

## City of Wichita Falls City Council Agenda



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

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



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**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, April 5, 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>)**

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**Item #**

1. Call to Order
2. (a) Invocation: Pastor Craig Lile  
Faith Baptist Church
- (b) Pledge of Allegiance
3. Presentations
  - (a) Proclamation - City View High School Boys Basketball
  - (b) Proclamation - Hirschi High School Boys Basketball
  - (c) Proclamation - Christ Academy Girls Basketball
  - (d) Proclamation - Christ Academy Boys Basketball
  - (e) Employee of the month – Robert Gunville, Traffic Engineering
  - (f) Proclamation – Lemonade Day, Texoma Credit Union
  - (g) Proclamation – Child Abuse Prevention Month, Texas Child Abuse Prevention Committee
  - (h) Proclamation - National Public Safety Telecommunicator Week, Wichita Falls Dispatchers

- (i) Presentation – Process for Grants, Wichita Falls Alliance for Arts and Culture, Ann Arnold-Ogden
- (j) Presentation of Annual Comprehensive Financial Report by Edgin, Parkman, Fleming, & Fleming, PC

### **CONSENT AGENDA**

- 4. Approval of minutes of the March 15, 2022, Regular Meeting of the Mayor and City Council.
- 5. Resolutions  
Resolution authorizing the repair of two raw water pumps for the Lake Kemp Pump Station at Headquarters Road through the BuyBoard Purchasing Cooperative to Smith Pump Co. Inc., in the amount of \$135,100.00
- 6. Receive Minutes
  - (a) Construction Board of Adjustment, October 24, 2014
  - (b) Library Advisory Board, September 9, 2021
  - (c) Construction Board of Adjustment, January 6, 2022
  - (d) Wichita Falls-Wichita County Public Health Board, January 14, 2022
  - (e) Planning and Zoning Commission, February 9, 2022
  - (f) Landmark Commission, February 22, 2022

### **REGULAR AGENDA**

- 7. Ordinances  
Ordinance making an appropriation to the Special Revenue Fund in the amount of \$5,000.00 for reimbursement funding from the Treasury Executive Office for Asset Forfeiture (TEOAF) Reimbursement Program administered by the Office of the Secret Service Administration
- 8. Resolutions
  - (a) Resolution authorizing the City Manager to award bid and contract for the Lake Wichita Revitalization (Veterans Memorial Plaza) to Marrs Patriot Construction, LLC in the amount of \$456,099.50
  - (b) Resolution naming the new Lake Wichita Veterans Plaza the “Harry Patterson Veterans Memorial Plaza”
  - (c) Resolution authorizing the sale of 0.71 acres located at 3920 Lawrence Road, also known as Lot 3, Block 214-A, Highland Addition, Wichita Falls, Wichita County, Texas
  - (d) Resolution to accept the written offer as presented for 14 Trustee parcels and authorizing execution of the Quitclaim Deeds to convey titles to Ela Sonnamaker, James Grant, Michael Todaro, Samuel Majano, and Ruben Arias

- (e) Resolution authorizing the sale of excess city owned property consisting of 0.01 Acres Located at 2004 Windthorst Road to Texoma's Gujarati Cultural Society Inc. in the amount of \$875
  - (f) Resolution authorizing the purchase of decorative signal poles for Downtown intersections through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Consolidated Traffic Controls Inc. in the amount of \$255,481
  - (g) Resolution authorizing the purchase of one (1) 35-foot low floor diesel bus for the Public Transportation Division off the State of Washington Contract to Gillig LLC in the amount of \$513,290
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  
Executive Session in accordance with Texas Government Code § 551.072, to deliberate the purchase, exchange, lease, or value of real property interests due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party (including, but not limited to, the purchase and/or value of 0.71 acres located at 3920 Lawrence Road, also known as Lot 3, Block 214-A, Highland Addition, Wichita Falls, Wichita County, Texas).
12. Adjourn

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**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.**


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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 30<sup>th</sup> day of March, 2022 at 3:00 o'clock p.m.

  
\_\_\_\_\_  
City Clerk

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## **CITY COUNCIL AGENDA**

**April 5, 2022**

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**ITEM/SUBJECT:** Employee of the month.

**INITIATING DEPT:** Traffic Engineering Department

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

☒ **Director of Human Resources**

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**ASSOCIATED INFORMATION:**

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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**EMPLOYEE OF THE MONTH**  
**April 2022**

**NAME:** Robert Gunville  
**DEPARTMENT:** Traffic Engineering  
**HIRED:** February 16, 1983  
**PRESENT POSITION:** Traffic Tech II

**NARRATIVE:** Robert began his career with the Traffic Engineering Department on February 16, 1983. He is currently assigned to the Sign Shop. Robert has spent thirty-nine years meticulously producing and designing the signs used throughout the city. He is committed to creating a well-executed product that exceeds the public's expectations. Robert is proficient in the Manual on Uniform Traffic Control Devices (MUTCD) standards, and possesses a Level III MUTCD certification in Signs and Markings. The 3M Company reached out to Robert to evaluate their EC Film products before they released them to market, which speaks highly to his expertise and professionalism. The city has fifteen sign sections, which rotate on an annual basis to replace faded signage - with approximately 3,000 signs in each section. Robert is responsible for producing these replacement signs, as well as installing them, and does so handily. Robert is also experienced in placing pavement markings for city streets, parking lots, handicap spaces, and bicycle lanes. He takes the initiative to train new techs in the proper methods of installation for signs and markings of all types across the city.

**FAMILY:** Robert has a son, Shane, who lives in San Antonio, Texas. His brother, Mike, lives in Louisiana, and his parents reside in Burkburnett.

**HOBBIES:** He enjoys restoring vintage cars, riding his motorcycle, and working out at the gym.

**CLOSING:** Robert is an outstanding employee for the City. His conduct, professionalism, and work ethic are unmatched. Robert is an example for others to follow, and we are proud to present him with this award for Employee of the Month.



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



**Item 1 - Call to Order**

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

Stephen Santellana	-	Mayor
Bobby Whiteley	-	Mayor Pro Tem/At-Large
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Larry Nelson	-	
Michael Smith	-	
Darron Leiker	-	City Manager
Kinley Heggland	-	City Attorney
Marie Balthrop	-	City Clerk

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

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**Item 2a – Invocation**

Pastor Keith Daugherty, Mercy Church, gave the invocation.

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**Item 2b – Pledge of Allegiance**

Mayor Santellana led the Pledge of Allegiance.

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**Item 3a – Proclamation – Camp Fire’s Absolutely Incredible Kid Day, Camp Fire**  
8:34 a.m.

Mayor Santellana read a proclamation proclaiming March 17, 2022, as Camp Fire's Absolutely Incredible Kid Day in Wichita Falls and asked all moms, dads, grandparents, aunts, uncles, teachers, and mentors to make a difference in the life of a child by composing a letter of love and appreciation to the children in our community.

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**Item 4-5 – Consent Items**

8:37 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 March 1, 2022, Regular Meeting of the Mayor and City Council**

**Item 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

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**Item 6a – Ordinance 07-2022**

8:38 a.m.

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.

Moved by Councilor Brewer to approve Ordinance 07-2022.

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

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



Nays: None

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**Item 6b – Ordinance 08-2022**

8:40 a.m.

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.

Moved by Councilor Browning to approve Ordinance 08-2022.

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

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

Nays: None

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**Item 6c – Ordinance 09-2022**

8:42 a.m.

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.

Moved by Councilor Brewer to approve Ordinance 08-2022.

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

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

Nays: None

Councilor Brewer's response did not register on the voting system.

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**Items 7a – Public Hearing for the FY 2021 Transit Grant for Capital, Planning, and Operating Assistance for the Wichita Falls Transit System**

8:43 a.m.

Mayor Santellana opened the public hearing at 8:43 a.m.

John Burrus, Director of Aviation, Traffic, and Transportation, stated that two public hearings are required for the FY 2021 Transit Grants, and this is the second public hearing. Mr. Burrus discussed the proposed program projects and expenditures for the Wichita Falls Transit System.

Councilor Smith asked if he has considered electric buses for future needs and Mr. Burrus stated he has looked at both electric and natural gas powered buses, and the biggest concern is the length of service time.

There were no comments from the public.

Mayor Santellana closed the public hearing at 8:46 a.m.

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**Item 7b – Ordinance 10-2022**

8:46 a.m.

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

Moved by Councilor Brewer to approve Ordinance 10-2022.

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

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

Nays: None

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**Item 8a – Resolution 31-2022**

8:49 a.m.

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.

Moved by Councilor Browning to approve Resolution 31-2022.

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

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

Nays: None

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**Item 8b – Resolution 32-2022**

8:51 a.m.

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.

Moved by Councilor Brewer to approve Resolution 32-2022.

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

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

Nays: None

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**Item 8c – Resolution 33-2022**

8:53 a.m.

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.

Moved by Councilor Brewer to approve Resolution 33-2022.

Motion seconded by Councilor Smith.

Mr. Burrus discussed the grant and stated that it is a very competitive process. If awarded, the funds would be used to reconstruct the general aviation terminal, and local contractors will be used where possible. There was brief discussion regarding the use of the building and the age and condition of the building.

Motion carried with the following vote:

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

Nays: None

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**Item 8d – Resolution 34-2022**

9:02 a.m.

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.

Moved by Councilor Browning to approve Resolution 34-2022.

Motion seconded by Councilor Jackson.

Mr. Burrus discussed the need to review business processes, and the management of capital assets and finances for Fleet Maintenance. Mercury Associates, Inc. will conduct an in depth review of all aspects of Fleet Maintenance and make recommendations including but not limited to process changes, fleet replacement plan, and rates and chargeback models.

Motion carried with the following vote:

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

Nays: None

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**Item 8e – Resolution 35-2022**

9:12 a.m.

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.

Moved by Councilor Whiteley to approve Resolution 35-2022.

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

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

Nays: None

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**Item 8f – Resolution 36-2022**

9:16 a.m.

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

Moved by Councilor Brewer to approve Resolution 36-2022.

Motion seconded by Councilor Browning.

Russell Schreiber explained that the deduction is due to the removal of the 7<sup>th</sup> Street railroad crossing portion of the project since BNSF has not fulfilled their portion of the project. This work will be added to the 2022 Asphalt Rehabilitation project in the next item.

Motion carried with the following vote:

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

Nays: None

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**Item 8g – Resolution 37-2022**

9:23 a.m.

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 7<sup>th</sup> Street railroad crossing.

Moved by Councilor Browning to approve Resolution 37-2022.

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

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

Nays: None

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**Item 8h – Resolution 38-2022**

9:24 a.m.

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.

Moved by Councilor Brewer to approve Resolution 38-2022.

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

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

Nays: None

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**Item 8i – Resolution 39-2022**

9:25 a.m.

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.

Moved by Councilor Browning to approve Resolution 39-2022.

Motion seconded by Councilor Smith.

Paul Menzies, Assistant City Manager, discussed the name and ownership change of Dental Planet under 707 N. Scott, LLC to DuraPro Enterprises, LLC.

Henry Florsheim, President & CEO of the Wichita Falls Chamber, discussed the history of the agreement with Dental Planet under 707 N. Scott, LLC. New local owners have purchased the company and they are requesting to take over the existing loan and

performance agreement, and their lending agent is requiring that they be listed in the first lien position.

Peyton Cannedy with Sherrill & Gibson Attorneys at Law, and representing DuraPro Enterprises, LLC, addressed the Council and discussed the purchase. He noted that job requirements of thirty positions per the performance agreement have been met every year except in 2020 when there was a shortfall of 4 positions. Mr. Florsheim stated that in 2020 funds were paid back to the WFEDC per the performance agreement.

Motion carried with the following vote:

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

Nays: None

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**Item 8j – Resolution 40-2022**

9:31 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 \$75,000 expenditure for site preparation costs related to a potential business park adjacent to the Wichita Falls Regional Airport.

Moved by Councilor Browning to approve Resolution 40-2022.

Motion seconded by Councilor Brewer.

Mr. Menzies discussed the approval of this project by the WFEDC in February, and a potential economic development project that has a need for hangar facilities. The proposed expenditure would be for site preparation costs.

Mr. Florsheim discussed the need and potential use of the proposed business park, and the need for business park space that allows for airplane repairs. There are currently a couple of prospects that are interested in this type of space.

Mr. Burrus stated they are currently modifying hangar 2 at the Regional Airport to accommodate one of the companies. He discussed the opportunities that would be available with the completion of the project, and how the project compliments Sheppard Air Force Base. Mr. Burrus noted that FAA funds will cover the majority of the project and that most of the project can be completed by local contractors. There was brief discussion regarding the size of the property.

There was brief discussion regarding Type A and Type B debt and if this agenda item and the following agenda item would decrease the debt. Mr. Florsheim stated that these items will not reduce debt and that a portion of sales tax collections go towards paying off debt. Mr. Leiker noted that the current debt for the Type A WFEDC is approximately \$8.1 million and approximately \$18 million for the Type B Sales Tax Corporation. Mr. Florsheim noted the financial investments made by private investors, and discussed the area and project types where Type A WFEDC funds can be used. Mr. Florsheim noted that projects like this one help provide jobs for individuals that leave the Air Force keeping those individuals in our workforce.

Motion carried with the following vote:

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

Nays: None

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**Item 8k – Resolution 41-2022**

9:50 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 \$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.

Moved by Councilor Brewer to approve Resolution 41-2022.

Motion seconded by Councilor Browning.

Mr. Menzies discussed the local group acquiring the Tranter facility and some of their product lines.

Mr. Florsheim discussed the closure of the Tranter facility, the local entity acquiring the facility and product lines, and the proposed performance agreement for cash for jobs.

Scott Poenitzsch addressed the Council and discussed the New Beginnings project by Delta T Thermal Solutions, LLC under the Sharp Iron Group, LLC, and stated that they will purchase the former Tranter building and acquire some of their former product lines. Mr. Poenitzsch discussed the history of Tranter and the economic impact of their closing, and stated that Delta T Thermal Solutions, LLC anticipates creating approximately 60 direct and indirect manufacturing jobs. Mr. Poenitzsch discussed the products that would be manufactured and their uses, stated he would serve as President, and noted that he is a former President of Tranter. Their initial investment is \$2.48 million, they hope to

CITY COUNCIL MINUTES  
March 15, 2022  
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employ some former Tranter employees with an estimated payroll of \$3.1 million, and they are requesting an agreement for cash for jobs for 58 jobs over a three year period. There was brief discussion regarding former Tranter customers, how those customers have been contacted and can be served by Delta T Thermal Solutions, LLC, and economic impact of reopening this facility.

Motion carried with the following vote:

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

Nays: None

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

10:03 a.m.

Councilor Jackson asked to have the Hirschi and City View basketball teams recognized at a future council meeting.

Councilor Brewer asked Lou Kreidler for an update on COVID-19. Mrs. Kreidler discussed the reduction in positive cases and hospitalizations, and a new variant spreading in Europe. She hopes that the trend of reductions will continue in our area.

Councilor Smith thanked everyone for attending, stated he is thankful for the good news regarding economic development projects, and asked for everyone to keep Ukraine in their thoughts and prayers.

Councilor Nelson thanked everyone for attending, and stated that he was happy to see some investment in District 2 by the Housing Authority. He thanked Mr. Florsheim for clearing up the confusion regarding the use of WFEDC funds.

Mayor Santellana also recognized the Hirschi and City View basketball teams, and discussed his participation in the St. Patrick's Day festival and the inaugural launch of WF GOAT Scooters, LLC.

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

10:08 a.m.

Debra Loberger, 5144 Royalwood Dr., addressed the Council and discussed an ongoing animal control issue she is experiencing. She placed two Animal Control calls over the weekend and discussed concerns with how those calls were handled. Ms. Loberger stated the neighbor's dog was loose while she and her husband were trying to install a fence, discussed how she tried to hit the dog with a shovel and four foot level, and stated that animal control refused to come out when she called. Ms. Loberger stated she was not going to live like this and discussed vulgar language directed toward her that she has recorded. Ms. Loberger threatened that she would not answer her door without a loaded gun with the safety off, stated that she would not live like this, and threatened that there would be blood if the Council could not resolve the issue.

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### **Item 11 – Executive Session**

City Council adjourned into Executive Session at 10:12 a.m. in accordance with Texas Government Code §551.087, §551.071, and §551.074.

City Council reconvened at 11:50 a.m.

Mayor Santellana reconvened in open session and announced that no votes or polls were taken.

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Councilor Browning left the meeting at 11:50 a.m.

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### **Item 12 – Appointments to Boards and Commissions**

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

Place 2 – Park Board Rep, appoint Dr. Michael Battaglini, term to expire 07/31/2027

Place 6 – move Sharon Roach from Place 12 Alternate to Place 6, term to expire 07/31/2027

Place 12 – appoint Austin Cobb, term to expire 07/31/2027

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

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

Nays: None

Moved by Councilor Smith to make the following appointments to the Planning and Zoning Commission:

Place 1 – move Anthony Vidmar from Place 10 Alternate to Place 1, term to expire 12/31/2022

Place 10 – appoint Doug McColloch, term to expire 12/31/2023

Place 11- appoint Steve Wood, term to expire 2/31/2022

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

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

Nays: None

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**Item 13 –Adjourn**

Mayor Santellana adjourned the meeting at 11:54 a.m.

PASSED AND APPROVED this 5<sup>th</sup> day of April 2022.

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Stephen Santellana, Mayor

ATTEST:

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Marie Balthrop, TRMC, MMC  
City Clerk

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**CITY COUNCIL AGENDA**  
**April 5, 2022**

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**ITEM/SUBJECT:** Resolution authorizing the repair of two raw water pumps for the Lake Kemp Pump Station at Headquarters Road through the BuyBoard Purchasing Cooperative to Smith Pump Co. Inc., in the amount of \$135,100.00.

**INITIATING DEPT:** Public Works and Finance/Purchasing

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**STRATEGIC GOAL:** Efficiently Delivery City Services

**STRATEGIC OBJECTIVE:** N/A

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**COMMENTARY:** The Lake Kemp Pump Station at Headquarters Road has three, high volume pumps that transfer water from Lake Kemp to the Cypress Water Treatment Facility for treatment through the Microfiltration/Reverse Osmosis Plant. This pump station has been operational since 2008 and has served its designed capacity of providing a new source of drinking water to Wichita Falls without fail. However, the pumps are starting to exhibit signs of normal wear and tear through years of service and are now in need of repair to continue to maintain the operational reliability of the Lake Kemp supply of source water.

Work will involve two of the pumps exhibiting signs of wear and will include, pump removal, inspection of the pumps to determine repair needs, repair work, reinstallation and field testing to confirm success of the repairs. Repair work will be performed on the impeller portion of the pump and will include, but not limited to; Replacement of Bearings, Wear Rings, Impeller, Shaft Sleeves, Deflectors and gaskets, as well as repair of the pump shaft and balancing.

