

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 Heggland, City Attorney
Marie Balthrop, City Clerk

Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, March 15, 2022, Beginning At 8:30 A.M.

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

- 1. A livestream will be shown on the Spectrum/Time Warner Cable Channel 1300**
- 2. A livestream will be shown on the City's Facebook page (City of Wichita Falls, Texas Government) (<https://www.facebook.com/CityofWF>)**
- 3. 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 Keith Daugherty
Mercy Church

(b) Pledge of Allegiance
3. Presentations
(a) Proclamation – Camp Fire's Absolutely Incredible Kid Day, Camp Fire North Texas

CONSENT AGENDA

4. Approval of minutes of the March 1, 2022, Regular Meeting of the Mayor and City Council.

5. Receive Minutes
 - (a) Fire Fighters and Police Officers' Civil Service Commission, December 20, 2021
 - (b) Fire Fighters and Police Officers' Civil Service Commission, January 31, 2022
 - (c) Lake Wichita Revitalization Committee, February 8, 2022

REGULAR AGENDA

6. Ordinances
 - (a) Ordinance making an appropriation to the Special Revenue Fund for The Environmental Health Division in the amount of \$2,500 received from the National Environmental Health Association and authorizing the City Manager to execute contract accepting same
 - (b) Ordinance making an appropriation to the Special Revenue Fund for Public Health Emergency Preparedness in the amount of \$184,416 Received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same
 - (c) Ordinance making an appropriation to the Special Revenue Fund in the amount of \$20,000.00 for grant funding from the Dallas Internet Crimes Against Children Task Force, which is administered by the City of Dallas Reimbursement Program
7. Public Hearing and Ordinance
 - (a) Public Hearing for the FY 2021 Transit Grant for Capital, Planning and Operating Assistance for the Wichita Falls Transit System
 - (b) Ordinance appropriating \$1,785,397 in Federal Funds and \$437,695 in State Funds for the FY 2021 Section 5307 Transit System and authorizing the City Manager to execute all necessary funding agreements related hereto
8. Resolutions
 - (a) Resolution rejecting the bid for the purchase of a 2022 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65
 - (b) Resolution authorizing the purchase of a 2023 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$154,564.00
 - (c) Resolution authorizing the City Manager to apply for and accept funding in an amount up to \$3.5 million for the reconstruction of the general aviation

terminal at Wichita Falls Regional Airport from the Federal Aviation Administration's Airport Terminal Program

- (d) Resolution authorizing the City Manager to execute a Professional Services Agreement with Mercury Associates, Inc. for Phase I Fleet Maintenance Consulting Services and authorizing the payment of up to \$107,460 in fees
 - (e) Resolution authorizing the City Manager to award bid and contract for the Lift Station No. 25 Roof Replacement Project to Excel Construction Group, LLC – Lubbock Division in the amount of \$26,775.00
 - (f) Resolution authorizing the City Manager to approve Change Order No. 2 for the 2021 Asphalt Rehabilitation Project for a reduction of \$63,987.50
 - (g) Resolution authorizing the City Manager to approve Change Order No. 1 for the 2022 Asphalt Rehabilitation Project to Freeman Paving, LLC in the amount of \$80,565.50 for the replacement of asphalt at the 7th Street railroad crossing
 - (h) Resolution authorizing the City Manager to award bid and contract for the 2022 Water Budget Utility Improvements Project to Bowles Construction Co. in the amount of \$1,664,568.50
 - (i) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by authorizing DuraPro Enterprises, LLC to assume the WFEDC's existing loan to 707 North Scott, LLC and to subordinate WFEDC's existing lien against the Property to a new bank lien for DuraPro to finance the remaining portion of the purchase price
 - (j) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$75,000 expenditure for site preparation costs related to a potential business park adjacent to the Wichita Falls Regional Airport
 - (k) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$435,000 cash for jobs expenditure to Delta T Thermal Solutions as part of the company's acquisition of the former Tranter facility in Wichita Falls
9. Other Council Matters
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 updates).
- (b) Executive Session in accordance with Texas Government Code §551.071, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (including, but not limited to, legal issues related to Cause No. DC78-CV2022-0344).
- (c) Executive session in accordance with Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of a public officer or employee (appointments to the Planning and Zoning Commission).

12. Appointments to Boards and Commissions

- Lake Wichita Revitalization Committee
- Planning and Zoning Commission

13. Adjourn

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

Every item on this agenda shall be considered a public hearing. Regardless of the agenda heading under which any item is listed, any word or phrase of any item listed on this agenda shall be considered a subject for consideration for purposes of the Texas Open Meetings Act and other relevant law, and City Council may deliberate and vote upon any such subject and resolutions related thereto. Resolutions, ordinances, and other actions concerning any word, phrase, or other subject may be voted upon, regardless of any language of limitation found in this agenda or any document referring to such action. Any penal ordinance, development regulation or charter provision of the City of Wichita Falls or item which is funded by the current or next proposed City of Wichita Falls budget, including, without limitation, any street, water pipe, sewer, drainage structure, department, employee, contract or real property interest of the City of Wichita Falls, may be discussed and deliberated, and the subject is hereby defined as such without further notice. Any

item on this agenda may be discussed in executive session if authorized by Texas law regardless of whether any item is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of the City Council. Executive sessions described generally hereunder may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice. Executive sessions described generally hereunder are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087.

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 9th day of March, 2022 at 2:50 o'clock p.m.



City Clerk



City of Wichita Falls
City Council Meeting
Minutes
March 1, 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 Harold Roan, Lamar Baptist Church, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Employee of the Month – Kaleb Gresham, Fire Department

8:32 a.m.

Ken Prillaman, Fire Chief, recognized Kaleb Gresham as the Employee of the Month for March 2022. Mayor Santellana congratulated Mr. Gresham and presented him with a plaque, letter of appreciation, restaurant voucher, and check, and thanked him for his service.

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Item 3b – Proclamation – March for Meals Month, The Kitchen Meals on Wheels

8:36 a.m.

Mayor Santellana read a proclamation proclaiming March 2022 as Meals on Wheels March for Meals Month in Wichita Falls and urged everyone to come together to bring awareness and provide a vital lifeline and connection to our senior neighbors.

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Item 3c – Proclamation – Women’s History Month, Wichita Falls Alliance for Arts & Culture

8:39 a.m.

Mayor Santellana read a proclamation proclaiming March 2022 as Women’s History Month in Wichita Falls, Texas and called upon residents to honor the outstanding women whose contributions to culture, history, our economy, and families have shaped our community.

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Item 4-6 – Consent Items

8:44 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 4 – Approval of minutes of the February 15, 2022, Regular Meeting of the Mayor and City Council

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Item 5 – Resolution 23-2022

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.

Item 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

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Item 7 – Ordinance 06-2022

8:45 a.m.

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.

Moved by Councilor Brewer to approve Ordinance 06-2022.

Motion seconded by Councilor Browning.

Russell Schreiber, Director of Public Works, discussed the current solid waste ordinance, which requires the City to be the sole solid waste collector provider in the City, and how third party collectors have been allowed to service construction and demolition waste, compactor waste, and special waste. Mr. Schreiber discussed state law requirements for Cities to have complete control over solid waste collection for the health, safety, and welfare of the public, and how staff recently discovered several commercial accounts that are being serviced by third party providers. Mr. Schreiber discussed the plan to establish a City commercial roll-off service to return these accounts into compliance with ordinance requirements, the City's intent to only take back commercial solid waste accounts, and that funds to establish this service will come from excess fund balance in the Sanitation Fund. There was brief discussion regarding this item being deemed an emergency.

Councilor Jackson moved to table this item and his motion died for a lack of a second.

There was lengthy discussion regarding the return on investment, the possible impact to third party providers, the current informal agreement with third party providers, the intent to formalize this agreement, the City's ability to keep up with the demand, and concerns with approving the budget amendment prior to the updated Solid Waste Ordinance being approved. Mr. Leiker noted that Council has been receiving information regarding the proposed Ordinance in weekly updates with no feedback, and it was noted that the intent

is to bring the updated Solid Waste Ordinance before the Council in April, but to go ahead with needed equipment purchases due to delivery time issues.

Hayden Hansen, 6907 Seymour Highway, On-Site Solutions, addressed the Council and spoke against the City establishing commercial roll-off services. Mr. Hansen expressed concerns with alleged TCEQ and law violations, alleged loss of City revenue, the possibility of the City taking over all roll-off services, the need for weekend and holiday service, and the need to approve the revised Solid Waste Ordinance before taxpayer dollars are spent. Mr. Hansen acknowledged that he is not in the business to haul putrescible waste inside the City limits of Wichita Falls, and that the City servicing 30-40 containers will not bankrupt his business, but that it would affect his business. Mayor Santellana, and staff reiterated that there is no intent to take over all roll-off services inside City limits, and discussed budget and purchasing laws. Mr. Hansen's concern is that the City could take over the roll-off business completely in the future, and he encouraged the Council to consider how this would affect all of the companies involved and the City of Wichita Falls.

Anthony Inman, 2310 Brook Hollow Dr., addressed the Council and discussed his use of roll-off services, concerns with the return on investment, and future maintenance costs. Mr. Inman suggested that the Council consider passing an Ordinance requiring all trash collected inside City limits to be taken to the City's landfill, or possibly contract out roll-off services.

Chad Witherspoon, 4107 McNeil, Luxury Bath, addressed the Council and spoke against the City establishing roll-off services. He discussed his use of roll-off containers, how the City does not provide this service, and concerns about the City creating a monopoly that will erode competitive pricing. Mr. Witherspoon expressed concerns about using excess fund balance, stated that he agrees that all solid waste generated in the City should be taken to the City landfill, and suggested rules should be in place before any purchases are made.

Wayne Pharries, 7 Mayfair Terrace, addressed the Council and spoke against the City establishing roll-off services. He discussed the Council's responsibility to serve citizens, asked if any of the Councilors had been asked by citizens to expand City services for roll-off containers, and expressed concerns with this item being declared an emergency. Mr. Pharries encouraged the Council to vote no on items that will put the City in direct competition with a private business for a service that was not previously provided, and to pass the Solid Waste Ordinance before moving forward.

Shawn McCullar, 7001 Jacksboro Highway, Wichita Waste Management, addressed the Council and spoke against the City establishing roll-off services. He discussed the services he provides, concerns with third party contractors not knowing how this will affect their business until the rules are established, possible lost revenue that will raise his costs, and how the City has allowed these businesses to become established. Mr. McCullar suggested setting rules that will protect the City's revenues without taking over roll-off

services, to consider maintenance and insurance costs associated with providing roll-off services, and to not take away business from third party contractors.

Andrew Bowles, Wichita Waste Management, addressed the Council and spoke against the City establishing roll-off services. He read a prepared statement and expressed concerns for his business, discussed how the City has allowed roll-off businesses to be built, and stated the public is trying to make a change. Mr. Bowles discussed the concerns of young adults in the community, how the City is making it hard to own a business and is stifling growth. He discussed his desire to invest in Wichita Falls, and encouraged the Council to invest in the citizens and be the change that is needed.

Mickey Fincannon, M & R Services, addressed the Council, and spoke against the City establishing roll-off services. He expressed concerns with his dumpster previously being used as an example of an illegal dumpster when no rules were broken, and concerns with staff misleading the Council. As a member of local government, he believes that the Council should be listening to their citizens more than their staff. Mr. Fincannon expressed concerns with this process being rushed and agrees that the Solid Waste Ordinance should be approved prior to any purchases being made.

Due to possible technical difficulties with livestreaming Mayor Santellana suspended the meeting for a short break at 9:55 a.m.

Mayor Santellana called the meeting back into session at 10:14 a.m. and stated that the live feed was not lost and when watching the replay there should not be a break in the video.

Mayor Santellana stated that in light of the ordinance not being ready at this time, he moves to table this item until the April 5, 2022, meeting.

Motion was seconded by Councilor Browning.

Mickey Fincannon asked that he be allowed to finish his statement. He discussed revenues received from third party providers, expressed concerns with the City allowing third party businesses to provide this service against ordinance provisions, the burden being placed on the taxpayers, and stated that the alleged illegal dumpsters should have been handled by Code Enforcement. Mr. Fincannon expressed concerns with the initial investment and the inability to recover the taxpayer investment, discussed an injunction that was filed to stop action on this item, and stated that the Council should discuss this further as there should be a public need for a public service and there is no public need for this service.

Councilor Smith called for a vote on the motion to table.

Councilor Browning seconded and the motion to table carried by the following vote:

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

Nays: None

Item 8a – Resolution 24-2022

10:23 a.m.

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.

Moved by Councilor Browning to table this item until April 5, 2022.

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

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

Nays: None

Item 8b – Resolution 25-2022

10:24 a.m.

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

Moved by Councilor Brewer to table this item.

Councilor Brewer withdrew his motion to table and moved to approve Resolution 25-2022 to reject bids.

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

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

Nays: None

Item 8c – Resolution 26-2022

10:26 a.m.

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.

Moved by Councilor Brewer to approve Resolution 26-2022

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

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

Nays: None

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Item 8d – Resolution 27-2022

10:27 a.m.

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.

Moved by Councilor Browning to approve Resolution 27-2022

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

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

Nays: None

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Item 8e – Resolution 28-2022

10:32 a.m.

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.

Moved by Councilor Browning to approve Resolution 28-2022

Motion seconded by Councilor Smith.

Paul Menzies, Assistant City Manager, discussed the proposed project, the project timeline, and stressed that these funds are contingent upon performance agreement standards that must be met.

There was brief discussion regarding the dormitory type rooms and how these rooms are available to college students not required to live on campus at the student's choice.

There was brief discussion regarding the total amount of funds Mr. Kelty has received from the Type B Sales Tax Corporation and that this information will be provided to the Council. It was noted that Mr. Kelty has invested between \$8 million and \$12 million in projects in Wichita Falls and this project will be an additional \$16 million investment, and the Type B funds are a very small portion of this investment.

There was brief discussion regarding separating the project into two permits and two certificates of occupancy. It was noted that the fire suppression system must be installed throughout the entire building first, and a new pump will be installed to address fire suppression system pressure concerns.

Mr. Kelty stated that several of his projects would not have been a success without the support of the Type B Sales Tax Corporation and the City and thanked the Council for their support.

Mickey Fincannon, 408 4th Street, addressed the Council and stated he is pro-business pro Wichita Falls and pro Wichita County, and that although he does not always agree with how Type A and Type B funds are expended, he does like to see development and large investors in our community. He likes to see the City move forward and encouraged the Council and City staff to work with the developers to make Wichita Falls a positive friendly environment for businesses.

