

City of Wichita Falls City Council Agenda



Stephen Santellana, Mayor
Bobby Whiteley, Mayor Pro Tem/At Large
Michael Smith, District 1
Larry Nelson, District 2
Jeff Browning, District 3
Tim Brewer, District 4
Steve Jackson, District 5



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

2nd Amended 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, March 1, 2022, 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 Harold Roan
Lamar Baptist Church**
(b) Pledge of Allegiance
- 3. Presentations**
 - (a) Employee of the Month – Kaleb Gresham, Fire Department**
 - (b) Proclamation – March for Meals Month, The Kitchen-Meals on Wheels
Wichita Falls**
 - (c) Proclamation – Women's History Month, Wichita Falls Alliance for Arts &
Culture**

CONSENT AGENDA

4. Approval of minutes of the February 15, 2022, Regular Meeting of the Mayor and City Council.
5. Resolutions
Resolution authorizing the purchase of a Tier 3, 400 KW Emergency Portable Generator and associated trailer for emergency response to power failures and compliance with Senate Bill 3 (87th Legislature), from Loftin Equipment, in the amount of \$165,510.00
6. Receive Minutes
 - (a) Planning & Zoning Commission, January 12, 2022
 - (b) Wichita Falls Economic Development Corporation, January 20, 2022
 - (c) Landmark Commission, January 25, 2022

REGULAR AGENDA

7. Ordinances
Ordinance amending the Sanitation Fiscal Year 2021-2022 budget authorizing operational expenses and capital investment for a commercial roll-off service in the amount of \$787,750.00 and authorizing City Manager to purchase two roll-off trucks
8. Resolutions
 - (a) Resolution authorizing award of bid for the purchase of 30 and 40-yard roll-off containers to Roll Offs USA, Inc. in the amount of \$283,750.00
 - (b) Resolution authorizing the City Manager to reject bids for a Roll-off truck
 - (c) Resolution authorizing the submittal of a grant application and designation of Authorized Official to the State Homeland Security Grant Program via the Office of the Governor for Technical Rescue Equipment
 - (d) Resolution authorizing the purchase of twelve (12) in-car camera systems for new Police patrol units through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from SF Mobile-Vision, Inc. in the amount of \$72,530.00
 - (e) Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation (4B) Board of Directors and amending the budget to include funding up to \$1,017,192 to Will Kelty dba The Kate WF LLC to assist in fire suppression system upgrades as part of the proposed renovations at the existing building at 726 Scott Ave. downtown

- (f) Resolution authorizing the Mayor to execute a Tax Abatement Agreement with The Kate WF LLC previously known as Petroleum Building Wichita Falls LLC related to their project where they will spend approximately \$14.6 million to remodel floors 2-10 into 170 multi-family apartments on the property known as 726 Scott Avenue and owned by The Kate WF LLC, which is in the Downtown Petroleum Building Reinvestment Zone
 - (g) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$527,500 additional expenditure to the City of Wichita Falls related to the existing MPEC Conference Center/Hotel parking lot project.
 - (h) Resolution authorizing the City Manager to award bid and contract for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements to Freeman Paving, LLC in the amount of \$2,052,576.00
9. Other Council Matters
- (a) Staff Reports
FY 2022-23 Budget Calendar – Jessica Williams
 - (b) 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
- (a) Executive Session in accordance with Texas Government Code §551.087 to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the City and/or economic development corporations created by the City are conducting economic development negotiations (including, but not limited to, economic development update).
12. Adjourn

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

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

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 24th day of February, 2022 at 4:00 o'clock p.m.



City Clerk

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Employee of the month.

INITIATING DEPT: Fire

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

☒ Director of Human Resources

ASSOCIATED INFORMATION: Narrative

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

**EMPLOYEE OF THE MONTH
FOR
March 2022**

Name: Kaleb Gresham

Department: Fire Department

Hired: 2019

Present Position: Hoseman

Narrative: The fire department takes this opportunity to recognize one of the newer members of the department who, in a relatively short period of time, has distinguished himself. Firefighter Kaleb Gresham joined the organization in June of 2019 and serves as a hoseman on Truck 8, A shift.

Per his Lieutenant's recommendation, Firefighter Gresham consistently shows good character, a strong work ethic, passion about his responsibilities and is an individual who influences those around him in a positive way.

Every shift, Firefighter Gresham comes to work with a positive attitude eager to make calls, better himself and help others. He fulfills his duties as a hoseman around the station, whether it be cleaning, cooking, maintenance or any other daily/weekly chores. When he has down time around the station he can be found studying territory maps or exploring videos on firefighting and specialized rescue related subjects. He also has a healthy habit of reviewing our General Orders or medical protocols. He stays on top of training and assignments given to him and expected of him.

Not only does he do this himself but he does it as a humble role model for the other firefighters in the station, including them on territory tests, rope scenarios or any other kind of drill or exercise it may be.

On medical calls he is personable, concerned and caring. On fire and non-medical emergency calls he knows what's expected of him, where his equipment is, how to use it, shows initiative and performs his tasks to a high standard.

In all facets, Kaleb excels and his supervisor reports that it is a joy and honor to serve with him. It is evident that throughout every shift, Firefighter Kaleb Gresham genuinely cares about this department, this city, his personal performance and helping others to be the best of their ability.

Marital Status: Kaleb lives in Wichita Falls with his wife Rachel, who he has been with since high school, and their only daughter Gianna, age 1.

Hobbies: When Kaleb is off duty, he spends time helping his father in law's cattle business in Windthorst.

Closing: It gives me great please to recognize one of our "newer" members, Kaleb Gresham.



City of Wichita Falls
City Council Meeting
Minutes
February 15, 2022



Item 1 - Call to Order

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

Stephen Santellana	-	Mayor
Bobby Whiteley	-	Mayor Pro Tem/At-Large
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Larry Nelson	-	
Michael Smith	-	
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

Pastor Kile Bateman, Evangel Temple, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3-5 – Consent Items

8:33 a.m.

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

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, Jackson, Nelson, Smith, and Whiteley

Nays: None

Item 3 – Approval of minutes of the February 1, 2022, Regular Meeting of the Mayor and City Council

Item 4a – Resolution 15-2022

Resolution authorizing the City Manager to award bid and contract for the 2022 Seal Coat Project to Freeman Paving, L.L.C. in the amount of \$324,697.90.

Item 4b – Resolution 16-2022

Resolution re-appointing Paul Wylie and Tammy Martinez to the Nortex Housing Finance Corporation Board of Directors.

Item 5 – Receive Minutes

- (a) Fire Fighters and Police Officers' Civil Service Commission, July 26, 2021
- (b) Wichita Falls Metropolitan Planning Organization Technical Advisory Committee, October 7, 2021
- (c) Wichita Falls Metropolitan Planning Organization Transportation Policy Committee, October 28, 2021
- (d) Wichita Falls Park Board, December 9, 2021
- (e) Lake Wichita Revitalization Committee, January 11, 2022

Item 6a – Ordinance 03-2022

8:34 a.m.

Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of \$207,651 received from the

Department of State Health Services and authorizing the City Manager to execute contract accepting same.

Moved by Councilor Brewer to approve Ordinance 03-2022.

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

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

Nays: None

Item 6b – Ordinance 04-2022

8:37 a.m.

Ordinance amending Chapter 94, Article I, Section 94-15 to allow for the permitting and operation of Personal Mobility Devices with the Central Business District.

Moved by Councilor Browning to approve Ordinance 04-2022.

Motion seconded by Councilor Smith

Eduardo Nuñez, WF Goat Scooters LLC, addressed the Council and discussed his proposal for scooters in the Downtown area.

Motion carried by the following vote:

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

Nays: None

Item 6c – Ordinance 05-2022

8:53 a.m.

Ordinance replacing Ordinance No. 49-2021 as amended, the fee schedule applied to City operations; providing for severability; providing that such ordinance shall not be codified; and providing an effective date.

Moved by Councilor Browning to approve Ordinance 05-2022.

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

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

Nays: None

Items 7a(i) – 7a(iii)

8:55 a.m.

Terry Floyd, Director of Development Services, discussed the Housing Tax Credit (HTC) Program, and stated that the Resolutions being considered do not choose a project, but only provide local support. The final scoring and award of funding is determined by TDHCA.

Lora Myrick, consultant for Pioneer Crossing, addressed the Council and discussed the proposed project at 3110 Central Freeway. Ms. Myrick discussed the developers experience and projects previously completed. This project targets families, and includes 80 residential units including 1, 2, and 3 bedroom units with various amenities.

Ryan Garcia, Development Manager, for Center Park Gardens, addressed the Council and discussed the proposed project at 500 Scott Avenue. Mr. Garcia discussed their experience and previous projects completed. This project targets ages 55+ and includes 50 residential units including 1 and 2 bedroom units with various amenities.

Jake Mooney, Structure Development and MRE Capital, addressed the Council and discussed the proposed project at 3104 Seymour Rd. Mr. Mooney discussed previous projects and experience with the program. This project targets families and includes 46 units including 1, 2, and 3 bedroom units with various amenities.

Carol Murray, 3203 Beach Street, discussed the location of the third development and her concerns with it being the middle of a single-family residential area.

City Council adjourned into Executive Session at 9:30 a.m. in accordance with Texas Government Code §551.087.

City Council reconvened at 10:12 a.m.

Mayor Santellana reconvened in open session and announced that no votes or polls were taken and returned to Item 7a(i).

Item 7a(i) – Resolution 17-2022

10:13 a.m.

Resolution to consider economic benefits of and support for a proposed affordable housing tax credit project, Pioneer Crossing, at 3110 Central Freeway, Wichita Falls, TX from WF Pioneer Crossing, LLC.

Moved by Councilor Jackson to approve Resolution 17-2022.

Motion died for lack of second.

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Item 7a(ii) – Resolution 18-2022

10:14 a.m.

Resolution to consider economic benefits of and support for a proposed affordable housing tax credit project, Center Park Gardens, at 500 Scott Ave., Wichita Falls, TX from Center Park Gardens, L.P., a component of JES Holdings, LLC.

Moved by Councilor Nelson to approve Resolution 18-2022.

Motion seconded by Councilor Jackson and failed with the following vote:

Ayes: Councilors Jackson, Nelson, and Smith

Nays: Mayor Santellana, Councilors Browning, Brewer and Whiteley

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Item 7a(iii) – Resolution 19-2022

10:15 a.m.

Resolution to consider economic benefits of and support for a proposed affordable housing tax credit project, Wichita Falls Lofts, 3104 Seymour Road, Wichita Falls, Texas from Wichita Falls MHP, LP.

Moved by Councilor Browning to approve Resolution 19-2022.

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

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

Nays: Councilors Jackson, and Nelson

Item 7b – Resolution 20-2022

10:17

Resolution authorizing the City Manager to award bid and contract for the 2022 Asphalt Rehabilitation Project to Freeman Paving, LLC in the amount of \$1,334,392.50.

Moved by Councilor Brewer to approve Resolution 20-2022.

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

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

Nays: None

Item 7c – Resolution 21-2022

10:20

Resolution authorizing a guaranteed maximum price of \$787,901 in the Design-Build contract with Trinity Hughes Construction for work associated with construction of the Kickapoo Downtown Airport Hangar Project.

Moved by Councilor Brewer to approve Resolution 21-2022.

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

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

Nays: None

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

10:22 a.m.

Councilor Nelson expressed concerns with Council parking and needing to adjust the spaces, and thanked Carol Murray for attending and commenting.

Councilor Whiteley stated that this past week has been tough on the Fire Department with the loss of three retired firefighters. Please keep our public safety employees in your prayers.

Michael Smith thanked all of the City employees that came together during the cold weather event a couple of weeks ago.

Councilor Jackson thanked everyone for their presentations on the Housing Tax Credits, and thanked Terry Floyd for his hard work. He apologized to Carol Murray for the project in her neighborhood being approved, and stated he hopes in the future all projects can be supported. Councilor Jackson expressed concerns regarding the new policy on the sick leave pool and calls he has received regarding this policy.

Mayor Santellana thanked employees for their work during the recent weather event, and stated that early voting began yesterday and he encouraged everyone to go vote.

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

10:26 a.m.

Mark James, 4918 Alamo Drive, addressed the Council and discussed his concerns with parking issues at Fain Elementary.

Item 10 – Executive Session

Executive session was held as part of items 7a(i) – 7a(iii) above.

Item 11 –Adjourn

Mayor Santellana adjourned the meeting at 10:31 a.m.

PASSED AND APPROVED this 1st day of March 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

**CITY COUNCIL AGENDA
MARCH 1, 2022**

ITEM/SUBJECT: Resolution authorizing the purchase of a Tier 3, 400 KW Emergency Portable Generator and associated trailer for emergency response to power failures and compliance with Senate Bill 3 (87th Legislature), from Loftin Equipment, in the amount of \$165,510.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: After winter storm Uri in February 2021, the Texas Legislature enacted Senate Bill 3, relating to the preparation for, prevention and response to weather emergencies and power outages at Public Water Systems.

After a careful evaluation of the loss of power at key potable water pumping facilities during Uri, it was determined that the City would benefit from utilizing a portable generator for future responses to power failures at those facilities and would gain additional compliance with the Senate Bill 3 requirements.

Emergency response is tantamount to protecting the City's drinking water supply and the purchase of a portable generator bolsters the City's efforts to provide adequate infrastructure, especially during times of emergency.

The purchase of a portable generator is currently budgeted in Water Purifications FY21/22 normal operating budget. The quote for the generator is \$165,510.00, which is below the FY21/22 budgeted amount of \$270,000.00.

Therefore, staff recommends award of the purchase of a Tier 3, 400 KW Emergency Portable Generator for compliance with Senate Bill 3 (87th Legislature), from Loftin Equipment, in the amount of \$165,510.00.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab, Engineer Recommendation

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of a Tier 3, 400 KW Emergency Portable Generator and associated trailer for emergency response to power failures and compliance with Senate Bill 3 (87th Legislature), from Loftin Equipment, in the amount of \$165,510.00

WHEREAS, one of the City of Wichita Falls' Strategic Goals is to Provide Quality Infrastructure; and,

WHEREAS, the City desires to be able to respond to emergency situations within its public water supply, and,

WHEREAS, the City has performed an evaluation of needs and capacities to be able to respond to emergency situations involving the loss of power at critical drinking water facilities, and,

WHEREAS, the City of Wichita Falls advertised and requested bids for the purchase of the City's Portable Generator for Water Purification; and,

WHEREAS, bids were received and publicly opened on February 9, 2022; and,

WHEREAS, the City Council desires to purchase a portable generator for the City's Water Purification Division.

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

City staff is authorized to purchase a Tier 3, 400 KW emergency portable generator and associated trailer for emergency response to power failures and compliance with Senate Bill 3, from Loftin Equipment, in the amount of \$165,510.00.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

BID TABULATION
BID 22-05 TRAILER MOUNTED GENERATOR

VENDOR	BRAND	DELIVERY DATE	TOTAL
Loftin Equipment Universal City, TX	Kohler Tier 3	Sept 2022	\$165,510.00
LJ Power, Inc Austin, TX	LJ Power Tier 4	May 2022	\$215,000.00
ASCO Wichita Falls, TX	Generac	Sept 2022	\$237,500.00



BIGGS & MATHEWS INC.

Consulting Engineers

February 14, 2022

Daniel Nix
Utilities Operations Manager
City of Wichita Falls
P.O. Box 1431
Wichita Falls, Texas 76301

RE: Trailer Mounted Mobile Emergency Generator
City of Wichita Falls

Dear Mr. Nix:

As you are aware, in September 2021 and again in December 2021 Biggs & Mathews, Inc. provided the City of Wichita Falls with detailed specifications for a Trailer Mounted Tier 3 & Tier 4 Generator.

On Wednesday, November 17, 2021 the City received two (2) bids with quotes that ranged from \$215,000 to \$268,236. With neither bid meeting the specification requirements, all bids were subsequently rejected; specifications were modified for flexibility and the generator was re-bid.

On February 9, 2022, three (3) bids were received with quotes that ranged from a low of \$165,510 to a high of \$237,500, and as requested I have reviewed the most recent bids to determine compliance with the modified specifications and to render a recommendation for award.

The following information is provided for the City's consideration:

BID OF LOFTIN EQUIPMENT: BID AMOUNT (TIER 3) - \$165,510

- Bid a Tier 3 400 KW generator in compliance with Tier 3 Specifications
- Bidder provided requested five (5) year warranty.

BID OF LJ POWER, INC.: BID AMOUNT (TIER 4) - \$215,000

- Bid a Tier 4 550 KW generator in substantial compliance with Tier 4 Specifications.
- Bidder provided one (1) warranty in lieu of five (5) year warranty.

