

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

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, June 21, 2022, Beginning At 8:30 A.M.

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

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

Item #

- 1. Call to Order**
- 2. (a) Invocation: Pastor Al Easterling
St. Mark's United Methodist**
(b) Pledge of Allegiance
- 3. Presentations
Proclamation – National Cowboy Month - Texas Ranch Roundup, Cowboy True, and PRCA Rodeo**

CONSENT AGENDA

- 4. Approval of minutes of the Mayor and City Council**
 - (a) June 7, 2022, Regular meeting**
 - (b) June 14, 2022, Special Meeting**

5. Receive Minutes
 - (a) Construction Board of Adjustment, March 23, 2022
 - (b) Lake Wichita Revitalization Committee, May 10, 2022
 - (c) Planning and Zoning Commission, May 11, 2022

REGULAR AGENDA

6. Ordinances
 - (a) Ordinance making an appropriation to the Special Revenue Fund for HIV/STD-DIS Prevention Services grant funding in the amount of \$149,955 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same
 - (b) Ordinance canceling the regularly scheduled Council meeting on July 5, 2022
7. Resolutions
 - (a) Resolution re-appointing Darron Leiker and Holly Lane to the Wichita County-City of Wichita Falls Hospital Board
 - (b) Resolution authorizing the City Manager to execute an AIA Architect Agreement with Gerri A. Kielhofner, AIA – Architect doing business as gsk Architect to prepare building permit/construction documents for renovation to the Ray Clymer Exhibit in the amount of \$95,500
 - (c) Resolution awarding bid to Yamaha Golf-Cart Company for a 48-month lease of 70 QuieTech EFI golf carts for Champions Golf Course in the total amount of \$188,160
 - (d) Resolution authorizing the City Manager to execute Amendment Number 2 to the Professional Services Agreement for Engineering Services for the Lake Wichita Revitalization Project in the amount of \$63,000.00
 - (e) Resolution authorizing the City Manager to award bid and contract for the Transfer Station Basin Improvements to Earth Builders, LP in the amount of \$2,226,886.40
 - (f) Resolution authorizing the City Manager to award bid and contract for the Ninth Street Elevated Tank Replacement Project to Phoenix Fabricators and Erectors, LLC in the amount of \$4,543,176.00
 - (g) Resolution authorizing the City Manager to award bid and contract for the Level Control and Yard Piping - Ninth Street Elevated Tank Replacement Project to KLA Adams Construction, LLC in the amount of \$775,895.00

- (h) Resolution authorizing the City Manager to execute a professional service agreement with Nelco Media Inc. for \$152,775.50 for the Public Information Office studio remodel
 - (i) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$1,248,000 performance incentive to Winfield Solutions, L.L.C and Land O'Lakes, Inc., as part of the company's planned new facility in Wichita Falls
8. Other Council Matters
- (a) Staff Reports
 - Neighborhood Revitalization Update– Terry Floyd
 - (b) Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.
9. 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.
10. Executive Sessions
- Executive Session in accordance with Texas Government Code §551.087, to discuss or deliberate the offer of a financial or other incentive, including modification to an existing agreement, for business prospects that the WFEDC seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the WFEDC is conducting economic development negotiations for creation and retention of primary jobs (as defined by Tex. Local Gov't. Code §501.002) including discussion relating to Opus Development Company, L.L.C., Land O' Lakes, Inc., and Winfield Solutions, L.L.C., and an Economic Development Update.
11. Adjourn

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

Every item on this agenda shall be considered a public hearing. Regardless of the agenda heading under which any item is listed, any word or phrase of any item listed on this agenda shall be considered a subject for consideration for purposes of the Texas Open Meetings Act and other relevant law, and City Council may deliberate and vote upon any such subject and resolutions related thereto. Resolutions, ordinances, and other actions concerning any word, phrase, or other subject may be voted upon, regardless of any language of limitation found in this agenda or any document referring to such action. Any penal ordinance,

development regulation or charter provision of the City of Wichita Falls or item which is funded by the current or next proposed City of Wichita Falls budget, including, without limitation, any street, water pipe, sewer, drainage structure, department, employee, contract or real property interest of the City of Wichita Falls, may be discussed and deliberated, and the subject is hereby defined as such without further notice. Any item on this agenda may be discussed in executive session if authorized by Texas law regardless of whether any item is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of the City Council. Executive sessions described generally hereunder may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice. Executive sessions described generally hereunder are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087.

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 15th day of June, 2022 at 5:15 o'clock p.m.



City Clerk



City of Wichita Falls
City Council Meeting
Minutes
June 7, 2022



Item 1 - Call to Order

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

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

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

Item 2a – Invocation

Pastor Chris Swinford, Faith Village Church of Christ, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Employee of the Month – Susan Kimes, Convention & Visitors Bureau

8:34 a.m.

Lindsay Barker, Director of Communications & Marketing/MPEC, recognized Susan Kimes as the Employee of the Month for June 2022 and shared a brief video. Mayor Santellana congratulated Ms. Kimes and presented her with a plaque, letter of appreciation, dinner for two, and a check, and thanked her for her service.

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Item 3b – Proclamation - Big Brothers Big Sisters Man Up and Mentor Month, Big Brothers Big Sisters

8:36 a.m.

Mayor Santellana read a proclamation proclaiming June 2022 as Big Brothers Big Sisters Man Up and Mentor Month in Wichita Falls and encouraged all citizens, businesses, public and private agencies, and religious and educational institutions to support mentoring and to give young people in our community the gift of time and friendship through Big Brothers Big Sisters.

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Item 3c – Wichita Falls Citizen's Academy Graduation

8:38 a.m.

Chris Horgen, Public Information Officer, presented the 2022 Citizen's Academy participants and discussed the importance of the program to make ambassadors for the City of Wichita Falls. Mayor Santellana presented each person with a plaque and thanked them for their participation.

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Item 4-5 – Consent Items

8:42 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 May 17, 2022, Regular Meeting of the Mayor and City Council

Item 5 – Receive Minutes

- (a) Park Board, March 24, 2022
- (b) Planning & Zoning, April 13, 2022
- (c) Wichita Falls Economic Development Corporation, April 21, 2022
- (d) Wichita Falls Economic Development Corporation, May 5, 2022

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Item 6(a)(i) – Public Hearing on the Voluntary Annexation, Zoning, and Land Use Change of 12.455 Acres of Land out of Block 3, League 2, Denton County School Land Survey, Abstract Number 417, Wichita County, located at 6731 Southwest Parkway

8:43 a.m.

Mayor Santellana opened the public hearing at 8:44 a.m.

Terry Floyd, Director of Development Services, discussed the proposed voluntary annexation, zoning, land use plan, and the applicant's site plan. The Planning and Zoning Commission unanimously approved the proposed annexation on May 11, 2022.

Councilor Whiteley asked if the lot to the North of the access point is vacant. Mr. Floyd stated that it is currently vacant and available for single-family development.

Councilor Jackson asked if there would be room on the vacant lot for one home or multiple homes, and Mr. Floyd stated that most likely, there would be room for one home due to the size of the lot.

Mayor Santellana asked what the City's responsibilities would be with this annexation. Mr. Floyd discussed the proposed service plan.

Councilor Smith asked if one entrance/exit was sufficient for fire protection, and Cody Melton, Fire Marshall, agreed that it was sufficient.

Councilor Nelson asked about fire hydrants on the property, and there was a brief discussion regarding fire protection and adjacent water and sewer services.

Mr. Leiker stated that this is a preliminary site plan. After annexation, the final plan will be submitted to Public Works and Development Services to ensure there is adequate fire service and utilities.

Councilor Jackson asked about the purpose of the detention pond, and Mr. Floyd stated that it is for stormwater runoff per our Code of Ordinances.

Mark Leon, Cross Architects, 879 Junction Drive, Allen, TX, addressed the Council and discussed previous projects completed in Corsicana, TX, and Lufkin, TX, along with three additional projects currently under construction. The project will include nine three-story buildings with 216 market-rate luxury apartments with various amenities, including a pool, cabana, fitness center, business center, community dining rooms, private pet yards, and open green space. He discussed landscaping and screening to adjacent property and stated this project would fit the standard multi-family zoning with no variances. Mr. Leon discussed fire protection features that are above and beyond the requirements and said that they plan to move forward with the project immediately after the annexation is approved.

Councilor Jackson asked about fencing around the detention pond for safety. Mr. Leon discussed fencing that will be around the pond. Councilor Jackson asked what the rent would be, and Mr. Leon stated the market rent in this area is around \$1.60 per square foot, and their smallest unit would rent for approximately \$900-\$1000 per month.

Mayor Santellana closed the public hearing at 9:01 a.m.

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Item 6(a)(ii) – Ordinance 19-2022

9:01 a.m.

Ordinance annexing +/- 12.455 acres of land out of Block 3, League 2, Denton County School Survey, Abstract Number 417, Wichita County, Texas, located at 6731 Southwest Parkway, at the request of the property owner; accepting the Southwest Parkway/GVD Brook Hollow, LLC. Annexation Servicing Plan Agreement for said tract under authority of Texas Local Government Code Chapter 43; Subchapter C-3 – authority of municipalities to annex an area on the request of owners; and rezoning (0.5 acres) and designating the tract property (12.455 acres) zoning as Multi-Family Residential (MFR) and Land Use Plan classification as High-Density Residential (HDR).

Moved by Councilor Browning to approve Ordinance 19-2022.

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

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

Nays: None

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Item 6b – Ordinance 20-2022

9:03 a.m.

Ordinance amending Chapter 22 Article III of Buildings and Building Regulations to formally adopt the 2017 National Electric Code and removing reference to the Board of Electrical Examiners and making grammatical and semantic clarifications, and providing for codification

Moved by Councilor Brewer to approve Ordinance 20-2022.

Motion seconded by Councilor Smith.

Paul Menzies, Assistant City Manager, discussed the process and direction staff have taken for the adoption of the 2017 National Electric Code (NEC) and presented the following three options: 1) adopt the Ordinances with an effective date in 30 days, 2) adopt the Ordinance with the 30-day effective date and allow the Construction Board of Adjustments (CBOA) to review, or 3) take no action today and send the Ordinance to the CBOA for review and recommendations. Staff recommended adopting the second option today and allowing the CBOA to review.

Council discussed the possible timeline for review by the CBOA and City Council approval.

Michael Grassi, #7 Amber Valley, member of the CBOA, stated that the third option would be best and to allow 30-45 days for the CBOA to have a subcommittee review and make suggested amendments before bringing it back to the City Council.

There was brief discussion regarding the required 21 day notice, holding subcommittee meetings in the afternoon so more electricians can attend, the importance of Board and Commission members who volunteer their time, removing all references to the Board of Electrical Examiners, individuals allowed to request inspections, and the pros and cons of approving the Ordinance today. Mr. Grassi expressed concerns about approving the Ordinance today and amending it later. Councilors Browning, Jackson, and Whiteley agreed that the Ordinance should be tabled so the CBOA could review it and make recommendations.

Moved by Councilor Browning to table this item until July 19, 2022.

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

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

Nays: None

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Item 6c – Ordinance 21-2022

9:19 a.m.

Ordinance amending the Wichita Falls Regional Airport fiscal year 2022 budget in the amount of \$34,965 for the purchase of a replacement Law Enforcement vehicle.

Moved by Councilor Brewer to approve Ordinance 21-2022.

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

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

Nays: None

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Item 7a – Resolution 65-2022

9:21 a.m.

Resolution suspending the June 17, 2022 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the steering committee of cities served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel for the Steering Committee.

Moved by Councilor Browning to approve Resolution 65-2022

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

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

Nays: Councilor Nelson

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Item 7b – Resolution 66-2022

9:25 a.m.

Resolution authorizing the City Manager to award bid and contract for the 2022 Alley Rehabilitation Project to Freeman Paving, LLC in the amount of \$355,198.00.

Moved by Councilor Brewer to approve Resolution 66-2022

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

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

Nays: None

Item 7c – Resolution 67-2022

9:29 a.m.

Resolution authorizing award of 28 bids to various vendors for the City's annual supply of bulk chemicals for water and wastewater treatment.

Moved by Councilor Brewer to approve Resolution 67-2022.

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

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

Nays: None

Item 7d – Resolution 68-2022

9:32 a.m.

Resolution authorizing the City Manager to execute a professional service agreement with Mead & Hunt for the Lift Station 25 Odor Control Study Project, in the amount of \$85,220.00.

Moved by Councilor Browning to approve Resolution 68-2022.

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

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

Nays: None

Item 7e – Resolution 69-2022

9:37 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include up to \$57,462.50 to Howmet Aerospace to support the company's purchase of a new filtration system and the retention of 609 employees at their Wichita Falls operation.

Moved by Councilor Brewer to approve Resolution 69-2022.

Motion seconded by Councilor Browning.

Henry Florsheim, CEO of Wichita Falls Chamber of Commerce, discussed the proposed project for the WFEDC to pay for fifty percent of the new filtration system.

Steve Sage, Plant Manager, discussed the first filtration project currently being completed, staffing numbers during COVID, current staffing, and projected growth. Mr. Sage discussed the timeline for the first filtration project and the solids removed through this system.

There was a brief discussion regarding the timeline of recovering from the pandemic and returning to full staffing levels, funding received from other cities and economic development corporations, the amount of money Howmet puts back into the community, and WFEDC debt service and encumbered funds.

Russell Schreiber, Director of Public Works, discussed the benefit of the filtration system for the City since a large amount of solids are removed before the wastewater gets to our treatment plants.

Motion carried by the following vote:

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

Nays: None

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Item 8(a)(i) – Staff Report – Update on Moving Veteran's Plaza – Lake Wichita Revitalization Committee/David Coleman & Blake Jurecek

9:52p.m.

