular election in ~~even-numbered years~~ 2020 and every three years thereafter.”

2. This ordinance shall become effective January 15, 2021.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
December 15, 2020

ITEM/SUBJECT: Ordinance amending Section 2-85 of Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of Wichita Falls, Texas; amending Division 4 of said Article II, to revise the existing Rules of Procedure and Ethics Policy for the City Council; providing an effective date; providing for inclusion; and providing for severability.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The attached ordinance would make changes to Chapter 2 of the Code of Ordinances. Article II, Division 2, dealing with “Council Rules of Procedures and Policies”, is revised to delete **Section 2-85** dealing with discipline of council members. This topic is moved to the Ethics Policy section in Division 4.

Article II, Division 4, “Council Code of Ethics,” at **Section 2-139**, “Standards of Conduct,” is revised to provide a more streamlined conflict of interest policy. Specifically, Section 2-139 is revised to reflect the new conflict of interest language in the Charter Section that recently passed. The lengthy sections dealing with the statutory conflict of interest in Sections 171 and 176 of the Texas Local Government Code were eliminated and replaced with a section referencing the statute and mandating compliance with those sections. **Section 2-144**, “Disclosure of Substantial Interest,” is deleted as it is covered under the conflict of interest provisions in Section 2-139. **Section 2-145**, “Confidential Information,” is revised to include only that information covered by the attorney-client privilege. Additionally, **Section 2-146**, “False Statements...,” has been deleted in its entirety. Both of these changes were necessitated by a federal judicial interpretation of the applicability of the First Amendment to such statements. **Section 2-147** has been revised to eliminate the specific and detailed procedures in dealing with alleged ethics violations. The Council retains the right to investigate complaints and discipline members, but is not restricted by a rigid process in handling every complaint. Rather, the revision allows the Council to take a case-by-case approach in handling alleged ethics violations while retaining flexibility and discretion depending on the nature and severity of the alleged violation. In conjunction, **Section 2-148** is also eliminated.

☒ **City Attorney**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance amending Section 2-85 of Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of Wichita Falls, Texas; amending Division 4 of said Article II, to revise the existing Rules of Procedure and Ethics Policy for the City Council; providing an effective date; providing for inclusion; and providing for severability

WHEREAS, the newly adopted City Charter conflict of interest language necessitates a revision of the City Council's Code of Ethics conflict of interest policy; and,

WHEREAS, changes in federal judicial application of the First Amendment to certain speech of public officials requires revisions to the City Council's Code of Ethics dealing with statements of City Council members; and,

WHEREAS, the City Council requires flexibility and discretion in handling alleged violations of the Code of Ethics necessitating a change to the procedures for handling complaints; and,

WHEREAS, the City Council desires to adopt this ordinance in order to increase the citizens' trust in City government, increase Council transparency and accountability, and to ensure the dissemination of factual information to the residents of Wichita Falls.

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

1. Chapter 2 of the Code of Ordinances of the City of Wichita Falls, Texas, is hereby amended at Article II, Division 2, by the deletion of Section 2-85. Section 2-85 is hereby reserved.

ARTICLE II. – CITY COUNCIL

DIVISION 2. COUNCIL RULES OF PROCEDURE AND POLICIES

~~“Sec. 2-85. Council May Discipline its Own Members.~~

~~(a) In the event a council member violates the Charter, these Rules, or any other ordinance of the city, or acts in a manner that causes embarrassment or disgrace to the City of Wichita Falls, the City Council on an affirmative vote of five (5) members, may discipline the offending member. [Charter section 34].~~

~~(b) Progressive Discipline. The City of Wichita Falls City Council's progressive discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable behavior and performance issues. Outlined below are the steps of the Council's progressive discipline policy and~~

~~procedures. The City Council reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training, and the impact the conduct and performance issues have on the organization.~~

~~(c) — Discipline of a Council member may only take place after an executive session is held to discuss the offense. The offending member shall be present at the executive session to answer any questions asked by members of the City Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the executive session, the remaining members of the City Council may proceed in his or her absence. The outcome of the executive session may be as follows and shall be made publicly in open session in accordance with the Texas Open Meetings Act:~~

- ~~1. — No Action. The City Council chooses to take no action.~~
- ~~2. — Issue a statement finding the complaint is unfounded, totally without merit, brought for the purpose of harassment, or brought in bad faith.~~
- ~~3. — Issue a letter of notification when the violation is unintentional. A letter of notification shall advise the offending member of any steps to be taken to avoid future violations.~~
- ~~4. — Private Censure. The City Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the executive session.~~
- ~~5. — Letter of Admonition. Issue a letter of admonition when the violation is minor or may have been unintentional, but calls for a more substantial response than a letter of notification.~~
- ~~6. — Public Censure. The City Council may choose to publicly censure the offending member through a resolution and entered into the public record.~~
- ~~7. — Suspension. The City Council may choose to suspend the offending member from meetings, including executive sessions.~~
- ~~8. — Forfeiture of Salary.~~
 - ~~i. — The City Council may choose to suspend the monthly salary of the offending member for a designated period of time commensurate with the seriousness of the offense.~~
 - ~~ii. — The Mayor or any Council member absent from a regular or regularly called meeting of the city council, except on account~~

~~of his own illness, or illness in his immediate family, or absence from the city where excused by the city council prior to such absence, shall forfeit two percent (2%) of his entire annual compensation for each such absence. [Charter, Section 38].~~

~~9. — Expulsion. The City Council may, with “consent of five-sevenths (5/7) of all the members, expel a Council member.” [Charter, Section 34].~~

~~All records of Council discipline shall be kept by the City Clerk.~~

Secs. 2-~~86-85~~ – 2-105. Reserved.”

2. Chapter 2 of the Code of Ordinances of the City of Wichita Falls, Texas, is **hereby amended** at Article II, Division 4, so that such Division shall hereafter read as follows:

“DIVISION 4 - COUNCIL CODE OF ETHICS

Sec. 2-136. - Purpose.

It is hereby declared to be the policy of the City that the proper operation of democratic government requires that public officials be independent, impartial and responsible only to the people of the City; that no officer shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business, transaction or professional activity to conflict with the proper discharge of such person’s duties in the public interest; that public office not be used for personal gain; and that the City Council at all times shall be maintained as a nonpartisan body. To implement such a policy, the City Council deems it advisable to enact a Code of Ethics for officials, as defined in this article, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the City’s public servants, but also as a basis for discipline for those who refuse to abide by its terms, the overriding interest being that such officers of the City shall at all times strive to avoid even the appearance of impropriety.

Sec. 2-137. - Title; Application.

- (a) This section shall be known as the Code of Ethics;
- (b) This Code of Ethics shall apply to all officials as defined in this article, including members of the City Council.
- (c) This Code of Ethics does not apply to employees, including those individuals employed on a full-time, part-time or internship basis (including those who may serve on a City board, committee or commission) nor to independent contractors of the City. The standards of conduct for employees are governed by the City of Wichita Falls Personnel Policies and the City Charter.

(d) This Code of Ethics applies to the conduct or actions of public officers, as defined in this article which occurs in whole or in part after the date of adoption of this article.

(e) This Code of Ethics applies to officials only while such persons hold such position or office.

Sec. 2-138. - Definitions.

The following words, terms, and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

Benefit means anything reasonably regarded as pecuniary or economic gain or pecuniary or economic advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest.

Business entity means any person, entity, corporation (whether for-profit or nonprofit), general or limited partnership, sole proprietorship, joint venture, unincorporated association or firm, institution, trust, foundation, holding company, joint-stock company, receivership, or other entity recognized by law, whether or not organized for profit, which has an economic interest, or seeking such, in conducting business with the City. Business entity also includes any business entity that represents a party conducting or seeking to conduct business with the City.

City means the City of Wichita Falls, Texas.

City Council means the governing body of the City.

Confidential information means any information to which an official has access in such person's official capacity which may not be disclosed to the public except pursuant to state and/or federal law and which is not otherwise a matter of public record or public knowledge. Confidential information includes the following information, however transmitted: (i) any information from a meeting closed to the public pursuant to the Texas Open Meetings Act or other law regardless of whether disclosure violates the Texas Open Meetings Act or Texas Public Information Act; (ii) any information protected by attorney client, attorney work product, or other applicable legal privilege; and (iii) any information deemed confidential by law.

Contract means any lease, claim, account or demand against or agreement with any entity or person, whether express or implied, executed or executory, oral or written.

Vendor is any person who enters or seeks to enter into a contract with the City. The term includes: (1) an agent of a vendor; (2) an officer or employee of a state agency when that individual is acting in a private capacity to enter into a contract; and (3) Texas Correctional Industries (but no other state agency).

Corporation means any corporation that has a board of directors appointed in whole or in part by the City Council that is operating under the direct authority of or subject to the direct control of the City Council.

Employee means any person employed by the City, including those individuals on a part-time or internship basis, but does not include independent contractors.

Gift means anything of value, regardless of form, offered or given in the absence of adequate and lawful consideration. It does not include the receipt or acceptance of campaign contributions which are regulated by federal, state, and/or local laws or ordinances.

Knowingly means a person acts knowingly, or with knowledge, with respect to the nature of the person's conduct or to circumstances surrounding the conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of the person's conduct whether the person is aware that the conduct is reasonably certain to cause the result.

Officer or official means any member of the City Council, City employee appointed by the City Council, and any appointed member of a City board, commission or committee established by ordinance, Charter, State law or otherwise, on a temporary or permanent basis, operating either under the direct or indirect authority or subject to either the direct or indirect control of the City Council. This includes all Boards and Commission under the direct authority of the City or City Council and also the following:

1. 4A Wichita Falls Economic Development Corporation
2. 4B Sales Tax Corporation
3. Airport Board of Adjustment
4. Construction Board of Adjustment and Appeals
5. Employee Benefits Trust Board
6. Firefighters and Police Officers' Civil Service Commission
7. Metropolitan Planning Organization
8. Planning and Zoning Commission
9. All Tax Increment Financing Boards
10. Zoning Board of Adjustment

Relative means any person related to an officer within the second degree by consanguinity or affinity. This relationship includes the spouse, parents, children, stepchildren, father and mother-in-law, or son and daughter-in-law, grandparents, grandchildren, sisters and brothers of the officer.

Special privileges means a right, advantage or favor of or for a particular person, occasion or purpose not otherwise available to others.

Substantial interest means (i) the ownership of five (5) percent or more of the voting stock or shares of a business entity; (ii) the ownership of five (5) percent or more, or fifteen

thousand dollars (\$15,000.00) or more of the fair market value of a business entity; or (iii) funds received from the business entity exceed five (5) percent of the person's gross income for the previous year, and action on the matter involving the business entity will have a special economic effect on the business entity that is distinguishable from the effect on the public.

It is expressly provided herein that an investment or ownership in a publicly held company, in an amount less than fifteen thousand dollars (\$15,000.00) does not constitute a substantial interest. Substantial interest in real property means the person has an interest in the real property that is equitable or legal ownership with a fair market value of two thousand five hundred dollars (\$2,500.00) or more; and it is reasonably foreseeable that an action on a matter involving the real property will have a special economic effect on the value of the real property distinguishable from its effect on the public. (Ownership includes any partnership, joint or corporate ownership or any equitable or beneficial interest as a beneficiary of a trust.) An officer is considered to have a substantial interest under this Code of Ethics if a person related to the officer in the second degree of consanguinity or affinity has a substantial interest under this Code of Ethics.