BID OF ASSOCIATED SUPPLY COMPANY: BID AMOUNT (TIER 4) - \$237,500

- Bid a Tier 4 500 KW generator in substantial compliance with Tier 4 Specifications
- Bidder provided two (2) warranty in lieu of five (5) year warranty.

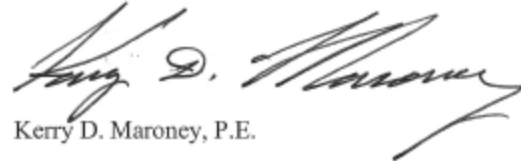
2021-050

2500 BROOK AVENUE • WICHITA FALLS, TEXAS 76301-6105 • (940) 766-0156 • FAX: (940) 766-3383

Based on the above noted information, it is my recommendation that the City of Wichita Falls award the generator bid to Loftin Equipment in the bid amount of \$165,510.

Regards,

BIGGS & MATHEWS, INC. (F-834)

A handwritten signature in black ink, appearing to read "Kerry D. Maroney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kerry D. Maroney, P.E.

CITY OF WICHITA FALLS
GENERATOR DESIGN REPORT

GENERAL

City of Wichita Falls requested that stand-by mobile generator specifications be developed in order to provide for emergency stand-by power at any one of the three (3) designated pump station sites with anticipated emergency loads provided by the City as shown below.

NORTH BEVERLY PUMP STATION – PROPOSED GENERATOR LOAD:

*800 Amp. Main
250 HP Pump & Motor – 1785 RPM
3 – Phase 460 Volts – 274 Amps.
Output – 186 KW
Code G Motor
Soft Starters
Dry Type Transformer Size - 10 KVA*

287 WEST PUMP STATION – PROPOSED GENERATOR LOAD:

*800 Amp. Main
150 HP Pump & Motor – 1785 RPM
3 – Phase 460 Volts – 175 Amps.
Code FU Motor
Across Line Starters
Dry Type Transformer Size – 10 KVA*

287 EAST PUMP STATION – REQUIRED GENERATOR LOAD:

*400 Amp. Main
60 HP Pump & Motor – 1785 RPM
3 – Phase 460 Volts – 77 Amps.
Code G Motor
Across Line Starters
Dry Type Transformer Size – 5 KVA*

EPA EMISSION STANDARDS CONSIDERATION

When selecting a generator set, consideration should be given to the intended application of the generator so as to comply with Environmental Protection Agency (EPA) emission rules and

regulations. Typically, current mobile generator sets are manufactured to comply with Tier 3 or Tier 4 EPA emission standards, depending on the intended use and size of the generator.

Having reviewed the various Tier 3 and Tier 4 requirements, if the City intends to utilize the generator exclusively for "Emergency Purposes Only" and not as a stationary stand-by power supply, then a Tier 3 generator set would suffice. Tier 3 compliant generator would allow for the following operations:

- Unlimited use for emergencies (power outage, flood, fire etc.)
- Maintenance/Testing operation for up to 100 hrs/yr.
- 50 hrs./yr. of the 100 hrs./yr. can be used for;
 - Non-Emergency situations if no financial arrangement.
 - Local reliability as a part of financial arrangement with another entity if specific criteria are met.

If the City intends to utilize this generator (now or in the future) outside of the above operating restrictions then a Tier 4 generator set should be selected.

RECOMMENDED GENERATOR SET

A 500 KVA/400 KW mobile generator set, operating at 277/460 volts will provide adequate emergency power to either one of the three (3) above designated pump stations. The City will be required to install at each of the pump stations, a compatible emergency mobile type connection to which the mobile generator can be connected. Since this generator is a mobile unit and will not be a permanent site mounted unit, an Automatic Transfer Switch (ATS) will not be required.

In addition, specifications have been prepared and attached to this report, for both a Tier 3 and Tier 4 mobile trailer mounted generator.

RECOMMENDED BUDGET

Depending on whether the City decides to purchase a Tier 3 or Tier 4 generator set, the following are recommended budgets.

Tier 3 Trailer Mounted Generator Set – Including 20% Contingency - \$200,000

Tier 4 Trailer Mounted Generator Set – Including 20% Contingency - \$375,000

MINUTES
PLANNING & ZONING COMMISSION
January 12, 2022

PRESENT:

Michael Grassi
Blake Haney
Steve Lane
Noros Martin
Wayne Pharries
Cayce Wendeborn
Jeremy Woodward
Anthony Vidmar
Mark McBurnett

◆ Member
◆ Member
◆ Member
◆ Member
◆ Member
◆ Member
◆ Vice-Chair
◆ Alternate #1
◆ SAFB Liaison

James McKechnie, Deputy City Attorney
Terry Floyd, Development Services Director
Fabian Medellin, ACIP, Planner III
Pat Hoffman, Property Management Administrator

◆ City Staff
◆
◆
◆

ABSENT:

David Cook
Dan Leslie
Councilor Whiteley

◆ Chairman
◆ Alternate #2
◆ Council Liaison

I. CALL TO ORDER

The meeting was called to order by Vice-Chairman, Mr. Jeremy Woodward, at 2:00 p.m. Chairman Woodward proceeded to make the following comments:

- a. This meeting is being televised live on Channel 1300. It will be replayed at 2:00 p.m. daily including Saturday and Sunday until the next live meeting is aired which will be the second Wednesday of next month at 2:00 p.m.
- b. Motions made by the Commission members include all staff recommendations and developmental requirements listed in the staff report. Any deviations will be discussed on a case-by-case basis and voted on accordingly.
- c. Applicants and citizens who wish to address the Commission or answer questions from the Commission members are asked to please speak into the microphone at the podium. This meeting is being taped and there is no microphone to record statements made from the audience.
- d. Commission members, when speaking please remember to press the button to turn on your microphone.

- e. Please silence all cell phones during the meeting. If it is necessary for you to have a cell phone conversation during the meeting, please use the hallway outside this room.

II. ROLL CALL

Vice-Chairman Woodward roll called Commission and staff members.

III. PUBLIC COMMENTS

Vice-Chairman Woodward asked if there were any comments from the public. With no response, Mr. Woodward closed public comments.

IV. APPROVAL OF MINUTES

Ms. Cayce Wendeborn made a motion to adopt the December 8, 2021, minutes. Mr. Noros Martin seconded the motion. The motion was passed unanimously, 8-0

VII. CONSENT AGENDA

Case P 22-01 Priddy Subdivision, Lots 3 & 4, Block 11

Case P 22-02 Kemp's Subdivision, Lot 5, Block 11

Case P 22-03 South Side Farms Addition, Phase 1, Lots 1-25, Block 1

Vice-Chairman Woodward asked if anyone had an item to be moved to the regular agenda. Ms. Cayce Wendeborn made a motion to approve the consent agenda. Mr. Blake Haney seconded the motion. Motion passed unanimously, 8-0.

VIII. REGULAR AGENDA

1. Case C 22-01 – 1514 Britain Street:

Consider taking action on a conditional use to allow for the development of a two-family home in a Single Family-2 (SF-2) zoning district.

Applicant/Owner: Morris Stone

Location: 1514 Britain Street

**It is noted Vice Chair Woodward stated Staff would be presenting the next 3 identical cases together. Motions, questions and votes would be made for each individual case after the staff presentation.*

Mr. Fabian Medellin presented the case and stated staff was presenting multiple petitions from Mr. Morris Stone who is the property owner and applicant of all 3 properties. Mr. Stone met with staff regarding the developmental guidelines for all 3 identical properties having two-family developments on each of the 3 properties. Mr. Medellin advised a two-family dwelling was essentially the same as a duplex,

only the two-family dwelling units are not adjacent to each other. The units will not share a party wall but will have adjoining carports for the vehicles.

The subject properties are all located in the central area of Wichita Falls, near Zundy Elementary and Wichita Falls High School. All 3 properties are within the same zoning district of Single Family-2 and all are surrounded by residential uses. The property on Britain Street is completely surrounded by residential uses, the property on Polk Street does have Zundy Elementary across the street (Avenue G) and the Fillmore property has Zundy Elementary to the east as well as a few commercial uses to the rear of the property along Kemp Boulevard.

Mr. Stone's proposal is for two, one bedroom, one bath units each one totaling 432 sf. for a combined total of 864 sf. for both units. The layouts of the units show they would meet development guidelines and set back requirements of 25 ft. along the frontage as well as 15 ft. along the side.

All properties are vacant lots ready for development. Mr. Medellin stated 1514 Britain Street was surrounded by single family uses in a Single Family-2 zoning district. The subject property, 1800 Fillmore, is primarily surrounded by residential uses, however, there are some abutting Commercial Corridor (CC) districts to the rear, as well as some commercial uses along Kemp Boulevard and Zundy Elementary to the northeast. The 3rd property located at 1614 Polk Street is surrounded by residences as well as Zundy Elementary across the side street.

Mr. Medellin advised staff had notified all property owners within 200 ft. of each of the three petitions. The Britain property had 36 notified properties with 1 response in favor. It is also noted there was one other duplex located in the immediate area, but outside of the 200 ft. notification zone. For the Fillmore property, there was one fourplex and two duplexes within 200 ft. of the property. Staff notified 21 property owners and received one response in favor. The Polk Street property had one duplex within the 200 ft. notification area. Staff notified 20 property owners and received one response in favor of the petition.

With all potential impacts taken into consideration, staff recommends the approval of the proposed duplexes at 1514 Britain Street, 1800 Fillmore Street & 1614 Polk Street subject to the following conditions:

- A. A total of 4 parking stalls be provided meeting the design standards of Section 6200 – Off Street Parking Regulations.
- B. Prior to the issuance of a building permit the property must be platted.
- C. The development shall comply with all applicable building code regulations, permitting, and inspections.

Vice-Chairman Woodward asked if the applicant was present and wished to make a presentation. The applicant, was present but wished to give no statement. Vice-Chairman Woodward asked if there was a motion to approve the case. Ms. Cayce Wendeborn made a motion and Mr. Anthony Vidmar seconded. Vice-Chairman Woodward asked if there were any public comments. Mr. Woodward closed the

case for public discussion and opened it up to the Commission. The motion passed unanimously with a vote of 8-0.

2. Cases C 22-02 – 1800 Fillmore Street:

Consider taking action on a conditional use to allow for the development of a two-family home in a Single Family-2 (SF-2) zoning district.

Applicant/Owner: Morris Stone

Location: 1800 Fillmore Street

Vice-Chairman Woodward asked if the applicant was present and wished to make a presentation. The applicant, was present but wished to give no statement. Vice-Chairman Woodard asked if there was a motion to approve the case. Ms. Cayce Wendeborn made a motion and Mr. Wayne Pharries seconded. Vice-Chairman Woodward asked if there were any public comments. Mr. Woodward closed the case for public discussion and opened it up to the Commission. The motion passed unanimously with a vote of 8-0.

3. Case C 22-03 – 1614 Polk Street:

Consider taking action on a conditional use to allow for the development of a two-family home in a Single Family-2 (SF-2) zoning district.

Applicant/Owner: Morris Stone

Location: 1614 Polk Street

Vice-Chairman Woodward asked if the applicant was present and wished to make a presentation. The applicant, was present but wished to give no statement. Vice-Chairman Woodard asked if there was a motion to approve the case. Ms. Cayce Wendeborn made a motion and Mr. Wayne Pharries seconded. Vice-Chairman Woodward asked if there were any public comments. Mr. Woodward closed the case for public discussion and opened it up to the Commission. The motion passed unanimously with a vote of 8-0.


IX. OTHER BUSINESS

No other business to discuss.

X. ADJOURN

Vice-Chairman Woodard adjourned the meeting at 2:13 p.m.


David Cook, Chairman


Date



Terry Floyd, Director of Development Services

2-9-22

Date

MINUTES OF THE
WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

January 20, 2022

Present:

Leo Lane, President	§	WFEDC Members
Phyllis Cowling, Secretary-Treasurer	§	
Darron Leiker	§	
Bobby Whitely, Mayor Pro-Tem	§	Council
Paul Menzies, Assistant City Manager	§	City Administration
R. Kinley Hegglund, Jr., City Attorney	§	
Russell Shreiber, Director of Public Works	§	
Jessica Williams, Chief Financial Officer	§	
John Burrus, Dir of Aviation, Traffic, & Transportation	§	
Chris Horgen, Public Information Officer	§	
Jon Waltjen, Airports Administrator	§	
Andrea Kidd, Public Information	§	
Paige Lessor, Recording Secretary	§	
Henry Florsheim, President and CEO	§	WFCCI
David Leezer, V.P. Business Attraction	§	
Karen Bivona, Office Manager	§	

Absent:

David Toogood, Vice President	§	WFEDC Member
Brent Hillery	§	WFEDC Member

1. Call to Order

Leo Lane called the meeting to order at 2:32 p.m.

2. Strategic Discussion

Mr. Lane called upon Henry Florsheim to start the strategic discussion. Mr. Florsheim gave an update on the Community-Wide Strategy funded with Matt DeVeau's company, Broad Ripple Strategies. Mr. Florsheim gave a timeline of events during the Community-Wide Strategy meetings.

Matt and his partner, Alex Pearlstein, came in on Monday, 1/10/2022, and met with the three co-chairs of the steering committee, Mr. Florsheim, Lacey Morgan, and Anthony Lee, for dinner to prepare for the following day. On Tuesday, 1/11/2022, the first steering committee meeting was held. The committee consisted of 24 or 25 diverse individuals representing Wichita Falls. During the meeting, they discussed what the process would look like, then brainstormed and discussed what was thought to be the biggest issues and where they wanted to see Wichita Falls go.

Then Matt and Alex went to the Chamber of Commerce and conducted a series of one-on-one interviews with several stakeholders. They met with young professionals, small business owners, larger employers, and downtown advocates. They concluded the discussions around lunchtime on Wednesday, 1/12/2022. The Community-Wide Survey was launched immediately following. The survey will be up and available until the end of January. As of yesterday, 1/19/2022, there were about 1300 responses to the survey. The last time this survey was done, close to 4,000 responses were received. Mr. Floresheim stated that Mr. DeVeau said it has been more difficult to get responses during the last couple of years, but he felt they already had a good base of responses. Mr. Florsheim described some of the survey questions. "What is it like to live here, work here, and do business here?" "Where do you want to see Wichita Falls in the future?" The feedback and information received from the surveys will help the committee develop the next path. The next meeting is scheduled for mid or late February. Between now and then, Matt's team will be conducting a lot of research. Then, during the next meeting, they will be talking about the data they collected. "Where are we as a community, and where are we trying to go?"

Mr. Florsheim stated that Mr. Menzies is on the steering committee and asked if he had anything to add. Mr. Menzies noted that it was a thrill and an honor to be on the committee. He felt like he was on a committee with truly engaged people. It was obvious that everyone understood the issues, but there were no complaints. Everyone wanted to tackle the issues and be in the solutions business. Mr. Leiker commented that it sounded like it was off to a great start, and Mr. Lane stated that Matt did a great job and was very engaging. Mr. Florsheim noted a lot of discussion during the meeting about how to help Sheppard AFB do more, Midwestern State University, and diversity, equity, and inclusion. Ms. Cowling stated she thought it was important to acknowledge that good progress has been made, and we don't give ourselves enough credit for that progress. However, there is still work to do and explained that strategy changes over time. Mr. Lane thanked Mr. Florsheim for the update.

3. City staff update on progress of the Wichita Falls Business Park Infrastructure Project.

Russell Schreiber addressed the Board. Mr. Schreiber explained Phase I of the Business Park Improvements (Water and Sewer Improvements) awarded in June of last year are almost complete. The contractor pulled off right before the holidays, but he did show back up last week. They lack some testing of the water and sewer mains and then general clean up. Phase II of the project, the improvements to Midwestern Parkway and the Fisher Road Boulevard completion, went out for bid. We received five bids for that project. Wilson Contracting was the lowest responsible bidder at \$4.3 million, well under the engineer's estimate. Mr. Schreiber asked that the contract be awarded today. Mr. Schreiber explained that the bidding process took place in December, and there is not much time before the bids are no longer valid. It is staff's recommendation to award the bid to Wilson Contracting. He said he'd be glad to answer any questions.

Ms. Cowling asked about the time frame for completion of the second Phase. Mr. Schreiber said the project would take 365 days. Then Ms. Cowling asked when the project would begin. Mr. Schreiber explained that a reasonable time estimate for a starting date would be 60 days from today, depending on the contractor's schedule. Mr. Lane asked if the Board wanted to review this item in executive session or if everyone was ready to vote. Ms. Cowling asked if they wanted to skip to number five on the agenda and then return to number four. Mr. Schreiber apologized for getting out of order. Ms. Cowling then asked who would address item number four.