Water Source has received a quote from Smith Pump Co. in the amount of \$135,100.00 to perform the repair on both pumps. The pump repairs are currently budgeted in the 21/22 fiscal year's budget for \$138,000.

Smith Pump Co. Inc., is a member of BuyBoard and the City wishes to exercise its Resolution exempting the bidding process and using Smith Pump Co. Inc. to repair this equipment.

*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 award of the Lake Kemp Pump Station at Headquarters Road pump repairs to Smith Pump Co., through the Buyboard Purchasing Cooperative, in the amount of \$135,100.00.

Budgeted Cost (FY 21/22) = \$138,000.00

☒ **Director of Public Works**

☒ **Purchasing**

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**ASSOCIATED INFORMATION:**

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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Resolution No. \_\_\_\_\_

**Resolution authorizing the repair of two raw water pumps for the Lake Kemp Pump Station at Headquarters Road through the BuyBoard Purchasing Cooperative to Smith Pump Co. Inc., in the amount of \$135,100.00**

WHEREAS, the City of Wichita Falls developed the supply of raw water from Lake Kemp after the 1995 – 2000 drought, and

WHEREAS, the City of Wichita Falls has been utilizing the supply of raw water from Lake Kemp since 2008 as an integral part of the City's water resource management portfolio, 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 of Wichita Falls has received a quote from Smith Pump Co. Inc. for repair of the pump and replacement with new pump, and it is in the best interest to purchase the repair in accordance with the Cooperative Purchasing Programs,

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

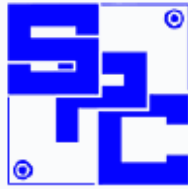
The City Manager is authorized to execute all documents necessary to award the repair of the raw water pumps at the Lake Kemp Pump Station at Headquarters Road through the BuyBoard Purchasing Cooperative in the amount of \$135,100.00.

PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

**Smith Pump Company, Inc.**301 MB Industrial Blvd  
Waco, TX 76712 US

Phone: 800-299-8909

Fax: 254-776-0023

www.smithpump.com

**Quote No: 33054****Monday, February 21, 2022**

Page: 1

**Prepared For:****City of Wichita Falls**P.O. Box 1431  
Wichita Falls, TX 76307  
Phone: 940 761 7404  
Fax: 940 761 8877**Shipping:****City of Wichita Falls**P.O. Box 1431  
Wichita Falls, TX 76307*Shipping Method**Freight Terms**Payment Terms*  
Net 30 Days*Salesperson:*

TXNW - Oscar Villarreal

Thank you for the opportunity to present our quotation for your upcoming project. Please give us a call if you require additional information.

Sincerely,

Eduardo Garcia

eduardog@smithpump.com

Line: 1

Part ID: 4101

Rev: 0

**Pull Vertical Turbine Pump**

(2) Field Service Technician to Disconnect and Remove a Vertical Turbine Pump from Service.

Includes:

1. Labor
2. Mileage to/from Jobsite
3. Transport Pump to Shop for Inspection

\*Customer to provide crane to help with removal\*

Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA	3,050.00000			\$3,050.00 *

Line: 2

Part ID: 4511

Rev: 0

**Pump Inspection - VTP**

Item of Shop Disassembly &amp; Inspection of Vertical Turbine Pump

Inspection Includes:

1. Incoming data gathering, inspection sheets & photos.
2. Teardown of pump.
3. Inspection, measurements, documentation of component condition.
4. Generate PMG Repair Report.
5. Generate Quotation for repair and/or upgrades.

\* Repair Quote will be provided after inspection \*

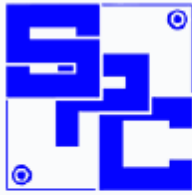
Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA	1,800.00000			\$1,800.00 *

Line: 3

Part ID: 4611

Rev: 0

**Pump Repair - Vertical Turbine Pump**

**Smith Pump Company, Inc.**

301 MB Industrial Blvd  
Waco, TX 76712 US

Phone: 800-299-8909  
Fax: 254-776-0023  
www.smithpump.com

**Quote No: 33054****Monday, February 21, 2022**

Page: 2

**Worst Case Scenario - Pump Estimated Repair**

Repair will include re bowl with new bowl assembly.  
Repair will include reusing discharge head.  
Blast & Coating of parts  
Assembly

\* This is only an estimate, an accurate repair quote will be provided after inspection \*

\* This is a sight unseen estimate, pump condition could vary drastically \*

Quantity U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00 EA	59,300.00000			\$59,300.00 *

Line: 4 Part ID: 4201 Rev: 0

**Install Vertical Turbine Pump**

(2) Field Service Technician to Install and Reconnect a Vertical Turbine Pump and provide start up.

Includes:

1. Labor
2. Mileage to/from Jobsite

\* Customer to provide crane to help with installation \*

Quantity U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00 EA	3,400.00000			\$3,400.00 *

\* Indicates which quantity price is included in the Total

**Total: \$67,550.00**

Prices are Valid Until Wednesday, March 23, 2022

ACCEPTED BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

PURCHASE ORDER (IF APPLICABLE): \_\_\_\_\_

SIGNED ON DATE: \_\_\_\_\_





## Smith Pump Company, Inc.

301 MB Industrial Blvd  
Waco, TX 76712 US

Phone: 800-299-8909

Fax: 254-776-0023

www.smithpump.com

**Quote No: 33054**

**Monday, February 21, 2022**

Page: 3

### Terms and Conditions

- 1. Applicability:** These Terms and Conditions of Sale ("Terms") shall govern all sales of equipment or services to Customer. These Terms supersede any prior written or oral agreement, understanding, representation or promise and any pre-printed or standard terms and conditions contained in Customer's request for quote, purchase order, invoice, order acknowledgement or similar document. These Terms may not be amended, supplemented, changed or modified except by concurrent or subsequent written agreement signed by an authorized representative of both Smith Pump Company ("SPCO") and Customer. SPCO's acknowledgement of Customer's purchase order shall not constitute acceptance of any terms or conditions contained therein which are in any way inconsistent with the Terms. Any additional or different terms or conditions included in any acceptance of this quotation are expressly disclaimed and rejected in advance, and unless there is prior mutual agreement otherwise, shall not become a part of any contract resulting from this quotation.
- 2. Price:** Unless otherwise stated in this quotation, all prices are FOB shipping point. All transportation, insurance and similar charges incident to delivery shall be borne by the Customer. This quotation is valid for thirty (30) days only. Shipping dates are approximate and are based on prompt receipt of all necessary information. In the case of delay in furnishing complete information to SPCO, dates of shipment may be extended for a reasonable time. In the event SPCO provides transport services, these will be quoted as a lump sum price based on destination and shipping mode. In the event Customer requests a delay or suspension in the completion and/or shipment of equipment or services covered by this quotation, or any part thereof, for any reason, the parties shall agree upon any cost and/or scheduling impact of such delay and all such costs to Customer's account. Any delay period beyond thirty (30) days after original scheduled shipment date shall require Customer to (i) take title and risk of loss of any equipment covered by this quotation, and (ii) make arrangements for the storage of such equipment with SPCO or other party. SPCO's invoice, which is contractually based on shipment, shall be issued upon SPCO's readiness to ship the equipment covered by this quotation. SPCO shall not be liable for delay and delivery due to causes beyond its reasonable control including, but not limited to, acts of God, acts of government, acts of Customer, fires, labor disputes, boycotts, floods, epidemics, quarantine restrictions, war, insurrection, terrorism, riot, civil or military authority, freight embargos, transportation shortages or delays, unusually severe weather or inability to obtain necessary labor, materials or manufacturing facilities due to such causes. In the event of any such delay, the date of delivery shall be extended for a length of time equal to the period of the delay.
- 3. Warranty:** SPCO warrants new equipment or parts to be free from defects in materials and workmanship for a period of eighteen (18) months from the date of shipment or twelve (12) months from the date of startup or initial use, whichever comes first. SPCO SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENTIAL, INCIDENTAL, SPECIAL OR LIQUIDATED DAMAGES. NO EXPRESSED OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE SHALL APPLY. Repairs performed by SPCO are warranted against defects in workmanship and/or materials for a period of twelve (12) months from the date of shipment. SPCO will not be responsible for any removal or reinstallation charges or transportation charges in cases where equipment has failed under these warranty conditions. SPCO's sole obligation and Customer's sole remedy under this warranty is repair or replacement at SPCO's election. Customer agrees to provide SPCO reasonable and clear access to any equipment covered by this warranty which may include removal or materials or structures as well as supplying any equipment, materials or structures which are necessary to provide reasonable access to the equipment being repaired or replaced. Costs to remove and/or reinstall equipment for warranty purposes shall be the responsibility of Customer. Replacement parts or repairs furnished under this warranty shall be subject to warranty provisions herein for the remaining warranty period. All equipment repaired or replaced will be re-warranted only for the remainder of the original warranty period. SPCO does not warrant the equipment covered by this quotation or any repair/replacement part against the effects of erosion, corrosion, or normal wear and tear due to operation or the environment. The warranty and remedies set forth herein are conditioned upon proper storage, installation, use and maintenance of the equipment covered by this quotation in all material respects, and in accordance with SPCO's written recommendations. Customer must notify SPCO in writing of any warranty claim during the warranty period or within thirty (30) days thereafter. SPCO will not be liable under this warranty if warranted goods have been exposed or subjected to any (1) maintenance, repair, installation, handling, packaging, transportation, storage, operation, or use which is improper or otherwise not in compliance with SPCO's instructions, (2) alteration, modification or repair by anyone other than SPCO or those specifically authorized by SPCO, (3) accident, contamination, foreign object damage, abuse, neglect, or negligence after shipment to Customer, (4) damage caused by failure of a SPCO supplied product not under warranty or by any hardware or software not supplied by SPCO, (5) use of counterfeit or replacement parts that are not manufactured by the manufacturer of goods provided by SPCO or approved by SPCO for use in goods provided by SPCO, or (6) goods which are normally consumed in operation or which have normal life inherently shorter than the warranty period including, but not limited to, consumables (e.g. lamps, batteries, storage capacitors).
- 4. Payment:** All prices are net cash to be paid thirty (30) days after date of invoice. Customer agrees to make payment within that period. Discounts will apply only as stated on the invoice. Invoices unpaid for thirty (30) days after issuance shall bear interest at the highest lawful rate due and payable on any invoiced account, which is delinquent and not paid within the stated terms. Should Customer for any reason fail to pay in accordance with these terms, Customer agrees to pay all collection costs, attorney's fees and expenses incurred in collecting payment. If Customer's financial condition is or becomes unsatisfactory to SPCO, SPCO reserves the right to (a) require payment from Customer on a cash in advance basis, (b) require a letter of credit or other acceptable security before shipment, (c) cancel shipment at any time prior to delivery without further obligation or liability on SPCO's part, (d) terminate any contract or obligation on the part of SPCO, or (e) require other special payment terms acceptable to SPCO to assure payment. All extensions of credit are subject to the approval of SPCO's credit department and management.
- 5. Joint Check Agreement:** If Customer fails to pay laborers and materialmen within thirty (30) days after payment by SPCO, SPCO will have the right to make future payments by check payable jointly to Customer and laborers or materialmen to the extent of unpaid indebtedness arising out of the job. SPCO will credit joint checks against the contract sum on the next payment application.
- 6. Taxes:** The amount of all federal, state or local taxes applicable to the sale, use, delivery or transportation of the equipment or services sold hereunder and all duties, imports, tariffs, and other similar levies shall be added to the contract price and paid by the Customer except where the Customer shall furnish an appropriate certificate of exemption.
- 7. Property Damage:** SPCO shall not be responsible for damage to topsoil or groundcover in connection with the work or service performed under this contract. SPCO shall not be responsible for claims arising from the pumping of water onto the ground which is necessary in connection with the service or work provided by SPCO. The customer agrees to hold SPCO harmless from claims arising out of damage caused by the pumping of water onto the ground.
- 8. Startup:** If the equipment supplied pursuant to this quotation has a warranty requirement, qualified SPCO personnel must be present during the initial equipment startup and commissioning. Failure to request and assure the presence of qualified SPCO personnel will void any warranty herein. Requests for startup must occur at least seven (7) days prior to the scheduled date of the startup.
- 9. Limitation of Liability:** The remedies set forth herein are exclusive and the total liability of SPCO with respect to this quotation, and any contract for goods or services arising from this quotation, or for any breach thereof, whether based on contract, warranty, torts (including negligence), indemnity, strict liability or otherwise, shall not exceed the quotation or sales price of the specific equipment or service which gives rise to the claim.
- 10. Setoff:** All amounts that Customer owes SPCO under this quotation shall be due and payable in accordance with the terms of the quotation. Customer shall not setoff such amounts or any portion thereof, whether or not liquidated, against sums which Customer asserts are due to it, its parent, affiliates, subsidiaries or other division under other transactions with SPCO.
- 11. Customer Cancellation:** Customer may cancel this order only upon written notice and payment to SPCO of reasonable and proper cancellation charges. In the event of cancellation, Customer must pay for all material, expense and labor costs incurred by SPCO in connection with the materials and services to be provided pursuant to this quotation, as well as all expenses relating to any specially fabricated materials and restocking charges.
- 12. Assignment:** Neither party may assign this order or any portion thereof without the advance, written consent of the other party, which consent shall not be unreasonably withheld.
- 13. Waiver/Severability:** Failure by SPCO to assert all or any of its rights upon any breach by Customer shall not be deemed a waiver of such rights either with respect to such breach or any subsequent breach, nor shall any waiver be implied from the acceptance of any payment. No waiver of any right shall extend to or affect any other right Customer may possess nor shall such waiver extend to any subsequent similar or dissimilar breach. If any portion of these Terms are determined to be illegal, invalid or unenforceable for any reason, such provision shall be deemed stricken for the purposes of the dispute in question and all other provisions shall remain in full force and effect.
- 14. Applicable Law:** The contract involving the sale of the equipment and services covered by this quotation shall be interpreted in accordance with the laws of the State of Texas. This contract is performable in McLennan County, Texas and venue for any court action in any way relating to or arising out of this contract shall be McLennan County, Texas.

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**MINUTES**  
**CONSTRUCTION BOARD OF ADJUSTMENT**

**October 24, 2014**

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*\*\*These notes were made from the recording on October 24<sup>th</sup>, 2014. Names, dates and times noted are from the recording and pieced together from previous rosters. All actions have been dictated to the truth of the recording to the best of my ability- Christal Ashcraft, January 3<sup>rd</sup>, 2022\*\**

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**I. CALL TO ORDER**

The meeting was called to order by the Chairman.

**II. Election of Chairman**

Construction Board of Adjustment (CBOA) Chairman stated the first order of business was to elect a Chairman since the last election was 2011. A nomination for Trey Sralla was made and seconded. A vote, all in favor for Trey Sralla was unanimously made.

**III. Roll Call**

Chairman Sralla opened the meeting at 9:07 A.M. A sign-in sheet was used in lieu of roll call. *\*\*No sign-in sheet could be located for this meeting.*

**IV. PUBLIC COMMENTS**

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

**VII. REGULAR AGENDA**

**1. Fixture Count and Drinking Fountain Requirements Based on Occupant Load**

A motion was made by a Commission member to open the agenda item. The motion was seconded by Casey Wendeborn and passed unanimously.

Bobby Teague stated earlier in 2014 an ad hoc Committee was put together comprised of a members from the Chamber of Commerce, City Council Members, contractors, electricians, home builders and city staff. The purpose of this committee was to look at development processes within the city. Multiple items and criteria were discussed. The implantation of the Electronic Plan Review (EPR) was suggested. Mr. Teague stated it was approved by City Council in budget review to purchase the new software that would be implemented that current year.

Mr. Teague advised what he was bringing before the Commission was another item that was talked about in the ad hoc Committee, a fixture count. Currently, if a business reaches 15 or more occupant load, our code states you have to have different gender restrooms and drinking fountains. Small businesses have brought this to City Councilors and stated small businesses could not afford the costly



additions and they were not needed. The new proposed ordinance, if approved by the board, would then be taken to City Council for approval. The ordinance would change the occupant load from 15 to 25 to require separate gender bathrooms and drinking fountains.

Commission member asked if they could have a water service instead of a drinking fountain. Mr. Teague advised the American Disability Act (ADA), requires the installation of a low fountain when drinking fountains are required to meet ADA standards. The plumbing code does allow for the exchange of the high fountain for bottled water if that was preferred.

Chairman Sralla asked if there was any discussion. Commission member, Mr. Troy Secord, asked if the water people provided a high/low option in the future if this would be an option. Mr. Teague said he would not have a problem accepting that, however it would be a Texas Accessibility Department's determination.

Commission member, Ms. Cayce Wendeborn, stated she did not understand why everyone didn't have to meet this requirement such as restaurants. Mr. Teague stated water was served in restaurants so that was why it was not required. Discussion among Committee members about ADA rules.

With no further questions, Chairman Sralla called for a vote. The vote passed unanimously. A Commission member asked when this would go into effect. Mr. Teague advised 30 days from the date the City Council approves it, noting the next Council meeting was November 4, 2014.

## **2. Adoption of the 2015 International Code**

A Commission member made a motion to approve the item, another Commission member seconded. Mr. Bobby Teague presented the case and stated the 2015 International Codes were out and that they had elected not to adopt the 2012 codes, they would be going from 2009 Codes to 2015 Codes. Among the changes is the Energy Code, which is much stricter. Mr. Teague said there would be committees set up for each of the codes for review before the recommendations were brought before the Construction Board of Adjustments for their reviews/comments.

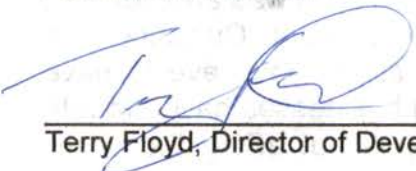
A Commission member stated he wanted to bring up the drought situation and discuss gray water systems. More discussion among Commission members on the matter.

## **VIII. ADJOURN**

Chairman Sralla adjourned the meeting at 9:31 a.m.

  
\_\_\_\_\_  
Leo Lane, Chairman

3-23-2027  
Date

  
\_\_\_\_\_  
Terry Floyd, Director of Development Services

3-23-22  
Date

## LIBRARY ADVISORY BOARD MINUTES

September 9, 2021

### MEMBERS PRESENT:

Kym Acuna  
Emily Adams (chair)  
Daniel Juarez  
Katherine Love  
Jim Sernoe  
Dena Webb

Jana Hausburg  
Angela Hill  
Blake Jurucek

### MEMBERS ABSENT

Suhua Huang  
Emily Reeves

### Librarian's report

Ms. Adams called the meeting to order. Minutes were approved from June of 2021.

