



City of Wichita Falls City Council Agenda

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



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

Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, August 17, 2021, 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: Pastor Eric Deluna
Lakeview Church of the Nazarene

(b) Pledge of Allegiance
3. Presentations
(a) Employee of the Month – Police Department, Kathryn Faust
(b) Proclamation – Hospice Cares Day, Hospice of Wichita Falls

CONSENT AGENDA

4. Approval of minutes of the August 3, 2021 Regular Meeting of the Mayor and City Council.

5. Resolutions
Resolution authorizing award of bid for the City's estimated annual requirement of automotive lubricating oils and grease to Western Marketing, Inc. in the amount of \$172,808.70
6. Receive Minutes
Metropolitan Planning Organization – Transportation Policy Committee, April 28, 2021

REGULAR AGENDA

7. Ordinances
 - (a) Ordinance granting a waiver of Appendix B – 3740 to reduce the setback requirements located at 1000 5th Street, Wichita Falls, TX 76301
 - (b) Ordinance amending the Sanitation Fiscal Year 2020-2021 budget and authorizing the purchase of a Backhaus A60 Compost Turner through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Ecoverse Industries, LTD in the amount of \$608,855
 - (c) Ordinance amending the Public Transportation FY 2020-2021 budget and authorizing the purchase of a John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65
 - (d) Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept \$150,000 in FY 2021-22 Texas Department of Transportation Aviation Division Non-Primary Entitlement grants for hangar construction at Kickapoo Downtown Airport
 - (e) Ordinance making an appropriation to the Special Revenue Fund for The Public Health Crisis Response/ Public Health Workforce grant funding in the amount of \$1,929,328 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same
 - (f) Ordinance accepting \$14,545,825 in American Rescue Plan Act (ARPA) Federal Grant Funds for COVID response and authorizing the City Manager to execute all necessary funding agreements related hereto
 - (g) Ordinance appropriating \$1,400,000 of ARPA funding to complete replacement of the Supervisory Control and Data Acquisition (SCADA) Control System for the water treatment system

8. Resolutions
 - (a) Resolution authorizing the City Manager to apply for and accept funding up to \$50,000 for two Kayak launches at Lake Wichita under the Habitat and Angler Access Program (HAAP) provided by the Texas Parks and Wildlife Department
 - (b) Resolution authorizing the City Manager to execute a construction contract with Clark Construction in the amount of \$15,049,587 for the construction of the Convention Center portion of the Hotel Convention Center project
 - (c) Resolution authorizing the City Manager to execute the Construction Management Agreement with O'Reilly Hospitality Management, LLC for managing the construction of a Convention Center
 - (d) Resolution authorizing the City Manager to award a professional services agreement with Black & Veatch Corporation for the replacement of the Supervisory Control and Data Acquisition (SCADA) control system for the water treatment system in the amount of \$375,000.00
 - (e) Resolution rejecting Request for Proposal (09-21) submittals for school crossing guard services for the City of Wichita Falls
 - (f) Resolution authorizing an inter-local agreement between the City of Wichita Falls, Texas and the Wichita Falls Independent School District for the purchase of retired Wichita Falls Police Department Patrol cars
 - (g) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$106,500 for Broad Ripple Strategies related to updating the WFEDC Strategic Plan
9. Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.
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 start of the meeting. A three-minute time frame will be adhered to for those addressing their concerns. Since comments from citizens are not posted agenda items, the City Council is prohibited from deliberating or taking any action, other than a proposal to place the item on a future agenda. Staff may provide factual statements in response to inquiries or recite existing policy.
11. Executive Sessions

Executive Session in accordance with Texas Government Code §551.087, to discuss or deliberate the offer of a financial or other incentive, including modification to an existing agreement, for a business prospect that the City Council

seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the City and/or economic development corporations created by the City are conducting economic development negotiations.

12. Work Session to Consider Proposed FY 2021-2022 Budget

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 11th day of August, 2021 at 4:30 o'clock p.m.



City Clerk

CITY COUNCIL AGENDA

August 17, 2021

ITEM/SUBJECT: Employee of the month.

INITIATING DEPT: Police

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

☒ **Director of Human Resources**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

EMPLOYEE OF THE MONTH
FOR
August, 2021

NAME: Kathryn Faust
DEPARTMENT: Police
HIRED: April 8, 2019
PRESENT POSITION: Dispatcher

NARRATIVE: Kathryn Faust has been employed as a Dispatcher with the City of Wichita Falls since April 8, 2019. She was a member of the 31st Public Safety Dispatch Academy. After completion of the Dispatch academy, Kathryn was one of the first in her academy to become fully trained. Kathryn is very knowledgeable and always eager to learn and currently trains several newer employees. Kathryn has a great attitude and willing to do whatever is asked of her. Kathryn's performance has always been above and beyond what is expected of her for the time she has been employed in Dispatch. Kathryn was selected to fill in as an Acting Lead Dispatcher due to her skills and performance in the absence of one of the Dispatch Supervisors from February 2021 to May 2021. Kathryn did an outstanding job in the acting position where she did not require a various amount of training for the position, she could be relied upon to make sure all employees on her shift were ok and everything went smoothly in the center while she was in charge.

FAMILY: Kathryn has been married to Michael Noe for 8 years. Michael is also a City employee. Kathryn has 3 children who she loves spending time with. Victor 9 years old, Maya 5 and Vincent who is 4.

HOBBIES: Kathryn is a gamer and loves playing video games with her husband in her free time but her greatest joy is spending time with her 3 children.

CLOSING: Kathryn is an asset to the Communications section. We appreciate her knowledge, her skills, and most of all her dedication to the department.



City of Wichita Falls
City Council Meeting
Minutes
August 3, 2021



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

Scott Franks, Minister, Edgemere Church of Christ, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Employee of the Month – Kathryn Faust, Police Department (not present)

8:32 a.m.

Ms. Faust was not present so Mayor Santellana moved to item 3c.

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Item 3c – Proclamation – National 811 Day, Atmos Energy, Pam Hughes Pak

8:32 a.m.

Mayor Santellana read a proclamation proclaiming August 11, 2021, as National 811 Day in Wichita Falls and asked citizens to focus on the important message to call 811 before you dig.

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Item 3d – Proclamation – National Health Care Center Week, Community Healthcare Center

8:35 a.m.

Mayor Santellana read a proclamation proclaiming August 8-14, 2021, National Health Care Center Week in Wichita Falls and encouraged everyone to take part in this week by visiting their local Health Center and celebrating the important partnership between America's Community Health Centers and the communities they serve.

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Item 3e – Proclamation – Judge Arthur Bea Williams Month

8:41 a.m.

Mayor Santellana read a proclamation proclaiming August 2021 as Judge Arthur Bea Williams Month in Wichita Falls to celebrate our own local hero, Judge Arthur Bea Williams.

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Returned to item 3b

Item 3b – Presentation – Certificate of Recognition to the Police Department from the Texas Police Chiefs Association Foundation

8:46 a.m.

Steve Sanford, Police Chief from Bridgeport, Texas, presented Manuel Borrego, Police Chief, a certificate of Recognized Law Enforcement Agency from the Texas Police Chiefs Association Law Enforcement Recognition Program. The award re-recognized the Wichita Falls Police Department for their adherence to the Texas Law Enforcement Best Business Practices. Of the over 2700 law enforcement agencies in Texas, Wichita Falls is one of the 177 that have achieved this recognition.

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Item 4-5 – Consent Items

8:51 a.m.

Darron Leiker, City Manager, gave a briefing on the items listed under the Consent Agenda with the exception of the minutes from the May 20, 2021 Wichita Falls Economic Development Corporation meeting due to an error.

Moved by Councilor Browning to approve 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 July 20, 2021 Regular Meeting of the Mayor and City Council

Item 5 – Receive Minutes

- (a) WFMPO Technical Advisory Committee, April 8, 2021
- (b) Animal Shelter Advisory Committee, April 16, 2021
- (c) Wichita Falls Economic Development Corporation, May 20, 2021
- (d) Fire Fighters and Police Officers' Civil Service Commission, June 3, 2021
- (e) Wichita Falls Economic Development Corporation, June 17, 2021

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Item 6a – Public Hearing and Ordinance 23-2021

8:52 a.m.

Conduct a public hearing and approve Ordinance 23-2021 continuing in effect sections 78-61 through 78-63 of the Wichita Falls Code of Ordinances, which provide a Juvenile Curfew, and providing a penalty of up to \$500 upon violation.

Mayor Santellana opened the public hearing at 8:52 a.m.

Kinley Hegglund, City Attorney, discussed the requirement to review the juvenile curfew ordinance every three years, to hold two public hearings, and reviewed the current ordinance. This is the second of the two required public hearings.

Chief Borrego reiterated that this ordinance pertains to individuals sixteen years old or younger.

There were no comments from the public.

Mayor Santellana closed the public hearing at 8:54 a.m.

Moved by Councilor Browning to approve Ordinance 23-2021.

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

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

Nays: None

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Item 6b – Public Hearing concerning designation of Reinvestment Zone at 2400 Burkburnett Road in Wichita Falls, Texas

8:55 a.m.

Mayor Santellana opened the public hearing at 8:55 a.m.

Mr. Hegglund discussed the proposed Reinvestment Zone at 2400 Burkburnett Road, Clayton Homes Reinvestment Zone. Clayton Homes proposes to invest approximately \$15 million in renovating the building and to create 180 new full time jobs in Wichita Falls. The City has agreed to enter into a Tax Abatement Agreement with Clayton Homes and creating the reinvestment zone is a step that needs to be taken.

Henry Florsheim provided a brief update on the project with Clayton Homes and the timeline for the sale of the building to Clayton Homes.

There were no comments from the public.

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Mayor Santellana closed the public hearing at 8:58 a.m.

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Item 6c – Ordinance 24-2021

8:58 a.m.

Ordinance designating property as a Reinvestment Zone that is located at 2400 Burkburnett Road in Wichita Falls, Texas; providing for severability; and providing an effective date.

Moved by Councilor Browning to approve Ordinance 24-2021.

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

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

Nays: None

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Item 6d – Ordinance 25-2021

9:00 a.m.

Consider and adopt an Ordinance authorizing the issuance of City of Wichita Falls, Texas, General Obligation Refunding Bonds, Taxable Series 2021; establishing procedures and delegating authority for the sale and delivery of the bonds; providing an effective date; and enacting other provisions relating to the subject.

Moved by Councilor Browning to approve Ordinance 25-2021.

Motion seconded by Councilor Chenault.

Jessica Williams, Finance Director/CFO, discussed the refunding of the 2010 and 2013A series bonds. The 2010 series was for the purchase of Castaway Cove and the payment is made by the Wichita Falls 4B Sales Tax Corporation. The 2013A series is part of the Potable Reuse Program and payment is made with Water/Sewer Fund revenues. Refunding the bonds will not change the maturity date and will save the City approximately \$681,000 or 9.77%.

Motion carried by the following vote:

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

Nays: None

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Item 6e – Ordinance 26-2021

9:03 a.m.

Consider and approve an Ordinance authorizing the issuance of City of Wichita Falls, Texas, General Obligation Refunding Bonds, Series 2021; establishing procedures and delegating authority for the sale and delivery of the bonds; providing an effective date; and enacting other provisions relating to the subject.;

Moved by Councilor Browning to approve Ordinance 26-2021.
Motion seconded by Councilor Chenault.

Ms. Williams discussed the 2011 Series Certificates of Obligation for improvements to Rhea Road, Callfield Road, and Lawrence Road, and paid by the Wichita Falls 4B Sales Tax Corporation with reimbursement from the Tax Increment Financing District #2. This refunding results in a savings of approximately \$202,000 or 10.77%.

Motion carried by the following vote:

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

Nays: None

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Item 6f – Ordinance 27-2021

9:05 a.m.

Ordinance calling a General Election by the qualified voters of the City of Wichita Falls to be held on Tuesday, November 2, 2021, for the purpose of electing a Councilor At-Large, Councilor District 1, and Councilor District 2; and authorizing a contract with Wichita County to furnish election services and equipment

Moved by Councilor Brewer to approve Ordinance 27-2021.

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

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

Nays: None

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Item 6g – Ordinance 28-2021

9:06 a.m.

Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept \$1 million in Federal Aviation Administration Entitlement grants for debt service and other projects at Wichita Falls Regional Airport and appropriating said funds to the FAA Airport Improvement Grant 2021 Fund.

Moved by Councilor Brewer to approve Ordinance 28-2021.

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

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

Nays: None

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Item 6h – Ordinance 29-2021

9:09 a.m.

Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept up to \$50,000 in Texas Department of Transportation Aviation Division Routine Airport Maintenance Program (RAMP) Funds for FY 2022 Projects at Kickapoo Downtown Airport and appropriating said funds and the City's match of \$50,000 into the Special Revenue Fund.

Moved by Councilor Browning to approve Ordinance 29-2021.

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

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

Nays: None

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Item 6i – Ordinance 30-2021

9:11 a.m.

Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept up to \$50,000 in Texas Department of Transportation Aviation Division Routine Airport Maintenance Program (RAMP) Funds for FY 2022 Projects at Wichita Falls Regional Airport and appropriating said funds and the City's match of \$50,000 into the Special Revenue Fund.

Moved by Councilor Brewer to approve Ordinance 30-2021.

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

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

Nays: None

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Item 6j – Public Hearing and Ordinance 31-2021

9:12 a.m.

Public hearing and consideration of Ordinance 31-2021 to rezone +/- 4.06 acres of land located at 504 Kemp Boulevard (Lot 1-A, Block J&I, Kemp West End Addition & 0.325 acres out of Block I, Kemp's West End Addition), from Multi-Family Residential (MFR) to General Commercial (GC) zoning district to allow for the expansion of commercial uses and development of a mixed use site; and amend the Land Use Plan from High Density Residential to Commercial.

Mayor Santellana opened the public hearing at 9:13 a.m.

Terry Floyd, Director of Development Services, discussed the proposed rezone, amendment to the Land Use Plan, and how the project ties to the Strategic Plan and Goals. The rezone will allow a grocery store to be located in a portion of an apartment complex to serve the tenants of the apartments and surrounding neighborhood residents. This rezone was unanimously approved by Planning and Zoning Commission and staff recommends approval.

There were no comments from the public.

Mayor Santellana closed the public hearing at 9:16 a.m.

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Moved by Councilor Browning to approve Ordinance 31-2021.

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 6k – Public Hearing and Ordinance 32-2021

9:16 a.m.

Public hearing and consideration of Ordinance 32-2021 to rezone +/- 25.91 acres of land located at 4314 Barnett Road (+/- 25.91 AC out of Block 11 of the Kemps Subdivision of the William Myers Survey Abstract 193 & Blocks 18 & 19, League 1, of the Denton County School Lands, Abstract 58), from Single Family-2 Residential (SF-2) to Light Industrial (LI) and Heavy Industrial (HI) zoning districts to provide consistent zoning designation within a split zoned tract and align the districts with the adjacent tracts; and amend the Land Use Plan from Parks to Industrial.

Mayor Santellana opened the public hearing at 9:17 a.m.

Mr. Floyd discussed the proposed rezone, which cleans up split zoning in the area, and discussed the amendment to the Land Use Plan. It was unanimously approved by the Planning and Zoning Commission and staff recommends approval.

There were no comments from the public.

Mayor Santellana closed the public hearing at 9:20 a.m.

Moved by Councilor Browning to approve Ordinance 32-2021.

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

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

Nays: None

Item 6I – Ordinance 33-2021

9:21 a.m.

Ordinance amending Ordinance No. 50-2019 declaring certain structures as dangerous by allowing the property owner additional time to rehabilitate 2204 Harvard

Moved by Councilor Browning to approve Ordinance 33-2021.

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 7a – Resolution 80-2021

9:25 a.m.

Consider and approve a resolution of the Wichita Falls 4B Sales Tax Corporation authorizing the issuance of the Corporation's sales tax revenue bonds; approving a sales tax remittance agreement; and enacting other provisions relating to the subject. Moved by Chenault and seconded by Smith, Kinley asked for amended motion to include required language.

Moved by Councilor Chenault to approve Resolution 80-2021 approving a Resolution of the Wichita Falls 4B Sales Tax Corporation authorizing the issuance of the Corporation's Sales Tax Revenue Bonds, approving a sales tax remittance agreement; and enacting other provisions relating to the subject.