Blake Jurecek, Assistant City Manager, discussed the project's background, which was previously awarded and is entirely funded through the Lake Wichita Revitalization Committee.

David Coleman, Chairman of the Lake Wichita Revitalization Committee, gave a presentation showing the original concept drawing and the original proposed location by the boat ramp. Since the Vietnam Veteran's memorial was installed in Lake Wichita Park, the committee would like the Gold Star Family monument to be in the same area. Mr. Coleman presented a photo of the monument and a drawing of the proposed new location and stated the committee has the support of all local veterans groups.

There was a brief discussion regarding cost. Mr. Schreiber stated that the contractor has agreed to hold the prices and that the Lake Wichita Committee has the funds to cover the redesign. Harry Patterson chose the original site, and since he was the largest donor, the committee agreed.

Steve Garner discussed Mr. Patterson's choice of location and stated the Patterson family and Paul Tigrett have given their permission to move the plaza to have both memorials in one location.

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Item 8(a)(ii) – Staff Report – Downtown Rezoning Update – Terry Floyd

10:04 p.m.

Mr. Floyd provided a progress update on the Downtown Zoning Realignment, a strategic plan goal under the Redevelopment of Downtown. He discussed the timeline, the Downtown Zoning Diagnostic report completed by Freese & Nichols in 2018, the recommendations in the report, progress made on those recommendations, public notifications, and previous public meetings held with each district. Mr. Floyd discussed the proposed changes to the Zoning Ordinance that will be considered by the Planning and Zoning Commission and City Council. He noted that the proposed amendments would only apply to the Greater Downtown Area. Additional public input opportunities are planned, and the City Council will consider adopting in August.

Councilor Whiteley asked if there had been any changes based on citizen input that had been received. Mr. Floyd stated that there have not been any significant changes and discussed the few concerns brought to his attention. Councilor Whiteley discussed concerns specifically with businesses that will be in the River Development District.

There was a brief discussion regarding why boundaries do not follow streets and alleys and the TIF 4 boundaries. Mr. Leiker noted that information regarding the TIF 4 boundaries could be found in the approved TIF 4 plan.

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

10:25 p.m.

Councilor Jackson discussed complaints he received regarding the scooters downtown and asked how they are being policed. John Burrus stated there is no direct policing, but signs are posted. Mr. Burrus noted that his office had not received any complaints, and it was suggested that complaints received by Council should be sent to staff. Councilor Jackson asked Lou Kreidler how many mosquito sprayers the City has. Ms. Kreidler stated they have five trucks and have started the spraying schedule, depending on the number of complaints received.

Councilor Smith thanked Christi Klyn and Brian Lester from Human Resources for the information they provided for his presentation at a Career Day at Kirby Junior High. He stated that Code Enforcement calls seem to have increased, and he thanked Rita Miller and Michael Wiggins for their assistance. He discussed the Park Board study, concerns with the Lake Wichita Park parking lot, and improvement needs. It was noted that this project is in the ARPA fund recommendations that will be discussed next week.

Councilor Whiteley gave kudos to the Fire and Police departments and discussed how much personal time and money they spend to attend training to support our community. He thanked Mr. Coleman for his presentation and discussed the importance of the veteran's memorials. Councilor Whiteley discussed the hundreds of individuals that volunteer in various ways to assist with decisions being made for the City and thanked them for their service. He noted that they repeatedly speak about how 4A and 4B funds are spent, and he is not sure what else can be done to let individuals know how these funds are spent and the purposes for which they can be used. He stated that these funds are separate from general fund tax dollars and information could be found on the website. Mr. Leiker noted that staff will look at where that information is posted. Councilor Whiteley congratulated the Employee of the Month.

Councilor Nelson discussed calls he received regarding some violations. He asked about grass cutting in medians and discussed concerns with grass that needs to be cut at Booker T. Washington. He thanked Russell Schreiber for his work on improving the 7th Street railroad track.

Councilor Jackson stated that he missed Carol Murray in the audience today and agreed that the City could be more transparent with how 4A and 4B funds are spent.

Mayor Santellana stated that he feels they do a fantastic job being transparent regarding 4A and 4B funds and how they are spent. He discussed the importance of the Citizen's Academy to educate citizens and create ambassadors for the City. Mayor Santellana discussed the staff's open-door policy to speak with citizens and encouraged those with questions to reach out.

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

10:43 p.m.

Alyssa Johnston, Program Coordinator for the Alzheimer's Association, 901 Indiana Ave., Suite 350, discussed the Alzheimer's Association African American Community Forum that will be held tonight at the Martin Luther King Center. June is Alzheimer and Brain Awareness Month, and there were 10,101 deaths in Texas in 2021 due to Alzheimer's disease. She discussed the lack of public awareness of the disease and her desire to educate the community. She invited everyone to attend the Public Forum at 6:00 p.m. tonight at the Martin Luther King Center.

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Item 10 – Executive Session

City Council adjourned into Executive Session at 10:47 a.m. in accordance with Texas Government Code §551.087 and §551.71.

City Council reconvened at 12:08 p.m.

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

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Item 11 –Adjourn

Mayor Santellana adjourned the meeting at 12:08 p.m.

PASSED AND APPROVED this 21st day of June 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk



City of Wichita Falls
City Council Meeting
Minutes
June 14, 2022



Item 1 - Call to Order

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

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

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

Item 2a – Invocation

Pastor Don Stribling, New Hope Presbyterian Church, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3 – Resolution 70-2022

8:33 a.m.

Resolution approving a general plan for the future appropriations of the City's approximately \$29.1M in allocated federal funds via the American Rescue Plan Act (ARPA), and directing City staff to develop recommended approaches to implement the programs and projects therein.

Moved by Councilor Browning to approve Resolution 70-2022

Motion seconded by Councilor Smith.

Jessica Williams, Director of Finance/CFO discussed ARPA funding, approved uses, timelines to commit the funds and complete projects, and presented a list of proposed projects.

Brief discussion was held regarding the rules, eligible projects, requirement of future Council action, other allocation requests, and contingency funds to cover possible changes in project costs. Results of the community survey were presented, and there was brief discussion regarding the transparency of the process, and the various public input opportunities. Staff and Council discussed the possibility of funding some projects through grants, fund balance, or the normal budgeting process.

Motion carried by the following vote:

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

Nays: None

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Item 4 – Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

9:07 p.m.

Councilor Smith discussed non-profits and the services they provide, and thanked all non-profits that serve our community, and especially for the services provided during COVID.

Councilor Nelson asked about the bus shelters. John Burrus, Director of Aviation, Traffic, and Transportation, stated that the materials are in, and they are working on getting them built. Councilor Nelson asked about the Safe Cam program, and Chief Borrego stated that it is an opportunity for the Police Department to know which homes have security cameras. The Police Department will not be accessing people's cameras, and would only asked to view footage if it is needed for an investigation.

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Item 5 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda

9:10 p.m.

There were no comments from citizens.

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Item 6 – Pre-Budget Workshop for Fiscal Year 2022-2023

9:11 p.m.

Mr. Leiker discussed the additional time built into the budget calendar to allow for additional review and input. He asked Council to remember that these numbers are based on preliminary property valuations, are a snapshot in time, and are subject to change. There was brief discussion regarding the difference in property tax valuations, tax rates, city revenue caps, and the 10% cap on taxable valuation increases. Mr. Leiker encouraged the public to contact the City, County, or School for tax rate question and to contact the Wichita Appraisal District for any valuation questions.

Ms. Williams presented an overview of the General Fund, Water/Sewer Fund, Sanitation Fund, and other funds for the 2022-2023 proposed budget. She discussed the budget process and timeline, additional time built into the budget calendar, COVID recovery, increased inflation, increased interest rates, economic uncertainty, fund balance policy recommendations, and sales tax projections.

Discussion was held regarding the uncertainty of the national economy, possible effects on sales tax, property tax values, how our tax rate and valuation compare with other cities, and the effects of Senate Bill 2 on property tax revenues and caps. Mr. Leiker discussed how although our tax rate may be higher, our assessed valuations are lower, and the overall tax levy is below all of our comparable cities. Lower valuations are partly due to a lower industrial and manufacturing values.

Mayor Santellana recessed the meeting for a break at 9:56 a.m.

Council returned to open session at 10:15 a.m.

Ms. Williams discussed additional labor cost considerations and a possible Cost of Living Adjustment of 2.5% and a Merit Increase of 2.5%.

Christi Klyn, Director of Human Resources, discussed the 2021 pay study recommendations, what our benchmark cities are proposing, the Bureau Labor Statistics information, and the recommendation to complete comprehensive pay studies every five to eight years. Ms. Klyn discussed the Economic Consumer Index (ECI) and how that information is used to make pay recommendations to stay competitive and address inflation. She discussed the history of STEP and COLA increases, the implementation of

the MAG study, and stated most benchmark cities are proposing increases between 3-5%.

Ms. Williams discussed current water rates, comparison to other cities, the increase in expenditures due to increased costs in supplies and chemicals, requested capital needs, and how there has not been an increase in water rates over the past eight years. A cost of service and retail rate study shows that a rate increase may be needed and the fund balance policy may need to be increased. The recommended increase in water rates is 9%, which would increase an average bill by \$5.27 per month.

Paul Menzies, Assistant City Manager, discussed possible increases in Development Services fees, due to the cost of service study being completed.

Council was encouraged to contact staff to provide feedback or answer any questions they may have.

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Item 7 – Executive Session

City Council adjourned into Executive Session at 11:32 a.m. in accordance with Texas Government Code §551.074.

City Council reconvened at 12:34 p.m.

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

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Item 8 –Adjourn

Mayor Santellana adjourned the meeting at 12:34 p.m.

PASSED AND APPROVED this 21st day of June 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

MINUTES

CONSTRUCTION BOARD OF ADJUSTMENT

March 23, 2022

PRESENT:

James Cox
Michael Grassi
David Hartwell
Pete Johnson
Leo Lane
Allen Moore
Gary Oatman
Luke Oechsner
Ripley Tate
Tanner Wachsmann

◆ Member
◆ Member
◆ Member
◆ Member
◆ Chairman
◆ Member
◆ Member
◆ Member
◆ Member
◆ Member

James McKechnie, Deputy City Attorney
Paul Menzies, Assistant City Manager
Terry Floyd, Development Services Director
Wayne Smith, Chief Building Official
Ken Prillaman, Fire Chief
Cody Melton, Fire Marshal
Ricky Horton, Plans Examiner
Christal Ashcraft, Development Services Assistant

◆ City Staff

ABSENT:

Anthony Inman
Doug Marchand
Johnny Ozee
Councilor Browning

◆ Vice-Chair
◆ Member
◆ Member
◆ Council Liaison

I. CALL TO ORDER

The meeting was called to order by Mr. Leo Lane, chairman of the board at 3:00 p.m.

III. PUBLIC COMMENTS

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

IV. APPROVAL OF MINUTES

Mr. Michael Grassi made a motion to accept the October 24th, 2014 minutes. Mr. Luke Oechsner seconded, motion passed 8-0.
Mr. Ripley Tate made a motion to accept the January 6th, 2022 minutes. Mr. Allen Moore seconded, the motion passed 8-0.

VII. REGULAR AGENDA

A. Discussion and Possible Action on Amending the Current Building Codes

Chief Building Inspector, Wayne Smith, presented updates and brief overview of previously held sub-committee pre-code meetings, what was discussed and attendance.

International Building Code (IBC) had an initial meeting held January 24th, 2022 and a 2nd meeting held February 14th, 2022.

International Residential Code (IRC) had an initial meeting held January 31st, 2022.

International Plumbing Code (IPC), International Mechanical Code (IMC) & International Fuel & Gas Code (IFGC) had an initial meeting on February 7th, 2022.

National Electric Code (NEC) had an initial meeting on February 22nd, 2022.

International Existing Building Code (IEBC) held its initial meeting on February 28th, 2022.

The last meeting held was for the International Swimming Pool & Spa Code (ISPSC) on March 7th, 2022. Mr. Smith advised this would be a new code for the City of Wichita Falls that currently did not have in place, which is being proposed by the State. The 2018 version is what would need to be adopted. Mr. Smith stated there was one amendment being proposed to this code which was requested by the Health Department. The amendment would roughly read "*Section 324.8.2.3 – Pool equipment stored in a storage area with a gas fired heater will be required to have a carbon monoxide detector installed*". The Health Department is still reviewing this code and could possibly have more revisions/request in the future. Chairman Lane had a brief discussion with Mr. Smith regarding if the State requirements versus the proposed amendment on the carbon monoxide detector.

Mr. Smith gave a proposed schedule of future meeting dates for review of the proposed new code for CBOA recommendation;

Monday April 4th - IECC Residential Provisions

Monday April 11th – IECC Commercial Provisions

Monday April 18th– NEC (council chambers meeting)

Monday April 25th - IFC

Thursday April 28th – Follow up IPC- IMC - IFGC

Monday May 2nd - IBC Final Meeting

Thursday May 5th - IRC Final Meeting

Monday May 9th - IPC – IMC – IFGC Final Meeting

Thursday May 12th – NEC Final Meeting

Monday May 16th – IEBC Final Meeting

Thursday May 19th – ISPSC Final Meeting

May 23th – IFC Final Meeting

Monday June 6th – CBOA Meeting for recommendation

Chairman Lane asked the Board if there were any comments/questions/concerns.

Mr. Oechsner asked if the National Electric Code Adoption Meeting scheduled for Thursday, March 24th, had been canceled. Mr. Smith responded that it had been canceled until further direction could be obtained in this meeting, also noting the meetings were scheduled too close together and moving at a faster pace than expected.