Ms. Hausburg informed the group that Amy Bobrowitz had rotated off the committee and that Jessica Johnson, who had been appointed, was no longer eligible to serve due to her moving to Burkburnett. The City Clerk is currently vetting applications for new board members.

Ms. Hausburg reported that the library had received two financial awards: \$1813 from the American Rescue Plan Act, which will be applied to a one-time reduction of our TexShare database yearly fee, and \$1225.5 for our participation in the Texas State Library and Archives Commission for interlibrary loan lends (150) made to Texas Public Libraries between August 1, 2020 – July 31, 2021.

Angela Hill, assistant administrator, information, handed out an infographic regarding the library's modified Summer Reading program. She reported that due to the pandemic, our numbers were low, but those who did participate said they appreciated having something for their kids to do.

Ms. Hill handed out a flyer regarding Touch a Truck on Saturday, October 2, from 12-4 p.m. She asked that any board members willing to volunteer for the event contact the library administrator.

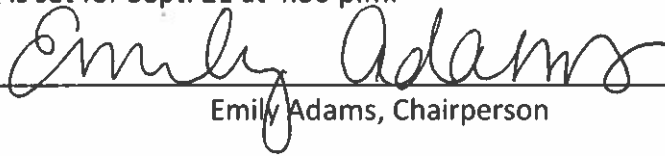
Lastly, Ms. Hausburg announced that Angela Hill will be leaving for another opportunity down in South Texas. Her last day will be Oct. 7, and thanked her for the many contributions to library services during the last 3 years.

There being no further business, meeting was adjourned at 4:44 p.m.

In lieu of a winter meeting, all LAB members are invited to our Open House, Dec. 11 from 1-3 p.m.

Next meeting is set for Sept. 21 at 4:30 p.m.

Signature: \_\_\_\_\_

A handwritten signature in cursive script, reading "Emily Adams", written over a horizontal line.

Emily Adams, Chairperson

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**MINUTES**  
**CONSTRUCTION BOARD OF ADJUSTMENT**

**January 6, 2022**

---

**PRESENT:**

James Cox	◆ Member
Michael Grassi	◆ Member
David Hartwell	◆ Member
Anthony Inman	◆ Vice-Chair
Pete Johnson	◆ Member
Leo Lane	◆ Chairman
Allen Moore	◆ Member
Gary Oatman	◆ Member
Luke Oechsner	◆ Member
Ripley Tate	◆ Member
Tanner Wachsmann	◆ Member

James McKechnie, Deputy City Attorney	◆ City Staff
Terry Floyd, Development Services Director	◆
Wayne Smith, Chief Building Official	◆
Ricky Horton, Plans Examiner	◆
Brad Scates, Chief Electrical Inspector	◆
Christal Ashcraft, Development Services Assistant	◆

**ABSENT:**

Doug Marchand	◆ Member
Johnny Ozee	◆ Member
Councilor Browning	◆ Council Liaison

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**I. CALL TO ORDER**

The meeting was called to order by the Director of Development Services, Terry Floyd.

**II. ADMINISTER OATH OF OFFICE TO BOARDMEMBERS**

Development Services Assistant, Christal Ashcraft administered

**III. ELECTION OF CHAIRMAN & VICE-CHAIRMAN**

Director of Development Services, Terry Floyd stated the first order of business was to elect a Chairman. Mr. Anthony Inman nominated Mr. Leo Lane for Chairman. Mr. Allen Moore seconded the motion. The vote passed unanimously 11-0.

Chairman Lane nominated Anthony Inman for Vice-Chairman. Mr. Allen Moore seconded the motion. The vote passed unanimously 11-0.

**III. ROLL CALL**

Chairman Lane opened the meeting at 1:03 p.m.

**IV. PUBLIC COMMENTS**



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

## **VII. REGULAR AGENDA**

### **1. State Adopted Minimum Codes**

Chief Building Inspector, Wayne Smith, presented updates and brief overview of Section 113 of the City Ordinances to the Commission.

Chairman Lane asked about substitutions/time allowances for compliance in the absence of product availability. Mr. Smith stated if it was related to a safety element no substitutions or allowances would be made. If it was not a safety element, substitutions could be considered.

General discussion among Commission members and staff regarding licensing and codes. Mr. Smith advised the Commission BRC could not go below code, however, as long as it was not a safety issue or below code 2012, it could possibly be amended.

### **2. Timeline & Sub-Committee Groups for Code Adoption**

Mr. Smith discussed the anticipated timeline for sub-committee meetings and the recommendation process for the code adoption.

### **3. Sub-Committee Groups & Volunteers**

#### **a. International Building Code(IBC)**

Anthony Inman  
David Hartwell  
Gary Oatman  
Ripley Tate

#### **b. International Residential Code(IRC)**

James Cox  
Michael Grassi  
Tanner Wachsman

#### **c. International Plumbing Code(IPC)/Mechanical Code(MC)/ International Fuel Gas Code(IFGC)**

Allen Moore  
Leo Lane  
Pete Johnson

#### **d. International Electric Code (NEC)**

Johnny Ozee  
Luke Oechsner  
Michael Grassi  
Tanner Wachsman

#### **e. International Energy Conservation Code (IECC)**

Allen Moore  
Anthony Inman  
David Hartwell  
Michael Grassi

#### **f. International Existing Building Code (IEBC)**

Anthony Inman

**g. International Swimming Pool & Spa Code(ISPSC)**

Luke Oechsner  
Ripley Tate  
Tanner Wachsman

Mr. Randy Wachsman asked if something was missed, or incorrect in one of the sub-committee meetings and passed on for recommendation to City Council and adopted into the code, could any of it could be changed. Staff advised CBOA would initiate a recommendation to amend to the City Council.

Committee member noted to staff, that it would helpful if the 10 ten violations staff was seeing each quarter be addressed to the building community, via e-mail or newsletter. Mr. Floyd agreed this would be something City staff would be happy to do.

**VIII. ADJOURN**

With no further comments or questions Mr. Allen Moore made a motion to adjourn. Mr. Tanner Wachsman seconded the motion. The meeting was adjourned at 1:56 p.m.

  
\_\_\_\_\_  
Chairman, Leo Lane

3-23-22  
Date

  
\_\_\_\_\_  
Terry Floyd, Director of Development Services

3-23-22  
Date





## WICHITA FALLS-WICHITA COUNTY PUBLIC HEALTH BOARD MINUTES

January 14, 2022

Wichita Falls-Wichita County Public Health District  
1700 Third Street - Parker Conference Room  
Wichita Falls, Texas

### BOARD MEMBERS PRESENT:

Keith Williamson, M.D., Chair  
Lauren Jansen, Ph.D., R.N., Vice-Chair  
Paris Ward, M.A., B.S., Secretary  
Melissa Plowman  
David Carlston, Ph.D.  
Jered Harlan, D.V.M.

Physician - City Appointment  
Registered Nurse – City Appointment  
Citizen At-Large - City Appointment  
Restaurant Association - City Appointment  
Citizen At-Large - County Appointment  
Veterinarian – City Appointment

### BOARD MEMBER UNEXCUSED ABSENCE:

Tonya Egloff, D.D.S.

Dentist - County Appointment

### OTHERS PRESENT:

Lou Kreidler, R.N., B.S.N.  
Amy K. Fagan, M.P.A.  
Michael Smith  
Woodrow W. Gossom, Jr.

Director of Health  
Assistant Director of Health  
Council Liaison  
County Judge

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### I. CALL TO ORDER

Keith Williamson, Chair called the meeting to order at 12:04 pm after a quorum of members was attained.

### II. RE-APPOINTMENTS AND NEW MEMBER INDUCTION

Janice Flores, State of Texas Notary Public, conducted the inductions.

Re-appointments:

- Melissa Plowman, City appointed Restaurant Association
- Paris Ward, City Appointed Citizen At-Large

New Member:

- Jered Harlan, City appointed Veterinarian replaced Julie Gibson.

### III. ELECTION OF OFFICERS

All members agreed on Keith Williamson, Chair and Lauren Jansen, Vice-Chair to continue in their current positions. All members agreed on Paris Ward self-nomination as Secretary.

### IV. APPROVAL OF MINUTES AND ABSENCES

Keith Williamson called for the review and approval of the November 12, 2021 minutes. Lauren Jansen introduced a motion to approve the minutes as presented and Melissa Plowman seconded the motion. The motion passed unanimously.

Tonya Egloff had an unexcused absence.

### V. COVID-19 UPDATE

Amy Fagan stated in the last few weeks COVID has gotten bad again, it is at its peak and worse than in the past. The numbers close of today January 14 are at 2,728 cases, 81 hospitalized and 8 deaths in one week. On December 27, CDC had a massive change in their discontinuation of isolation and quarantine protocol. Prior it was 10 days for both quarantine and isolation now CDC recommends 5 days for both. Informative data out of the countries that saw a surge in the new variant Omicron was that the timeframe by which one becomes symptomatic from exposure decreased substantially. In Delta and previous variants if exposed, if became sick typically would have symptoms by day 5 or 6 with the new variant seen it happen around day 2 or 3. Health District data indicates people are most infectious in the 2 days before symptom onset and 2 days after, although the incubation period can still be 14 days it has gone down to about 10 days as the maximum and down from 5 to 6 days to about 2 to 3 days before becoming symptomatic. The Health District decided to change the guidelines to be in alignment with CDC but remain more stringent one could have improvement of symptoms and clear from isolation after 5 full days. The Health District decision remains to require one to be symptom free, other than the long loss of sense of taste, smell, and tiredness, not seen as much with this variant still could clear, however the

majority would have to be clear of symptoms in order to clear the isolation period. With the 5 days came the strong recommendation to wear a mask for 5 days after isolation and for those in quarantine because it cannot be a requirement in Texas. The Health District still differentiates between household and non-household contacts, still requires household contacts to quarantine and non-household should, but CDC does not and says they all are contacts if one feels they cannot quarantine then just do a great job of mask wearing and the Health District is not okay with that. An additional guideline change was in the language fully vaccinated, used for ones that had received 2 doses of Pfizer or Moderna and 2 weeks out from the second dose or Johnson & Johnson and 2 weeks out. The new language from CDC adopted by the Health District at this current time states if one is more than 6 months out from their mRNA or more than 2 months out from Johnson & Johnson one still quarantines when exposed to someone who tested positive. Unless boosted if one received original vaccines 11 months ago and boosted then one does not have to quarantine, however it is highly recommended to wear a mask for 10 days and test at day 5, there still are symptomatic carriers.

There are a lot of challenges Nationwide and in North Texas since many people experience allergy symptoms. People make assumptions that it is just allergies, runny nose, or congestion, often at work for 2 to 3 days before getting worse or someone says it might be COVID go test. It is asked that people be extremely vigilant to make sure people are excluded based on symptoms and testing. Hear repeatedly of more negative tests seen that are believed to be positive that maybe the tests are not as sensitive with this variant. Wichita Falls currently does not have a documented case of Omicron. The State of Texas gives local Health Department's specific criteria for samples to test for subtyping that is one has to be either hospitalized or deceased with a sample available. The Health District works with local Healthcare facilities to collect samples to submit to the State, it typically takes 2 weeks but with the State backlog there are currently 17 samples pending. Based on symptoms seen the timeframe by which the symptoms present and resolve and with feedback received it is believed Omicron is here. The State provides data from the CDC National SARS-CoV-2 Genomic Surveillance Program that is not necessarily indicative of what is happening in the community nor State; scientific estimates can be made based on what is going on at the National level from samples received from the States. When the World Health Organization declared Omicron was a variant of concern mid-November a small percentage of cases subtyped as Omicron increased week over week as surmised of what is here in Wichita County as based on case report information, hopefully the results from the pending samples will verify that.

The Health District this week made the decision on the change in terminology regarding vaccine breakthrough cases since the term fully vaccinated is antiquated. The District has always published the vaccine breakthrough analysis, specific information provided on those fully vaccinated that contracted COVID-19 as to which vaccine, how long before symptom onset, that type of data is no longer relevant so the language was changed to those who are up to date on their vaccines. It has changed as vaccines have been available for a year with waning immunity and changes in types and subtypes it is important to stay relevant, to use, collect, and publish relevant information. This week will continue to publish as vaccine breakthrough cases of those fully vaccinated, with a subset to describe the change in language next week of those up to date on their vaccines with the COVID positive percentage. The information gives people a better scope of understanding of who is getting sick and how to continue to prevent illness with being up to date on vaccines whether 6 months or less out or boosted.

Melissa Plowman questioned as far as being up to date on the vaccines and such, is there any data that determines when someone has actually had COVID recently and does that fair any kind of somebody having more antibodies or so forth, at this point are any of those things looked at.

Amy Fagan replied yes, the case investigators still call individuals but gone from a 4 page to 1 page report to retain the basic information; symptom onset, any large gatherings, where they work, where they go to school, and vaccine information to analyze. The fully vaccinated and not vaccinated are separated up until today, next week will look just at those who are up to date, for those hospitalized or deceased, will continue to publish the fully vaccinated. The dialogue is important for example; this week as of today of the 81 hospitalized, 36 are vaccine breakthrough cases, and of the 81 hospitalized 44% fully vaccinated. Only 5 individuals of the vaccine breakthrough cases are boosted (3 in their 80s, 1 in their 70s and 1 in their 60s), the probability of getting sick enough to hospitalize substantially decreases when boosted. People can protect themselves at this time being up to date with their vaccines to include boosters. Active cases are almost at the same peak as this time last year the difference is it has been running a sprint so much faster than last year. Hopefully the drastic surge will met with a drastic decline as seen in Countries that experienced the surge prior to here last November and December, although with active cases incredibly high the hospitalizations are less than that many active cases previously.

Lauren Jansen asked if a fourth booster is expected.

Dr. Williamson had read of research on a booster tailored to Omicron, there is also the school of thought that the booster should not really be regarded as a booster so much as to completion of a primary series that was too compressed in the initial rollout, so he does not know.



## VI. ANIMAL ORDINANCE UPDATE

Nicki Bacon, Animal Services Administrator presented the requested changes to the Animal Ordinance as follows in **Red**.

### Chapter 14 – ANIMALS; ARTICLE I – IN GENERAL

#### Sec. 14-1. Definitions.

Enclosure means an area sectioned off by a fence or wall **secured on all sides to prevent escape**.

Prior to Court a lawyer said to the effect the enclosure had four sides but the sides were not secure, open, and airy to weather conditions.

Owner means a person who owns, keeps, shelters, maintains, feeds, harbors, or has temporary or permanent custody of a domestic or prohibited animal, or who knowingly permits a domestic or prohibited animal to remain on or about any premises over which that person has control. The term shall include a person who harbored, fed, or sheltered the animal for ~~three (3)~~ **seven (7)** consecutive days or more.

Days changed due not to penalize a person actively trying to find the animals owner if kept longer than 7 days having taken care and responsibility of the animal, at that point considered the owner.

#### Sec. 14-10. Owner surrendered animals.

(a) Individual must show proof of ownership **and valid government issued ID showing they live within the city limits**.

Only take surrenders from people that live in the City of Wichita Falls not outside and people did not want to furnish an ID.

(d) **Any owner who surrenders an animal to Animal Services will be unable to adopt an animal from the shelter for one year. Exceptions to this would include animals who are sick (not thriving), elderly, or aggressive.**

Do not want to encourage constant owner surrendering an animal then adopting that is not great ownership.

#### Sec. 14-14. Animal adoption policies.

(a)(3) All animals in the home must be spayed/neutered, **microchipped**, and current on vaccinations and city licenses prior to the applicant being approved for adoption.

People do not agree and do not like being told what to do with their animals removal of microchipped takes the barrier off the adoption process to get more animals out.

#### Sec. 14-17. Responsible pet owner, the purpose of the program; (d) Fees and penalties.

(2) Failure of an offender **or citizen who received reduced or waived fees** to complete the responsible pet program within 30 days will result in citations. **If the owner does not successfully complete the responsible pet owner program, they can be issued citations and will be responsible for paying the difference that was reduced or waived.**

Enables collection of the reduced or waived fees.

### ARTICLE II. DOG AND CAT VACCINATION AND LICENSING; DIVISION 2. DOG OR CAT LICENSE.

#### Sec. 14-71. License required.

No person shall own, possess, or harbor a dog or cat 16 weeks of age or over without obtaining a license for each animal.

(a) **Pet owners are required to provide proof of an animal's current city license when requested by an Animal Care Officer. Proof shall be provided by showing current city license to the officer, or providing a receipt from veterinarian or authorized location where license was purchased.**

(b) **City license must be renewed concurrent with rabies vaccinations.**

Enforces in the field an Animal Care Officer to obtain proof of city license.

### ARTICLE III. PERMITS; DIVISION 2. COMMERCIAL ANIMAL ESTABLISHMENTS.

#### Sec. 14-154. Kennel Permit.

(b) If the owner of the kenneled animal resides within the city limits of Wichita Falls, they must ~~be~~ **microchipped and** have a valid city license.

#### Sec. 14-157. Private animal permit.

(q) **Citizens bringing in animals must provide valid government ID and the shelter shall maintain this information in their designated system.**

Enforces the ability to ask and obtain a valid ID.

### ARTICLE IV. ANIMAL CONTROL; DIVISION 2. DANGEROUS DOGS.

#### Sec. 14-333. Dangerous dog license required.

(a)(3) ~~Register the dog for its life with the National Registry for dangerous dogs and present proof of registration.~~

Removal of requirement due to there no longer is a National Registry for dangerous dogs.

#### Sec. 14-335. Declaration of dangerous dog.

(d) **A dangerous license shall be obtained no later than the 15<sup>th</sup> day after the person learns that they are an owner of a dangerous dog.**



Established a deadline in order to be in compliance.

### **DIVISION 3. IMPOUNDMENT.**

#### **Sec. 14-370. Records required.**

(6) The name, address, *birthdate, government issued ID number, and phone number of the adopter, owner, person reclaiming animal(s), citizen who is dropping off a stray, or any other person that interacts with the City of Wichita Falls Animal Services.*

Again enforces the ability to ask and obtain a valid ID.

#### **Sec. 14-373. The right of owner to reclaim; fee.**

(a)(2) *If the owner does not successfully complete the responsible pet owner program, they can be issued citations and will be responsible for paying the difference that was reduced or waived.*

An owner can have the reclaim fees waived if it is the first time the pet was astray and cannot afford the fees.

(e) *Sterilization is not required if the release is made to an owner who provides proof that a veterinarian has issued a signed, written opinion that sterilization would jeopardize the animal's health or the animal is registered with a national dog registry and has not been previously impounded with the city.*

Owners with older animals do not want to spay/neuter.