Sec. 2-139. - Standards of Conduct.

(a) Should any member of the City Council have a conflict of interest pursuant to any State laws or municipal ordinances regulating conflict of interest of municipal officers, with an agenda item then before the City Council, 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 City Council will also file the appropriate conflict of interest paperwork prior to said meeting with the City Clerk as required by State law.

(b) No member of the City Council shall enter into a written contract with the city where the city council member will receive a financial benefit, nor will the city enter into a written contract with a company owned wholly, or in part, by a member of the city council or that employs a member of the city council.

(c) Any willful violation of this section shall constitute malfeasance in office, and any member of the city council, officer, or employee found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with the city, shall render the contract involved voidable by the city manager or city council. [Charter, Section 132].

(d) Members of the City Council shall abide by the conflict of interest statutory provisions set forth in Texas Local Government Code § 171, *et, seq.* and § 176, *et, seq.*

~~(a) No member of the City Council or a relative thereof shall:~~

- ~~1. Have a financial interest, direct or indirect, in any contract with the City, nor shall they have a financial interest in a written subcontract with a contractor who is working for the City on a City Project.~~
- ~~2. Have a financial interest, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service. The "financial interest" contemplated under this section requires that such person receive an actual financial benefit from the transaction with the City. An actual financial benefit from the transaction shall include:
 - ~~i. An ownership in the entity transacting business with the City where the ownership interest is more than five (5) percent.~~
 - ~~ii. Compensation as an employee, officer or director of the entity transacting business with the City where such compensation is affected by the entity's transaction with the City.~~~~
- ~~3. Fail to disclose relationships with vendors who conduct business with the City. A City officer must file a "Conflicts Disclosure Statement" with the City Clerk in three specific situations:
 - ~~i. If the officer or officer's family member has an employment or other business relationship with a vendor that results in the officer or officer's family member receiving taxable income of more than \$2,500 in the preceding twelve months. An officer who receives investment income, regardless of amount, is not required to file a disclosure statement. Investment income includes dividends, capital gains or interest income gained from a personal or business checking or savings account or other similar account, a personal or business investment, or a personal or business loan. [Texas Local Government Code Sec. 176].~~
 - ~~ii. If the officer or officer's family member accepts one or more gifts from a vendor with an aggregate value of more than \$100 in the preceding twelve months. (A "gift" includes transportation, lodging, and entertainment, even as a guest.) [Texas Local Government Code, Sec. 176].~~
 - ~~iii. If the officer has a family relationship with the vendor. [Texas Local Government Code, Sec. 176].~~~~
- ~~4. Participate in a vote or decision on any matter in which the officer has a substantial interest.~~
- ~~5. Represent or appear in behalf of private interests of others before the City Council, or any agency, board, commission, corporation, or committee of the City, nor shall represent any private interests of others in any action or proceeding involving the City, nor voluntarily participate on behalf of others in any litigation to which the City is, or~~

~~might be, an adverse party. The restrictions of section (c) do not prohibit an officer, or relative of an officer, who is the president, vice president or officer of a homeowners' association from appearing before the City Council, or any agency, board, commission, or committee of the City to represent such homeowners' association, except that no such officer or relative of such officer shall appear before the agency, board, commission or committee of the City of which such officer is a member.~~

~~6. Accept any gift from any person that might reasonably tend to influence such officer in the discharge of such person's official duties. The prohibition against gifts shall not apply to:~~

- ~~i. A lawful campaign contribution;~~
- ~~ii. An honorarium in consideration for services unless the officer would not have been asked to provide the services but for the officer's position;~~
- ~~iii. Meals, lodging, transportation in connection with services rendered by the officer at a conference, seminar or similar event that is more than merely perfunctory;~~
- ~~iv. Complimentary copies of trade publications and other related materials;~~
- ~~v. Attendance at hospitality functions at local, regional, state or national association meetings and/or conferences;~~
- ~~vi. Any gift which would have been offered or given to the person if such person was not an officer or employee of the City;~~
- ~~vii. An occasional item with a value less than fifty dollars (\$50.00);~~
- ~~viii. Tee shirts, caps and other similar promotional material;~~
- ~~ix. Meals, transportation and lodging in connection with a seminar or conference at which the officer is providing services;~~
- ~~x. Gifts on account of kinship or a personal, or professional, or business relationship independent of the officer's status;~~
- ~~xi. Complimentary attendance at political or charitable fund raising events; and~~
- ~~xii. Meals, lodging, transportation, or entertainment furnished in connection with public events, appearances or ceremonies related to official City business, if furnished by the sponsor of such public events.~~

- ~~7. Use such person's official position to secure special privileges or benefits for such person or others.~~
- ~~8. Grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group.~~
- ~~9. Disclose confidential information.~~
- ~~10. Engage in any outside activities which will conflict with or will be incompatible with such person's official position or duties as an officer of the City.~~
- ~~11. Use City supplies, personnel, property, equipment or facilities (whether tangible or intangible) for any purpose other than the conduct of official City business, unless otherwise provided for by law, ordinance or City policy.~~
- ~~12. Act as a surety on any official bond required for any officer or employee of the City, or for a business that has a contract, work or business with the City.~~

~~(b) Any willful violation of this section shall constitute malfeasance in office, and any member of the City Council, officer, or employee found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with the city, shall render the contract involved voidable by the city manager or City Council. [Charter, Section 132].~~

Sec. 2-140. - Additional Standards.

(a) No member of the City Council who is on the board of a nonprofit organization may vote on any funding request by that nonprofit organization, unless the nonprofit organization has a board of directors or trustees appointed in whole or in part by the City Council.

(b) With the exception of those proceedings allowed under this article, no member of the City Council shall personally appear in such person's own behalf before the City Council, or any City board, commission, corporation or committee but may designate and be represented by a person of such person's choice in any such personal matter.

(c) No member of the City Council, the City Planning and Zoning Commission, Board of Adjustment, Airport Board of Adjustment, or Construction Board of Adjustment, shall participate in, or vote on, any land use matter in which such officer has a substantial interest in any real property within two hundred (200) feet of the real property, the subject of the land use matter. For purposes of this section 2-5 (c) "land use matter" shall mean zoning, plat approval, site plan or other development approvals or permits, variances or exceptions. The term "land use matter" does not include studies or similar matters that

are for the benefit of the city and which are not unique to real property within two hundred (200) feet of the real property, the subject of the land use matter, in which the officer has a substantial interest.

Sec. 2-141. - Political Patronage.

(a) No person in the administrative services of the city shall directly or indirectly solicit or receive, or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party or purpose whatever. No person shall orally or by letter solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or purpose from any person holding a position in administrative service of the city. [Charter section 133].

(b) No person shall use or promise to use his influence or official authority to secure any appointment, or prospective appointment, to any city position as a reward or return for personal or partisan political service. No person shall take a part in preparing any political assessment, subscription or contribution with the intent that it shall be sent or presented to or collect from any person in the service of the city and no person shall knowingly send or present, direct or indirectly, in person or otherwise, any political assessment, subscription or contribution to, or request its payment by any person in such service. [Charter, Section 133]. Any person who shall willfully or through culpable negligence violate this provision shall be guilty of a misdemeanor and shall on conviction, be punished by a fine of not more than two hundred dollars (\$200.00). No such person shall be appointed to any position in the service of the city and if he be an officer or employee of the city he shall immediately forfeit his office or employment. [Charter, section 133].

Sec. 2-142. - Political Partisanship.

(a) No person about to be appointed to any position in the service of the city shall sign or execute a resignation, dated or undated, in advance of such appointment. No person in the service of the city shall discharge, suspend, lay off, reduce in grade or in any manner change the official rank or compensation of any person in such service, or promise or threaten to do so, for withholding or neglecting to make any contribution of money or service, or any other valuable thing, for any political purpose. [Charter section 134].

(b) No person in the service of the city shall use his official authority or influence to coerce the political action of any person or body, or to interfere with any nomination or election to public office. [Charter section 134].

(c) No person holding an appointive office or place under the provisions of this Charter shall act as an officer of a political organization or take any active part in a political campaign, or service as a member of a committee of any such organization, or circulate or seek signatures to any petition provided for by this Charter, or by the primary or election laws of the state, other than an initiative or referendum petition, or act as a worker at the polls in favor of or opposed to any candidate for nomination or election to a public office,

whether federal, state, county or municipal. [Charter, Section 134]. Any person who shall willfully or through culpable negligence violate this provision shall be guilty of a misdemeanor and shall on conviction, be punished by a fine of not more than two hundred dollars (\$200.00). No such person shall be appointed to any position in the service of the city and if he be an officer or employee of the city he shall immediately forfeit his office or employment. [Charter section 134].

Sec. 2-143. - Duel Office Holding.

(a) No member of the City Council shall, during the term for which he is elected, be appointed to any city, county, or state office or employment for which he would be paid compensation or which would create the possibility and/or appearance of conflicts of interest, which would be determined by the City Council. [Charter section 136].

(b) Any appointive officer or employee of the city (except policemen and firemen), shall forfeit his office or employment if he shall be elected to any public office, if his holding of the elective office could create the possibility and/or appearance of conflicts of interest, or if it might materially interfere with his loyalty, efficiency and effectiveness as an officer or employee of the city, which would be determined by the city manager. [Charter section 136].

~~Sec. 2-144. - Disclosure of Substantial Interest.~~

~~Any officer, who has a substantial interest in any matter pending before the body, board, commission, corporation or committee of which the officer is a member, before a vote or decision on such matter, shall file an affidavit stating the nature and extent of the substantial interest, and shall abstain from further participation in such matter. The affidavit shall be on a form provided by the City and must be filed with record keeper for such body, board, commission, corporation or committee.~~

Sec. 2-14~~4~~5. - Confidential Information.

~~(a) — Items discussed in Executive Session are to remain private and confidential. Disclosing any information (including disclosure of documents presented in executive session) is contrary to a council member's fiduciary obligation to the City and a violation of the Rules of Order. Except as provided by law, no officer, staff member or legal counsel may discuss or reveal the proceedings of an Executive Session to persons not present during the Executive Session. In the event an elected official is absent from the Executive Session the Mayor, the City Manager or the City Attorney may brief the elected official who was absent from the meeting on the discussion.~~

~~(b)~~(a) Attorney client communications, both verbal and written, are confidential. Except as provided by law, no elected official, officer, staff member, or legal counsel may discuss or reveal in any manner, information protected by the attorney client privilege.

~~Sec. 2-146. — False Statement Made Verbally, in Writing or on Social Media or via Texts or Emails regarding a City Issue or use of City Funds~~

~~—— (a) **False or misleading statement.** The Mayor and City Council members shall not make false or misleading verbal, written, or electronic statements to the public regarding a City issue or use of City funds. A false statement is when it is not true, regardless of whether or not the speaker knows that it is false. A misleading statement is when it gives a false impression, is uninformative, unclear, or deceptive. This does not include statements or opinions made as to purely personal or private matters.~~

~~—— (b) **Notice of Correction.** Should the City Manager and City Attorney issue to an offending City Councilor an “Official Notice of Correction,” then that Councilor shall refrain from making, either verbally or written, such false or misleading statements again. Additionally, once the offending Councilor has been issued an “Official Notice of Correction,” he or she shall remove the false statement wherever it was posted or issue a retraction or clarification.~~

Sec. 2-1457. - Complaints against officers Discipline.