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

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

Nays: Councilor Jackson

Item 7b – Resolution 81-2021

9:32 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation (4BSTC) Board of Directors and amending the budget to provide for a

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\$2 million forgivable loan and sales tax rebates in the form of a performance agreement between the 4BSTC and OH-Wichita Falls, LLC (developer), related to the acquisition and construction by developer of a new full-service convention center hotel facility in the City of Wichita Falls.

Moved by Councilor Browning to approve Resolution 81-2021.

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

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

Nays: Councilor Jackson

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Item 7c – Resolution 82-2021

9:39 a.m.

Resolution reviewing and approving the updated investment policy for the City of Wichita Falls.

Moved by Councilor Brewer to approve Resolution 82-2021.

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

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

Nays: None

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Item 7d – Resolution 83-2021

9:41 a.m.

Resolution approving a substantial amendment to the PY 2019 Annual Action Plan of the 2015-2019 Consolidated Plan of the City of Wichita Falls to receive and administer an additional \$594,749 through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) in a special allocation from the US Department of Housing and Urban Development (HUD).

Moved by Councilor Brewer to approve Resolution 83-2021.

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

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

Nays: None

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Item 7e – Resolution 84-2021

9:47 a.m.

Resolution approving the PY 2021 Action Plan of the 2020-2024 Consolidated Plan of the City of Wichita Falls to include any and all revisions to the plans approved by the U.S. Department of Housing and Urban Development (HUD), to allocate FY 2021 Community Development Block Grant (CDBG) funds in the amount of \$1,244,016 and FY 2021 HOME Investment Partnership Program (HOME) funds in the amount of \$434,184; authorizing the City Manager to execute HUD Grant Applications and Agreements to implement the approved Plans, to include any and all revisions approved by HUD.

Moved by Councilor Chenault to approve Resolution 84-2021.

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

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

Nays: None

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Item 7f – Resolution 85-2021

9:54 a.m.

Resolution authorizing the City Manager to approve Change Order No. 1 for the 2019 Maplewood Extension from Lawrence to McNiel Project to Wilson Contracting in the amount of \$102,233.80.

Moved by Councilor Browning to approve Resolution 85-2021.

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

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

Nays: Councilor Jackson

Item 7g – Resolution 86-2021

9:58 a.m.

A Resolution of the City Council of the City of Wichita Falls, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2021 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel.

Moved by Councilor Browning to approve Resolution 86-2021.

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

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

Nays: None

Item 7h – Resolution 87-2021

10:06 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the budget to include funding up to \$100,000 to The Wichita County Heritage Society to assist in the renovations of the Kell House Museum at 900 Bluff Street.

Moved by Councilor Brewer to approve Resolution 87-2021.

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

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

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Nays: None

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Item 7i – Resolution 88-2021

10:10 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) by amending the existing incentive agreement of up to \$2,800,000 with Panda Biotech related to their proposed operation out of the former Delphi Plant on I-44.

Moved by Councilor Browning to approve Resolution 88-2021.

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

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

Nays: Councilor Jackson

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Item 8 – Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

8:56 a.m.

Councilor Chenault discussed the Food Bank Mobile Pantry and stated there is a list of locations on their website where food can be picked up. School is starting back and the Community Healthcare Center will have a free sports physical clinic on August 12, 2021, from 3:00 p.m. - 5 p.m. They will also have COVID vaccines children 12 years of age and older. The required forms are on their website and must be filled out prior to arrival. Beginning August 2, 2021, the Health Department will offer vaccination clinics for back to school. The Barber School is offering \$1.00 haircuts for back to school. There are several back to school events starting this Friday, she has shared this information on her social media page. Booker T. Washington Elementary is looking for volunteers for their mentoring program.

Councilor Whiteley applauded the 4A WFEDC, 4B Sales Tax Corporation, Chamber of Commerce, and Blake Jurecek and his staff for what they do for the community to make Wichita Falls a better place to live. These are exciting times. He is looking forward to the budget review, and he would like the MAG study and proposed budget as quickly as possible. Councilor Whiteley discussed the increased costs for construction and infrastructure, and city facilities such as Police Department and Fire department

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facilities, which need improvements. He would like to see money set aside to improve facilities used by our employees. Mr. Leiker stated funds are included in the proposed budget for capital fund projects to be paid for with excess fund balance.

Councilor Smith stated the National Eviction Moratorium is over and many in our community may be facing eviction. The non-profit leaders group will have a Zoom call with State leaders to discuss this issue. There is a state rent relief program and some federal funds available. Councilor Smith suggested citizens call him or Representative Frank's office for information. Mr. Leiker stated that the website is Texasrentrelief.com and he encouraged citizens to apply if needed.

Councilor Jackson thanked Councilor Chenault for her assistance with information regarding local charities. He asked if she had any additional information on the cemetery off Bacon Switch Road.

Councilor Chenault discussed a cleanup day at the Eastlawn Cemetery off Bacon Switch Road. If you have concerns regarding this cemetery, please contact County Commissioner Barry Mahler. The monthly Art Walk is this Thursday in the downtown area. If you have warrants, the Municipal Court Warrant Officers will start making arrests beginning August 15th. Today is the 4-year anniversary for the Family Dollar on Eastside. Mt. Pleasant Baptist Church will have a sock drive this Saturday. Call 766-2865 for details.

Mayor Santellana thanked everyone that voted for the Economic Development items, especially the long term projects. The budget review will begin in the next couple of weeks and he encouraged Councilors to send requests to Mr. Leiker as soon as possible. Ray Gonzalez passed away and he was a Councilor, County Commissioner, and one of the first Hispanics to serve in these capacities. He encouraged everyone to reach out to the family and let them know what Ray meant to them. He will be dearly missed.

- - - - -

Item 9 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda

9:02 a.m.

No comments from citizens.

- - - - -

Item 10 – Executive Session

9:45 a.m.

No executive session held.

CITY COUNCIL MINUTES
August 3, 2021
PAGE 15 OF 16

- - - - -

Item 11 – Appointment to Park Board

Moved by Councilor Browning to appoint Patrick Hearne to Place 2 on the Park Board with a term to expire 12/31/2021.

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

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

Nays: None

- - - - -

Item 12 –Adjourn

Mayor Santellana adjourned the meeting at 10:30 a.m.

PASSED AND APPROVED this 17th of August 2021.

Stephen L. Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution authorizing award of bid for the City's estimated annual requirement of automotive lubricating oils and grease to Western Marketing, Inc. in the amount of \$172,808.70.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Bids were opened July 26, 2021, for the purchase of the City's estimated annual requirement of automotive lubricating oil and grease used by the Fleet Maintenance Division. Two (2) bids were received (bid tabulation attached).

Lubrication products are bid for a 1-year contract with a 1-year renewal option.

The FY 2022 budget includes \$174,600 for this purchase.

Staff recommends award of bid for the City's estimated annual requirement of automotive lubricating oils and grease to Western Marketing, Inc. in the amount of \$172,808.70.

Budgeted Cost:	\$174,600.00
Actual Cost:	<u>\$172,808.70</u>
Budget Savings:	\$1,791.30

☒ **Purchasing**

☒ **Director of Aviation, Traffic & Transportation**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

BID # 21-15 AUTOMOTIVE LUBRICATING OILS & GREASE 2021

ITEM	QTY	BID UNIT	ITEM DESCRIPTION	U.S. VENTURE, INC.		RELADYNE / WESTERN MARKETING	
				UNIT COST	TOTAL	UNIT COST	TOTAL
1	2,500	GAL	SYNTHETIC BLEND MOTOR OIL 5W30	\$ 10.54	\$ 26,350.00	\$ 5.72	\$ 14,300.00
2	2,500	GAL	SYNTHETIC BLEND MOTOR OIL 15W40	\$ 12.72	\$ 31,800.00	\$ 7.38	\$ 18,475.00
3	550	GAL	FULL SYNTHETIC MOTOR OIL 5W40 - DIESEL ENGINES	\$ 16.70	\$ 9,185.00	\$ 9.90	\$ 5,445.00
4	1100	GAL	SYNTHETIC BLEND MOTOR OIL 15W40	\$ 13.07	\$ 14,377.00	\$ 7.95	\$ 8,745.00
5	240	QT	SYNTHETIC BLEND MOTOR OIL 5W30	\$ 4.81	\$ 1,166.40	\$ 2.38	\$ 571.20
6	240	QT	SYNTHETIC BLEND MOTOR OIL 15W40	\$ 5.55	\$ 1,332.00	\$ 3.03	\$ 727.20
7	120	GAL	SYNTHETIC BLEND MOTOR OIL 15W40	\$ 22.20	\$ 2,664.00	\$ 9.90	\$ 1,188.00
8	480	QT	CASTROL GTX MOTOR OIL 5W30	\$ 23.66	\$ 11,356.80	\$ 2.73	\$ 1,310.40
9	480	QT	FULL SYNTHETIC MOTOR OIL 0W-40	\$ 8.89	\$ 4,267.20	\$ 3.51	\$ 1,684.80
10	960	QT	FULL SYNTHETIC MOTOR OIL 5W-20	\$ 10.75	\$ 10,320.00	\$ 2.30	\$ 2,208.00

2019 PRICING		
UNIT	TOTAL	DIFFERENCE
\$ 4.78	\$ 11,950.00	\$ 2,350.00
\$ 5.95	\$ 14,875.00	\$ 3,600.00
\$ 8.76	\$ 4,818.00	\$ 627.00
\$ 6.45	\$ 7,095.00	\$ 1,650.00
\$ 1.79	\$ 429.60	\$ 141.60
\$ 2.43	\$ 583.20	\$ 144.00
\$ 6.45	\$ 774.00	\$ 414.00
\$ 3.13	\$ 1,502.40	\$ (192.00)
\$ 3.24	\$ 1,555.20	\$ 129.60
\$ 2.28	\$ 2,188.80	\$ 19.20

ITEM	QTY	BID UNIT	ITEM DESCRIPTION	U.S. VENTURE, INC		WESTERN MARKETING	
				UNIT COST	TOTAL	UNIT COST	TOTAL
11	550	GAL	ENGINE OIL, SAE 15W40 DELO OR ROTELLA	\$ 13.07	\$ 7,188.50	\$ 7.95	\$ 4,372.50
12	550	GAL	ENGINE OIL, SAE 10W	\$ 14.80	\$ 8,030.00	\$ 7.56	\$ 4,158.00
13	120	QT	ENGINE OIL, SAE 30W	\$ 4.29	\$ 514.80	\$ 2.68	\$ 321.60
14	220	GAL	ENGINE OIL, SAE 30W	\$ 13.51	\$ 2,972.20	\$ 9.64	\$ 2,120.80
15	240	QT	FULL SYNTHETIC ENGINE OIL SAE 0W20 DEXOS APPROVED	\$ 13.71	\$ 3,290.40	\$ 3.16	\$ 758.40
16	480	QT	FULL SYNTHETIC ENGINE OIL SAE 5W20 DEXOS APPROVED	\$ 8.87	\$ 4,257.60	\$ 2.73	\$ 1,310.40
17	240	QT	FULL SYNTHETIC ENGINE OIL SAE 5W30 DEXOS APPROVED	\$ 13.81	\$ 3,314.40	\$ 2.97	\$ 712.80
18	60	GAL	ENGINE OIL, SAE 10W30 SHELL ROTELLA T5 ULTRA LOW	\$ 13.51	\$ 810.60	\$ 13.60	\$ 816.00
19	880	GAL	ENGINE OIL, SAE 10W30 DELO 400 XLE	\$ 37.25	\$ 32,780.00	\$ 7.09	\$ 6,239.20
20	880	GAL	ENGINE OIL, SAE 15W40 DELO 400 SDE	\$ 15.20	\$ 13,376.00	\$ 7.95	\$ 6,996.00
21	440	GAL	HYDRAULIC OIL, ISO 68	\$ 9.25	\$ 4,070.00	\$ 6.31	\$ 2,776.40
22	2500	GAL	HYDRAULIC OIL, ISO 68	\$ 8.90	\$ 22,250.00	\$ 6.31	\$ 15,775.00
23	300	GAL	HYDRAULIC OIL, AW 32	\$ 9.15	\$ 2,745.00	\$ 6.22	\$ 1,866.00

Page 2

UNIT	2019 PRICING	
	TOTAL	DIFFERENCE
\$ 5.95	\$ 3,272.50	\$ 1,100.00
\$ 6.09	\$ 3,349.50	\$ 808.50
\$ 2.64	\$ 316.80	\$ 4.80
\$ 6.45	\$ 1,419.00	\$ 701.80
	NEW ITEM	
\$ 2.28	\$ 1,094.40	\$ 216.00
\$ 2.26	\$ 542.40	\$ 170.40
\$ 15.38	\$ 922.80	\$ (106.80)
\$ 6.74	\$ 5,931.20	\$ 308.00
\$ 5.95	\$ 5,236.00	\$ 1,760.00
\$ 4.58	\$ 2,015.20	\$ 761.20
\$ 4.04	\$ 10,100.00	\$ 5,675.00
\$ 4.69	\$ 1,407.00	\$ 459.00

ITEM	QTY	BID UNIT	ITEM DESCRIPTION	U.S. VENTURE, INC.		WESTERN MARKETING	
				UNIT COST	TOTAL	UNIT COST	TOTAL
24	300	LB	GEAR LUBE, SAE 80W90 120 LB	\$ 2.90	\$ 1,065.60	\$ 2.01	\$ 723.60
25	1200	LB	GEAR LUBE, SAE 85W140 ALL-PURPOSE GEAR LUBRICANT GL5	\$ 3.12	\$ 3,744.00	\$ 2.21	\$ 2,652.00
26	550	GAL	TRACTOR HYDRAULIC FLUID PT III	\$ 27.20	\$ 14,960.00	\$ 6.98	\$ 3,829.00
27	1200	GAL	TRACTOR HYDRAULIC FLUID PT III	\$ 27.00	\$ 32,400.00	\$ 6.48	\$ 7,776.00
28	240	QT	TRANSMISSION FLUID DEXTRON III	\$ 4.50	\$ 1,080.00	\$ 2.41	\$ 579.40
29	240	QT	TRANSMISSION FLUID DEXTRON VI	\$ 5.85	\$ 1,404.00	\$ 2.65	\$ 636.00
30	1100	GAL	TRANSMISSION FLUID TES 295 SPEC. TRANSYND SYNTHETIC	\$ 72.80	\$ 80,080.00	\$ 33.25	\$ 36,575.00
31	550	GAL	TRANSMISSION FLUID ALLFLEET TO-4 10W CAT SPECS	\$ 15.32	\$ 8,426.00	\$ 8.70	\$ 4,785.00
32	550	GAL	TRANSMISSION FLUID ALLFLEET TO-4 30W CAT SPECS	\$ 15.78	\$ 8,679.00	\$ 9.02	\$ 4,961.00
33	240	QT	TRANSMISSION FLUID MERCON V	\$ 16.13	\$ 3,871.20	\$ 2.65	\$ 636.00

2019 PRICING		
UNIT	TOTAL	DIFFERENCE
\$ 1.38	\$ 496.80	\$ 226.80
\$ 1.50	\$ 1,800.00	\$ 852.00
\$ 5.67	\$ 3,118.50	\$ 709.50
\$ 4.91	\$ 5,892.00	\$ 1,884.00
\$ 1.98	\$ 475.20	\$ 103.20
	NEW ITEM	
\$ 26.61	\$ 29,271.00	\$ 7,304.00
\$ 7.90	\$ 4,345.00	\$ 440.00
\$ 7.58	\$ 4,169.00	\$ 792.00
\$ 2.64	\$ 633.60	\$ 2.40

ITEM	QTY	BID UNIT	ITEM DESCRIPTION	U.S. VENTURE, INC.		WESTERN MARKETING	
				UNIT COST	TOTAL	UNIT COST	TOTAL
34	1200	LB	LITHIUM COMPLEX GREASE EP2 120LB	\$ 6.80	\$ 8,160.00	\$ 1.93	\$ 2,352.00
35	1200	LB	LITHIUM COMPLEX GREASE EP-0 55 GALLON DRUMS	\$ 7.58	\$ 9,096.00	\$ 3.69	\$ 4,428.00
			TEXAS USED OIL FEE \$0.04/GAL	N/A		N/A	
			DRUM DEPOSIT CHARGES	\$20 PER DRUM		N/A	
			TOTAL		\$ 391,323.70		\$ 172,808.70

2019 PRICING		
UNIT	TOTAL	DIFFERENCE
\$ 1.70	\$ 2,040.00	\$ 312.00
\$ 1.99	\$ 2,388.00	\$ 2,040.00
	\$ 136,007.10	\$ 35,407.20

Resolution No. _____

Resolution authorizing award of bid for the City's estimated annual requirement of automotive lubricating oils and grease to Western Marketing, Inc. in the amount of \$172,808.70

WHEREAS, the City of Wichita Falls advertised and requested bids for the purchase of the City's annual requirement of automotive lubricating oils and grease; and,

WHEREAS, bids were received and publically opened on July 26, 2021; and,

WHEREAS, the City Council desires to purchase lubricating oils and grease for the City's vehicle fleet.