(f) *If upon a second impoundment the animal remains unsterilized, prior to reclamation the owner shall pay all applicable reclaim fees and schedule a spay/neuter appointment for the animal at the owner's expense. Animal Services will hold the animal until the appointment and transport the animal to the veterinarian. The owner shall be responsible for picking the animal up from the veterinarian after the sterilization procedure.*

Owners are not complying with spaying/neutering their animal.

### **ARTICLE VI. CRUELTY TO ANIMALS.**

#### **SEC. 14-452. Food, water, shelter, and shade.**

(1)(a) Animals. Animals shall be provided with access to shelter *constructed of materials* sufficient to allow them to remain dry and protected from the element. *Is free of surrounding debris or other materials that could endanger the dog.*

1) *Shelter shall be fully enclosed on three sides the structure shall have a solid attached roof with no gaps, shall be roofed, and shall have a solid floor attached to the structure. The fourth side for the entrance to the shelter shall be flexible to allow the animal's entry and exit and sturdy enough to block entry of wind or rain, hail, sleet snow, subfreezing temperatures, and any other elements deemed detrimental to the animals health or wellbeing.*

An owner stated they did have shelter but the shelter was not adequate to protect and keep the animal warm.

3) *Clean and dry bedding shall be provided that does not retain moisture in the form of straw or hay. Materials such as blankets, sheets, and towels shall not be considered adequate bedding.*

If it rains blankets get wet, soggy, and do not dry quickly so an animal cannot stay warm.

Lou Kreidler said based on a request to make changes to the ordinance Nicki researched other ordinance across the State and found language that would strengthen and make the ordinance better. The Animal Shelter Advisory Committee approved all the changes with recommendation to the Board for consideration to recommend to Council for approval.

Keith Williamson asked for a motion to approve the requested ordinance changes and recommend to Council. Melissa Plowman introduced a motion to accept the ordinance as written and David Carlston seconded the motion. The motion passed unanimously with the Board's recommendation and endorsement for Council.

### **VII. NEXT MEETING DATE**

Friday, March 11, 2022

### **VIII. ADJOURN**

Keith Williamson adjourned the meeting at 12:56 pm.

  
\_\_\_\_\_  
Signature

*Keith Williamson*

Print Name - Keith Williamson, MD, Chair, Lauren Jansen, PhD, RN, Vice-Chair, Paris Ward, MA, BS, Secretary

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**MINUTES**  
**PLANNING & ZONING COMMISSION**

**February 9, 2022**

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**PRESENT:**

David Cook  
Michael Grassi  
Steve Lane  
Wayne Pharries  
Anthony Vidmar  
Mark McBurnett  
Councilor Whiteley

◆ Chairman  
◆ Member  
◆ Member  
◆ Member  
◆ Member  
◆ Member  
◆ SAFB Liaison  
◆ Council Liaison

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

◆ City Staff  
◆  
◆  
◆  
◆

**ABSENT:**

Blake Haney  
Noros Martin  
Cayce Wendeborn  
Jeremy Woodward

◆ Member  
◆ Member  
◆ Member  
◆ Vice-Chair

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**I. CALL TO ORDER**

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

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



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

## **II. ROLL CALL**

Chairman Cook roll called Commission and staff members.

## **III. OATH OF OFFICE**

Ms. Christal Ashcraft, Development Services Administrative Assistant administered the Oath of Office Pledge to members present.

## **IV. PUBLIC COMMENTS**

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

## **V. APPROVAL OF MINUTES**

Mr. Wayne Pharries made a motion to adopt the January 12, 2022, minutes. Mr. Tony Vidmar seconded the motion. The motion was passed unanimously, 5-0

## **VII. CONSENT AGENDA**

Case P 22-04 Belair Addition, Unit 10

Chairman Cook asked if anyone had an item to be moved to the regular agenda. Nothing to be moved. Mr. Wayne Pharries made a motion to approve the consent agenda. Mr. Michael Grassi seconded the motion. Motion passed unanimously, 5-0.

## **VIII. REGULAR AGENDA**

### **1. Case C 22-04 – 2400 Northwest Freeway:**

**Consider taking action on a conditional use to allow a recreational vehicle park in a General Commercial (GC) zoning district.**

**Applicant/Owner: Randy Funston**

Mr. Wayne Pharries made a motion to approve the case. Mr. Michael Grassi seconded the motion. Mr. Fabian Medellin presented the case and stated Mr. Randy Funston, owner of 44 acres that was the subject property at I-44 and US 287 intersection, was petitioning for permission to develop a high-end RV Park. Mr. Medellin advised the property was currently in the re-platting process to divide off 22 acres that Mr. Funston was proposing to use as the RV Park.

Mr. Medellin stated the subject property was located in the northwest corner of I-44 and US 287 intersection, south of Wal-Mart, east of the Cracker Barrel and north of Atwoods. The site is an undeveloped lot as well as most of the surrounding lots.

Staff met with the owner and his architect, Mr. Michael Koen, and discussed the proposal of a 160 pad site, high-end RV Park with amenities. Some of the amenities include: a pool, office, and a club house that will house a fitness center and laundry services. Another amenity Mr. Funston would like to offer are those of casitas, or small cabins for RV guests and/or guests of the RV park renters. The RV Park will be developed in phases, with phase one developing 85 pad sites and the amenities to the north. Phase two will develop the rear of the lot which fronts Sierra Drive.

Mr. Medellin advised the subject property was located in the General Commercial (GC) district in which RV Parks are conditionally allowed. During the pre-development meeting with the owner and architect, staff outlined requirements for the RV Park including building code, health code, and planning as well specific design guidelines for RV Parks.

Staff notified 11 property owners within the 200 foot notification area. A total of 5 responses were returned, all in favor of this proposal. It is noted all five responses were from the property owner, Mr. Funston. Staff recommends approval of this application to allow the land use of a recreational vehicle park at 2400 Northwest Freeway (22.45 Acres out of the T. Hardy Survey, Abs. No. 367., Proposed Lot 1, RDF Subdivision), subject to the following conditions:

1. The property must be platted prior to the building permit issuance.
2. All access points from the Northwest Freeway (US 287 frontage) must receive access permit approvals from TxDOT.
3. The subject property must submit a site plan which complies with all other required site improvements and building codes, such as but not limited to:
  - a. Electrical
  - b. Mechanical
  - c. Plumbing
  - d. Storm Water Detention
  - e. TAS/ADA Accessibility
  - f. Landscaping.
  - g. Design Requirements under Section 5640.
4. The proposal shall construct and provide the amenities below prior or concurrent with the RV parking section prior to the issuance of certificate of occupancy:
  - a. A swimming pool
  - b. A club house
  - c. Laundry facilities
  - d. An office
  - e. A fitness center



Chairman Cook asked if the applicant was present and wished to make a presentation. The applicant, was not present, however, his architect, Mr. Michael Koen, was present and stated this was a high-end RV Park that would have 2,000 trees plus landscaping throughout the park. The club house and office will have stone and stucco on the outside. Mr. Koen advised the Commission he was there if they had any questions. Mr. Tony Vidmar asked if the landscaping would be irrigated. Mr. Koen stated it would be as it is a requirement in the landscaping ordinance. Chairman Cook asked if there were any public comments. Mr. Cook closed the case for public discussion and opened it up to the Commission. With no other questions Chairman Cook called for a vote. The motion passed unanimously with a vote of 5-0.

#### IX. OTHER BUSINESS


No other business to discuss.

#### X. ADJOURN

Chairman Cook adjourned the meeting at 2:12 p.m.

  
\_\_\_\_\_  
David Cook, Chairman

3/9/2022  
Date

  
\_\_\_\_\_  
Terry Floyd, Director of Development Services

3/10/2022  
Date



# LANDMARK COMMISSION MINUTES

February 22<sup>nd</sup>, 2022

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## MEMBERS PRESENT:

Michele Derr  
Christy Graham  
Joel Hartmangruber  
Andy Lee  
Nadine McKown  
Noros Martin  
Marcela Medellin  
Janel Ponder Smith  
Tim Brewer

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

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

■ City Staff  
■ City Staff  
■ City Staff  
■ City Staff

## ABSENT:

John Dickinson

■ Member

## GUESTS:

Bill Weske, 614 7<sup>th</sup> Street  
Jon Reese, 614 7<sup>th</sup> Street  
Steve Wood, 1005 9<sup>th</sup> Street

■ Applicant  
■ Applicant  
■ Architect

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## I. Call to Order, Introductions and Administer Oath of Office

Chairperson Michele Derr called the meeting to order at 12:02 p.m. Ms. Derr had Commission members, staff and guests, introduce themselves. Ms. Christal Ashcraft administered the Oath of Office to present Commission members.

## II. Election of Landmark Commission 2022 Chair & Vice-Chairperson

Ms. Derr asked if there was a nomination for Landmarks Chairman. Mr. Andy Lee nominated Michele Derr for Landmark Commission Chair. Mr. Joel Hartmangruber seconded the nomination. The nomination passed unanimously.

Ms. Derr asked if there was a nomination for Landmarks Vice-Chairman. Ms. Derr nominated Ms. Nadine McKown for Landmarks Vice-Chairman. Mr. Joel Hartmangruber seconded the nomination. The nomination passed unanimously. All nominations were closed. The 2022 Landmark Commission Chairperson is Ms. Michele Derr and the Vice-Chairperson is Ms. Nadine McKown.

## III. Review & Approval of Minutes from: January 25<sup>th</sup> 2022

Chairperson Derr called for review and approval of the January 25<sup>th</sup> 2022 Landmark Commission meeting minutes. Mr. Noros Martin made a motion to approve the minutes, Ms. Nadine McKown seconded the motion. Minutes were unanimously approved.



**Consent Agenda Item****IV. Informational Report: Memorial Auditorium – 1300 7<sup>th</sup> Street – Foundation Stabilization Project**

Ms. Karen Gagné presented the update to the Commission on the stabilization project that started about 6 years ago and is now moving forward and ready to initiate construction. This project was brought to staff's attention on the weekly update for building inspections plan review projects. Staff reviewed the project scope to determine if this would be an administrative review or require Landmark Commission approval. It was determined by Legal and Planning staff this project was beyond the scope of an administrative review based on parameters outlined in the City's Design Guidelines manual. Staff brought this project before the Commission as a consent agenda item since City Council has already awarded the construction contract for the stabilization project and is also the appeal body for any decisions issued by the Landmark Commission.

Ms. Gagné stated the City's auditorium building was located at 1300 7<sup>th</sup> Street and a prominent building of Spanish Eclectic style designed by architects Voelcker and Dixon in collaboration with Dallas architects. Lang and Winchell who completed the State Fair Music Hall in 1925. Construction began in 1927 on Memorial Auditorium and its design is a duplication of the Dallas Music Hall. The building was dedicated in 1928 and underwent a major remodel in 1963/1964 with the interior gutted, auditorium walls, ceiling, seating and stage areas updated along with city offices. Staff referenced visuals of the building in postcards, circa 1930-1945 that illustrated the original central block and wings as well as photos from the 1983 city landmark nomination application, prior to historic designation. Inventory photos from 2013 showed the structure essentially unchanged, but in need of maintenance. Photos from the Times Record News archives in 2017 showed significant damage on 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> floors of the west wing as well as the outdoor stairs spreading and shifting concrete. A comprehensive feasibility study and building needs assessment conducted by BYSP Architects in 2017 stated structural problems related to support columns spreading at the bottom from years of pressure and shifting ground and the 1963/64 2<sup>nd</sup> floor renovation/addition; concrete floor poured at that time is shifting; walls are shifting away impacting doors, ceilings, windows, etc. In current photos, the continuing exterior damage is visible, particularly stop-gap repairs by the exterior 2<sup>nd</sup> floor door which is buckling under the weight of the structure.

Ms. Gagné advised City Council authorized the facilities condition and needs assessment study of the building to provide a detailed report regarding physical condition of the structure and systems to help determine the future of the facility and how it is best utilized. The report highlighted long-term issues typically associated with a 90-year old building. After the bond failed for a new city complex in 2018 followed by the pandemic shutdown in 2020, the architects reworked the proposed stabilization plans outlining various alternate options for council consideration during spring 2021. The recent stabilization contract was awarded to Trinity Hughes Construction with a projected cost of \$1.79 million and is estimated to require 243 work days for completion (approximately 8 months).

Ms. Gagné introduced Mr. Steve Woods, architect for the project from BYSP Architects. Mr. Woods stated this project consisted of a structural stabilization for the west wing of the existing building which was deemed in most need of repair. Contractors will excavate down to tops of existing spread footings and core through to install micro-piles down to dead rock to stabilize the building. Contractors will then encase existing columns below grade in a



concrete pilaster to provide additional reinforcing. Additional efforts will include installation of a sub-surface drainage system and replacement of the existing concrete drainage flume for removing surface water from west wing roof downspouts.

The architect noted the proposed work would be interior and mostly below grade for exterior portions. Other exterior work will include replacement of existing concrete drainage flume and the exterior door at second level. Mr. Woods stated this work would not alter or destroy the historic qualities of the building.

Chairman Derr asked the Commission if there were any questions for Mr. Wood. Ms. Medellin asked if the new wrap column would protrude past the building façade. Mr. Wood advised it would, but that it would match the stucco. Mr. Martin asked if there was any settling on the east side of the structure. Mr. Woods advised there was, however it was not deemed significant, maybe ½" but the west side showed major shifting. Mr. Martin asked if the project would affect use of the auditorium portion of the building. Mr. Woods indicated no impact to the auditorium section as work would be limited to the west wing 1<sup>st</sup>/2<sup>nd</sup> levels. Ms. Ponder-Smith asked if the exterior west steps being removed would be replaced. Mr. Woods advised at this time there was not sufficient funding to replace the exterior stairs. With no more questions, Chairperson Derr stated this was a needed repair to maintain an important landmark building.

#### **Regular Agenda Item**

#### **V. Action Item: Design Review – 614 7<sup>th</sup> Street (Kahn Building): *Depot Square Historic District* (Commercial)**

Request design review approval for installation of perforated vinyl window shade film (exterior windows) and installation of neon pole sign.

Ms. Gagné stated the subject building was a well-known property and had come before the Landmark Commission previously for a restoration/rehab project. Ms. Gagné advised 614 7<sup>th</sup> Street was located in the western area of the Depot Historic District, in the 600 block of 7<sup>th</sup> Street and dates back to 1885. A historic photo was shown from that era as well as inventory photos from 2013 and 2018 showing essentially no changes for decades. Inventory photos from 2019 show the property after the restoration project that was also part of a state historic tax credit project. Staff referred Commission members to the photos showing the restoration/rehab of key historic components of the structure. Current photos show significant work done on the façade showing the exposed cast iron columns and repaired transom windows.

Ms. Gagné stated the building has a new business tenant, the Speakeasy Distillery, who's owners are requesting approval for non-permanent, vinyl shade screening that was previously applied to the exterior storefront windows and door and placement of a new neon pole sign. The vinyl shade screening was also screen printed with graphics and the business logo. The screening is perforated to reduce sunlight glare from southern exposure and save energy while providing an aesthetically appealing look to the building. Staff referred Commission members to a series of photos showing an overlay of the proposed neon pole sign to be placed above the doorway, in front of the transom windows. The sign will attach to the columns on either side of the entry with tension straps, relieving any penetration or holes in the existing structure. The sign will not exceed 60" x 36" (5ft.X3ft.), will have a 10ft. clearance from the sidewalk and be free-hanging, not touching the building



in anyway. Ms. Gagné went over the design guidelines distributed to the Commission in their packets related to parameters for windows and signage limitations for historic properties. Specifically, Sec. 4-10(f)(g) limits signage to one per façade and only two identification signs per business.

Chairman Derr asked if either co-owner had anything they would like to add or address the Commission. Mr. Jon Reese stated he believed Ms. Gagné had covered everything. Chairman Derr asked the Commission if they had any questions for Mr. Reese. Mr. Andy Lee stated a similar vinyl window film was utilized in the historic tax credit project for W.A. Freear Furniture Building/Maskat Shrine Temple, currently known as The Landmark on Lamar, which was approved by Texas Historical Commission (THC) and the National Register of Historic Places. Mr. Lee gave a brief historic background on neon signs and stated neon signs were used during the prohibition in all historic districts. Ms. Marcela Medellin stated she felt the screen printed window vinyl and neon signs were distracting and didn't match from a design perspective. She indicated having a hard time rationalizing the need for the number of signs (four including screen printing + neon) on the front of the building. Ms. Ponder Smith asked where the electrical feed would be coming from. Mr. Reese stated there was an existing exterior feed from the emergency light above the entry door that the electrical contractor stated would be utilized. Ms. Ponder Smith asked what the two white rings were around the post. Mr. Reese stated they were just decorative rings that would not be covered up by the sign straps.

Ms. Christy Graham made a motion to approve the case as presented for screen printed perforated vinyl window shade film on storefront glass and entry door along with a neon pole sign. Mr. Andy Lee seconded the motion with Ms. Marcela Medellin in opposition. The motion passed with 7 members voting in favor and 1 opposed.

## **VI. Other Business:**

### **a) Monthly Reports**

#### **Depot Square:**

Ms. Derr gave the following updates:

- Mar. 10<sup>th</sup>-17<sup>th</sup> Museum of North Texas History – The Legends Project
- Mar. 12<sup>th</sup> Saint Patrick's Day block party & Downtown 5k Dash
- Now – Feb 26<sup>th</sup> Backdoor Theater – Love Sick
- Now – Apr. 2<sup>nd</sup> Wichita Theater – Tarzan the Musical
- Current Farmer's Market open Saturday's 9am – 1pm
- Construction continues at The Kell House

#### **West Floral Heights:**

Ms. Ponder-Smith gave the following updates:

- New president: Kim Tigrett
- Meeting March 7<sup>th</sup>

### **b) Commission Procedural Items: Training**

- Open Meetings Act/Public Information Act Training
- Release of Information

### **c) Updates**

- THC 2022 Real Places Conference

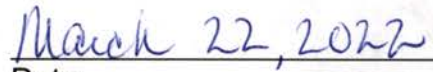
- Window Restoration Workshop II – Spring '22
- d) **Articles/Periodicals** – National Trust – Preservation – Winter Issue
- e) **Design Review – Staff Authorized – Minor Alteration/Repairs**
  - 1100 Travis (Hodges, Hardy, Chambers House) – referred to THC for RTHL roof review
  - 1200 9<sup>th</sup> Street (First Baptist Church) – THC RTHL; youth facility parking lot alterations
  - 600 8<sup>th</sup> Street (Holt Hotel) – roofing permit (previously approved by Landmarks – June 21)

**VII. Adjourn**

Meeting adjourned at 12:52 p.m.