~~(a) — The City Council can discipline its own members except that removal of a member shall be only for conviction of a felony (or pretrial diversion or deferred adjudication of a felony). All complaints or allegations of a violation of this Code of Ethics against an officer shall be made in writing on a form provided by the City, sworn to before a notary public, and filed of record with the City Clerk. Such complaint shall describe in detail the act or acts complained of and the specific section(s) of this Code of Ethics alleged to have been violated. A general complaint lacking in detail shall not be sufficient to invoke the investigation procedures contained herein; and anonymous complaints shall not be considered. The City Clerk shall provide a copy of the complaint to the affected officer and the City Council, and immediately refer the complaint to the City Attorney, who shall initially review the complaint to determine if the complaint contains sufficient detail and alleges a violation of the Code of Ethics. The affected officer may file a written response to the complaint within seven (7) business days after the complaint is filed with the City Clerk, who shall forward the response, if any, to the City Attorney~~

~~(b) — The city attorney shall submit a written report to the city council as soon as possible but not later than 15 business days after the receipt of the complaint, unless an extension is granted by a majority of the non-implicated city council members. The city attorney may contact the complainant, interview witnesses and examine any documents necessary for the report. Such report shall be comprehensive and explain in detail all facts, findings, and conclusions in support of the city attorney's opinion as to whether or not a violation of this code of ethics occurred. When the city attorney receives a vague complaint or one lacking in detail, the city attorney shall contact the complainant to request a written clarification. The complainant has seven business days to provide the city attorney with the written clarification. If the complainant fails to provide the city attorney with written clarification, or if after written clarification is provided, it is the opinion of the city attorney that the complaint is insufficient in detail and/or fails to allege a prima facie violation of the code of ethics, a written report to that effect shall be submitted to the city council. If a clarification is received, the city attorney shall have 15 days from the date of receipt of the clarification to submit a report to the city council. If~~

~~the city attorney determines that a criminal violation may exist, the city attorney shall refer the matter to the appropriate law enforcement agency.~~

~~(c) — If it is determined by the City Attorney that the facts as alleged could constitute a violation of this Code of Ethics, then the City Attorney shall, within fifteen (15) business days after receipt of the complaint, notify the Mayor and City Council members of the existence and nature of the complaint. The City Council shall cause a meeting to convene, whether regular or special, within twenty (20) business days after being so notified by the City Attorney to further consider said complaint in executive session with Mayor or any three (3) members of the City Council (excluding the Mayor) causing such a meeting to be convened. In any event, the City Attorney shall immediately proceed to fully investigate the alleged improprieties. For purposes of this investigation, the City Attorney shall have all of the powers of investigation as are given to the City Council by reason of the City Charter and shall report back to the City Council as soon as possible but in no event more than fifteen (15) business days from the date of notification of the City Council unless an extension is granted by the City Council. Said report shall be comprehensive and explain in detail all facts, findings and conclusions in support of the City Attorney's opinion as to whether a violation of this Code of Ethics occurred.~~

~~(d) — The City Council shall consider the complaint and the City Attorney's report at an executive session of the City Council. The affected officer may request that the complaint be considered in a public meeting. At such meeting, the City Attorney shall present a written report to the City Council describing in detail the nature of the complaint and the City Attorney's findings and conclusions as to a possible violation of this Code of Ethics. The affected officer shall have the right to a full and complete hearing before the City Council with the opportunity to call and cross-examine witnesses and present evidence in such person's behalf. The non-implicated City Council members in attendance shall conduct a hearing and review the complaint. The City Council may reject the complaint or take action authorized under this policy.~~

~~(e) — No action or decision with regard to the complaint shall be made except in a meeting which is open to the public.~~

~~(f) — The City Council may appoint outside legal counsel, or may direct the City Attorney to appoint outside legal counsel, or the City Attorney in the City Attorney's discretion, may appoint outside legal counsel, to perform the duties and responsibilities of the City Attorney under subsection (b), (c) and (d) of this Section.~~

~~(g) — A complaint or allegation of a violation of this article may only be made against an officer while such person holds such position or office. A complaint made against an officer pursuant to this Section shall be processed and resolved even if such person resigns from, or ceases to hold such position or office, prior to resolution of the complaint.~~

~~(h) — In the event that a complaint is made against the City Attorney for an alleged violation of these Codes of Ethics, the procedures of this section will be followed, except that the investigation and reporting responsibilities of the City Attorney will be performed by the City Manager.~~

~~Sec. 2-148.—Disciplinary Action~~

~~Violations of the Council Code of Ethics may result in the City Council taking disciplinary action pursuant to Sec. 2-85, “Council May Discipline its Own Members.”~~

Sec. 2-1469. - Interpretation of Content.

Any officer may request and the City Attorney shall issue, a verbal or written opinion (as deemed appropriate) concerning the meaning or effect of any section, word, or requirement of this Code of Ethics as it affects such person.

Sec. 2-14750. - Review.

The City Council may amend this policy as necessary.”

3. This Ordinance shall become effective on the 15th day of January, 2021.
4. This Ordinance is prospective and is not applicable to any actions (unless prohibited by law) taken before the effective date.
5. Resolution 105-2013 and all ordinances or parts of ordinances in conflict herewith are hereby repealed.
6. It is the intention of the City Council of the City of Wichita Falls, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Wichita Falls, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.
7. Should any word, phrase, paragraph, section or portion of this ordinance or the Code of Ordinances, as amended hereby, be held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

PASSED AND APPROVED this the 15th day of December, 2020.

ATTEST:

M A Y O R

City Clerk

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Ordinance amending Section 2-30 of Chapter 2, Article II, Division 1, of the Wichita Falls Code of Ordinances to provide for changes to compensation for the Mayor and City Council, as approved by the voters at the November 3, 2020 general-special election; and providing an effective date.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Review and Update the City Charter As Needed

COMMENTARY: At the general-special election held November 3, 2020, the citizens of Wichita Falls voted to adopt Charter Proposition X. Potential compensation paid to the Mayor and Council was increased, allowing for an amendment to Section 2-30.

☒ **City Attorney**

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance amending Section 2-30 of Chapter 2, Article II, Division 1, of the Wichita Falls Code of Ordinances to provide for changes to compensation for the Mayor and City Council, as approved by the voters at the November 3, 2020 general-special election; providing an effective date

WHEREAS, the citizens of Wichita Falls passed Charter Proposition X during the special-general election held November 3, 2020; and,

WHEREAS, such proposition increased the potential compensation for the Mayor and City Council; and,

WHEREAS, this change requires amendment to the existing Code of Ordinances.

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

1. Chapter 2, Article II, Division 1 of the Wichita Falls Code of Ordinances is hereby amended at Section 2-30 so that such section shall hereafter read as follows:

"Sec. 2-30. - Compensation.

(a) In accordance with Charter section 38, the mayor shall be paid a salary of ~~\$500.00~~\$1,000.00 per month, and each councilor shall be paid a salary of ~~\$300.00~~\$600.00 per month, subject to [subsection] (c) or to disciplinary action voted upon by the city council.

(b) The mayor and each councilor may choose not to receive a salary by tendering a written designation of such decision to the city clerk. Such a designation may be reversed via a written declaration tendered to the city clerk, but such decision will not apply retroactively.

(c) If any member of council is delinquent in the payment of any taxes or other liabilities due to the city, the city manager shall withhold said councilor's monthly compensation until such delinquency is paid in full, unless said debt is subject to a federal bankruptcy stay or the property tax delinquency is protected by a tax deferred application accepted by the Wichita Appraisal District."

2. This ordinance shall become effective January 15, 2021.

PASSED AND APPROVED this the 15th day of December, 2020.

ATTEST:

MAYOR

City Clerk

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Ordinance authorizing the carry-forward, amendment or transfer of capital and related funds from the 2019-20 Budget to the 2020-21 budget as a part of the fiscal year end closing process and to prepare all funds for audit.

INITIATING DEPT: Finance Department

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Finance staff is currently in the process of closing the City's financial records for the 2019-20 fiscal year.

Carry forward items listed in this amendment have been before Council previously, the funds are approved for expenditure, and each has a legally binding document committing the city to payment and an available encumbrance to move forward. These funds support capital projects extending between multiple fiscal years.

One balancing adjustment is required for the Kickapoo Airport fund. Due to the effects of COVID, the airport saw decreased revenues. Airport staff decreased costs significantly, however, year-end revenues lagged behind.

One budget transfer is requested to move funds from the General Fund's fund balance, to the special revenue fund for COVID related contact tracing and quarantine hotel stay costs. The funds will be used only to meet the 25% expenditure match required by FEMA for these activities. Funds may not be used for any other purpose.

Staff recommends City Council approve the following adjustments for the 2020-21 fiscal year:

General Fund:

- \$850,000 for Memorial Auditorium Stabilization work. Total requested carry-forward in the General Fund, \$850,000.

Sanitation Fund:

- \$274,455 in Alley Rehab Project. Total requested carry-forward in the Sanitation Fund, \$274,455.

Water/Sewer Fund:

- \$207,753 for the continuation of the 2019 Sewer BUIP Phase 2 Project
- \$493,899 for the 2020 Sewer BUIP Phase 1 and \$431,171 for the 2020 Sewer

BUIP Phase 2, which was recently awarded on September 1, 2020.

- \$756,071 for the 2020 Water BUIP Project.
- \$1,943,010 for the Lake Kickapoo Dam Upstream Slope Repair Project.
- \$499,991 for the 2018 Denver EST Rehabilitation.
- \$650,526 for the 2020 Denver EST Roof Replacement.
- \$229,790 for the 2020 Lift Station & Lincoln Street. This project is partially funded from the Stormwater Fund.
- \$60,988 for the North Beverly PS Pump Replacement.
- \$10,000 for the Denver EST Roof Design/Construction Services.

Total requested carry-forward in the Water/Sewer Fund, \$5,283,202.

Stormwater Fund:

- \$149,600 for the 2020 Lift Station & Lincoln Street.
- \$198,707 for the Quail Creek Drainage Project Phase 1 Engineering Services.
- \$48,500 for the Plum Creek EAP.

Total requested carry-forward in the Stormwater Fund, \$396,807.

Information Technology Fund:

- \$973,074 for completion of the Central Square CAD/Mobile/Records Project. Total requested carry-forward in the Information Technology Fund, \$973,074.

Regional Airport Fund: The adjustments to support Fixed Base Operations (FBO) include the following:

- \$738,677 for expenses related to FBO to include personnel services, supplies, maintenance and other services.
- \$920,912 for revenue generated through the newly implemented FBO.

Total net revenue is \$182,235.28.

Kickapoo Airport Fund: Year-end balancing adjustment. Due to COVID operating revenues were over \$200,000 lower than anticipated. Staff worked diligently to reduce costs. The total to be transferred from Airport fund balance is \$44,003.85

Health Department: To cover 25% match on FEMA funds for Health Department COVID response, \$150,000.

Staff recommends approval of this ordinance.

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Ordinance and Budget Revisions

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Ordinance No. _____

**Ordinance amending the 2020-21 Budget in various funds as part of
the 2019-20 fiscal year end closing process**

WHEREAS, the City is currently in the process of closing its financial records for the 2019-20 fiscal year; and,

WHEREAS, as part of that process, it is sometimes necessary to carry-forward funds committed and appropriated through City Council action in the prior year, for specific projects which did not reach completion as of the fiscal year close, to the new year.