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

Authorization is granted to award the bid for the purchase of lubricating oils and grease to Western Marketing, Inc., in the amount of \$172,808.70.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

WICHITA FALLS METROPOLITAN PLANNING ORGANIZATION

Transportation Policy Committee – Special Called Minutes

Wednesday, April 28, 2021

Voting Members Present:

Stephen Santellana, Chairperson, Wichita Falls Mayor
DeAndra Chenault, City of Wichita Falls, City Council
Dennis Wilde, North Texas Regional Planning Commission
Jeff Watts, City of Pleasant Valley, Representative
Mike Beaver, TxDOT, District Engineer
Russell Schreiber, City Public Works Director

MPO Staff:

Lin Barnett, WFMPO, Transportation Planning Director
Jaimie Lee, Wichita Falls MPO, Transportation Planner III

Absent:

Cory Glassburn, Mayor, Lakeside City
Judge Woody Gossom, County Judge, Wichita County
Bobby Whitely, City of Wichita Falls, City Council

Visitors:

Callan Coltharp, TxDOT, Area Engineer
Liz Flynn, Rep. Ronny Jackson

I. Welcome & Introduction

Mayor Santellana, the TPC chairperson, called the meeting to order at 8:30 a.m. and welcomed everyone in attendance.

II. Public Comment on Agenda and Non-Agenda Items

Mayor Santellana asked for any public comments on agenda and non-agenda items. There were no public comments.

III. Review and Approval of the January 28, 2021 Transportation Policy Committee's (TPC) Meeting Minutes

Mayor Santellana asked for any comments or corrections to the January 28, 2021 TPC meeting minutes. Receiving none, he asked for a motion to approve the minutes. Mr. Watts made the motion to approve. Mr. Beaver seconded the motion, which passed unanimously.

IV. Review and Comment Regarding the April 8, 2021 Technical Advisory Committee (TAC) Meeting Minutes – No Action Required

Mayor Santellana asked for any comments on the April 8, 2021 TAC meeting minutes. Receiving none, the committee moved on to the next agenda item.

V. Review and Approval of the 2022-2023 Unified Planning Work Program (UPWP)

Mr. Barnett directed the committee's attention to the 2022-2023 Unified Planning Work Program (UPWP). Mr. Barnett stated this document would guide the work of WFMPO staff over the next biennium. He summarized minor updates to the subtasks. Mr. Barnett summarized the revisions made to the new UPWP stating in task 5.0 that WFMPO hired the consulting company Alliance Transportation Group to perform the Local Freight Study for the WFMPO area. Mr. Barnett discussed the Budget Summary Tables for FY 2022 and FY 2023 explaining the figures were estimates of forecasted funding levels and expenses. He asked for any comments or questions regarding the 2022-2023 Unified Planning Work Program. Receiving none, Mayor Santellana asked for a motion to approve the 2022-2023 Unified Planning Work Program. Mr. Beaver made the motion to approve. Mr. Wilde seconded the motion, which passed unanimously.

VI. Review and Discussion of the FHWA Adjusted Urban Area Boundaries (AUAB) and Functional Classification (FC) as Proposed by the U.S. Census Bureau's 2020 Decennial Census

Mr. Barnett directed the committee's attention to the presentation from the Federal Highway Administration. He stated the presentation was concerned with the proposed changes by the U.S. Census Bureau's 2020 Decennial Census. Mr. Barnett stated some of these changes could directly affect WFMPO. For example, an excerpt from the presentation: "Existing MPOs must expand their Metropolitan Planning Areas (MPAs) to include all territory in urban areas with populations of 50,000 or more, as determined by the Census Bureau and the results of the 2020 Decennial Census." Mr. Barnett discussed this in more detail at the meeting. Mayor Santellana asked for any comments or questions regarding the presentation. Receiving none, the committee moved on to the next agenda item.

VII. Other Business

a. Discussion & Overview of Progress on Local Transportation Projects – City and TxDOT staff (Quarterly Review)

City: Mr. Schreiber reported Taft Blvd. widening was at 100% design. Hike and Bike Trail from Lake Wichita Park to Larry's Marina was at 100% design. Current under construction projects include 2021 Asphalt Street Rehab was 100% design. Maplewood extension construction 90% complete. Hike and Bike Trail from Loop 11 to Lucy Park 90% complete. Hike and Bike Trail from Barnett Road to Seymour Highway 85% complete.

TxDOT: Mr. Coltharp reported SS 325 reconfiguration of the interchange and FM 890 widening project is complete; US 281 south to 1954 widening is complete. US 287 pavement rehabilitation is complete. Hike and Bike trail from Seymour Highway to Barnett Road is 85% complete. FM 369 Drainage Ditch Enclosure is 50% complete. Loop 11 Mill and Overlay is delayed due to contractor in Abilene. FM 1954 realign intersection is in the early stages of construction. BU287J Seal Coat will begin in May of 2021. SH79 pavement repair and overlay is 50% complete. FM 369 pavement repairs, intersection improvements, and bridgework will begin next month.

b. MPO Quarterly Financial Report (1st Quarter – October, November, December)

Mr. Barnett reported on the 1st quarter expenses for the MPO. He stated that the MPO had spent 16.25% of its total allocation for FY 2021. Mr. Barnett asked for any comments or questions on the first quarter financial report. He received none.

c. Grouped TxDOT CSJ Projects Report

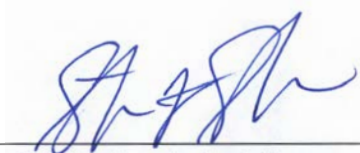
Ms. Lee reported on the 1st quarter grouped CSJ projects report. Ms. Lee discussed minor changes to the projects over the quarter.

d. Other Items

Mr. Barnett updated the policy board about hiring Alliance Transportation Group to perform the Local Freight Study for the WFMPO area.

VIII. Meeting Adjournment

The meeting adjourned at 9:12 a.m.



Honorable Stephen L. Santellana
Mayor Wichita Falls

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance granting a waiver of Appendix B – 3740 to reduce the setback requirements located at 1000 5th Street, Wichita Falls, TX 76301.

INITIATING DEPT: Development Services

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Complete the Development of a Convention Center Hotel

COMMENTARY: The City of Wichita Falls desires that OH-Wichita Falls, LLC undertake the development of the property and the construction of a hotel in order to serve the needs of the City as public conference, meeting, and exhibit center space for holding tourist gatherings, conventions, meetings, exhibits and other events for the benefit of the City of Wichita Falls and the general public, to promote tourism and to be a catalyst for generating new businesses downtown.

The MPEC, proposed convention hotel, conference center, and site of a possible second hotel are located on lots 1-A, 1-B, 1-C, and 1-D. Based on the lots' sizes and locations, development will be problematic based on the current setback requirements now in place. As such, each lot will require relief from the City's development regulation related to building setbacks from the property line.

Staff recommends the City Council approve the ordinance waiving setback requirements which will facilitate the construction of the privately owned hotel and City-owned conference/banquet facility as well as other future projects on lots 1-A, 1-B, 1-C, and 1-D block 1 of the MPEC South Addition.

☒ **Director of Development Services**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

LOTS 1-A, 1-B, 1-C AND 1-D, BLOCK 1

MR 2021 SCRF 17 = 100

Case	Strain	Duration
1	5470/547	400-27
2	5470/547	7-50
3	5470/547	3-50
4	5470/547	1-50
5	5470/547	30-50
6	5470/547	7-10
7	5470/547	50-50
8	5470/547	1-5
9	5470/547	1-5
10	5470/547	1-5

Case	Age (yr)	Sex	Location	Time (hr:min)	Time (hr:min)
1	40	M	1000	10:00	10:00
2	41	M	1000	10:00	10:00
3	41	M	1000	10:00	10:00
4	41	M	1000	10:00	10:00

Page 60 of 70

County of Nevada

appears the City of Mesquite Falls is the owner of lot 1, Block 9, APN 008-000-0000. Address as recorded is 2000 N. Page St. and only, Mesquite County, Nev however, we could more probably establish it prior the Bureau

SECTION 10: 101 1/2' wide from the intersection of the North line of 65th Street and the East line of Barrett Street and to the South corner of 100th Ave. E. end of this tract.

[illegible][illegible][illegible]

about 1500 ft, a true angle of 90° NW, and only about two lines at 90° SE but at 42.95 m, northwardly along the base of the bed are two driftings at 90° SE in the zone of tangency. At 90° SE at 42.95 m, a distance of 11.25 m from the end of the hypogene trip of Table 10 (see).

0.4522 Northwardly with the Southeast Sun of Frost Beach, using the arc of said sun in the right of distance of 40.000 feet to the point of tangency.

[illegible][illegible]

For Signature _____

END OF TAP

Below are the copyrighted entries on the day devoted to studies for business, from 1974 to the present. Some items are attributed to the Krieger Agreement, and others to the staff of the journal. It is not possible to attribute the comments made contained in the study. Each entry:

Small under my hand and seal of office like the 25 day of May, 1907.

Samuel H. Newman
 Mayor, City of New York



Journal of
 Management
 Education
 35(1) 1-12
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The Director of Public Health of the City of Boston has, upon review, verified that the submission and contents do not contravene any of the applicable requirements to which the applicant is subject.

[Signature]

The files of Lutz (196, 1-6), 1-12 and 1-15, Shuen (1960) have been selected. Details of the source have been summarized in and corrected by the Planning Board of the City of Houston (1966, 1968, and 1970).

2-9380

We certify that all items are not subject to Motor Vehicle Tax of Washington and that the appropriate taxes have been paid on the items listed properly and in full including _____ with the following explanation:

The certificate is conditioned on release verified by the Bureau (Bureau) as of the date this release is made and subject to the terms of the certificate.

10-10-1964



[illegible]

64,000 U. 1985.1

Downloaded by [University of California, San Diego] on 04 May 2015

LOCATION_MAP

The paper presented herein was prepared by the author for the American Nuclear Society, meeting in 1980, New York, and is published in the book mentioned above. The title of the book is: *Electric Power, Nuclear Energy, and the Environment*. Edited by J. R. Kunkin. McGraw-Hill, New York, 1980.

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PREPARED BY:
CORLETT, PROBST & ROYD, P.L.L.C.
ENGINEERS & SURVEYORS
4600 OLD JACKSONBO HIGHWAY
WYCHITA FALLS, TEXAS 76302
PHONE (840) 723-1455

OWNER:
CITY OF WICHITA FALLS
1300 SEVENTH STREET
WICHITA FALLS, TEXAS 76301
PHONE: (840) 761-8016

PAGE 2 OF 4 PAGES
AGENDA ITEM NO. 7.A

Ordinance No. _____

Ordinance granting a waiver of Appendix B – 3740 to reduce the setback requirements located at 1000 5th Street, Wichita Falls, Texas 76301 (“Property”).

WHEREAS, the City of Wichita Falls has plans to build a convention center on the Property; and,

WHEREAS, OH-Wichita Falls LLC has plans to build a full-service hotel on the Property; and,

WHEREAS, these developments on said Property will result in significant economic impact to the City through timely development and diversification of the economy, elimination of unemployment and underemployment through the production of new jobs, the attraction of new businesses, and tax revenues generated by construction of the Project for the City; and,

WHEREAS, the waiver of the setback requirements will allow the Property to be fully developed to maximize said economic impact.

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

A waiver of Appendix B – 3740 setback requirements is hereby granted to Property at 1000 5th Street, Wichita Falls Texas 76301, also known as MPEC South Addition Lots 1-A, 1-B, 1-C, and 1-D, Block 1.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk



CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance amending the Sanitation Fiscal Year 2020-2021 budget and authorizing the purchase of a Backhaus A60 Compost Turner through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Ecoverse Industries, LTD in the amount of \$608,855.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: On July 23, 2021, the compost turning machine at the City of Wichita Falls Landfill was destroyed in a fire. The unit was a 2003 Scarab compost turning machine, and it was originally purchased for \$355,000. Typically, a unit such as this has a 15-year service life, and it was scheduled to be replaced in Fiscal Year 2023. Subsequently, the unit was due for replacement and had exceeded its useful life. Staff had anticipated one more year of service from the unit, but that was not the case. Staff does not recommend repairing the unit destroyed in the fire.

The unit is critical to the composting operations at the Landfill. Composting saves the City expensive landfill space by repurposing biodegradable refuse into compost. Per the City's landfill permit with the Texas Commission on Environmental Quality, the City must either immediately replace the compost turner or end its composting program.

In addition, this ordinance will award the purchase of a replacement compost turner to Ecoverse Industries LTD in an amount of \$608,855. This purchase will be through the Houston-Galveston Area Council of Governments (H-GAC) purchasing contract. City staff visited the landfill in Lubbock, Texas on August 5, 2021 to demonstrate several different compost turning machines by three different vendors. After this visit, staff recommends the purchase of the Backhaus A60 unit.

Staff recommends approval of the ordinance to amend the Sanitation FY 20-21 budget in the amount of \$608,855 and the award of contract to Ecoverse Industries LTD through the H-GAC contract for a replacement compost turner in the amount of \$608,855. The funds to make this purchase will come from a combination of sources to include operational savings and equity transfer.

☒ **Director of Aviation, Traffic, & Transportation**

☒ **Director of Public Works**

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Ordinance;

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

HGACBuy THE SMART PURCHASING SOLUTION		CONTRACT PRICING WORKSHEET For Standard Equipment Purchases		Contract No.:	SM10-20	Date Prepared:	8/3/2021
<p><i>This Form must be prepared by Contractor and given to End User. End User issues PO to Contractor, and MUST also fax a copy of PO, together with completed Pricing Worksheet, to H-GAC @ 713-993-4548.</i></p> <p><i>Please type or print legibly.</i></p>							
Buying Agency:	City of Wichita Falls			Contractor:	Ecoverse Industries Ltd		
Contact Person:	Wade Looney			Prepared By:	Julianne Yates		
Phone:	940-761-7931			Phone:	440-937-3225		
Fax:				Fax:	440-937-3411		
Email:	wade.looney@wichitafallstx.gov			Email:	jyates@ecoverse.net		
Product Code:		Description:	Backhus Compost Turner A60				
A. Product Item Base Unit Price Per Contractor's H-GAC Contract:							\$651,882.86
B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable (Note: Published Options are options which were submitted and priced in Contractor's bid.)							
Description		Cost	Description		Cost		
Standard machine		Included	ALL PRICES INCLUDE 10% DISCOUNT				
Options:							
			Subtotal From Additional Sheet(s):				
			Subtotal B:		\$0.00		
C. Unpublished Options - Itemize below - Attach additional sheet if necessary (Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)							
Description		Cost	Description		Cost		
Freight		\$ 3,555.00					
Delivery		\$ 1,762.20					
Fire Suppression System		\$ 15,840.00					
			Subtotal From Additional Sheet(s):				
			Subtotal C:		\$21,157.20		
Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).				For this transaction the percentage is:			
D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)							
Quantity Ordered:	1	X Subtotal of A + B + C:	\$673,040.06	=	Subtotal D:	\$673,040.06	
E. Other Charges, Trade-Ins, Allowances, Discounts, Etc.							
Description		Cost	Description		Cost		
Additional municipal discount		\$64,185.06					
			Subtotal E:		\$64,185.06		
Delivery Date:		10-12 weeks		F. Total Purchase Price (D+E):		\$608,855.00	



Ordinance No. _____

Ordinance amending the Sanitation Fiscal Year 2020-2021 budget and authorizing the purchase of a Backhaus A60 Compost Turner through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Ecoverse Industries, LTD in the amount of \$608,855

WHEREAS, the City of Wichita Falls Landfill compost turner was recently destroyed in a fire; and,

WHEREAS, the City of Wichita Falls desires to replace the unit; and,

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

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

WHEREAS, the City Council finds that Ecoverse Industries LTD offers Backhaus A60 Compost Turning Equipment through the H-GAC Purchasing Cooperative, and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs; and,

WHEREAS, it is desired to amend the Sanitation budget in an amount of \$608,855.00 for the purchase of a compost turner.