Mr. Hegglund spoke up and said that he would address item number four.

- 4. Discussion and action authorizing the WFEDC to execute an interlocal agreement with the City of Wichita Falls accepting \$1,045,845.00 from the City so as to allow the WFEDC to install 10 inch and 15-inch sanitary sewer line improvements and 12-inch water line improvements to serve the Wichita Falls Business Park.**

Mr. Hegglund addressed the Board and explained that this item piggybacked on item five. Mr. Hegglund explained that Wichita County gave the City of Wichita Falls \$1,045,845 to do the 10-inch and 15-inch, and 12-inch water line improvements. However, this project was already paid for by this Board. Since the County gave the money to the City, this agreement will allow the City to give that money to WFEDC. And WFEDC will be able to use the funds earmarked for this project on another project. A formal agreement between the City of Wichita Falls and WFEDC. Ms. Cowling verified that this agreement transfers the money for Phase I. Mr. Hegglund confirmed that Ms. Cowling is correct.

Mr. Leiker moved to authorize the WFEDC to execute an interlocal agreement with the City of Wichita Falls to accept \$1,045,845.00 from the City so as to allow the WFEDC to install 10-inch and 15-inch sanitary sewer line improvements and 12-inch water line improvements to serve the Wichita Falls Business Park. Seconded by Ms. Cowling, the motion carried 3-0.

- 5. Consider and take action to award bid and contract for the Wichita Falls Business Park Fisher Road & Midwestern Parkway Improvements (Project A) to Wilson Contracting, in the amount of \$4,315,925.00, and authorizing the Board president to execute all related documents.**

Ms. Cowling moved that WFEDC award the bid and contract for the Wichita Falls Business Park Park Fisher Road & Midwestern Parkway Improvement to Wilson Contracting in the amount of \$4,315,925.00 and to authorize the Board president to execute all related documents as recommended by staff. Seconded by Mr. Leiker, the motion carried 3-0.

6. Consent Agenda

- a. Approval of Minutes (November 18, 2021).**
- b. Financial Report**

There were no questions or concerns with the November 18th Minutes. Mr. Lane stated that everyone had received a copy of the Financial Report. Mr. Lane asked about the trucking company and when that item could come off the potential payables. Mr. Hegglund believes the time is this year. Mr. Hegglund stated that he thinks it is this summer. Mr. Menzies told Mr. Lane that he would get that information to him.

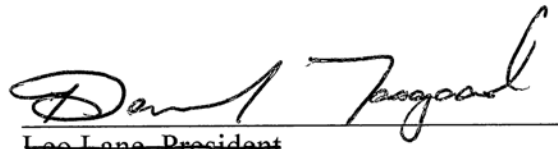
Ms. Cowling moved to approve the Consent Agenda. Seconded by Mr. Leiker, the motion carried 3-0.

7. Executive Session.

Mr. Lane adjourned the meeting into executive session at 2:46 p.m. pursuant to Texas Government Code §551.087. He announced the meeting back into regular session at 4:00 p.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further actions were taken on the items in executive session.

8. Adjourned.

The meeting adjourned at 4:01 p.m.

A handwritten signature in black ink, appearing to read "David Toogood", written over a horizontal line.

~~Leo Lane, President~~

David Toogood, Vice President

LANDMARK COMMISSION MINUTES

January 25th, 2022

MEMBERS PRESENT:

John Dickinson
Christy Graham
Joel Hartmangruber
Andy Lee
Nadine McKown
Noros Martin
Marcela Medellin
Janel Ponder Smith

■ Member
■ Member
■ Member
■ Member
■ Vice-Chairperson
■ P&Z Liaison
■ Member
■ Member

Terry Floyd, Development Services Director
Karen Gagné, Planning Administrator
Christal Ashcraft, Development Services Admin. Asst.

■ City Staff
■ City Staff
■ City Staff

ABSENT:

Michele Derr
Tim Brewer

■ Chairperson
■ Council Liaison

GUESTS:

John Phillips, 1508 Hayes
Brenda Burgett, 1410 Grant Street
Sondra Eaton, 1410 Grant Street
Kathryn Hager, 713 10th Street
Cameron Turnquist, 607 7th Street

■ WFHD
■ Guest
■ Guest
■ Applicant
■ Contractor

I. Call to Order, Welcome and Introductions

Vice-Chairperson Nadine McKown called the meeting to order at 12:01 p.m. Ms. McKown had Commission members, staff and guests, introduce themselves.

II. Review & Approval of Minutes from: December 13th 2021

Vice-Chairperson Nadine McKown called for review and approval of the December 13th 2021 Landmark Commission meeting minutes. Mr. Josh Hartmangruber made a motion to approve the minutes, Mr. Noros Martin seconded the motion. Minutes were unanimously approved.

III. Action Item: Design Review – 607 7th Street – Depot Square Historic District (Commercial)

• Façade & Building Rehab/Restoration

Key Elements Include:

- Historic rehabilitation/conversation for retail space using design professionals: SLA Architects & Post Oak Preservation Solutions
- Preservation of character defining features
- Storefront – remove non-historic brick veneer on 7th Street façade; construction of infill compatible storefront (doors/windows) using historic research/photos;

- repair masonry, reuse existing iron plasters, rosettes for awning anchor attachment and transoms
- Awning/Canopy – replace non-historic, new will have compatible steel frame
- Exterior façade – repairs (repoint/clean masonry, etc.); repaint exterior brick
- Window – install new on rear wall (south façade) not directly visible from street facing elevations; partial alley view
- Roofing – new TPO roof system and HVAC units not visible from public ROW

Modifications proposed in accordance with THC Part 2/B amendments:

- Signage: no wall or canopy signs; utilizing painted letter above storefront on already painted masonry
- Skylights: remove 6 proposed skylights from original roofing plan
- East Façade: exterior masonry formerly under plaster since fallen off must be covered with matching plaster
- Storefront: revise window configuration to eliminate vertical mullion and transom within the display window; display windows should be a single, undivided piece of glass; a secondary transom may only be utilized above the entry door
- Rear Façade: retain existing configuration; replace non-historic door with new hollow metal slab door that is contemporary and compatible with character.

Original Review: January 2021

Renewal/Modification Date: January 2022

Vice-Chairperson McKown introduced the design review item for 607 7th Street and turned the floor over to staff. Ms. Karen Gagné presented the case and stated this request was presented a year ago this month and was now coming back before the Commission as a renewal request with amendments.

Ms. Gagné stated the subject property was located next to the Holt Hotel parking lot in the rear, facing 7th Street. The contributing structure was built circa 1889 and was known as Dr. Reed's Wichita Drug House. A Sanborn map from 1919 was provided showing the awnings. Inventory photos displayed from 2013 to current photos show no significant changes. The owner, in working with Post Oak Preservation Solutions and SLA Architects had provided design plans that were previously submitted to Texas Historical Commission (THC) for historic tax credit review.

As follow-up from the Part 2/B THC review, there were certain elements THC requested be modified for approval. On the original submission, site plans showed 6 areas where sky lights were proposed. THC advised of their concerns having so many openings in the roof and requested detailed plans for review. The owners have at this time opted to void the request for skylights. Another element is the masonry that will be required to be repainted and repointed and any brick covered with plaster that is damaged shall be plastered to match. On the front façade the non-historic black and white veneer shall be removed. A revised window configuration plan shall be submitted to eliminate vertical mullions and secondary transoms, with the exception of a secondary transom above the entry door. Each new display window will contain single, undivided piece of glass. A new window is proposed on south façade along w/ repair work. The owner is also proposing on the north façade (7th Street) sign alterations to better align with THC requirements outlined in Part2/B of the

historic tax credit report (included with the case packet). Signage will be painted mural style on the 7th Street façade with no attached or understory signage. The owners are no longer proposing the installation of suspended signage. The owners propose simple painted lettering on the primary elevation above the storefront display. Because the brick on this elevation is already painted, the painted signage will not damage the historic masonry.

Ms. Gagné also advised the Commission that THC stated they required additional interior photos for documentation before any work shall begin. Vice-Chairperson, Nadine McKown asked if the applicant had anything to add to the presentation. The applicant was present but had no comments for the Commission. The Vice-Chairperson asked the Commission members if they had any questions for the applicant, design professionals or staff. Mr. John Dickinson asked if the existing transom window would be restored and used. Ms. Marcela Medellin, SLA Architects, advised that yes it would be. Mr. Dickinson stated he had no issues with painting a sign on the brick but asked the Commission if they felt they were being consistent and in line with other properties in the downtown area that have signs attached to buildings. The owner, Ms. Kathryn Hager stated the recommendation was made from Post Oak Preservation to paint on the already painted brick rather than have a sign attached to the structure that would cause damage through puncturing the surface. Ms. Janel Ponder-Smith asked what font and color would be used on the sign as two different examples were shown. Ms. Hager stated the store logo would be in the script font in white. Ms. Ponder-Smith stated she believed there were other painted signs downtown to which Ms. Christy Graham advised, yes, the old Coca-Cola painted on the brick was originally done in 1917 and later refurbished. Ms. Medellin asked if there were special lettering requirements, to which Ms. Gagné advised no there were not, other than what was outlined in the design guidelines or specified by THC. Mr. Andy Lee reminded the Commission this was a recommendation from Post Oak Preservation and the final approval would have to come from THC.

Vice-Chairperson McKown asked if there was a motion. Ms. Ponder-Smith made a motion to approve the design review renewal application with modifications as submitted. Mr. Dickinson seconded the motion, the motion passed unanimously, with exception of one member (Ms. Medellin) who formally recused due to conflict of interest.

IV. Other Business:

a) Monthly Reports

Depot Square:

Ms. Derr was absent, no update.

West Floral Heights:

Ms. Ponder-Smith states no updates

b) Updates

- 1512 Tilden - demolition process near completion as ordered by city council due to an imminent life, health and safety threat.
- Texas House Bill 3971 – potential impact for how appraisals of historically designated residential properties are calculated as of 01-01-2022; WCAD indicated they already factor in neighborhood based on market values.
- 2022 Landmark Commission Roster
- THC Statewide Preservation Plan

- CLG Annual Report – due Feb. 25, 2022
- WFH Design Review Volunteer Committee – coordinating with members for reappointment and city clerk for a posting seeking applicants.

c) THC Real Places 2022 Conference

- Venue Change February 2nd – 4th

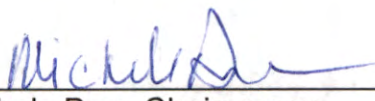
d) Design Review – Staff Authorized – Minor Alteration/Repairs

- 606 7th Street (Depot District) – roofing permit, Landmark Approval Aug/21
- 1109 10th Street (Landmark #6) – electrical permit – elevator addition
- 620 Ohio (Depot District) – interior tenant finish-out; partition wall

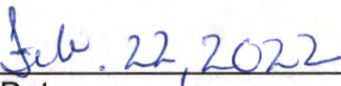
V. Adjourn

Meeting adjourned at 12:46 p.m.

Next regularly scheduled meeting February 22, 2022 - 12p.m.



Michele Derr, Chairperson



Date

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Ordinance amending the Sanitation Fiscal Year 2021-2022 budget authorizing operational expenses and capital investment for a commercial roll-off service in the amount of **\$787,750.00**, authorizing City Manager to purchase two roll-off trucks, and declaring an emergency

INITIATING DEPT: Public Works

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE:

COMMENTARY: On December 21, 2021, staff presented the Council with options to recapture commercial solid waste collection that had been lost to outside 3rd party roll-off providers. Staff has progressed forward to establish a commercial solid waste roll-off service inside the City and a modification to the current budget is required to establish this service. Based on the current level of service for commercial customers, the allocated funds will purchase two roll-off trucks, 30 30-yard and 10 40-yard roll-off containers and establish two permanent Sanitation Equipment Operator I personnel positions.

Staff recommends approval of the ordinance to amend the Sanitation FY21-22 budget in the amount of **\$787,750.00** for the purchase of two roll-off trucks and thirty 30-yard and ten 40-yard roll-off containers and establish two permanent Sanitation Equipment Operator I personnel positions. The funds will come from a transfer in fund balance.

☒ **Director of Public Works**

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance amending the Sanitation Fiscal Year 2021-2022 budget authorizing operational expenses and capital investment for a commercial roll-off service in the amount of \$787,750.00, authorizing City Manager to purchase two roll-off trucks, and declaring an emergency

WHEREAS, the City of Wichita Falls has determined the necessity to provide a commercial roll-off service inside the City; and,

WHEREAS, Texas Local Government Code 252.022 allows a city to forego the competitive bidding process when making a purchase that is necessary to preserve or protect the public health or safety of the City's residents; and,

WHEREAS it has been previously determined the collection, hauling, and disposal of solid waste is an activity that falls within the bounds of Texas Local Government Code 252.022¹; and,

WHEREAS, it is desired to amend the Sanitation budget in an amount of **\$787,750.00** for the purchase of two roll-off trucks and thirty 30-yard and ten 40-yard roll-off containers and establish two permanent Sanitation Equipment Operator I personnel positions; and,

WHEREAS, City Manager is granted the authority to purchase two roll-off trucks not to exceed \$200,000.00 for each roll-off truck; and,

WHEREAS, this ordinance amending the budget to allow for the purchase of two roll-off trucks to provide for the collection, hauling, and disposing of solid waste is directly tied to the City of Wichita Falls protection of its residents' health or safety.

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

1. The City of Wichita Falls Sanitation Fiscal Year 2021-2022 budget is amended by **\$787,750.00** to purchase two roll-off trucks and thirty 30-yard and ten 40-yard roll-off containers and establish two permanent Sanitation Equipment Operator I personnel positions.

2. The City Manager is hereby authorized to purchase two roll-off trucks not to exceed \$200,000.00 for each roll-off truck.

3. An emergency is declared and this ordinance goes into effect immediately.

PASSED AND APPROVED this the 1st day of March, 2022.

¹ *Browning-Ferris, Inc. v. City of Leon Valley*, 590 S.W.2d 729 (Tex. Civ. App – San Antonio 1979, writ ref'd n.r.e.); Op. Att'y Gen. JM-908 (1988).

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
MARCH 1, 2022**

ITEM/SUBJECT: Resolution authorizing award of bid for the purchase of 30 and 40-yard roll-off containers to Roll-Offs USA, Inc., an Oklahoma Corporation, in the amount of \$283,750.00.

INITIATING DEPT: Public Works / Sanitation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: On December 21, 2021, staff presented the Council with options to recapture commercial solid waste collection that had been lost to 3rd party roll-off providers. Staff has progressed forward with securing equipment to provide this service and bids were opened February 14, 2022 for the purchase of 30 and 40-yard roll-off containers for the Sanitation Division. Three (3) responsive bids were received; all met specifications and the bid tabulation is attached.

Roll Offs USA, Inc. has provided containers to the City in the past and staff has been satisfied with their quality and service. Therefore, staff recommends award of bid for roll-off containers to Roll Offs USA, Inc. in the amount of \$283,750.00.

Since this is the start of a new service, funds have been allocated from fund balance for this purchase.

Staff recommends approval of the resolution.

☒ **Director of Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing award of bid for the purchase of 30 and 40-yard roll-off containers to Roll-Offs USA, Inc., an Oklahoma Corporation, in the amount of \$283,750.00

WHEREAS, the City of Wichita Falls advertised and requested bids for the purchase of roll-off containers; and

WHEREAS, bids were received and publicly opened on February 14, 2022; and

WHEREAS, the City Council finds that the lowest responsible bidder was Roll Offs USA, Inc.

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

The bid for the purchase of 30 and 40-yard roll-off containers is awarded to Roll-Offs USA, Inc. in the amount of \$283,750.00 and City staff are authorized to execute all documents necessary to purchase said items in accordance with bid specifications.

PASSED AND APPROVED this the 1st day of March, 2022.