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

  
\_\_\_\_\_  
Michele Derr, Chairperson

  
\_\_\_\_\_  
Date

---

**CITY COUNCIL AGENDA**  
**April 5, 2022**

---

**ITEM/SUBJECT:** Ordinance making an appropriation to the Special Revenue Fund in the amount of \$5,000.00 for reimbursement funding from the Treasury Executive Office for Asset Forfeiture (TEOAF) Reimbursement Program administered by the Office of the Secret Service Administration.

**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 TEOAF Reimbursement Program funded by the Office of the Secret Service Administration with funding totaling up to \$5,000.00 with no cash match required. This is a reimbursement program which requires the City 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 training, software upgrades, and office equipment used by the Financial Crimes Unit.

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 \$5,000.00 for reimbursement funding from the Treasury Executive Office for Asset Forfeiture (TEOAF) Reimbursement Program administered by the Office of the Secret Service Administration**

WHEREAS, the City of Wichita Falls has been notified that it is eligible to receive TEOAF funding from the Secret Service Administration in the amount of \$5,000.00 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 training, software upgrades, and office equipment used by the Financial Crimes Unit.

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

There is appropriated \$5,000.00 in the Special Revenue Fund from the TEOAF Reimbursement Program administered by the Secret Service Administration, 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 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

---

**CITY COUNCIL AGENDA**  
**April 5, 2022**

---

**ITEM/SUBJECT:** Resolution authorizing the City Manager to award bid and contract for the Lake Wichita Revitalization (Veterans Memorial Plaza) to Marrs Patriot Construction, LLC in the amount of \$456,099.50.

**INITIATING DEPT:** Public Works

---

**STRATEGIC GOAL:** Provide Quality Infrastructure

**STRATEGIC OBJECTIVE:** Complete Signature Public Improvements

---

**COMMENTARY:** On March 15, 2022, bids were opened for the Lake Wichita Revitalization (Veterans Memorial Plaza). This project is generally described as a Veterans Memorial Plaza which includes monument installations, concrete sidewalk extensions, entry staircase, landscape planting with irrigation, lighting, electrical connections, and associated work.

The base bids received for this project are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Marrs Patriot Construction, LLC – Wichita Falls, TX	\$ 456,099.50

Funding for this project is 100% from private donors. Marrs Patriot has done similar work for and around the City including Sheppard Air Force Base and the City of Wichita Falls Health Department.

Construction of this project should require approximately 180 calendar days to complete.

Staff and Design Consultants have verified Marrs Patriots' previous references and all provided a favorable reference for Marrs Patriot. Therefore, staff recommends award of the contract to Marrs Patriot Construction, LLC.

☒ **Director, Public Works**

---

**ASSOCIATED INFORMATION:** Resolution , Letter of Recommendation, Bid Tab, Location Map, Site Rendering

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---



Resolution No. \_\_\_\_\_

**Resolution authorizing the City Manager to award bid and contract for the Lake Wichita Revitalization (Veterans Memorial Plaza) to Marrs Patriot Construction, LLC in the amount of \$456,099.50**

WHEREAS, the City of Wichita Falls has advertised for bids for the Lake Wichita Revitalization (Veterans Memorial Plaza); and,

WHEREAS, it is found that the lowest responsible bidder is Marrs Patriot Construction, LLC who made a unit price bid with an estimated total of \$456,099.50.

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

The unit price bid for the Lake Wichita Revitalization (Veterans Memorial Plaza) is awarded to Marrs Patriot Construction, LLC in an estimated total amount of \$456,099.50, 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 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk



March 17, 2022

Alan Peregrino  
City of Wichita Falls  
1300 7<sup>th</sup> Street  
Wichita Falls, Texas 76301

RE: *Lake Wichita Revitalization (Veterans Memorial Plaza)*  
*Bid Summary and Recommendation*  
*City of Wichita Falls Bid No. CWF20-452-12*

Dear Mr. Peregrino:

On March 15, 2022, bids were received at 2:00 PM, and publicly opened and recorded by the City of Wichita Falls, at 2:15 PM. There was one (1) bidder for this project: Marrs Patriot Construction, LLC. The bid tabulation is included as Exhibit #1.

The apparent low bid for the Lake Wichita Revitalization (Veterans Memorial Plaza) project was \$456,099.50 (Base Bid) and \$683,099.50 (Base Bid w/ Alternates). The project opinion of probable construction cost (OPCC) was \$525,000 (Base Bid) and \$700,000 (Base Bid w/ Alternates). The apparent low bid was submitted by Marrs Patriot Construction, LLC, and their package appears to be complete and qualified based on our review. Marrs Patriot Construction, LLC is located in Wichita Falls, and has completed similar sized projects for the City of Wichita Falls and Sheppard Air Force Base (SAFB), with confirmed project references.

It is our understanding that the City intends to award the project Base Bid, which will be paid through separate funding from the Lake Wichita Revitalization Committee. Since the project funding is available through the Lake Wichita Revitalization Committee, we find no reason why the City should not award the project to Marrs Patriot Construction, LLC.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Fielder".

John A. Fielder, PLA  
Kimley-Horn and Associates

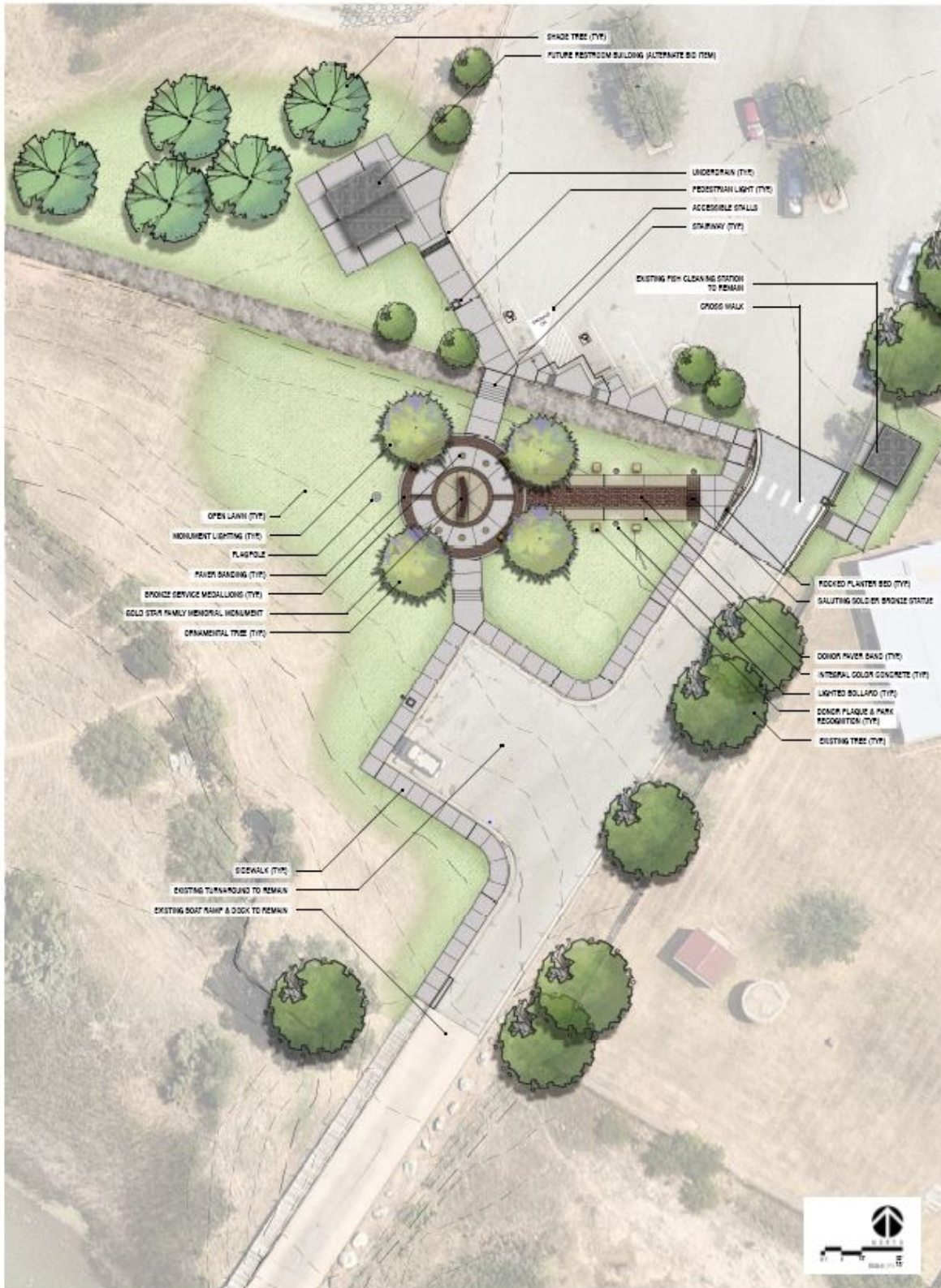
# BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

Owner: <b>City of Wichita Falls</b>				<b>BIDDER 1</b>  Marr's Patriot Construction 1105 Holliday Street Wichita Falls, TX 76301		Kimley-Horn and Associates OPCC	
Job No.: <b>064419302</b>							
Project: <b>Lake Wichita Revitalization (Veterans Memorial Plaza)</b>							
CWF19-100-17							
Date: <b>March 15, 2022</b>							
Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost		
<b>Base Bid</b>							
1	Mobilization	1	LS	\$30,299.50	\$30,299.50	\$43,000.00	\$43,000.00
2	Demolition/ Site Prep,	1	LS	\$90,050.00	\$90,050.00	\$60,000.00	\$60,000.00
3	5" Concrete Sidewalk	3,855	SF	\$12.00	\$46,260.00	\$10.80	\$41,634.00
4	Concrete Pavers w/Concrete Sub Base	895	SF	\$31.84	\$28,500.00	\$21.00	\$18,795.00
5	5' Concrete Sidewalk	650	SF	\$28.46	\$18,500.00	\$17.40	\$11,310.00
6	Vehicular Pavement	935	SF	\$20.32	\$19,000.00	\$18.00	\$16,830.00
7	Concrete Curb	215	LF	\$34.88	\$7,500.00	\$21.60	\$4,644.00
8	Accessible Ramp	4	EA		\$2,000.00	\$2,400.00	\$9,600.00
9	Parking Lot and Crosswalk Striping	1	LS	\$4,000.00	\$4,000.00	\$3,600.00	\$3,600.00
10	Concrete Steps w/Railing	185	SF	\$155.35	\$28,740.00	\$66.00	\$12,210.00
11	Gold Star Families Monument	1	EA		\$9,250.00	\$9,000.00	\$9,000.00
12	Saluting Soldier Bronze Sculpture	1	EA		\$9,250.00	\$6,000.00	\$6,000.00
13	Bronze Donor & Park Recognition Plaque	4	EA		\$17,000.00	\$9,600.00	\$38,400.00
14	Bench	4	EA		\$9,500.00	\$3,600.00	\$14,400.00
15	Flagpole	1	LS	\$8,000.00	\$8,000.00	\$36,000.00	\$36,000.00
16	Bronze Service Medallions	6	EA		\$15,000.00	\$3,600.00	\$21,600.00
17	Sod	1	LS	\$10,250.00	\$10,250.00	\$9,977.00	\$9,977.00
18	Landscape and Irrigation	1	LS	\$28,000.00	\$28,000.00	\$36,000.00	\$36,000.00
19	Lighting & Electrical Allowance	1	LS	\$75,000.00	\$75,000.00	\$132,000.00	\$132,000.00
<b>Total Base Bid</b>					<b>\$456,099.50</b>		<b>\$525,000.00</b>
<b>Additive/Alternate No. 1</b>							
A1	Restroom Building	1	EA	\$190,000.00	\$190,000.00	\$90,000.00	\$90,000.00
A2	Covered Underdrain	1	EA	\$1,000.00	\$1,000.00	\$3,600.00	\$3,600.00
A3	5' Concrete Sidewalk	1,335.00	SF	\$8.98	\$11,988.30	\$10.80	\$14,418.00
A4	Sod	1	LS	\$3,000.00	\$3,000.00	\$1,982.00	\$1,982.00
A5	Utility Allowance	1	LS	\$21,000.00	\$21,000.00	\$65,000.00	\$65,000.00
<b>Total Additive/Alternate No. 1</b>					<b>\$226,988.30</b>		<b>\$175,000.00</b>
<b>Total Base Bid + Additive/Alternate No. 1</b>					<b>\$683,087.80</b>		<b>\$700,000.00</b>

Calculation Error by Contractor

# LOCATION OF VETERANS MEMORIAL PLAZA





## RENDERING OF VETERANS MEMORIAL PLAZA



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**CITY COUNCIL AGENDA**  
**April 5, 2020**

---

**ITEM/SUBJECT:** Resolution naming the new Lake Wichita Veterans Plaza the “Harry Patterson Veterans Memorial Plaza”.

**INITIATING DEPT:** City Manager’s Office

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**STRATEGIC GOAL:** Provide Quality Infrastructure

**STRATEGIC OBJECTIVE:** Complete Signature Public Improvements

---

**COMMENTARY:** A request has been made to the City Council by the Lake Wichita Revitalization Committee to name the new Lake Wichita Veterans Plaza the “Harry Patterson Veterans Memorial Plaza”.

Mr. Harry Patterson served as a non-commissioned officer in the US Army in the 5th Infantry Division, Mechanized in Vietnam in 1968 and 1969. Harry was awarded the Bronze Star for meritorious achievement in ground operations against hostile forces in the Republic of Vietnam from July 1968 to July 1969. Harry was proud of his service to his country and worked tirelessly later in life to support veterans, particularly those suffering from Post-Traumatic Stress. He served as an Executive Board Member on the Board of Veterans Wellness Center in Angel Fire, New Mexico, and was passionate about helping Veterans in the Wichita Falls area.

Over Harry’s 42 years in Wichita Falls, his business grew to include four area award winning Automotive Dealer locations and two Recreational Vehicle locations employing approximately 300 associates and thirteen lines of vehicles. Harry was awarded the Wichita Falls Chamber of Commerce’s Small Business Person of the year in 2001, the US Small Business Associations Dallas Ft. Worth District Small Business Person of the year in 2002 and Patterson Auto Group was awarded the Better Business Bureau’s Torch Award for Marketplace ethics in 2002 and 2013. Harry was honored as Wichitan of the Year in 2004.

Harry and his wife Brenda made a very generous donation for the construction of a Veterans Memorial Plaza at Lake Wichita. Harry’s business associates have carried on his passion for this project, and have raised sufficient funds in Harry’s honor to make the Veterans Memorial Plaza become a reality. As a result, naming this new facility the Harry Patterson Veterans Memorial Plaza will recognize his contributions to our Veterans community and our City.

Representation from the Lake Wichita Revitalization Committee will be at the meeting in support of this request.

☒ **Assistant City Manager**

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**ASSOCIATED INFORMATION:** Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---

**Resolution No. \_\_\_\_\_**

**Resolution naming the new Lake Wichita Veterans Plaza the “Harry Patterson Veterans Memorial Plaza”**

WHEREAS, Mr. Harry Patterson served as a non-commissioned officer in the US Army in the 5th Infantry Division, Mechanized in Vietnam in 1968 and 1969; and,

WHEREAS, Mr. Harry Patterson and his wife Brenda made a very generous donation for the construction of a Veterans Memorial Plaza at Lake Wichita;

WHEREAS, in honor and recognition of Mr. Harry Patterson, the City Council deems it in the public interest to name the Lake Wichita Veterans Plaza the Harry Patterson Veterans Memorial Plaza; and,

WHEREAS, prior restrictions pertaining to the naming of city buildings are waived in regards to this resolution.

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

The Lake Wichita Veterans Plaza will now be formally known as the Harry Patterson Veterans Memorial Plaza.

PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk



**ITEM/SUBJECT:** Resolution authorizing the sale of 0.71 acres located at 3920 Lawrence Road, also known as Lot 3, Block 214-A, Highland Addition, Wichita Falls, Wichita County, Texas.

**STRATEGIC GOAL:** Accelerate Economic Growth

**COMMENTARY:** On February 1, 2022 the City Council passed Resolution #08-2022 to authorize marketing of the excess City-owned property located at 3920 Lawrence Road for sale by sealed bid. The 0.71 acre tract which is zoned General Commercial was advertised for sale and sealed bids were accepted until 1:30 PM on March 17, 2022. The scarcity of available land in the Lawrence Road commercial corridor resulted in this parcel becoming the premier real estate parcel in Wichita Falls. City staff worked diligently to propose the attached deed restrictions allowing development that would complement the area resulting in retail growth. The restrictions, which limited the use of the land, may have been responsible for fewer bids, but were welcomed by serious investors as evidence by their bids.

The following bids were received from local business owners:

Smokestack Investments, Inc. \$926,000

Upon approval of said bid, the winning bidder will begin their due diligence and staff will work with them on a closing date.

☒ **Property Administrator**

PAGE 1 OF 8 PAGES  
AGENDA ITEM NO. 8.C

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---

Resolution No. \_\_\_\_\_

**Resolution authorizing the sale of 0.71 acres located at 3920 Lawrence Road also known as Lot 3, Block 214-A, Highland Addition, Wichita Falls, Wichita County, Texas**

WHEREAS, the sale of this property will accelerate economic development and promote retail sales; and

WHEREAS, the City desires to sell the property with attached Specific Agreements and Deed Restrictions; and

WHEREAS, it is determined to be in the best interest of the public to return this City-owned property to private ownership and put it back on the tax roll.

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

1. The property located at 3920 Lawrence Road and more specifically described in the attached **Plat Map** and **Property Location Map, Deed Specific Agreements and Deed Restrictions** may be sold to Smokestack Investments, Inc. for the offered amount of \$926,000 and the City Manager is authorized to execute the deed to such property in such form as approved by the City Attorney.

PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

# Plat Map

56.107

## FINAL PLAT

# HIGHLAND ADDITION

## LOT 3, BLOCK 214-A

(A REPEAT OF PART OF LOT 1, BLOCK 1, TOMPKINS ADDITION  
AND A PORTION OF RIGHT-OF-WAY FROM THE  
FORMER ALIGNMENT OF LAWRENCE ROAD)

**OWNER/DEVELOPER**  
CITY OF WICHITA FALLS  
PROPERTY MANAGEMENT  
P. O. BOX 1431  
WICHITA FALLS, TX 76707  
(940) 761-8816

**SURVEYOR/ENGINEER**  
  
2406 KILLEBROOK AVENUE  
WICHITA FALLS, TEXAS 76709  
(940) 723-6458 (v) (940) 723-6000 (f)

DECEMBER 2012  
SCALE 1"=30'

**FIELD NOTES**

A TRACT OF LAND IN WICHITA FALLS, WICHITA COUNTY, TEXAS BEING PART OF THE DAY  
LAND & COTTE COMPANY SURVEY, A-414, AND BEING MORE SPECIFICALLY DESCRIBED  
BY REFERENCE TO THE FOLLOWING:

BEINGING AT A 1/2 INCH WIDE ROAD IN THE SOUTH LINE OF LOT 1, BLOCK 214-A,  
HIGHLAND ADDITION, AN ADDITION TO THE CITY OF WICHITA FALLS, AS RECORDED IN  
VOLUME 25, PAGES 218 AND 220, WICHITA COUNTY PLAT RECORDS FOR THE  
NORTHWEST CORNER OF THIS ADDITION AND BEING THE HIGHWAY CORNER OF LOT  
3, BLOCK 214-A, HIGHLAND ADDITION, AN ADDITION TO THE CITY OF WICHITA FALLS, AS  
RECORDED IN VOLUME 27, PAGE 244, WICHITA COUNTY PLAT RECORDS.