Chairman Lane asked about the max limit on board members attending the sub-committee meetings. Mr. Smith advised the limit was four members. Chairman Lane asked if a board member was absent from the sub-committee meeting and another member wished to attend how they would know without having to show up and possibly be turned away. Mr. Smith advised they could reach out by phone or email to Ms. Christal Ashcraft, Development Services Administrative Assistant at any time for help regarding attendance. Mr. Moore asked if a scheduled member showed up after a non-scheduled member signed in, who would be allowed to stay. Mr. Smith advised the scheduled member would stay.

Mr. Michael Grassi stated the City of Wichita Falls exceeded the State minimums and were more stringent than peer cities when it came to building codes. Mr. Grassi asked if it was prudent to continue with the code adoption process, especially the NEC. Mr. Smith stated he would like to have something to present to the City Council and that he had very positive interactions regarding the IBC and the public wanting to move forward with the adoption of that code. Mr. Smith advised this did not mean they could not adopt other codes and leave the NEC as it was, if that is what the Board recommended moving forward. Mr. Smith stated he would like to continue the discussion on the individual codes and have the support of the Board when presenting the City Council as that has been the standard, in the City of Wichita Falls since the International Codes have been in place, in which the new code would be adopted every other code cycle. Mr. Smith noted there were other options available if the Board was not in agreement of adopting the codes as presented, this was just the standard for the last 22 years. Chairman Lane asked what cycle the City was on for NEC, Mr. Smith advised they were on the 2017 code of NEC.

Mr. Terry Floyd, Director of Development Services, stated the pretense of this item was for the CBOA and staff to be all in accordance with moving forward on adopting the new International Codes. Mr. Floyd wanted to open discussions to help clarify any details or address any issues and continue moving forward with the adoption, if the Board was in agreement on staff continuing to work on bringing a recommendation to the Board for their recommendation to City Council. Mr. Moore asked if at this time the Board could make a motion to not move forward with adopting the 2021 code at all, to which Mr. Floyd advised that was correct. Mr. Moore clarified that the Board

could take a vote on said motion at that time. Mr. James McKechnie, Deputy City Attorney, advised the language in the agenda would allow for the motion and voting of said item. Mr. Moore made the motion, "not to adopt the 2021 code, any of them" with a second from Mr. Tanner Wachsman. Chairman Lane opened up discussions to the Board.

Chairman Lane clarified to Mr. Moore that his motion stated to not adopt any of the 2021 International Codes, to which he responded that was correct. Mr. Grassi asked if we currently did not met state code on swimming pools and spas. Mr. McKechnie stated that was correct, if the City were to continue enforcing standards for swimming pools as the code is written they would need to adopt the 2018 ISPSC. Mr. McKechnie stated they could call another meeting to bring that back or Mr. Moore could amend his motion to not move forward with any other codes except the ISPSC. Mr. Moore amended his motion stating, "drop the 2021 codes except for the pool and bring it to the 2018". Mr. Smith stated there was another option and wanted the Board to be fully aware there was positive feedback from the building code portion and if they wanted to retain 2015 standard on IRC because it was a standalone code they would need to make some changes to bring in some of the mechanical, plumbing and electrical provisions of that 2015 code but could leave the IRC were it stands and move forward with the IBC. Mr. Smith reiterated many design professionals and contractors are in favor of adopting the IBC because of the benefits it contains. Mr. Smith stated he believes there are also benefits in the IRC as well, however, if the Board was not in agreement, that could be set aside. That would mean staff would recommend adopting the IPC/MC/IFGC 2021 codes because those codes are direct references to the IBC where the IRC is a standalone code. Chairman Lane asked about the IECC and Mr. Smith stated they could keep the provisions on that code as well, however, design professionals had expressed a desire to adopt this code as it presented more options on the later IECC requirements that they would like to pursue. Mr. Smith stated there was no action stating staff was going to adopt this code as-is, it would always come back to the Board for their recommendation. Mr. Smith advised there would be no ill effects of discussing these codes and nothing would or could be adopted without first bringing to the Board for their recommendation before being present to the City Council for adoption.

Mr. McKechnie reminded the Board Mr. Moore still had a pending motion that needed a second or to let the motion die for lack of second. Chairman. Lane stated Mr. Wachsman had previously seconded the motion to which Mr. McKechnie advised it needed to be voted on. Chairman Lane stated he would like to finish the discussion and see how to proceed and backtrack on the motion. Mr. Wachsman stated he would like to have more discussions on the ISPSC before voting on the adoption of that code. A brief discussion between board members on what code(s) were going to be voted on. Mr. David Hartwell stated that if it was voted on, the way the motion was made, all code adoptions would cease then and there to which Mr. Moore replied, "exactly".

Mr. Floyd stated to the chairman he believed the Board needed to hear the presentation from the Fire Department in the IFC before voting to stop all adoptions. Chairman Lane stated this item had to be decided as a motion was already on the floor. Mr. Wachsman stated he would like to have more time to consider the ISPSC and bringing the code only to State minimums with another meeting to discuss before voting on. Chairman Lane discussed with the board on how to amend the motion. Mr. Moore amended his motion with the statement to drop the adoption of all code cycles except for the ISPSC. Mr. Wachsman seconded the motion. Chairman Lane asked if there was any further discussion, with nothing more Chairman Lane called for a vote. The motion to drop all code adoptions except the ISPSC was made by Mr. Moore and seconded by Mr. Wachsman. The motion passed 5-3 with Mr. Hartwell, Mr. Oechsner and Mr. Tate in opposition.

B. Discussion on the Adoption of the 2021 International Fire Code (IFC)

Chairman Lane stated discussion was open for the IFC. Chief Prillaman stated he came to the meeting to discuss the International Fire Code (IFC) and hear any concerns the Board may have on adopting the 2021 code. The Chief expressed his disappointment in not being heard before the Board voted down the adoption and stated the decision the Board just made would result in the City being 6 years behind on code adoption leaving the last adopted code at 2015. Chief Prillaman advised he was a member of the International Code Council (ICC) and testified in the creation of the 2015 code and that evidence for 2015 was needed in 2013, stating this would put the City back even further than 6 years. There were significant safety improvements particularly in the commercial buildings. The standalone nature of the IFC, except for IBC would have allowed the Board to adopt it. The Chief stated he hoped sometime in the future the Board would consider allowing staff to present the new code and benefits of moving with the adoption of the IFC and IBC.

Mr. Wachsman stated to Chairman Lane that he believed the Board was confused on the last motion and believed no one wanted to vote down the IFC. Mr. Wachsman wanted to bring it back to the table at that time or later. Chairman Lane asked if the upcoming IFC meeting scheduled for Monday, April 25th, 2022 was a correct date. Mr. Floyd stated with the previous motion that had passed no meetings would be scheduled until further direction received from City Council. Mr. Wachsman stated he didn't believe that was true because it was the Board's job to bring the codes to City Council and that the Board could independently resurrect it. Mr. McKechnie stated just as the Board had requested to hear the ISPSC at a later date, the IFC could be requested as the same. Mr. Wachsman made a motion to retable discussion for the IFC and ISPSC and keep scheduled meeting dates. Chairman Lane advised that motion could not be presented as it was not an action item on the agenda. Mr. McKechnie confirmed Chairman Lane was correct. Mr. Wachsman stated it was on the agenda and Mr. McKechnie stated it was only on the agenda as a discussion and not an action item. Mr. McKechnie stated no formal action needed to be taken to discuss the IFC and ISPSC at this time. Mr. Smith stated he wanted to reiterate what Chief Prillaman stated that the IFC and IBC were entwined and stated there were some standalone functions however they will be at odds in other places and that will create a problem. Chief Prillaman stated he would not expect anyone on the Board to understand the entwining nature of the IFC and IBC and would like for the Board to request

them back to explain and give a better understanding of the benefits and what was involved. Mr. Grassi asked what the State minimum was on the IFC, Mr. McKechnie referred to Code Melton, Fire Marshal and confirmed it was 2012 code cycle. Mr. Grassi asked for confirmation that the City exceeded State to which Mr. McKechnie stated the City was on 2015 cycle.

Mr. Wachsman asked if he was the only one to not receive an agenda which he thought was a requirement. Mr. Smith advised the agenda was an attachment on the meeting invite sent to the Board and noted in the invite the agenda was attached. Meeting agenda are also provided at the meeting as well as posted by the City Clerk. Mr. Hartwell asked if there was a way to revisit the proposed codes for adoption and review those individually at their own pace. Chairman Lane stated he believed City staff had provided good resources and many meetings to participate in for the review of the proposed code. Mr. Grassi stated he believed they could amend up or down on the codes as the Board viewed and recommended. Mr. McKechnie advised that was correct and many options available on the possible adoptions. Mr. Wachsman stated he believed that would be up to the Board members on an individual level to read and make their own recommendations. He stated now they would need to address the unintended consequences of their last motion and keep the IFC and ISPSC on the table and move forward.

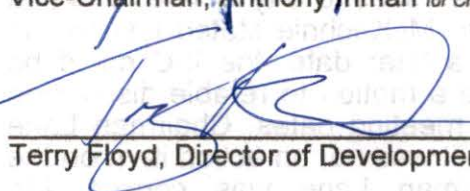
Chairman Lane asked if there were any other comments and wanted to clarify the Board wanted to move forward with discussions regarding the IFC, ISPSC and talk about other code committee meetings to see where it would go. Board was in agreement with that, Mr. Smith asked what time frame the board would like. Chairman Lane stated to keep the schedule IFC and ISPSC meetings.

VIII. ADJOURN

Chairman Lane asked if there was any other business. Mr. Hartwell made a motion to adjourn the meeting at 3:38 p.m. Mr. Oechsner seconded the motion with it passing unanimously 8-0.


Vice-Chairman, Anthony Inman for Chairman Leo Lane

13 June 2022
Date


Terry Floyd, Director of Development Services

June 13, 2022
Date

MINUTES
LAKE WICHITA REVITALIZATION COMMITTEE
May 10, 2022

PRESENT:

■ Members

David Coleman, Chair
Tim Brewer, City Council Rep
Steve Garner, Vice Chair (by phone)
Ford Swanson
Matt Marrs
Sharon Roach
Rick Hernandez
Mike Battaglino
Austin Cobb

■ Staff

Blake Jurecek; Asst City Manager
Russell Schreiber, Public Works Director
Blane Boswell, City Engineer
Terry Points, Parks Administrator

■ Guests

Robert Mauk, TP&W
Kathie Forehand-Chaddick
Kimberly Florsheim, DAR
Shirley King, DAR
Paul Carter, VFW
Andrea Aguilar, Ch 3

ABSENT: John Strenski, Alison Sanders, Kendrick Jones, Alicia Castillo

1. **Call to Order:** David called the meeting to order at 10:01 am and declared a quorum. He introduced our guests: Kimberly Florsheim and Shirley King from the Daughters of the American Revolution; Paul Carter from Veterans of Foreign Wars, and Kathie Forehand-Chaddick a former committee member.
2. **Approval of Minutes:** April meeting minutes were approved unanimously.
3. **Project Updates:**
 - 3.a. **Veteran's Plaza Project:** David provided a printout of the Woody Williams Foundation proof of the etching artwork we requested on the back of the GSF Monument. The three Flags on various panels will be in color. The group voted unanimously to accept the Option A proof, and David will pass this info back to the WWF.

David told the group that events over the past few weeks have brought up the question of whether the Veterans Memorial Plaza (VMP) should be constructed at Lake Wichita Park, rather than at the Boat Ramp site. Steve Garner (over the phone) explained that he has spoken to Brenda Patterson and Bob Howard, both of whom gave their approval for this site change.

May 10, 2022

The advantages are a more visible site with more foot traffic, a more accessible location, a nearby restroom, and most of all, the VMP would then be located adjacent to the Vietnam Veterans Statue that is already in place at Lake Wichita Park. The DAR and VFW reps stated their preference for the Lake Wichita site. The Committee members agreed that the Lake Wichita site is preferable, and the VMP should be constructed there if the cost is not prohibitive. Schedule impacts were also discussed, and it was noted that the site change would jeopardize the Nov 11th dedication ceremony.

Much discussion ensued regarding how this site change could be accomplished, since the construction contract to build the VMP at the Boat Ramp site has already been awarded (but not executed by the City). The main questions are the cost of a redesign, and whether the construction contract would have to be terminated. David advocated for making the site change by Change Order to the existing construction contract, but Legal would have to be consulted. The group agreed that City Staff will set up a meeting with the Contractor, Marrs Patriot, to find out if they will hold their prices through this potential change. If that meeting is favorable, then we will proceed to check how to get the design changes completed. Blane stated that the design firm's rough estimate to create revised plans for bidding was \$65,000 and would take 20 weeks.

Blake stated that Blane will be the Committee's POC for the project, and Committee members agreed they will not contact the Contractor.

On May 11, 2022 a meeting was held with City Reps and the Construction Contractor, MPC. The MPC reps stated they will hold their pricing until a design change can be completed, and that any cost increases would be minor, most likely if there are quantity increases to get utilities at the Lake Wichita Park site. David shared this information with the LWRC Members via email, and they voted to proceed with the change in site, with a not to exceed \$65,000 for the increased Design Cost. Votes were eight (8) YES and Zero No, which is a clear majority and the site change was approved.

On May 20, 2022 a vote was taken by email to use the PayPal account to place the Brick order, with 743 bricks, for \$24,690.50. This was approved with eight (8) votes YES and Zero No.

3.b. Lake Deepening: No discussion.