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

Budget carry-forward adjustments, as indicated on the attached **Worksheet** and made a part of this ordinance, are hereby approved for the 2020-21 fiscal year operation.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

Fund/Department	2019-20 Revised	2019-20 Actual	2019-20 Requested	2020-21 Carry Forward	Reason for Amendment
General Fund Fund 100 Organization 1327 - Building Maintenance 71390: Maintenance - Auditorium	452,048	75,776	850,000	850,000	Memorial Auditorium Stabilization **From Fund Balance
Total Fund 100 Organization 1327 - Building Maintenance	452,048	75,776	850,000	850,000	
Fund 100 - General Fund Total	452,048	75,776	850,000	850,000	
Sanitation Fund Fund 530 Organization 8175 77215: Alleys	457,813	174,035	274,455	274,455	2020 Alley Rehab Project
Total Fund 530 Organization 8175	457,813	174,035	274,455	274,455	
Fund 530 - Sanitation Fund Total	457,813	174,035	274,455	274,455	
Water Fund Fund 550 Organization 8115 72170: Services Other Professional	316,973	300,036	10,000	10,000	Denver Design/Construction Services
Total Fund 550 Organization 8115	316,973	300,036	10,000	10,000	
Water Fund Fund 550 Organization 8140 77360: Instruments/Apparatus	453,100	306,156	69,606	60,988	North Beverly Pump Replacement
Total Fund 550 Organization 8140	453,100	306,156	69,606	60,988	
Water/Sewer Fund Fund 550 Organization 8145 - Water/Sewer 77220: Other Improvements	10,808,608	5,020,762	5,212,214	5,212,214	2020 Water BUIP, 2019 Sewer BUIP P.2, 2020 Sewer BUIP P.1 & P.2, Lake Kickapoo, 2018 Denver EST Rehab, 2020 Denver EST Roof Replacement
Total Fund 550 Organization 8145 - Water/Sewer	10,808,608	5,020,762	5,212,214	5,212,214	
Fund 550 - Water Fund Total	11,578,681	5,626,954	5,291,820	5,283,202	

Carry-forward Budget Amendment FY 2019-20 to FY 2020-21

Fund/Department	2019-20 Revised	2019-20 Actual	2019-20 Requested	2020-21 Carry Forward	Reason for Amendment
Stormwater Fund					
Fund 552					
Organization 8162					
77220: Other Improvements	3,650,000	-	149,600	149,600	2020 Lift Station & Lincoln Street
77160: Construction Engineering Fees	253,207	54,500	200,000	198,707	Quail Creek Drainage Project P. 1 Engineering Services
72170: Services Other Professional	110,000	1,725	48,500	48,500	Plum Creek EAP
Total Fund 552 Organization 8162	4,013,207	56,225	398,100	396,807	
Fund 552 - Stormwater Fund Total	4,013,207	56,225	398,100	396,807	
Information Technology					
Fund 620					
Organization 2522					
77300: Other System Improvements	1,446,851	100,175	973,074	973,074	Central Square CAD/Mobile/Records & Tyler Munis Project
Total Fund 620 Organization 2522	1,446,851	100,175	973,074	973,074	
Fund 620 - Information Technology Fund Total	1,446,851	100,175	973,074	973,074	

FY 2020-21 FBO Amendments				
		Increase	Decrease	Balance
5107052	80070: Oper Transfer		\$444,057.00	
	60180: Pool Operational		\$53,563.72	
5127054	60135: Salaries Operational		\$37,034.40	
5107058	Service Charges	(\$120.00)		
	Misc Revenues	(\$920,792.40)		
	Personnel Services	\$192,138.40		
	Supplies	\$419,621.00		
	Maintenance & Repair	\$24,500.00		
	Utilities/Other Services	\$63,654.00		
	Insurance & Contract Supp	\$22,763.72		
	Other Expenditures	\$16,000.00		
				(\$182,235.28)

FY 2020-21 Kickapoo Airport Amendments				
		Increase	Decrease	Balance
512	40010: Retained Earnings		\$44,003.85	
5127054	57260: Operating Transfers In	\$44,003.85		
				\$ -

FY 2020-21 Health Department Budget Amendment				
COVID				
			Increase	Decrease
100	40010	Fund Balance		150,000.00
280	57260	Transfers In	150,000.00	
			150,000.00	150,000.00

CITY COUNCIL AGENDA
December 15, 2020

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for the Community and Clinical Health Bridge Project (CCHB) in the amount of \$17,500 received from the Department of State Health Services.

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 \$17,500 in additional grant funding to Texas Physical Activity and Nutrition Project to decrease rates of chronic disease and related health disparities by linking community-based interventions with statewide supports to enhance food service guidelines, breastfeeding, early childhood education and land use interventions that support physical activity. Funds will be used for contractual services and supplies.

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 Community and Clinical Health Bridge Project (CCHB) in the amount of \$17,500 received from the Department of State Health Services

WHEREAS, the Health District and the Department of State Health Services desire to continue public health services with the goal to reduce obesity and associated chronic diseases; 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 \$17,500 for the Community and Clinical Health Bridge Project.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
December 15, 2020

ITEM/SUBJECT: Ordinance amending Chapter 106 of the Code of Ordinances by amending Article III; providing a repealer clause; providing for inclusion; providing for severability; and setting an effective date.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Create a Live, Work, Play Downtown

COMMENTARY: In March 2019, the City Council amended Chapter 106 to eliminate private sewer service lines from crossing property lines. This amendment led to a reduction in the following problems in the future, such as:

- Private property owner disputes, disruption of service
- Multiple connections to the same service line, leading to overloading the line
- Illegal use of the City's collection system
- Loss of the ability to extend the collection system for future development.

The Central Business District area of downtown contains buildings and infrastructure that can be over 100 years old, and situated in a way that rerouting of service lines or pipes can cause numerous issues due to the layout of the buildings in the general CBD area. Some structures are actually cut off from access to a city sewer main. The wastewater collection system is completely built-out in this area and therefore it is improbable that the system would need to be extended or expanded. Therefore, Public Works is of the opinion that the CBD could be exempt from Chapter 106 as it relates to sewer service lines possibly crossing property lines.

Modifications to this ordinance have been prepared to reflect this requirement by the City Attorney's office and are attached to this agenda item.

Staff would recommend approval of this ordinance in order to ensure the highest level of service to our residents and to ensure the wastewater collection system is accessible to all existing downtown structures which in turn will encourage redevelopment of the downtown area.

☒ **Public Works Director**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance amending Chapter 106 of the Code of Ordinances by amending Article III; providing a repealer clause; providing for inclusion; providing for severability; and setting an effective date

WHEREAS, in March 2019, the City Council amended Chapter 106 of the Code of Ordinances to eliminate private service lines from crossing property lines, resulting in a reduction of various problems; and,

WHEREAS, this ordinance amendment failed to account for the unique layout of buildings and infrastructure in the Central Business District; and,

WHEREAS, staff has reviewed this proposal and recommends that the Central Business District be exempt from those March 2019 amendments to Chapter 106 regarding service lines crossing property lines; and,

WHEREAS, staff believes this amendment will clarify the sewer extension policy for new development; and,

WHEREAS, the City Council concurs with staff's recommendation to amend the Code of Ordinances at Chapter 106, amending Articles III, to clarify the placement of private sewer lines in relation to property.

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

1. Chapter 106 of the Wichita Falls Code of Ordinances is hereby amended by the addition of language in, Article III, at Section 106-248 (b), which shall hereafter read as follows:

ARTICLE III. - SEWER SERVICE

Sec. 106-248. - Connections required.

- a) No utilities shall be connected with any new building or construction until a proper sewer connection has been made if the city sewer is available within 200 feet from such new building or construction. If such city sewer is not available within such distance, no utilities shall be connected until an approved septic tank and disposal field has been constructed for the use of such new building or construction. The septic tank shall be approved by the city/county public health district before such utility clearances shall be issued.
- b) All service pipes/lines from the sewer mains shall be in accordance with the city's plumbing code.

- c) Service pipes/lines may not cross adjoining property lines. All service pipes/lines must be adjacent to the property. This subsection shall not apply to the downtown businesses within an area defined from the south right-of-way line of 5th Street, to the north right-of-way line of 14th Street, and from the east right-of way lines of Austin Street, to the west right-of-way line of the BNSF railroad. All private sewer service pipes/lines crossing property lines within the area described herein must be in a filed and recorded private sewer easement.

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

2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
3. It is the intention of the City Council of the City of Wichita Falls, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Wichita Falls, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.
4. Should any word, phrase, paragraph, section or portion of this ordinance or the Code of Ordinances, as amended hereby, be held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.
5. This ordinance shall become effective 30 days from the below date.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA

December 15, 2020

ITEM/SUBJECT: Ordinance appropriating funds from the Tax Increment Financing (TIF) Reinvestment Zone #4 Fund to Downtown Wichita Falls Development, Inc. (DWFD, Inc.) for matching assistance in an amount not to exceed \$10,000 for the creation and development of an Indiana Avenue National Register Historic District and Historic Resources Survey; and authorizing the City Manager to enter into contract with DWFD, Inc. for the stated funds.

INITIATING DEPT: Development Services/Planning

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Pursue Public Private Partnerships

COMMENTARY:

- August 25, 2020 – City’s Landmark Commission approves letter of support for research and potential investigation of an Indiana Ave. National Historic District and Historic Resource Survey.
- November 3, 2020 – City Council approved inclusion of two City (900 & 910 Ohio) properties in the proposed Indiana Ave. National Register Historic District.
- November 24, 2020 – TIF#4 Board unanimously recommends \$10,000 increment allocation to assist in creation of the Indiana Ave. National Register Historic District.
- December 15, 2020 – City Council to consider ratifying \$10,000 budget appropriation.

Background:

Downtown Wichita Falls Development, Inc. (DWFD, Inc.), in conjunction with the project development group, have partnered for the creation of a second downtown historic district. All property owners in the proposed district were contacted and indicated interest in being part of the Indiana Ave. National Register Historic District project. There are 15 properties within the defined area (Exhibit ‘A’) which encompass the 900 block of Ohio; 900 block of Indiana and a portion of the 1000 block of Indiana.

DWFD, Inc. is seeking a 50% match (\$10,000) of the total cost (\$20,000) associated with the creation of the national register district. The remaining 50% match will be obtained from private sources. Funds will be utilized to cover costs associated with hiring a historic preservation consultant (\$18,500) to conduct a historic survey, research, photograph, and document history of each property/structure and compile the applications for National Park Service and Texas Historical Commission. In addition, there are minor administrative costs (\$1,500) for DWFD, Inc. for their role in managing/coordination of paperwork with the consultant and private funding source.

The financial request represents approximately 4.4% of the TIF#4 Zone's total fund balance, currently at \$226,713.77. The TIF project & financial plan outlined an increment allocation policy at zone creation (2015); at least 60% of all increment must be set aside for eligible public projects and up to 40% of generated increment may be for eligible private projects. DWFD, Inc.'s funding request falls within the increment policy parameters and provides a demonstrated public benefit.

Development of a special purpose historic district helps fulfill goals and objectives for both the TIF#4 Reinvestment Zone and the Downtown Strategic Plan. The opportunity for having a national register district puts in place the framework for allowing property owners interested in restoration/rehabilitation the ability to apply for historic tax credits at a federal (20%) and/or state level (25%) thus helping improve building infrastructure downtown, economic development, and increment generated for the reinvestment zone.