THENCE ALONG THE SOUTH LINE OF SAID LOT 1, NORTH 87°32' EAST 6.14 FEET TO  
AN "X" IN MARKING FOR AN INTERIOR CORNER OF THIS ADDITION AND THE  
SOUTHWEST CORNER OF SAID LOT 1, BLOCK 214-A.

THENCE NORTH 84°27'47" EAST 11.11 FEET TO A 1/2 INCH WIDE ROAD IN THE CURVED  
WEST RIGHT-OF-WAY LINE OF LAWRENCE ROAD FOR THE NORTHWEST CORNER OF THIS  
ADDITION.

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF LAWRENCE ROAD AS FOLLOWS:  
IN A SOUTHWESTERLY DIRECTION AND ALONG A CURVE TO THE LEFT HAVING  
A RADIUS OF 277.52 FEET, AN ARC DISTANCE OF 20.23 FEET TO A 1/2 INCH  
IRON ROD FOR THE WEST (EASTERN) SOUTHWEST CORNER OF THIS ADDITION.  
THE LONG CHORD OF SAID CURVE BEARS SOUTH 27°32'17" EAST 23.22 FEET.

SOUTH 87°32'17" EAST 11.11 FEET TO A 1/2 INCH IRON ROD TO A POINT OF  
CURVATURE, AND  
IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE RIGHT HAVING A  
RADIUS OF 277.52 FEET, AN ARC DISTANCE OF 20.23 FEET TO A 1/2 INCH  
IRON ROD FOR THE WEST (EASTERN) SOUTHWEST CORNER OF THIS ADDITION.  
THE LONG CHORD OF SAID CURVE BEARS SOUTH 27°32'17" EAST 23.22 FEET.

THENCE SOUTH 27°32'17" WEST 23.22 FEET TO A POINT IN THE NORTH RIGHT-OF-WAY  
LINE OF CALL FIELD ROAD FOR THE SOUTHWEST CORNER OF THIS  
ADDITION.

THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF CALL FIELD ROAD AS FOLLOWS:  
NORTH 87°32'17" WEST 87.01 FEET TO AN ANGLE POINT OF THIS ADDITION, AND  
NORTH 87°32'17" WEST 71.43 FEET TO A 1/2 INCH IRON ROD FOR THE  
SOUTHWEST CORNER OF THIS ADDITION AND BEING THE WEST SOUTHWEST  
CORNER OF SAID LOT 3, BLOCK 214-A.

THENCE ALONG THE SOUTHWEST LINE OF SAID LOT 3, BLOCK 214-A, NORTH 47°54'50"  
EAST 28.48 FEET TO A 1/2 INCH IRON ROD FOR AN ANGLE POINT OF THIS ADDITION  
AND BEING THE WEST (EASTERN) SOUTHWEST CORNER OF SAID LOT 3, BLOCK 214-A.

THENCE ALONG SAID EAST LINE OF SAID LOT 3, BLOCK 214-A, NORTH 87°32'17" EAST  
21.43 FEET TO THE PLACE OF BEGINNING AND CONTAINING 30.76 SQUARE FEET  
(3.27 ALIAS) OF LAND, MORE OR LESS.

THIS IS TO CERTIFY THAT ALL TIES RUN AND COLLECTED BY THE CITY  
OF WICHITA FALLS, WICHITA COUNTY, TEXAS, AND THE WICHITA FALLS  
HOSPITALITY SCHOOL DISTRICT ON THE ABOVE DESCRIBED PROPERTY  
HAVE BEEN PAID UP TO AND INCLUDING 12/14/12.

WITH THE FOLLOWING EXCEPTIONS:

NO COLLECTION: Johnny Smith

BY DEPUTY: John H. Hays

DATE: 12-14-12

**GRAPHIC SCALE**

1" = 30'

**BASE OF BEARING**

SOUTH 87°32'17" EAST FOR  
THE WEST RIGHT-OF-WAY  
LINE OF LAWRENCE ROAD.

**FLOODPLAIN INFORMATION**

THIS PLAT BEARING IS A REPEAT OF  
THE PLAT BEARING FOR THE  
NORTHWEST CORNER OF THIS  
ADDITION AND IS NOT A  
REPEAT OF THE PLAT BEARING  
FOR THE SOUTHWEST CORNER  
OF THIS ADDITION. THE  
PLAT BEARING FOR THE  
SOUTHWEST CORNER OF THIS  
ADDITION IS NOT A REPEAT  
OF THE PLAT BEARING FOR  
THE NORTHWEST CORNER OF  
THIS ADDITION. THE PLAT  
BEARING FOR THE SOUTHWEST  
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REPEAT OF THE PLAT BEARING  
FOR THE NORTHWEST CORNER  
OF THIS ADDITION. THE PLAT  
BEARING FOR THE SOUTHWEST  
CORNER OF THIS ADDITION IS  
NOT A REPEAT OF THE PLAT  
BEARING FOR THE NORTHWEST  
CORNER OF THIS ADDITION.

**LOCATION MAP**



**STATE OF TEXAS**  
COUNTY OF WICHITA

WE, THE UNDERSIGNED AUTHORITY, ON THIS DAY  
PERSONALLY APPEARED AND SWORE UNDER OATH TO ME  
TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE  
FOLLOWING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE  
EXECUTED SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN  
EXPRESSED AND IN THE CAPACITY STATED.

SIGN UNDER MY HAND AND SEAL OF OFFICE THIS 14th DAY  
OF December, 2012.



THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF WICHITA  
FALLS, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT  
CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS  
AS TO WHICH NO APPROVAL IS REQUIRED.

David H. Hays  
DIRECTOR OF PUBLIC WORKS

THIS PLAT, HIGHLAND ADDITION, LOT 3, BLOCK 214-A,  
HAS BEEN SUBMITTED TO AND CONSIDERED BY THE  
CITY OF WICHITA FALLS, TEXAS, AND IS HEREBY APPROVED.

DATED THIS 14th DAY OF December, 2012.

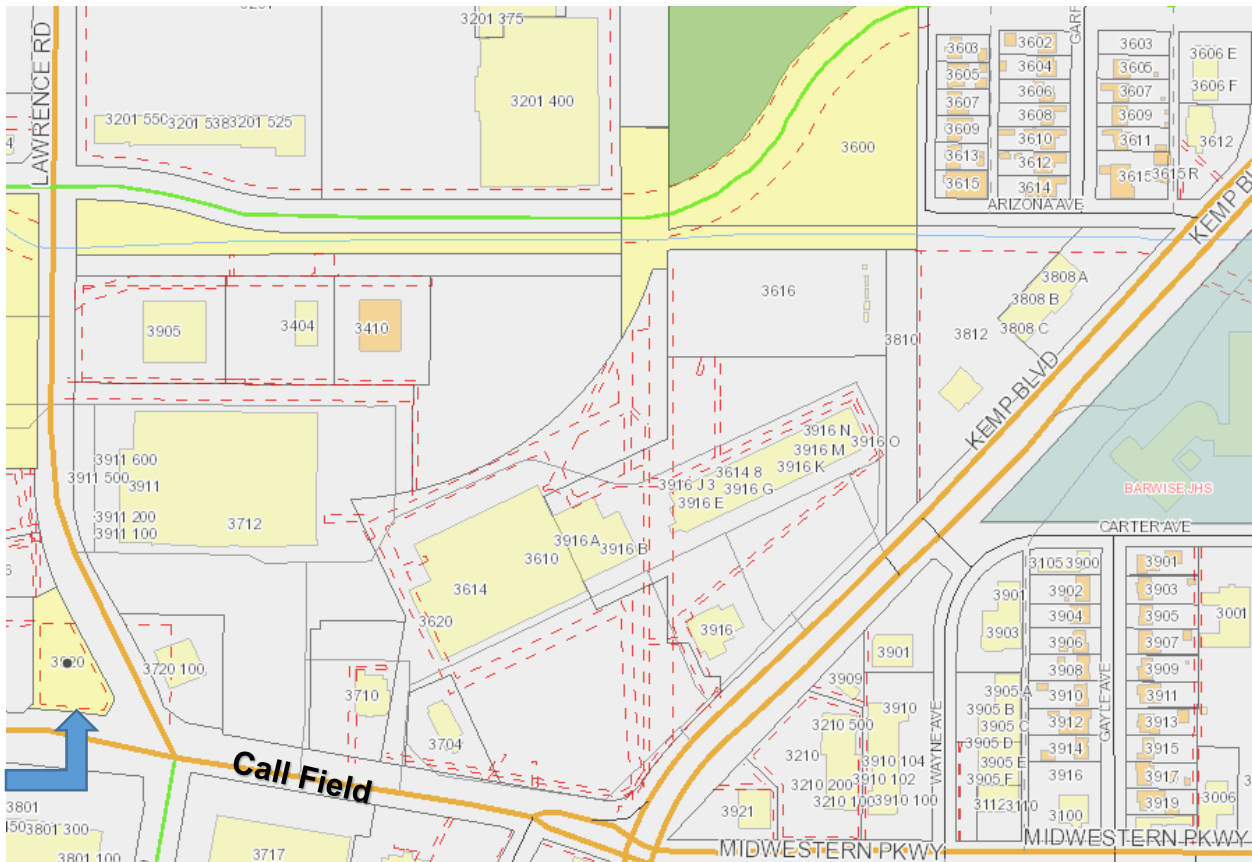
BY: Mark Cohen  
DIRECTOR OF COMMUNITY DEVELOPMENT

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL AND ACCURATE FIELD  
SURVEY OF THE LAND UNDER MY PERSONAL SUPERVISION IN OCTOBER, 2012, AND THAT ALL INFORMATION  
IS TRUE AND CORRECT, AND THAT ALL MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY  
PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF  
WICHITA FALLS, TEXAS.

Mark Cohen  
MARK COHEN, JR., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5176

100048-PLAT000-1-000

## Property Location Map



## SPECIFIC AGREEMENTS AND DEED RESTRICTIONS

1. **Recitals Incorporated.** The above recitals and all of the terms defined in them are incorporated into this Declaration for all purposes.

2. **Definitions.** The term "Owner" means, individually, and the term "Owners" means, collectively, Declarant and all future owners of the fee interest of any portion of the Restricted Property or the Benefited Property (whether the fee interest is obtained through a purchase from Declarant or through a purchase at a foreclosure sale or trustee's sale or through a deed in lieu of foreclosure) and their successors and assigns.

3. **Covenants and Restrictions.** Declarant hereby adopts, establishes and imposes the following covenants, conditions, and other restrictions onto the Property:

a) Sign regulations. All signs on the Property shall be in accordance with the City of Wichita Falls regulations in effect at the time, subject to:

i. No billboard or off-premise advertising of any kind shall be built, placed, or erected on the Property. This restriction is in addition to any other restrictions stated elsewhere in this instrument;

ii. No political advertising shall be allowed on the property or in the adjacent public right-of-way;

iii. Other than real estate or similar type signage advertising the sale or lease of available space on the Property and that is otherwise in compliance with City regulations, the only free-standing signage allowed on the property will be one (1) ground-mounted sign advertising the main uses(s) and/or business contained on the Property with a maximum height measured from the adjacent ground not to exceed eight feet (8.0'). Said ground mounted sign shall be encased in the same masonry material as that of the main structure on the Property. Said ground-mounted sign may be illuminated internally and/or by ground-mounted lights directed away from roadway traffic. "Wind flags" or similar free-standing signs are prohibited.

iv. Banner signs shall be allowed to be placed only on the main structure on the Property;

v. Roof signs or any inflatable signs are prohibited on the Property.

b) Allowed Uses on Property. Residential uses of any kind are prohibited on the property. Property shall be used for commercial purposes only, subject to:

i. The primary use of the property shall be retail-oriented and generate sales taxes as such is defined by Texas Tax Code Section 151.010. Approval of each primary use on the Property not in compliance with this provision 2.a. shall be by majority vote of the City Council;



ii. The following are prohibited uses on the property:

1. Liquor stores
2. Sexually Oriented Businesses
3. Automotive sales, service, or fueling stations
4. Pawn shops
5. Second hand goods stores
6. Payday loan stores
7. Check cashing outlets
8. Title loan businesses

c) Masonry Construction. All structures and outbuildings on Property are subject to the following:

i. All structures and outbuildings buildings shall have not less than eighty percent (80%) masonry construction on each exterior wall, excluding doors and windows. Structures do not include sidewalks or parking lots.

ii. For the purposes of the entirety of these deed restrictions, "**masonry**" shall mean and include brick, stone, decorative concrete masonry unit (CMU), or other materials of equal characteristics laid up unit upon unit set and bonded to one another in mortar. Application of said masonry units shall be allowed as a veneer so long as the same standards are met.

iii. Solid waste containers on the property shall be screened on at least three (3) sides by a masonry wall;

iv. Masonry shall remain unpainted upon and in its original state in perpetuity.

d) Access Points. Additional driveways from Property onto Lawrence Road or Call Field Road are prohibited and access onto Lawrence Road is limited to the existing mutual access easement.

**4. Enforcement.** If any person, persons, corporation, or entity of any other character violates or attempts to violate the restrictions set forth in Paragraph 3, it will be lawful for Declarant to prosecute proceedings at law or in equity against the person, persons, corporation, or entity. Any action taken to enforce the restrictions set forth in this Declaration will be at the sole cost and expense of the party initiating the action. However, in any legal or equitable proceeding for the enforcement or to restrain the violation of the restrictions, each party shall waive the collection of attorney's fees. All remedies provided in this Declaration or at law or in equity will be cumulative and not exclusive.

5. **Partial Invalidity.** If any part of this Declaration is declared invalid, by judgment or court order, it will in no way affect any of the other provisions of this agreement, and the remaining portion of this agreement will remain in full effect.

6. **Waiver.** If at any time the Benefited Parties fail to enforce this Declaration, whether or not any violations of it are known, the failure will not constitute a waiver or estoppel of the right to enforce it.

7. **Duration.** The provisions of this Declaration will remain in full force and effect until the twenty-fifth anniversary of the Effective Date ("Initial Term Termination Date"), and will be extended automatically after that for successive ten-year (10-year) periods; however, this Declaration may be terminated on the Initial Term Termination Date, or on the commencement of any successive ten-year (10-year) period, by filing for record in the Real Property Records of Wichita County, Texas, an instrument in writing signed by all Owners of the Benefited Property.

8. **Modification; Termination.** This Declaration may be modified, amended, or terminated only by a written instrument that is (a) executed by both the Owner of the Restricted Property subject to the modification, amendment, or termination and the Declarant, and (b) filed and recorded in the Real Property Records of Wichita County, Texas.

9. **Binding Agreement.** This Declaration and all of its terms, provisions, and covenants run with the Restricted Property and will apply to, be binding on, and inure to the benefit of the parties and their respective heirs, executors, legal representatives, and assigns. When the context requires, singular nouns and pronouns include the plural.

EXECUTED as of \_\_\_\_\_, 2022

**DECLARANT:**

\_\_\_\_\_  
Darron J. Leiker  
City Manager

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

---

**CITY COUNCIL AGENDA**  
**April 5, 2022**

---

**ITEM/SUBJECT:** Resolution to accept the written offer as presented for 14 Trustee parcels and authorizing execution of the Quitclaim Deeds to convey titles to Ela Sonnamaker, James Grant, Michael Todaro, Samuel Majano, and Ruben Arias.

**INITIATING DEPT:** Property Administration

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**STRATEGIC GOAL:** Accelerate Economic Development

**STRATEGIC OBJECTIVE:** Revitalize Depressed and Declining Neighborhoods

---

**COMMENTARY:** : In accordance with Section 272.001 and 253.008 of the Texas Local Government Code, written offers have been made for the 14 trustee properties at:

This item relates to fourteen (14) trustee properties:

- 401 E. 3<sup>rd</sup> St. (struck-off value: \$2,023.62, tax appraisal: \$1,000.00, **written offer: \$600.00**, Struck off Date: June 05, 2008.) \*Structure Demolition
- 2120 Avenue C (struck-off value: \$3,025.18, tax appraisal: \$3,000.00, **written offer: \$800.00**, Struck off Date: July 07, 2009.)
- 1217 N. 3<sup>rd</sup> St. (struck-off value: \$4,482.56, tax appraisal: \$1,700.00, **written offer: \$1,000.00**, Struck off Date: September 01, 2020.)
- 601 Denver St. (struck-off value: \$3,519.38, tax appraisal: \$3,000.00, **written offer: \$800.00**, Struck off Date: June 03, 2003.)
- 617 Park (struck-off value: \$907.00, tax appraisal: \$500.00, **written offer: \$400.00**, Struck off Date: September 01, 1998.)
- 1610 30<sup>th</sup> (struck-off value: \$5,247.00, tax appraisal: \$1,000.00, **written offer: \$1,000.00**, Struck off Date: January 02, 2019.) \*Structure Demolition
- 1406 34<sup>th</sup> (struck-off value: \$1,034.00, tax appraisal: \$1,000.00, **written offer: \$550.00**, Struck off Date: February 07, 2017.)
- 2108 10<sup>th</sup> (struck-off value: \$3,034.00, tax appraisal: \$3,000.00, **written offer: \$1,500.00**, Struck off Date: October 05, 2021.)
- 1317 N 9<sup>th</sup> (struck-off value: \$2,440.81, tax appraisal: \$1,700.00, **written offer: \$550.00**, Struck off Date: February 02, 2021.)
- 110 McLaughlin (struck-off value: \$784.00, tax appraisal: \$750.00, **written offer: \$600.00**, Struck off Date: Janaury 04, 2022.)
- 105 Farris (struck-off value: \$750.00, tax appraisal: \$250.00, **written offer: \$550.00**, Struck off Date: November 01, 2004.)
- 508 Kentucky (struck-off value: \$1,703.75, tax appraisal: \$329.00, **written offer: \$700.00**, Struck off Date: April 02, 2019.)
- 201 N. Mill (struck-off value: \$383.00, tax appraisal: \$333.00, **written offer: \$275.00**, Struck off Date: September 06, 2016.)