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

1. The Wichita Falls Sanitation Fiscal Year 2020-2021 budget is amended by \$608,855 to purchase a Backhaus A60 compost turning machine.

2. City staff is authorized to execute all documents necessary to purchase a Backhaus A60 Compost Turning Machine through the H-GAC Purchasing Cooperative from Ecoverse Industries, LTD in the amount of \$608,855.

PASSED AND APPROVED this the 17th day of August, 2021.

ATTEST:

MAYOR

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance amending the Public Transportation FY 2020-2021 budget and authorizing the purchase of a John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65.

INITIATING DEPT: Aviation, Traffic & Transportation

STRATEGIC GOAL: Efficiently Delivery City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: With the completion of the new Windthorst Road Public Transportation facility, staff will need several pieces of equipment to support operations. This equipment includes a fork lift, mower, and snow removal. Instead of purchasing dedicated equipment for these duties, staff recommends purchasing a multiuse tractor to address these needs. This unit will be comprised of a John Deere 210L Tractor from Yellowhouse Machinery Company through the Sourcewell Purchasing Cooperative in the amount of \$138,464.65. This purchase will cover the cost of the multiuse tractor and the forklifts. As a partnership with the Airports Division, mowing and snow removal equipment will be purchased as grants become available in Fiscal Year 21-22.

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

The purchase will be 100% funded through the Federal Transit Administration Section 5339 grant. Subsequently, there will be no local sources of funds used to purchase this unit.

Staff recommends the purchase of one (1) John Deere 210L Tractor through the Sourcewell Purchasing Cooperative in the amount of \$138,464.65. This unit will replace a 1996 Case tractor.

☒ **Director of Aviation, Traffic & Transportation**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



Quote Summary

Prepared For:

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

Prepared By:

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

Sourcewell Quote

Mid 2022 Delivery Timeframe**Quote Id:** 23748308**Created On:** 26 February 2021**Last Modified On:** 10 June 2021**Expiration Date:** 25 June 2021**Equipment Summary**

	Selling Price		Qty		Extended
2022 JOHN DEERE 210L TRACTOR LOADER - Factory Order	\$ 122,799.79	X	1	=	\$ 122,799.79
John Deere Extended Warranty-5 Year 2000hr Full Machine Warranty w/Premium Plus Package	\$ 0.00	X	1	=	\$ 0.00
2021 PALADIN 9LABRH Angle Broom - Factory Order	\$ 15,664.86	X	1	=	\$ 15,664.86

Equipment Total**\$ 138,464.65****Quote Summary**

Equipment Total	\$ 138,464.65
SubTotal	\$ 138,464.65
Total	\$ 138,464.65
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 138,464.65

Salesperson : X _____

Accepted By : X _____

Confidential



Selling Equipment



Quote Id: 23748308

Customer: CWF CENTRAL SERVICES COMPLEX CITY OF WICHITA FALLS/
FLEET MAINTANCE

2022 JOHN DEERE 210L TRACTOR LOADER - Factory Order

Hours:

Stock Number:

Code	Description	Qty
7001T8	210L TRACTOR LOADER	1
Standard Options - Per Unit		
92G3	Custom Code - WHEEL GP- MICHELIN 440/80R24 305/70R16.5	1
170C	JDLINK Ultimate 5 Year Subscription	1
2085	Cab w/ Air Conditioning	1
2214	Enhanced Fabric Seat, Mechanical Suspension for Cab with Tilt Steering	1
3045	MFWD Axle with Limited Slip Differential	1
4200	Dual Tilt Cylinders	1
5330	3 Function, 1 Lever Loader Control	1
7006	Dual Batteries	1
7645	Loader Coupler for 3 Function Hydraulics	1
8095	Machine Security	1
8100	Wheel Weights	1
8105	Hydro-Mechanical Power Take-Off	1
8110	Dial Hand Throttle	1
8115	MFWD Drive Shaft Guard	1
8125	BB88 Box Blade - 88 inch (2.34m) Wide	1
8150	Heavy-Duty Grille Frame	1
8160	Transmission Guard	1
Dealer Attachments		
CB11478532	Rear Window Wiper/Washer	1
CB11487907	AM/FM/CD Cab Radio	1
AT308139	Forks, Pallet (2) 60 in.(1.52m) with 60 in. (1.52m) Coupler Fork Carriage	1
CB11484176	Cab Slow Moving Vehicle (SMV) Sign kit	1
AT308991	LDR Coupler Bucket 1.0 Cu. Yd. (.76 Cu. M.) Heavy Duty 86 in. (2.18 m) wide	1
Paladin	8FT JIB BOOM	1
Service Agreements		

Confidential



Selling Equipment



Quote Id: 23748308 **Customer:** CWF CENTRAL SERVICES COMPLEX CITY OF WICHITA FALLS/
FLEET MAINTANCE

John Deere Extended Warranty - 5
Year 2000hr Full Machine Warranty w/
Premium Plus Package

2021 PALADIN 9LABRH Angle Broom - Factory Order

Equipment Notes:

Hours: 0

Stock Number:

Code	Description	Qty
9LABRH	9' Hydraulic Angle Coupler Broom	1

Confidential

YELLOWHOUSE ULTIMATE UPTIME

POWERED BY JOHN DEERE WORKSIGHT™



DEALER SUPPORT



REMOTE DIAGNOSTICS
AND PROGRAMMING

Please check preferred package below.



MACHINE HEALTH
PROGNOSTICS



JDLINK™
TELEMATICS



BASE PACKAGE

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



PREMIUM PACKAGE

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

Items accompanied by asterisks are available with additional charges.



PREMIUM PLUS PACKAGE

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

PACKAGE SELECTED: _____ SERIAL #: _____

DATE: _____ CUSTOMER SIGNATURE: _____



Ordinance No. _____

Ordinance amending the Public Transportation FY 2020-2021 budget and authorizing the purchase of a John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65

WHEREAS, the City of Wichita Falls is eligible to receive Federal Transit Administration Section 5339 Bus and Bus Facilities funding for capital purchases; and,

WHEREAS, it is desirable to budget Section 5339 grant funds for the purchase of a multiuse tractor for forklift, mowing, and snow removal operations in the Public Transportation Division; and,

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

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

WHEREAS, the City Council finds that Yellowhouse is offering one (1) John Deere 210L Tractor through the Sourcewell Purchasing Cooperative, and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs; and,

WHEREAS, it is desired to amend the Wichita Falls FY 2020-2021 Public Transportation budget in an amount of \$138,464.65 for the purchase of said equipment.

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

1. The Wichita Falls Public Transportation Division Fiscal Year 2020-2021 budget is amended by \$138,464.65 to purchase multiuse tractor equipment for forklift, mowing, and snow removal operations.

2. City Staff is authorized to execute all documents necessary to purchase one (1) John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65.

PASSED AND APPROVED this the 17th day of August, 2021.

ATTEST:

MAYOR

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept \$150,000 in FY 2021-22 Texas Department of Transportation Aviation Division Non-Primary Entitlement grants for hangar construction at Kickapoo Downtown Airport.

INITIATING DEPT: Aviation, Traffic, & Transportation

S STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Upgrade or replace outdated public facilities

COMMENTARY: The City of Wichita Falls has the opportunity to receive \$150,000 in FY 21-22 non-primary entitlement (NPE) grant funds from the Texas Department of Transportation's Aviation Division. If accepted by Council, it is proposed to use these funds to build hangars at Kickapoo Downtown Airport. In April of 2020, the City Council formally accepted \$600,000 in NPE funds for this project. The local match for these funds are 10% in FY 21-22, and the \$16,667 needed for the local match will be budgeted in City Fiscal Year 2022. The local match for the original \$600,000 NPE grant was budgeted in FY-21. Subsequently, the total budget for the construction of these hangars will be \$833,334.

When completed, the new hangars will generate an additional \$22,000 in annual income for Kickapoo Downtown Airport. A Request for Design Build services has already been approved by City Council in February 2021. It is further anticipated that construction on these hangars will now begin in the fall of 2021 upon project approval by the Texas Transportation Commission later this month. Each hangar will be approximately 2,000 square feet with concrete floors and bi-fold doors.

Staff requests the support of City Council via this ordinance to pursue and apply for this non-primary entitlement grant from the Texas Department of Transportation's Aviation Division in an amount of \$150,000.

☒ **Director, Aviation, Traffic, & Transportation**

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept \$150,000 in FY 2021-22 Texas Department of Transportation Aviation Division Non-Primary Entitlement grants for hangar construction at Kickapoo Downtown Airport

WHEREAS, the City of Wichita Falls owns Kickapoo Downtown Airport; and

WHEREAS, the City of Wichita Falls has identified the need for the construction of new hangars at said airport; and

WHEREAS, the Texas Department of Transportation Aviation Division provides non-primary entitlement grants for the construction of hangars; and,

WHEREAS, the Wichita Falls City Council has already approved the acceptance of \$600,000 in Texas Department of Transportation non-primary entitlement grants for the Kickapoo Downtown Airport hangar project; and,

WHEREAS, the City of Wichita Falls desires to apply for an additional \$150,000 in FY 2021-22 Texas Department of Transportation Aviation Division non-primary entitlement funds for the construction of hangars.

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

The City Manager is hereby authorized to execute all documents necessary, in form approved by the City Attorney, to pursue, apply for, and accept the Texas Department of Transportation Aviation Division FY 2021-22 non-primary entitlement funds in an amount of \$150,000 for the construction of hangars at Kickapoo Downtown Airport.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for The Public Health Crisis Response/ Public Health Workforce grant funding in the amount of \$1,929,328 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The purpose of the contract is to establish, expand, train, and sustain the public health workforce to support COVID -19 prevention, preparedness, response, and recovery initiatives. This grant will add 11.75 FTE's to the Health District positions to include 5.5 disease investigation staff, an epidemiologist focused on population health, as well as individuals focused on policy, data entry, record retention, and health education and a program manager. Although many of the positions identified in the proposal are specific to COVID -19 activities, there are other positions identified that are necessary for the mitigation specific to improvement of population health. Many of the individuals who were disproportionally impacted by COVID-19 have co-morbidities; improvements to health may provide for a better outcome. All positions even if not directly working in a day to day COVID-19 capacity, will have a response and recovery role should it be necessary.

The budget is as follows; salary and fringe (\$1,747,158) travel (\$12,997), supplies (\$55,975), contractual (\$20,000) and other (\$93,198). The project period is from execution of the contract through June 30, 2023. There is no matching fund requirement.

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 Public Health Crisis Response/ Public Health Workforce grant funding in the amount of \$1,929,328 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

WHEREAS, the Department of State Health Services wishes to enhance local response to the global pandemic; and,

WHEREAS, the 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 \$1,929,328 for the COVID-19 Public Health Crisis Response/ Public Health Workforce special revenue fund and the City Manager is authorized to execute the contract accepting said COVID-19 grant funding from the State of Texas Department of State Health Services.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance accepting \$14,545,825 in American Rescue Plan Act (ARPA) Federal Grant Funds for COVID response and authorizing the City Manager to execute all necessary funding agreements related hereto.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: On March 11, 2021, the President signed the American Rescue Plan Act (ARPA) into federal law. This act provided \$1.9 trillion in additional relief to respond to the continuing COVID-19 Pandemic. The act directly allocated amounts to Cities, Counties, School Districts, and special districts. The City's allocation is \$29,091,650, of this amount; the City has received \$14,545,825 (50%). The City anticipates receiving the remaining 50% next spring.

Interim guidance from the federal government on eligible expenses has been issued, however, final guidance is pending. At this time, the funding may be used to fund the below list of items.

- (a) To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (b) To respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers;
- (c) For the provision of government services to the extent of the reduction in revenue due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- (d) To make necessary investments in water, sewer, or broadband infrastructure.

The City will determine appropriate uses for these funds and will bring forward agenda items as needs are determined.

Staff recommends the acceptance of this grant in the amount of \$14,545,825

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Ordinance;

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance accepting \$14,545,825 in American Rescue Plan Act (ARPA) Federal Grant Funds for COVID response and authorizing the City Manager to execute all necessary funding agreements related hereto

WHEREAS, the City of Wichita Falls received \$14,545,825 in American Rescue Plan Act (ARPA) Grant Funds; and,

WHEREAS, it is desirable to acknowledge receipt of these funds for future allocation, for the purposes allowable by the guidance,

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

The City Manager is authorized to accept American Rescue Plan Act (ARPA) Grant Funds from the United States Treasury thereto in a form approved by the City Attorney.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Ordinance appropriating \$1,400,000 of ARPA funding to complete replacement of the Supervisory Control and Data Acquisition (SCADA) Control System for the water treatment system

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: The SCADA system for both the water treatment plants is absolutely essential for the operations of our water treatment plants as well as the raw water pump stations and the distribution system. The current SCADA system was installed in 2008, has been upgraded a couple of times as well as expanded over the past decades to accommodate plant expansions and upgrades.

The current SCADA system has become outdated and very unreliable. It is actually still operating under the Windows XP platform from the late 1990's. Portions, or all of the system goes down on a frequent basis leaving operators in the "dark" as to the status of all the equipment, chemical feed system, monitoring equipment, pumps, and distribution storage tanks, forcing the plant operators to operate blindly until the system can be re-booted and brought back on line. The system has outlived its useful life and replacement equipment and "patches" for the software are no longer available.

This project is eligible for, and will be funded from American Rescue Plan Act funds recently received from the Federal Treasury.

Staff recommends the acceptance of this grant in the amount of \$1,400,000.

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Ordinance;

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance appropriating \$1,400,000 of ARPA funding to complete replacement of the Supervisory Control and Data Acquisition (SCADA) Control System for the water treatment system

WHEREAS, the City of Wichita Falls received \$14,545,825 in American Rescue Plan Act (ARPA) Grant Funds; and,

WHEREAS, the replacement of the SCADA system is essential for the operation of the water system; and,

WHEREAS, the project fits within the guidance for use of ARPA funding,

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

The City Manager is authorized to appropriate \$1,400,000 from the American Rescue Plan Act (ARPA) Grant Funds for the SCADA replacement project.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution authorizing the City Manager to apply for and accept funding up to \$50,000 for two Kayak launches at Lake Wichita under the Habitat and Angler Access Program (HAAP) provided by the Texas Parks and Wildlife Department.

INITIATING DEPT: City Manager

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Signature Public Improvements

COMMENTARY: The Texas Parks and Wildlife Department has made available through their Habitat and Angler Access Program a non-matching grant to be made for up to \$50,000.

The Lake Wichita Revitalization Committee would like to request \$50,000 to install two (2) kayak launches in Lake Wichita. One (1) launch would be fully ADA compliant with the addition of safety features to include guide rails, grab bars, tie-down cleats, and straps to assist disabled persons to safely enter the kayak. The second launch would be a standard kayak launch. The ADA launch is proposed to be located near the Kemp Street boat ramp. The standard launch is proposed to be located at Lake Wichita Park, near the existing fish sculpture.

Kayak fishing is a growing sport in our area. Representatives from TPWD and from the City of Wichita Falls Parks Department report growing numbers of kayaks on Lake Wichita, with many fishing for crappie and other fish. The low water levels at Lake Wichita make conditions perfect for paddling for fishing and recreation. This grant would provide new access points, fishing opportunities, and recreational opportunities for disabled and non-disabled persons. The boat ramp location would be a wonderful addition to the amenities at Lake Wichita, allowing disabled persons the only ADA compliant kayak launch in the area.

Staff recommends approval of the resolution.

ASSOCIATED INFORMATION: Resolution, Project Maps

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to apply for and accept funding up to \$50,000 for two Kayak launches at Lake Wichita under the Habitat and Angler Access Program (HAAP) provided by the Texas Parks and Wildlife Department

WHEREAS, it is desirable to provide recreational improvements to Lake Wichita; and,

WHEREAS, grants are available from the Texas Parks & Wildlife Department for Habitat and Anglers Access Program (HAAP); and,

WHEREAS, the members of the Lake Wichita Revitalization Committee have committed to raising and providing the City's matching funding for these grant applications.