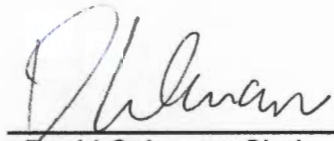
3.c. Kayak Launch Grant: Terry stated the Launch is ordered, and it should arrive in 6-8 weeks, and will be installed by Parks crews. The site is cleared and ready for installation, and the Parks Dept paid the balance of the cost not covered by the grant from TX Parks and Wildlife.

4. Discussion of Brick Sales and Fundraising Initiatives: David stated that the Polar Engraving website brick ordering system was shut down on 2 May. Now he must edit the orders to eliminate duplicate and incomplete orders, and make changes requested by individuals. We should end up with just over 600 bricks.

5. **Other Business Matters:** Kathie stated she has written another Grant proposal through Friend of Reservoirs to obtain the second kayak launch. Results should be announced in the July timeframe. Also, Ford and David will contact folks at Lakeside City to let them know that TPWD Recreation grants are now being accepted, to see if they want to submit a request for the Boat Ramp at Lakeside City.

5.a. **Website Changes:** On hold.

6. **Adjournment:** The meeting adjourned at 11:08 am.



David Coleman, Chair

14 June 22
Date

MINUTES
PLANNING & ZONING COMMISSION
May 11, 2022

PRESENT:

Michael Grassi
Blake Haney
Noros Martin
Steve Lane
Mark McBurnett
Doug McCulloch
Wayne Pharries
Anthony Vidmar
Jeremy Woodward
Councilor Whiteley

◆ Member
◆ Member
◆ Member
◆ Member
◆ SAFB Liaison
◆ Alternate No.1
◆ Member
◆ Member
◆ Vice-Chair
◆ Council Liaison

James McKechnie, Deputy City Attorney
Fabian Medellin, ACIP, Planning Manager
Christal Ashcraft, Development Services Admin. Assist.
Cedric Hu, Planning Technician

◆ City Staff
◆ City Staff
◆ City Staff
◆ City Staff

ABSENT:

David Cook
Cayce Wendeborn
Steve Wood

◆ Chairman
◆ Member
◆ Alternate No.2

I. CALL TO ORDER

The meeting was called to order by Vice Chairman, Mr. Jeremy Woodward, at 2:00 p.m. Vice 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.

III. PUBLIC COMMENTS

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

IV. APPROVAL OF MINUTES

Mr. Noros Martin made a motion to adopt the April 13, 2022, minutes. Mr. Michael Grassi seconded the motion. The motion was passed unanimously, 8-0

VII. REGULAR AGENDA

1. Case C 22-07 – 9 Fenoglio Avenue:

Consider taking action on a conditional use to allow a manufactured home as in-fill development in a Residential Mixed Use (RMU) zoning district.

Applicant/Owner: Heart for Homes, Clint Robertson

Mr. Wayne Pharrises made a motion to approve the case. Mr. Noros Martin seconded the motion. Mr. Cedric Hu presented the case and stated the owner, Mr. Clint Robertson, of the subject property at 9 Fenoglio Avenue met with staff regarding a conditional use permit to place a manufactured home on his lot as in-fill development.

Mr. Hu stated 9 Fenoglio Avenue was located between Lake Wichita and the North Texas State Hospital in the southern portion of Wichita Falls. The subject property is currently vacant and is surrounded by vacant lots and residential structures in a Residential Mixed Use (RMU) zoning district.

Mr. Robertson's site plan shows that setback requirements will be met as well as specifications for the proposed manufactured home that measure 28ft. X 56ft. and will be a 1,475 square foot, 4 bedroom, 2 bathroom home. Also shown on the site plan is the proposed orientation of the home to face the side property line to the east, which is comparable to the orientation of other homes within a 200ft radius. This proposal will also have to meet the Supplemental Use Regulations for Manufactured housing as in-fill development listed in Section 5615 requiring the following:

- a) Permanently attached or affixed to a permanent foundation system;
- b) Unit will have a covered entry dormer on any entry visible from public right of way;
- c) Distance between the finished grade and the bottom of the exterior walls shall not exceed 30 inches;

- d) Foundation fascia/skirting shall form a complete brick or stone enclosure;
- e) Driveway and other ground elements shall be consistent with the adjacent housing units in construction and materials. Construction of the driveway approaches and other construction in the right-of-way of shall be in accordance with the latest revision of the city standard specifications in effect at the date of issuance of the permit, which are on file in the office of the Department of Public Works.
- f) Square footage contained in the housing is comparable to those of existing housing units in the immediate residential neighborhood or subdivision.
- g) Unit shall not be less than 22ft wide.
- h) Driveway, sidewalks, and other such site elements shall conform to adjacent housing units similar or approximate location and construction materials.
- i) Facing of the unit shall be in the relationship to a public, or private street where allowed, and shall be located where the apparent entrance or front of the home faces or parallels the street frontage, except where the lot size exceeds one acre, is setback a minimum of 100 feet, or is in the same facing as adjacent or neighboring structures, except as provided herein or as approved by the Commission.
- j) Unit shall conform to the minimum front, side, and rear yard setbacks, and height of the district where permitted or as required by the commission.

Mr. Hu advised the Commission that staff notified a total of 26 property owners within 200sf. of the subject property and received 9 responses; 5 in favor and 4 in opposition to this proposal. Staff recommends approval of a conditional use for a manufactured home at 9 Fenoglio Avenue with the following conditions.

1. The manufactured home meets the requirements of Section 5600 for in-fill manufactured housing of the zoning ordinance for manufactured housing.
2. The property must be platted prior to issuance of a building permit.
3. The proposed home must comply with all applicable codes and ordinances at the time of construction permitting.

Vice-Chairman Woodward asked if the applicant was present and wished to make a presentation. The applicant, was present, but wished to give no presentation. Mr. Noros Martin stated he believed one of the pictures in the book was not correct, to which Mr. Medellin stated it was an error and from another case not related. Mr. Noros Martin pointed out one of the replies received was not signed and asked if it was still counted along with the other responses. Mr. Medellin explained we still count unsigned responses as they are sent in to us. This particular response was done online and emailed to staff. Mr. Doug McCulloch stated he didn't think the City allowed mobile homes inside city limits. Mr. Medellin explained the difference between mobile and manufactured homes and the regulations manufactured homes had to meet. Mr. Wayne Pharries stated in general he is not in favor of manufactured homes, however, with the home being new and Mr. Pharries visiting the location and seeing the clean-up the owner has done he believes it will bring up property value. Mr. Medellin advised the Commission Section 5615 states the

manufactured home must be new from the dealer and also requirements for skirting. With no other questions Vice-Chairman Woodward called for a vote. The motion passed unanimously with a vote of 8-0.

2. Case C 22-08 – 1722 Cimarron Trail:

Consider taking action on a conditional use to allow for a convenient store in a Limited Commercial (LC) zoning district.

Applicant/Owner: Mohammad Kaiser Hassan Siddique/Srijana Shrestha

Mr. Doug McCulloch made a motion to approve the case. Mr. Wayne Pharrises seconded the motion. Mr. Fabian Medellin presented the case and stated Mr. Siddique was currently leasing to own the property located at 1722 Cimarron Trail. The subject property is located south of US 287 on Cimarron Trail, east of the City View Drive and US 287 intersection.

The existing structure has residential uses to the south, multi-family development to the east and more residential uses to the southeast. Mr. Medellin advised the City ordinance conditionally allows for a convenience store in a Limited Commercial district.

Mr. Medellin stated the structure has been in existence since the 1960's with the primary use of the years being a convenience store leading up to the zoning ordinance adoption in 1985. Post zoning adoption, the same trend continued, however, there were periods of lapses over two years in operation where there were multiple petitions to occupy that structure as a convenience store, once in the early 1990's, the early 2000's and the most recent petition for a retail use as a butcher shop. The City's zoning ordinance does distinguish the retail butcher shop from a convenient store as a different use. During the last occupancy there were many improvements made to bring the structure and parking up to code for retail use, making it almost move-in-ready for Mr. Siddique. The only proposed changes would be the addition of some outlets for beverage coolers. Mr. Siddique at this time is not proposing to sell any foods, however, if he chooses to do so in the future he is aware of the potential, additional requirements the Health Department may have. Mr. Medellin displayed photos and maps of the area, showing the residential uses and how they are separated from the retail use by the drainage channel.

Mr. Medellin stated staff notified a total of 21 property owners within 200ft. of the subject property and received a total of 3 responses; 2 in favor and 1 with no opinion/undecided. When reviewing the case staff researched previous uses and found the use of a convenience store was less impactful with its grab-and-go style with most of the traffic coming from US 287. After consideration of the proposed use, staff recommends approval of this Conditional Use Permit request for 1722 Cimarron Trail. to allow for a convenience store in a Limited Commercial (LC) zoning district with the following conditions:

1. Obtain all necessary permits and licenses in accordance with city ordinances, adopted building code and health code regulations.

2. Comply with all special conditions unique to development in the Limited Commercial (LC) zoning district to include limitations of hours of operation and signage.
3. Prior to initiating operations all developmental requirements, conditions, permits and licensing shall be reviewed, approved, constructed and inspected.

Vice-Chairman Woodward asked if the applicant was present and wished to make a presentation. The applicant, was present and thanked the Commission for hearing his petition. Vice-Chairman Woodward asked if there were any comments from the public. Mr. Martin stated he thought the City no longer allowed the use of asphalt and asked about the irrigation to the landscaping. Mr. Medellin advised City ordinance stated concrete and asphalt were acceptable and that the existing landscaping was already irrigated from the previous owner. Mr. McCulloch asked if an alcohol application had been submitted for this location, to which Mr. Medellin advised there had been one received. Mr. McCulloch stated he would like to see fencing required around the property with the alcohol sales. Mr. Medellin advised city ordinance does require commercial uses to have screening from residential uses, and the channel met the requirements for separation.

Vice-Chairman Woodward asked if there were any further comments. With no further discussion the Vice-Chairman called for a vote. The case passed unanimously with a vote of 8-0.

3. Case C 22-10 – 2201 Southwest Parkway:

Consider taking action on a conditional use to allow for the reduction of 25ft. to the side interior setback in the Commercial Corridor (CC) zoning district.

Applicant/Owner: Austin Tull, Responsive Education Solutions

Mr. Doug McCulloch made a motion to approve the case. Mr. Michael Grassi seconded the motion. Mr. Fabian Medellin presented the case and stated the request for the Commission was for a reduction in the side interior setback for an accessory structure for use as a storm shelter. Staff meet with Austin Tull of Responsive Education Solutions and his design team which were present for questions. Mr. Tull and his team are proposing to occupy a vacant structure lastly used as Advanced Auto Parts. Their proposal is to use it as a charter school geared toward high school aged students and young adults seeking their GED. The school is proposed to have an enrollment of up to 240 students, however, not all 240 students will be present at the same time. The school will offer multiple sessions throughout the day with no more than 120 students on site at one time.

During the pre-development meeting with Mr. Tull, the ICC requirement for a storm shelter was discussed. Mr. Tull has advised a separate structure will be used as the storm shelter to meet this requirement. During the site plan review in the process

to obtain a construction permit, staff identified the 5ft. setback from the storm shelter to a residential use directly adjacent to it.

Mr. Medellin stated the property was located in the City's Neighborhood Revitalization area at the corner of Avenue L and Kemp Boulevard intersection. The site plan shows the proposed placement of the storm shelters to be located in the southeast corner. It is the residence to the south of property that is the cause for the increased setback. The City ordinance provides protection of commercial uses encroaching or developing next to residential uses in residential districts. The ordinance also offers an avenue for a reduction in certain situations when the commercial use is minimally impactful to that residence, or in this case, the residence is not in a residential district. Normally the setback to separate commercial from residential structure is 30ft., however, the petition allows them to request the minimum of 5ft.

Site plans displayed showed the location of the structures as well as site photos and maps showing the Commercial Corridor (CC) down Kemp Boulevard with residential uses to the east of that corridor. Mr. Medellin advised 26 property owners were notified within the 200ft. notification area and received back a total of 3 responses; 2 in favor and 1 in opposition. Staff notes all elements are in compliance with the zoning ordinance. The only request is the reduction in setback for the storm shelters, which staff believes will have little impact as they will only be used during stormy weather. There will be additional provisions to continue to protect that residence from any future commercial development or changes of use of the site of the storm shelters. With those provisions in place, staff recommended the approval of a conditional use permit to allow for the reduction of the required side interior setback by 25' with the following conditions:

1. The proposed structures within the required 30' setback of the residential use shall only be used as a storm shelter until such time the adjacent residence is redeveloped into a commercially or by the granting of a new conditional use permit by the Planning and Zoning Commission.
2. Any proposed changes of use to the primary structure, while a single family use exists, will need a conditional use permit for to allow for a new use of the accessory structures equally or less impactful as the storm shelters.
3. The submitted site plan, currently under review, must address all outstanding corrections prior to the issuance of a building permit and comply with all inspections for the issuance of a certificate of occupancy.

Vice-Chairman Woodward asked if the applicant was present and wished to make a presentation. The applicant, was present and available for questions. Mr. Martin asked if the storm shelters where required to have plumbing, generators, etc. Mr. Tull stated exterior storm shelters are required by ICC to have plumbing fixtures inside them. The storm shelters come with a solar powered system with a battery back up to meet the minimum requirements. Mr. McCulloch asked how many people the shelters could hold. Mr. Tull advised each shelter was designed to hold 75 students and staff. Mr. Vidmar asked who or what would regulate the usage of the shelters to prevent them being used as over-flow class rooms. Mr. Medellin

stated International Building Code (ICC) requirements and Texas Education Requirements.