Recommendation:

TIF#4 Board unanimously recommended (refer to Attachment 'A' minute excerpt) the allocation request for \$10,000 matching funds to assist in the creation of the national register district and noted this may be one of the best proposals brought before the Board for consideration. Staff concurs with the Board's recommendation.

☒ **Development Services Director**

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Attachment 'A' – Excerpt Draft Minutes TIF#4 Board Nov 24, 2020; Ordinance; Exhibit 'A' Indiana Ave. National Register Historic District Map; Exhibit 'B' Contract

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

ATTACHMENT A
TAX INCREMENT FINANCING #4 (TIF) BOARD
EXCERPT
DRAFT MINUTES

November 24, 2020

Members:

John Dickinson	u Member
Tony Fidelie	u Member
Ben 'Chip' Filer	u Chairperson
Andy Lee	u Member
Jeff Watts, Wichita County Commissioner	u Member
Co. DeAndra Chenault, District #2	u Council liaison

Staff:

Kinley Hegglund, City Attorney	u Staff
Terry Floyd, Director Development Services	u
Karen Montgomery-Gagné, Planning Administrator	u
Christal Ashcraft, Development Services Assistant	u

Absent:

Cynthia Laney	u Member
Jeff Marion	u Member

III. Action Item: Proposal to Allocate TIF#4 Increment to Assist in the Creation and Development of an Indiana Avenue National Register Historic District and Historic Resources Survey

Ms. Gagné introduced the case and then turned the floor over to Jana Schmader, Downtown Wichita Falls Development Director. Ms. Schmader thanked the Board for attending the meeting for their interest in creation and development of the Indiana Historic District. Ms. Schmader stated the proposal was to seek funding from the TIF #4 Board for the creation of that district. The district will be bordered to the north by 9th Street, 10th Street to the south, the Ohio/LaSalle alley to the east and the alley between Indiana Avenue and Scott Avenue to the west. The proposed area is in both the Central Business District, as well as the TIF #4 District. The area consists of 13 separate buildings, 2 vacant parking lots and one City of Wichita Falls public park, Bud Daniels Park. The 2019 property assessed value of the proposed district is \$1,673,931.00.

Ms. Schmader advised the Board of many benefits of creating the proposed district, one being eligibility for federal tax credits and also state historic tax credits, which will allow for improved development. Another benefit discussed was historical tourism as well as an increase for new potential investments drawing new businesses to the area. Downtown Wichita Falls Development, Inc. is requesting \$10,000.00 from the TIF #4 Zone and has a pending match with the Bryant Edwards Foundation of \$10,000.00. Projected expenses include a bid of \$18,500.00 from South Post Oak Preservation in Austin, Texas to include historical surveys, photos, building history and other documents. A projected amount of \$1,500.00 for administrative coordination

with South Post Oak, City of Wichita Falls CLG representative and assistance with historical documents and foundation application and coordination.

Ms. Schmader gave a brief overview of Post Oak Preservation and future projects in the Indiana Historic District, if it is approved. A retail mixed use/destination restaurant is projected at \$2.4 million for 1000 Indiana and the adjacent Filgo Building projected at \$500,000.00. Another property, 925 Indiana, Wichita Theater for a new HVAC and sprinkler system is projected to spend \$350,000.00 and the last example given was at 927 Indiana for mixed use/retail – restaurant, Airbnb units and downtown work/live apartments estimated at \$1.5 million for a total of \$4,700,000.00.

Chairman Filer asked if there were any questions for Ms. Schmader. No questions presented. Staff commented that after reviewing the proposal along with additional information and research, they recommended the Board consider approval. Ms. Gagné indicated the project had numerous merits and if the Board recommended allocation of the requested \$10,000.00 it would only utilize approximately 4.4% of the current increment balance of \$226,713.77 and be a private project with a public benefit.

Ms. Gagné advised the Board the initial idea of considering the merits of enhancing downtown through special purpose areas such as historic districts have continued to gain momentum since 2008 when noted in the Vision 20/20 Plan. Recently the idea of expanding the Depot Square District/creating a new historic district, were recommended by the Historic Preservation Subcommittee during the Downtown Strategic Plan initiative. Ms. Gagné briefly recapped estimated costs Ms. Schmader outlined to the Board. The basis for recommendation from staff was extensive, listing some key items as, economic development, preservation and the reduction in dilapidated structures. The proposal overall will have a positive impact on future business development downtown.

Chairman Filer asked if there were any questions from the Board for Ms. Gagné and complimented both Ms. Schmader and Ms. Gagné on the presentation and work put forth. He stated it was a very good investment with a good return, one of the best ones brought before the Board. Commissioner Jeff Watts made a motion to approve the proposal and Mr. Tony Fidelie seconded. The motion was unanimously approved. Ms. Gagné advised the two members absent wanted to make it known to the Board that the proposal also had their full support.

Ordinance No. _____

Ordinance appropriating funds from the Tax Increment Financing (TIF) Reinvestment Zone #4 Fund to Downtown Wichita Falls Development, Inc. (DWFD) for matching assistance in an amount not to exceed \$10,000 for the creation and development of an Indiana Avenue National Register Historic District and Historic Resources Survey; and authorizing the City Manager to enter into a contract with DWFD, Inc. for the stated funds

WHEREAS, the City Council created the Tax Increment Financing Reinvestment Zone #4 (TIF#4) for the purpose of encouraging economic development and increasing the tax base in the greater downtown area; and,

WHEREAS, the City Council wishes to pursue the development of public-private partnerships that further enhance development opportunities; and,

WHEREAS, on November 24, 2020, the Board of Directors of TIF#4 recommended an expenditure for creation of an Indiana Avenue National Register Historic District and Historic Resources Survey in an amount of \$10,000; and,

WHEREAS, the City Council finds that expenditures described herein:

1. Have been recommended by the TIF#4 Board of Directors;
2. Provide for activities beneficial to the TIF#4 Project and Financial Plan goals and objectives;
3. Provide for the public purposes of development and diversifying the economy of the TIF#4 Zone; and
4. Comply with all provisions of Texas Tax Code 311.001, et. Seq., the Tax Increment Financing Act.

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

TIF#4 funds in the amount of \$10,000 are hereby appropriated for the creation and development of an Indiana Ave. National Register Historic District and Historic Resources Survey (Exhibit 'A'), and shall be valid through September 15, 2021; City Manager is authorized to execute a contract (Exhibit 'B') with DWFD, Inc., as modified and approved by the City Attorney.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

EXHIBIT A



Indiana Historic District (IHD) Location Map

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.

Legend

- IHD Boundary
- IHD Properties
- Parcels

EXHIBIT B

CONTRACT WITH DOWNTOWN WICHITA FALLS DEVELOPMENT, INC., ALSO KNOWN AS DWFD, INC.

This contract, made and entered into this the _____ day of December 2020, by and between the City of Wichita Falls, Texas, hereinafter referred to as "City," and Downtown Wichita Falls Development, Inc., also known as DWFD, Inc., hereinafter referred to as "Contractor."

W I T N E S S E T H :

For and in consideration of the mutual covenants herein contained, the parties do hereby agree as follows:

1. **Scope of Services.** The Contractor agrees to perform the following project in a satisfactory and proper manner as determined by the City:

Manage the process for the creation and development of a national register historic district on Indiana Avenue which includes but is not limited to:

- Subcontracting with a qualified historic preservation consultant to research, survey, photograph and compile building history for each property in defined district boundary; preparation of application for National Parks Service; Texas Historical Commission.
- Provide administrative/coordination among subcontracted historic preservation consultant, city CLG staff and the area foundation.

2. **Term of Contract.** The term of this agreement shall be for the period of nine months beginning December 15, 2020 and ending September 15, 2021, subject to satisfactory performance by the Contractor as outlined herein.

3. **Compensation.** The City agrees to pay to the Contractor a maximum amount of Ten Thousand Dollars (\$10,000), which shall constitute full compensation for the Contractor's services and expenses incurred under this contract. In no event shall the City be required to pay more than Ten Thousand (\$10,000) to the Contractor under the terms of this contract.

4. **Method of Payment.** Payments to the Contractor shall be made in a lump sum based on documented expenses in the form of an executed contract with the historic preservation consultant hired to conduct the project research, application forms and processing. Payment shall be processed upon receipt of a request for payment and verification of project component completion.

5. **Contractor's Contribution.** The Contractor shall contribute sufficient funds for continued performance to fulfill terms of the contract and shall provide evidence of the availability of such funding. The Contractor shall be responsible for the additional matching funds (\$10,000) from outside, private sources to comprise the full project cost of \$20,000.

6. **Termination of The Contract.** This agreement shall continue in full force and effect until the expiration of the term set forth above. If either party fails to fulfill their obligations under this contract in a timely and proper manner, the other party shall have the right to terminate this contract for cause. Written notice stating the grounds for termination will be given to the other

party, not less than thirty (30) days prior to the effective date of such termination.

The Contractor shall be entitled to receive just and equitable compensation from the City for any satisfactory work completed prior to the termination. The Contractor will refund any unearned funds advanced by or received from the City. Notwithstanding the above, the Contractor shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the Contractor. The City may withhold any payments due the Contractor for the purposes of setoff until such time as the exact amount of damages due the City from the Contractor are determined.

7. Records.

- a. **Establishment and Maintenance of Records.** The Contractor shall establish and maintain records in accordance with requirements prescribed by the City, with respect to all matters covered by this contract.
- b. **Documentation of Costs.** All costs shall be supported by properly executed contracts and other any other accounting documents. Any of the above related in whole or in part to this contract shall be clearly identified and readily accessible. Any undocumented project costs will not be reimbursed by the City.

8. Compliance with Local Laws. The Contractor shall comply with applicable laws, ordinances, and codes of the State and local governments and the Contractor shall save and hold harmless the City with respect to damages arising from any tort committed in performing any of the work embraced by this contract.

9. Applicable Law/Venue. The law of the State of Texas shall apply to this agreement, and all rights, construction and questions of validity hereunder shall be governed by Texas law. It is further agreed that venue for all purposes shall be Wichita County, Texas.

10. Waiver of Attorney's Fees. If any action at law or in equity is necessary to enforce this agreement, each party agrees to pay its own attorneys' fees and will not seek to recover its own attorneys' fees from the other party. All parties understand that Texas Local Government Code subchapter I, § 271.153(a)(3) provides that the total amount of money awarded in an adjudication brought against a governmental entity for breach of a contract includes attorneys' fees. All parties expressly waive all statutory and other rights to recover attorneys' fees pursuant to § 271.153(a)(3) and all other law.

11. Contractual Damages Limitation. The City is not liable for consequential damages, exemplary damages, or damages for unabsorbed home office overhead

12. Governmental Function Clause. All parties agree that this contract is one that pertains solely to a governmental function taken by or on behalf of the City of Wichita Falls. All parties expressly agree that the City is not engaging in any propriety functions.

It is understood that DWFD, Inc. may facilitate this project through the use of single purpose corporations or limited partnerships.

This contract made and entered into the _____ day of _____, 2020.