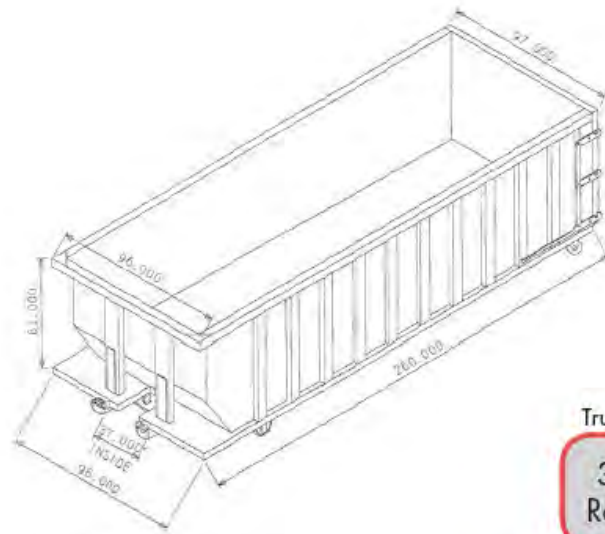
MAYOR

ATTEST:

City Clerk

BID TABULATION
BID 22-07 SOLID WASTE CONTAINERS

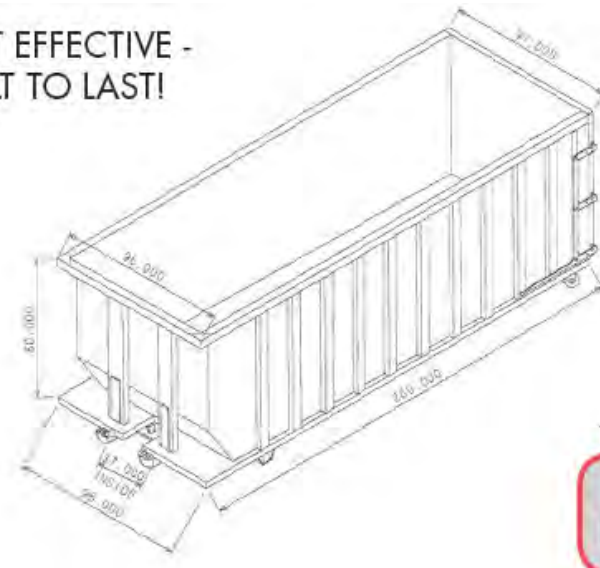
VENDOR	BRAND	30 YARD CONTAINERS (30)		40 YARD CONTAINERS (10)		DELIVERY TIME	TOTAL
		EACH	SUBTOTAL	EACH	SUBTOTAL		
Roll Offs USA, Inc. Mead, OK	RR30H RR40H	\$6,825.00	\$204,750.00	\$7,900.00	\$79,000.00	30 days	\$283,750.00
Technology International, Inc. Lake Mary, FL	Rudco	\$10,250.00	\$307,500.00	\$12,200.00	\$122,000.00	24 weeks	\$429,500.00
Wastequip MFG CO, LLC Statesville, NC	Wastequip	\$8,131.50	\$243,945.00	\$9,207.50	\$92,075.00	60 days	\$336,020.00



Truck Load: 5

**30 Yard
Rectangle**

COST EFFECTIVE -
BUILT TO LAST!



Truck Load: 4

**40 Yard
Rectangle**

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to reject bids for a Roll-off truck.

INITIATING DEPT: Public Works / Sanitation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Bids were opened February 14, 2022 for the purchase of a roll-off truck for the Sanitation Division. One (1) bid was received. The bid failed to meet delivery timeframe.

It is staff's recommendation that the bid for the purchase of a roll-off truck for the Sanitation Division be rejected.

☒ **Director of Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to reject bids for a Roll-off truck

WHEREAS, the City received a bid for a roll-off truck required by the Sanitation Division; and,

WHEREAS, bids were received and publicly opened on February 14, 2022; and,

WHEREAS, after review of the bids, the bids did not meet the minimum required specifications set forth for delivery time by the City; and,

WHEREAS, it is determined that in the City's best interest to reject bid.

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

The City Manager is authorized to reject all bids received and opened on February 14, 2022 for a roll-off truck.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

BID TABULATION
BID 22-01 SOLID WASTE ROLL OFF TRUCK

VENDOR	BRAND	DELIVERY TIME	TOTAL
BRUCKNER TRUCK SALES WICHITA FALLS, TX	MACK GR64B	Greater than 15 months	\$201,523.00

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Resolution authorizing the submittal of a grant application and designation of Authorized Official to the State Homeland Security Grant Program via the Office of the Governor for Technical Rescue Equipment.

INITIATING DEPT: Fire

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

The Fire Department would like to make application to the State Homeland Security Grant Program through the Office of the Governor to purchase more equipment for the Technical Rescue Team that was formed a few years ago. This Technical Rescue Equipment Project that the Technical Rescue Team is applying for was identified after training and exercising showed some gaps in the capabilities of the current Technical Rescue equipment inventory. The amount that the Team will be applying for from Homeland Security Grant #4447201 will be \$36,326.88. This is a non-matching grant and if awarded, the Technical Rescue Equipment Project will be 100% funded.

Staff recommends approval of the resolution.

☒ **Fire Chief**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the submittal of a grant application and designation of Authorized Official to the State Homeland Security Grant Program via the Office of the Governor for Technical Rescue Equipment

WHEREAS, The City Council finds it in the best interest of the citizens of Wichita Falls to fund the Technical Rescue Team with Technical Rescue Equipment (Grant/App: 4447201) for the FY2022 Homeland Security Grant Program; and,

WHEREAS, The City Council agrees to provide applicable matching funds for the said project as required by the State Homeland Security Grant Funding application; and,

WHEREAS, The City Council agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, The City Council designates Jessica Williams, Director of Finance, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

The City Council approves submission of the grant application and designation of the Authorized Official for the Technical Rescue Equipment Project (Grant/App:4447201) to the Office of the Governor.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Resolution authorizing the purchase of twelve (12) in-car camera systems for new Police patrol units through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from SF Mobile-Vision, Inc. in the amount of \$72,530.00.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Government

COMMENTARY: The Police Department uses these in-car camera systems for their patrol unit video recording. The Flashback HD Digital In-Car Video Systems will be installed in patrol units recently purchased on November 2, 2021. The systems will be purchased from SF Mobile-Vision, Inc. in the amount of \$72,530.00.

Texas Local Government Local Government Code §252.022 exempts items purchased through interlocal cooperative purchasing contracts from the State's competitive bidding requirements. This chapter does not apply to expenditure for. . . (11) personal property sold. . . under an interlocal contract for cooperative purchasing administered by a regional planning commission established under Chapter 391.

Staff recommends approval of the resolution authorizing the purchase of twelve (12) Flashback HD in-car camera systems through the Houston-Galveston Area Council Purchasing Cooperative from SF Mobile-Vision, Inc. in the amount of \$72,530.00.

Number of In-Car Cameras Purchased:	12
Total Cost of In-Car Cameras Purchased:	\$72,530.00
FY 2022 Budget for In-Car Cameras:	\$67,200.00
Over Budget:	\$5,330.00

The \$5,330 amount over budget will be covered using current capital savings from previous vehicle purchases.

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

☒ **Purchasing**

ASSOCIATED INFORMATION: Resolution; HGAC Documentation; Photo of system

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of twelve (12) in-car camera systems for new Police patrol units through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from SF Mobile-Vision, Inc. in the amount of \$72,530.00

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

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

WHEREAS, the City Council finds that SF Mobile-Vision, Inc. is offering twelve (12) Focus Series In-Car Camera Systems through the H-GAC Purchasing Cooperative, and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

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

City Staff is authorized to execute all documents necessary to purchase twelve (12) Focus Series in-car camera systems through the H-GAC Purchasing Cooperative from SF Mobile-Vision, Inc. in the amount of \$72,530.00.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk



COBAN Technologies, Inc.
SF Mobile-Vision, Inc.
11375 W. Sam Houston Pkwy S., Suite 800
Houston, Texas 77031-2348
United States

Ship To
Wade Looney
City of Wichita Falls Police Department (Wichita Falls, TX)
610 Holliday Street
Wichita Falls, Texas 76301
United States
(940) 761-7931
wade.looney@wichitafallstx.gov

Quote: Q-19602-1

Date: 1/12/2022, 11:26 AM
Expires On: 4/9/2022

Phone: (281) 925-0488
Fax: (281) 925-0535
Email: SFLE-Sales@safefleet.net

Bill To
City of Wichita Falls Police Department (Wichita Falls, TX)
Attn: City of Wichita Falls - AP
PO Box 1431
Wichita Falls, Texas 76307
United States

SALESPERSON	EXT	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Richard Alley	x	richard.alley@safefleet.net		Net 30

HGAC Contract EF04-21

FOCUS H1 In-Car Camera / 3 Year Plan **FOCUS H1 requires DES Software Version 4.4.2 or greater**

Installation is not included

LINE NO.	PART #	DESCRIPTION	UNIT PRICE	QTY	EXTENDED
QL-0120425	FOCUS-51-00	FOCUS SERIES IN-CAR SYSTEM - PACKAGE 2 2 CAMERAS AND WIRELESS MICROPHONE Features: • 4.3" touchscreen monitor • GPS • Crash Sensor • Smart Power Module (SPM) w/ UPS • 16 GB Internal Solid State OS drive • 128 GB Internal Solid State Fail-Safe drive • 64 GB removable Thumb Drive • Internal 802.11 A/G/N/AC wireless card • Backseat wide angle IR camera with built in covert microphone • Front facing HD low profile color camera • Wireless microphone & receiver • Three year limited hardware warranty	USD 5,250.00	12	USD 63,000.00
QL-0120426	MZZ-01	MOUNTING For secure mounting within the vehicle	USD 100.00	12	USD 1,200.00
QL-0120428	SCOPT-27	TWO DUAL BAND ANTENNAS (802.11 A/G/N/AC) For wireless upload to Access Point	USD 205.00	12	USD 2,460.00
QL-0120429	SCAA-016	FOCUS H1 SUPPORT KIT	USD 125.00	1	USD 125.00
QL-0120430	FOCUS-04-06	FOCUS H1 64 GB SECURED PEN DRIVE	USD 250.00	1	USD 250.00
QL-0120435	MVD-EMA-SWR	DES / DEV / DEP 1-YEAR SOFTWARE EMA FOR IN-CAR VIDEO SYSTEM - Per device ** Year 1 ** Renewed Annually	USD 150.00	12	USD 1,800.00
QL-0120440	LSSWRPROSVR	DIGITAL EVIDENCE PRO SOFTWARE	USD 0.00	12	USD 0.00

LINE NO.	PART #	DESCRIPTION	UNIT PRICE	QTY	EXTENDED
QL-0120445	LFEE-050	SHIPPING - IN CAR VIDEO SYSTEMS	USD 50.00	12	USD 600.00
FOCUS H1 In-Car Camera / 3 Year Plan TOTAL:					USD 69,435.00

Professional Service

**** One time initial fee ****

HGAC Contract EF04-21

LINE NO.	PART #	DESCRIPTION	UNIT PRICE	QTY	EXTENDED
QL-0120458	LSET-17	BACKOFFICE SETUP PACKAGE A Includes: • 2 Days remote and on-site project deployment • Back office configuration and setup • Admin and User Training Project Deployment, Single Platform On-site / Remote Project Implementation	USD 3,095.00	1	USD 3,095.00
Professional Service TOTAL:					USD 3,095.00

TOTAL: USD 72,530.00				
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Terms & Conditions

Applicable sales taxes are not reflected on this proposal, and will be included on the invoice. In the event Sales Tax is requested to be listed on the proposal, it will be the responsibility of the Agency to provide the current Tax rate and amount. Any purchases that are exempt from Sales Tax must be accompanied by a tax exemption and/ or re-seller certificate.

This quote is presented to the customer under the condition that it remains a valid quote for only 60 days after the stated Quote Date, after which the quote becomes null and void.

Please email or fax a signed copy of this quotation and other referenced documents to SFLE-Sales@safefleet.net or (281) 925-0535. Safe Fleet Law Enforcement order requests above \$2,500.00 require an Agency issued Purchase Order prior to processing.

COBAN Technologies, Inc.
11375 W. Sam Houston Pkwy S., Suite 800
Houston, Texas 77031-2348

IN WITNESS WHEREOF, the Parties have caused this Agreement to Purchase to be executed and delivered by their respective authorized representatives whose signatures appear below.

COBAN Technologies, Inc.

City of Wichita Falls Police Department (Wichita Falls, TX)

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Dated: _____

Dated: _____



CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation (4B) Board of Directors and amending the budget to include funding up to \$1,017,192 to Will Kelty dba The Kate WF LLC to assist in fire suppression system upgrades as part of the proposed renovations at the existing building at 726 Scott Ave. downtown.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Pursue Public/Private Partnerships

COMMENTARY: TEXAS LOCAL GOVERNMENT 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."

Timeline

- December 7, 2017 – Corporation Board approves funding amount not to exceed \$800,000 for fire suppression system upgrades, contingent upon a certificate of occupancy (CO) acquired on or before July 1, 2018.
- December 19, 2018 – City Council approves Corporation budget amendment facilitating project;
- July 1, 2018 – Funding agreement expires
- October 15, 2021 – New request for funding received from applicant;
- October 20, 2021 – Request for additional information requested of applicant by city staff;
- October 28, 2021 – Additional information received from applicant;
- November 4, 2021 – Corporation Board considers request but takes no action pending further advancement of private funding by the applicant;
- January 6, 2022 – Corporation Board approves funding request not to exceed \$1.017M, and to convey Lindemann Parking Garage in its entirety to Mr. Kelty upon successful completion of no fewer than 150 apartment units.
- January 18, 2022 – City Council approves resolution initiating process that could lead to a tax abatement zone that includes the subject property.
- **March 1, 2022** – City Council scheduled to consider (1) approval of 4B budget amendment facilitating \$1.017M performance incentive with Mr. Kelty for the renovation of 726 Scott into 170 apartment units (this agenda item), and (2) approval of a tax abatement agreement with Mr. Kelty related to the proposed improvements at 726 Scott (next agenda item).

The applicant owns the building at 726 Scott known as the Petroleum Building which was once the home of the Crescent Plaza Hotel. The ground floor contains several commercial spaces, including the existing Highlander Public House. The proposed project (see original request from applicant, below) includes an estimated **\$14M private investment** to convert the former hotel spaces on floors 2-10 into 170 multi-family apartments. The applicant's request of the 4B Board for funding also included the partial or full use of the Corporation-owned Lindemann Parking Garage downtown at 7th/Indiana downtown.

At its January 6, 2022 meeting, the Type B Sales Tax Corporation Board approved a funding agreement with Mr. Kelty, subject to the following:

1. Performance Incentive

\$1.017M performance incentive to assist in fire suppression system upgrades for floors 2-10, subject to:

- a. 60% paid only upon completion and certificate of occupancy (CO) from City for floors 2-5; and
- b. 40% paid only upon completion and CO for floors 6-10; and
- c. Project to be completed by April 1, 2024.

2. Lindemann Garage

Conveyance of the 4B Corporation-owned Lindeman Garage, subject to:

- a. Conveyance only upon completion of no less than 150 apartment units at 726 Scott; and
- b. Honor the existing three parking agreements; and
- c. Reserve in perpetuity a majority or all of the first floor for free public parking (about 50 spaces); and
- d. City has first right of refusal to purchase back garage for \$10,000 if Mr. Kelty desires to sell the facility in the future;
- e. Further details to be worked out prior to conveyance, as necessary, within the spirit of the approval.

The City Council's consideration today is for the \$1.017M performance incentive in support of the proposed \$14M private investment in downtown. Staff recommends approval of the resolution.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

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 \$1,017,192 to Will Kelty dba The Kate WF LLC to assist in fire suppression system upgrades as part of the proposed renovations at the existing building at 726 Scott Ave. downtown

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 January 4, 2022, the Wichita Falls Type B Sales Tax Corporation 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 Type B Sales Tax Corporation's approval and funding of the following programs and expenditures, in a total amount not to exceed **\$1,017,192** as described below and in said corporation's agenda, is approved:

An amount up to \$1,017,192 to Will Kelty dba The Kate WF LLC to assist in fire suppression system upgrades as part of the proposed renovations at the existing building at 726 Scott Ave. downtown.

2. The current fiscal year budget of the Type B Sales Tax Corporation is amended to provide for the aforementioned expenditures and changes thereto.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

October 26, 2021

City of Wichita Falls
4B Sales Tax Corporation Board
Attn: Paul Menzies

Re: 4B Board Request for 726 Scott Ave, from the Petroleum Building Wichita Falls LLC

Dear Mr Menzies,

I am requesting to be heard at the November 4th, 4B Board Meeting to ask for assistance with revitalization of 115 rooms which will be repositioned as student housing. The project is located at 726 Scott Ave in the heart of downtown Wichita Falls.

I acquired the property the property in September of 2016. During the preceding decade, the property had been vandalized and stripped of any valuables like copper. I was able to quickly restore the utility infrastructure and utilities which enabled a number of retail businesses to open on the ground floor including the Highlander, Wells Fargo ATM, and a new retail business, At Ease Collective.

I had originally intended to do the project in 3 phases; 1) Ground floor retail, 2) Student Housing on floors 2-5, and 3) Apartments on floors 6-10. Having completed phase one, I moved on to secure funding on phase 2. First National Bank (FNB) issued a commitment letter in November of 2017 to fund the project (along with the City Center Project). At that point, I requested that the 4B consider funding the sprinkler portion of the project (\$800,000). The sprinkler system required by the city to convert Transitory (hotel) housing to Permanent (student) housing. The 4B approved the forgivable loan, provided that the project be completed within 12 months.