Mr. McKechnie, reminded the Vice-Chairman to allow for public comments. Vice-Chairman Woodward opened the floor for public discussion. With no comments and nothing further from the Commission Mr. Woodward called for a vote. Motion passes unanimously with a vote of 8-0.

4. Case R 22-01 & R 22-02 – 6731 Southwest Parkway:

Consideration to recommend a permanent zoning designation of Multi-Family Residential (MFR) and a Land Use Plan classification of High Density Residential for a petitioned annexation at (12.455 acres out of Block 3, League 2, Denton County School Survey Abstract Number 417 Wichita County, Texas)

Applicant: Gene Dixon, GVD Brook Hollow, LLC.

Owner: Earth Homes INC.

Vice-Chairman Woodward opened the public hearing at 2:54pm and stated staff had two separate petitions but would be presenting together and voting on them separately. Mr. Medellin presented the case, showed the site plan to the Commission and stated GVD is proposing to acquire 13 acres of land from Earth Homes, Inc. located on Southwest Parkway, south of Kell Boulevard. The proposal for the land is to build a 216-unit multi-family development, consisting of 9, 3-story structures, and clubhouse.

When staff meet with the property owners and design team one item that stood out was not all the property was located inside the City of Wichita Falls. Only the access drive along Southwest Parkway is within city limits, the 12 ½ acres beyond that is outside in the unincorporated Wichita County. In order to offer access to city utilities, the property must be annexed into the City of Wichita Falls. Staff, trying to be as efficient as possible, are proposing the recommendation of a zoning designation for the portion of land to be annexed. Typically, when a property is annexed, there is a temporary zoning classification assigned of Single Family-1. In this first petition, staff would like to present the annexation ordinance with a permanent zoning of Multi-Family Residential (MFR). The annexation petition is scheduled to go before the City Council on June 7th, 2022 and staff would like to seek out the Commission's recommendation to accompany that annexation petition.

The second petition is for the portion that lies within City limits, which does have a zoning designation of Single Family-2 (SF-2) and land use specification of Low Density Residential. Staff feels that a Multi-Family Residential (MFR) zoning district with a High Density Residential Land Use would meet the developments needs and protect the residents from any potential future developments. The second petition is request the Commission recommend the re-zoning from Single Family-2 (SF-2) residential to Multi-Family Residential (MFR) and amend the Land Use Plan from Low Density Residential to High Density Residential.

The subject property is currently undeveloped and surrounded by residential uses and undeveloped land. Mr. Medellin stated staff notified 7 property owners within 200ft. of the subject property with 1 response in favor and 1 response in opposition. Staff recommends approval of the proposed rezoning request of +/- 0.545 acres at 6731 Southwest Parkway to Multi-Family Residential (MFR), and amend the Land Use Plan designation to High Density Residential.

If approved, the applicant is subject to all other zoning and building code regulations for commercial-related projects. Adhering to the zoning requirements may help lessen the potential impact on the abutting and adjacent residential neighborhood and include but are not limited to the following:

1. Prior to issuance of a Certificate of Occupancy, the new development must submit plans for review, approval, and inspection prior to beginning operations.
2. All outdoor lighting (Zoning Ordinance - Section 4650) must be directed away from the residential areas north, south and east of the property.
3. Parking sufficient to meet the needs of the development per the standards of Section 6200.
4. Increased setback requirements for non-residential uses adjacent to single family uses as outlined in Section 4600.
5. Landscaping shall be provided to meet the needs requirements of Section 6800.

Vice Chairman Woodward called for a motion to approve the case. Mr. Martin made a motion to approve with Mr. Vidmar seconding the motion. Mr. Woodward asked if the applicant was present and wished to make a presentation. Mr. Mark Leon of Cross Architects gave a background in the design teams previous builds and specifications on the proposed complex and amenities.

Case R 22-02 – Annexation – 6731 Southwest Parkway

Mr. Woodward called for a vote on the petitioned request to recommend a zoning designation of Multi-Family Residential (MFR) and a Land Use Plan classification of High Density Residential (HDR) for a petitioned annexation at 6731 Southwest Parkway. (12.455 acres out of Block 3, League 2, Denton County School Survey Abstract Number 417 Wichita County, Texas).

Vice Chair Woodward asked if there were any comments from the public and then from the Commission. Vote passed unanimously 8-0.

Case R 22-01 – Rezone – 6731 Southwest Parkway

Request to rezone +/- .545 acres of land located at 6731 Southwest Pkwy (0.545 acres out of Block 3, League 2, Denton County School Survey Abstract Number 417 Wichita County, Texas) from Single Family 2 (SF-2) to Multi-Family Residential (MFR) zoning district and amend the Land Use Plan from Low Density Residential to High Density Residential to allow for a 216 unit multi-family development.

Vice Chairman Woodward opened the public hearing at 2:55 pm. The applicant was present but gave no further presentation. Mr. Woodward closed the public hearing at 2:55pm. Mr. Pharries made a motion to recommend the rezone at 6731 Southwest Parkway. Mr. Grassi seconded the motion, the vote passed 8-0.

VIII. ADJOURN

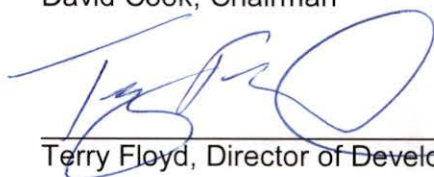
Vice Chairman Woodward adjourned the meeting at 2:56p.m.



David Cook, Chairman



Date



Terry Floyd, Director of Development Services



Date

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for HIV/STD-DIS Prevention Services grant funding in the amount of \$149,955 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: This is an amendment to our current DIS contract. This will extend the contract until December 31, 2022 and add an additional \$99,907 to the already appropriated funding for a total amount of \$299,909.

	Contract Amount	Appropriation
Original Contract 12/21	\$199,939	\$199,939
Contract Reduced 2/22	\$149,954	-\$49,985 over appropriated
Contract Amendment 6/22	\$149,955	\$99,970
Total Contract	\$299,909	\$ 299,909

This grant provides funding to control and prevent the spread of Sexually Transmitted Diseases (STDs), including Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS) and Viral Hepatitis. There are 3.5 FTE's to include a DIS Program manager, a DIS, a Disease Investigation Statistics Specialist and a part time clerical staff. These individuals will perform the following six core activities; Community and Individual Behavior Change Interventions, Medical and Laboratory services, Partner Services, Leadership and Program Management, Surveillance and Data Management and Training and Professional Development. This grant is for a five-year project period and will be subject to renewal at the end of said project period. There is no matching requirement.

The budget is as follows; salary and fringe (\$223,441) travel (\$16,899), supplies (\$20,222), and other (\$39,347).

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for HIV/STD-DIS Prevention Services grant funding in the amount of \$149,955 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same

WHEREAS, the Department of State Health Services wishes to enhance local response to prevent and control Sexually Transmitted Diseases; and,

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

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

There is hereby appropriated in the Special Revenue Fund \$149,955 in special revenue fund for HIV/STD –DIS services and the City Manager is authorized to execute the contract accepting said grant funding from the State of Texas Department of State Health Services.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Ordinance canceling the regularly scheduled Council meeting on July 5, 2022.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice effective governance

COMMENTARY: The July 5, 2022, City Council meeting falls the day after the 4th of July holiday, a time when several City staff and officials will be off work enjoying time with their families. The attached ordinance will cancel that meeting.

☒ **City Attorney**

ASSOCIATED INFORMATION: Ordinance

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance canceling the regularly scheduled Council meeting on July 5, 2022

WHEREAS, the regularly scheduled Council meeting of July 5, 2022, falls the day after the 4th of July holiday; and,

WHEREAS, a number of City staff and officials will be off work enjoying time with their families; and,

WHEREAS, it is efficient and proper to cancel the meeting regularly scheduled for such date.

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

The regularly scheduled City Council meeting on July 5, 2022, is hereby canceled.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution re-appointing Darron Leiker and Holly Lane to the Wichita County-City of Wichita Falls Hospital Board.

INITIATING DEPT: City Clerk

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Darron Leiker has served on the Wichita County-City of Wichita Falls Hospital Board since 2010 and Holly Lane has served since 2014. Both are eligible for and desire re-appointment. There are no additional current applicats for this board.

☒ **City Clerk**

ASSOCIATED INFORMATION: Resolution, Letter from United Regional, and Current Board Roster.

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



May 15, 2022

The Honorable Stephen Santellana
Mayor, City of Wichita Falls
P.O. Box 1431
Wichita Falls, TX 76307

Dear Mayor Santellana:

I am writing to remind you that the current two-year term of the following City of Wichita Falls appointee to the Wichita County – City of Wichita Falls, Texas Hospital Board expires on July 1, 2022:

Holly Allsup Lane
Darron Leiker

Ms. Lane is concluding her fourth term and may be reappointed; Mr. Leiker is completing his sixth term and, likewise, may be reappointed. Alternatively, new appointments may be made for either or both positions.

Should you have any questions or comments, please contact me. Otherwise, I look forward to hearing from you regarding this appointment.

Sincerely,

Phyllis Cowling
President and
Chief Executive Officer

cc: Holly Allsup Lane
Darron Leiker
Tim Cornelius, Chairman of the Wichita County – City of Wichita Falls, Texas Hospital Board

WC CWF HOSPITAL BOARD

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Troy Farris	07/07/2015 07/05/2017 06/18/2019 06/15/2021	07/31/2021 07/01/2023	CWF	2
2	Darron Leiker	06/21/2018 06/16/2020	07/01/2022	CWF	4
3	Holly Allsup Lane	06/19/2018 06/16/2020	07/01/2022	CWF	3
4	Jeff Watts	06/15/2020	07/01/2022	Wichita County	
5	Rita Vokes	07/01/2017 06/17/2019 05/10/2021	07/01/2023	Wichita County	
6	Woody Gossom	07/01/2017 06/17/2019 05/10/2021	07/01/2023	Wichita County	
7	Tim Cornelius	06/18/2018 06/15/2020	07/01/2022	Wichita County	

Resolution No. _____

**Resolution of the City Council of the City of Wichita Falls, Texas,
appointing/reappointing directors to the Wichita County/City of
Wichita Falls, Texas, Hospital Board; and designating term of office**

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

Darron Leiker is hereby reappointed for a two-year term to Place 2, and Holly Lane
is hereby reappointed for a two-year term to Place 3, on the Wichita County/City of Wichita
Falls Hospital Board with terms to expire July 1, 2024.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute an AIA Architect Agreement with Gerri A. Kielhofner, AIA – Architect doing business as gsk Architect to prepare design, permit, and construction documents for renovation of the approximately 58,000 SF Ray Clymer Exhibit Hall in the amount of \$95,500.

INITIATING DEPT: City Manager

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Complete the development of a convention center hotel

COMMENTARY: As part of the 2021 Strategic Plan, the City Council identified Redeveloping Downtown as one of the five goals and an objective supporting this goal was the completion of a convention center and hotel near the MPEC. A new Hotel and Conference/Banquet facility is essential for bidding and attracting larger conferences that require a full-service hotel in the vicinity of the MPEC facilities.

As part of the Development agreement with O'Reilly Hospitality Management (OHM), the City agreed to certain upgrades and renovation to the Ray Clymer Exhibit Hall in conjunction with the opening of the new Conference Center and full service Delta by Marriott. In February of 2019, the City signed an Architect Agreement with Gerri Kielhofner to prepare building permit/construction documents for an approximately 35,930 SF conference/banquet facility to be attached to the 7-story, 200-room hotel to be owned by OH-Wichita Fall, LLC (in the amount not to exceed \$456,477). This agreement is a Change Order to the original contract.

The Ray Clymer Exhibit Hall was completed in 1996 and consists of 58,000 SF of meeting space. The intent with this renovation is to use the same architect and interior designer that are being used for the Conference Center to coordinate the look and feel of both buildings. The priorities of the renovation are the Exhibit Hall entrance, pre-function area, hallways, restrooms, the main exhibit hall, and then moving into the meeting rooms. Some of the renovation and upgrade will include flooring, wall coverings, lighting upgrades, restroom flooring and counter tops, etc. This project will be funded with the existing venue tax bond and we are anticipating the cost to be around \$3 million. Staff anticipates this project being complete around the same time the Hotel and Conference Center is opened.

Staff recommends approval of the resolution.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute an AIA Architect Agreement with Gerri A. Kielhofner, AIA – Architect doing business as gak Architect, to prepare design, permit, and construction documents for renovation of the approximately 58,000 SF Ray Clymer Exhibit Hall in the amount of \$95,500.

WHEREAS, Ray Clymer Exhibit Hall completed in 1996 and consists of 58,000 SF meeting space and has been identified as being in need of renovation; and,

WHEREAS, the voter approved venue tax is available to fund the renovations; and,

WHEREAS, the newly renovated and update Ray Clymer Exhibit Hall will work in concert with the newly constructed full service hotel and conference center.

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

Resolution authorizing the City Manager to execute an AIA Architect Agreement with Gerri A. Kielhofner, AIA – Architect doing business as gak Architect to prepare design, permit, and construction documents for renovation of the approximately 58,000 SF Ray Clymer Exhibit Hall in the amount of \$95,500.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution awarding a bid to Yamaha Motor Finance Corp, USA for a 48-month lease of 70 QR2A QT golf cars for Champions Golf Course in the total amount of \$188,160.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: In March 2018, the City entered into a four-year lease for a fleet of 70 golf carts for the Champion's Golf Course with Yamaha Golf Carts. The existing golf cart lease with Yamaha costs \$180,936 for the 48 months. With this lease expiring, a new fleet of carts will be needed under a new lease agreement or the City can buy out the current lease for \$190,000.