CITY OF WICHITA FALLS, TEXAS

By: _____
Darron Leiker, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

**DOWNTOWN WICHITA FALLS
DEVELOPMENT, INC.**

By: _____

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Resolution approving the transfer of various aged receivable accounts to dormant status as part of the City's fiscal year end closing process.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Each year, the City removes various aged receivable accounts from the general ledger and transfers the accounts to dormant status. These delinquent receivables have been on the books for at least 90 days without activity and it has been determined that it is unlikely that they will be collected. The total net transfer to dormant status as of September 30, 2020 is in the amount of \$217,014.33. This amount is approximately \$107,706.76 less than the amount transferred to dormant status in the prior year. The breakdown of the amount transferred to uncollectible status is as follows:

Water/Sewer/Refuse/Storm Water Charges	<u>\$217,014.33</u>
	\$217,014.33

Efforts will continue to be made to collect these accounts and they will remain in our system records. However, it is recommended that these accounts receivable be moved to an uncollectible status on the general ledger to reflect a more accurate figure on the City's financial records for anticipated assets.

Water/Sewer/Refuse/Storm Water Collection Charges: These charges were for normal water/sewer/sanitation/storm water services that were provided during the 2019-20 fiscal year. The customer accounts have been closed and the deposits were insufficient to cover the outstanding balances.

Collection efforts will continue for these debts, as debts of this nature are collected for the City through its contract with Perdue, Brandon, Fielder, Collins & Mott. In total, over \$65 million of revenue was collected for water/sewer/sanitation/storm water services during the year, resulting in a very strong collection rate of over 99%.

Staff recommends approval of the resolution.

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Resolution No. _____

Resolution approving the transfer of various aged receivable accounts to dormant status as part of the city's fiscal year end closing process

WHEREAS, each year, the City Council removes from the general ledger various aged receivable accounts and transfers them to dormant status for possible collection by the Legal Department and/or outside collection agencies.

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

1. The Chief Financial Officer is hereby authorized to remove from the general ledger the charges hereinafter set out, which are now deemed un-collectible and/or obsolete:

Water/Sewer/Refuse/Storm Water Charges	<u>\$217,014.33</u>
	\$217,014.33

2. The City Attorney and/or outside Collection Agencies are authorized to evaluate the un-collectible accounts receivable and file suits and claims therein if such actions are determined to be cost-effective.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
December 15, 2020

ITEM/SUBJECT: Resolution confirming an appointment to the Firefighters and Police Officers' Civil Service Commission.

INITIATING DEPT: City Clerk

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: The Civil Service Commission is a three-member group that provides direction, review and decision-making on certain civil service issues that may come before the Commission. The State of Texas, through the provision of Chapter 143 of the Local Government Code, provides for civil service and mandates certain rules and regulations that govern the civil service divisions of Police and Fire personnel.

In certain instances, there may be disputes that arise or operational provisions that are of question or concern to interested parties to the civil service provisions. The City Manager is charged with selecting individuals to serve on this Commission and the City Council's role is to confirm or deny the selection.

In accordance with LGC 143.006 (c-1) a commission member may serve up to three consecutive terms. John Buckley has served one term, and desires to be reappointed for a second term to expire 12/31/2023.

☒ **City Clerk**

ASSOCIATED INFORMATION: Resolution reappointing John Buckley

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution confirming reappointment to the Firefighters and Police Officers' Civil Service Commission

WHEREAS, the Firefighters and Police Officers' Civil Service Commission is established by state law; specifically, Section 143.006 of the TEXAS LOCAL GOVERNMENT CODE; and,

WHEREAS, this three-member board is appointed by the City Manager, with confirmation by the City Council; and,

WHEREAS, the City Manager requests the confirmation of the reappointment of John Buckley, term to expire December 31, 2023 to the Firefighters and Police Officers' Civil Service Commission.

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

The reappointment of John Buckley to the Firefighters and Police Officers' Civil Service Commission for a term ending December 31, 2023 is hereby confirmed.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Resolution authorizing the City Manager to approve Change Order No. 1 for the 2020 Alley Rehabilitation Project to Freeman Paving, LLC in the amount of \$29,440.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On June 23, 2020, bids were opened for the 2020 Alley Rehabilitation Project. This project is generally described as the rehabilitation of various concrete alleys, and associated work. Freeman Paving, LLC was awarded the contract for the project in the amount of \$274,455.00 on July 7, 2020.

The pavement inside the City Transfer Station located on Lawrence Rd is in need of repair. There is approximately 128 square yards of pavement inside the southern part of the Transfer Station that is undermined and needs repair. The area is highly trafficked by both City and public vehicles, so the integrity of the pavement must be maintained for safety. This Change Order will add items to the 2020 Alley Rehabilitation Project needed to repair the pavement inside the Transfer Station.

Staff recommends the approval of Change Order No. 1 to repair the Transfer Station pavement.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Change Order No. 1

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2020 Alley Rehabilitation Project to Freeman Paving, LLC in the amount of \$29,440.00

WHEREAS, the City of Wichita Falls entered a unit price contract with Freeman Paving, LLC for the 2020 Alley Rehabilitation Project with the estimated total cost of \$274,455.00; and,

WHEREAS, the City of Wichita Falls has negotiated Change Order No. 1 for an addition of \$29,440.00 for a final contract amount of \$303,895.00.

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

The City Manager is authorized to execute Change Order No. 1 for the 2020 Alley Rehabilitation Project in the amount of \$29,440.00.

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

CITY OF WICHITA FALLS, TEXAS CONTRACT CHANGE ORDER FORM		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">CHANGE ORDER NO.:</td> <td style="width: 20%; text-align: center;">1</td> </tr> <tr> <td>DATE:</td> <td style="text-align: center;">11/30/2020</td> </tr> <tr> <td>AMOUNT OF CHANGE:</td> <td style="text-align: center;">\$ 29,440.00</td> </tr> </table>		CHANGE ORDER NO.:	1	DATE:	11/30/2020	AMOUNT OF CHANGE:	\$ 29,440.00																		
CHANGE ORDER NO.:	1																										
DATE:	11/30/2020																										
AMOUNT OF CHANGE:	\$ 29,440.00																										
PROJECT/CONTRACT: 2020 ALLEY REHABILITATION PROJECT, CWF20-530-05																											
TO: Freeman Paving, LLC, this Change Order, after approval by the Owner, will be your (Contractor) authority to make the following changes in the work under your contract:																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Description of Changes</th> <th style="width: 12.5%;">Decrease in Contract</th> <th style="width: 12.5%;">Increase in Contract</th> <th style="width: 25%;">Total Change in Contract</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="padding: 5px;">(This Change Order will add items needed to repair pavement inside the City Transfer Station on Lawrence Rd)</td> </tr> <tr> <td style="padding: 5px;">1. Bid Item 203.3-RP - Remove Existing Internal Transfer Station Pavement Add 128 SY @ \$40.00/SY for a revised total of 128 SY</td> <td style="text-align: center; padding: 5px;">\$ -</td> <td style="text-align: center; padding: 5px;">\$ 5,120.00</td> <td style="text-align: center; padding: 5px;">\$ 5,120.00</td> </tr> <tr> <td style="padding: 5px;">2. Bid Item 301.2-FB - 6" TxDOT Grade 3 Flex Base Add 256 SY @ \$30/SY for a revised total of 256 SY</td> <td style="text-align: center; padding: 5px;">\$ -</td> <td style="text-align: center; padding: 5px;">\$ 7,680.00</td> <td style="text-align: center; padding: 5px;">\$ 7,680.00</td> </tr> <tr> <td style="padding: 5px;">3. Bid Item 303.1 - Install 10" Reinforced Concrete Pavement Add 128 SY @ \$130.00/SY for a revised total of 128 SY</td> <td style="text-align: center; padding: 5px;">\$ -</td> <td style="text-align: center; padding: 5px;">\$ 16,640.00</td> <td style="text-align: center; padding: 5px;">\$ 16,640.00</td> </tr> <tr> <td style="padding: 5px; text-align: center;">TOTAL</td> <td style="text-align: center; padding: 5px;">\$ -</td> <td style="text-align: center; padding: 5px;">\$ 29,440.00</td> <td style="text-align: center; padding: 5px;">\$ 29,440.00</td> </tr> </tbody> </table>				Description of Changes	Decrease in Contract	Increase in Contract	Total Change in Contract	(This Change Order will add items needed to repair pavement inside the City Transfer Station on Lawrence Rd)				1. Bid Item 203.3-RP - Remove Existing Internal Transfer Station Pavement Add 128 SY @ \$40.00/SY for a revised total of 128 SY	\$ -	\$ 5,120.00	\$ 5,120.00	2. Bid Item 301.2-FB - 6" TxDOT Grade 3 Flex Base Add 256 SY @ \$30/SY for a revised total of 256 SY	\$ -	\$ 7,680.00	\$ 7,680.00	3. Bid Item 303.1 - Install 10" Reinforced Concrete Pavement Add 128 SY @ \$130.00/SY for a revised total of 128 SY	\$ -	\$ 16,640.00	\$ 16,640.00	TOTAL	\$ -	\$ 29,440.00	\$ 29,440.00
Description of Changes	Decrease in Contract	Increase in Contract	Total Change in Contract																								
(This Change Order will add items needed to repair pavement inside the City Transfer Station on Lawrence Rd)																											
1. Bid Item 203.3-RP - Remove Existing Internal Transfer Station Pavement Add 128 SY @ \$40.00/SY for a revised total of 128 SY	\$ -	\$ 5,120.00	\$ 5,120.00																								
2. Bid Item 301.2-FB - 6" TxDOT Grade 3 Flex Base Add 256 SY @ \$30/SY for a revised total of 256 SY	\$ -	\$ 7,680.00	\$ 7,680.00																								
3. Bid Item 303.1 - Install 10" Reinforced Concrete Pavement Add 128 SY @ \$130.00/SY for a revised total of 128 SY	\$ -	\$ 16,640.00	\$ 16,640.00																								
TOTAL	\$ -	\$ 29,440.00	\$ 29,440.00																								
AMOUNT OF ORIGINAL CONTRACT:			\$ 274,455.00																								
TOTAL AMOUNT OF THIS CHANGE ORDER:			\$ 29,440.00																								
TOTAL AMOUNT OF PREVIOUS CHANGE ORDERS:			\$ -																								
CONTRACT AMOUNT TO DATE:			\$ 303,895.00																								
The completion time under your contract will be extended by fourteen (14) days because of this change order making the revised completion date February 19, 2021.																											
Approved By Owner: By: _____ Title: City Manager _____ Date: _____	Accepted By Contractor: By: <u>Joe Freeman</u> Title: <u>owner</u> Date: <u>12/1/20</u>	Recommended By Arch/Eng: (if applicable) By: <u>T. D. R. R. R. R. R.</u> Title: City Engineer _____ Date: <u>12-3-20</u>																									

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Resolution authorizing the City Manager to approve Change Order No. 2 for the 2020 Asphalt Rehabilitation Project for a reduction of \$49,630.86.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On February 18, 2020 bids were opened for the 2020 Asphalt Rehabilitation Project. This project is generally described as the base repair, mill and overlay of selected asphalt streets, and associated work. Funding for this project came from the Annual Street Rehab budget and the recent bond package approved by the voters in May of 2018.

The project is now complete and the final quantities have been tabulated for this project. This has resulted in a reduction of \$49,630.86 in the overall project costs. This change order will balance plan/bid quantities to final in-place quantities and facilitate final acceptance of the project. These remaining funds will roll back into fund balance and will be utilized for future street rehab projects.