Motion carried by the following vote:

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

Nays: None

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Item 8f – Resolution 29-2022

10:52 a.m.

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.

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Moved by Councilor Brewer to approve Resolution 29-2022

Motion seconded by Councilor Smith.

Mr. Heggglund stated that the current taxes would continue to be paid, the only abatements would be to taxes on improvements, and the maximum time a tax abatement can be approved for is 10 years.

There was brief discussion regarding the tax abatement not continuing if the building is sold, and that the terms of the agreement cannot be changed once the agreement is signed.

Motion carried by the following vote:

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

Nays: None

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Item 8g – Resolution 30-2022

10:56 a.m.

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.

Moved by Councilor Browning to approve Resolution 30-2022

Motion seconded by Councilor Smith.

Mr. Menzies reviewed the project, and clarified that this is not an additional expenditure.

Blake Jurecek, Assistant City Manager, stated that the previous proposed hotel was smaller, the current project has displaced more parking, the parking project has doubled, and costs have risen due to inflation. It was noted that several existing lots are equipped for RV hookups and that the new Lot K will also include upgraded RV hookups.

There was brief discussion regarding concerns with businesses on 5th street losing parking lots in the future. Mr. Jurecek stated there are no plans to use those lots and if additional parking is needed in the future it will be built on property already owned by the City.

Motion carried by the following vote:

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

Nays: Councilor Jackson

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At 11:04 a.m. Marie Balthrop, City Clerk, was served with an order granting injunctive relief and setting a hearing in regards to item number 7.

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Item 8h – Resolution 31-2022

11:06 a.m.

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.

Moved by Councilor Browning to approve Resolution 31-2022

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

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

Nays: Councilor Jackson

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Item 9a – Staff Report – FY 2022-2023 Budget Calendar – Jessica Williams

11:07 a.m.

Jessica Williams, Director of Finance/CFO, presented the 2022-2023 proposed budget calendar. Ms. Williams compared last year's calendar with the proposed calendar and noted the additional time for Councilors to review the proposed budget and an additional week to meet with the budget team prior to the Budget Workshop. Mr. Leiker discussed the additional step taken today to receive feedback on the calendar, and emphasized the special meetings to discuss the budget. There was brief discussion regarding the additional time and meetings with staff, the allowable tax rate increase, and increases in sales tax revenues. The Mayor and all Councilors spoke in favor of the proposed budget calendar. Councilor Jackson asked for the total debt for the Type A WFEDC and the Type B Sales Tax Corporation, and it was noted that this information is available on the City's fiscal transparency webpage.

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Item 9b – Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

11:32 a.m.

Councilor Nelson asked when the last communication was made regarding the 7th Street tracks. Mr. Schreiber stated it was about two weeks ago and there had been a change in staffing at BNSF. Councilor Nelson discussed his awareness program and concerns with low voter turnout. He stated that he has spoken with the Governor and documented several issues. Councilor Nelson discussed the selective service board he is serving on, and thanked Carol Murray for attending.

Councilor Whiteley thanked the employee of the month and congratulated him. He praised the Fire Chief and Police Chief for the honor guards at two funerals he attended last week, and stated they did a great job at those services.

Councilor Browning encouraged everyone to go vote. He thanked Russell and his team for the work on the roll-off issue and thanked the contractors for their involvement. He encouraged everyone to educate themselves on both sides of the issue, and that he appreciates everyone that attended today.

Councilor Smith thanked everyone for attending and he appreciates the ongoing positive news they receive about Wichita Falls.

Councilor Brewer thanked the Police Department for inviting him to the awards banquet and congratulated the department for apprehending the person that committed the murder on Taft. He stated we have great Police and Fire Departments, and he appreciates all they do.

Councilor Jackson thanked everyone for attending today to discuss this topic. He thinks we need to put the citizens first as the Council works for them. He encouraged everyone to get out and vote. He thanked the MLK Center for having the Charlye O. Farris proclamation day, and asked that everyone keep her son and family in their prayers as they carry on her legacy.

Mayor Santellana said it was good to see Leadership Wichita Falls and everyone that attended today, and he encouraged everyone to go vote. He enjoyed the Police Officer's awards banquet and appreciated the great attendance. Mayor Santellana discussed the recent apartment fire and stated it was very honoring to see the headlines talking about our firefighters rescuing citizens from the fire. He encouraged everyone to pray for public safety employees and thank them for their service.

Item 10 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda

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11:40 a.m.

Debra Loberger, 5144 Royalwood Drive, addressed the Council regarding issues she has experienced with her neighbor's dog, Animal Control, and her neighbor fencing in the right-of-way. Mr. Leiker asked that Lou Kreidler get with Ms. Loberger to assist with the situation.

Billy Elmore, 5530 Rhone Drive, addressed the Council regarding roll-offs and expressed concerns with maintenance issues, having only two trucks, and the need to factor in long term costs.

Hayden Hansen, 6907 Seymour Highway, discussed the injunction that was presented to the City Clerk to stop voting on the roll-off issue due to the District Court determining that the item was not an emergency.

Kerry Wylie, 6907 Seymour Highway, spoke against the City establishing roll-off services and encouraged the Council and City staff to work with the independent contractors since the City has not provided this service for decades and has allowed these businesses to be established. Mr. Wylie expressed concerns with lost revenues and asked that the City and contractors have a meeting to resolve this issue.

Dylan Supernaw, 9291 FM 2106, addressed the Council and spoke against the City establishing roll-off services. He expressed concerns with difficulties starting a business in Wichita Falls, the City not being able to provide services on weekends, holidays, and bad weather days, and contractors being able to provide services on those days. Mr. Supernaw discussed concerns with the City's customer service and stated that he feels that this is the first step to the City contracting for all roll-off services.

Mickey Fincannon, 408 4th Street, discussed concerns with business regulations, stated that the City has reduced the value of these businesses by taking these steps, and asked Council to keep the bigger picture in mind as it is not always best to have city involvement.

Mary Lynne Boyd, 3311 Miami, commented on the budget calendar and the comment made regarding citizens coming at the last minute to ask questions. She encouraged the Council to publicize these dates for citizens.

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Item 11 – Executive Sessions

12:02 a.m.

No executive session was held.

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Item 12 –Adjourn

Mayor Santellana adjourned the meeting at 12:02 p.m.

PASSED AND APPROVED this 15th day of March 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

**MINUTES OF THE FIRE FIGHTERS AND POLICE OFFICERS'
CIVIL SERVICE COMMISSION
DECEMBER 20, 2021**

Present:

Jim Heiman, Chair	§	Commission Members
Laura Fidelie	§	
John Buckley	§	
Christi Klyn, Civil Service Director	§	City Administration/Staff
Julia Vasquez, First Assistant City Attorney	§	
Manuel Borrego, Police Chief	§	
Guy Gilmore, Deputy Police Chief	§	
Scott Vaughn, Deputy Police Chief	§	
Kenneth Prillaman, Fire Chief	§	
Brian Lester, Human Resources Supervisor	§	
Holly Morgan, HR Generalist	§	
David Ferguson, Lieutenant	§	Wichita Falls Police Department
Kevin Folmar, Lieutenant	§	
Jason Leavelle, Sergeant	§	
Cary Venable, Sergeant	§	
Paul Hardi, Officer	§	
Brad Higgins, Officer	§	
Joseph Felts, Officer	§	
Floyd McPherson, Officer	§	
Marisa Cervantes, Officer	§	
Jesse Bartow, Officer	§	
Michael Poirot, Officer	§	
Daniel Wilson, Officer	§	
Scott Schench, Officer	§	
Robert Jones, Officer	§	

1. Call to Order

Chairman Heiman called the meeting to order at 10:30 a.m.

2. Approval of Minutes (7/26/21)

Laura Fidelie moved for approval. Seconded by John Buckley, the motion carried 3-0.

3. Review Appeals of the Police Sergeant Exam Administered December 8, 2021.

Question 10. Source Effective Supervisory Practices, 5th Edition, Chapter 16, Page 290,

Answer Key C

According to the authors, which of the following is described as
"Sometimes you may deal with customers who are angry or frustrated.
Worse, they may have expectations that are unreasonable or wrong.

Nevertheless, demonstrating that you hear their concerns, care about their issues, and are sorry they are frustrated can go a long way, even if you won't be able to deliver the answer they want."?

- a. Sympathy
- b. Console
- c. Empathy
- d. None of the above are correct.

Officer Paul Hardi appealed this question, asking more than one answer be accepted. He states that the text has overlapping and contradictory definitions of sympathy and empathy. Commissioner Fidelie asked for clarification on whether the question is thrown out or more than one answer accepted. Officer Hardi states "accept more than one answer".

Officer McPherson asks that more than one answer be accepted. Commissioner Fidelie asks "where do you see the contradiction"? Officer McPherson states in the definition on page 176.

Commissioner Fidelie moved that the answer key be upheld. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 59. Source Texas Health and Safety Code, Answer Key A

According to Section 481.122, an adult person commits an offense if the adult knowingly delivers marijuana to a child (under 18 years old and the child is also enrolled in a public or private secondary school). The offense for this act is which of the following?

- a. Felony of the second degree
- b. Class A misdemeanor
- c. Felony of the first degree
- d. State jail felony

Officer Higgins appealed this question, stating that the verbiage of adult is limiting versus a person as stated in the Health and Safety Code. Thus taking away the ability to use it in the field and changes the scope of the law.

Commissioner Fidelie reiterates the Health and Safety Code states person and the question states adult person. Wouldn't an adult person still be classified as a person? Officer Higgins responses it depends. The definition states someone over 18 or someone under 18 that has had the disabilities and minorities removed.

Commissioner Fidelie ask what are you asking the commission to do. Officer Higgins, "throw the question out".

Commission discussed discrepancy with definitions.

Commissioner Fidelie moved that the answer key be upheld. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 60. Source Texas Health and Safety Code, Answer Key A

According to Section 481.125, an adult person found in possession of drug paraphernalia, who intended to use it to inhale an illegal, controlled substance (first offense) is classified as which of the following offenses?

- a. Class C misdemeanor
- b. State jail felony
- c. Class B misdemeanor
- d. Class A misdemeanor

Officer Hardi appealed this question and asks more than one answer be accepted. He states two references could be used 481.125 or 485.033. He states that the question is misleading and does not offer an identifiable distinction as to which statute was intended to be the source.

Please note the similarities. Both offenses are from the Health and Safety Code, both offenses specifically pertain to paraphernalia, both offenses contain enhancements, and both offenses contain the specific terms inhale, ingest, and otherwise introduce. The question omits nineteen terms that could have identified section 125 more clearly. Statue titles were used inconsistently throughout the test. Question 60 and 61 were from the same statue, however, question 60 had no title while question 61 had the title. Officer Hardi believes the question is unfair and misleading.

Commissioner Heiman asked for clarification between question 60 and 61 formatting. Officer Hardi states that the section title inclusion makes the question clearer.

Officer McPherson disagrees with Officer Hardi. Asks the answer key be upheld.

Commissioner Fidelie moved that the answer key be upheld. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 64. Source Texas Health and Safety Code, Answer Key D

According to Section 573.001, a peace officer, without a warrant, may take a person into custody if the officer has reason to believe, and does believe that:

- a. The person is a person with mental illness.
- b. Because of the mental illness, there is a substantial risk of serious harm to the person or others unless the person is immediately restrained.
- c. There is not sufficient time to obtain a warrant before taking the person into custody.
- d. All of the above are correct.

Officer Cervantes appealed this question. Officer Cervantes reads the statue emphasizing *and*. She states that when a series ends in and, it indicates all the factors are needed in order for the officer to apprehend without a warrant. All the answer together are correct but not individually.

Commissioner Fidelie asks if Officer Cervantes would agree that each of these are a component of identifying if someone were to be taken into custody. Officer Cervantes states yes a component but you have to have all three in order for it to be correct.

Commissioner Heiman states the answer says all of the above are correct. Officer Cervantes recants that saying A alone is not correct, B alone is not correct, C alone is not correct, only all three together are correct.

Officer Felts asks that the answer key be upheld. All factors are used to assess and the question was worded fairly.

Commissioner Buckley ask if they look at those individually or as a whole. Officer Felts states it depends on the situation.

Officer Wilson agrees with Officer Cervantes. That all need to be present to take someone into custody.

Officer McPherson agrees with Officer Felts that the answer key is correct.

Commissioner Fidelie moved that the answer key be upheld. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 65. Source Texas Health and Safety Code, Answer Key A

According to Section 573.021 (Emergency Detention), a facility shall temporarily accept a person for whom an application for detention is filed or for whom a peace officer files a notification of detention under Section 573.002(a). A person accepted for a preliminary examination may be detained in custody for not longer than _____ hours after the time the person is presented to the facility, unless a written _____ order for protective custody is obtained.

a. 48

c. 72

b. 120

d. 24

Officers Higgins, McPherson, and Cervantes appealed this question. Officer McPherson states the question is not in the source material and asks that it be thrown out.

Commissioner Fidelie moved that the question be thrown out. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 89, Source Wichita Falls Code of Ordinance, as updates, June 1, 2021, Chapter 82, 82-67, Answer Key B

All city-owned parks within the city, except for those located at Lake Arrowhead, are closed every day from _____. It is unlawful for anyone to loiter, idle, wander, stroll or play in such parks during such period when they are closed. However, if anyone applies for permission to carry out an activity in a park during such hours and the director of parks and recreation determines that such activity will not create a disturbance or public nuisance, the director has the authority to issue a special permit for such activity.

- a. 12:00 midnight until 5:00 a.m. c. 12:00 midnight until 6:00 a.m.
b. 11:00 p.m. until 6:00 a.m. d. 10:00 p.m. until 5:00 a.m.

Officers Hardi, Felts, Higgins, Keith, Chesar, and McPherson appealed this question. Officer McPherson explains the reference material states 12:00 until 5:00, however the answer key states 11:00 until 6:00. He asks multiple answer be accepted.

Julia Vasquez states it must be thrown out due to the answer key being wrong.

Commissioner Buckley moved that the question be thrown out. Seconded by Commissioner Fidelie, the motion carried 3-0.

Question 98, Source Wichita Falls Police Department General Orders, Section 100.41, Meritorious Service Awards, Page 2, Answer Key D.

Which of the following is the commendation bar for an officer possessing a Bachelor Degree?

- a.  c. 
b.  d. 