Buying out these carts is not a good option because they are already 4 years old and maintenance costs will skyrocket. Bidding for replacement carts has been a challenge because there is a national shortage of golf carts. E-Z-Go does not have carts available and therefore, did not bid. Club Car will not have any available until Q1 2023. For Club Car to bid, they would have to buy out our existing lease with Yamaha and lease them back to the City until their new carts are available.

Yamaha does currently have 70 carts available and ready for delivery. City Staff and the golf course management company have been pleased with the efficiency and performance of the Yamaha carts and does recommend awarding the bid to Yamaha for the fuel injection carts at a total cost of \$188,160.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution and Bid Tab

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution awarding bid to Yamaha Golf-Cart Company for a 48-month lease of 70 Quie Tech EFI golf carts for Champions Golf Course in the total amount of \$188,160

WHEREAS, bids were received for a 48-month lease on 70 new golf carts for Champions Course at Weeks Park; and,

WHEREAS, the bid received from Yamaha for the fuel injected carts was the most responsible bid.

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

The bid for a 48-month lease of 70 Yamaha fuel-injected golf carts from Yamaha Golf-Cart Company in the total amount of \$188,160 is hereby approved, and City staff are authorized to execute all documents necessary to effectuate the transaction.

PASSED AND APPROVED this the 21th day of June, 2022.

M A Y O R

ATTEST:

City Clerk

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute Amendment Number 2 to the Professional Services Agreement for Engineering Services for the Lake Wichita Revitalization Project in the amount of \$63,000.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Signature Public Improvements

COMMENTARY: On October 9, 2018, the City entered into a professional services agreement with Kimley-Horn and Associates, Inc. for the design of the Lake Wichita Revitalization Projects. The projects included in the original design agreement were the Boardwalk, Kemp Street Boat Ramp and Seawall, and the Veterans Memorial Plaza projects.

On March 15, 2022, bids were opened for the Veterans Memorial Plaza Project. Marrs Patriot Construction, LLC was the apparent low bidder and was awarded the project on April 5, 2022. Staff has since been approached by the Lake Wichita Revitalization Committee to relocate the Veterans Memorial Plaza from the Lake Wichita Dam site, near the boat ramp, to Lake Wichita Park. The idea being to locate the Veterans Plaza adjacent to the Vietnam Memorial sculpture. On May 11, 2022, Staff met with Marrs Patriot to discuss the potential relocation of the project and came to an agreement. Marrs Patriot agreed to hold their bid prices for a period of time (6 months) to allow the City to prepare new construction documents for the relocation of the project. The additional \$63,000 cost for the redesign will come from the Lake Wichita Revitalization Committee.

Staff recommends approval of the resolution facilitating this amendment to allow Kimley-Horn to redesign the Veteran Memorial Plaza Project to fit the new location in Lake Wichita Park.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Amendment No. 2, Bid Extension Agreement

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute Amendment Number 2 to the Professional Services Agreement for Engineering Services for the Lake Wichita Revitalization Project in the amount of \$63,000.00

WHEREAS, the City of Wichita Falls seeks to revitalize Lake Wichita;

WHEREAS, improvements to Lake Wichita will meet the objectives of the City;

WHEREAS, the City entered into a professional services agreement with Kimley-Horn and Associates, Inc. to design the Lake Wichita Revitalization Projects;

WHEREAS, Staff recommends approval of Amendment Number 2 to the Professional Services Agreement;

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

The City Manager is authorized to execute Amendment Number 2 to the Professional Services Agreement between the City of Wichita Falls and Kimley-Horn and Associates, Inc. for engineering services for the Lake Wichita Revitalization Projects in the amount of \$63,000.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

**AMENDMENT NUMBER 2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.**

AMENDMENT NUMBER 2 DATED May 24, 2022 to the agreement between the CITY OF WICHITA FALLS, TEXAS ("OWNER") and KIMLEY-HORN AND ASSOCIATES, INC., ("ENGINEER") dated OCTOBER 9, 2018 ("the Professional Services Agreement") concerning the LAKE WICHITA REVITALIZATION PROJECT (the "Project").

The ENGINEER has entered into the Professional Services Agreement with OWNER for the furnishing of professional services, and the parties now desire to amend the Professional Services Agreement.

Therefore, it is mutually agreed that the Professional Services Agreement is amended to include Additional Services to be performed by ENGINEER and provisions for additional compensation by the OWNER to the ENGINEER, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Professional Services Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

OWNER:

CITY OF WICHITA FALLS, TEXAS

By: _____

Title: _____

Date: _____

ENGINEER:

KIMLEY-HORN AND ASSOCIATES, INC.

By: 

Title: Vice President

Date: May 24, 2022

For the relocation and redesign of the proposed Veteran's Memorial Plaza, the ENGINEER shall perform the following Additional Services:

Task 1 – Topographic Survey

The ENGINEER will provide a topographic survey for the project area. The topographic survey area will be limited to 1.5 acres in size, and will consist of locating and tying to boundary the existing features such as water valves, water meters, vehicular paving, sidewalks, fences, existing site features and structures, storm and sanitary sewer manholes, inlets, storm drain outfalls, trees 8" and larger, tops and toes of slope, power poles, and other above ground and visible features, spot elevations on a 50 foot grid, and location of underground utilities flagged by others (only if flagged prior to initial field work), for the specified areas excluded from the existing survey, up to 1.5 acres.

Deliverables

The ENGINEER will provide the following deliverables for this task.

- A) Digital file in dwg (ACAD2020) format containing features located, boundary/right-of-way/easement lines along with one foot contours and TIN. Other deliverables will include copies of field notes and drawings, an ascii point file and LandXML file.

This task consists of survey field crew time to set final boundary corners one time only. The ENGINEER is available to provide, but has excluded the following items from this scope; preparation of deeds and easement abstracts, preparation of any off-site easements, ALTA survey, Subsurface Utility Engineering (SUE), additional field work and return trips, and additional design survey beyond 1.5 acres, and easement document preparation. These items have been excluded from this scope, but may be provided as an Additional Service, upon written request from the OWNER.

Task 2 – Geotechnical Investigation

The ENGINEER will provide Geotechnical Investigation services and amended report for the project, through the use of a subconsultant. This work will consist of doing up to two (2) borings for the proposed veterans plaza. The borings will extend to a depth of thirty (30) feet or ten (10) feet into bedrock. The boring locations will be 10' minimum from the edge of the lake. The report will provide recommendations for required soil modification and paving and footing recommendations.

The OWNER acknowledges the ENGINEER is retaining the independent testing firm to provide the services described herein solely for the administrative convenience of the OWNER. OWNER acknowledges that ENGINEER will not be reviewing the work product or services of the testing firm. OWNER agrees that ENGINEER shall not have liability or legal exposure for the independent testing firm's work product or services. In the event the OWNER has any claim related to testing firm's work product or services, OWNER agrees it shall file any such claim directly against the testing firm and not against the ENGINEER.

Deliverables

The ENGINEER will provide the following deliverables for this task.

- A) Digital (PDF) and one (1) printed (8.5x11) amended Geotechnical Report.

Task 3 – Construction Documents for the Veterans Memorial Plaza

The ENGINEER will prepare revised final design plans for the proposed Veteran's Memorial Park project, located at the alternate project site at Lake Wichita Park. This task will consist of preparation of revised preliminary design (60% Construction Documents), revised final review documents (90% Construction Documents) and revised final construction documents (100% Construction Documents) for the Lake Wichita Veterans Memorial. The ENGINEER will also prepare a revised OPCC, technical specifications, and bidding documents for the project. The ENGINEER will provide the following items with this task.

- A) *Preliminary Design Plans (60% Construction Documents):* The ENGINEER will develop Preliminary Design Plans for the for the veterans memorial park project, illustrating the proposed features, general scope, scale, and relationship of design components and submit them to the OWNER for review. These documents will be approximately 60% complete and will include detail for review and preliminary pricing, but will not include detail suitable for construction.

After submittal to the OWNER, the ENGINEER shall respond to one (1) round of ordinary and reasonable, simultaneous revisions based on review comments. This task includes one (1) design review meeting with City staff. This task does not include revisions necessitated by significant site layout changes directed by the OWNER, or its representatives. Subsequent modifications resulting from significant site layout changes or additional review comments directed by the OWNER or its representatives will be considered an Additional Service.

- B) *Final Review Plans (90% Construction Documents):* Based on comments received from the OWNER and Lake Wichita Revitalization Committee, the ENGINEER will develop revised Final Review Plans for the veterans memorial park project. These plans will be approximately 90% complete and will consist of detail for final review and preliminary pricing but will not include detail suitable for construction.

After submittal to the OWNER, the ENGINEER shall respond to one (1) round of ordinary and reasonable, simultaneous revisions based on review comments. This task does not include revisions necessitated by significant site layout changes directed by the OWNER, or its representatives. Subsequent modifications resulting from significant site layout changes or additional review comments directed by the OWNER or its representatives will be considered an Additional Service.

- C) *Final Construction Plans (100% Construction Documents):* Following the completion of the Final Review Plans, the ENGINEER will develop the Final Construction Documents for the veterans memorial park project. These plans signed and sealed and will consist of detail suitable for bidding and construction. It is anticipated the following items will comprise the Final Construction Plans.

- a. Cover Sheet
- b. Existing Conditions and Removal Items (1 Sheet)
The ENGINEER will prepare a revised Existing Conditions and Removal Plan, using the information gathered from the initial site visit and topographic survey.

The plan will include items of work identified for performance by either the OWNER or the Contractor.

- c. Site Layout Plan (1 Sheet)
The ENGINEER will prepare a revised Site Layout Plan that will consist of jointing and detail key, with work/bid items identified, and detail references and notes for the proposed site improvements.
- d. Grading Plan (1 Sheet)
The ENGINEER will prepare revised plans illustrating grading for Veteran's Memorial Park and the adjacent site area. These plans will show existing and proposed contours, berming, pavement grades, and spot elevations at critical points.
- e. Erosion Control Plan and Details (2 Sheets)
The ENGINEER will prepare revised plans illustrating erosion control measures to be provided for the site. OWNER standard details will be referenced where applicable.
- f. Site Details (6 Sheets)
The ENGINEER will prepare revised detail sheets showing site, hardscape and landscape elements, site furnishings, and footing/foundation details for the memorial wall and sculpture identified in the plans. OWNER standard details will be referenced where applicable.
- g. Planting Plan and Details (2 Sheets)
The ENGINEER will prepare revised plans illustrating enhanced planting areas, buffered planting areas, and trees within the proposed veteran's memorial park. The plans will depict the location, quantity, and size of OWNER-approved plant species and equipment. In addition, this set of drawings will consist of proposed details, general notes, and specifications adequate for bidding and construction.
- h. Site Lighting and Electrical Plans (3 Sheets)
The ENGINEER will prepare, through the use of a subconsultant, revised plans and details for the site lighting and electrical service for the proposed veteran's memorial park area. The ENGINEER assumes the OWNER will provide a take point location for electrical service that is adjacent to the site and has adequate power for the proposed improvements. The ENGINEER has excluded design for electrical service extensions to the site from this scope of services.
- i. Project Manual
The ENGINEER will prepare a project manual that will consist of technical specifications and the City's front-end master contract documents.
- j. OPCC
The ENGINEER will prepare an OPCC, to be submitted at each phase of design.
- k. Printing
The ENGINEER will provide digital (PDF) copies, and printed copies of the plans, specifications, and project manual as noted in the deliverables section below.

Deliverables

The ENGINEER will provide the following deliverables for this task

- A) Digital (PDF) copies of the Preliminary Review Plans and Project Manual with Technical Specifications and Front End Documents will be provided at 60% completion.
- B) Digital (PDF) copies of the Final Review Plans and Project Manual with Technical Specifications and Front End Documents will be provided at 90% completion.
- C) Up to five (5) full size printed copies, and up to two (2) half size printed copies of the plans will be provided at 100% completion. Digital (PDF) copies of the plans will also be provided.
- D) Up to five (5) printed copies, and digital (PDF) copies of the Project Manual with Final Technical Specifications and Front End Documents, will be provided at 100% completion.

Task 4 – Accessibility Review

The ENGINEER will utilize a subconsultant that is a Registered Accessibility Specialist (RAS) for the purposes of reviewing the Veteran's Memorial Park construction plans, for conformance with the Texas Accessibility Standards (TAS). The Professional will coordinate with the RAS for project registration with the Texas Department of Licensing and Regulation (TDLR), and project inspection at the Veteran's Memorial Park site, upon completion of construction. ENGINEER will prepare plans in an effort to conform to TAS, and will make one (1) round of revisions to the plans based on comments received from the RAS. Inspection and registration fees for TDLR are included in this fee.

Task 5 – Additional Construction Phase Services

The ENGINEER will provide limited construction phase services for the Veteran's Memorial Park project. The scope of services listed below will be provided as part of the construction phase services, in addition to the Construction Phase Services provided in the original contract. Any additional effort beyond the items specified below will be billed to the OWNER hourly, according to the current hourly rates, as authorized by the OWNER or its representatives.

The ENGINEER shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, sequence, schedule, safety programs, or safety practices, nor shall the Professional have any authority or responsibility to stop or direct the work of any contractor. The ENGINEER's visits will be for the purpose of endeavoring to provide the OWNER a greater degree of confidence that the completed work of its contractors will generally conform to the construction documents prepared by the ENGINEER. The ENGINEER neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.

Limitation of Responsibilities. The ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any of its subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. The ENGINEER shall not have the authority or responsibility to stop the work of any Contractor. The ENGINEER is not responsible for any duties assigned to the design professional in any construction contract that are not expressly provided for in this Agreement.