Staff recommends approval of Change Order No. 2 for the 2020 Asphalt Rehabilitation Project to allow for final acceptance and close-out of the project.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Change Order No. 2

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to approve Change Order No. 2 for the 2020 Asphalt Rehabilitation Project for a reduction of \$49,630.86

WHEREAS, the City of Wichita Falls has tabulated the final quantities for Change Order No. 2 for a reduction of \$49,630.86 for a final contract amount of \$4,269,345.59.

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

The City Manager is authorized to execute Change Order No. 2 for the 2020 Asphalt Rehabilitation Project in the amount of a reduction of \$49,630.86.

PASSED AND APPROVED this the 15th day of December 2020.

MAYOR

ATTEST:

City Clerk

CITY OF WICHITA FALLS, TEXAS CONTRACT CHANGE ORDER FORM		CHANGE ORDER NO.: 2 DATE: 11/18/2020 AMOUNT OF CHANGE: \$ (49,630.86)	
PROJECT/CONTRACT: 2020 Asphalt Street Rehabilitation Project, CWF20-100-09			
TO: Freeman Paving LLC, this Change Order, after approval by the Owner, will be your (Contractor) authority to make the following changes in the work under your contract:			
Description of Changes	Decrease in Contract	Increase in Contract	Total Change in Contract
This change order will modify plan quantities to final in-place quantities.			
Item 302-D, Type D HMAC	\$ 260,600.00	\$ -	\$ (260,600.00)
Decreased 2606 TON at \$100.00 per TON for a final total of 12,542 TON			
Item 305.1, Remove & Replace Curb & Gutter	\$ -	\$ 11,790.00	\$ 11,790.00
Increased 262 LF at \$45.00 per LF for a final total of 4058 LF			
Item 305.2, Remove & Replace Valley Gutter	\$ -	\$ 9,675.00	\$ 9,675.00
Increased 129 SY at \$75.00 per SY for a final total of 1124 SY			
Item 402, Base Repair	\$ -	\$ 163,405.00	\$ 163,405.00
Increased 2971 SY at \$55.00 per SY for a final total of 38483 SY			
Item 403-M, Milling	\$ -	\$ 38,071.00	\$ 38,071.00
Increased 13844 SY at \$2.75 per SY for a final total of 102067 SY			
Item 502.1-R, Adjust Sewer Manhole	\$ 12,000.00		\$ (12,000.00)
Decreased 12 EA at \$1000.00 per EA for a final total of 6 EA			
Item 804-4DW, 4" Dash White Striping	\$ -	\$ 28.14	\$ 28.14
Increased 42 LF at \$0.67 per LF for a final total of 2412 LF.			
TOTAL	\$ 272,600.00	\$ 222,969.14	\$ (49,630.86)
AMOUNT OF ORIGINAL CONTRACT:			\$ 5,701,742.70
TOTAL AMOUNT OF THIS CHANGE ORDER:			\$ (49,630.86)
TOTAL AMOUNT OF PREVIOUS CHANGE ORDERS:			\$ (1,382,766.25)
CONTRACT AMOUNT TO DATE:			\$ 4,269,345.59
The completion time under your contract will be extended by zero (0) days because of this change order making the revised completion date December 11, 2020.			
Accepted By Contractor: By: <u><i>[Signature]</i></u> Title: <u>Owner</u> Date: <u>12/3/20</u>	Recommended By Arch/Eng: (if applicable) By: <u><i>[Signature]</i></u> Title: <u>City Engineer</u> Date: <u>12-3-20</u>	Approved By Owner: By: _____ Title: <u>City Manager</u> Date: _____	

CITY COUNCIL AGENDA
December 15, 2020

ITEM/SUBJECT: Resolution authorizing the City Manager to execute a contract with NGU Sports Lighting, LLC in the amount of \$259,000 for the installation of a new LED lighting system in the Kay Yeager Coliseum.

INITIATING DEPT: Information Technologies & Facilities

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Evaluate Alt Options for Infrastructure Improvements

COMMENTARY: A lighting upgrade at the KYC was identified as a high priority 2 years ago, along with restrooms remodel at the exhibit hall. The Type B Corporation made the commitment for \$230,000 for both projects. After that time, the 2% Venue Tax was approved by the voters for renovations to the MPEC facilities. The restrooms renovations have been postponed until a decision is made on the possible Hotel and Conference Center to ensure the interior themes are matched.

Staff recommended moving forward with the LED Lighting project, so Spectra received a proposal from NGU Sports Lighting. NGU has installed its products in over 20 Spectra Managed venues and has extensive experience in this industry. They are also part of the TIP/TAPS buying cooperative. The Type B Corporation will fund approximately \$202,000 and the remaining \$57,000 will come from either the 2% Venue Tax cash balance or the proceeds from the Venue Tax Revenue Bond.

This proposal includes removing existing lighting fixtures and installing the new LED sports lighting system, which includes Lumspport and prism RGBA fixtures and an AirMesh Hub. The installation team will program eight control scenes, aim all the new fixtures, and provide user operational training. This system will come with a 10 year parts warranty and provide significant power saving over the current metal halide lights.

Staff recommends the City Council approve the resolution authorizing the City Manager to execute a contract with NGU Sports Lighting, LLC in the amount of \$259,000 for the installation of a new LED lighting system in the Kay Yeager Coliseum.

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution

☒ Budget Office Review

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute a contract with NGU Sports Lighting, LLC in the amount of \$259,000 for the installation of a new LED lighting system in the Kay Yeager Coliseum

WHEREAS, the \$259,000 is available to replace the lighting system in the Kay Yeager Coliseum; and

WHEREAS, the existing system is not energy efficient and is in excess of 15 years old; and

WHEREAS, NGU Sports Lighting, LLC is on The Interlocal Purchasing System (TIPS).

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

The City Manager is authorized to execute a contract with NGU Sports Lighting, LLC in the amount of \$259,000 for the installation of a new LED lighting system in the Kay Yeager Coliseum

PASSED AND APPROVED this the 15th day of December, 2020.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 15, 2020**

ITEM/SUBJECT: Appointments to Boards and Commissions

INITIATING DEPT: City Clerk

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Terms of members for several boards expire December 31, 2020, and there are various midterm appointments due to vacancies. The following information shows the current members, expiration dates, and interest in being reappointed for the following boards:

- *Airport Board of Adjustments and Appeals
- Animal Shelter Advisory Committee
- *Construction Board of Appeals
- Lake Wichita Revitalization Committee
- *Landmark Commission
- Park Board
- *Planning & Zoning
- *TIF #2
- *TIF #3
- *TIF #4
- Water Resources Commission
- Wichita County/City of Wichita Falls Health District Board
- *Zoning Board of Adjustment

Boards with an * can be discussed in executive session.

In accordance with Resolution 21-2015, no appointee shall serve more than six (6) consecutive years, unless waived by the Mayor and Council. These limits apply only where existing law or ordinance does not specify limits to terms of service on City boards. Staff is requesting six-year term limits to be waived where noted.

Applications will be sent to the council by separate e-mail.

☒ **City Clerk**

ASSOCIATED INFORMATION: Member Rosters

☐ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

AIRPORT BOARD OF ADJUSTMENT

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Glenn Beavers	12/18/2018	12/31/2020	CWF Eligible for and desires reappointment. Term to expire 12/31/2022
2	James Wingo	12/06/2016 12/18/2018	12/31/2020	CWF Eligible for and desires reappointment. Term to expire 12/31/2022
3	Amy Bobrowitz	01/17/2006 12/05/2006 12/02/2008 12/07/2010 12/04/2012 12/02/2014 12/06/2016 12/18/2018	12/31/2020	CWF Desires reappointment with waiver of term limit. Term to expire 12/31/2022
4	Lawrence Cutrone	12/03/2019	12/31/2021	County resident/City appt.
5	Debra Carr	11/07/2017 12/03/2019	12/31/2021	County resident/City appt.
6	Mark McBurnett	01/19/2016 11/07/2017 12/03/2019	12/31/2021	SAFB Ex-Officio Non-Voting Member

Applicants: Matthew Brinker, James McElvain, David Potter, Thomas Williamson

ANIMAL SHELTER ADVISORY COMMITTEE

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Anglea Bakken		None	City Official
2	Dr. Bryan Wade	07/01/2014 12/02/2014 12/06/2016 12/04/2018	12/31/2020	Veterinarian Desires reappointment with waiver of term limit. Term to expire 12/31/2022
3	Nicki Bacon	01/01/2019	None	Animal Services Administrator
4	Marvin Peevy	12/06/2015 11/07/2017 12/03/2019	12/31/2021	Animal Welfare Organization
5	Leslie Harrelson	12/04/2018	12/31/2020	At-Large Eligible for and desires reappointment. Term to expire 12/31/2022

No additional applicants.

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Anthony Inman	12/19/2017	12/31/2020	General Bldg. Contractor Eligible for and desires reappointment. Term to expire 12/31/2023.
2	Gerald Matthews	12/1/2015 12/19/2017	12/31/2020	Mechanical Engineer Does not desire reappointment. New appointment term to expire 12/31/2023.
3	Gary Oatman	10/07/2010 12/03/2013 12/06/2016 12/03/2019	12/31/2022	Structural Engineer Term limit waived
4	David Hartwell	12/06/2016 12/03/2019	12/31/2022	Architect
5	Pete Johnson	12/19/2017	12/31/2020	Plumbing Contractor Eligible for and desires reappointment. Term to expire 12/31/2023.
6	Leo Lane	12/6/2011 12/02/2014 12/19/2017	12/31/2020	Air Conditioning Contractor Move to Place 2, and make new appointment with term to expire 12/31/2023.
7	Vacant		12/31/2022	Property Insurance Rep. Term to expire 12/31/2022
8	Michael Grassi	12/19/2017	12/31/2020	Home Bldg. Industry Eligible for and desires reappointment. Term to expire 12/31/2023.
9	Ripley Tate	12/4/2018 12/03/2019	12/31/2022	At-Large
10	Johnny Ozee	12/19/2017	12/31/2020	Electrical Contractor Eligible for and desires reappointment. Term to expire 12/31/2023.
11	Luke Oechsner	12/19/2017	12/31/2020	Master Electrician Eligible for and desires reappointment. Term to expire 12/31/2023.
12	Doug Marchand	09/03/2019 12/03/2019	12/31/2022	Alt. 1 – General Bldg. Contractor
13	Tanner Wachsman	12/19/2017 12/03/2019	12/31/2022	Alt. 2 – Home Bldg. Industry

Applicants: James Cox (Property Insurance Rep.), Jordan Dixon (Architect), Tom Taylor, Matt Marrs, Wayne Pharries, Allen Moore (A/C Contractor)

LAKE WICHITA REVITALIZATION COMMITTEE

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Tim Brewer	11/06/2018	07/31/2027	City Council Rep.	
2			07/31/2027	Park Board Rep. Move Crystal Board from Place 7 to Place 2.	
3	Kendrick Jones	08/01/2017 11/07/2017	07/31/2027	CWF Rep.	
4	Pete Gill	09/01/2015 11/07/2017	07/31/2027	Lakeside City Rep. Moved from voting alternate 08/07/2018	
5	Kathie Forehand-Chaddick	07/07/2015 11/07/2017	07/31/2027	CWF Rep.	
6	Eve Montgomery	10/16/2018	07/31/2027	CWF Rep.	
7	Crystal Byrd	10/20/2020	07/31/2027	CWF Rep. New Appointment	
8	David Coleman, Chair	02/19/2019 11/05/2019	07/31/2027	CWF Rep. (moved from Alt. 11/5/19)	
9	Wilson "Ford" Swanson	07/07/2015 11/07/2017	07/31/2027	CWF Rep.	
10	Eric Stevens	11/07/2017	07/31/2027	Lakeside City Ex-Officio	
11	Jeremy Garza	10/20/2020	07/31/2027	Voting Alternate	
12	Sharon Roach	07/07/2020	07/31/2027	Voting Alternate	
13	Alicia Castillo	10/20/2020	07/31/2027	Gold Star Family Member Ex-Officio	