Officer Cervantes appealed this question. Texas local government code section 143.032 states as part of the promotional examination procedure the examination questions must test the knowledge of the eligible promotional candidate about information and facts and must be based on the duties of the position for which the examination is held. The test question references a Bachelor Degree bar and being able to recognize it by picture. General Order 100.041 states that it is the purpose of the Employee Recognition Committee to review cases involving meritorious service and make recommendation for recognition of acts performed by members of the department. It is not the duty of the supervisor, it is the duty of the Employee Recognition Committee. Officer Cervantes argues what is the relevance of the question.

Commissioner Fidelie asks who makes up the committee. Officer Cervantes states all different ranks of members of the department. Chief Borrego adds that civilians also sit on the committee.

Commissioner Heiman asks is it important to recognize awards on your fellow officers. Officer Cervantes again argues the relevance of the question in reference to as a supervisor.

Officer Felts asks that the answer key be upheld.

Commissioner Fidelie moved that the answer key be upheld. Seconded by Commissioner Buckley, the motion carried 3-0.

5. Report from Fire Chief

Chief Prillaman reports that the department has a full roster. There are no anticipated retirements at this time. Hopeful to keep the roster full. They do anticipate a second disability retirement due to Covid. Council approved replacement of Fleet. The association is going through an election the next three day for new leadership starting January 1.

6. Report from Police Chief

Chief Borrego thanks the commission for attending the meeting today. The previous academy has graduated, adding eleven officers to the field. There are currently eight vacancies. In a hiring process right now. Ninety-six applicants total. Thirty-three tested Tuesday, fourteen passed. Twenty-seven tested Saturday, fourteen passed. Twenty-eight total applicants going into background investigations.


Commissioner Heiman asks how many normally start in background. Chief Borrego responds closer to forty. However, getting better quality even with smaller numbers. Hopeful for ten total.

Commissioner Fidelie asks why numbers are lower. Chief Borrego states a number of societal factors, along with dispatch it is difficult with the negativity.

Currently doing "back to beard" to collect funds for the Boys and Girls club. The Association delivered items to Children aide.

7. Adjourn

The meeting adjourned at 11:14 a.m.


Jim Peter Heiman, Chairman

**MINUTES OF THE FIRE FIGHTERS AND POLICE OFFICERS'
CIVIL SERVICE COMMISSION
JANUARY 31, 2022**

Present:

Jim Heiman, Chair	§	Commission Members
Laura Fidelie	§	
John Buckley	§	
Christi Klyn, Civil Service Director	§	City Administration/Staff
Julia Vasquez, First Assistant City Attorney	§	
Manuel Borrego, Police Chief	§	
Guy Gilmore, Deputy Police Chief	§	
Scott Vaughn, Deputy Police Chief	§	
Kenneth Prillaman, Fire Chief	§	
Brian Lester, Human Resources Supervisor	§	
David Ferguson, Lieutenant	§	Wichita Falls Police Department
Kevin Folmar, Lieutenant	§	
Jason Leavelle, Sergeant	§	
Sean Sullivan, Sergeant	§	
Deanna Tofte, Sergeant	§	
Michael Poirot, Sergeant	§	
Brett Keith, Officer	§	
Ryder Churchwell, Officer	§	

1. Call to Order

Chairman Heiman called the meeting to order at 10:30 a.m.

2. Approval of Minutes (12/20/21)

John Buckley moved for approval. Seconded by Laura Fidelie, the motion carried 3-0.

3. Review Appeals of the Police Lieutenant Exam Administered January 14, 2022.

Question 27

Answer Key

Sergeant Donald Miller asked the question be thrown out on the grounds that answers A and B are procedures that do not exist as only felonies can receive an indictment.

Sergeant Deanna Tofte argued that the meaning of the question was understood and the answer should stand.

Commissioner Fidelie moved that answers B and D. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 48

Answer Key

Sergeant Donald Miller requested that the question be thrown out on the basis that it was poorly worded.

Sergeant Deanna Tofte requested that the question be thrown out on the basis that it was poorly worded.

Commissioner Fidelie moved that the question be thrown out. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 78.

Answer Key

Sergeant Donald Miller stated that the question accept all answers. Chair Heiman asked what the best kind of on the job training for a field officer. Sergeant Donald Miller said that all of the training items listed were important.

Sergeant Deanna Tofte appealed that the question be maintained as the question was directly pulled from the book.

Commissioner Fidelie moved that all answers be accepted. Seconded by Commissioner Buckley, the motion carried 3-0.

Question 80. Source Texas Health and Safety Code,

Answer Key D

Sergeant Sean Sullivan stated that the question be thrown out on the basis that the answer A was misspelled and the Chief Executive of a police agency was also acceptable.

Sergeant Donald Miller appealed that the question be maintained as the test taker would know what it meant.

Sergeant Jason Leavell appealed that the question be thrown out or multiple answers accepted because the only reason he didn't choose answer A was because it was misspelled.

Sergeant Donald Miller recanted his statement and said it would be fair to accept multiple answers.

Sergeant Deanna Tofte stated that she knew what the question meant and that the test remain as is.

Sergeant Donald Miller requested the headcount for each answer choice. Chair Heiman stated that it was 50/50.

Sergeant Jason Leavell appealed again stating that both answers should be accepted on the grounds that the question was confusing and misleading because of the misspelling.

Commissioner Fidelie asked if there was precedent on misspellings, Christi Klyn stated that there was not.

Commissioner Fidelie moved that answers A and D be accepted. Seconded by Commissioner Buckley, the motion carried 3-0.

5. Report from Police Chief

Chief Borrego reports that the department has a full roster. There are no anticipated retirements at this time. Hopeful to keep the roster full.

6. Report from Fire Chief

Chief Prillaman thanks the commission for attending the meeting today. There are currently two vacancies.

Fire is currently applying for federal grant that would allow up to 6 fire personnel to be hired and salaries reimbursed for 3 years with no additional obligation. Due to the grant window being so small, no plans for the money have been made yet.

7. Adjourn

The meeting adjourned at 10:38 a.m.


Jim Peter Heiman, Chairman

MINUTES
LAKE WICHITA REVITALIZATION COMMITTEE

February 8, 2022

PRESENT:

■ Members

David Coleman, Chair
Tim Brewer, City Council Rep
Eve Montgomery, Secretary
Alicia Castillo, Gold Star Family
Matt Marrs
Sharon Roach
Ford Swanson
Rick Hernandez

■ Staff

Blake Jurecek, Asst City Manager
Blane Boswell, City Engineer
Terry Points, Parks Administrator

■ Guests

Robert Mauk, TP&W
Wes Dutter, TP&W

ABSENT: Crystal Byrd, John Strenski, Alison Sanders, Steve Garner, Kendrick Jones

1. **Call to Order:** David called the meeting to order at 10:02 am and declared a quorum.
2. **Approval of Minutes:** January meeting minutes were approved unanimously.
3. **Project Updates:**
 - 3.a. **Veteran's Plaza Project:** David summarized the project status: Down payments have been made on the Gold Star Family monument and the Saluting Soldier statue, the modification to the KHA contract has been approved, and the final design documents are due to be complete tomorrow. Blane will send the 100% plans to David for review, and he will coordinate review with Committee members. David will coordinate with Steve Garner for the wording on the brass plaque to recognize donors. Blane outlined the schedule for the project:
 - Feb 27: Advertisement begins
 - Mar 7: Pre-Bid conference
 - Mar 15: Bids opened
 - Apr 5: City Council considers award of contract to low bidder
 - 6 Months project duration, with good weather

Much discussion was held regarding design and construction details for the plaza. For the memorial bricks, now that we have only one walkway (instead of two), our options for grouping the memorial bricks are limited, and the committee voted to have the contractor place the bricks randomly. Also, the possibility of holding a region-wide Veteran's Day ceremony at this plaza was discussed, and David stated he would like to invite Congressman Ronny Jackson as guest speaker, and this was approved.

February 8, 2022

3.b. Lake Deepening: No updates.

3.c. Kayak Launch Grant: Robert Mauk stated the contract is complete and is under review, and should be signed soon by both the City and TP&W. When that is complete, the City will order the kayak launch dock, and we will then have more information regarding the schedule. Rick asked whether a TDLR inspection was needed, and Blane replied since the sidewalk project is under \$50,000 this is not required.

4. Discussion of Brick Sales and Fundraising Initiatives: David stated that we must get all the paper brick orders entered into the Polar Engraving website system, and he will set up a work session to get that done.

5. Other Business Matters: David stated he has gotten no response from Crystal Byrd regarding her lack of attending meetings, but it's been over six months since she attended a meeting. The committee voted to remove Crystal from the Committee and work with the City Clerk to find a new member who can be an active participant.

5.a. Website Changes: On hold.

6. Adjournment: The meeting adjourned at 11:04 am.



David Coleman, Chair



Date

February 8, 2022

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for The Environmental Health Division in the amount of \$2,500 received from the National Environmental Health Association and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Environmental Health Division applied for and was accepted to participate in the National Environmental Assessment Reporting System (NEARS) Explorer Program. The awarded funds of \$2,500 will be utilized to support program initiatives related to environmental assessments/inspections. The Environmental Health Division completes many types of inspections, however, this training is focused on food inspections related to an outbreak. We complete routine food inspection on any facility, which provides prepared food to consumers. The training in this program is focused on trace back protocols when an outbreak occurs. The training will standardize our outbreak inspections in the same manner our current process has standardized routine inspections. This will allow other agencies to quickly assimilate the information if it needs to be escalated.

The program includes Environmental Assessment training, and NEARS webinar training. The funds can also be utilized to purchase environmental sampling/investigation equipment. The project period will run from February 1, 2022 to June 30, 2022.

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for The Environmental Health Division in the amount of \$2,500 received from the National Environmental Health Association and authorizing the City Manager to execute contract accepting same

WHEREAS, the National Environmental Health Association wishes to award funding for participation in the NEARS program; and,

WHEREAS, the approval of these funds could not have been anticipated prior to the adoption of the 2021 –2022 budget.

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

There is hereby appropriated in the Special Revenue Fund \$2,500 for the Environmental Health Division.

PASSED AND APPROVED this the 15th day of March, 2022.

M A Y O R

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for a Public Health Emergency Preparedness in the amount of \$184,416 Received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Approval of this ordinance will appropriate \$184,416 in funding. This funding is intended to support the public health system and to assure readiness and response capability to respond effectively to a range of public health threats, including infectious diseases, natural disasters, and other biological incidents. Preparedness activities funded by the PHEP grant are designed to develop and sustain public health emergency and disaster response capabilities.

- Continue conducting all-hazards preparedness and response planning. Through this grant the Health District maintains current all-hazards public health emergency preparedness and response plans. This includes supplemental plans that are required for emerging threats, such as the COVID-19. Additionally, the PHEP provides staff to maintain situational awareness and to plan for emerging threats.
- Ensure ongoing cross-discipline and inter-agency coordination. PHEP funding is also used to support cross-discipline and inter-agency coordination activities. This includes working with, and supporting the efforts of, local and state emergency management agencies, emergency medical services providers, health preparedness coalitions, and educational agencies, and other stakeholders in the jurisdiction.

There are two award components and the first represents the Health District annual funding award of 124,416.00 from the Department of State Health Services. There is a 10% match associated with this grant award which is met with an in kind match from the City through indirect cost. The second is for \$60,000 and is utilized for working with surrounding counties to ensure preparedness efforts for receiving the Strategic National Stockpile supplies. There is no match for this award.

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for Public Health Emergency Preparedness in the amount of \$184,416 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

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

WHEREAS, approval of these funds could not have been anticipated prior to the adoption of the 2021 - 2022 budget.

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

There is hereby appropriated in the Special Revenue Fund \$184,416 for the Emergency Preparedness program, and the City Manager is authorized to enter into a contract with the Department of State Health Services for the Wichita Falls-Wichita County Health District.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund in the amount of \$20,000.00 for grant funding from the Dallas Internet Crimes Against Children Task Force, which is administered by the City of Dallas Reimbursement Program.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City of Wichita Falls has been invited to participate in the Internet Crimes Against Children Task Force Reimbursement Program funded by the Dallas Internet Crimes Against Children Task Force, which is an affiliate of the Department of Justice, with funding totaling up to \$20,000.00 with no cash match required. This is a reimbursement grant, which requires the grantee to expend the funds and then submit for reimbursement. The Wichita Falls Police Department intends to use these funds to assist in the purchase of digital forensics equipment, software upgrades, training and travel expenses related to the Internet Crimes Against Children Task Force.

Staff recommends approval of the ordinance.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund in the amount of \$20,000.00 for grant funding from the Dallas Internet Crimes Against Children Task Force, which is administered by the City of Dallas Reimbursement Program

WHEREAS, the City of Wichita Falls has been invited to participate in the Internet Crimes Against Children Task Force Reimbursement Program funded by the Dallas Internet Crimes Against Children Task Force in the amount of \$20,000.00 with no cash match required; and,

WHEREAS, the use of these funds are planned to be used by the Wichita Falls Police Department to assist in the purchase of digital forensics equipment, software upgrades, training and travel expenses related to the Internet Crimes Against Children Task Force.

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

There is appropriated \$20,000.00 in the Special Revenue Fund from the Dallas Internet Crimes Against Children Task Force Administration reimbursement program, and the City Manager is authorized to execute all documents necessary to accept said funds on behalf of the City of Wichita Falls.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Public Hearing for the FY 2021 Transit Grant for Capital, Planning and Operating Assistance for the Wichita Falls Transit System.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Government

COMMENTARY: The city is required to hold two public hearings on the FY 2021 Federal and State Public Transportation Grants for the Wichita Falls Transit System to allow for public comment. The first public hearing was held at the Wichita Falls Travel Center on March 8, 2022.

Attached, as Exhibit A, is the FY 2021 Program of Projects that describes the proposed expenditures for the Wichita Falls Transit System a.k.a. "Falls Ride".

Staff recommends the City Council open the public hearing and receive comments. No action is required on this item.

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

ASSOCIATED INFORMATION: Public Hearing; Exhibit A Program of Projects

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Ordinance appropriating \$1,785,397 in Federal Funds and \$437,695 in State Funds for the FY 2021 Section 5307 Transit System and authorizing the City Manager to execute all necessary funding agreements related hereto.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Government

COMMENTARY: The Federal Register has published the Revised federal FY 2021 Section 5307 Urbanized Area Apportionments for the past fiscal year. The City of Wichita Falls received an allocation of \$1,785,397 in federal public transportation funds for the federal FY 2021. The State of Texas public transportation grant for FY 2021 allocates \$437,695 to the City of Wichita Falls, which brings the combined total federal and state grant allocation to \$2,223,092 (see attached for detail). Both the Federal Transit Administration allocation and the State funding allotment increased for a net gain from FY 2020 of \$117,309.