In January of 2018, FNB backed out of their commitment to fund the project--They used an excuse of there having been a printing business at one point in the building, and a taxi stand at Big Blue which could have contaminated the ground water. Informally they told me they could not get their loan committee comfortable with lending in Wichita Falls.

I scrambled to salvage the project, but unfortunately was only able to secure funding for the City Center Project, 30 loft style apartments at 728 Indiana. I have since completed that project, with the help of a 4B forgivable loan of \$250,000. The apartments are 100% occupied, and have contributed to the revitalization of downtown. I should point out that I would not have moved forward with this project without 4B support. This is a prime example of how public / private partnerships can contribute to the rebirth of downtown.

I have continued to seek traditional bank funding for the project at 726 Scott, and have been turned down by 44 different lenders. The primary reasons are that; 1) The income will not support a loan, and 2) They don't feel comfortable lending in a 'secondary' market.

Regardless, I would like to move forward with this project to bring the 115 units on floors 2-5 back online as student housing. Additionally, I would like to convert the upper 5 floors to 55 apartments. The total cost for this project is about \$14,600,000 (see attached budget).

My ask of the 4B is threefold:

1. For the 4B to authorize \$1,017,192 to cover the cost of the sprinkler system. (\$767,452 for sprinklers + \$249,740 sprinkler audio visual alarms, pull switches etc) I've attached quotes.
2. Provide 150 parking spaces (without cost for 15 years) in the parking garage at the corner of 7th and Indiana. **
3. Freeze the Property taxes on 726 Scott at their current level for 15 years.

I have secured funding from a lender, but they have put in the caveat that I get an agreement with the city/4B to address those 3 issues above.

I believe I can have these 115 units online within 12 months of the 4B's decision, and I'm prepared to start immediately. The 55 units will take an additional 12 months, for a total of 24 months from project funding.

Thank you for your consideration and assistance in this matter.



William Kelty
The Petroleum Building Wichita Falls LLC
726 Scott Avenue

**** 150 Parking Spaces (corner of 7th and Indiana)**

Option 1: The simplest way to do this is for the city to agree to allow residents of 726 Indiana to park in the garage (up to a maximum of 150 cars). These do not have to be reserved spaces. I just need to have the capability of offering this many spaces to the tenants (per the bank). There would be no change to the garage itself, the city would just need to keep it open and available for parking on a first come first serve basis. The 'free parking' would need to be available for 15 years (that allows the current lender to lend on the building, and also get out of the loan when I refinance in 5 years).

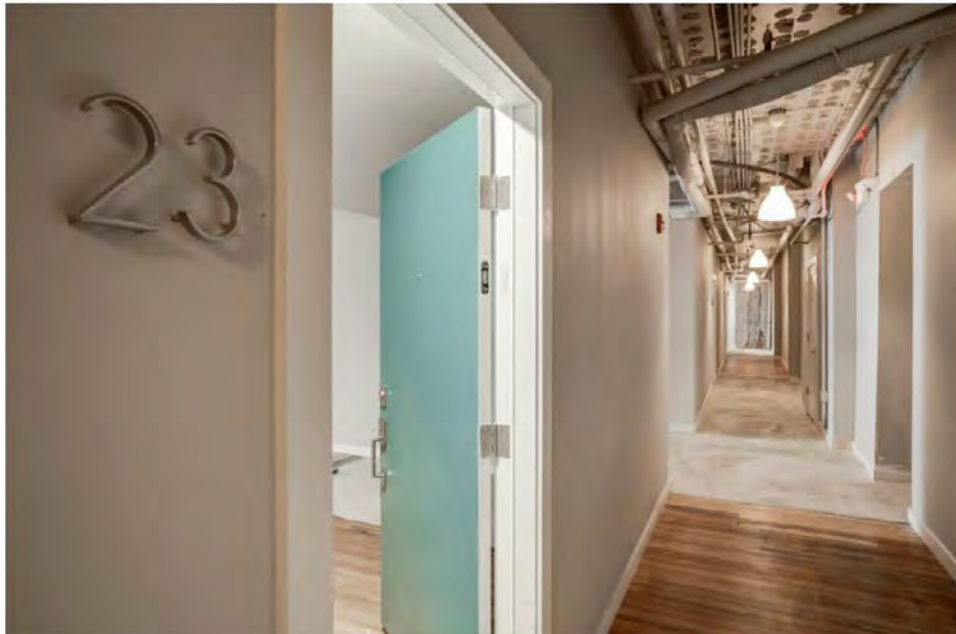
Option 2: It may be more beneficial to the City if the city/4B were to give/deed the garage to me with the caveat that I leave it open to the public, and honor the two(?) currently leased spaces. If conveyed to me, I'd agree in writing to keep the garage open to the public.

Benefits to the city (financially turns a loss into a profit):

- 1) This gets the garage back on the tax roll
- 2) I am responsible for maintenance
- 3) I have to pay the utilities.

The benefit of me owning the garage, is that I could consider installing Solar for Big Blue at some point in the future.

City Center Lofts at 728 Indiana, completed with the help of 4B
100% leased



Proposed Renderings of 726 Scott Ave



	Qty	Cost	Total
Common Areas			
Pool	1	\$100,000.00	\$100,000.00
Gym Equip	1	\$100,000.00	\$100,000.00
Common Area Amenities	2	\$100,000.00	\$200,000.00
Elevators	4	\$250,000.00	\$1,000,000.00
Front Doors	2	\$10,000.00	\$20,000.00
Paint Exterior	1	\$100,000.00	\$100,000.00
Sprinkler System	1	\$1,017,192.00	\$1,017,192.00
Resurface Parking Area	1	\$100,000.00	\$100,000.00
Restore Laundry Room	1	\$100,000.00	\$100,000.00
Appliances for common L	20	\$2,500.00	\$50,000.00
Replumb Garage	1	\$100,000.00	\$100,000.00
Lighting Garage	1	\$100,000.00	\$100,000.00
Exterior Lighting	1	\$20,000.00	\$20,000.00
Fix Parking Arm	1	\$25,000.00	\$25,000.00
New Roof	1	\$100,000.00	\$100,000.00
Solar	1	\$250,000.00	\$250,000.00
Salaries	18	\$40,000.00	\$720,000.00
			\$4,102,192.00
Floors 2-5			
Resurface Showers	110	\$500.00	\$55,000.00
Shower faucets	110	\$100.00	\$11,000.00
Sink faucets	110	\$100.00	\$11,000.00
Toilets	110	\$100.00	\$11,000.00
Plumbing Repair	110	\$1,500.00	\$165,000.00
HVAC	16	\$25,000.00	\$400,000.00
Boiler	1	\$150,000.00	\$150,000.00
Paint	4	\$25,000.00	\$100,000.00
Carpet	40000	\$3.50	\$140,000.00
Electrical	1	\$100,000.00	\$100,000.00
Caulk Windows	110	\$150.00	\$16,500.00
Door issues	1	\$10,000.00	\$10,000.00
Furniture	110	\$1,500.00	\$165,000.00
Kitchens in Units	110	\$5,000.00	\$550,000.00
			\$1,884,500.00
		Total	\$5,986,692.00
Floors 6-10			
Demolition	1	\$250,000.00	\$250,000.00
Framing	55	\$6,000.00	\$330,000.00
Electrical	1	\$800,000.00	\$800,000.00
Plumbing	1	\$500,000.00	\$500,000.00
HVAC	1	\$500,000.00	\$500,000.00
Sheetrock and insulation	55	\$10,000.00	\$550,000.00
Water Heaters	55	\$1,000.00	\$55,000.00
Lights	55	\$400.00	\$22,000.00
Kitchens	55	\$12,000.00	\$660,000.00
Flooring	50000	\$4.00	\$200,000.00
Bathrooms	55	\$8,000.00	\$440,000.00
Doors	330	\$1,000.00	\$330,000.00
Door hanging and finish cc	330	\$1,000.00	\$330,000.00
Washer Dryer	55	\$1,000.00	\$55,000.00
Appliances	55	\$1,500.00	\$82,500.00
Counter Tops	55	\$1,500.00	\$82,500.00
			\$5,187,000.00
Soft Costs			
Architectural Drawings	1	\$100,000.00	\$100,000.00
MEP Drawings	1	\$50,000.00	\$50,000.00
Historical Application	1	\$26,000.00	\$26,000.00
Survey	1	\$10,000.00	\$10,000.00
Legal Fees	1	\$120,000.00	\$120,000.00
Phase 1	1	\$10,000.00	\$10,000.00
Market Study	1	\$6,000.00	\$6,000.00
Finance Charges	1	\$80,000.00	\$80,000.00
			\$402,000.00
Sum Total			\$11,575,692.00
With Over Runs		10%	\$12,733,261.20
Overhead		15%	\$1,909,989.18
Total Budget			\$14,643,250.38



October 26, 2021

Dear Will,

TransPecos Banks ("Bank") is pleased to provide the following term sheet. The actual terms and conditions upon which Bank might extend credit to you are subject to satisfactory evaluation of a Phase 2 study, and other terms and conditions as are determined by Bank.

BORROWER: The Kate Wichita Falls ("Borrower")

GUARANTOR: Will Kelty

LOAN PURPOSE: To finance the construction and rehabilitation of The Kate located at 726 Scott Street in Wichita Falls, Texas

LOAN AMOUNT: \$8,000,000

LOAN TYPE: Construction to mini perm

FEE: 1% on loan amount

PRICING: *WSJP* plus 175bps, with a 5.00% floor, floating variable quarterly

REPAYMENT TERM: Interest only monthly for first 12 months followed by principal plus interest payments based on a 20-year amortization

TERMS: 7 years

SECURITY: First lien Deed of Trust on 726 Scott Street, Wichita Falls, Texas
Assignment of Leases and Rents

Initial _____

1

112 E. Pecan, Ste 800 * San Antonio, TX 78205 * Telephone: 210-228-9960 * Fax: 210-270-0317
www.transpecosbanks.com



ADVANCE RATES:	Lesser of 80% of cost or As Completed Value of property
REPORTING:	<p>The Borrower and Guarantors will deliver the following financial reporting:</p> <ul style="list-style-type: none"> a) Annual Borrower Tax Return within 15 days after filing. b) Annual Financial Statements due within 120 days of each year end. c) Quarterly Borrower Prepared Financial Statements with a 45-day grace period after each quarter-end. d) Quarterly Certificate of No Default due within 45 days of each quarter-end. e) Monthly Rent Roll due with a 30-day grace period after each month-end; f) Annual Personal Financial Statement on Guarantor; g) Annual Personal Tax Return on Guarantor due within 15 days of filing
FINANCIAL COVENANTS:	<p>Financial covenants to be tested quarterly</p> <p>Minimum Debt Service Coverage Ratio ("DSCR") defined as Net Operating Income / Debt Service of 1.25x. Covenant testing will begin after construction period beginning two quarters after completion</p> <p>Operating Account to be held at bank</p>
OTHER:	<ul style="list-style-type: none"> a) Applicable insurance covering property. b) Third party construction monitoring group to review draw requests. c) A satisfactory Phase 2 Environmental Site Assessment. d) The acquisition of adequate parking deemed to be 150 additional spaces. e) Agreement with County for property tax freeze for duration 15 years. f) Agreement with City to install sprinkler system.
AFFIRMATIVE COVENANTS:	Customary for Borrower in Credit Facilities of this type
NEGATIVE COVENANTS:	Customary for Borrower in Credit Facilities of this Type

Initial _____

2



**EVENTS OF
DEFAULT:**

Customary for the Borrower in Credit Facilities of this type.

ACCEPTANCE:

Please sign below then scan and then return it to Cinco Light via email at cinco.light@transpecosbanks.com

Sincerely,

Cinco Light

Cinco Light
Chief Lending Officer

ACCEPTED:

PROPOSED APPLICANT(S) on behalf of The Kate Wichita Falls

By: _____ Date: _____
Will Kelty

Initial _____

3



10575 Vista Park Road, Dallas, TX 75238
Phone 214-349-2221 | 800-566-0845
Fax 214-349-2281 | atpgusa.com
License SCR-G-1734091 | ACR-1789337 | ECR-1733854

October 10, 2020

Mr. Will Kelty

Phone: 323-252-8699

Re: ***Petroleum Building Apartments
726 Scott Ave.
Wichita Falls, Texas***

Dear Will,

Per your Invitation to Bid, we are pleased to offer our proposal to furnish the labor and material required to install Automatic Fire Sprinkler protection throughout the above referenced project in accordance with the Plans.

Specifically included in this inside proposal are the following:

- ❖ Start the installation at an existing 6" flanged or grooved outlet one (1) foot above the finished floor in the Fire Riser Room, and install a Backflow Preventer.
- ❖ Install a 1,000 GPM at 90 PSI, Horizontal Split -Case 3-Phase 480 V Fire Pump, with Across-The -Line Start Controller and Automatic Transfer Switch, located in the Fire Pump Room.
- ❖ Install an Automatic Wet standpipe for the building, designed in accordance with NFPA 14 requirements. We will connect the standpipe to the existing two FDC's located on the building.
- ❖ Furnish and install a wet pipe automatic fire sprinkler system on each floor of the apartment building, designed and installed in accordance with the requirements of NFPA 13.
- ❖ Design, Installation, City Permit Fees, and applicable taxes. Design will be done by NICET certified design technicians and will be reviewed and stamped by our licensed RME.
- ❖ All materials are UL listed and/or FM approved for use in fire protection systems.
- ❖ Pipe to be black carbon steel, foreign or domestic (at seller's option depending upon availability) schedule 10, 30 or 40 A795, A135 or A53, for the Standpipe and Wet Pipe Systems. CPVC Pipe and Fittings may also be an option as a VE Item.
- ❖ Fittings to be a combination 300# steel shop welded outlets, roll grooved pipe ends with 300# ductile iron grooved mechanical joint couplings or threaded 125# cast or ductile iron (seller's option depending upon design).
- ❖ Hangers and supports to be located, designed, and installed per NFPA 13.
- ❖ Spare sprinklers, storage box and installation wrenches are furnished and installed.
- ❖ All signage per NFPA 13 requirements.
- ❖ All systems to be certified & hydraulically tested and flushed in accordance with NFPA 13.
- ❖ All piping to be concealed above finished ceilings.
- ❖ All sprinkler heads installed in finished ceilings will be White or Chrome Recessed type with white or chrome escutcheons. Sidewall sprinklers shall be similar.
- ❖ All sprinklers installed in areas without ceilings will be brass upright.



10575 Vista Park Road, Dallas, TX 75238
Phone 214-349-2221 | 800-566-0845
Fax 214-349-2281 | afpgusa.com
License SCR-G-1734091 | ACR-1789337 | ECR-1733854

Specifically excluded from this proposal are the following:

- ❏ Electrical wiring of any kind.
- ❏ Building heat, maintained at a minimum of 40 degrees, heat trace & insulation and heated chases, to prevent the wet pipe sprinkler system from freezing.
- ❏ Cutting and Patching of the existing Ceilings and walls on all floors, to install the systems pipes and sprinklers.
- ❏ Cleaning, priming or painting of fire sprinkler pipe, fittings hangers or devices.
- ❏ Fire extinguishers or FE cabinets.
- ❏ Underground Supply or City Connection Fees.
- ❏ Remote FDC Connections.
- ❏ Demolition of any kind.

Our proposal is based upon the City's Water supplies being able to furnish a minimum of 60 PSI, flowing 1,100 GPM.

Our pricing for this installation at the above referenced project shall be **Seven Hundred Sixty Seven Thousand Four Hundred And Fifty Two Dollars \$767,452.00**

Please do not hesitate to call if you need additional information or have any questions.

Sincerely,

American Fire Protection Group Inc. - Dallas

Michael Murdoch

Michael Murdoch
Contract Sales



AMERICAN
FIRE PROTECTION
GROUP, INC.

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October 10, 2020

Mr. Will Kelty
726 Scott Ave, Wichita Falls

Re: Petroleum Building
Fire alarm/ Voice notification proposal

We are pleased to submit our proposal for the replacement of the fire alarm system at the above referenced facility.
Our proposal includes equipment, material and labor required for a complete installation based upon old scanned drawings provided.