- 201 MLK Jr. (struck-off value: \$11,398.94, tax appraisal: \$1,000.00, **written offer: \$1,300.00**, Struck off Date: November 03, 2015.)

Staff requests the City Council approve the conveyance of the properties above for the offered amounts.

To convey the properties for less than a minimum bid requires the approval of all three taxing entities.

- February 28, 2022 County Commissioner's Court approved
- March 14, 2022 WFISD School Board approved

The properties will be sold "as is" via Quitclaim deed as abstracts, surveys, and title policies are not furnished by the City. The proposed buyers are in good financial standing with the City of Wichita Falls, Wichita County, and the WFISD.

City staff recommends approval of the resolution authorizing the City Manager to execute all necessary documents to facilitate the sale and conveyance of the parcels as described on the attached Request to Purchase list.

☒ **Asst. City Manager**

☒ **Property Administrator**

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**ASSOCIATED INFORMATION:** Resolution, Request to Purchase, and Location Map.

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

---



Resolution No. \_\_\_\_\_

**Resolution to accept the written offers as presented for 14 Trustee parcels and authorizing execution of the Quitclaim Deeds to convey title to Ela Sonnamaker, James Grant, Michael Todaro, Samuel Majano, and Ruben Arias**

WHEREAS, the County Commissioners and the WFISD School Board have both voted to accept the bids as presented; and,

WHEREAS, it is determined to be in the best interest of the public to return these properties to private ownership and put the properties back on the tax roll.

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

The City Manager is hereby authorized to execute all necessary documents to facilitate the sales to Ela Sonnamaker, James Grant, Michael Todaro, Samuel Majano, and Ruben Arias as presented and recommended by staff.

PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

## Request to Purchase

401 E. 3rd St. – Lot 4, Block 2, Elmwood Addition to the City of Wichita Falls, Wichita County, Texas

Ela Sonnamaker

Written Offer	\$600.00
Judgement Amount	\$2,023.62
Tax Appraisal Value	\$1,000.00
Struck off Date	06/05/2008

### AFTER DEMOLITION



## LOCATION MAP – 401 E. 3rd St.





## Request to Purchase

**2120 Avenue C** – Lot 1-A, Block 47, Floral Heights Addition to the City of Wichita Falls, Wichita County, Texas

**Ela Sonnamaker**

<b>Written Offer</b>	<b>\$800.00</b>
<b>Judgement Amount</b>	<b>\$3,025.18</b>
<b>Tax Appraisal Value</b>	<b>\$3,000.00</b>
<b>Struck off Date</b>	<b>07/07/2009</b>

**2120 Avenue C**



## LOCATION MAP – 2120 Avenue C.





## Request to Purchase

**1217 N. 3<sup>rd</sup> St.** – Lot 9, Block 33, Scotland Addition to the City of Wichita Falls, Wichita County, Texas

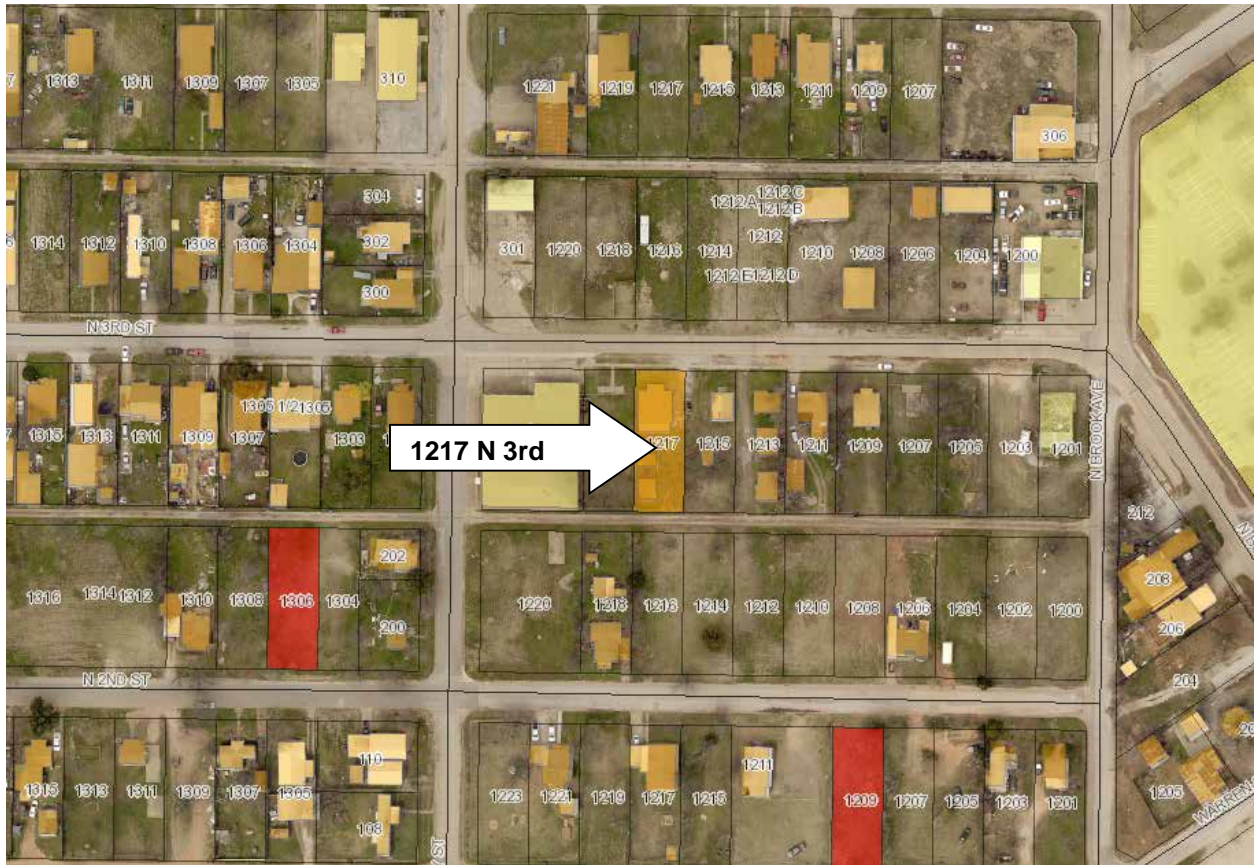
**Ela Sonnamaker**

<b>Written Offer</b>	<b>\$1,000.00</b>
<b>Judgement Amount</b>	<b>\$4,482.56</b>
<b>Tax Appraisal Value</b>	<b>\$1,700.00</b>
<b>Struck off Date</b>	<b>09/01/2020</b>

## AFTER DEMOLITION



**LOCATION MAP – 1217 N. 3<sup>rd</sup> St.**



## Request to Purchase

**601 Denver St.** – North 1/3 of Lots 35 and 36, Block 1, Boyd 2 Addition to the City of Wichita Falls, Wichita County, Texas

**James Grant**

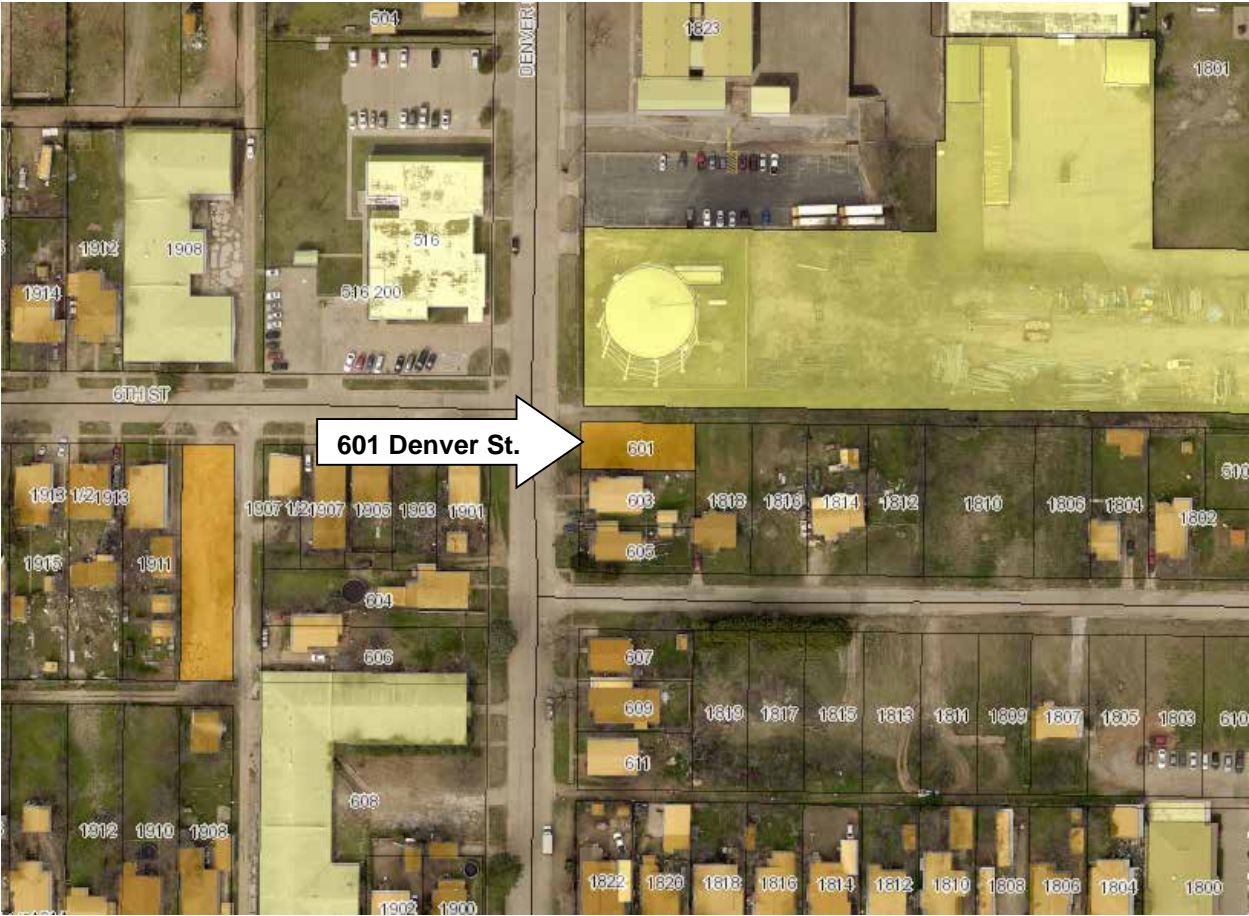
<b>Written Offer</b>	<b>\$800.00</b>
<b>Judgement Amount</b>	<b>\$3,519.38</b>
<b>Tax Appraisal Value</b>	<b>\$3,000.00</b>
<b>Struck off Date</b>	<b>06/03/2003</b>

**601 Denver**





LOCATION MAP – 601 Denver St.





## Request to Purchase

**617 Park St.** – Lot 6, Block 1, Boyd Subdivision of Granger Park Addition to the City of Wichita Falls, Wichita County, Texas

**James Grant**

<b>Written Offer</b>	<b>\$400.00</b>
<b>Judgement Amount</b>	<b>\$907.00</b>
<b>Tax Appraisal Value</b>	<b>\$500.00</b>
<b>Struck off Date</b>	<b>09/01/1998</b>

**617 Park St.**



## LOCATION MAP – 617 Park St.





## Request to Purchase

**1610 30<sup>th</sup> St.** – Lot 6, Block 6, Country Club Addition to the City of Wichita Falls, Wichita County, Texas

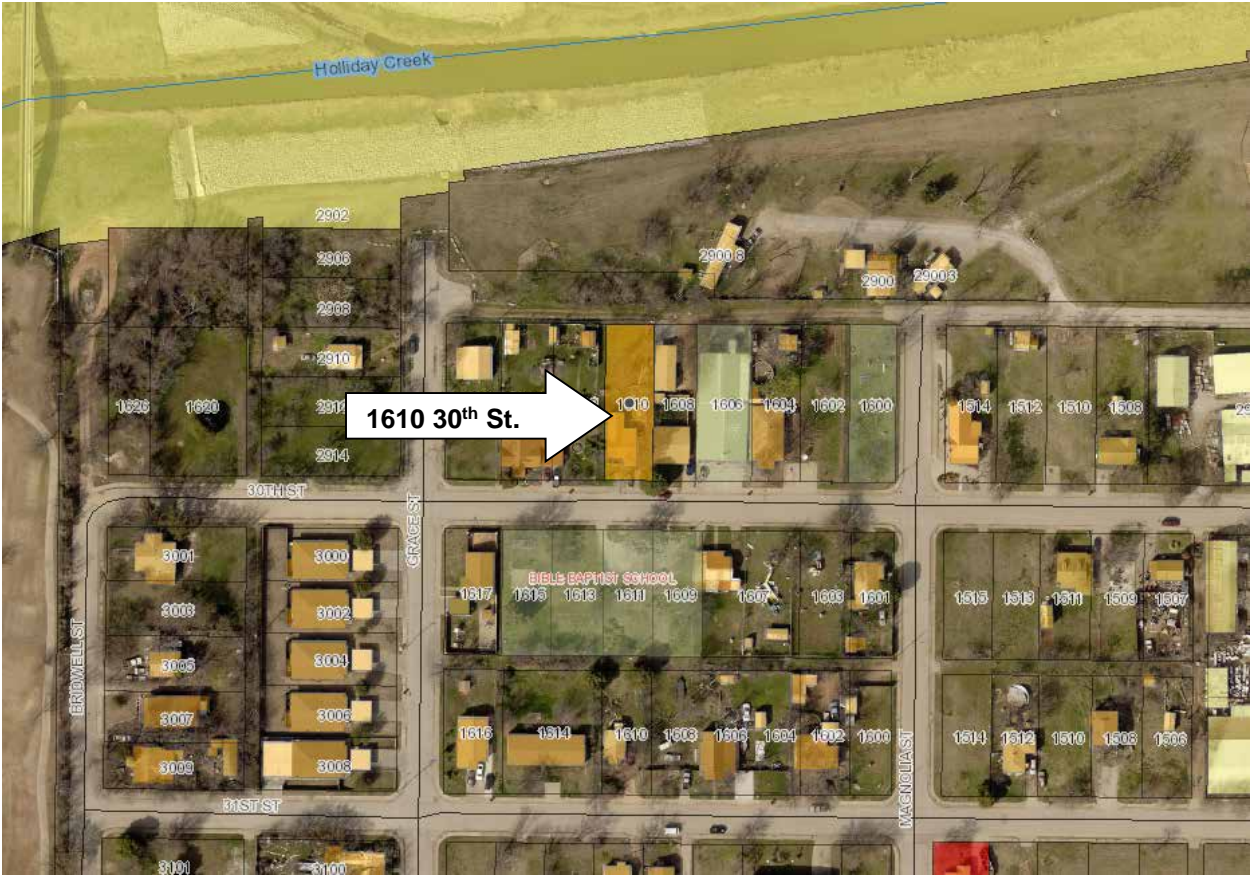
**James Grant**

<b>Written Offer</b>	<b>\$1,00.00</b>
<b>Judgement Amount</b>	<b>\$5,247.00</b>
<b>Tax Appraisal Value</b>	<b>\$1,000.00</b>
<b>Struck off Date</b>	<b>01/02/2019</b>

## AFTER DEMOLITION



LOCATION MAP – 1610 30th St.





## Request to Purchase

**1406 34th Street** – East 37' of Lot 31, Block 10, Hillcrest Addition to the City of Wichita Falls, Wichita County, Texas

**Michael Todaro**

<b>Written Offer</b>	<b>\$550.00</b>
<b>Judgement Amount</b>	<b>\$1,034.00</b>
<b>Tax Appraisal Value</b>	<b>\$1,700.00</b>
<b>Struck off Date</b>	<b>02/07/2017</b>

**1406 34<sup>th</sup> St.**



## LOCATION MAP – 1406 34<sup>th</sup> St





## Request to Purchase

**2108 10<sup>th</sup> St.** – Lot 12, Block 7, Floral Heights Addition to the City of Wichita Falls, Wichita County, Texas

**Michael Todaro**

<b>Written Offer</b>	<b>\$1,500.00</b>
<b>Judgement Amount</b>	<b>\$3,034.00</b>
<b>Tax Appraisal Value</b>	<b>\$3,000.00</b>
<b>Struck off Date</b>	<b>10/05/2021</b>

**2108 10<sup>th</sup> St.**



## LOCATION MAP – 2108 10<sup>th</sup> St.





## Request to Purchase

**1317 N. 9<sup>th</sup> St.** – Lot 9, Block 10, Scotland Addition to the City of Wichita Falls, Wichita County, Texas

**Michael Todaro**

<b>Written Offer</b>	<b>\$550.00</b>
<b>Judgement Amount</b>	<b>\$2,440.81</b>
<b>Tax Appraisal Value</b>	<b>\$1,700.00</b>
<b>Struck off Date</b>	<b>02/02/2021</b>

**1317 N. 9<sup>th</sup> St.**



**LOCATION MAP – 1317 N. 9<sup>th</sup> St.**





## Request to Purchase

**110 McLaughlin St.** – Lot 13, Block 8, Reilly Addition to the City of Wichita Falls, Wichita County, Texas

**Michael Todaro**

<b>Written Offer</b>	<b>\$600.00</b>
<b>Judgement Amount</b>	<b>\$784.00</b>
<b>Tax Appraisal Value</b>	<b>\$750.00</b>
<b>Struck off Date</b>	<b>01/04/2022</b>

**110 McLaughlin St.**



LOCATION MAP – 110 McLaughlin St.