Capital projects identified for the use of these funds include the following:

- Three (3) 35-foot, low floor, heavy duty transit buses
- Ten bus shelters
- Completion of the Windthorst Road facility

The Wichita Falls Transit System (WFTS) will provide \$250,000 in fare box revenue and \$100,000 in advertising revenue, as well as \$108,000 in anticipated revenue from Midwestern State University and Work Services Corporation for contracted public services. While COVID CARE funds will effectively eliminate the City's budgeted General Fund subsidy, for the purpose of this grant the subsidy is calculated at \$155,224. WFTS also anticipates generating approximately \$50,000 in revenue from the operations of the Wichita Falls Travel Center.

Attached is Exhibit A, which summarizes the Wichita Falls Transit System funding for Federal FY 2021.

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

ASSOCIATED INFORMATION: Ordinance; Exhibit A: Program of Projects

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

[illegible]

Ordinance No. _____

Ordinance appropriating \$1,785,397 in Federal Funds and \$437,695 in State Funds for the FY 2021 Section 5307 Transit System and authorizing the City Manager to execute all necessary funding agreements related hereto

WHEREAS, the City of Wichita Falls received notification from the Federal Transit Administration and Texas Department of Transportation for FY 2021 funding in the amount of \$2,223,092; and

WHEREAS, the FY 2022 budget for the Wichita Falls Transit System includes \$2,223,092, of federal and state funding for operations and capital improvement projects of the Wichita Falls Transit System; and

WHEREAS, it is desirable to budget these grant funds for the operation and capital improvements of the Wichita Falls Transit System; and

WHEREAS, the resulting General Fund, Fare Box Revenue and other support for the local subsidy required for operating the Wichita Falls Transit System for the 2021 fiscal year is anticipated to be \$738,271.

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

The City Manager is authorized to accept FY 2021 Federal Transit Administration and Texas Department of Transportation funding, with changes thereto in a form approved by the City Attorney.

PASSED AND APPROVED this the 15th day of March 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution rejecting the bid for the purchase of a 2022 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently deliver City services

STRATEGIC OBJECTIVE: Streamline municipal business practices; practice effective governance

COMMENTARY: On August 17, 2021, the City Council approved a bid award to Yellowhouse Machinery through the Sourcewell Purchasing Cooperative in the amount of \$138,464.65 for a 2022 John Deere 210L Tractor. Staff was recently informed that John Deere has ceased production of the 2022 model due to parts availability. This unit was scheduled to be purchased through the Public Transportation Division using Federal Transit Administration funds to pay for 100% of the purchase cost.

It is staff's recommendation that the bid awarded to Yellowhouse Machinery Company through the Sourcewell Purchasing Cooperative for the 2022 John Deere 210L be rejected since the 2022 model line has been discontinued and is no longer available for production.

Staff recommends approval of the resolution.

☒ **Purchasing**

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

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution rejecting the bid for the purchase of a 2022 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$138,464.65

WHEREAS, the City received a received a bid on August 17, 2021 for the purchase of a 2022 John Deere 210L Tractor from Yellowhouse Machinery Company in the amount of \$138,464.65 through the Sourcewell Purchasing Cooperative; and,

WHEREAS, John Deere has discontinued the production of the 2022 John Deere 210L Tractor model, and

WHEREAS, it is in the City's best interest to reject the bid because the year model is no longer available.

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

The City hereby rejects any and all bids received for the purchase of a 2022 John Deere 210L Tractor for the Public Transportation Division.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution authorizing the purchase of a 2023 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Co. in the amount of \$154,564.00.

INITIATING DEPT: Aviation, Traffic & Transportation

STRATEGIC GOAL: Efficiently Delivery City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: With the completion of the new Windthorst Road Public Transportation facility scheduled this spring, staff will need several pieces of equipment to support operations. This equipment includes a fork lift, mower, and snow removal. Instead of purchasing dedicated equipment for these duties, staff recommends purchasing a multiuse tractor to address these needs. This unit will be comprised of a 2023 John Deere 210L Tractor from Yellowhouse Machinery Company through the Sourcewell Purchasing Cooperative in the amount of \$154,564.00. This purchase will cover the cost of the multiuse tractor and the forklifts. As a partnership with the Airports Division, mowing and snow removal equipment will be purchased as grants become available later in the current fiscal year.

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

Staff recommends the purchase of one (1) 2023 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative in the amount of \$154,564.00. This unit will replace a 1996 Case tractor.

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

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

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of a 2023 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Co. in the amount of \$154,564.00

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

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

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

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

WHEREAS, the City Council finds that Yellowhouse is offering one (1) 2023 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative, and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

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

City Staff is authorized to execute all documents necessary to purchase one (1) 2023 John Deere 210L Tractor through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Co. in the amount of \$154,564.00.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk



Quote Summary

Prepared For:
CWF CENTRAL SERVICES COMPLEX
2100 SEYMOUR HWY
WICHITA FALLS, TX 76301

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

*** Sourcewell Quote***

Quote Id: 26128637
Created On: 22 February 2022
Last Modified On: 28 February 2022
Expiration Date: 25 March 2022

Equipment Summary	Selling Price	Qty	Extended
2023 JOHN DEERE 210L Tractor Loader	\$ 135,795.00 X	1 =	\$ 135,795.00
John Deere Extended Warranty-5 Year or 2,000 hour Full Machine Warranty with Premium Plus Package	\$ 0.00 X	1 =	\$ 0.00
 PALADIN FRONT MOUNTED BROOM	 \$ 18,769.00 X	 1 =	 \$ 18,769.00

Equipment Total **\$ 154,564.00**

Quote Summary	
Equipment Total	\$ 154,564.00
SubTotal	\$ 154,564.00
Total	\$ 154,564.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 154,564.00

Salesperson : X _____

Accepted By : X _____

Confidential



CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to apply for and accept funding in an amount up to \$3.5 million for the reconstruction of the general aviation terminal at Wichita Falls Regional Airport from the Federal Aviation Administration's Airport Terminal Program.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Upgrade or replace outdated public facilities

COMMENTARY: On February 22, 2022, staff received notification from the Federal Aviation Administration (FAA) of a new program to build, modernize, and upgrade airport facilities under the Airport Terminal program. Approximately \$5 billion has been identified for this program, with approximately \$500 million available to non-hub airports, such as Wichita Falls. The local match for this project is calculated at 5% of the project cost or \$184,211. The local match funds for the project will come from prior year COVID grants.

Because the Wichita Falls Regional is only seven years old and in excellent condition, staff recommends using these funds, if successful, to reconstruct the 50+ year old general aviation terminal. The General Aviation terminal was identified by the Airport staff in their 15-year long-term plan developed in August of 2021. This facility serves the following public customers through the Regional Airport Fixed Base Operations:

- Based and transient general aviation
- Transient military aviation
- Charter aviation outside of FAA Part 139 requirements

Initial project scope has identified the need for approximately 5,000 square feet of modern general aviation terminal that will address the following needs identified in the Airport Terminal Program:

- Improve energy efficiencies through modernization
- Expand accessibility for persons with disabilities
- Improve passenger/customer access
- Replace aging infrastructure

If successful on this grant application, staff anticipates using FAA COVID grant funds for the local match requirements. Staff recommends approval of the resolution.

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

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



FBO Front Non Airside



FBO Airside Entrance



FAA Entrance Door

Lobby Area



Lobby Area



Concession Area



Main Office and Conference Room



Lead Lineman Office



Pilot Lounge



Resolution No. _____

Resolution authorizing the City Manager to apply for and accept funding in an amount up to \$3.5 million for the reconstruction of the general aviation terminal at Wichita Falls Regional Airport from the Federal Aviation Administration's Airport Terminal Program

WHEREAS, the City of Wichita Falls has identified in its current strategic plan the need for infrastructure improvements for aging facilities and infrastructure; and

WHEREAS, desires to reconstruct the general aviation terminal located at Wichita Falls Regional Airport; and

WHEREAS, funding for this project may be available through the Federal Aviation Administration through the Airports Terminal Program; and

WHEREAS, the City of Wichita Falls may apply for Federal Aviation Administration to seek 95% funding for the reconstruction of the Wichita Falls Regional Airport general aviation terminal; and,

WHEREAS, the City of Wichita Falls may apply for up to \$3,500,000 through the Aviation Terminal Program.

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

The City Manager is hereby authorized to apply for and accept an Airport Terminal Program grant funding opportunity from the Federal Aviation Administration for general aviation terminal reconstruction at Wichita Falls Regional airport in an amount up to \$3,500,000.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute a Professional Services Agreement with Mercury Associates, Inc. for Phase I Fleet Maintenance Consulting Services and authorizing the payment of up to \$107,460 in fees.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently deliver City services

STRATEGIC OBJECTIVE: Streamline municipal business practices;

COMMENTARY: With the adoption of the Fiscal Year 21-22 budget, the Wichita Falls City Council approved funding for consulting services for the City's Fleet Maintenance Division. On February 8, 2022, staff received three proposals for fleet consulting services. Staff interviewed all three companies, and selected Mercury Associates, Inc. as the most qualified and the best value for the City of Wichita Falls. Mercury has experience in both governmental and private fleet analysis.

With the approval of this agenda item, staff will work with Mercury Associates in Phase I to address the following scope of work for the City's Fleet Maintenance Division:

- Data collection
- Develop Fleet Replacement Plan
- Conduct statistical analysis of fleet utilization
- Conduct Vehicle Allocation Methodology "right-sizing" study
- Develop fleet operating rates and chargeback model
- Conduct Optimal Replacement Cycle Analysis

This proposal exceeds the original Phase I scope of work first identified by staff. Staff desires to accelerate the current schedule of work to better address the uncertain future economic conditions, as well as to better manage current inflationary trends.

While Phase I work has been identified, staff also anticipates using Mercury Associates for additional work beginning in October of 2022. The second phase of work will include a review of Fleet Maintenance processes and best practices. The goal of this second phase will be to improve efficiencies in the repair and maintenance processes. Staff plans to bring a second agenda item to City Council in October of 2022 for these additional services. Staff will budget for this second phase of work in the upcoming FY 23 fiscal year process.

Upon completion of this work, Mercury will also provide the City of Wichita Falls with

various analytical tools to use for future internal analysis.

Budgeted Amount:	\$50,000
Scope of Work:	\$107,460
Budget Shortfall:	\$57,460

To correct the budget shortfall, funding will come from the postponement of a \$108,000 capital vehicle replacement that was scheduled for this year. According to local suppliers, the 2022 models for this unit is no longer available. Additionally, replacement pricing has not been provided for the 2023 models. Given the uncertainty of this funding not being used for its intended purpose in this fiscal year, staff recommends transferring funds for this purchase to address the budget shortfall for this proposed consulting work.

Staff recommends the selection of Mercury Associates, Inc. for fleet consulting services for the City of Wichita Falls.

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

☒ **Director of Finance**

ASSOCIATED INFORMATION: Resolution ;

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute a Professional Services Agreement with Mercury Associates, Inc. for Phase I Fleet Maintenance Consulting Services and authorizing the payment of up to \$107,460 in fees

WHEREAS, the City of Wichita Falls desires consulting services be performed to address long term financial needs and operational efficiencies associated with its Fleet Maintenance Division operations; and,

WHEREAS, the FY 22 Fleet Maintenance budget has funding available to support these consulting services; and,

WHEREAS, Mercury Associates, Inc. proposes to provide these Phase I services at an estimated cost of \$107,460.

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

The City Manager is authorized to execute the professional services agreement with Mercury Associates, Inc., with changes thereto in a form approved by the City Attorney, in an estimated amount of \$107,460.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the Lift Station No. 25 Roof Replacement Project to Excel Construction Group, LLC – Lubbock Division in the amount of \$26,775.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On February 15, 2022, bids were opened for the Lift Station No. 25 Roof Replacement Project. This project is generally described as the removal of the existing roof and installation of new metal roofing, and associated work. The existing roof was installed in 1963 and for almost 60 years that roof has been exposed to the extreme weather we've encountered during that span. The proposed metal roofing will provide the aesthetics of Spanish clay tile without the burden of the weight. Although a lighter material, the metal can withstand the weather we expect to encounter for this area. There is \$25,000 allocated for this project in this year's budget.

The bids received for this project are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Excel Construction Group, LLC – Lubbock Division	\$ 26,775.00
Armored Roofing Company Inc. – Wichita Falls, TX	\$ 29,770.00

Construction of this project should require approximately 30 calendar days to complete. Excel Construction Group, LLC – Lubbock Division has not performed this type of work for the City in the past but has completed similar work for residential and commercial in other Cities. Staff has spoken with references and they all stated that Excel Construction Group has done a satisfactory job. Therefore, Staff recommends award of the contract to Excel Construction Group, LLC – Lubbock Division.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab, Location Map, Tile Pictures

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the Lift Station No. 25 Roof Replacement Project to Excel Construction Group, LLC – Lubbock Division in the amount of \$26,775.00

WHEREAS, the City of Wichita Falls has advertised for bids for the Lift Station No. 25 Roof Replacement Project; and,

WHEREAS, it is found that the lowest responsible bidder is Excel Construction Group, LLC – Lubbock Division who made a unit price bid with an estimated total of \$26,775.00.

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

The unit price bid for the Lift Station No. 25 Roof Replacement Project is awarded to Excel Construction Group, LLC – Lubbock Division, in an estimated total amount of \$26,775.00, 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 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

Lift Station No. 25 Roof Replacement Project CWF22-550-20 BID DATE: February 15, 2022

BASE BID				Order of Bids: Lowest to Highest			
				Excel Construction Group Lubbock Texas		Armored Roofing Company Inc. Wichita Falls Texas	
Pay Item	Description	Unit	Quantity	Unit Price	Total	Unit Price	Total
200.1	SITE PREPARATION & MOBILIZATION (NOT TO EXCEED 5%)	LS	1	\$1,300.00	\$1,300.00	\$1,190.00	\$1,190.00
701-RR	REMOVE EXISTING ROOF	LS	1	\$1,391.67	\$1,391.67	\$6,116.00	\$6,116.00
806.1-DR	DECRA VILLA TILE ROOF	SF	900	\$26.76	\$24,083.33	\$24.96	\$22,464.00
Engineers Estimate: \$28,000.00				TOTAL	\$26,775.00	TOTAL	\$29,770.00

LIFT STATION NO.25 ROOF REPLACEMENT PROJECT CWF22-550-20







Capri Clay



Rustico Clay



An example of the proposed Rustico Clay tile.