We will provide low frequency audio through speakers in living units

Our scope of work is to furnish and install the following:

- Furnish and install 1 Gamewell FCI E-3 main addressable fire control panel
- Furnish and install 1 Gamewell FCI Voice Evacuation System.
- Furnish and install 1 Gamewell FCI DACT.
- Furnish and install 1 Gamewell FCI remote system annunciator.
- Furnish and install all necessary voice system transponders and amplifiers.
- Furnish and install all required 24-volt remote strobe power supplies.
- Furnish and install 140 speaker strobes.
- Furnish and install 120 strobes.
- Furnish and install 40 speakers.
- Furnish and install 180 Gamewell FCI addressable system smoke detectors.
- Furnish and install 6 Gamewell FCI addressable heat detectors.
- Furnish and install 12 DNR Duct Smoke Detectors.
- Furnish and install 1 Gamewell FCI addressable manual pull stations.
- Furnish and install 4 Gamewell FCI addressable relay modules for elevator interface.
- Furnish and install 12 Gamewell FCI addressable relay modules for AHU Shutdown
- Furnish and install 3 Gamewell FCI addressable strobe control output modules.
- Furnish and install 20 Gamewell FCI monitor modules for fire pump and sprinkler switches.
- Connect all required sprinkler switches to fire alarm system.
- Furnish necessary 120-volt power as required for our panels.
- *Based upon building having available dedicated circuits.
- Furnish and install back boxes, and wire for the completion of our scope of work.
- Perform all testing and customer training.

Pricing based on utilizing plenum rated cabling not requiring conduit or raceway

Customer to provide complete concept drawings for a complete layout, and fire alarm design

Additional labor/materials to be priced if required



Page 2

Our proposal does not include:

- Any work associated with the elevators, HVAC, or any other building systems other than the installation of modules as described herein. *(We will coordinate with contractors for the interface and function test of the associated functions.)
- Demo of existing system prior to completion and final of new fire/voice system
- Coring/ X-Ray- floor/wall scanning
- Patching, painting, hatches, ceiling tiles, throughout or cutting of holes into structure
- Abatement of any kind, form, or fashion.
- Moving of furniture-protection of furniture, and personal items, tenant/homeowner vacancy provision
- Fire Watch- for any reason.
- Fire sprinkler/pumps, switches, leaks, fire sprinkler upgrades, or replacement regardless of nature
- Existing fire alarm panel condition, repair, troubleshooting or functionality
- Our proposal is based upon working during regular business hours and having access to individual condominiums as required for the completion of our scope of work.
- Telephone lines for monitoring. (2 dedicated lines required) *Should be existing.
- Fire Phones
- After hours/premium/overtime work
- Off-site monitoring.



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Page 3
Petroleum Building

We will install the Automatic Fire Alarm Emergency Voice/Alarm Communication System work as described herein for a cost of:

Two Hundred Forty-Nine Thousand Seven Hundred Forty Dollars
\$249,740.00

*This price includes sales tax on material.

If the job requires additional expenses we will not exceed the above estimate without (1) notifying you of the progress made and what remains to complete the work, and (2) your prior consent. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's compensation insurance. A list of exclusions follows; painting & patching; overtime or after-hours work; a/c power or electrical interfaces; any required shutdown or interface connections; non-productive or customer initiated hold-ups; repairs or replacement parts caused by other trades, actions beyond our control or component failure on existing systems. Customer to provide and maintain phone lines for all communicators. This proposal may be withdrawn by us if not accepted within Forty-Five (45) days.

Sincerely,

Mike Shea

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____ Date of Acceptance: _____



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Sincerely,

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Signature: _____ Date of Acceptance: _____

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Resolution authorizing the Mayor to execute a Tax Abatement Agreement with The Kate WF LLC, previously known as Petroleum Building Wichita Falls LLC, related to their project where they will spend approximately \$14.6 million to remodel floors 2-10 into 170 multi-family apartments on the property known as 726 Scott Avenue and owned by The Kate WF LLC, which is in the Downtown Petroleum Building Reinvestment Zone.

INITIATING DEPT: City Attorney

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Support Public/Private Partnerships

COMMENTARY: The attached resolution authorizes the Mayor to execute a tax abatement agreement with The Kate WF LLC, previously known as Petroleum Building Wichita Falls LLC, for ten (10) years. These tax abatements will abate the following percentage of taxes on the increased value of appraised value and tangible personal property on the Premises in the following percentages:

Year	Percent of Increase
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

☒ **City Attorney**

ASSOCIATED INFORMATION: Improvements; Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the Mayor to execute a Tax Abatement Agreement with The Kate WF LLC, previously known as Petroleum Building Wichita Falls LLC, related to their project where they will spend approximately \$14.6 million to remodel floors 2-10 into 170 multi-family apartments on the property known as 726 Scott Avenue and owned by The Kate WF LLC, which is in the Downtown Petroleum Building Reinvestment Zone.

The City Council finds that the City has complied with the prerequisites for tax abatement, as provided in Chapter 312 of the Texas Tax Code and the City's Guidelines and Criteria for Tax Abatement, as adopted on January 18, 2022.

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

1. The Mayor is hereby authorized to execute a Tax Abatement Agreement for a period of ten (10) years with The Kate WF LLC, for the property at 726 Scott Avenue, Downtown, with such changes to form as are approved by the City Attorney.

2. City Staff shall provide copies of the proposed tax abatement agreement to the other taxing entities in accordance with Texas Tax Code § 312.2041.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

STATE OF TEXAS §
COUNTY OF WICHITA §

TAX ABATEMENT AGREEMENT
BETWEEN THE CITY OF WICHITA FALLS
AND THE KATE WF LLC

This Tax Abatement Agreement (this "Agreement") is entered into by and between the City of Wichita Falls, Texas (the "City"), duly acting herein by and through its Mayor, and The Kate WF LLC, previously known as Petroleum Building Wichita Falls, LLC, a Texas corporation ("Owner").

Recitals

WHEREAS, on January 18, 2022, the City Council of the City (the "City Council") adopted Resolution No. 04-2022 (the "Enabling Resolution"), establishing certain guidelines and criteria for the designation of reinvestment zones and the entering into tax abatement agreements pursuant to the Texas Property Redevelopment and Tax Abatement Act, as contained in Chapter 312 of the Local Taxation Title of the Tax Code of the State of Texas (the "Code"); and

WHEREAS, the Enabling Resolution constitutes appropriate guidelines and criteria governing tax abatement agreements to be entered into by the City as contemplated by the Code; and

WHEREAS, the Enabling Resolution included a statement by the City that it elects to be eligible to participate in tax abatement; and

WHEREAS, on January 18, 2022, the City Council passed Ordinance No. 02-2022 (the "Ordinance"), creating and designating the Downtown Petroleum Building Reinvestment Zone (the "Zone") in the City for residential and commercial-industrial tax abatement as authorized by the Code, and the designation of the Zone remains in full force and effect; and

WHEREAS, it is in the best interest of the City and its taxpayers, in order to maintain and enhance the residential, commercial, and industrial economic and employment base of the City, to enter into this Agreement in accordance with the Enabling Resolution, the Ordinance, and the Code; and

WHEREAS, the City Council finds that the contemplated use of the Premises (as hereinafter defined), the contemplated improvements to the Premises in the description and amount as set forth in this Agreement and the other terms hereof, are consistent with encouraging the development of the Zone in accordance with the purposes for its creation and are in compliance with the Enabling Resolution, the Ordinance, and all applicable law; and

WHEREAS, a copy of this Agreement has been furnished in the manner prescribed by the Code to the presiding officers of the governing bodies of each of the taxing units in which the Premises to be subject to this Agreement are located.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the City, for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, which consideration includes the retention and/or expansion of primary employment and the attraction of significant investment in the Zone, which contributes to the economic development of the City and the enhancement of the tax base in the City, and the Owner, for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, which consideration includes the tax abatement set forth herein as authorized by the Code, as amended, do hereby contract, covenant and agree as follows:

1. General Provisions

1.1: The Kate WF LLC, is the owner of the land and buildings described on **Exhibit A**, attached hereto and made a part hereof for all purposes (the "Premises").

1.2: The Premises are located entirely within the city limits of the City and within the Zone.

1.3: The Premises are not in an improvement project financed by tax increment bonds.

1.4: This Agreement is entered into subject to the rights of the holders of outstanding bonds of the City.

1.5: The Premises are not owned or leased by any member of the City Council or by a member of any zoning or planning board or commission of the City or by any member of the governing body of any taxing unit joining in or adopting this Agreement.

2. Development

2.1: The owner will invest approximately \$14.6 million to renovate and upgrade the existing infrastructure and convert the former hotel spaces into approximately 150 to 170 multi-unit housing complex on the Premises identified in **Exhibit A**, located within the Downtown Petroleum Building Reinvestment Zone.

A more detailed description of the improvements, including the kind and number of the proposed personal property additions, all of which will be located on the Premises, is set forth in the attached **Exhibit B**, to which reference is here made for all purposes. Owner shall have the right to make alterations and/or substitutions to the project; and the equipment included therein, so long as the project's cost, scope, and projected economic impact of are not substantially reduced.

3. Rate and Duration of Tax Abatement

3.1: (a) The period of tax abatement for the improvements pursuant to this Agreement shall commence on **January 1, 2023** and shall continue for a period of 10 years thereafter.

(b) Subject to the terms and conditions set forth in this Agreement, the personal property and other improvements located on the Premises shall be exempt from taxation by the City in accordance with this Section 3.1, provided, however, in accordance with Section 312.204(a) of the Code, the tax abatement set forth herein is subject to the following: (i) with respect to real property, the abatement shall only be applicable to the extent the value of the real property, including the improvements described herein, exceeds its value for the year in which this Agreement is executed; and (ii) with respect to personal property located on the real property covered by this Agreement, the abatement shall be applicable to all personal property located on such real property constituting a part of the improvements described herein other than personal property located on the real property prior to the commencement of the improvements described herein.

(c) The increased value of the improvements over the base year of **2022**, which will be exempt from ad valorem taxes during each year of the applicable tax abatement period pursuant to this Agreement, is as follows:

Year	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

3.2: Notwithstanding anything in this Agreement which might be deemed to be to the contrary, the Owner of the personal property shall have the right to protest and contest any appraisal or assessment of the Premises, or any improvements, and the tax abatement provided for herein for such improvements shall be applied to the amount of taxes finally determined, as a result of such protest or contest, to be due for such property.

4. Records and Cost

4.1: The kind, number, and location of all proposed improvements are described in Section 2.1. Prior to **April 1, 2023**, Owner shall furnish to the City a certificate signed by a duly authorized representative of the Owner setting forth a general description and cost of the

improvements added to the Premises since the date of the commencement of the improvements. The Owner shall at all times reasonably cooperate with representatives of the City so as to enable such representatives to verify the addition of improvements to the Premises and the cost thereof.

4.2: At all times during the term of this Agreement, the City and/or the Wichita Appraisal District (the "Appraisal District") shall have access to the Premises by City or Appraisal District employees or other representatives for the purpose of inspecting the Premises to verify the addition of equipment and improvements as contemplated by this Agreement; provided, however, that the City or the Appraisal District, as applicable, shall notify the Owner at least two (2) days in advance of any such inspection and such inspections shall not interfere with the business operations and/or safety policies of the Owner with respect to the Premises.

4.3: The Premises and the tangible personal property additions and improvements thereto shall at all times during the term of this Agreement be used as an apartment complex, subject to interruption due to casualty, repair, or renovation.

4.4: No later than **February 28, 2023**, Owner shall provide the City and the Appraisal District with an interim report setting forth the status of the improvements, including the description, the historical cost of the improvements added to the Premises as of **January 1, 2023**, for which Owner is claiming tax abatement pursuant to this Agreement. By **April 1, 2023**, Owner shall provide the City with a final report setting forth the final description and historical cost of the tangible personal property and other improvements added to the Premises for which Owner is claiming tax abatement pursuant to this Agreement.

4.5: Throughout the term of this Agreement, Owner shall furnish the City and the Appraisal District with such additional records and information as the City and/or the Appraisal District may reasonably request to support Owner's tax abatement. This information shall include but is not necessarily limited to, information regarding improvements for which Owner has received tax abatement and which has been replaced or removed from the Premises. At a minimum, this information shall include a property description, an asset number (if applicable), and the date such property was removed or replaced.

4.6: The City and/or the Appraisal District shall have the right to review and audit at its expense the books and records of the Owner relating to the Premises and the improvements thereon. The City and/or the Appraisal District shall notify the Owner in advance in writing of its intent to review and/or audit such records in order to allow the Owner adequate time to make such books and records available on the Premises.

4.7: On or before **April 15** each year, Owner shall certify to the governing body of the City that the Owner is in compliance with each applicable term of this Agreement.

4.8: In accordance with the requirements of Section 11.43 of the Texas Property Tax Code, in order to qualify for tax abatement pursuant to this Agreement, the Owner must apply for the applicable exemption prior to May 1 each year. The applicable exemption application form must be filed with the Chief Appraiser for the Appraisal District.

4.9: In the event that: (a) the improvements for which an abatement has been granted herein are not completed in accordance with this Agreement and the WF4BSTC Performance Agreement; or (b) Owner allows its ad valorem taxes owed to the City to become delinquent and fails to timely and properly follow the legal procedures for protest and/or contest of such ad valorem taxes; or (c) Owner breaches any of the terms or conditions of this Agreement; or (d) Owner defaults in Owner's obligations pursuant to any agreements that the Owner has entered with the City of Wichita Falls or the Wichita Falls 4B Sales Tax Corporation, including the WF4BSTC Performance Agreement; or (e) Owner fails to timely pay any of its debts as they become due, then this Agreement shall be in default. In the event that Owner defaults in its performance of (a), (b), (c), (d), and/or (e) above, then the City shall give Owner written notice of such default, and if Owner has not cured such default within 30 days after receipt of said written notice, or if such default cannot be cured by the payment of money and cannot with due diligence be cured within a 90-day period owing to any cause beyond the control of Owner, this Agreement may be terminated by the City. As liquidated damages in the event of default, all taxes which otherwise would have been paid to the City without the benefit of abatement pursuant to this Agreement (together with interest charged at the statutory rate for delinquent taxes as determined by Section 33.01 of the Property Tax Code of the State of Texas, but without the addition of a penalty) shall be reinstated and shall become a debt to the City and shall be due, owing and paid by Owner to the City within 60 days of the termination of this Agreement as described above as a sole remedy of the City, subject to any and all lawful offsets, settlements, deductions or credits to which Owner may be entitled. The parties acknowledge that actual damages in the event of default and termination would be speculative and difficult to determine.

5. Sale, Assignment, or Lease of Property

5.1: The tax abatement provided for herein shall vest in the Owner upon upgrades to real property and personal property additions and improvements described in Section 2.1, but, except as hereinafter provided, such tax abatement is not assignable to any new owner or lessee of all or any portion of the Premises without the prior written approval of the City, which approval will not be unreasonably withheld. Notwithstanding the foregoing, the tax abatement provided for herein shall be assignable without prior approval by the City: (i) to None, which has been pre-approved by the City, (ii) to any parent, affiliate, subsidiary or other entity in which the Owner has direct or indirect control, (iii) in connection with any sale of the Premises, or a portion thereof, which are then leased back (for a period at least equal to the remaining term of this Agreement) by the Owner or a parent, affiliate, subsidiary or other entity in which the Owner is in control, or (iv) in connection with the assignment of the WF4BSTC Performance Agreement, in accordance with the terms of the WF4BSTC Performance Agreement. For purposes of this Article 5, the term "control" means either: (i) the ownership of 50% or more of the beneficial or economic interest or voting power of the appropriate entity or (ii) the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of the controlled entity.

6. Miscellaneous Provisions

6.1: All notices or other communications required or permitted by this Agreement shall be in writing and shall be deemed to be adequately given when delivered personally to any of the

hereinafter designated addressees or the named representatives thereof, or when mailed by prepaid, certified mail, return receipt requested, addressed to such party at the respective addresses set forth below:

If to the City: City Manager
 City of Wichita Falls
 P.O. Box 1431
 Wichita Falls, TX 76307-1431

If to the Owner: William Kelty, President
 The Kate WF LLC
 c/o Law Office of Charles Riley, PC
 320 Lexington Ave
 San Antonio, TX, 78215-1913

6.2: This Agreement was authorized by an order of the City Council adopted at its meeting on March 1, 2022, authorizing the Mayor to execute this Agreement on behalf of the City.

6.3: This Agreement was entered into by the Owner acting through the duly authorized manager of the Owner.

6.4: In the event any section, subsection, paragraph, sentence, phrase, or word herein is held invalid, illegal, or unconstitutional, the balance of this Agreement shall stand, shall be enforceable, and shall be read as if the parties intended at all times to delete said invalid section, subsection, paragraph, sentence, phrase or word.