Current Applicants: Matt Marrs, Steve Garner

LANDMARK COMMISSION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Andy Lee	02/15/2011 12/04/2012 12/01/2015 12/18/2018	12/31/2021	Licensed Real Estate Broker or Appraiser
2	Joel Hartmangruber	12/03/2019	12/31/2020	Architect in Training Eligible for and desires reappointment. Term to expire 12/31/2023.
3	Janel Ponder Smith	12/03/2019	12/31/2022	Member of Residential Historic District
4	John Dickinson	10/04/2016 12/03/2019	12/31/2022	At-Large
5	Blake Haney	09/03/2019 12/03/2019	12/31/2022	P&Z Commission Member Appoint a new P&Z Member due to conflict. Term to expire 12/31/2022
6	Marcela Trice	12/04/2018	12/31/2021	Licensed Architect
7	Christy Graham, Chair	12/01/2015 12/04/2018	12/31/2021	At-Large
8	Nadine McKown	09/17/2019	12/31/2021	Wichita County Heritage Society
9	Michele Derr, Vice Chair	12/03/2013 12/06/2016 12/03/2019	12/31/2022	Member of Commercial Historic District

Current Applicant: Thomas Henman

P&Z Members for Place 5 – Jack Browne, Dan Leslie, Noros Martin, Steve Lane

PARK BOARD

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	John Fritsch	03/02/2010 12/06/2011 12/02/2014 11/07/2017	12/31/2020	Term limit exceeded but interested in continuing to serve. Term to expire 12/31/2023.
2	Audra Lambert	07/07/2020	12/31/2021	
3	Jessica Traw	11/07/2017	12/31/2020	Eligible for and desires reappointment. Term to expire 12/31/2023
4	Sandy Fleming	12/18/2018	12/31/2021	
5	Jim Heiman	12/18/2018	12/31/2021	
6	Margaret Brown Marsden	12/06/2016 12/03/2019	12/31/2022	
7	Caitlyn Wood	12/03/2019	12/31/2021	
8	Stephen Garner	11/07/2017	12/31/2020	Term limit exceeded but interested in continuing to serve. Term to expire 12/31/2023.
9	Alan Donaldson	07/05/2017 12/03/2019	12/31/2022	
10	Charlie Zamastil	12/06/2016 12/03/2019	12/31/2022	
11	Crystal Byrd	12/03/2019	12/31/2022	

Applicants: Larry Jean Jacoby, Alex Pappas, Holly Scheller, and Tom Taylor.

PLANNING AND ZONING COMMISSION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Jack Browne	12/01/2015 07/19/2016 12/06/2016 12/04/2018	12/31/2020	Desires reappointment with waiver for term limit. Term to expire 12/31/2022.
2	Blake Haney	12/06/2016 11/07/2017 12/03/2019	12/31/2021	
3	Cayce Wendeborn	01/19/2016 11/07/2017 12/03/2019	12/31/2021	
4	Anthony Inman	12/03/2013 12/02/2014 12/06/2016 12/04/2018	12/31/2020	Desires reappointment with waiver for term limit. Term to expire 12/31/2022.
5	Noros Martin	12/03/2019	12/31/2021	
6	Krystal James, Chair	12/01/2015 12/06/2016 12/04/2018	12/31/2020	Resigned. New appointment Term to expire 12/31/2022.
7	Dan Leslie	12/18/2018 12/03/2019	12/31/2021	
8	Steve Lane	10/04/2016	12/31/2020	Moved from Alt. 02/19/2019 Eligible for and desires reappointment. Term to expire 12/31/2022
9	David (Carl) Cook	05/09/2018	12/31/2020	Moved from Alt. 12/18/2018 Eligible for and desires reappointment. Term to expire 12/31/2022
10	Jeremy Woodward	02/19/2019 12/03/2019	12/31/2021	Alternate 1 Move up to Place 6 and appoint new alternate.
11	Michael Grassi	09/03/2019	12/31/2020	Alternate 2 Eligible for and desires reappointment. Term to expire 12/31/2022
12	Mark McBurnett	01/19/2016 11/07/2017 12/03/2019	12/31/2021	SAFB Ex Officio

Current Applicants: Sabra Calonge, Heather Gubernath, Larry Nelson, Wayne Pharries, Tom Taylor, Anthony Vidmar, and Steven Young

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #2

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Ann Bishop	10/18/2005 12/04/2007 12/01/2009 12/06/2011 12/03/2013 12/01/2015 11/07/2017 12/03/2019	12/31/2021	City of Wichita Falls
2	Jim Chandler	10/18/2005 12/04/2007 12/01/2009 12/06/2011 12/03/2013 12/01/2015 11/07/2017 12/03/2019	12/31/2021	City of Wichita Falls
3	Ben J. Filer, Chair	10/18/2005 12/04/2007 12/01/2009 12/06/2011 12/04/2012 12/02/2014 12/06/2016 12/04/2018	12/31/2020	City of Wichita Falls Desires reappointment with waiver of term limit. Term to expire 12/31/2022
4	Jerry Taylor	12/27/2006 02/09/2008 12/06/2010 12/27/2012 11/10/2014 12/27/2016 11/13/2018	12/31/2020	Wichita County Eligible for and desires reappointment. County appointment.
5	John Luig	12/13/2010 12/27/2012 11/10/2014 12/27/2016 11/19/2018	12/31/2020	Wichita County Does not desire reappointment. County appointment.

Current applicants: Mark Schroeder

City Council Elects Chair – one year appointment

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #3

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>
1	Gail Natale	12/04/2012 12/02/2014 12/06/2016 12/04/2018	12/31/2020	City of Wichita Falls Desires reappointment with waiver of term limit. Term to expire 12/31/2022
2	Vacant		12/31/2019	City of Wichita Falls
3	Vacant		12/31/2019	City of Wichita Falls
4	Kenneth Haney, <i>Chair</i>	09/01/2009 12/07/2010 12/04/2012 12/02/2014 12/06/2016 12/04/2018	12/31/2020	City of Wichita Falls Desires reappointment with waiver of term limit. Term to expire 12/31/2022
5	Rick Orr	09/01/2009 12/06/2011 12/03/2013 12/01/2015 11/07/2017 07/07/2020	12/31/2021	City of Wichita Falls
6	Ronnie Wilson	12/09/2019	12/31/2021	Wichita County
7	Commissioner Barry Mahler	05/31/2011 12/17/2012 12/02/2014 12/27/2016 11/13/2018	12/31/2020	Wichita County County Appointment

No current applicants

City Council Elects Chair – one year appointment

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #4

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>
1	Ben Filer, <i>Chair</i>	03/17/2015 11/07/2017 12/03/2019	12/31/2021	City of Wichita Falls
2	John Dickinson	03/17/2015 11/07/2017 12/03/2019	12/31/2021	City of Wichita Falls
3	Jeff Marion	11/07/2017 12/03/2019	12/31/2021	City of Wichita Falls
4	Andy Lee	12/03/2019	12/31/2020	City of Wichita Falls Eligible for and desires reappointment. Term to expire 12/31/2022
5	Cynthia Laney	03/17/2015 12/06/2016 12/04/2018	12/31/2020	City of Wichita Falls Eligible for and desires reappointment. Term to expire 12/31/2022
6	Commissioner Jeff Watts	03/30/2015 11/27/2017 11/25/2019	12/31/2021	Wichita County
7	Tony Fidelie, Jr.	03/30/2015 12/27/2016 11/13/2018	12/31/2020	Wichita County County Appointment

Applicants: Steven Young

City Council Elects Chair – one year appointment

WATER RESOURCES COMMISSION

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>
1	Shane FitzHenry	03/15/2016 11/07/2017 12/03/2019	12/31/2021	Homebuilding Industry (Comm. Business Rep)
2	Steve Smith	08/05/2014 12/02/2014 12/06/2016 12/04/2018	12/31/2020	Industry Desires reappointment with waiver of term limit. Term to expire 12/31/2022.
3	Cheryl Nix	07/07/2020	12/31/2020	Education Eligible for and desires reappointment. Term to expire 12/31/2022
4	Glenn Barham	12/06/216 11/07/2017 12/03/2019	12/31/2021	At-Large
5	Roberto Huezo	03/15/2016 11/07/2017 12/03/2019	12/31/2021	SAFB/Govt Rep.
6	Tyson Traw	04/07/2015 12/06/2016 12/04/2018	12/31/2020	Engineer (Water Resources Engineer) Eligible for and desires reappointment. Term to expire 12/31/2022.

Current applicant: Matt Marrs, Tom Taylor

WC CWF HEALTH DISTRICT BOARD

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>
1	Paris Ward	11/05/2019	12/31/2021	At-Large CWF
2	Lauren Jansen	12/04/2018	12/31/2020	Registered Nurse CWF Eligible for and desires reappointment. Term to expire 12/31/2022.
3	Dr. Julie Gibson	12/03/2013 12/01/2015 11/07/2017 11/05/2019	12/31/2021	Practicing Veterinarian CWF Term limit waived 11/05/2019
4	Melissa Plowman	11/07/2017 11/05/2019	12/31/2021	Restaurant Association CWF
5	Dr. Keith Williamson	11/04/2014 12/06/2016 12/04/2018	12/31/2020	Practicing Physician Desires reappointment with waiver of term limit. Term to expire 12/31/2022.
6	Dr. Tonya Egloff	12/03/2018 11/12/2019	12/31/2021	Practicing Dentist – County Appointment
7	Dr. David Carlston	11/03/2014 12/19/2016 11/19/2018	12/31/2020	At-Large County County Appointment

No additional applicants.

ZONING BOARD OF ADJUSTMENT

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS
1	Steven Young	12/03/2019	12/31/2021	
2	Thomas Yoder	12/01/2015 12/06/2016 12/18/2018	12/31/2020	Eligible for and desires reappointment. Term to expire 12/31/2022.
3	Dave Waddell	12/02/2014 12/01/2015 11/07/2017 12/03/2019	12/31/2021	
4	Steve Lane, Vice Chair	12/02/2014 12/01/2015 11/07/2017 12/03/2019	12/31/2021	
5	Tyson Traw, Chair	07/21/2015 12/01/2015 11/07/2017 12/03/2019	12/31/2021	
6	Jose Garcia	12/18/2018	12/31/2020	Alternate 1 Eligible for and desires reappointment. Term to expire 12/31/2022.
7	John Key	12/18/2018	12/31/2020	Alternate 2 Does not desire reappointment.
8	Dee Reyes	07/21/2015 12/06/2016 12/18/2018	12/31/2020	Alternate 3 Does not desire reappointment.
9	Kerry Maroney	12/18/2018	12/31/2020	Alternate 4
10	Mark McBurnett	01/19/2016 11/17/2017 12/03/2019	12/31/2021	SAFB Non-Voting Ex Officio

Applicants: Sabra Calogne, Tom Taylor

City Council Elects Chair – 2 year term