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to approve Change Order No. 2 for the 2021 Asphalt Rehabilitation Project for a reduction of \$63,987.50.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On February 2, 2021, bids were opened for the 2021 Asphalt Rehabilitation Project. This project is generally described as the rehabilitation of various asphalt City streets, and associated work. Freeman Paving, LLC was awarded the project in the amount of \$1,018,865.50 on March 2, 2021.

On June 15, 2021, Change Order No. 1 was approved and added the replacement of asphalt at the 7th Street railroad crossing and a section of W. Arrowhead Drive to the project.

The project has been complete for quite some time, with the exception of the 7th Street crossing work, and the final quantities have been tabulated for this project. Due to delays with BNSF, the contractor has not been able to complete the work for the 7th Street railroad crossing. Therefore, staff is proposing, in order to move forward with closing and final acceptance of this project, that the RR crossing work be added into the 2022 Asphalt Rehab Project. The surplus funds from this project will roll back into fund balance and will be utilized in the 2022 Asphalt Rehabilitation project.

Staff recommends the approval of Change Order No. 2 for the 2021 Asphalt Rehabilitation Project to allow for final acceptance and close-out of the project.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Change Order No. 2

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to approve Change Order No. 2 for the 2021 Asphalt Rehabilitation Project for a reduction of \$63,987.50

WHEREAS, the City of Wichita Falls has tabulated the final quantities for Change Order No. 2 for a reduction of \$63,987.50 for a final contract amount of \$1,064,461.50.

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

The City Manager is authorized to execute Change Order No. 2 for the 2021 Asphalt Rehabilitation Project in the amount of a reduction of \$63,987.50.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY OF WICHITA FALLS, TEXAS CONTRACT CHANGE ORDER FORM		CHANGE ORDER NO.: 2 - Final DATE: 2/22/2022 AMOUNT OF CHANGE: \$ (63,987.50)				
PROJECT/CONTRACT: 2021 Asphalt Rehabilitation Project, CWF21-100-03						
TO: <u>Freeman Paving, LLC</u> , this Change Order, after approval by the Owner, will be your (Contractor) authority to make the following changes in the work under your contract:						
Description of Changes	Decrease in Contract	Increase in Contract	Total Change in Contract			
This Change Order will balance final project quantities.						
1. Bid Item 302-D - Type D HMA Subtract 1,221 TON @ \$105.00/TON for a revised total of 1,364 TON	\$ 128,205.00		\$ (128,205.00)			
2. Bid Item 305.1 - Remove & Replace Curb & Gutter Add 124 LF @ \$45.00/LF for a revised total of 464 LF	\$ -	\$ 5,580.00	\$ 5,580.00			
3. Bid Item 305.2 - Remove & Replace Valley Gutter Subtract 41 SY @ \$75.00/SY for a revised total of 234 SY	\$ 3,075.00		\$ (3,075.00)			
4. Bid Item 305.2-SW - Remove & Replace 4" Concrete Sidewalk Add 25 SY @ \$100.00/SY for a revised total of 50 SY	\$ -	\$ 2,500.00	\$ 2,500.00			
5. Bid Item 402 - Base Repair Add 2,872 SY @ \$55.00/SY for a revised total of 14,066 SY	\$ -	\$ 157,960.00	\$ 157,960.00			
6. Bid Item 403-M - Milling Subtract 8,363 SY @ \$2.75/SY for a revised total of 8,799 SY	\$ 22,998.25	\$ -	\$ (22,998.25)			
7. Bid Item 200.1-RR - Railroad Mobilizations & Traffic Control Subtract 2 EA @ \$5,000.00/EA for a revised total of 0 EA	\$ 10,000.00	\$ -	\$ (10,000.00)			
8. Bid Item 300-RR - Railroad Mill & Overlay Subtract 1 LS @ \$60,000.00/LS for a revised total of 0 LS	\$ 60,000.00	\$ -	\$ (60,000.00)			
9. Bid Item 302-D-RR - Type D HMA (Railroad) Subtract 80 TON @ \$105.00/TON for a revised total of 0 TON	\$ 8,400.00	\$ -	\$ (8,400.00)			
10. Bid Item 403-M-RR - Milling (Railroad) Subtract 650 SY @ \$2.75/SY for a revised total of 0 SY	\$ 1,787.50	\$ -	\$ (1,787.50)			
11. Bid Item 604-4S-RR - 4" Yellow Solid Striping (Railroad) Subtract 315 LF @ \$1.20/LF for a revised total of 0 LF	\$ 378.00	\$ -	\$ (378.00)			
12. Bid Item 302-D-LA - Type D HMA (Lake Arrowhead) Add 46 TON @ \$105.00/TON for a revised total of 321 TON	\$ -	\$ 4,830.00	\$ 4,830.00			
13. Bid Item 403-M-LA - Milling (Lake Arrowhead) Subtract 5 SY @ \$2.75/SY for a revised total of 47 SY	\$ 13.75	\$ -	\$ (13.75)			
TOTAL	\$ 234,857.50	\$ 170,870.00	\$ (63,987.50)			
AMOUNT OF ORIGINAL CONTRACT:		\$ 1,018,865.50				
TOTAL AMOUNT OF THIS CHANGE ORDER:		\$ (63,987.50)				
TOTAL AMOUNT OF PREVIOUS CHANGE ORDERS:		\$ 109,563.50				
CONTRACT AMOUNT TO DATE:		\$ 1,064,461.50				
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> Approved By Owner: By: _____ Title: <u>City Manager</u> Date: _____ </td> <td style="width: 33%; vertical-align: top;"> Accepted By Contractor: By: <u>[Signature]</u> Title: <u>Owner</u> Date: <u>3/1/22</u> </td> <td style="width: 33%; vertical-align: top;"> Recommended By Arch/Eng: (if applicable) By: <u>T. B. R. M. P. E.</u> Title: <u>City Engineer</u> Date: <u>3-1-22</u> </td> </tr> </table>				Approved By Owner: By: _____ Title: <u>City Manager</u> Date: _____	Accepted By Contractor: By: <u>[Signature]</u> Title: <u>Owner</u> Date: <u>3/1/22</u>	Recommended By Arch/Eng: (if applicable) By: <u>T. B. R. M. P. E.</u> Title: <u>City Engineer</u> Date: <u>3-1-22</u>
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**CITY COUNCIL AGENDA
March 15, 2022**

ITEM/SUBJECT: Resolution authorizing the City Manager to approve Change Order No. 1 for the 2022 Asphalt Rehabilitation Project to Freeman Paving, L.L.C. in the amount of \$80,565.50 for the replacement of asphalt at the 7th Street railroad crossing.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On February 1, 2022, bids were opened for the 2022 Asphalt Rehabilitation Project. This project is generally described as the rehabilitation of various asphalt City streets, and associated work. Freeman Paving, LLC was awarded the project in the amount of \$1,334,392.50 on February 15, 2022.

The 7th Street railroad crossing has not been upgraded in years and has become extremely rough and difficult to cross. Traffic must proceed at an extremely slow speed to safely cross the 9 sets of railroad tracks. Therefore, the City entered into a Joint Funding agreement with BNSF for resurfacing of the crossing in April of this year. The agreement requires the City to replace the asphalt between the tracks after the new planking is installed. This Change Order will add the work required for the removal and replacement of the asphalt between the outside edge of each track planking and leading up to the railroad crossing.

Staff recommends the approval of Change Order No. 1. Funding for this change order will come from the existing street rehab budget.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Change Order No. 1, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to approve Change Order No. 1 for the 2022 Asphalt Rehabilitation Project to Freeman Paving, L.L.C. in the amount of \$80,565.50 for the replacement of asphalt at the 7th Street railroad crossing

WHEREAS, the City of Wichita Falls entered a unit price contract with Freeman Paving, LLC for the 2022 Asphalt Rehabilitation Project with the estimated total cost of \$1,334,392.50; and,

WHEREAS, the City of Wichita Falls has negotiated Change Order No. 1 for an addition of \$80,565.50 for a final contract amount of \$1,414,958.00.

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

The City Manager is authorized to execute Change Order No. 1 for the 2022 Asphalt Rehabilitation Project in the amount of \$80,565.50.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