6.5: Any party hereto may request an estoppel certificate from another party hereto so long as the certificate is requested in connection with a bona fide business purpose. The certificate shall include, but not necessarily be limited to, statements that this Agreement is in full force and effect without default if such is the case, or specifying any defaults if that is not the case, the remaining term of this Agreement, the levels of tax abatement then in effect, and such other matters reasonably requested by the parties to receive the certificate. The party being requested to provide the estoppel certificate shall be required to provide the estoppel certificate to the requesting party within fifteen (15) business days.

6.6: The Owner, as a party to this Agreement, shall be deemed a proper and necessary party in any litigation questioning or challenging the validity of this Agreement or any part hereof or any of the underlying ordinances, resolutions, or City Council actions authorizing the same, and the Owner shall be entitled to intervene in any such litigation.

6.7: After the Owner has satisfied the conditions set forth in this Agreement, the tax abatement provided for herein shall continue for the duration of this Agreement and shall not be lost through force majeure events such as acts of God, fire, tornado, earthquake, or other events or circumstances beyond the Owner's reasonable control.

6.8: This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action pursuant to this Agreement shall be in a state district court in Wichita County, Texas. This Agreement is fully performable in Wichita County, Texas.

6.9: An executed copy of this Agreement in recordable form shall be recorded in the Real Property Records of Wichita County, Texas.

6.10: Other taxing units in which the Premises are located may join in the execution of this Agreement by executing a signatory page acknowledging the joinder of such taxing unit and granting tax abatement by such taxing unit in accordance with the terms and conditions hereof; an executed and acknowledged copy of each such signatory page shall be attached to this Agreement.

6.11: This Agreement may be executed in multiple counterparts, none of which must be signed by all of the parties hereto, but all of which, taken together, shall constitute one and the same agreement.

CITY OF WICHITA FALLS

By: _____
Stephen Santellana, Mayor

THE STATE OF TEXAS §
COUNTY OF WICHITA §

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Stephen Santellana, Mayor of Wichita Falls, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Wichita Falls, Texas, that he was duly authorized to perform the same by appropriate order of the City of Wichita Falls, and that he executed the same as the act of the said city for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of March, 2022.

Notary Public

(seal)

ATTEST:

By: _____
Marie Balthrop, City Clerk

Approved as to Form:

By: _____
R. Kinley Heggland, Jr., City Attorney

The Kate WF LLC, a Texas Corporation

By: _____
William Kely, President

THE STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared William Kely, President of The Kate WF LLC, a Texas Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said limited liability company and that he executed the same as the act of said limited liability company for the purpose and consideration therein expressed and in the capacity therein stated.

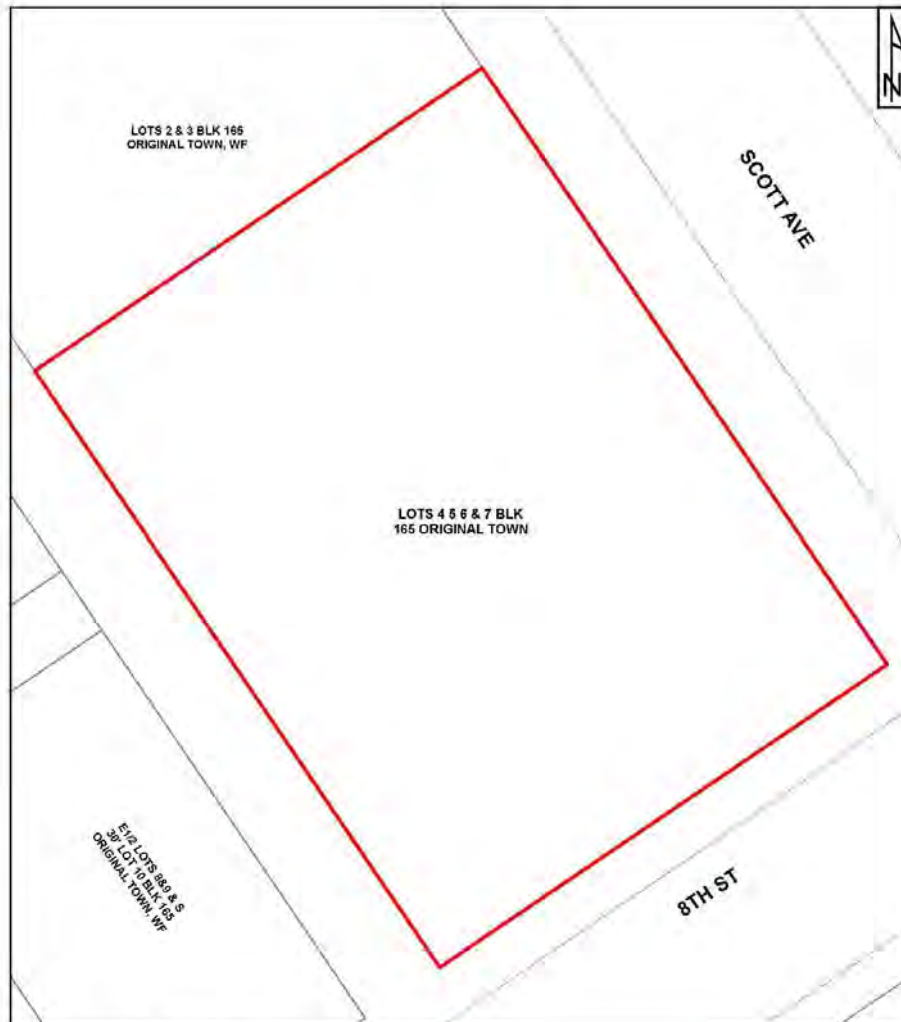
GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2022.

Notary Public (seal)

EXHIBIT A

Real Property Description

Lots Four (4), Five (5), Six (6), and Seven (7) Block 165 Original Townsite, Wichita Falls, Wichita County, Texas, as recorded in Volume 5, Pages 21 - 23, Wichita County Plat Record.



Petroleum Building
Lots 4-7, Block 165, Original Town
Plat Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hui
DATE PRODUCED: 6 January 2022

THE CASE OF THE MISSING is a story of the discovery of the "American" secret world by a television reporter who goes to the "City of Whispers." The story was made by a man who, according to an advertisement in the information technology journals in the "New York Times," "has produced the most important work in the field of information technology for the last 20 years." The story is a masterpiece of the genre, and it is a masterpiece of the genre. The story is a masterpiece of the genre, and it is a masterpiece of the genre.

Legend

☐ Subject Property

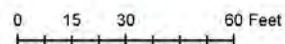


Exhibit B

The Kate Project Narrative and Product Specifications

Project Narrative

The 10 story building located at 726 Scott Ave in Wichita Falls TX, was originally built for the Downtowner Hotel Chain, in combination with American Trust. The ground floor was retail, floors 2-5 were configured as 115 hotel rooms. Floors 6-10 were configured as office space. Current Office space is about 65% occupied in downtown Wichita Falls, while residential apartments are at 100% occupancy with waiting lists.

My intent is to bring 726 Scott back online as 100% residential. Specifically the 115 hotel rooms will be converted to student housing and the upper 5 floors will be converted to 55 market rate apartment units. MSU student housing officials have toured the 110 hotel rooms, and commented that they are twice the size of campus dorm rooms, 726 Scott offers rooms for single individuals, and the rooms have their own en-suite bathrooms (unlike campus dorm rooms). They advised pricing the units at \$600/month (the MSU campus currently charges \$650). The market rate apartments should be a no-brainer. I recently converted the City Center office building to 31 units, and we are at 100% occupancy with a waiting list. The property which will be rebranded as "The Kate".

Product Specifications

COMMON AREAS

1. Pool. The Pool itself will be retiled, and resurfaced with gunnite as well as painted. The pool equipment (pump/filters) will be replaced. New electrical service to pool room. Pool light will be replaced, Pool deck will be resurfaced, Pool fence and walls will be repainted. Green/Fake hedge will line the fence to provide privacy from parking below
2. Gym Equipment. Room will be painted, new LED lighting installed, Mirrors will be installed along two of the walls. Rubber padded flooring will be installed. 3 tread mills, 2 Elliptical machines, 4 stationary bikes, and 2 stair steppers will be installed.
3. Common Area Amenities There will be a large common area on floor 2 and two smaller areas. The smaller areas will be designed for studying with a large table in each and several chairs. One will have a large, Wall mounted flat screen TV. The larger area will have 4 Built in custom hi-top counters which will cover the HVAC equip and serve as areas where people can work on laptops overlooking downtown. 12 modern stools

EXHIBIT B

under the counters. There will be 6 couches, and 10 imitation Barcelona chairs, a large flat screen TV, Ping Pong, Air Hockey, and Pool Table.

4. Elevators
5. Elevator CABS. \$80,000 The interior of the 4 cabs will be modernized with upgrade kits @ 20,000 each
6. The front doors are store front doors both the front and back doors need to be replaced with similar glass doors Total of 8 doors @ cost of \$5K each (rough verbal bid from City Glass)
7. Paint Exterior of building, this includes painting and re-caulking lower panels, as well as painting horizontal cement floor dividers. Color to be dark grey
8. Sprinkler System will be required due to use change. Bid was provided by Fire Control Systems, (Oklahoma) for the sprinklers, and Casa Amarillo (audio visual alarm system). It includes running all the pipe, and sprinkler heads as well as replacing the basement fire pump and replacing parts of the main 8" fire supply line. It also includes all the video and audio alarms
9. Resurface Parking Area. The current parking area is brick covered by asphalt. Where the parking area joins the hotel property, there is a small drop. Parking surface is in bad shape and will need to be resurfaced with asphalt, and additional cement curbs poured where the two lots join. A small cement island will be poured along the middle of the parking lot to allow for a row of trees to be planted.
10. Restore Laundry Room. Two laundry rooms exist in the basement but all plumbing, electric, sheetrock and machines have been removed. Room with plumbing/electric will be restored to both rooms. In one main laundry area, there are two industrial washers which will likely be restored and paired with two new industrial dryers.
11. Appliances for common Laundry Room. Purchase and Install 10 new sets of washer dryers. The machines will be card key activated, and a 'reload' machine will be installed in the Lobby
12. Replumb Garage. All of the floors drain sewage down to the basement. Roof drains all come down to the basement as well. There are 2 'lift stations' (ie sump pumps that pump out solids) that will likely need to be replaced. The pipes are currently cast iron and cracked, so all of the lines will be replaced with PVC. There are also two bathrooms in the laundry room, which need to have plumbing restored.
13. Lighting Garage. Vandals had set fires in the garage and damaged all of the electric lines, so all of the basement electric needs to be replaced and at the same time we will upgrade the lighting to be LED
14. Exterior Lighting. The exterior lighting is inadequate and out of date. 20 lights in the car port will be replaced/upgraded to LED. Lights in the entryway and uplighting on flag poles will be replaced. There are 3 large parking lights that cover the various parking areas that will be upgraded with LED.
15. Fix Parking Arm. There is a mechanical parking arm that prevents unauthorized cars from using the basement. It needs to be replaced, including running new electrical lines and controller. There are cement and steel bumpers that need to be repaired as well as a high restriction beam.

EXHIBIT B

16. New Roof. There are 4 roof areas. The main one is about 10,000 sq feet. There is an additional roof area above the 2nd floor gym, near the pool, and two long narrow roof areas above the ground floor. They will be replaced with foam roofs (decking is good)
17. Solar. This is based a bid from Davis Electric which will cover about 30% of ongoing electric costs. Bid was \$247K, rounded up to \$250K
18. Salaries. Although there will be different trades doing their respective jobs, I typically hire my own crew to do finish out and odd construction jobs that need to get done, but fall between the trades. When I did the project a block away (conversion of office to 31 units) my salary costs were about \$20K/month. I doubled that to come up with \$40K/month x project duration of 18 months. The reason I didn't do the math as a straight unit function $\$20,000(\text{monthly cost})/31(\text{units})=\$645/\text{unit}$ and then multiply that by 170 units for the Kate, is that 115 of the Kate units already have walls and doors hung.

FLOORS 2-5

1. Resurface Showers. The 4"x4" tile on the back of the shower (where the shower head comes out) needs to be redone in all of the rooms. Sheetrock behind the toilet needs to be replaced. Once that is done, the floor (also 4x4 tiles) and the tub and wall tile work need to be resurfaced (white on the walls and tub, and grey on the floor).
2. Shower Faucets. This is for the faucet and installation
3. Sink Faucets. This is for the faucet and installation
4. Toilets. All toilets need to be replaced
5. Plumbing Repair. The 4" Copper main water line coming in was cut at the basement. New 4 inch copper needs to be run to the boiler and then 4" hot and cold copper need to be run horizontally down the two wings of the building. Six, 3" pex lines will then run vertically from each of the horizontal lines up to floor 6. A combination of 3/4" and 1/2" pex lines will need to be run to the 115 rooms and angle stops installed. A booster pump will be installed in the basement to increase water pressure. Sewer lines are cracked/cast iron and will need to be replaced.
6. HVAC. Purchase and install Two 80 ton chillers and chill tower. Replace exiting pumps and water lines if necessary, repairs to 115 in room blower units as necessary
7. Replace thermostats—Convert from pneumatic actuators to low voltage
8. Hallway units. Replace 16 Window units
9. Boiler. Two 2,065,000 BTU Hot Water Boilers plus circulating pump
10. Paint. Paint all bathrooms, bedrooms, common area interior.
11. Carpet. Labor and Material for Carpet. Aprox 20,000 sq feet per floor
12. Electrical. Need to restore electrical service from basement to main panels on each floor. Tie in existing room lines to main panel on each floor. There will be one common meter for the units on floors 2-5. Replace vanity light
13. Caulk Windows. Interior windows have substandard caulking and should be re-caulked
14. Door Issues. Doors handles will need to be replaced on each door to upgrade card key access. 12 doors have issues where the door or door jams will need to be replaced.
15. Furniture. Student Housing units will need beds, desks, end tables, drapes, lamps, TV, a mirror a chair and armoire.

EXHIBIT B

FLOORS 6-10

1. Demolition. Floors 6-10 will have all the walls, except historical central corridors, demolished and removed. All carpet, ceiling, HVAC, plumbing lines will be removed. This price was from a abatement contractor and includes asbestos abatement.
2. Framing. We will use metal framing on floors 6-10, and frame up new walls to plan. Cost estimate was based on similar project a block away.
3. Electrical. New service will need to be brought in. Current vault does not offer enough capacity to service the 55 units. Units will be individually metered with meters in basement and lines run up a central chase to the upper floors. This price includes the sub panels in the unit, and the wiring in all the units.
4. Plumbing. New pex supply lines will need to be run from the six 3" pex lines that will be available on floor 6. Water is not individually metered. The supply and sewage lines will need to be run to and from each of the 45 1b/1b and 10 2b/2b units on these floors. Additionally PVC roof drains will need to be replaced and connected to lower floors. Individual water heaters will need to be installed for each unit.
5. HVAC. New 2 to 5 ton (depending on unit size) split systems will need to be installed. Blower units to be installed as upright or pancake/ceiling as needed. Bath fans and dryer vents to run vertically to roof with booster fan at roof.
6. Sheetrock and Insulation. Spray foam insulation between units. Double layer drywall on all fire walls. Tape, bed and float. Price estimate based on similar project half block away.
7. Water Heaters. This is the cost of the water heater, not the insulation - see product specifications for more detail
8. Lights. All LED lighting, likely track lighting from Ikea, and disk LED lights in closet areas. Also cost of ceiling fans. Avg cost of light fixture \$100. Avg number of lights per unit 7 = \$700 unit.
9. Kitchens. Ikea kitchens, sinks, fixtures. See product spec sheet
10. Flooring. Avg 10,000 sq feet per floor. See spec sheet for more detail.
11. Bathrooms. This cost includes the tile, and tile work. There will only be tiled showers (no tubs). Also includes toilets, ikea vanities and mirrors
12. Doors. This is just the purchase price of wood, single panel doors, and fire rated front doors
13. Doors hanging with finish carpentry. This is the labor of the door hanging
14. Door hardware. This includes door knobs on interior and front door, peep hole on front door, and security lock on door.
15. Washer Dryer. This is the purchase price of the unit. See spec sheet for more detail.
16. Appliances. This is the purchase price of the unit (range, fridge, dishwasher, microwave). See spec sheet for more detail.
17. Counter tops. These will be man made stone.