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

The City Manager is hereby authorized to apply for and accept funding in an amount of \$50,000 for this project in a form approved by the City Attorney.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

ADA Dock with Gangway and Launch Platform



CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution authorizing the City Manager to execute a construction contract with Clark Contractors, LLC in the amount of \$15,049,587 for the construction of the Convention Center portion of the Hotel Convention Center project.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Complete the Development of a Convention Center Hotel

COMMENTARY:

Project milestones to date:

- October 30, 2019 – Type B (4B) Board votes to authorize Chair to sign 3-way master development agreement (MDA) between O'Reilly Hospitality, 4B, and City outlining the framework of a proposed 200-room Delta by Marriot hotel and associated conference center adjacent to the existing MPEC facilities.
- November 19, 2019 – City Council authorizes City Manager to sign MDA.
- December 10, 2019 – Type B Board considers and approves a \$456,477 budget amendment facilitating the preconstruction costs of the proposed City/4B-owned conference center portion of the project.
- December 17, 2019 – City Council approves Type B budget amendment for conference center preconstruction costs.
- 2020 – Project on hold for most of the year due to COVID-19 pandemic.
- Early 2021 – O'Reilly and City commence predevelopment activities including design and engineering of the privately funded hotel and the associated 4B-funded conference center.
- April 29, 2021 – Type B Corporation Board approves motion setting two (2) public hearings on June 3, 2021, related to the hotel and convention center project.
- May 12, 2021 – Planning and Zoning Commission (P&Z) approves subdivision plat dividing the project sites into separate lots.
- June 3, 2021 – Type B Corporation Board conducts two (2) public hearings related to the hotel and convention center project.
- July 19, 2021 – Type B Corporation Board approves several items advancing project including parameters resolution which authorized the Board Chair to execute all documents related to the funding of the conference center portion of the project.
- July 20, 2021 – City Council approves several items related to and advancing the project including a Chapter 380 Economic Development Agreement with OH-Wichita Falls and a related land sale agreement.
- August 3, 2021 – City Council approved (1) parameters resolution and (2) performance agreement.

- **August 17, 2021** – City Council scheduled to consider (1) awarding construction contract for conference center, and (2) related construction management agreement.

In review, the proposed MPEC conference center and hotel project includes (1) a 200 room full-service Delta by Marriot hotel to be built, owned, and operated by O'Reilly Hospitality Management (OHP) at a cost of approximately \$48M paid for by OHP, and (2) an approximately 35,000 square foot attached conference/banquet facility that would complement and extend the MPEC's capabilities to be constructed by OHP and owned by the City at a total cost not to exceed \$19M. Today's consideration continues a series of items that, if approved, should lead to the commencement of construction this fall.

The City published the bid on June 6th for the Convention Center portion of the project. The City Staff and Gerri Kielhofner, the City's Architect, had a construction Pre-Bid meeting on June 14th, and opened bids on June 30th. This was a best value based evaluation and all bidders were evaluated on proposal construction price, building the Delta Hotel on site, proposers general information, and proposers project safety. The proposals were evaluated by City staff, our architect, and a member of the Tim O'Reilly management team.

We had 3 responses and the scores are as follows: Clark Contractors – 93.3, Crossland Construction – 78.75, and Lee Lewis Construction – 77.12.

In early July, City Staff and Gerri Kielhofner stated negotiating the final contract with Clark Contractors, LLC. Material prices, lead times, and sub-contactor's pricing were firmed up and a final price of \$15,049,587 with a 619-day schedule was negotiated.

Staff recommends approval of the resolution.

ASSOCIATED INFORMATION: Resolution;

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute a construction contract with Clark Contractors, LLC in the amount of \$15,049,587 for the construction of the Convention Center portion of the Hotel Convention Center project

WHEREAS, the City of Wichita Falls competitively bid the construction of the convention center portion of the Hotel/Convention Center project; and,

WHEREAS, there were three qualified bids received and evaluated; and,

WHEREAS, Clark Construction provided the best value bid.

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

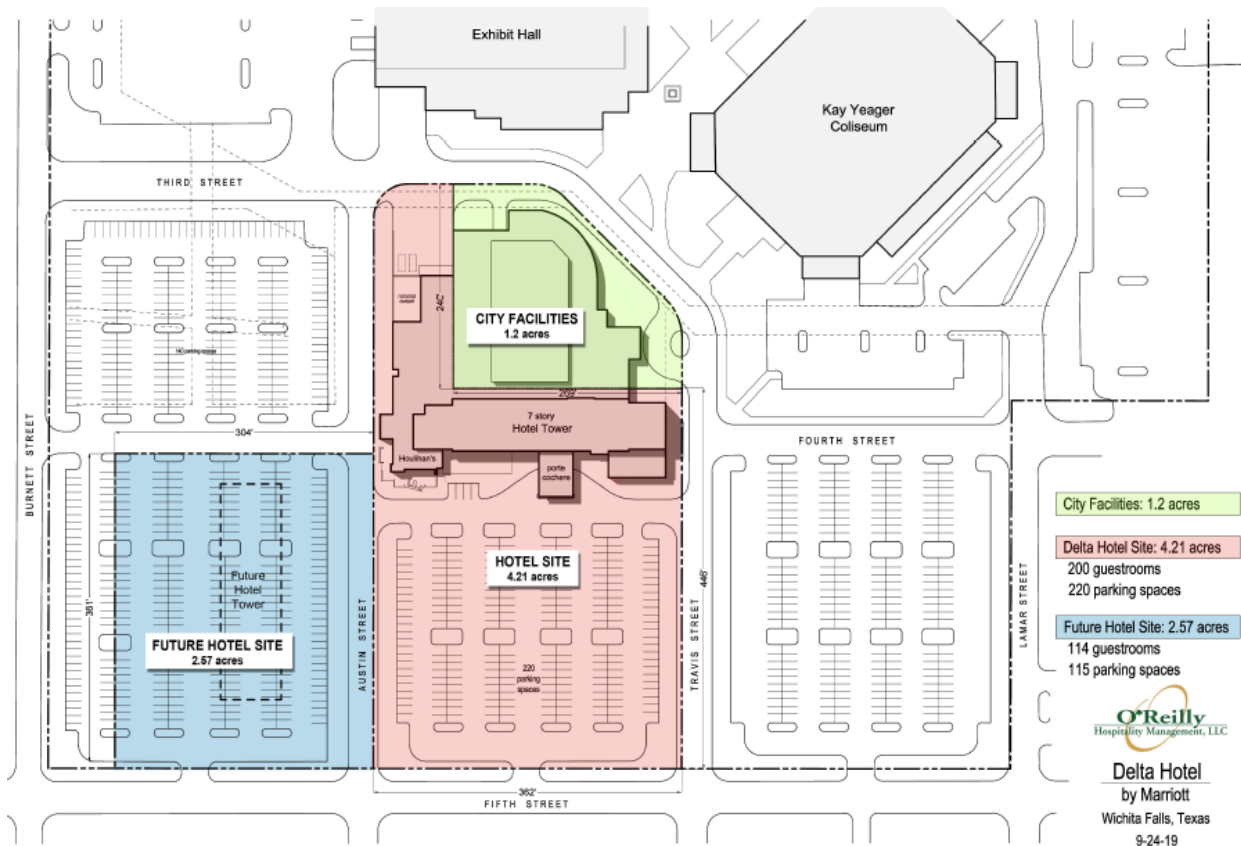
the City Manager is hereby authorized to execute a construction contract in a form approved by the City Attorney with Clark Contractors, LLC in the amount of \$15,049,587 for the construction of the Convention Center portion of the Hotel Convention Center project.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk



CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution authorizing the City Manager to execute the Construction Management Agreement with O'Reilly Hospitality Management, LLC for managing the construction of a Convention Center.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Complete the Development of the Conference Center/Hotel Project

COMMENTARY:

Project milestones to date:

- October 30, 2019 – Type B (4B) Board votes to authorize Chair to sign 3-way master development agreement (MDA) between O'Reilly Hospitality, 4B, and City outlining the framework of a proposed 200-room Delta by Marriot hotel and associated conference center adjacent to the existing MPEC facilities.
- November 19, 2019 – City Council authorizes City Manager to sign MDA.
- December 10, 2019 – Type B Board considers and approves a \$456,477 budget amendment facilitating the preconstruction costs of the proposed City/4B-owned conference center portion of the project.
- December 17, 2019 – City Council approves Type B budget amendment for conference center preconstruction costs.
- 2020 – Project on hold for most of the year due to COVID-19 pandemic.
- Early 2021 – O'Reilly and City commence predevelopment activities including design and engineering of the privately funded hotel and the associated 4B-funded conference center.
- April 29, 2021 – Type B Corporation Board approves motion setting two (2) public hearings on June 3, 2021, related to the hotel and convention center project.
- May 12, 2021 – Planning and Zoning Commission (P&Z) approves subdivision plat dividing the project sites into separate lots.
- June 3, 2021 – Type B Corporation Board conducts two (2) public hearings related to the hotel and convention center project.
- July 19, 2021 – Type B Corporation Board approves several items advancing project including parameters resolution which authorized the Board Chair to execute all documents related to the funding of the conference center portion of the project.
- July 20, 2021 – City Council approves several items related to and advancing the project including a Chapter 380 Economic Development Agreement with OH-Wichita Falls and a related land sale agreement.
- August 3, 2021 – City Council approved (1) parameters resolution and (2) performance agreement.

In review, the proposed MPEC conference center and hotel project includes (1) a 200 room full-service Delta by Marriot hotel to be built, owned, and operated by O'Reilly Hospitality Management (OHP) at a cost of approximately \$48M paid for by OHP, and (2) an approximately 35,000 square foot attached conference/banquet facility that would complement and extend the MPEC's capabilities to be constructed by OHP and owned by the City at a total cost not to exceed \$19M. Today's consideration continues a series of items that, if approved, should lead to the commencement of construction this fall.

This agreement was defined in the Master Development Agreement the City signed in November 2019. O'Reilly Hospitality Management will be administering the construction of the City Facilities as the City's Construction Manager – Agent, providing on-site supervision including, at a minimum, will provide a dedicated Project Manager for the project, make periodic visits to the job site to review the work, and progress of construction with the Contractors and the Design Professionals, scheduling of inspections, the preparation of punch lists, and finally obtain a permanent certificate of occupancy.

Developer shall consult with the City regarding any proposed changes and modifications to the Development Plan which may result in a material change in the design or character of the City Facilities or Hotel or increase the Development Budget. The Developer shall coordinate the submission of Project change orders to the City Representative

Construction Manager - Agent shall provide the City and 4B Corporation with monthly written progress reports that reflect construction progress and all costs due or paid under the Development Budget during the preceding month and which also reflect a comparison of aggregate costs paid for budgeted items through the end of the preceding month with total budgeted costs for such items.

Staff recommends approval of the resolution.

ASSOCIATED INFORMATION: Resolution;

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute the Construction Management Agreement with O'Reilly Hospitality Management, LLC for managing the construction of a Convention Center

WHEREAS, the City finds that O'Reilly Hospitality Management, LLC has experience in supervising the construction of convention hotels and related conference centers; and,

WHEREAS, O'Reilly Hospitality Management, LLC is overseeing the construction of a full service convention hotel next to the MPEC; and,

WHEREAS, the City of Wichita Falls desires that O'Reilly Hospitality Management, LLC, undertake the management of the construction of the City's convention center at the site of the Multi-Purpose Events Center next to the Convention hotel;

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

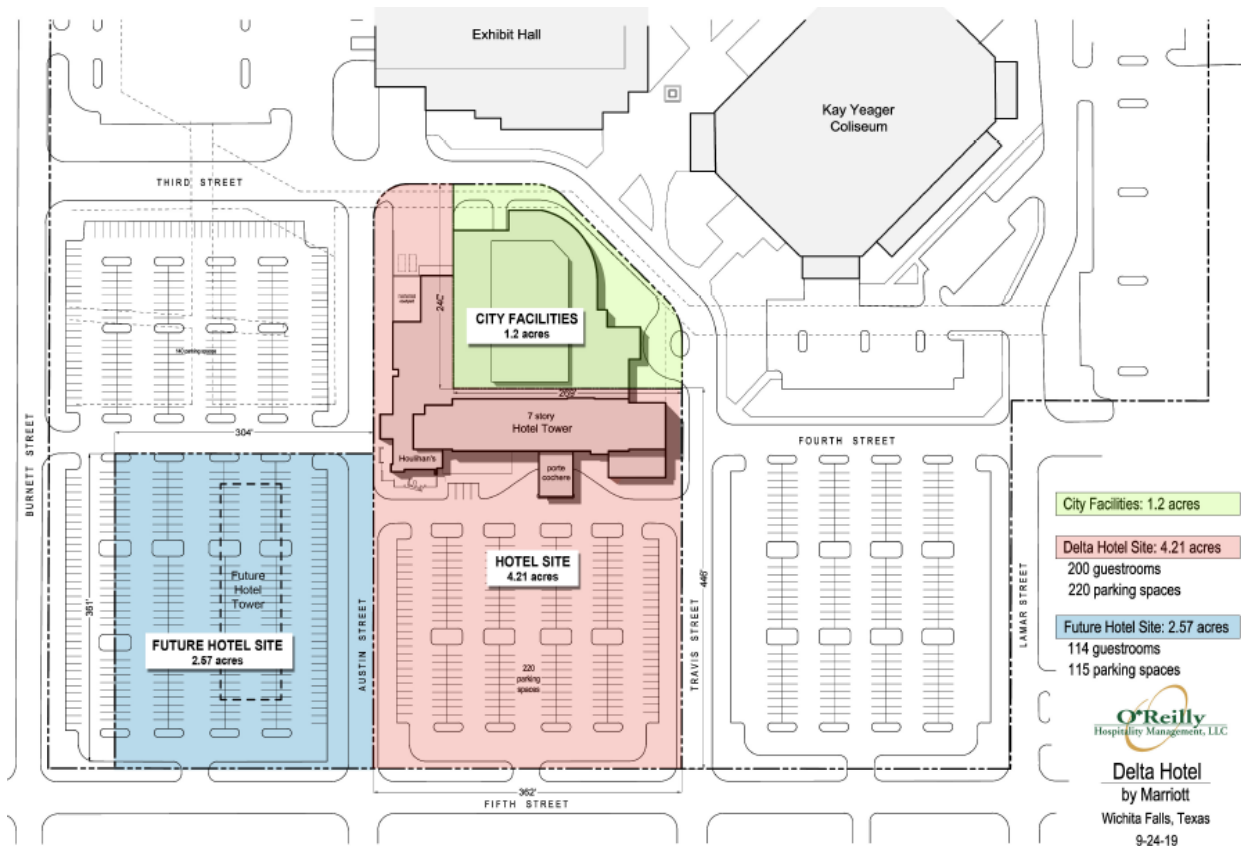
Said Resolution hereby authorizes the City Manager to execute the Construction Management Agreement with O'Reilly Hospitality Management, LLC in a form approved by the City Attorney for managing the construction of the City's Convention Center.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk



CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution authorizing the City Manager to award a professional services agreement with Black & Veatch Corporation for the replacement of the Supervisory Control and Data Acquisition (SCADA) control system for the water treatment system in the amount of \$375,000.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: The SCADA system for both the water treatment plants is absolutely essential for the operations of our water treatment plants as well as the raw water pump stations and the distribution system. The current SCADA system was installed in 2008, has been upgraded a couple of times as well as expanded over the past decades to accommodate plant expansions and upgrades.

The current SCADA system has become outdated and very unreliable. It is actually still operating under the Windows XP platform from the late 1990's. Portions, or all of the system goes down on a frequent basis leaving operators in the "dark" as to the status of all the equipment, chemical feed system, monitoring equipment, pumps, and distribution storage tanks, forcing the plant operators to operate blindly until the system can be re-booted and brought back on line. The system has outlived its useful life and replacement equipment and "patches" for the software are no longer available.

Therefore, Staff advertised for a Request for Qualifications (RFQ) for design services for treatment plant improvements earlier this year. We received 8 proposals for this work and individually scored each proposal. Black & Veatch ultimately scored the highest from the proposals submitted, based on their treatment plant experience and firm capabilities. They have designed and installed numerous SCADA systems across the country.

This particular project will include, replacement and upgrade of the existing SCADA software, servers, and work stations at both Jasper and the Cypress Water Treatment Plants. It also includes the creation of a microwave link between the Jasper WTP and Cypress WTP for better operational control and sharing of information for regulatory reporting. Lastly, the project will include replacing the dial-up modem link between Lake Arrowhead and Cypress WTP for better communications and more operational control over the raw water pump station.