Additional construction phase services beyond the specified scope of services listed below, will be provided only upon written authorization by the OWNER, and will be billed as an hourly service.

- A) Review and respond to Requests for Information (RFI) as submitted by the contractor during the Change Order review.
- B) Attendance for one (1) person, at up to two (2) additional project meetings or site visits.

C) Review of Change Orders submitted by the Contractor.

For the Additional Services set forth above, OWNER shall pay ENGINEER the following additional compensation:

Lake Wichita Revitalization Project Additional Services		
Task	Fee Type	Fee
Task 1 – Topographic Survey	Lump Sum	\$8,000
Task 2 – Geotechnical Investigation	Lump Sum	\$5,500
Task 3 – Construction Documents	Lump Sum	\$42,500
Task 4 – Accessibility Review	Lump Sum	\$2,500
Task 5 – Additional Construction Phase Services	Lump Sum	\$4,500
Total Lump Sum Fee:		\$63,000

For the Additional Services set forth above, the ENGINEER shall proceed with the following proposed schedule:

Lake Wichita Revitalization Project Proposed Schedule		
Activity	Duration (Calendar Days)	Estimated Date of Completion
Notice to Proceed	0	June 21, 2022
Topographic Survey / Geotechnical Investigation	49	August 9, 2022
Boardwalk Preliminary Design (60%)	15	August 24, 2022
Boardwalk Final Design (90%)	28	September 21, 2022
Boardwalk Final Design (100%)	21	October 12, 2022
Additional Construction Phase Services	14	October 26, 2022
TOTAL PROJECT DURATION	127 Days	

STATE OF TEXAS §
COUNTY OF WICHITA §

Bid Extension for Lake Wichita Revitalization (Veterans Memorial Plaza) CWF20-452-12

This Bid Extension (this "Agreement") is made and entered into this ____ day of ____, 2022, by and among the City of Wichita Falls, a corporate body politic and political subdivision of the State of Texas (the "City"); and Marrs Patriot Construction, LLC, a Texas Limited Liability Company, ("Contractor") (City and Contractor are sometimes hereinafter referred to collectively as the "Parties" and individually as a "Party"), with reference to the following premises:

RECITALS

WHEREAS, the City has plans to build the Lake Wichita Revitalization (Veterans Memorial Plaza) CWF20-452-12, ("Project") but wishes to explore moving said location; and,

WHEREAS, Contractor has previously bid on the Project and was the apparent low bidder; and,

WHEREAS, Parties wish for Contractor to hold their bid prices at the current bid price for a period of six months from the date of this signing; and,

WHEREAS, the six month period shall allow for City to prepare the new construction documents for the relocation of the Project.

NOW, THEREFORE, in consideration of the premises, the mutual agreements provided below, and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the Parties, intending to be legally bound, do hereby covenant and agree as follows:

Contractor previously submitted the low bid for the Project and agrees it shall not withdraw said Bid for a period not to exceed 6 months from the signing of this document while City conducts a redesign of the location of the Project. Concurrently, Parties shall work within the period specified towards entering into a written contract in accordance with the Bid as accepted.

ENTERED INTO THIS ____ DAY OF ____, 2022

City of Wichita Falls

Darron J. Leiker
City Manager

Attest:

City Clerk

Approved as to form:

City Attorney

Marrs Patriot Construction, LLC

Lance Marrs

Lance Marrs
Printed Name

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the Transfer Station Basin Improvements to Earth Builders, LP in the amount of \$2,226,886.40.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On June 7, 2022, bids were opened for the Transfer Station Basin Improvements. This project is generally described as the construction of the existing stormwater detention basin expansion, sanitary sewer, storm drain, channel improvements, street improvements, and associated work. The purpose of the project is to increase the volume and storage capacity of the existing transfer station basin. This would help to mitigate downstream flooding from Quail Creek by allowing more stormwater runoff to be detained in the expanded basin as was identified in the overall Quail Creek Master Drainage Plan. After the basin expansion has been completed, South Regent Drive, which will serve as the construction access, will also be replaced as part of the overall project. The Engineers estimate for this project was \$3.0M. The bids received for this project, which include the Base Bid plus Additive Alternate No. 1 are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Earth Builders, LP – Decatur, TX	\$2,226,886.40
Wilson Contracting – Wichita Falls, TX	\$2,478,637.50
Scales Construction – Wichita Falls, TX	\$2,615,929.00

Construction of this project should require approximately 270 consecutive days to complete and the Stormwater Utility Fund has adequate funding available for the project.

Earth Builders, LP has performed this type of work for the City in the past. Therefore, staff recommends approval of the resolution awarding the contract to Earth Builders, LP in the amount of \$2,226,886.40, which includes the Base Bid and Additive Alternate No. 1 based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the Transfer Station Basin Improvements to Earth Builders, LP in the amount of \$2,226,886.40

WHEREAS, the City of Wichita Falls has advertised for bids for the Transfer Station Basin Improvements; and,

WHEREAS, it is found that the lowest responsible bidder is Earth Builders, LP who made a unit price bid with an estimated total of \$2,226,886.40.

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

The unit price bid for the Transfer Station Basin Improvements is awarded to Earth Builders, LP, in an estimated total amount of \$2,226,886.40, 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 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

TRANSFER STATION BASIN IMPROVEMENTS
CWF22-552-13
BID DATE: June 7, 2022

BASE BID			
Pay Item	Description	Unit	Project Totals
107-TS	TRENCH SAFETY SYSTEM	LF	723
200.1	MOBILIZATION (NOT TO EXCEED 5%)	LS	1
200.1-SP	SITE PREPARATION	LS	1
201	TEMPORARY EROSION CONTROL	LS	1
202.6-HM	HYDROMULCH, SEEDING & WATERING	SV	22,733
202.6-EB	EROSION CONTROL BLANKET	SV	6,070
203.3-P	REMOVE EXISTING PAVEMENT	SV	2,650
203.5	UNCLASSIFIED EXCAVATION (POND)	CV	43,735
301-FB	6" FLEX BASE	SV	340
301-S	6" SUBGRADE STABILIZATION	SV	2,455
303-CP-6	6" REINFORCED CONCRETE PAVEMENT	SV	400
303-CP-7	7" REINFORCED CONCRETE PAVEMENT	SV	2,265
303-MS	6" CONCRETE MOW STRIP	SV	235
303-PC	6" CONCRETE PILOT CHANNEL	SV	531
303-RR	6" CONCRETE RIPRAP	SV	63
305.1	6" MONOLITHIC CURB	LF	850
305.2-DA	6" CONCRETE DRIVE APPROACH	SV	295
305.2-SW	4" CONCRETE SIDEWALK	SV	31
501.17-6	6" SDR 26 PVC SANITARY SEWER PIPE	LF	330
502.1	4" SANITARY SEWER MANHOLE	EA	2
507-P	CUT & PLUG SANITARY SEWER	EA	1
508.3	24" RCP STORM SEWER	LF	128
702-HW	CONCRETE HEADWALL WITH WINGWALLS	EA	1
702-S	CONCRETE SPILLWAY DIVERSION STRUCTURE	LS	1
801.4	6" CHAIN LINK FENCE & GATES	LF	2,340
802.2	CONCRETE RETAINING WALL	CV	98
803.3	24" ROCK RIPRAP	SV	646

ORDER OF BIDS LOWEST TO HIGHEST

Earth Builders, LP - Decatur, TX		Wilson Contracting - Wichita Falls, TX		Scales Construction - Wichita Falls, TX	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 1.00	\$ 723.00	\$ 3.50	\$ 2,530.50	\$ 3.00	\$ 2,169.00
\$ 105,000.00	\$ 105,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
\$ 230,000.00	\$ 230,000.00	\$ 300,000.00	\$ 300,000.00	\$ 171,000.00	\$ 171,000.00
\$ 21,000.00	\$ 21,000.00	\$ 50,000.00	\$ 50,000.00	\$ 15,000.00	\$ 15,000.00
\$ 1.80	\$ 40,919.40	\$ 4.00	\$ 90,932.00	\$ 2.00	\$ 45,466.00
\$ 3.20	\$ 19,424.00	\$ 1.00	\$ 6,070.00	\$ 3.00	\$ 18,210.00
\$ 17.00	\$ 45,050.00	\$ 15.00	\$ 39,750.00	\$ 20.00	\$ 53,000.00
\$ 20.00	\$ 874,700.00	\$ 25.00	\$ 1,093,375.00	\$ 29.00	\$ 1,268,315.00
\$ 35.00	\$ 11,900.00	\$ 20.00	\$ 6,800.00	\$ 20.00	\$ 6,800.00
\$ 15.00	\$ 36,825.00	\$ 20.00	\$ 49,100.00	\$ 30.00	\$ 73,650.00
\$ 130.00	\$ 52,000.00	\$ 90.00	\$ 36,000.00	\$ 83.00	\$ 33,200.00
\$ 100.00	\$ 226,500.00	\$ 95.00	\$ 215,175.00	\$ 85.00	\$ 192,525.00
\$ 80.00	\$ 18,800.00	\$ 85.00	\$ 19,975.00	\$ 180.00	\$ 42,300.00
\$ 140.00	\$ 74,340.00	\$ 90.00	\$ 47,790.00	\$ 100.00	\$ 53,100.00
\$ 100.00	\$ 6,300.00	\$ 85.00	\$ 5,355.00	\$ 150.00	\$ 9,450.00
\$ 4.00	\$ 3,400.00	\$ 20.00	\$ 17,000.00	\$ 15.00	\$ 12,750.00
\$ 135.00	\$ 39,825.00	\$ 90.00	\$ 26,550.00	\$ 83.00	\$ 24,485.00
\$ 300.00	\$ 9,300.00	\$ 75.00	\$ 2,325.00	\$ 83.00	\$ 2,573.00
\$ 130.00	\$ 42,900.00	\$ 50.00	\$ 16,500.00	\$ 190.00	\$ 62,700.00
\$ 6,500.00	\$ 13,000.00	\$ 8,500.00	\$ 17,000.00	\$ 6,300.00	\$ 12,600.00
\$ 400.00	\$ 400.00	\$ 1,500.00	\$ 1,500.00	\$ 2,700.00	\$ 2,700.00
\$ 140.00	\$ 17,920.00	\$ 160.00	\$ 20,480.00	\$ 237.00	\$ 30,336.00
\$ 5,000.00	\$ 5,000.00	\$ 7,500.00	\$ 7,500.00	\$ 4,200.00	\$ 4,200.00
\$ 65,000.00	\$ 65,000.00	\$ 45,000.00	\$ 45,000.00	\$ 59,000.00	\$ 59,000.00
\$ 50.00	\$ 117,000.00	\$ 45.00	\$ 105,300.00	\$ 35.00	\$ 81,900.00
\$ 700.00	\$ 68,600.00	\$ 1,200.00	\$ 117,600.00	\$ 1,900.00	\$ 186,200.00
\$ 110.00	\$ 71,060.00	\$ 55.00	\$ 35,530.00	\$ 50.00	\$ 32,300.00
Total Base Bid	\$ 2,216,886.40	Total Base Bid	\$ 2,475,137.50	Total Base Bid	\$ 2,595,929.00

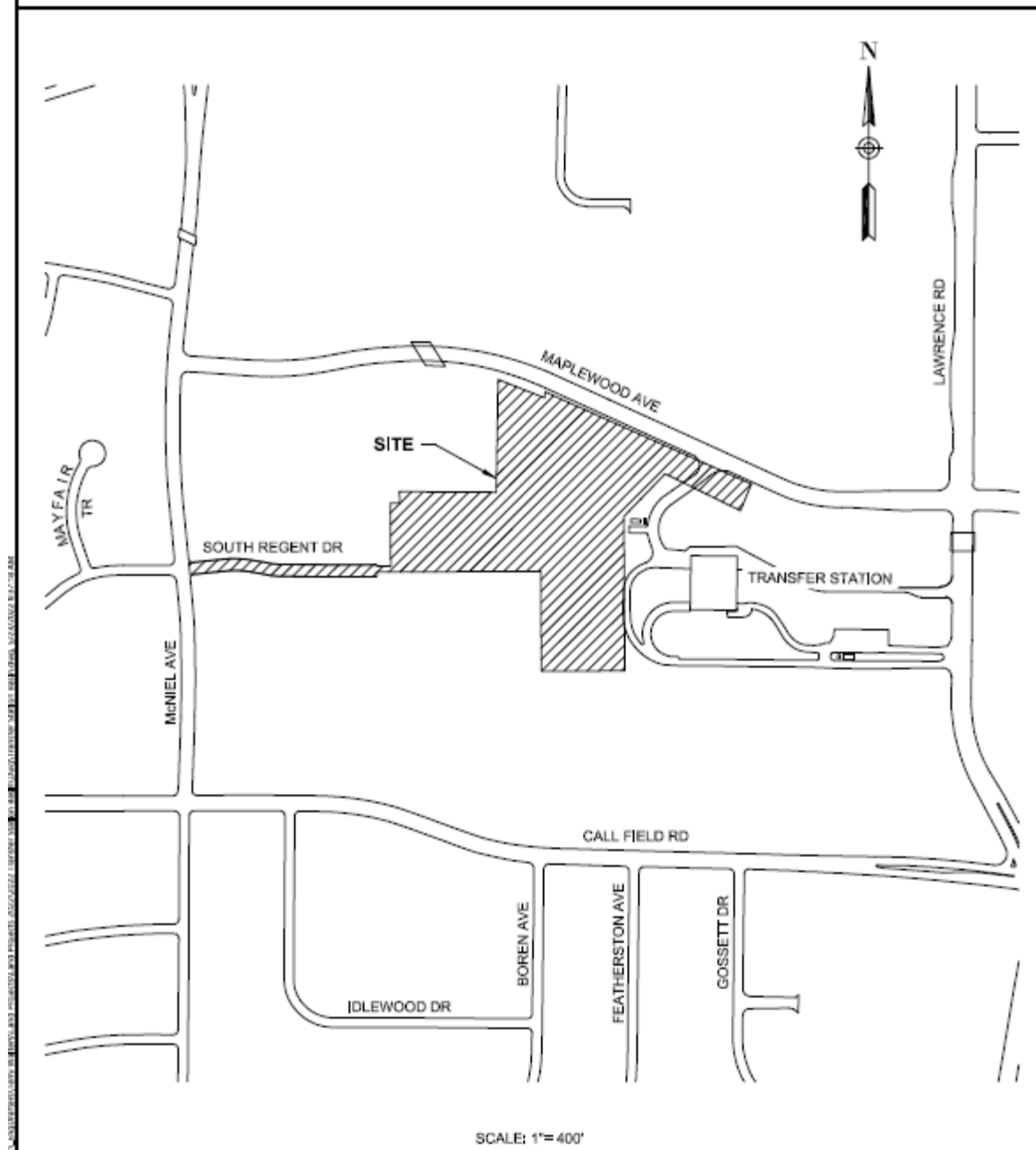
Additive Alternate No.1			
Pay Item	Description	Unit	Project Totals
502.9-A1	MANHOLE STRUCTURAL EPOXY COATING	EA	1