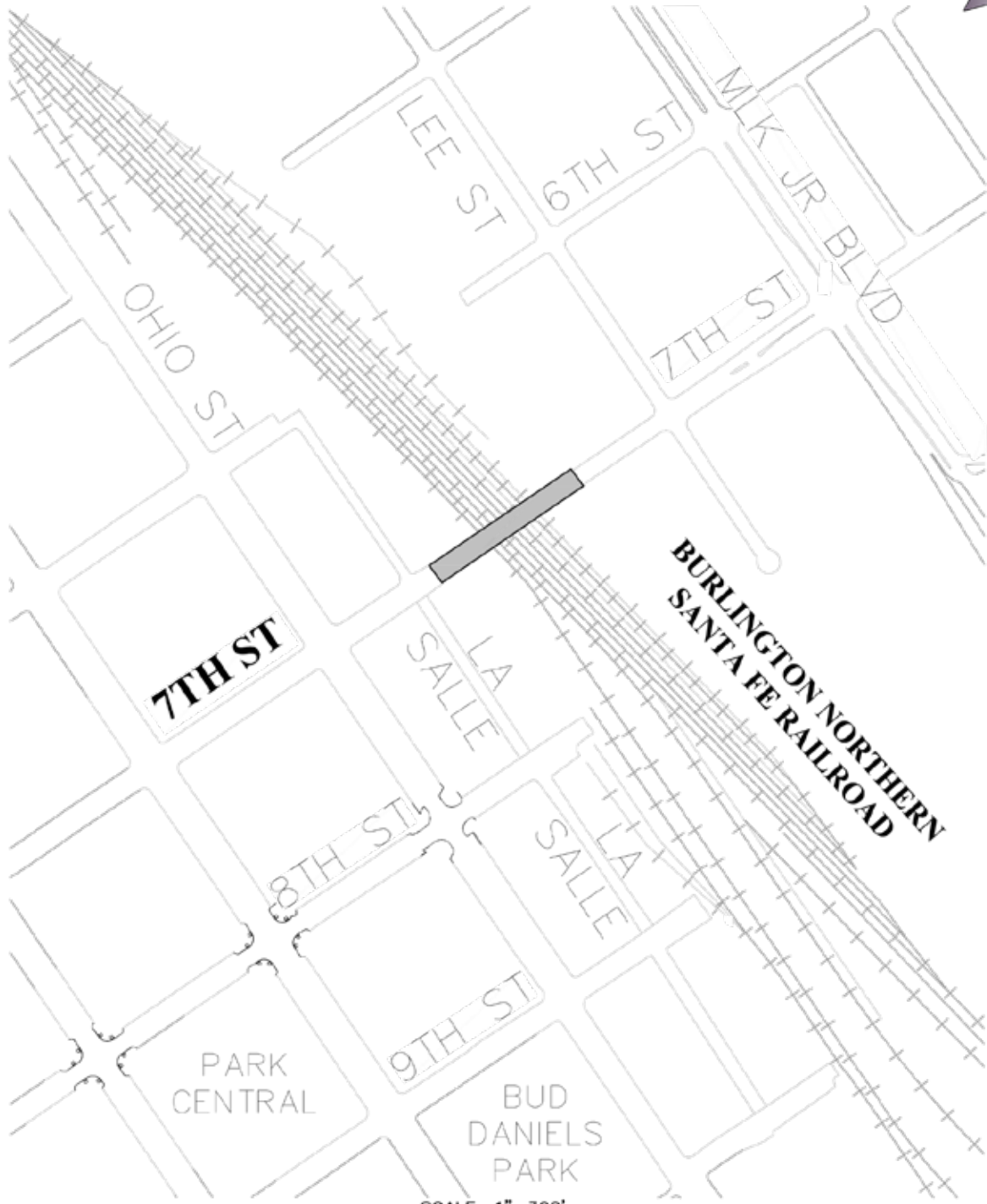
City Clerk

CITY OF WICHITA FALLS, TEXAS CONTRACT CHANGE ORDER FORM		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">CHANGE ORDER NO.:</td> <td style="width: 50%; text-align: right;">1</td> </tr> <tr> <td>DATE:</td> <td style="text-align: right;">2/22/2022</td> </tr> <tr> <td>AMOUNT OF CHANGE:</td> <td style="text-align: right;">\$ 80,565.50</td> </tr> </table>		CHANGE ORDER NO.:	1	DATE:	2/22/2022	AMOUNT OF CHANGE:	\$ 80,565.50																		
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PROJECT/CONTRACT: 2022 Asphalt Rehabilitation Project, CWF22-100-04																											
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Description of Changes	Decrease in Contract	Increase in Contract	Total Change in Contract																								
This Change Order will add items for the rehabilitation of the 7th Street Railroad Crossing, as part of the Crossing Surface Installation Agreement with BNSF Railway Company that was previously approved. The funding is available in the street rehabilitation budget.																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 50%;">1. New Item 200.1-RR: Railroad Mobilizations (including Traffic Control) Add 2 EA @ \$5,000.00/EA (for mobilizing needed due to RR operations)</td> <td style="width: 12.5%; text-align: center;">\$ -</td> <td style="width: 12.5%; text-align: center;">\$ 10,000.00</td> <td style="width: 12.5%; text-align: center;">\$ 10,000.00</td> </tr> <tr> <td>2. New Item 300-RR: Railroad Mill & Overlay Add 1 LS @ \$60,000.00/LS (for mill and overlay between the RR tracks)</td> <td style="text-align: center;">\$ -</td> <td style="text-align: center;">\$ 60,000.00</td> <td style="text-align: center;">\$ 60,000.00</td> </tr> <tr> <td>3. New Item 302-D-RR: Type D HMAC Add 80 TON @ \$105.00/TON (for overlay not between the outer edge of the tracks)</td> <td style="text-align: center;">\$ -</td> <td style="text-align: center;">\$ 8,400.00</td> <td style="text-align: center;">\$ 8,400.00</td> </tr> <tr> <td>4. New Item 403-M-RR: Milling Add 650 SY @ \$2.75/SY (for milling not between the outer edge of the tracks)</td> <td style="text-align: center;">\$ -</td> <td style="text-align: center;">\$ 1,787.50</td> <td style="text-align: center;">\$ 1,787.50</td> </tr> <tr> <td>5. New Item 804-4YS-RR: 4" Yellow Solid Striping Add 315 LF @ \$1.20/LF (for striping on 7th street before and after crossing)</td> <td style="text-align: center;">\$ -</td> <td style="text-align: center;">\$ 378.00</td> <td style="text-align: center;">\$ 378.00</td> </tr> <tr> <td style="text-align: right;">TOTAL</td> <td style="text-align: center;">\$ -</td> <td style="text-align: center;">\$ 80,565.50</td> <td style="text-align: center;">\$ 80,565.50</td> </tr> </tbody> </table>				1. New Item 200.1-RR: Railroad Mobilizations (including Traffic Control) Add 2 EA @ \$5,000.00/EA (for mobilizing needed due to RR operations)	\$ -	\$ 10,000.00	\$ 10,000.00	2. New Item 300-RR: Railroad Mill & Overlay Add 1 LS @ \$60,000.00/LS (for mill and overlay between the RR tracks)	\$ -	\$ 60,000.00	\$ 60,000.00	3. New Item 302-D-RR: Type D HMAC Add 80 TON @ \$105.00/TON (for overlay not between the outer edge of the tracks)	\$ -	\$ 8,400.00	\$ 8,400.00	4. New Item 403-M-RR: Milling Add 650 SY @ \$2.75/SY (for milling not between the outer edge of the tracks)	\$ -	\$ 1,787.50	\$ 1,787.50	5. New Item 804-4YS-RR: 4" Yellow Solid Striping Add 315 LF @ \$1.20/LF (for striping on 7th street before and after crossing)	\$ -	\$ 378.00	\$ 378.00	TOTAL	\$ -	\$ 80,565.50	\$ 80,565.50
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AMOUNT OF ORIGINAL CONTRACT:			\$ 1,334,392.50																								
TOTAL AMOUNT OF THIS CHANGE ORDER:			\$ 80,565.50																								
TOTAL AMOUNT OF PREVIOUS CHANGE ORDERS:			\$ -																								
CONTRACT AMOUNT TO DATE:			\$ 1,414,958.00																								
<table style="width: 100%;"> <tr> <td style="width: 33%; vertical-align: top;"> Approved By Owner: By: _____ Title: <u>City Manager</u> Date: _____ </td> <td style="width: 33%; vertical-align: top;"> Accepted By Contractor: By: <u>James Freeman</u> Title: <u>owner</u> Date: <u>3/1/22</u> </td> <td style="width: 33%; vertical-align: top;"> Recommended By Arch/Eng: (if applicable) By: <u>T. BL/Arch, P.E.</u> Title: <u>City Engineer</u> Date: <u>3-1-22</u> </td> </tr> </table>				Approved By Owner: By: _____ Title: <u>City Manager</u> Date: _____	Accepted By Contractor: By: <u>James Freeman</u> Title: <u>owner</u> Date: <u>3/1/22</u>	Recommended By Arch/Eng: (if applicable) By: <u>T. BL/Arch, P.E.</u> Title: <u>City Engineer</u> Date: <u>3-1-22</u>																					
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2022 ASPHALT STREET REHABILITATION PROJECT

CWF22-100-04

7TH STREET RAILROAD CROSSING



SCALE: 1"=300'

SHEET 1 OF 1

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2022 Water Budget Utility Improvements Project to Bowles Construction Co. in the amount of \$1,664,568.50.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On March 1, 2022, bids were opened for the 2022 Water Budget Utility Improvements Project. This project is generally described as the installation of new waterlines in various locations, various valve improvements, and associated work. The purpose of the project is to replace deteriorating cast iron and galvanized steel water mains, which have continuous maintenance issues. The replacement of these lines will improve the water quality and reliability of the system in these areas, and will allow fire protection to be installed in areas which previously had none. The budget for this project is \$1,725,000.00.

The bids received for this project, which include the Base Bid plus Additive Alternates No. 1, No. 2, & No. 4, are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Bowles Construction Co. – Wichita Falls, TX	\$1,664,568.50
Timco Blasting and Coatings, Inc. – Bristow, OK	\$2,070,714.70
Canary Construction, Inc. – Lewisville, TX	\$3,518,500.00

Construction of this project should require approximately 240 consecutive days to complete.

Bowles Construction Co. has performed this work for the City in the past and therefore, staff recommends award of the contract to Bowles Construction Co. in the amount of \$1,664,568.50, which includes the Base Bid and Additive Alternates No. 1, No. 2, & No. 4 based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2022 Water Budget Utility Improvements Project to Bowles Construction Co. in the amount of \$1,664,568.50

WHEREAS, the City of Wichita Falls has advertised for bids for the 2022 Water Budget Utility Improvements Project; and,

WHEREAS, it is found that the lowest responsible bidder is Bowles Construction Co. who made a unit price bid with an estimated total of \$1,664,568.50.

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

The unit price bid for the 2022 Water Budget Utility Improvements Project is awarded to Bowles Construction Co., in an estimated total amount of \$1,664,568.50, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

2022 WATER BUDGET UTILITY IMPROVEMENTS PROJECT			
CWF22-550-08			
BID DATE: March 1, 2022			
BASE BID			
Pay Item	Description	Unit	Project Totals
107-TS	TRENCH SAFETY SYSTEM	LF	8,321
200.1	SITE PREPARATION & MOBILIZATION (NOT TO EXCEED 5%)	LS	1
402-R	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	3,172
501.14-6	INSTALL 6" WATERLINE AND FITTINGS	LF	3,666
501.14-8	INSTALL 8" WATERLINE AND FITTINGS	LF	2,250
501.14-12	INSTALL 12" WATERLINE AND FITTINGS	LF	2,490
501.14-12RJ	INSTALL 12" WATERLINE AND FITTINGS (RESTRAINED JOINT)	LF	42
502.3-FH	INSTALL 5 1/4" FIRE HYDRANT ASSEMBLY	EA	7
502.3-R5	REMOVE & SALVAGE 5 1/4" FIRE HYDRANT ASSEMBLY	EA	4
502.6-6	INSTALL 6" GATE VALVE WITH BOX	EA	16
502.6-8	INSTALL 8" GATE VALVE WITH BOX	EA	7
502.6-12	INSTALL 12" GATE VALVE WITH BOX	EA	4
502.10-L	INSTALL 3/4" LONG SERVICES	EA	111
502.10-S	INSTALL 3/4" SHORT SERVICES	EA	98
502.10-L-1	INSTALL 1" LONG SERVICES	EA	4
502.10-S-1	INSTALL 1" SHORT SERVICES	EA	3
502.10-L-2	INSTALL 2" LONG SERVICES	EA	1
503-2	INSTALL 2" PVC CASING	LF	400
503-12	INSTALL 12" STEEL CASING (MIN 0.375" THICKNESS)	LF	50
503-14	INSTALL 14" STEEL CASING (MIN 0.375" THICKNESS)	LF	35
503-18	INSTALL 18" STEEL CASING (MIN 0.375" THICKNESS)	LF	30
506.8-2	CUT AND PLUG EXIST 2" WATER MAIN	EA	11
506.8-3	CUT AND PLUG EXIST 3" WATER MAIN	EA	1
506.8-6	CUT AND PLUG EXIST 6" WATER MAIN	EA	8
506.8-14	CUT AND PLUG EXIST 14" WATER MAIN	EA	6
508.3	REMOVE AND REPLACE 15" RCP STORM DRAIN	LF	15
801	TEMPORARY BARRICADING AND TRAFFIC CONTROL	LS	1

ORDER OF BIDS LOWEST TO HIGHEST					
Bowles Construction Co. - Wichita Falls, TX		Timco Blasting and Coatings, Inc. - Bristow, OK		Canary Construction, Inc. - Lewisville, TX	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 1.00	\$ 8,321.00	\$ 2.40	\$ 19,970.40	\$ 10.00	\$ 83,210.00
\$ 35,000.00	\$ 35,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
\$ 95.00	\$ 301,340.00	\$ 108.00	\$ 342,576.00	\$ 195.00	\$ 618,540.00
\$ 60.00	\$ 219,960.00	\$ 54.00	\$ 197,964.00	\$ 155.00	\$ 568,230.00
\$ 70.00	\$ 157,500.00	\$ 68.81	\$ 154,822.50	\$ 185.00	\$ 416,250.00
\$ 110.00	\$ 273,900.00	\$ 116.00	\$ 288,840.00	\$ 195.00	\$ 485,550.00
\$ 115.00	\$ 4,830.00	\$ 232.00	\$ 9,744.00	\$ 210.00	\$ 8,820.00
\$ 4,700.00	\$ 32,900.00	\$ 8,271.00	\$ 57,897.00	\$ 6,000.00	\$ 42,000.00
\$ 800.00	\$ 3,200.00	\$ 1,200.00	\$ 4,800.00	\$ 1,000.00	\$ 4,000.00
\$ 1,100.00	\$ 17,600.00	\$ 2,248.00	\$ 35,968.00	\$ 2,200.00	\$ 35,200.00
\$ 1,600.00	\$ 11,200.00	\$ 2,800.00	\$ 19,600.00	\$ 2,600.00	\$ 18,200.00
\$ 2,700.00	\$ 10,800.00	\$ 4,300.00	\$ 17,200.00	\$ 3,500.00	\$ 14,000.00
\$ 1,400.00	\$ 155,400.00	\$ 3,423.00	\$ 379,953.00	\$ 3,100.00	\$ 344,100.00
\$ 1,000.00	\$ 98,000.00	\$ 1,450.00	\$ 142,100.00	\$ 2,600.00	\$ 254,800.00
\$ 1,500.00	\$ 6,000.00	\$ 2,177.00	\$ 8,708.00	\$ 3,500.00	\$ 14,000.00
\$ 1,300.00	\$ 3,900.00	\$ 1,221.60	\$ 3,664.80	\$ 3,000.00	\$ 9,000.00
\$ 3,300.00	\$ 3,300.00	\$ 2,700.00	\$ 2,700.00	\$ 6,000.00	\$ 6,000.00
\$ 165.00	\$ 66,000.00	\$ 25.00	\$ 10,000.00	\$ 75.00	\$ 30,000.00
\$ 225.00	\$ 11,250.00	\$ 171.00	\$ 8,550.00	\$ 400.00	\$ 20,000.00
\$ 335.00	\$ 11,725.00	\$ 197.00	\$ 6,895.00	\$ 500.00	\$ 17,500.00
\$ 405.00	\$ 12,150.00	\$ 250.00	\$ 7,500.00	\$ 550.00	\$ 16,500.00
\$ 500.00	\$ 5,500.00	\$ 500.00	\$ 5,500.00	\$ 200.00	\$ 2,200.00
\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 350.00	\$ 350.00
\$ 600.00	\$ 4,800.00	\$ 774.00	\$ 6,192.00	\$ 2,000.00	\$ 16,000.00
\$ 1,500.00	\$ 9,000.00	\$ 2,800.00	\$ 16,800.00	\$ 2,500.00	\$ 15,000.00
\$ 100.00	\$ 1,500.00	\$ 240.00	\$ 3,600.00	\$ 250.00	\$ 3,750.00
\$ 12,000.00	\$ 12,000.00	\$ 28,000.00	\$ 28,000.00	\$ 9,000.00	\$ 9,000.00
Total Base Bid	\$ 1,477,576.00	Total Base Bid	\$ 1,855,044.70	Total Base Bid	\$ 3,127,200.00

Additive Alternate No.1 - Augusta Ln			
Pay Item	Description	Unit	Project Totals
107-TS-A1	TRENCH SAFETY SYSTEM	LF	500
402-R-A1	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	180
501.14-6-A1	INSTALL 6" WATERLINE AND FITTINGS	LF	500
502.6-6-A1	INSTALL 6" GATE VALVE WITH BOX	EA	2
502.10-L-A1	INSTALL 3/4" LONG SERVICES	EA	8
502.10-S-A1	INSTALL 3/4" SHORT SERVICES	EA	8
506.8-2-A1	CUT AND PLUG EXIST 2" WATER MAIN	EA	3
506.8-3-A1	CUT AND PLUG EXIST 3" WATER MAIN	EA	1
506.8-6-A1	CUT AND PLUG EXIST 6" WATER MAIN	EA	1

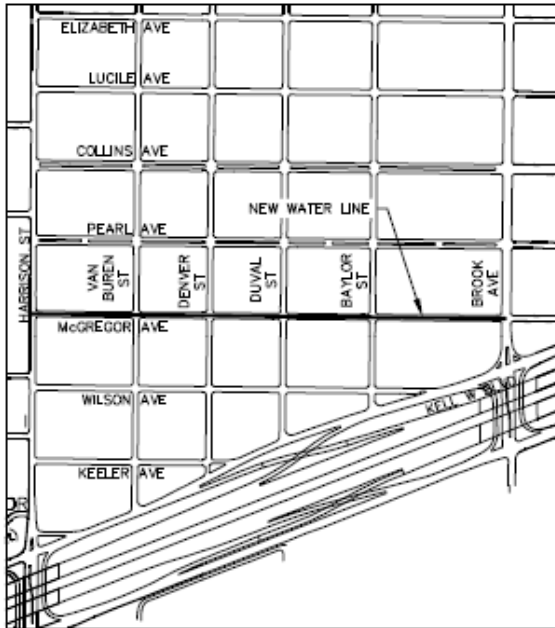
Bowles Construction Co. - Wichita Falls, TX		Timco Blasting and Coatings, Inc. - Bristow, OK		Canary Construction, Inc. - Lewisville, TX	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 2.50	\$ 1,250.00	\$ 2.40	\$ 1,200.00	\$ 10.00	\$ 5,000.00
\$ 95.00	\$ 17,100.00	\$ 108.00	\$ 19,440.00	\$ 185.00	\$ 33,300.00
\$ 60.00	\$ 30,000.00	\$ 54.00	\$ 27,000.00	\$ 155.00	\$ 77,500.00
\$ 1,100.00	\$ 2,200.00	\$ 2,248.00	\$ 4,496.00	\$ 2,200.00	\$ 4,400.00
\$ 1,400.00	\$ 11,200.00	\$ 3,423.00	\$ 27,384.00	\$ 3,200.00	\$ 25,600.00
\$ 1,000.00	\$ 8,000.00	\$ 1,450.00	\$ 11,600.00	\$ 3,000.00	\$ 24,000.00
\$ 500.00	\$ 1,500.00	\$ 500.00	\$ 1,500.00	\$ 250.00	\$ 750.00
\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 360.00	\$ 360.00
\$ 600.00	\$ 600.00	\$ 774.00	\$ 774.00	\$ 1,200.00	\$ 1,200.00
Total Add/Alt 1	\$ 72,350.00	Total Add/Alt 1	\$ 93,894.00	Total Add/Alt 1	\$ 172,110.00