This project is eligible for, and will be funded from American Rescue Plan Act funds recently received from the Federal Treasury.

Staff recommends execution of this engineering service agreement in order to maintain the reliability of our water treatment system.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Engineering Services Agreement

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award a professional services agreement with Black & Veatch Corp. for the replacement of the Supervisory Control and Data Acquisition (SCADA) control system for the water treatment system in the amount of \$375,000.00

WHEREAS, the City of Wichita Falls operates and maintains a potable water treatment and distribution system; and,

WHEREAS, the Supervisory Control and Data Acquisition Control (SCADA) system, a critical component for the operation of the water treatment system, has outlived its useful life and is in need of replacement.

WHEREAS, the City of Wichita Falls has received a Request for Qualifications from Black & Veatch Corporation, which was found to be qualified to complete the design work for the replacement of the SCADA system for the water treatment system.

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

The City Manager is authorized to execute an Engineering Services Agreement with Black & Veatch Corporation in the amount of \$375,000.00 to replace the SCADA control system for the water treatment system.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

Professional Services Agreement between the City of Wichita Falls and Black & Veatch Corporation for Consulting Services for the Design & Construction Management of SCADA System Improvements

OWNER: The City of Wichita Falls; Attn: Director of Public Works, P.O. Box 1431, Wichita Falls, Texas 76307

CONSULTANT: Black & Veatch Corporation

PROJECT: Design & Construction Management of SCADA System Improvements

TIMETABLE: CONSULTANT shall provide design services for 6 months and Construction Management Services for 10 months.

PAYMENT:

1. Payment for Basic Services. OWNER agrees to pay the following amounts for Basic Services rendered pursuant to this contract, a total amount not to exceed **\$375,000.00**, subject to completion of the following phases of the PROJECT:

Task	Amount
100 – Preliminary & Final Design and Bid Services	\$250,700.00
200 – Construction Management Services	<u>\$124,300.00</u>
Total	\$375,000.00

2. Payment for Additional Services. OWNER shall pay CONSULTANT for Additional Services requested and rendered as follows:

2.1. Payment for Additional Services of CONSULTANT rendered under this Contract shall be paid for at the following rates when supported by invoices. Refer to CONSULTANT's Rate Sheet (Attachment A)

2.2. For expenses for Additional Services, CONSULTANT shall be compensated at the actual cost to CONSULTANT based on rates referenced above or as previously agreed upon in writing. Where field parties are used, expenses shall include charges for the use of any special instruments and equipment, including marine equipment, and expendable items such as stakes and monuments.

3. Times of Payments.

3.1. Times of Payments--CONSULTANT shall submit monthly statements for Basic and Additional Services rendered. For Basic Services, the statements will be based upon CONSULTANT'S estimate of the proportion of the total services actually completed at the time of billing. OWNER shall make prompt monthly payments in response to CONSULTANT'S monthly statements. Upon conclusion of each phase of Basic Services, OWNER shall pay such additional amount, if any, as may be necessary to bring total compensation paid on account of such phase to the following percentages of total compensation payable for all phases of Basic Services.

3.2. Past-Due Payments--OWNER agrees to pay a charge of 0.5% per month on all invoiced owed amounts not paid within 30 days of the date of the invoice, calculated from the date of the invoice. In addition, CONSULTANT may, after giving 10 days' written notice to OWNER, suspend services under this Agreement until the CONSULTANT has been paid in full all amounts due for services and expenses.

OWNER'S REPRESENTATIVE: Russell Schreiber, Director of Public Works, City of Wichita Falls

BASIC SERVICES: CONSULTANT shall complete the following professional services as Basic Services, which shall include customary incidental professional services: See Attachment A – Scope of Services.

GENERAL CONDITIONS:

1. Termination—OWNER may terminate this Agreement upon 10 days' written notice to CONSULTANT with the understanding that all services being performed under this Agreement shall cease upon the date specified in such notice. In the event of early termination, CONSULTANT shall invoice OWNER for all services completed and shall be compensated in an amount corresponding to the amount designated as compensation for each phase of the work satisfactorily completed and accepted plus an amount corresponding to the percentage of work satisfactorily completed and submitted to Owner for any phase partly completed on the effective date of the termination.

2. Ownership & Maintenance of Documents--All documents and digital files prepared and/or assembled by CONSULTANT under this agreement shall become the property of the OWNER and shall be delivered to OWNER without restriction on future use. OWNER's re-use of documents on future projects will be at the sole risk of OWNER. CONSULTANT may make copies of any and all documents for its files and re-use information contained therein. CONSULTANT will maintain project records for three years after the OWNER has made final payment to the contractor and all other pending matters are closed and provide copies thereof to OWNER if requested.

3. Controlling Law--This agreement is performable and is to be governed by the law applicable in Wichita Falls, Texas. Sole venue for any action arising under this agreement shall be in Wichita County, Texas.

4. Assignment of Contract--CONSULTANT shall not assign, sublet or transfer any rights under or interest in (including, but without limitations, monies that may become due or monies that are due) this Agreement without the written consent of the other. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent CONSULTANT from employing independent consultants, associates, subcontractors, and employees to assist it in the performance of services hereunder.

5. No Third-Party Beneficiaries--Nothing herein shall be construed to give any rights or benefits to anyone other than OWNER and CONSULTANT.

6. Independent Contractor--In performing services under this agreement, the relationship between OWNER and CONSULTANT is that of independent contractor, and OWNER and CONSULTANT by the execution of this Agreement do not change the independent contractor status of CONSULTANT. No term or provision of this agreement or act of CONSULTANT in the performance of this Agreement shall be construed as making CONSULTANT or any agent, servant or employee of CONSULTANT the agent, servant or employee of OWNER.

7. Indemnity--CONSULTANT agrees to release, defend, indemnify, and hold the OWNER whole and harmless against any and all claims, suits, and actions for any claims of injury or damage made by or on behalf of CONSULTANT or any of CONSULTANT's officers, agents or employees resulting from the performance or attempted performance of this Contract regardless of whether the injury or damage is caused in whole or in part by any acts or omissions of OWNER or any hidden or apparent condition of property owned or controlled by the OWNER. This indemnity shall not apply to any claim to the extent to which CONSULTANT is prohibited from indemnifying a governmental entity pursuant to Tex. Local Gov't Code § 271.904 or other law.

8. Governmental Function Clause – All parties agree that this contract is on wherein OWNER is solely performing a governmental function. All parties expressly agree that OWNER is not engaging in any proprietary functions.

9. Contractual Damages Limitation Clause – All parties agree that damages in this contract are limited only to those authorized under Texas Local Government Code Section 271.153. Specifically, neither Party is liable for consequential damages or exemplary damages regardless of the legal under which such damages are claimed.

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. ENGINEER understands 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 government entity for breach of a contract includes attorneys' fees. Both

ENGINEER and OWNER expressly waive all statutory and other rights to recover attorneys' fees pursuant to in § 271.153(a)(3) and all other law.

11. Verification

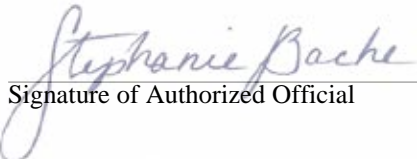
I, (authorized official) Stephanie Bache do hereby depose and verify the truthfulness and accuracy of the contents of the statements submitted on this certification under the provisions for Subtitle F, Title 10, Government Code Chapter 2270 and that the company name below:

- 1) Does not boycott Israel currently; and
- 2) Will not boycott Israel during the term of the contract; and
- 3) Is not currently listed on the State of Texas Comptroller's Companies that Boycott Israel List located at <https://comptroller.texas.gov/purchasing/publications/divestment.php>

12. Miscellaneous

CONSULTANT does not guarantee that proposals, bids or actual project costs will not vary from CONSULTANT's opinions of probable cost or that actual schedules will not vary from CONSULTANT's projected schedules. CONSULTANT shall not be responsible for: (1) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the Project; (2) the failure of any contractor, subcontractor, vendor, or other Project participant, not under contract to CONSULTANT, to fulfill contractual responsibilities to the OWNER or to comply with federal, state, or local laws, regulations, and codes; or (3) procuring permits, certificates, and licenses required for any construction unless such responsibilities are specifically assigned to CONSULTANT. Except for OWNER's obligation to make payments, neither party shall be in default hereunder to the extent such default is caused by a cause or circumstance beyond such party's reasonable control. CONSULTANT shall be entitled to an equitable adjustment in schedule and compensation in the event such circumstances occur.

Black & Veatch Corporation _____ Company
Name



Signature of Authorized Official

Associate Vice President

Title of Authorized Official

08/06/2021

Date

This agreement and said attachments may only be amended, supplemented, modified or canceled by a duly executed written instrument.

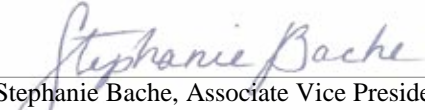
EXECUTED, this the _____ day of _____, 20 ____.

OWNER: City of Wichita Falls, Texas

CONSULTANT: Black & Veatch Corporation

Darron Leiker, City Manager

(seal)



Stephanie Bache, Associate Vice President

(seal)

ATTEST:

Marie Balthrop, City Clerk

ATTEST:



Ignacio Cadena, Client Director

FORM APPROVED:

Kinley Heggland, City Attorney

ATTACHMENT
A SCOPE OF SERVICES

Owner: City of Wichita Falls,
Texas Design Professional: Black & Veatch
Corporation
Project Title: Design & Construction Management of SCADA System
Improvements

PROJECT DESCRIPTION

The goal of the project is to update the SCADA system at the Cypress and Jasper WTPs, Arrowhead pump station, and Headquarters facility by addressing rehabilitation needs and will upgrade both SCADA server hardware and software as listed below. This scope of services includes Preliminary Design, Final Design, Bidding Services and Construction Management Services.

The Project includes the following major components:

- SCADA technology analysis to determine design criteria for equipment to be upgraded.
 - Topics Included in the Analysis:
 - Provide desktop radio path profile for microwave communications between Cypress and Jasper WTP.
- SCADA equipment assessment at Cypress and Jasper WTPs, and Arrowhead pump station to determine design criteria and scope of work for equipment to be upgraded.
 - Cypress SCADA System
 - Replace SCADA servers.
 - Replace SCADA workstations and monitors
 - Upgrade current SCADA software to latest version
 - Replace Operator Interface Terminals (5 OITs)
 - Add microwave radio link to Jasper WTP

- Jasper SCADA System
 - o Replace SCADA servers.
 - o Replace SCADA workstations and monitors
 - o Upgrade current SCADA software to latest version
 - o Add microwave radio link to Cypress WTP
 - o Replace Operator Interface Terminals (OITs) at the filter consoles
 - o Replace redundant main PLCs in Admin Building
- Arrowhead SCADA System
 - o Replace dialup modem with new 4G cellular modem. Design corresponding modem for installation at the Cypress WTP.
 - o Update workstation with FactoryTalk Station 250 display client.
- Headquarters Rd SCADA System
 - o Update workstation with FactoryTalk Station 250 display client.
- Basis of Design Report, Final Design, Bidding Services and Construction Management for one bid package of all the SCADA System Improvements at Cypress and Jasper WTPs, Arrowhead pump station, and Headquarters Rd facility.

TASK SERIES 100: SCADA IMPROVEMENTS – PRELIMINARY & FINAL DESIGN AND BID SERVICES

Task 100: Conduct Project Administration Services. Design Professional will provide project management functions required to successfully complete the task series indicated above, including all project correspondence with the City; consultation with the City's staff; supervision and coordination of services; implementation of a project specific work plan, procedures, and a quality control/quality assurance plan; scheduling and assignment of personnel resources, administration and coordination of subconsultants, continuous monitoring of work progress; and invoicing for the work performed. Based on 6-month design.

Task 101: Monthly Project Status Reports. Design Professional will prepare a monthly project status report to identify work that has been performed in the reporting period, the work activities anticipated to be performed the next month, action items required of City for an efficient and effective delivery of the Design Professional's services, potential project scope variances with corrective actions suggested by the Design Professional.

Task 102: Initial Project Meeting. Design Professional will conduct a project initiation meeting to discuss the project goals and objectives; clarify City's requirements for the project, review pertinent available data, review project staffing and organization, present initial work plan, and present initial work schedule.

Task 103: Conduct Progress Meetings. Design Professional will schedule and facilitate nine

(9) progress meetings to review and obtain feedback on interim deliverables, review the project schedule, discuss key design issues, review budget status, and discuss deviations from the scope of services. Design Professional shall prepare and distribute minutes of each progress meeting and identify action items.

Task 110: Prepare Design Memorandum. Design Professional will prepare a Design Memorandum. The Design Memorandum will include the following items:

- Drafting standards
- Equipment tagging conventions
- Equipment list
- Process equipment information and data
- Design criteria
- Applicable codes and standards, including fire and safety codes including code review and approval process
- Layouts of process piping and major equipment
- P&ID and Process Flow Diagrams
- Operational monitoring and control systems
- Utility requirements
- Construction sequencing plan
- Project schedule

Design Professional will schedule a meeting with the City to review and finalize the Design Memorandum.

Task 120: Contract Documents. Design Professional will produce 60-, 90-, and 100-percent complete contract documents (drawings and specifications) and submit to the City for review. Following each submittal, a progress meeting will be scheduled within 14 working days to receive comments from the City. The drawings will be prepared in 22x34 sheet format in the latest version of AutoCAD utilizing the City's standard drawing border and Design Professional's drawing standards. The technical specifications will include the City standard "front-end" contract documents (North Central Texas Council of Government – NCTCOG) and be developed in Microsoft Word using the Engineer's standard specification guides and format. Documents will be provided to City for review in pdf format. Design Professional will develop an opinion of probable construction cost (OPCC) for each design submittal. All opinions of probable construction costs developed will follow the recommendations of the Association for the Advancement of Cost Engineering (AACE) International Recommended Practice No. 18R with regard to methodology and accuracy. Since Engineer has no control over the cost of labor, material, or equipment furnished by others not under contract to Engineer, Engineer's opinion of probable cost for construction of the work will be made on the basis of experience and qualifications as an Engineer. Engineer does not guarantee or warranty that proposals, bids, or actual project costs will

not vary from Engineer's opinions of probable cost. The cost opinion level of accuracy presented by Engineer will be in accordance with accepted industry guidelines and as defined by AACE.

Design Professional will also comply with all requirements and stipulations of the American Rescue Plan Act of 2021 to ensure the City of Wichita Falls conforms with funding requirements.

Owner will provide all existing site plans and building plans in electronic format to be used for drawing backgrounds.

Task 130: Bidding Services. Design Professional will perform the following bidding services:

- Prepare Advertisement Information. Design Professional will assist the City in establishing a bid opening date, coordinate reproduction and distribution of the bid documents (using the city's website for distribution) and maintain a list of plan holders. Potential bidders will purchase their own sets of project drawings and contract specifications.
- Pre-Bid Assistance. Design Professional will schedule and conduct a pre-bid conference, respond to questions from bidders, advise the City of any inquiries prior to the bid opening from contractors/subcontractors/suppliers, and prepare addendum as required to respond to questions and provide clarification.
- Bid Opening. Design Professional will attend the bid opening and assist the City in reviewing the bids for completeness and accuracy.
- Review Bidder Qualifications. Design Professional will review the bids for completeness and conformance with the bidding requirements, provide a credit history review of the apparent low bidder, review subcontractors, and prepare a bid tabulation and letter with recommendation of award.

TASK SERIES 200: SCADA IMPROVEMENTS – CONSTRUCTION MANAGEMENT SERVICES

Design Professional will perform Construction Services during the construction phase of the project for a 10-month duration. By performing these services, Engineer shall not have authority or responsibility to supervise, direct, or control the Contractor's work or the Contractor's means, methods, techniques, sequences, or procedures of construction. Engineer shall not have authority or responsibility for safety precautions and programs incident to the Contractor's work or for any failure of the Contractor to comply with laws, regulations, rules, ordinances, codes, or orders applicable to the Contractor furnishing and performing the work. Engineer will perform the following construction services:

Task 200: Conduct Project Administration Services. Design Professional will provide project management functions required to successfully complete the task series indicated above, including all project correspondence with the City; consultation with the City's staff; supervision and coordination of services; implementation of a project specific work plan, procedures, and a quality control/quality assurance plan; scheduling and assignment of personnel resources, administration and coordination of subconsultants, continuous monitoring of work progress; and invoicing for the work performed.