Project Specifications

EXHIBIT B

1. Elevators will be modernizing using SmartRise Controllers. Work to be performed by Asel Elevators. Product specification can be found in the /Elevators folder. Asel will
 - a. Replace Relay based controller with Smartrise controllers
 - b. Replace cables as necessary
 - c. Install new transformer for DC Motors
 - d. Install new AC motor door operator
 - e. Install new call buttons
 - f. Install new in-cab control panel
 - g. Install new Tape floor selectors
2. 2 80 Ton chillers will be used to handle cooling for floors 2-5 The preferred model will be Daikin - WGZ Water Cooled Scroll Compressor Chiller. More information will be found under the /Chillers folder
3. The upper 55 apartments will rely upon split systems ranging from 2-5 tons. They will likely be Goodman, depending on pricing and availability.
<https://www.goodmanmfg.com/products/heat-pumps>
4. The upper 55 apartments (floors 6-10) will rely upon electric flash water heaters by Rheem. They will be similar these, depending on pricing and availability
https://www.homedepot.com/p/Rheem-2-4-kW-120-Volt-Non-Thermostatic-Tankless-Electric-Water-Heater-Commercial-RTEH2412/315052842?source=shoppingads&locale=en-US&mtc=Shopping-VF-F_DYNN-G-D26P-026_010_WATER_HEATER-RHEEM-NA-Feed-SMART-2237722-WF-MK466033326_9016147011_FY21_2529&cm_mmc=Shopping-VF-F_DYNN-G-D26P-026_010_WATER_HEATER-RHEEM-NA-Feed-SMART-2237722-WF-MK466033326_9016147011_FY21_2529-71700000084558371-587000071815170_82-92700068734133786&qclid=Cj0KCQiAuP-OBhDqARIsAD4XHpcsmHne_5GCIXq74JvzplYA3sqhiFV_lkUyWPCynwRw36YMJVijMQaAhHJEALw_wcB&qclsrc=aw.ds
5. Flooring will be tentatively using the Setagrip L Queens Lace Loose Lay 18"x18" luxury vinyl flooring. Flooring will not likely be purchased for another 12 months and is likely to change based on availability. Any change in flooring will be approved by NPS
6. Kitchen Cabinets will be Ikea RINGHULT high gloss white
https://www.ikea.com/us/en/rooms/kitchen/ringhult-kitchen-series-pub6787d5e2?itm_campaign=kitchen-series&itm_element=Kitchenseries-Display&itm_content=ringhultseriesLP
7. Electric, In-Unit Washer and Dryers will be stackable, and similar to this depending on product availability.
https://www.appliancesconnection.com/ge-gud27essmwww.html?ref=GoogleShoppingPhysicalStock&qclid=Cj0KCQiAuP-OBhDqARIsAD4XHpeSwNRxXaQE5yDIVZM9fNznWDuKvjegmOa3rn0v8aZDDCu3-S4BV_gaAmHeEALw_wcB
8. Microwave units will be installed under the upper cabinets and will be similar to this based on product availability.
<https://www.ikea.com/us/en/p/huvudsakliq-built-in-microwave-stainless-steel-color-s29387223/>

EXHIBIT B

9. Electric Ranges will be similar to this based on product availability
<https://www.ikea.com/us/en/p/motsvarig-range-with-glass-ceramic-cooktop-black-stainless-steel-20462052/>
10. Stainless steel refrigerators will be similar to this, subject to availability.
https://hdsupplysolutions.com/p/ge-166-cubic-feet-refrigerator-energy-star-stainless-steel-optional-icemaker-501233-p189805?ef_id=Cj0KCQiAuP-OBhDqARIsAD4XHpd7fjZZYXB8ISFGUHTUOIWddOxRLU4_6OeTWyB9DiuQndWJdqb-SuMaAhvtEALw_wcB:G:s&cid=ppc_all_gl_pfd_Shop|HDSS|US|Appliances&s_kwcid=AL!10728!3!438192852955!!q!910087965566!!10160878488!110261974228!&gclid=Cj0KCQiAuP-OBhDqARIsAD4XHpd7fjZZYXB8ISFGUHTUOIWddOxRLU4_6OeTWyB9DiuQndWJdqb-SuMaAhvtEALw_wcB
11. End Tables will likely look similar to this, bolted to wall. Simple, Modern



EXHIBIT B

12. Desk will look similar to this



EXHIBIT B

13. Assuming NPS/Historic allows, we'll replace the vanity light/mirror with something like



this.

CITY COUNCIL AGENDA March 1, 2022

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 \$527,500 additional expenditure to the City of Wichita Falls related to the existing MPEC Conference Center/Hotel parking lot project.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Complete the Development of a Convention Center Hotel

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

- June 2017 – WFEDC Board and City Council approve funding amount of \$497,500 for the replacement parking lot project at MPEC; amount is equivalent to 50% of estimated cost of project (\$995,000).
- January 2022 – City receives low bid of \$2.05M for project.
- February 17, 2022 – WFEDC Board hears and approves and increase of \$527,500 to existing \$407,500 commitment, for a total of \$1,025,000 or 50% of the total \$2.05M project cost.
- March 1, 2022 – City Council to consider (1) ratifying WFEDC budget amendment to facilitate project, and (2) consider awarding construction contract (next agenda item).

Summary

The MPEC Conference Center/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 being constructed by OHP and owned by the City at a total cost not to exceed \$19M. The Type B Sales Tax Corporation Board (4B) has appropriated funding not to exceed \$19M for the conference/banquet center portion in full, using existing 4B sales tax revenue to support such. The project broke ground in fall of 2021, and is anticipated to be complete and open by the 2nd quarter of 2023.

Several years ago in anticipation of this project, the WFEDC/4A Board approved funding in an amount of \$497,500 to assist in the construction of new parking facilities that would replace existing parking capacity being lost due to the new hotel and conference center additions at MPEC. This funding represented one-half (50%) of the (then) estimated cost of approximately \$1.0M for the new parking, with the other 50% committed to by the Type B Sales Tax Corporation (4B). This funding amount has been and currently is included in the WFEDC's annual budget.

Since then, material and labor costs have experienced substantial increases, and the most recent bids received for the new parking lot at MPEC is \$2.05M, or approximately twice the original estimate of several years ago (see next agenda item).

As such, the City requested of the WFEDC to increase funding for the parking lot replacement project from \$497,500 to \$1,025,000 or effectively doubling the current commitment, for an increase to the existing project of \$527,500. This commitment would continue to support the overall hotel/conference center project, including the estimated \$48M private investment by OHP. The WFEDC Board approved this request at their meeting on February 17, 2022.

The attached map shows the locations of the new parking facilities, lots "K" and "L".

City staff will provide a comprehensive update on the hotel/conference center project at the meeting, and will be available for questions and additional details.

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**



Delta Hotel and Convention Center Aerial Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 11 January 2021

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

Lot A: 223 spaces [includes 4 handicapped spaces]
Lot B: 327 spaces [includes 0 handicapped spaces]
Lot C: 306 spaces [includes 0 handicapped spaces]
Lot E: 179 spaces [includes 6 handicapped spaces]
Lot F: 61 spaces [includes 28 handicapped spaces]
Lot G: 327 spaces [includes 0 handicapped spaces]
Lot H: 54 spaces [includes 0 handicapped spaces]
Lot I: 105 spaces [includes 4 handicapped spaces]
Lot J: 100 spaces [includes 0 handicapped spaces]
Lot K: 324 spaces [includes 0 handicapped spaces]
Lot L: 41 spaces [includes 0 handicapped spaces]
Total Spaces: 2047 spaces [includes 42 handicapped spaces]

Legend

- New Parking Lots
- Subject Property
- Parcels

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include an up to \$527,500 additional expenditure to the City of Wichita Falls related to the existing MPEC Conference Center/Hotel parking lot project.

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 February 17, 2022, 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:

MPEC Hotel/Conference Center parking lot project:

- A total of up to \$527,500 additional expenditure to the City of Wichita Falls related to the existing MPEC Conference Center/Hotel parking lot project.

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 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 1, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements to Freeman Paving, L.L.C. in the amount of \$2,052,576.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Complete the Construction of a Convention Center Hotel

COMMENTARY: On February 1, 2022 bids were opened for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements Project. This project is generally described as the construction of two new reinforced concrete parking lots to serve the MPEC which includes site demolition/preparation, removal/replacement of approximately 570 SY of asphalt pavement, and the construction/installation of approximately, 15,440 SY of 6" concrete paving, drive approaches, 4" reinforced concrete sidewalk, pedestrian ramps/crossings, 16 RV Hookups (electrical & water). The project also includes site lighting, irrigation, landscaping, and associated work. The purpose for the project is to replace parking spaces that were sacrificed for the hotel construction. The Engineer's estimate for this project is \$2,062,635.00.

The bids received for this project include the Base Bid and Additive Bid, and are as follows:

<u>COMPANY</u>		<u>AMOUNT</u>
Freeman Paving, LLC	– Vernon, TX	\$ 2,052,576.00
Barnett Paving and Sealing, LLC	– Wichita Falls, TX	\$ 2,501,340.00

Construction of this project should require approximately 90 calendar days to complete.

Freeman Paving, LLC has successfully completed similar projects for the City and staff recommends award of the contract to Freeman Paving, LLC in the amount of \$2,052,576.00, which includes the Base Bid and Additive Bid, based on unit price quantities. Staff recommends approval of the resolution.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab, Location Maps

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements to Freeman Paving, L.L.C. in the amount of \$2,052,576.00

WHEREAS, the City of Wichita Falls has advertised for bids for the Multi-Purpose Event Center Parking Facility Improvements; and

WHEREAS, it is found that the lowest responsible bidder is Freeman Paving, LLC, who made a unit price bid with an estimated total of \$2,052,576.00.

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

The unit price bid for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements is awarded to Freeman Paving, L.L.C. in an estimated total amount of \$2,052,576.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 1st day of March, 2022.

MAYOR

ATTEST:

City Clerk

				FREEMAN PAVING, LLC		BARNETT PAVING & SEALING, LLC	
Pay Item	Unit	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
Parking Lot 1							
1	LS	1	Mobilization, Insurance & Bonding	\$ 40,000.00	\$ 40,000.00	\$ 140,000.00	\$ 140,000.00
2	LS	1	Site Demolition/Preparation	\$ 100,000.00	\$ 100,000.00	\$ 110,000.00	\$ 110,000.00
3	SY	570	Remove & Replace Asphalt Pavment	\$ 75.00	\$ 42,750.00	\$ 90.00	\$ 51,300.00
4	LF	440	Furnish & Install Reinforced Concrete Curb & Gutter	\$ 50.00	\$ 22,000.00	\$ 30.00	\$ 13,200.00
5	SY	7880	Furnish & Install Six Inch (6") Reinforced Concrete Pavement with Monolithic Curb	\$ 65.00	\$ 512,200.00	\$ 60.75	\$ 478,710.00
6	SY	700	Furnish & Install Six Inch (6") Reinforced Concrete Drive Approach	\$ 65.00	\$ 45,500.00	\$ 58.00	\$ 40,600.00
7	SY	930	Furnish & Install Four Inch (4") Reinforced Concrete Sidewalk	\$ 60.00	\$ 55,800.00	\$ 49.00	\$ 45,570.00
8	EA	12	Furnish & Install Reinforced Concrete Pedestrian Crossing (Type 1)	\$ 1,800.00	\$ 21,600.00	\$ 2,400.00	\$ 28,800.00
9	EA	4	Furnish & Install Reinforced Concrete Flared Pedestrian Ramp	\$ 1,800.00	\$ 7,200.00	\$ 2,000.00	\$ 8,000.00
10	EA	16	Furnish & Install RV Hookup Pad	\$ 8,000.00	\$ 128,000.00	\$ 4,000.00	\$ 64,000.00
11	LS	1	Furnish & Install all required Water Improvements to Serve the RV Hookups	\$ 89,271.00	\$ 89,271.00	\$ 74,000.00	\$ 74,000.00
12	LS	1	Furnish & Install all required Electrical/Control Work to protect & operate the RV Hookups & Site Lighting/Irrigation Controllers	\$ 80,000.00	\$ 80,000.00	\$ 400,000.00	\$ 400,000.00
13	LS	1	Furnish & Install required Site Lighting System	\$ 23,625.00	\$ 23,625.00	\$ 33,075.00	\$ 33,075.00
14	LS	1	Furnish & Install required Irrigation System	\$ 60,000.00	\$ 60,000.00	\$ 42,250.00	\$ 42,250.00
15	LS	1	Furnish & Install required Landscaping	\$ 55,630.00	\$ 55,630.00	\$ 36,500.00	\$ 36,500.00
16	LS	1	Furnish & Install all required Standard Parking Stall & Crosswalk Striping	\$ 4,500.00	\$ 4,500.00	\$ 2,100.00	\$ 2,100.00
17	LS	1	Traffic Control Plans, Devices, and Structures to comply with MUTCD	\$ 10,000.00	\$ 10,000.00	\$ 8,500.00	\$ 8,500.00
18	LS	1	Stormwater Pollution Prevention Plan (SWPPP), Erosion Control Methods, and Facilities/Structures	\$ 7,500.00	\$ 7,500.00	\$ 35,000.00	\$ 35,000.00
Parking Lot 2							
19	LS	1	Mobilization, Insurance & Bonding	\$ 10,000.00	\$ 10,000.00	\$ 140,000.00	\$ 140,000.00
20	LS	1	Site Demolition/Preparation	\$ 50,000.00	\$ 50,000.00	\$ 38,000.00	\$ 38,000.00
21	LF	20	Furnish & Install Reinforced Concrete Curb & Gutter	\$ 50.00	\$ 1,000.00	\$ 30.00	\$ 600.00
22	SY	1980	Furnish & Install Six Inch (6") Reinforced Concrete Pavement with Monolithic Curb	\$ 65.00	\$ 128,700.00	\$ 60.75	\$ 120,285.00
23	SY	100	Furnish & Install Six Inch (6") Reinforced Concrete Drive Approach	\$ 65.00	\$ 6,500.00	\$ 58.00	\$ 5,800.00
24	SY	15	Furnish & Install Four Inch (4") Reinforced Concrete Sidewalk	\$ 60.00	\$ 900.00	\$ 49.00	\$ 735.00
25	EA	2	Furnish & Install Reinforced Concrete Pedestrian Crossing (Type 2)	\$ 1,800.00	\$ 3,600.00	\$ 2,400.00	\$ 4,800.00

26	LS	1	Furnish & Install all required Electrical/Control Work to protect & operate the Site Lighting/Irrigation Controllers	\$ 7,500.00	\$ 7,500.00	\$ 11,500.00	\$ 11,500.00
27	LS	1	Furnish & Install required Site Lighting System	\$ 5,500.00	\$ 5,500.00	\$ 8,250.00	\$ 8,250.00
28	LS	1	Furnish & Install required Irrigation System	\$ 34,400.00	\$ 34,400.00	\$ 20,865.00	\$ 20,865.00
29	LS	1	Furnish & Install required Landscaping	\$ 35,500.00	\$ 35,500.00	\$ 22,815.00	\$ 22,815.00
30	LS	1	Furnish & Install all required Standard & Handicap Parking Stall Striping including symbols, patterns, accessible routes & Signage	\$ 1,300.00	\$ 1,300.00	\$ 2,100.00	\$ 2,100.00
31	LS	1	Traffic Control Plans, Devices, and Structures to comply with MUTCD	\$ 5,000.00	\$ 5,000.00	\$ 8,500.00	\$ 8,500.00
32	LS	1	Stormwater Pollution Prevention Plan (SWPPP), Erosion Control Methods, and Facilities/Structures	\$ 7,500.00	\$ 7,500.00	\$ 35,000.00	\$ 35,000.00
				TOTAL BASE BID	\$ 1,602,976.00	TOTAL BASE BID	\$ 2,030,855.00
ADD/ALT	UNIT	QUANTITY	DESCRIPTION				
1-A	SY	5580	Furnish & Install Six Inch (6") Reinforced Concrete Pavement with Monolithic Curb	\$ 65.00	\$ 362,700.00	\$ 60.75	\$ 338,985.00
2-A	LS	1	Furnish & Install required Site Lighting System	\$ 16,000.00	\$ 16,000.00	\$ 50,000.00	\$ 50,000.00
3-A	LS	1	Furnish & Install required Irrigation System	\$ 34,400.00	\$ 34,400.00	\$ 53,105.00	\$ 53,105.00
4-A	LS	1	Furnish & Install required Landscaping	\$ 35,500.00	\$ 35,500.00	\$ 24,895.00	\$ 24,895.00
5-A	LS	1	Furnish & Install all required Standard Parking Stall Striping	\$ 1,000.00	\$ 1,000.00	\$ 3,500.00	\$ 3,500.00
				TOTAL ADD BID	\$ 449,600.00	TOTAL ADD BID	\$ 470,485.00
				TOTAL BASE + ADD BID		TOTAL BASE + ADD BID	
					\$ 2,052,576.00		\$ 2,501,340.00

MULTI-PURPOSE EVENT CENTER (MPEC) PARKING FACILITY IMPROVEMENTS