Additive Alternate No.2 - Hollandale Ave				Bowles Construction Co. - Wichita Falls, TX		Timco Blasting and Coatings, Inc. - Bristow, OK		Canary Construction, Inc. - Lewisville, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total	Unit Price	Total
107-TS-A2	TRENCH SAFETY SYSTEM	LF	495	\$ 2.50	\$ 1,237.50	\$ 2.40	\$ 1,188.00	\$ 10.00	\$ 4,950.00
402-R-A2	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	179	\$ 95.00	\$ 17,005.00	\$ 108.00	\$ 19,332.00	\$ 195.00	\$ 34,905.00
501.14-6-A2	INSTALL 6" WATERLINE AND FITTINGS	LF	495	\$ 60.00	\$ 29,700.00	\$ 54.00	\$ 26,730.00	\$ 155.00	\$ 76,725.00
502.6-6-A2	INSTALL 6" GATE VALVE WITH BOX	EA	2	\$ 1,100.00	\$ 2,200.00	\$ 2,248.00	\$ 4,496.00	\$ 2,200.00	\$ 4,400.00
502.10-L-A2	INSTALL 3/4" LONG SERVICES	EA	6	\$ 1,400.00	\$ 8,400.00	\$ 3,423.00	\$ 20,538.00	\$ 3,200.00	\$ 19,200.00
502.10-S-A2	INSTALL 3/4" SHORT SERVICES	EA	8	\$ 1,000.00	\$ 8,000.00	\$ 1,450.00	\$ 11,600.00	\$ 3,000.00	\$ 24,000.00
506.8-2-A2	CUT AND PLUG EXIST 2" WATER MAIN	EA	3	\$ 500.00	\$ 1,500.00	\$ 500.00	\$ 1,500.00	\$ 3,020.00	\$ 9,060.00
506.8-6-A2	CUT AND PLUG EXIST 6" WATER MAIN	EA	1	\$ 600.00	\$ 600.00	\$ 774.00	\$ 774.00	\$ 950.00	\$ 950.00
				Total Add/Alt 2	\$ 68,642.50	Total Add/Alt 2	\$ 86,158.00	Total Add/Alt 2	\$ 174,190.00

Additive Alternate No.4 - Burk Burnett Rd & MLK Jr Blvd				Bowles Construction Co. - Wichita Falls, TX		Timco Blasting and Coatings, Inc. - Bristow, OK		Canary Construction, Inc. - Lewisville, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total	Unit Price	Total
502.6-20-A4	INSTALL 20" VALVE (Burk Burnett Rd & MLK Jr Blvd)	LS	1	\$ 46,000.00	\$ 46,000.00	\$ 35,618.00	\$ 35,618.00	\$ 45,000.00	\$ 45,000.00
				Total Add/Alt 4	\$ 46,000.00	Total Add/Alt 4	\$ 35,618.00	Total Add/Alt 4	\$ 45,000.00

TOTAL - (BASE BID & ADD/ALTS 1,2,&4)					\$ 1,664,568.50		\$ 2,070,714.70		\$ 3,518,500.00
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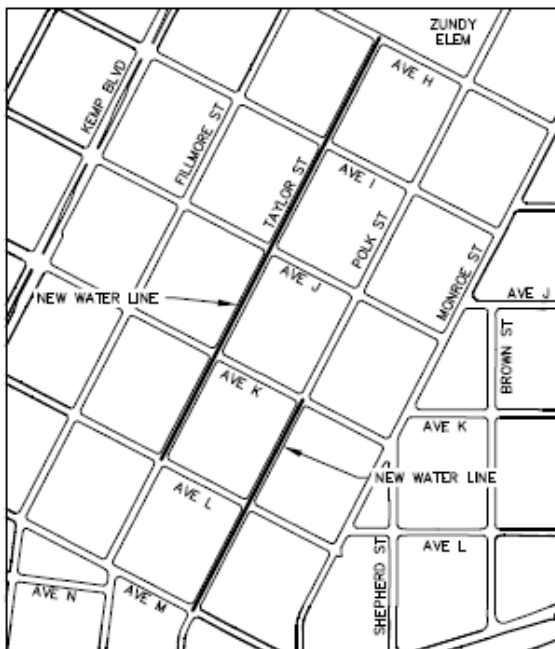
2022 WATER BUDGET UTILITY IMPROVEMENT PROJECT CWF22-550-08



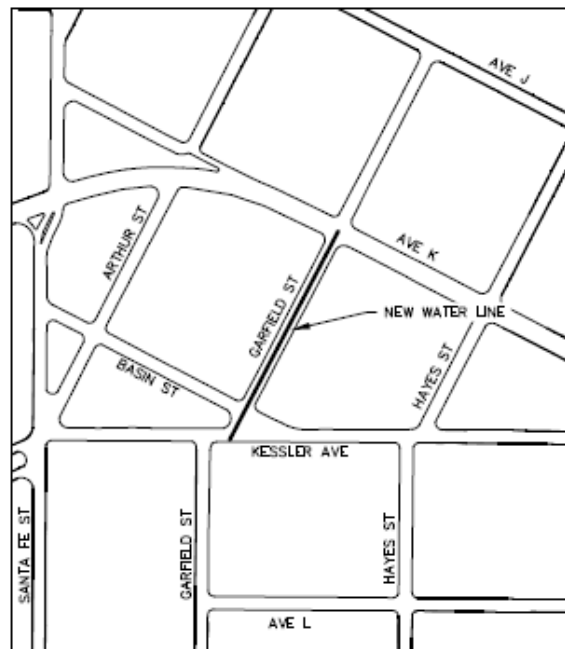
NOT TO SCALE
MCGREGOR AVE.



NOT TO SCALE
OHIO AVE.



NOT TO SCALE
TAYLOR ST. & POLK ST.



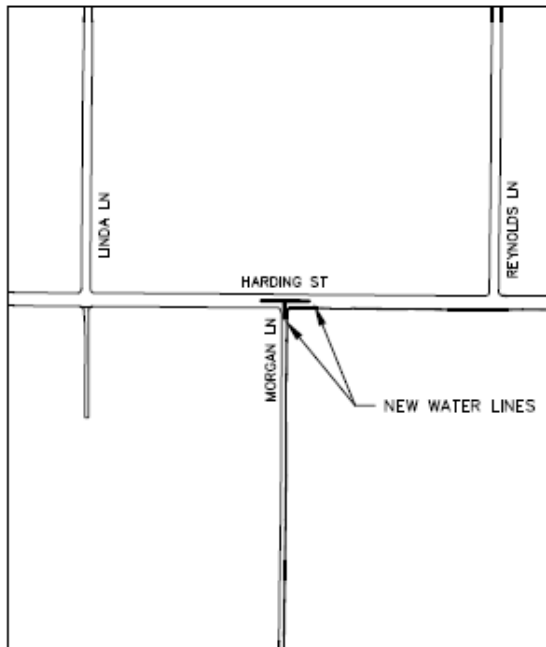
NOT TO SCALE
GARFIELD ST.

SHEET 1 OF 2

2022 WATER BUDGET UTILITY IMPROVEMENT PROJECT CWF22-550-08



NOT TO SCALE
NORMAN ST., NURSERY ST., FLORIST ST, AUGUSTA LN.(ADD/ALT #1), HOLLANDALE AVE (ADD/ALT#2)



NOT TO SCALE
HARDING ST.



NOT TO SCALE
BURKBURNETT RD & MLK BLVD (ADD/ALT #4)
20" VALVE REPLACEMENT

SHEET 2 OF 2

CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by authorizing DuraPro Enterprises, LLC to assume the WFEDC's existing loan to 707 North Scott, LLC and to subordinate WFEDC's existing lien against the Property to a new bank lien for DuraPro to finance the remaining portion of the purchase price.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: n/a

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."

Several years ago, the WFEDC and 707 North Scott, LLC (707 NS) entered into a Performance Agreement to incentivize 707 NS to employ a certain number of people to keep and create jobs in Wichita Falls. In connection with the agreement was a forgivable loan in an amount \$327,310, secured by a Deed of Trust covering the Property. If 707 NS employed or leased to a tenant who employed the requisite number of employees as provided for in the Performance Agreement, WFEDC agreed to forgive the entire principal and interest amounts owed under the loan over a certain number of years. If there was a shortfall in reaching the requisite number of employees, 707 NS would be required to repay a portion of the loan for each employee below the requisite number.

707 NS has leased the Property to Dental Planet, LLC ("Dental Planet") exclusively since the date of the loan.

In August 2020, Nick Whittington and Tony Brumley purchased Dental Planet. Nick and Tony have been employees of Dental Planet for 21 years and 17 years, respectively, and minority owners since March 2012. They are local businessmen who wanted to keep Dental Planet in Wichita Falls and decided to invest in the business to make that happen. With that same mindset, they have approached the owners of 707 NS to purchase the Property and bring ownership back into local hands and have formed DuraPro to purchase the Property from 707 NS.

Since the loan was made, \$224,753 has been forgiven, and \$4,364 has been repaid. Dental Planet's employment has met the qualifications for the maximum loan forgiveness for each annual installment, except for 2020, in which they had a shortfall of 4 full-time

positions in part due to the pandemic. The remaining balance of the loan to be forgiven, or a portion to be paid if qualifications are not met annually is \$98,193 by December 1, 2024. Dental Planet intends to continue to meet the terms of the Performance Agreement to qualify DuraPro for the maximum loan forgiveness for the remainder of the loan.

In order to purchase the Property, DuraPro requested of the WFEDC:

1. to consent to DuraPro's assumption of WFEDC's existing loan to 707 NS, and
2. to subordinate its existing lien against the Property (take a second position) to a new bank lien for DuraPro to finance the remaining portion of the purchase price.

At its regular meeting on February 17, 2022, the WFEDC Board approved the request. The applicants as well as economic development staff from the Chamber will be in attendance at the meeting to provide additional information and to answer any questions.

Staff and the WFEDC Board recommend approval of this resolution.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: (1) Resolution, (2) information provided to WFEDC

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing DuraPro Enterprises, LLC to assume the Wichita Falls Economic Development Corporation's existing loan to 707 North Scott, LLC and to subordinate WFEDC's existing lien against the Property to a new bank lien for DuraPro to finance the remaining portion of the purchase price

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 program modification as described below and in said corporation's agenda, are approved:

DuraPro Enterprises, LLC:

- DuraPro Enterprises, LLC is authorized to assume the WFEDC's existing loan to 707 North Scott, LLC and to subordinate WFEDC's existing lien against the Property to a new bank lien for DuraPro to finance the remaining portion of the purchase price.

PASSED AND APPROVED this the 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

PROJECT SUMMARY

February 17, 2022

ITEM/SUBJECT: Dental Planet/DuraPro LLC project

INITIATED BY: Henry Florsheim

ATTACHED: Letter from DuraPro; current performance agreement with 707 North Scott LLC

COMMENTARY: The owners of Dental Planet are attempting to purchase the property where the company is located (at 707 North Scott). This includes their assumption of the existing performance agreement between the WFEDC and 707 North Scott LLC. Their bank is requiring a first position on collateral; the company is asking if the WFEDC would take a subordinate position to allow the sale of property to go through.

Since this loan was made in 2014, \$224,753 has been forgiven. Dental Planet has met its employment requirements each year except in 2020 when they fell short by four positions; that year they repaid the required \$4,364. The remaining balance of the loan is \$98,193, which will be completely forgiven or paid for by December 1, 2024.

RECOMMENDATION:

Considering the small amount left on the loan balance, I recommend the EDC agree to move to a second collateral position on the existing loan. This will allow local ownership to purchase the property and be more in control of their own future.

SAMPLE MOTION: To amend the existing performance agreement with 707 North Scott LLC to allow the WFEDC to take a subordinate position on collateral.

Respectfully submitted,

Henry Florsheim
Wichita Falls Chamber of Commerce

Frank Gibson (1925-2011)
Joseph N. Sherrill, Jr. (1929-2013)

Matthew D. Anderson
Anthony W. Bates
Kara M. Blanco*
Richard K. Bowersock
Peyton W. Canmedy
R. Caven Crosnoe
D. Todd Davenport
Erwin Davenport*
Barbara Gibson**
Robert W. Goff, Jr.*
R. Ken Hines
Michelle L. Wurster



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Wichita Falls, Texas 76308
p. 940.264.4400
f. 940.264.4401

4315 Guadalupe Street, Suite 202
Austin, Texas 78751
p. 512.474.1144
f. 512.474.9023

222 Sidney Baker South, Suite 525
Kerrville, Texas 78028
p. 830.893.3145
f. 940.264.4401

Of Counsel
Tony Hotchkiss
John E. Prothro, Jr.*

February 11, 2022

*Board Certified, Estate Planning and Probate Law, Texas Board of Legal Specialization
**Board Certified, Residential Real Estate Law, Texas Board of Legal Specialization

Wichita Falls Economic Development Corporation
PO Box 1431
Wichita Falls, Texas 76307

RE: DuraPro Enterprises, LLC Assumption and Subordination Request

Dear WFEDC Board Members:

Our firm represents DuraPro Enterprises, LLC ("DuraPro") in connection with DuraPro's proposed purchase of 707 North Scott Avenue, Wichita Falls, Texas 76306 (the "Property") from 707 North Scott, LLC ("707 NS"). The purpose of this letter is to provide context for DuraPro's assumption and subordination request. Below is a brief history of the background of the proposed purchase and request.

1. WFEDC and 707 NS entered into a Performance Agreement to incentive 707 NS to employ or lease to a tenant to employ a certain level of people to keep and create jobs in Wichita Falls.
2. In connection with such Performance Agreement and to incentive such performance with the Agreement, WFEDC and 707 NS also entered into a forgivable Combined Promissory Note in the principal amount of \$327,310 on December 1, 2014 secured by a Deed of Trust covering the Property.
3. If 707 NS employed or leased to a tenant who employed the requisite number of employees as provided for in the Performance Agreement, WFEDC agreed to forgive the full principal and interest amounts owed under the loan.
4. If there was a shortfall in reaching the requisite number of employees, 707 NS would be required to repay a portion of the loan for each employee below the requisite number.
5. 707 NS has leased the property to Dental Planet, LLC ("Dental Planet") exclusively since the date of the loan.