Task 201: Monthly Project Status Reports. Design Professional will prepare a monthly project status report to identify work that has been performed in the reporting period, the work activities anticipated to be performed the next month, action items required of City for an efficient and effective delivery of the Design Professional's services, potential project scope variances with corrective actions suggested by the Design Professional.

Task 202. Conformed Contract Documents. Prepare conformed contract documents and distribute copies to the City and Contractor. It is anticipated that a total of 3 sets (number of sets may be less) of the conformed drawings and specifications will be reproduced.

Task 203. Preconstruction Conference. Attend a preconstruction conference at a date and time selected by the City and at a facility provided by the City. Elements of the conference include:

- Agenda and minutes
- Discussion of Contractor's tentative schedules
- Procedures for transmittal and review of Contractor's submittals
- Processing applications for payment
- Critical work sequencing
- Change orders
- Record documents
- Contractor's responsibilities for safety and first aid

Task 210. Construction Progress Review Meetings. Visit the construction site to observe progress of the work and consult with the City and the Contractor. A total of 10 construction progress meetings are anticipated. A total of one of Engineer's staff persons for a 1-day site visit and progress meeting is included.

Task 211. Shop Drawing Review. Review drawings and other data submitted by the Contractor as required by the construction contract documents. Engineer's review shall be for general conformity to the construction contract documents and shall not relieve the Contractor of any of his contractual responsibilities. Such reviews shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. 110 hours are allotted for this task.

Task 212. Requests for Information. Interpret construction contract documents when requested by the City or the Contractor. Requests for clarification or information shall be in writing and copies of Engineer's response shall be distributed to the City and Contractor. A maximum of nine RFIs are allotted for this task.

Task 213. Change Orders. Assist the City with the review of Contractor requests for project changes. One change order is allotted for this task.

- Review documentation.
- Assist with the preparation of the design change description and required drawings.
- Prepare an independent estimate of the change order cost.
- Submit recommendations to the City.

Task 214. Factory Acceptance Testing. The Engineer will witness the Contractor's Factory Acceptance Test in conjunction with the Owner. This task includes one 5-day site visit for one of Engineer's staff persons to the Contractor's facility. During this testing, Engineer will verify HMI graphics developed under this scope of work. If the Contractor has significant deficiencies which warrant additional site acceptance testing, the Engineer can attend additional testing as a supplemental service.

Task 215. Site Acceptance Testing. The Engineer will witness the Contractor's Site Acceptance Test in conjunction with the Owner. This task includes one 5-day site visit for one of Engineer's staff persons to the Owner's facility. During this testing, Engineer will verify HMI graphics developed under this scope of work. If the Contractor has significant deficiencies which warrant additional site acceptance testing, the Engineer can attend additional testing as a supplemental service.

Task 216. Punch List. Upon substantial completion, inspect the construction work and preparing a punch list of those items to be completed or corrected before final completion of the project. A total of one of Engineer's staff persons for a 2-day inspection is included.

Task 217. Final Inspection. Upon completion or correction of the items of work on the punch list, participate in a final inspection to determine if the work is completed. A total of one of Engineer's staff persons for a 1-day inspection is included

Task 218. Drawings Conformed to Construction Records. Upon completion of the project; revise the construction contract drawings to conform to the construction records. Submit to Owner in AutoCAD format.

TASK SERIES 300: ADDITIONAL SERVICES

Any work requested by the City that is not specifically stated in the Basic Scope of Services listed above will be classified as Additional Services. Additional Services shall be authorized in writing by the City. Additional Services will be performed based on the following Rate Schedule and mutually agreed upon number of hours.

<u>CATEGORY RANGES</u>	<u>BILLING</u> <u>RATE</u>
Clerical	\$ 50.00 - \$ 100.00
Engineering Technician	\$ 65.00 - \$ 125.00
Project Accountant	\$ 65.00 - \$ 150.00
I&C Engineer	\$ 80.00 - \$225.00
I&C Sr. Engineer	\$125.00 - \$ 250.00
Project Manager	\$150.00 - \$ 250.00
Senior Technical Advisor	\$200.00 - \$ 250.00
Principal	\$225.00 - \$ 300.00

**(End of
Attachment
A)**

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution rejecting Request for Proposal (09-21) submittals for school crossing guard services for the City of Wichita Falls.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Submittals were received on July 19, 2021 for request for proposals (RFQ 09-21) for school crossing guard services at thirteen elementary school locations around the community. This program is paid through an agreement with the Wichita Falls Independent School District (WFISD), and both parties pay for half of the program cost. One proposal was received from Work Services Corporation for \$168,570. A review of the school crossing guard program indicated that the upcoming year would cost \$125,330 if the program was managed through the Traffic Engineering Division. After visiting with Finance, Human Resources, and WFISD, it was determined that the best value for both the City and WFISD was to continue managing the program in-house.

Staff recommends approval of the resolution.

☒ **Purchasing** ☒ **Director of Aviation, Traffic, & Transportation**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution rejecting Request for Proposal (09-21) submittals for school crossing guard services for the City of Wichita Falls

WHEREAS, the City received a submittal on July 19, 2021 for proposals to outsource the school crossing guard program managed by the City of Wichita Falls; and,

WHEREAS, only one firm submitted a proposal for school crossing guard services; and,

WHEREAS, it is in the City's best interest to reject the submittal because it is more cost effective to manage the school crossing guard program through the City's Traffic Engineering Division.

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

The City hereby rejects any and all submittals received under Request for Proposal 09-21 for School Crossing Guard services

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution authorizing an inter-local agreement between the City of Wichita Falls, Texas and the Wichita Falls Independent School District for the purchase of retired Wichita Falls Police Department Patrol cars.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: This agreement allows for the Wichita Falls Independent School District (WFISD) to purchase retired Wichita Falls Police Department patrol cars for their newly implemented internal law enforcement efforts. These vehicles are Crown Victoria units that are being replaced by the Ford Explorer patrol units. Fleet Maintenance staff will remove the current decals and radios, and WFISD will retrofit these units to meet their law enforcement needs.

Working with the City's Purchasing Division, Fleet Maintenance has set the value of these retired units at \$2,750 apiece. This price was developed using past auction prices received on retired patrol cars and ancillary equipment. It is recommended that this agreement will be for a two-year period, and the number of retired units limited to no more than 20 patrol cars.

Staff recommends the City Council approve the interlocal agreement with Wichita Falls Independent School District and the City of Wichita Falls.

☒ Director of Aviation, Traffic, & Transportation

ASSOCIATED INFORMATION: Resolution

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Resolution No. _____

**Resolution authorizing an inter-local agreement between the City of
Wichita Falls, Texas and the Wichita Falls Independent School District
for the purchase of retired Wichita Falls Police Department Patrol cars**

WHEREAS, Wichita Falls Independent School District desires to purchase retired
Wichita Falls Police Department patrol vehicles; and,

WHEREAS, the City of Wichita Falls has determined a unit cost of \$2,750 for
retired patrol vehicles; and,

WHEREAS, the City Council of the City of Wichita Falls, Texas, hereby approves
of said request.

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

The interlocal agreement, for the purchase of not more than twenty patrol vehicles
for \$2,750 per vehicle, between the City of Wichita Falls and Wichita Independent School
District is hereby approved, in a form approved by the City Attorney.

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 17, 2021

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$106,500 expenditure to facilitate strategic planning services from Broad Ripple Strategies.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Encourage...Recruitment of High Value Businesses

COMMENTARY:

Pursuant to Texas Local Government Code §501.073(a) "The corporation's authorizing unit (i.e. City Council) will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation."

Timeline

- July 15, 2021 – WFEDC Board considers and approves proposal from Broad Ripple Strategies (see attached).
- August 17, 2021 – City Council to consider ratifying WFEDC budget amendment to facilitate project.

Summary

This item is to consider approval of an amendment to the WFEDC's (4A) budget to include an up to \$106,500 expenditure to facilitate a contract with Broad Ripple Strategies to update the WFEDC's strategic plan "Falls Future".

On July 15, 2021, the WFEDC considered and approved this item. The WFEDC's economic development staff at the Chamber of Commerce will be at the City Council meeting to provide details on the company and project. The WFEDC's July 2021 Financial Report shows the corporation has approximately \$5.2M in available funds to facilitate this project.

The WFEDC Board and City staff recommends approval of this resolution.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Exhibits from WFEDC meeting, Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



PROPOSAL BY BROAD RIPPLE STRATEGIES

FALLS FUTURE 2.0

Wichita Falls, TX | June 16, 2021



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INTRODUCTION

When leaders in Wichita Falls came together in 2017 to create a holistic economic development strategy, they reached consensus on a crucial point: only a bold approach would suffice. Research conducted as part of the planning process revealed early warning signs of community decline, including a persistent loss of residents to other regions and an aging population. In response, Wichita Falls' leaders pursued a strategy with catalytic initiatives designed to challenge the *status quo*.

In recent years, Wichita Falls has made tremendous progress activating this bold strategy, now known as Falls Future. The list of accomplishments is lengthy: stronger connections between businesses and the local talent pipeline, significant new investment into downtown Wichita Falls, a Bronze-level Bicycle Friendly Community (BFC) award from the League of American Bicyclists, and so on. But perhaps the effort that best exemplifies what is possible when the community is aligned around a shared vision is the ongoing development of new high school facilities, which stakeholders identified as one of the community's biggest and most long-standing competitive challenges in 2017. Leaders in Wichita Falls built an effective advocacy campaign in support of successful ballot initiatives, and with funding in place, two new campuses are now in the planning stages and are expected to open in 2024.

While these early wins are impressive, leaders in Wichita Falls understand their work is only just beginning. Successful communities never stop planning. This is something the Broad Ripple Strategies (BRS) team has observed time and time again in our work in more than 60 communities around the country, many of which were repeat clients. Success that seems sudden or progress that feels inevitable is in fact an outcome of an ongoing cycle of thoughtful planning, implementation, and evaluation.

In Wichita Falls, many of the worrying trends identified in the 2017 planning process were decades in the making and will take many years to reverse. The Covid-19 pandemic and the ongoing economic recovery have also created new opportunities and challenges for communities around the country. Accordingly, it makes sense for Wichita Falls to leverage its momentum and recent progress into developing a new holistic economic development strategy.

BRS is well-positioned to help Wichita Falls on the next stage of its journey. As project manager of the Falls Future process, BRS principal Matt DeVeau is known and trusted in Wichita Falls. There will be no learning curve for BRS. We are able to hit the ground running and leverage our local experience to home in on key issues, challenges, and opportunities.

Our team is lean and focused and consists entirely of senior staff who give our clients the very best on every project. That quality will show as Falls Future "2.0" takes Wichita Falls further along the path to becoming a more prosperous and successful community.

PROPOSED SCOPE

Understanding that leaders in Wichita Falls desire a bold new holistic economic development strategy, BRS proposes the following scope of work. A potential timeline for the four-phase, eight-month process is provided on page 16.

PROCESS INITIATION ACTIVITIES

At the outset of the process, BRS will work with Wichita Falls Chamber staff on several key project management tasks. The most important of these activities will be forming a Steering Committee to guide the process (see below) and coordinating the interviews, focus groups, and online survey that will form the Stakeholder Engagement phase of the process. Other tasks will include setting up internal process communications, confirming comparison communities for data analysis, finalizing the process timeline, and scheduling meetings.

BRS proposes a blend of in-person and virtual meetings for this process. We anticipate that it will be possible to safely conduct in-person meetings in the second half of 2021 and beyond. We also have significant experience facilitating strategic planning and stakeholder engagement activities remotely using online tools such as Zoom and Poll Everywhere. If necessitated by the course of the Covid-19 pandemic and/or if desired by stakeholders in Wichita Falls, additional portions of the process could be converted to virtual engagements.

PROCESS LEADERSHIP AND OVERSIGHT

The strength of the Falls Future strategy is a testament to the hard work and vision of the community leaders who guided its creation. BRS recommends that Wichita Falls again convene a dynamic Steering Committee to lead the development of its next strategy. This group will be charged with sharing their perspectives and insights, reviewing research and input findings, considering the guidance the project team provides, and making key decisions about the priorities and strategies that will define Falls Future 2.0.

To ensure continuity between planning efforts, BRS recommends that key volunteers who were involved in the creation and implementation of the first Falls Future strategy serve on the Steering Committee that will develop the "2.0" version. The Committee should also include any other decision-makers from key implementation partners engaged in economic, community, and workforce development.

The Steering Committee should reflect the diverse opinions, perspectives, and backgrounds of the Wichita Falls community and its residents, with consideration given to including new and emerging leaders who will add fresh insights and ideas to the conversation. BRS recommends that the Steering Committee consist of approximately 25 members, including two individuals who will serve as chairs of the group.

The Steering Committee will meet five times during the first three phases of the process, four times in person and once virtually. Members will be asked to invest two hours for each meeting as well as time in advance to review materials and consider discussion prompts.

1. Stakeholder Engagement

Objective: Gain insights into Wichita Falls' competitive realities and desired future from a broad array of people who live and/or work in the community.

Input from the people who live and work in a community is an essential component of a strategic planning process. BRS will work with Chamber staff to develop an inclusive and robust engagement process. This process will be designed to:

- Gather local perspectives on Wichita Falls' competitiveness for jobs, talent, and investment
- Uncover opportunities and challenges that have emerged since the completion of the previous strategy
- Gather staff and volunteer perspectives on the implementation of Falls Future
- Identify priorities and aspirations for Wichita Falls' in the coming years
- Ensure all who live and/or work in Wichita Falls have an opportunity to participate

The engagement process will consist of interviews, focus groups, and an online survey. Our team will work with Chamber staff to determine the appropriate balance of interviews and focus groups.

Interviews are one-on-one 60-minute conversations. Participants should include top public and private leaders as well as volunteers and staff who led implementation efforts for the previous strategy.

Focus groups engage anywhere from eight to 20 participants in a 90-minute facilitated conversation. Options for potential "constituencies" could include young professionals, talent pipeline partners, downtown and "quality of place" stakeholders, civic leaders, etc.

The **online survey** will provide the opportunity for a broad range of people to provide input into the development of the new strategy. BRS will leverage experience from the Falls Future process to develop a survey that solicits feedback on the community's strengths and weaknesses, issues that have emerged in recent years, and future goals and aspirations. The survey will include self-identification questions and "skip logic" to allow our team to cross-tabulate results based on place of residence, demographics, etc., and ensure that participants answer questions that are relevant to them. The survey will be hosted on SurveyMonkey and will be open for three weeks to anyone who lives and/or works in Wichita Falls.

Major Activities:

- Work with Chamber staff to coordinate input scheduling and outreach
- Conduct 12 to 15 interviews and four to six focus groups (the exact mix of interviews and focus groups will be determined in consultation with Chamber staff)
- Develop an online survey to gather input from a broad audience
- Hold a planning session with Chamber staff and other key partners as needed to develop a high-level promotion strategy for the online survey
- Engage the Steering Committee in a guided discussion about competitive realities and the desired near- and long-term future for Wichita Falls
- Identify key themes from input for inclusion and examination in Phase 2

The Steering Committee's first meeting would take place during Phase 1. This meeting will formally kick off the process, review expectations, allow members to share feedback on the first Falls Future strategy and implementation effort, and begin defining goals and aspirations for the 2.0 iteration.

Collectively, the information gathered during the Stakeholder Engagement phase will support all subsequent phases of the planning process, particularly the Competitive Assessment and Implementation Evaluation described in Phase 2.

2. Competitive Assessment & Implementation Evaluation

Objective: Assess Wichita Falls' competitive position and identify strategic implications for the development of a new holistic economic development strategy.

The Competitive Assessment phase will provide key insights into Wichita Falls' competitive position and help the Steering Committee make informed decisions when shaping the new strategy. The core of this phase will be the development of a Competitive Assessment that evaluates Wichita Falls as a place to live, work, and do business. This will be accompanied by a concise Implementation Evaluation that identifies key "lessons learned" from the activation of the first Falls Future strategy.

The **Competitive Assessment** will synthesize existing research, quantitative data, and qualitative input gathered during Phase 1. Similar to the "Regional Assessment and Scorecards" document from the previous strategic planning process, the Assessment will be in narrative format. The key themes that emerge from data and input will be presented as a coherent story about Wichita Falls' strengths, weaknesses, opportunities, and challenges. This approach will allow our team to go beyond simply enumerating issues and trends to discussing the strategic implications of the research findings.