## Request to Purchase

**105 Farris St.** – Lot 22, Block 86, Original Town, Wichita Falls, Wichita County, Texas

**Michael Todaro**

<b>Written Offer</b>	<b>\$550.00</b>
<b>Judgement Amount</b>	<b>\$750.00</b>
<b>Tax Appraisal Value</b>	<b>\$250.00</b>
<b>Struck off Date</b>	<b>11/1/2004</b>

**105 Farris St.**



## LOCATION MAP – 105 Farris St.





## Request to Purchase

**508 Kentucky Ave.** – South 47 feet of Lot 5, Block 33, Barwise and Jalonick Addition to the City of Wichita Falls, Wichita County, Texas

**Michael Todaro**

<b>Written Offer</b>	<b>\$700.00</b>
<b>Judgement Amount</b>	<b>\$1,703.75</b>
<b>Tax Appraisal Value</b>	<b>\$329.00</b>
<b>Struck off Date</b>	<b>04/02/2019</b>

## AFTER DEMOLITION



**LOCATION MAP – 508 Kentucky Ave.**





## Request to Purchase

**201 N. Mill St.** – Lot 1, Block E, Grainger & Ballow, less right of way, Addition to the City of Wichita Falls, Wichita County, Texas

**Samuel Majano**

<b>Written Offer</b>	<b>\$275.00</b>
<b>Judgement Amount</b>	<b>\$383.00</b>
<b>Tax Appraisal Value</b>	<b>\$333.00</b>
<b>Struck off Date</b>	<b>09/06/2016</b>

**201 N. Mill St.**



## LOCATION MAP – 201 N. Mill St.



## Request to Purchase

**201 MLK Jr., Blvd.** – Lot 14 less west five feet, Block 108, Original Town Wichita Falls, Wichita County, Texas

**Ruben Arias**

<b>Written Offer</b>	<b>\$1,000.00</b>
<b>Judgement Amount</b>	<b>\$11,398.94</b>
<b>Tax Appraisal Value</b>	<b>\$1,000.00</b>
<b>Struck off Date</b>	<b>11/03/2015</b>

## AFTER DEMOLITION





## LOCATION MAP – 201 MLK Jr. Blvd





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**CITY COUNCIL AGENDA**  
**April 5, 2022**

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**ITEM/SUBJECT:** Resolution authorizing the sale of excess city owned property consisting of 0.01 Acres Located at 2004 Windthorst Road to Texoma's Gujarati Cultural Society Inc. in the amount of \$875.

**INITIATING DEPT:** Property Administration

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**STRATEGIC GOAL:** Provide Quality Infrastructure

**STRATEGIC OBJECTIVE:** Complete Signature Public Improvements

---

**COMMENTARY:** In accordance with Section 272.001 of the Texas Local Government Code, the City has received a request from Texoma's Gujarati Cultural Society Inc. to purchase a 0.01 acre tract of land for \$875, which was the value determined as the "fair market" price.

The City owned property located at 2004 Windthorst Road was recently re-platted for the construction of the City Bus Maintenance Facility. It was discovered that the adjacent property had a fence, tree, and approach that was partially encroaching on the City property by 436 square feet. As a result, the City visited with Texoma's Gujarati Culutral Society, Inc. and agreed it would be in everyone's best interest to sell the property to them as the adjacent property owner rather than require them to remove the fence and cut down the tree.

City staff recommends approval of the resolution authorizing the City Manager to execute all necessary documents to facilitate the sale and conveyance of the parcel as described on the attached Plat Map.

☒ **Asst. City Manager**

☒ **Property Administrator**

---

**ASSOCIATED INFORMATION:** Resolution, Plat Map, and Location Map.

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

---

**Resolution No. \_\_\_\_\_**

**Resolution authorizing the sale of excess city owned property consisting of 0.01 acres located at 2004 Windthorst Road to Texoma's Gujarati Cultural Society Inc. in the amount of \$875**

WHEREAS, the City owns 0.01 acres in Lot 1A, Block 1, City of Wichita Falls Bus Barn Addition; and,

WHEREAS, Texas Local Gov't Code 272.001(a) prohibits the sale of land owned by a city without notice and bidding except as covered by Subsection (b) thereof; and

WHEREAS, Texas Local Gov't Code 272.001(b) provides that the notice and bidding requirements of Subsection (a) do not apply to (1) . . . land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or other applicable subdivision or other development control ordinances; and

WHEREAS, Texas Local Gov't Code 272.001 provides that land or interests described by subsection (b)(1) may be sold to (1) abutting property owners in the same subdivision if the land has been subdivided, or (2) abutting property owners in proportion to their abutting ownership, and the division between owners must be made in an equitable manner; and

WHEREAS, the City Council finds that the land has been subdivided as the "City of Wichita Falls Bus Barn Addition" in accordance with Texas Local Gov't Code 272.001(1) and that Texoma's Gujarati Cultural Society Inc. own abutting property in Block 1 of said "City of Wichita Falls Bus Barn Addition" subdivision; and

WHEREAS, Texoma's Gujarati Cultural Society Inc. have asked to purchase the aforementioned 0.01 acres for \$875, the value determined as the "fair market" price;

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

The City Manager is hereby authorized to execute all necessary documents to facilitate the sale to Texoma's Gujarati Cultural Society Inc. as presented and recommended by staff.

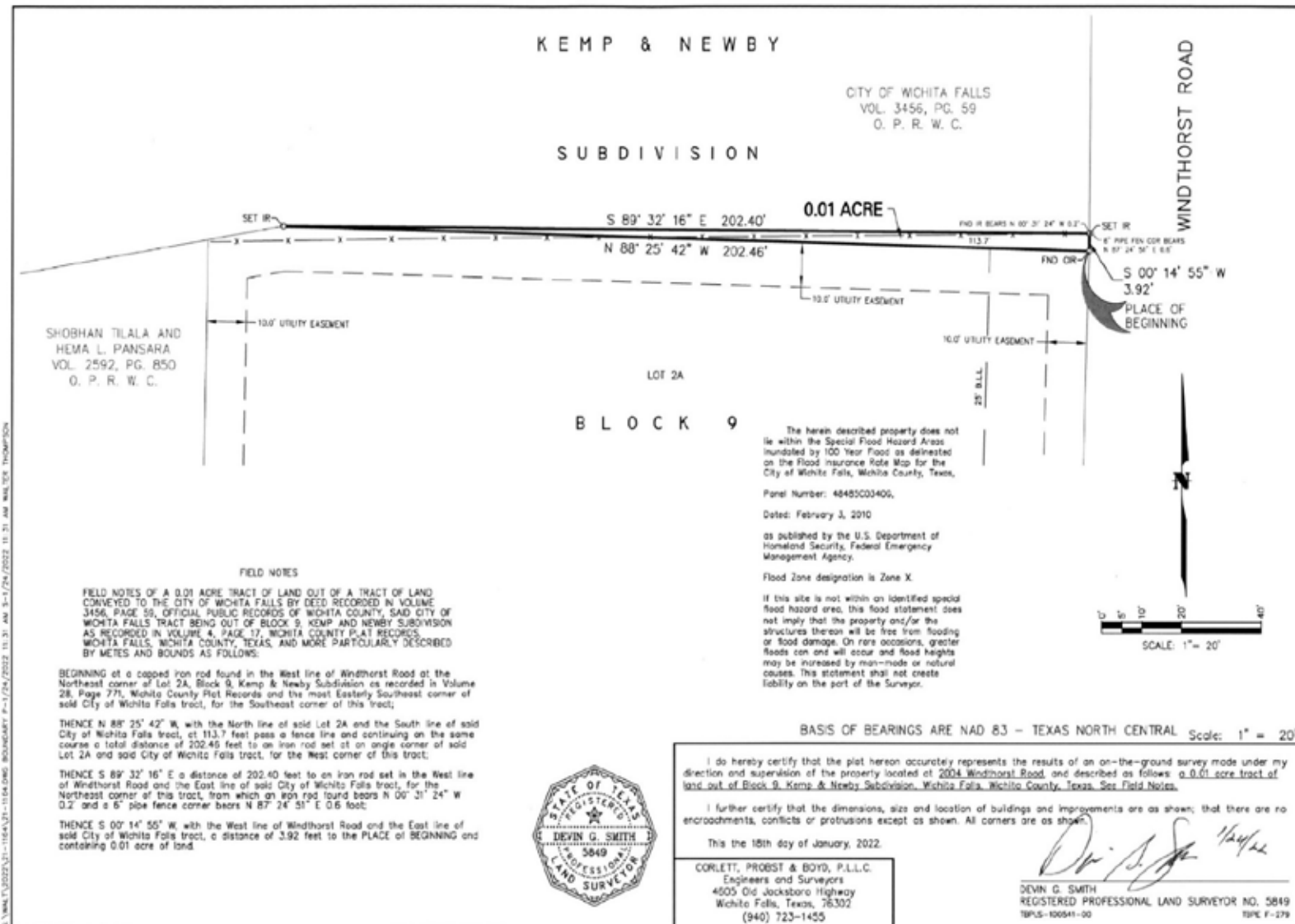
PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

## Plat Map



## Location Map





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**CITY COUNCIL AGENDA**  
**April 5, 2022**

---

**ITEM/SUBJECT:** Resolution authorizing the purchase of decorative signal poles for Downtown intersections through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Consolidated Traffic Controls Inc. in the amount of \$255,481.

**INITIATING DEPT:** Aviation, Traffic, & Transportation

---

**STRATEGIC GOAL:** Provide quality infrastructure; Redevelop Downtown

**STRATEGIC OBJECTIVE:** Upgrade or replace outdated public facilities; continue implementation of Downtown Master Plan

---

**COMMENTARY:** The Traffic Engineering Division, on average, reconstructs 1-2 signalized intersections each year. The Downtown intersections are among the oldest in the City's inventory, and a complete reconstruction is warranted at existing locations. The overall goal is to complete a \$1.6 million reconstruction and upgrade of all Downtown signal infrastructure over the next four years. Work developed through the Downtown Revitalization Committee's infrastructure team served as the blueprint for this project.

This purchase will acquire the signal poles for the following intersections:

- . 4<sup>th</sup> & Scott
- . 5<sup>th</sup> & Scott
- . 6<sup>th</sup> & Scott
- . 9<sup>th</sup> & Scott
- . 10<sup>th</sup> & Scott

With the construction of the Hotel/Convention Center project, staff projects an increase in vehicle, pedestrian, and bicycle traffic in the Downtown area. 4<sup>th</sup> & Scott was added as a new intersection because it will provide direct access from Scott. In addition, the signal will assist buses entering Scott at the Travel Center. As a result, FTA funding will be used to pay for the purchase of all signal equipment at that location. An additional signalized intersection will be added at 10<sup>th</sup> & Scott, as well. Due to the development in that area, along with an increase in pedestrian traffic, a signal is warranted at that location. The signals at both 9<sup>th</sup> and 10<sup>th</sup> streets will also assist with the conversion of those streets from one-way to two-way flow.

Other upgrades to these intersections will include LED lighted street name signs and audio pedestrian signals. In alignment with the Downtown Master Plan and the work from the Downtown Revitalization Committee, the signalized improvements will help improve walkability at these intersections. Staff worked with Downtown Wichita Falls Development

to select this signal hardware, and these poles/mast arms will complement the traditional and historic aesthetics of Downtown. It was also determined to remain with the hunter-green color of the poles/mast arms through a powder coating process. Lead time for these signal poles is estimated to be twelve months.

In the upcoming FY 23 fiscal year, staff will budget for the purchase of signal poles for the remaining four Downtown intersections.

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

Funding for the project is identified as follows:

· Federal Transit Administration	\$57,715
· Traffic Engineering FY 22	\$197,766

Staff recommends approval of the resolution authorizing the purchase of decorative signal poles for the Downtown area through the Houston-Galveston Area Council Purchasing Cooperative from Consolidated Traffic Controls, Inc. in the amount of \$255,481.

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

☒ **Purchasing**

---

**ASSOCIATED INFORMATION:** Resolution; HGAC Documentation; Photo

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---

**Resolution No. \_\_\_\_\_**

**Resolution authorizing the purchase of decorative signal poles for Downtown intersections through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Consolidated Traffic Controls Inc. in the amount of \$255,481**

WHEREAS, Texas 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 Consolidated Traffic Controls, Inc. is offering decorative signal poles and hardware through the H-GAC Purchasing Cooperative, and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

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

City Staff is authorized to execute all documents necessary to purchase decorative signal poles and hardware through the H-GAC Purchasing Cooperative from Consolidated Traffic Controls, Inc. in the amount of \$255,481.00.

PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

<b>HGACBuy</b>		<b>CONTRACT PRICING WORKSHEET</b> For Catalog & Price Sheet Type Purchases		Contract No.:	PE-05-21	Date Prepared:	3/24/2022		
<i>This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents <b>MUST</b> be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.</i>									
Buying Agency:	Wichita Falls			Contractor:	Consolidated Traffic Controls, Inc.				
Contact Person:	Larry Wilkerson			Prepared By:	Alonzo Carrasco				
Phone:	0			Phone:	800-448-8841				
Fax:				Fax:	800-448-8850				
Email:	larry.wilkinson@wichitafallstx.gov			Email:	acarrasco@ctc-traffic.com				
Catalog / Price Sheet Name:	Traffic Control, Enforcement & Signal Preemption Equipment								
General Description of Product:	Traffic Control Equipment								
<b>A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary</b> Delivery 8-12 weeks after pole drawings are approved									
Line Number	Quan	Description						Unit Pr	Total
2378	6	30' SMA-SOL-S						\$ 11,150.00	\$ 66,900.00
2379	7	22' SMA-SOL-S						\$ 8,330.00	\$ 58,310.00
2380	13	25' SMA-SOL-S						\$ 8,845.00	\$ 114,985.00
2381	1	Powder coating poles and decorative assemblies						\$ 38,766.00	\$ 38,766.00
2382	26	Decorative Base Assembly						\$ 2,440.00	\$ 63,440.00
2383	26	Decorative Top Assembly						\$ 990.00	\$ 25,740.00
Total From Other Sheets, If Any:									
Subtotal A:								\$ 368,141.00	
<b>B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary</b> (Note: Unpublished items are any which were not submitted and priced in contractor's bid.)									
Quan	Description	Unit Pr	Total						
			\$ -						
			\$ -						
			\$ -						
			\$ -						
Total From Other Sheets, If Any:									
Subtotal B:								\$ -	
Check: The total cost of Unpublished Options (Subtotal B) cannot exceed 25% of: For this transaction the percentage is:								0%	
<b>C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges</b>									
Quan	Description	Unit Pr	Total						
			\$ -						
			\$ -						
Subtotal C:								\$ -	
Delivery Date: 30 to 45 Days ARO				D. Total Purchase Price (A+B+C): \$ 368,141.00					





Samples only. Color may vary



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## **CITY COUNCIL AGENDA**

### **April 5, 2022**

---

**ITEM/SUBJECT:** Resolution authorizing the purchase of one (1) 35-foot low floor diesel bus for the Public Transportation Division off the State of Washington Contract to Gillig LLC in the amount of \$513,290.

**INITIATING DEPT:** Aviation, Traffic & Transportation

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**STRATEGIC GOAL:** Efficiently Deliver City Services

**STRATEGIC OBJECTIVE:** Practice Effective Governance

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**COMMENTARY:** On December 7, 2021, the City Council approved the purchase of three 35-foot, low floor, heavy duty buses from Gillig LLC. In addition, with the approval of the FY 2021 FTA grant by City Council on March 15, 2022, three additional transit buses were identified in the upcoming FY 23 Public Transportation budget. The average service life of a City of Wichita Falls bus, as approved by the Federal Transit Administration (FTA), is 12-years or 500,000 miles. While there were three buses identified in the FT 23 budget, Gillig has allowed the City to add one of the three buses to the previous order to accelerate the replacement of these 2010 units. The lead time to receive these buses remains early 2023. The specifications for these buses are the same as currently used in the fleet. In addition, staff has specified an air purification HVAC system that has been effective in eliminating COVID and other germs from within the bus interior during passenger operations.

This bus will be used to replace a unit with 587,463 service miles. As part of the grant process, the City of Wichita Falls also requested Transportation Development Credits from the Texas Department of Transportation. As a result, the bus is eligible to be fully paid for using Section 5307 funds. Based on the award of these Transportation Development Credits, there will be no local match requirements by the City of Wichita Falls. In other words, the FTA will pay 100% of the \$513,290 required for the purchase of this bus.

The FTA allows the use of “piggybacking” in its Best Practices Procurement Manual, Section 6.3.3. “Piggybacking” is defined as the post award use of contractual document/process that allows someone who has not contemplated in the original procurement to purchase the same equipment through that original document/process. Additional quantities cannot be added in the piggybacking process, but piggybacking allows for the reassignment of unused quantities remaining under the contracted amount. In the case of the State of Washington (SOW), their solicitation and contract included an assignability clause that allows for the assignment of all or part of the specified deliverable items. SOW quantities to be ordered were included in their original bid with Gillig Corporation and were evaluated as part of the contract award decision. The City of

Wichita Falls is able to “piggyback” off of the SOW agreement with Gillig because SOW can reassign remaining quantities originally solicited by SOW. City staff has vetted this arrangement with the FTA, City Purchasing, and City Legal. The FTA has no issue with the City buying these Gillig buses through the current SOW contract, and both Legal and Purchasing are also in agreement that this resolution meets local, state, and federal purchasing requirements.

Funds for the purchase of these units are available as follows:

· FY 5307 FTA funds	\$513,290
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Staff recommends the purchase of one (1) 35-foot low floor diesel buses from Gillig LLC through the State of Washington contract in the amount of \$513,290. It is anticipated that the buses, once ordered, will be delivered in approximately 11 months.

Budgeted amount:	\$458,295
Actual amount:	<u>\$513,290</u>
Over budget:	\$54,995

☒ Director of Aviation, Traffic & Transportation

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**ASSOCIATED INFORMATION:** Resolution;

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

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**Resolution No. \_\_\_\_\_**

**Resolution authorizing the purchase of one (1) 35-foot low floor diesel bus for the Public Transportation Division off the State of Washington Contract to Gillig LLC in the amount of \$513,290**

WHEREAS, Federal Transit Administration allows for piggybacking purchases as indicated in Section 6.3.3 of its Best Practices Procurement Manual; and,

WHEREAS, State of Washington had solicited and contracted for buses through Gillig Corporation; and,

WHEREAS, State of Washington has one (1) 35-foot, low floor diesel bus remaining on its contract with Gillig Corporation; and,

WHEREAS, the City of Wichita Falls has requested and received authorization from the State of Washington to piggyback on the purchase of one 35-foot, low floor diesel bus that remain on its contract with Gillig Corporation.

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) 35-foot, low floor, diesel bus with Gillig LLC through State of Washington contract in the amount of \$513,290.

PASSED AND APPROVED this the 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk



## QUOTE LETTER

March 10, 2022

Jenny Stevens  
Transit Manager  
City of Wichita Falls TX.  
2201 Seymour Hwy.  
Wichita Falls TX 76301

Dear Jenny:

Thank you for your interest to purchase one (1) 35 ft. Diesel Bus off the State of Washington contract #2020-06719

This is a non-binding price and firm price to follow at time of order placement

Gillig is pleased to quote the following:

One (1) 35 ft. Diesel Bus @ \$513,290 each

This price is valid for 30 days and is FOB Wichita Falls TX. Prices exclude any taxes and license fees. The production of your bus can be scheduled within 12 months from date of P.O.

We thank you for this opportunity and appreciate your interest in Gillig and our products. Should you have any questions, please do not hesitate to contact us.

Sincerely,

  
Joe Saldana  
Gillig LLC  
Regional Sales Manager  
510-303-0202  
jsaldana@gillig.com