6. In August 2020, Nick Whittington and Tony Brumley purchased Dental Planet. Nick and Tony have been employees of Dental Planet for 21 years and 17 years, respectively, and minority owners since March 2012. They are local businessmen who wanted to keep Dental Planet in Wichita Falls and decided to invest in the business to make that happen. It is with that same mindset that they have approached the owners of 707 NS to purchase the Property and bring ownership back into local hands.

7. Nick and Tony formed DuraPro to purchase the Property from 707 NS.

8. Since the time the loan was made, \$224,753 has been forgiven and \$4,364 has been repaid. Dental Planet's employment has met the qualifications for the maximum loan forgiveness for each annual installment, except for 2020 in which they had a shortfall of 4 full-time positions in part due to the pandemic.

9. The remaining balance of the loan to be forgiven, or a portion to be paid if qualifications are not met, annually is \$98,193 by December 1, 2024.

10. Dental Planet intends to continue to meet the terms of the Performance Agreement to qualify DuraPro for the maximum loan forgiveness for the remainder of the loan.

11. In order to purchase the Property, DuraPro is requesting WFEDC (i) to consent to DuraPro's assumption of WFEDC's existing loan to 707 NS and (ii) to subordinate its existing lien against the Property to a new bank lien for DuraPro to finance the remaining portion of the purchase price.

Nick and Tony are passionate about keeping business local and anticipates employment growth as they continue to implement their business strategies and solutions within Dental Planet. They are excited for the possibilities that owning the Property will afford them and are hopeful to work in cooperation with the WFEDC to make this transaction a reality. My client and I would be happy to answer any question or comment you may have. We appreciate your consideration of this matter and look forward to your response.

Sincerely,
SHERRILL & GIBSON



PEYTON W. CANNEDY
pcannedy@sgpllc.law

Encl: None
Cc: None

CITY COUNCIL AGENDA
March 15, 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 \$75,000 expenditure for site preparation costs related to a potential business park adjacent to the Wichita Falls Regional Airport.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

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

COMMENTARY:

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

Timeline

- February 17, 2022 – WFEDC Board hears and approves request from Chamber and City staff (see attached).
- March 15, 2022 – City Council to consider ratifying WFEDC budget amendment to facilitate project.

Summary

This item is to consider approval of an amendment to the WFEDC's (4A) budget to include an up to a \$75,000 expenditure to facilitate real estate options and site/environmental studies on land adjacent to Regional Airport. This request is in association with a larger plan to seek federal funding towards the development of an airport business park.

On February 17, 2022, the WFEDC considered and approved this item. The WFEDC's economic development staff at the Chamber of Commerce will be at the City Council meeting to provide details on the company and project. The WFEDC's February 2022 Financial Report shows the corporation has approximately \$7.1M in available funds to facilitate this project.

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

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Exhibits from WFEDC meeting, Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

PROJECT SUMMARY

FEBRUARY 17, 2022

ITEM/SUBJECT: Site Preparation Costs for Potential Business Park at the Airport

INITIATED BY: David Leezer

ATTACHMENTS: None

COMMENTARY:

Wichita Falls has identified aviation and aerospace as a target market. Aviation industries prefer to be located near or at an airport due to testing requirements and the fact that many times they work on a variety of aircrafts.

In discussing this strategy with John Burress and Jon Waltjen, we have become aware of the potential of acquiring adjoining land next to the Wichita Falls Airport to create our own aviation business park. Potentially, this park could be as large as 125 acres.

In addition, we have been made aware that the Wichita Falls Regional Airport could receive as much as \$10,000,000 from the federal government to help with the project.

Before we can acquire the property, we must get an appraisal, secure an option and conduct a Phase I Environmental Study. We estimate the cost for all would be no more than \$75,000. This development would certainly put Wichita Falls on the map and add another asset to our recruitment efforts.

RECOMMENDATION:

Staff recommends the board approve this request to spend up to \$75,000 to allow us to move forward on this project and work with federal officials to secure the \$10M funding.

SAMPLE MOTION: To spend up to \$75,000 for real estate options and site studies on properties adjacent to the Wichita Falls Regional Airport for purposes of developing industrial sites for potential tenants.

Respectfully submitted,

David A. Leezer, CECD FM
Vice President of Business Attraction
Wichita Falls Chamber of Commerce

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 \$75,000 expenditure for site preparation costs related to a potential business park adjacent to the Wichita Falls Regional Airport

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 22, 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:

Airport Business Park Site Preparation Project:

- A total of an up to \$75,000 expenditure for site preparation costs related to a potential business park adjacent to the Wichita Falls Regional Airport.

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 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 15, 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 \$435,000 cash for jobs expenditure to Delta T Thermal Solutions as part of the company's acquisition of the former Tranter facility in Wichita Falls.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

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

COMMENTARY:

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

Timeline

- February 17, 2022 – WFEDC Board hears and approves request from Delta T Thermal Solutions
- March 15, 2022 – City Council to consider ratifying WFEDC budget amendment to facilitate project.

Summary

This item is to consider approval of an amendment to the WFEDC's (4A) budget to include an up to \$435,000 expenditure to facilitate a cash for jobs incentive to Delta T Thermal Solutions. This request is in association with the company's business plan (see below) to acquire the former Tranter site in Wichita Falls, as well as several of the former Tranter production lines.

On February 17, 2022, the WFEDC considered and approved this item. The WFEDC's economic development staff at the Chamber of Commerce will be at the City Council meeting to provide details on the company and project. The WFEDC's February 2022 Financial Report shows the corporation has approximately \$7.1M in available funds to facilitate this project.

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

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Exhibits from WFEDC meeting, Resolution

- ☒ **Budget Office Review**
 - ☒ **City Attorney Review**
 - ☒ **City Manager Approval**
-

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$435,000 cash for jobs expenditure to Delta T Thermal Solutions as part of the company's acquisition of the former Tranter facility in Wichita Falls

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 22, 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:

Delta T Thermal Solutions Project:

- A total of up to \$435,000 cash for jobs expenditure part of the company's acquisition of the former Tranter facility in Wichita Falls.

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 15th day of March, 2022.

MAYOR

ATTEST:

City Clerk

WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

PROJECT SUMMARY

February 17, 2022

ITEM/SUBJECT: Delta T Thermal Solutions project

INITIATED BY: Henry Florsheim

ATTACHED: Presentation

COMMENTARY: Tranter is in the process of shuttering its Wichita Falls plant. This will mean the loss of 100-115 manufacturing and office jobs along with the \$2 million or so the company spends annually with other local firms.

A group of local investors and manufacturing professionals has formed a company called Delta T Thermal Solutions LLC, and is negotiating to purchase the building and several existing Tranter project lines to keep them running. The investors will make an initial investment of around \$2.4 million, and will create nearly 60 jobs with an annual payroll of \$3.1 million. Ownership is asking for a cash-for-jobs program to support their efforts. This new company will spend well over \$1 million annually with local firms and will pay upwards of \$200,000 in taxes to local taxing authorities each year.

RECOMMENDATION:

I recommend the EDC agree to a cash-for-jobs incentive of \$7,500 per job up to 58 new hires, for a maximum commitment of \$435,000.

SAMPLE MOTION: To provide a cash-for-jobs incentive to Delta T Thermal Solutions for \$7,500 per job up to 58 new jobs for a maximum commitment of \$435,000.

Respectfully submitted,

Henry Florsheim
Wichita Falls Chamber of Commerce



DELTA T **Thermal Solutions LLC**

PLATECOIL® ECONOCOIL® MAXCHANGER®



A
SHARP
IRON
GROUP

Company

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Project: New Beginnings

Acquisition of identified Tranter Inc. Assets

Wichita Falls Economic Development Corporation

February 17, 2022

Delta T Thermal Solutions & Sharp Iron Group

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Project Background Information

- Tranter Inc. established operations in Wichita Falls, TX in the mid 1960's
- Wholly owned subsidiary of Alfa Laval AB, a Swedish multinational company
- Tranter Inc. manufactures Industrial Heat Exchangers for world-wide applications
 - Oil & Gas Refining, Marine, HVAC, Ethanol, Food Processing, Heat Recovery
- May 2021, announced the closing of the Wichita Falls, TX facility
 - Relocate office and manufacturing operations to the greater Houston area
 - Loss of approximately 115 manufacturing and office jobs
 - Impact other local business an estimated \$1.75M- \$2.25M
 - Direct Material Suppliers; Kalco, Construction Bolt, Sharp Iron
 - MRO Suppliers; WebFire, Texoma Freight, AirGas

Project: New Beginnings

- Delta T Thermal Solutions LLC was formed in 2021, under the umbrella of Sharp Iron Group, LLC, which will serve as the Managing Partner for the new company
- Delta T Thermal Solutions LLC will acquire three product families from Tranter
 - PLATECOIL®
 - ECONOCOIL®
 - MAXCHANGER®
- Delta T Thermal Solutions LLC will acquire the Tranter facility on Old Burk Highway
- Delta T Thermal Solutions LLC will create approximately **60 direct manufacturing and manufacturing related jobs** for the local economy



Project: New Beginnings

PLATECOIL® Heat Exchanger



Curved Surface Heating



**Coffee Bean
Dehydration System**



Immersion Bank Heating



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Project: New Beginnings

ECONOCOIL® Heat Exchanger

**Flue Gas Waste Heat
Recovery Banks**



Jacketed Process Tanks



Drum Heating

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Project: New Beginnings

MAXCHANGER[®] Heat Exchanger



Oil & Gas Skid
Applications



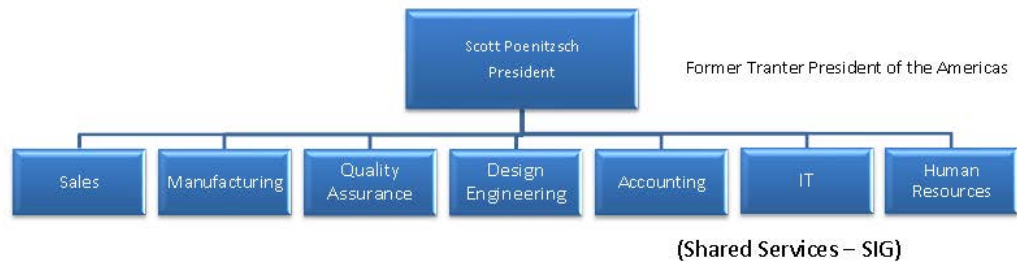
Titanium or Stainless
Material

**High Heat & Pressure
Applications**



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Delta T Thermal Solutions



Estimated Employment Levels Over Three Years

- Office – 19 Members
- Manufacturing – 39 Members

Estimated Annual Payroll = \$3.1MM



Delta T Thermal Solutions

Local Economic Impact (estimated)

Annual Payroll:	~\$3,100,000 <i>(58 local jobs)</i>
Annual Local B2B:	~\$1,250,000 <i>(20+ local jobs)</i>
Annual Taxes:	
City of WF	~\$50,000
Wichita County	~\$50,000
WFISD	~\$80,000



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Delta T Thermal Solutions

Investment Requirements:

Facility & Real Estate -	\$1,230,000
Product Assets -	\$250,000
Working Capital -	<u>\$1,000,000</u> (est.)
	\$2,480,000

(provided by Sharp Iron Group and Others)



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New Beginnings Project Request

Cash For Jobs

- Create 58 new jobs over three years
- Cash per job - \$7,500
- **Program Request – up to \$435,000***

* Performance Agreement to be negotiated



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DELTA T
Thermal Solutions LLC

Questions?

Thank You



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CITY COUNCIL AGENDA
March 15, 2022

ITEM/SUBJECT: Appointments to Boards and Commissions

INITIATING DEPT: City Clerk

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: There are two vacancies on the Lake Wichita Revitalization Committee and two vacancies on the Planning and Zoning Commission. These vacancies were advertised as required by Resolution 21-2015 and applicants are listed below. Appointments to the Planning and Zoning Commission can be discussed in Executive Session.

☒ **City Clerk**

ASSOCIATED INFORMATION: Member Rosters

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

LAKE WICHITA REVITALIZATION COMMITTEE

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Tim Brewer	11/06/2018	07/31/2027	City Council Rep.	4
2	Vacant		12/31/2027	Park Board Rep.	
3	Kendrick Jones	08/01/2017 11/07/2017	07/31/2027	CWF Rep.	3
4	John Strenski	07/20/2021	07/31/2027	Lakeside City Rep.	
5	Matt Marrs	01/19/2021	07/31/2027	CWF Rep.	3
6	Vacant		07/31/2027	CWF Rep.	
7	Stephen Garner	12/15/2020	12/31/2027	CWF Rep.	
8	David Coleman, Chair	02/19/2019 11/05/2019	07/31/2027	CWF Rep. (moved from Alt. 11/5/19)	3
9	Wilson "Ford" Swanson	07/07/2015 11/07/2017	07/31/2027	CWF Rep.	1
10	Alison Sanders	10/05/2021	07/31/2027	Lakeside City Ex-Officio	
11	Rick Hernandez	12/21/2021	07/31/2027	Voting Alternate	
12	Sharon Roach	07/07/2020	07/31/2027	Voting Alternate	4
13	Alicia Castillo	10/20/2020	07/31/2027	Gold Star Family Member Ex-Officio	2

Current applicants: Austin Cobb, Kari Shaw

Park Board applicants: Larri Jean Jacoby, Dr. Michael Battaglino

PLANNING AND ZONING COMMISSION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	vacant		12/31/2022		
2	Blake Haney	12/06/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023		3
3	Cayce Wendeborn	01/19/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023		4
4	Wayne Pharries	12/21/2021	12/31/2022	Moved from Alt 1 12/21/2021	
5	Noros Martin	12/03/2019 12/21/2021	12/31/2021 12/31/2023		1
6	Jeremy Woodward	02/19/2019 12/03/2019 12/15/2020	12/31/2019 12/31/2022	Moved from Alt 1 12/15/2020	4
7	Michael Grassi	09/03/2019 12/15/2020 12/21/2021	12/31/2021 12/31/2023	Moved from Alt. 2 03/16/2021	4
8	Steve Lane	10/04/2016 12/15/2020	12/31/2020 12/31/2022	Moved from Alt. 02/19/2019	4
9	David (Carl) Cook	05/09/2018 12/15/2020	12/31/2020 12/31/2022	Moved from Alt. 12/18/2018	4
10	Anthony Vidmar	12/21/2021	12/31/2023	Alternate 1	3
11	Vacant		12/31/2022	Alternate 2	
12	Mark McBurnett	01/19/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	SAFB Ex Officio	1

Current applicants: Matt Marrs, Douglas McCulloch, William Parkin, Alan Sizemore, and Steve Wood.