The Assessment will seek to determine how Wichita Falls has changed in the years since the development of the first Falls Future strategy and what these changes mean for the community's competitive position and future opportunities and challenges. This analysis will include an examination of how Wichita Falls fared during the Covid-19 pandemic and ongoing economic recovery. BRS anticipates that most key government data indicators covering the 2020 calendar year will be available by the start of Wichita Falls' next strategic planning process. Our team will complement this data with local indicators of economic health (e.g. sales tax receipts) and national trends to identify relevant strategic implications.

To develop the Competitive Assessment, our team will begin by examining key findings from the previous strategic planning process as well as any subsequent research that has been developed locally in the intervening years. Building on this existing research, our team will evaluate a wide range of economic, socioeconomic, demographic, and quality of life indicators from various public and proprietary sources. **We recommend that the Wichita Falls Metropolitan Statistical Area (MSA) – consisting of Archer, Clay, and Wichita counties – again be used as the primary research geography**, though our team may examine intra-regional trends when relevant.

To provide necessary context to the trends and issues discussed, Wichita Falls' performance will be analyzed relative to state and national trends as well as **three regions with which it competes with for jobs and talent**. Abilene, Amarillo, and San Angelo were used as comparison regions in the previous strategic planning process. Our team will work with Chamber staff to identify the appropriate set of comparison communities.

Complementing the Competitive Assessment will be the **Implementation Evaluation**. Communities that have updated their five-year strategic plans have found it helpful to conduct an assessment of previous implementation activities prior to establishing new priorities and goals. The Implementation Evaluation will leverage stakeholder input from Phase 1 to identify areas where Falls Future goals have been met, examples where clear progress remains to be achieved, and challenges and opportunities encountered during implementation.

The Implementation Evaluation will not be as detailed as the Year-One Implementation Assessment conducted as an extension of the first strategic planning process, nor will it be a recitation of the accomplishments that can be found on the Falls Future website. Instead, it will focus on **high-level themes and identify implications for the development of the next strategy**. The Implementation Evaluation will be presented as a concise appendix (likely 4-6 pages) to the Competitive Assessment report.

Major Activities:

- Review and incorporate findings of existing research and/or stakeholder engagement completed in recent years to inform the Competitive Assessment
- Examine demographic, socioeconomic, economic, and quality of life indicators and trends to evaluate Wichita Falls' competitiveness as a place to live, work, and do business
- Benchmark data for the Wichita Falls MSA against national and state trends and the performance of three comparison regions with which it competes for jobs and talent
- Leverage local and national data to gauge the impact of the Covid-19 pandemic and ongoing recovery on Wichita Falls' economy and population
- Synthesize existing research, quantitative data, and qualitative input gathered in Phase 1 to create a narrative-driven Competitive Assessment with key themes presented in a cohesive story
- Review stakeholder input to prepare an Implementation Evaluation appendix that identifies lessons learned and key takeaways from the activation of the previous strategy
- Clearly identify strategic implications for the development of Falls Future 2.0 to emerge from the Competitive Assessment and Implementation Evaluation

The Steering Committee's second meeting would take place during Phase 2 and will focus on review of the Community Assessment and Implementation Evaluation appendix.

The research and analysis developed in this phase will lead to the identification of clear strategic implications for the Steering Committee to consider in Phase 3 of the process.

3. Falls Future 2.0 Strategy

Objective: Develop a next-level strategy for Wichita Falls that blends ongoing initiatives that warrant continuation with new priority programs and investment.

The Falls Future 2.0 Strategy will build on Wichita Falls' recent success and establish the community's strategic priorities for the next five years. Our team will guide the Steering Committee through a proven process to arrive at an impactful, consensus-based strategy.

This phase of the process will have three stages. First, our team will develop a high-level framework for the Steering Committee's consideration. This framework, similar to a detailed outline, will reflect the goals and aspirations expressed by stakeholders in Wichita Falls and the strategic implications identified through research and input.

The **high-level framework** will incorporate the effective ongoing work from the previous strategy. The framework will also include ambitious new activities and investments that will challenge Wichita Falls to think bigger and aim higher. The Steering Committee will be asked to evaluate this framework at its third meeting, which will be conducted virtually.

After confirmation of the high-level framework, the BRS team will then develop a **first draft Falls Future 2.0 strategy**. This draft will detail the strategies and tactics that will move Wichita Falls toward its desired vision. The Steering Committee will provide feedback to this draft plan at its fourth meeting.

BRS will incorporate this feedback into a **final Falls Future 2.0 strategy** that will serve as Wichita Falls' blueprint for community and economic development for the next five years. The plan will include consensus goals, strategies, tactics, and examples of national best practices when relevant. The final plan will be submitted for discussion and approval at the fifth and final Steering Committee meeting, where BRS will also query the Committee on their perspectives, concerns, and thoughts about Falls Future 2.0 implementation.

Major Activities:

- Develop a high-level strategic framework for Falls Future 2.0 for Steering Committee discussion and approval during a virtual meeting
- Based on Committee feedback, create a first draft version of Falls Future 2.0 inclusive of all strategic and tactical recommendations
- Present the first draft strategy to the Steering Committee for discussion and comment
- Develop a final draft of Falls Future 2.0 incorporating all feedback received on draft recommendations
- Seek final comments from the Steering Committee, including any changes necessary to secure approval of Falls Future 2.0
- Facilitate a discussion with the Steering Committee regarding members' perspectives, concerns, and thoughts about Falls Future 2.0 implementation
- Create an Executive Summary of Falls Future 2.0 to support awareness-building in the broader community
- With the final version of Falls Future 2.0 approved, the Steering Committee's work will be complete

The Steering Committee will meet three times during Phase 3, once virtually and twice in person. The virtual meeting will present the high-level strategic framework with the in-person meetings seeking comment and discussion on the draft and final Falls Future 2.0 strategies.

With the final Falls Future 2.0 strategy confirmed, the Steering Committee's work would draw to a close. The fourth and final phase of the process, the creation of Implementation Guidelines, would be coordinated with the entities directly responsible for the activation of the strategy. These include the Wichita Falls Chamber and key implementation partners with the capacity to coordinate and advance implementation efforts. It is understood that there will be overlap between Steering Committee membership and those engaged with Implementation Guidelines review.

4. Implementation Guidelines

Objective: Identify and detail the capacity and coordination necessary to operationalize Falls Future 2.0 and ensure its implementation is actionable, sustainable, and achievable.

While the Falls Future 2.0 strategy will determine “what” Wichita Falls will do strategically for the next five years, the Implementation Guidelines will prescribe “how” that will be accomplished. The Implementation Guidelines will analyze and establish implementation costs and resources, lead and support entities for priority strategies, launch dates and project phasing, and performance measures to track progress towards goal attainment.

Because strategic implementation is typically overseen by one or more lead organizations, the Guidelines will directly address the costs, capacity, and workflows impacting these entities. Community partners will be engaged throughout Falls Future 2.0 implementation as needed by the coordinating organizations to advance key priorities. Accordingly, we recommend that the Implementation Guidelines be developed in consultation with the Wichita Falls Chamber and other key public and private partner organizations that will play a direct role in activating the Falls Future 2.0 strategy.

We propose an in-person meeting with Chamber staff and representatives from partner organizations and entities following the conclusion of the fifth and final Steering Committee meeting. The purpose of this meeting would be to discuss initial implementation considerations, including likely roles and responsibilities for the various partner organizations and the appropriate staff and volunteer structures for advancing programs and initiatives.

BRS would draw on this discussion and key learnings from the Implementation Evaluation in Phase 2 to develop prescriptions for effectively activating and advancing Falls Future 2.0. A key component of this work will be examining the role that staff and volunteers played in the implementation of the previous strategy and optimizing the implementation structure based on stakeholder feedback and best practices. The Chamber and its partners will be able to hit the ground running on their next strategy and demonstrate early value for community stakeholders and investors. The full Implementation Guidelines report would be presented to the Chamber and its partners in a virtual meeting to conclude the process, with BRS addressing any final adjustments in the days that follow.

Major Activities:

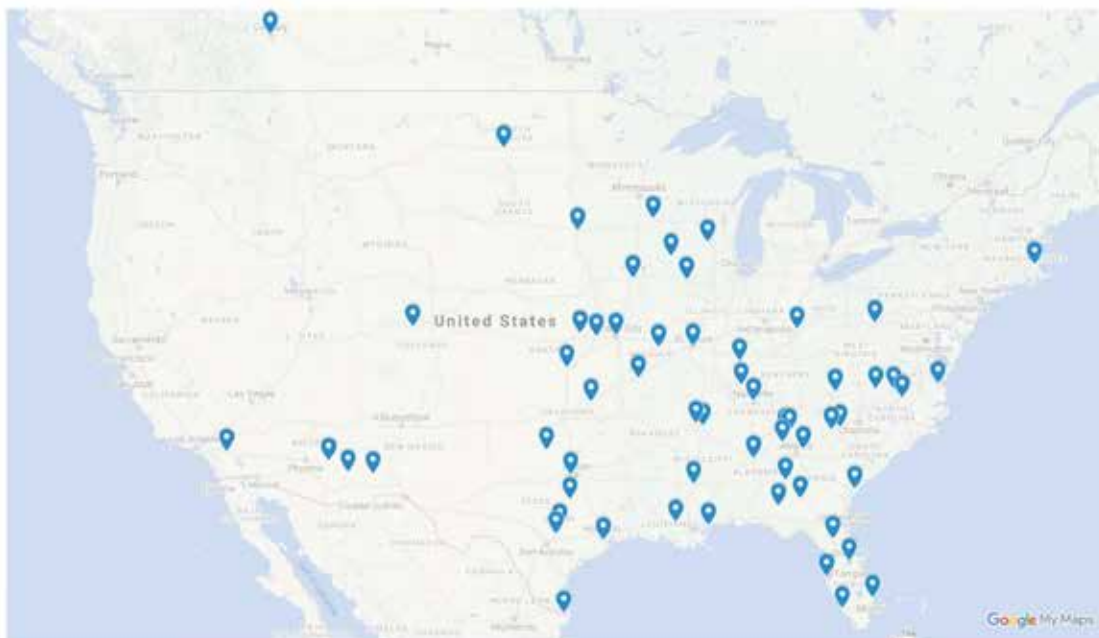
- Facilitate a meeting with Chamber leadership and representatives from key partner organizations and entities to discuss initial implementation considerations
- Assess the implementation roles of staff and volunteers based on the Implementation Evaluation and optimize based on stakeholder feedback and best practices
- Develop draft Implementation Guidelines inclusive of a first-year action plan, project and program implementation costs, potential revenue sources, a matrix of lead and principal support entities for priority strategies
- Develop performance measures that can assess the community's success
- Host a virtual meeting with Chamber leadership and other key partners to present the Implementation Guidelines and address any final process issues
- Make any necessary final revisions to the Implementation Guidelines based on feedback on the full report

FIRM EXPERIENCE

Broad Ripple Strategies represents nearly 30 years of experience crafting community, workforce, and economic development strategies that build consensus, drive investment, and get results.

Our team has helped more than 60 clients develop 90+ strategies for community and economic development, talent and workforce sustainability, and quality of place. Our team assisted Wichita Falls with the development of the first Falls Future strategy and also has experience in Arlington, Austin, Pearland, San Marcos, and Waco in Texas. Our past client communities, **represented on the map below**, range from small towns and rural areas to major regions such as Des Moines, IA, and Nashville, TN.

We believe that “impactful strategies create broad ripples.” We identify the catalytic projects and programs that lead to broad positive change. Rather than a one-size-fits-all process, we customize our approach to meet the needs and goals of each client. And we create strategies for action, not shelves. We help our clients determine not just what to do but how and with whom to ensure they make a broad impact in their community or organization.



MATT DEVEAU, PRINCIPAL



As a Principal of Broad Ripple Strategies, Matt DeVeau provides strategic guidance, research, analysis, and support to public, private, and non-profit organizations engaged in community and economic development.

Matt has helped a wide variety of communities develop impactful community and economic development strategic plans. His experience includes leading the process that created Falls Future. He also led strategic planning processes in Columbus, GA; Dalton, GA; Deerfield Township, OH; Gainesville, FL; Halifax County, VA; Pearland, TX; Spartanburg, SC; and Topeka, KS. Matt began his career in community and economic development at the Gwinnett Chamber of Commerce, where he provided in-depth research and analysis in support of Partnership Gwinnett, the community's holistic economic development initiative.

Matt holds a Master of City and Regional Planning from the Georgia Institute of Technology and a Bachelor of Arts in Journalism from Western Washington University in Bellingham, WA. After stops in seven states and the District of Columbia, Matt lives in Chicago with his wife and daughter.

ALEX PEARLSTEIN, PRINCIPAL



Alex Pearlstein has overseen nearly 70 strategic engagements for more than 50 communities in 26 U.S. states and one Canadian province during his 18-year career in economic development consulting. Alex's past clients include fast-growing regions such as Austin, Texas and Nashville, Tennessee as well as smaller communities like Halifax County, Virginia, Summit County, Colorado, and rural southeastern Arizona. He has also led state-level processes in Missouri and the Canadian Province of Alberta.

While all places are different, exposure to consistent challenges and opportunities in communities of all sizes has given Alex a well-honed perspective on strategically addressing these issues. Above all, he believes that developing a plan is just the "end of the beginning;" creating an effective framework for implementation is critical to achieving lasting success.

Alex received a Bachelor's in Communications at the University of California, San Diego and a Master's of Community and Regional Planning at the Georgia Institute of Technology. A native of Los Angeles, Alex now lives in Birmingham, Alabama with his wife, daughter, and son.

TIMELINE & COST ESTIMATE

Based on conversations with Chamber leadership, BRS anticipates that the Falls Future 2.0 strategic planning process would begin in late 2021 or early 2022. The process will take approximately eight months to complete. The following timeline provides a high-level look at how each phase of the process would unfold. BRS will provide a more detailed, week-by-week project timeline once a desired process start date has been confirmed.

Phase	Month							
	1	2	3	4	5	6	7	8
Process Initiation								
Phase 1: Stakeholder Engagement								
Phase 2: Comp. Assessment & Imp. Eval.								
Phase 3: Falls Future 2.0 Strategy								
Phase 4: Implementation Guidelines								

The scope of work outlined in this proposal will cost \$98,000 plus actual expenses not to exceed \$8,500 for in-person meetings, including travel, meals, and other reasonable and direct fees billed as accrued. Our budget assumes that a Wichita Falls Chamber staff member will serve as a day-to-day project contact and manage the coordination of stakeholder engagement and survey promotion. The fee broken down by phase is as follows:

Phase 1: Stakeholder Engagement	\$15,125
Phase 2: Competitive Assessment & Implementation Evaluation	\$22,250
Phase 3: Falls Future 2.0 Strategy	\$30,250
Phase 4: Implementation Guidelines	\$25,375
Process Initiation and Management	\$5,000

The cost estimate is based on assumptions outlined in the proposal, including the number of meetings, the amount of stakeholder engagement, and the type of deliverables and the analysis required. Alterations to these assumptions after the initiation of the project would require a contract addendum. This cost estimate is valid for 90 days.

CONCLUSION

Wichita Falls has made tremendous progress with the implementation of Falls Future. The time is right to build upon this foundation with a bold and proactive new holistic economic development strategy. Partnering with Broad Ripple Strategies will ensure that Wichita Falls is supported by experienced community and economic development strategic partners who know the community and are trusted by its leaders.

BRS principles have facilitated nearly two dozen mid-course adjustments and 2.0 and 3.0 strategic iterations. We know how to structure and manage these processes and encourage organizations and community leaders to think outside the box and dream big.

We look forward to the opportunity to continue our partnership with the Wichita Falls community to build upon its momentum and raise its game even higher in the next five years.

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$106,500 for Broad Ripple Strategies related to updating the WFEDC Strategic Plan

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

WHEREAS, on July 15, 2021, the WFEDC approved the Project listed below and as stated in its agenda.

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

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

WFEDC Strategic Plan:

- A total of up to \$106,500 for Broad Ripple Strategies related to updating the WFEDC Strategic Plan.

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

PASSED AND APPROVED this the 17th day of August, 2021.

MAYOR

ATTEST:

City Clerk