Earth Builders, LP - Decatur, TX		Wilson Contracting - Wichita Falls, TX		Scales Construction - Wichita Falls, TX	
Unit Price	Total	Unit Price	Total	Unit Price	Total
\$ 10,000.00	\$ 10,000.00	\$ 3,500.00	\$ 3,500.00	\$ 20,000.00	\$ 20,000.00
Total Add/Alt 1	\$ 10,000.00	Total Add/Alt 1	\$ 3,500.00	Total Add/Alt 1	\$ 20,000.00

TOTAL - (BASE BID & ADD/ALT 1)	\$ 2,226,886.40		\$ 2,478,637.50		\$ 2,615,929.00
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TRANSFER STATION BASIN IMPROVEMENTS

CWF22-552-13



CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the Ninth Street Elevated Tank Replacement Project to Phoenix Fabricators and Erectors, LLC in the amount of \$4,543,176.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: The Ninth Street Elevated Tank was constructed in the 1920's and has served our distribution system well for the past 100 years. However, over the past year, the tank and riser pipe have begun to leak on several different locations. Staff hired Dunham Engineering to thoroughly evaluate the tank in November of 2021. Their recommendation was that the tank had outlived its useful life and needed to be replaced. Staff then secured the services of Biggs & Mathews Engineering to evaluate the location and size for the replacement of this tank based on the water demands and operations of the overall water distribution system. B&M's recommendation was to increase the size of the tank to allow for future growth and flexibility of operations of the water system, and to build the replacement tank at the existing location.

On June 8, 2022, bids were opened for the Ninth Street Elevated Tank Replacement Project. This project is generally described as construction of a 1,500,000 gallon composite elevated water storage tank and the demolition of the existing 500,000 gallon steel elevated water storage tank, and associated work. The Engineer's estimate for this project is \$5,000,000.00. Funding for the project will come from the water fund balance.

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

<u>COMPANY</u>	<u>AMOUNT</u>
Phoenix Fabricators and Erectors, LLC – Avon, IN	\$ 4,543,176.00
Landmark Structures I, LP – Fort Worth, TX	\$ 4,742,000.00
CB&I Storage Tank Solutions, LLC – Houston, TX	\$ 4,748,570.95

Construction of this project should require approximately 510 calendar days to complete.

Phoenix Fabricators and Erectors, LLC has successfully completed similar projects for many cities across the United States. Therefore, Biggs and Mathews, and staff recommend approval of the resolution awarding the contract to Phoenix Fabricators and Erectors, LLC in the amount of \$4,543,176.00, which includes the Base Bid and Add/Alt, based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Letter of Recommendation, Bid Tab,
Location Maps

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the Ninth Street Elevated Tank Replacement Project to Phoenix Fabricators and Erectors, LLC in the amount of \$4,543,176.00

WHEREAS, the City of Wichita Falls has advertised for bids for the Ninth Street Elevated Tank Replacement Project and,

WHEREAS, it is found that the lowest responsible bidder is Phoenix Fabricators and Erectors, LLC who made a unit price bid with an estimated total of \$4,543,176.00.

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

The unit price bid for the Ninth Street Elevated Tank Replacement Project is awarded to Phoenix Fabricators and Erectors, LLC in an estimated total amount of \$4,543,176.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk



BIGGS & MATHEWS INC.

Consulting Engineers

June 9, 2022

Russell Schreiber, Public Works Director
City of Wichita Falls
P.O. Box 1431
Wichita Falls, Texas 76301

RE: Ninth Street Elevated Tank Replacement – 1,500,000 Gallon Elevated Tank
Level Control and Yard Piping – Ninth Street Elevated Tank Replacement

Dear Mr. Schreiber:

As you are aware, on June 8, 2022 competitive bids were received for the Ninth Street Elevated Tank Replacement which was split into two (2) separate contracts. One contract generally included the demolition of the existing 500,000 gallon elevated tank and construction of a new 1,500,000 gallon elevated tank. A second contract included the demolition of existing abandoned structures/facilities, level control piping, and yard piping connections to the existing distribution system.

Three (3) competitive bids were received for the 1,500,000 Elevated Tank Replacement and only (1) competitive bid was received for the Level Control & Yard Piping contract, with a summary of the bids results for each contract provided below along with a detailed bid tabulation sheet attached.

Ninth Street Elevated Tank Replacement – 1,500,000 Gallon Composite Elevated Tank:

<u>Bidder Name</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
Phoenix Fabricators and Erectors, LLC	\$4,240,057	\$4,543,176
Landmark Structures I, LP	\$4,335,000	\$4,742,000
C B & I	\$4,428,571	\$4,748,570.95

Level Control and Yard Piping – Ninth Street Elevated Tank Replacement:

<u>Bidder Name</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
Adams Construction, LLC	\$754,770	\$775,895

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

2021-054

Based on the bid results, and after all bids having been reviewed and accepted by the City legal department, Biggs & Mathews, Inc. recommends the following awards:

Ninth Street Elevated Tank Replacement – 1,500,000 Gallon Composite Elevated Tank be awarded to Phoenix Fabricators and Erectors, LLC for the Alternate Bid Amount of **\$4,543,176**.

Level Control and Yard Piping – Ninth Street Elevated Tank Replacement contract be awarded to Adams Construction, LLC for the Alternate Bid Amount of **\$775,895**.

Recommended award for the combination of the two (2) construction contracts totals to **\$5,319,071**, and with allocated construction funds for these improvements being \$5,825,000; adequate funds are available for the recommended improvements at the existing Ninth Street Elevated Tank Site.

Sincerely,

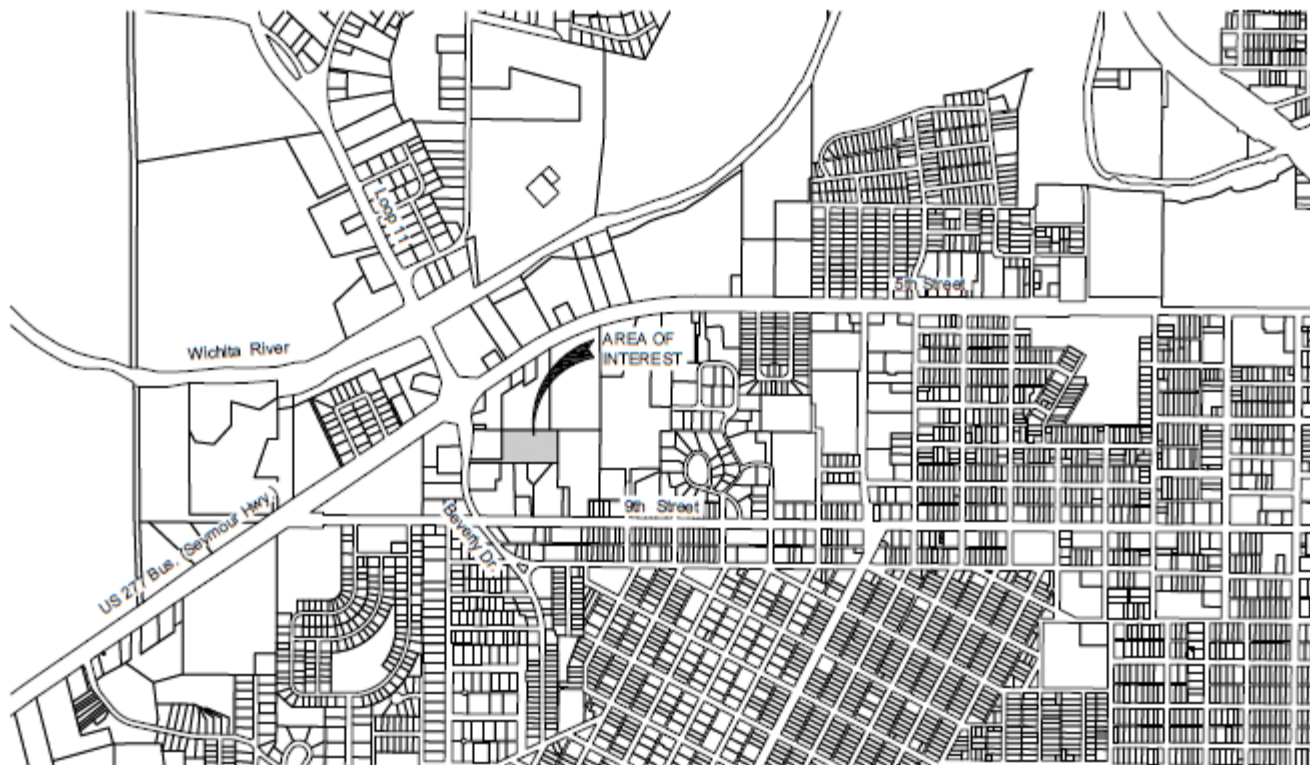
BIGGS & MATHEWS, INC. (Firm No. F-834)


Kerry D. Maroney, P.E.
President

**Ninth Street Elevated Tank Replacement
CWF22-550-19
Bid Date: June 8, 2022**

BASE BID ** ORDER OF BIDS FROM LOWEST TO HIGHEST **				Phoenix Fabricators and Erectors, LLC Avon, IN		Landmark Structures I, LP Fort Worth, TX		CB&I Storage Tank Solutions, LLC Houston, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization, Insurance, & Bonding	LS	1	\$210,000.00	\$210,000.00	\$110,000.00	\$110,000.00	\$214,649.00	\$214,649.00
2	Construction of 1,500,000 Gallon Composite Elevated Storage Tank in accordance with Plans & Specifications including all Excavation, Site Work, Concrete Foundation, Tank Accessories, Tank Piping, Testing, Painting, Disinfection, and Cleanup	LS	1	\$3,885,607.00	\$3,885,607.00	\$4,135,000.00	\$4,135,000.00	\$4,026,721.00	\$4,026,721.00
3	Demolition and Proper Disposal Off-Site of the Existing 500,000 Gallon Steel Elevated Water Storage Tank	LS	1	\$74,300.00	\$74,300.00	\$54,000.00	\$54,000.00	\$109,925.00	\$109,925.00
4	Excavation, Demolition and Proper Disposal Off-Site of Eight (8) Existing Concrete Footings, One (1) Existing Center Column Support, and One (1) Concrete Piping Vault	LS	1	\$40,000.00	\$40,000.00	\$20,000.00	\$20,000.00	\$46,011.00	\$46,011.00
5	Construct 12' X 12' X 6" Thick Concrete Drive Approach at Over-Head Door	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$3,727.00	\$3,727.00
6	Construct 6" Thick Gravel Drive Adjacent to Tank	SY	550	\$23.00	\$12,650.00	\$13.00	\$7,150.00	\$40.00	\$22,000.00
7	Provide and Utilize OSHA Approved Trench Safety System	LS	1	\$3,000.00	\$3,000.00	\$850.00	\$850.00	\$2,130.00	\$2,130.00
8	Furnish All Materials and Labor to Provide Erosion Control and Stormwater Management including SW3P to comply with TCEQ	LS	1	\$9,500.00	\$9,500.00	\$3,000.00	\$3,000.00	\$3,408.00	\$3,408.00
Total Base Bid				\$4,240,057.00		Total Base Bid	\$4,335,000.00	Total Base Bid	\$4,428,571.00

ADDITIVE/ALTERNATE				Phoenix Fabricators and Erectors, LLC Avon, IN		Landmark Structures I, LP Fort Worth, TX		CB&I Storage Tank Solutions, LLC Houston, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total	Unit Price	Total
1-A	Design and Construct Structural Second Floor including Access Stairway, Opening for Hoisting, Safety Railing, and Two (2) Ton Rated Swivel Type Jib Crane	LS	1	\$303,119.00	\$303,119.00	\$407,000.00	\$407,000.00	\$319,999.95	\$319,999.95
Total Add/Alt				\$303,119.00		Total Add/Alt	\$407,000.00	Total Add/Alt	\$319,999.95
Total (Base Bid + Add/Alt)				\$4,543,176.00		Total (Base Bid + Add/Alt)	\$4,742,000.00	Total (Base Bid + Add/Alt)	\$4,748,570.95



LOCATION MAP
SCALE: 1" = 80'

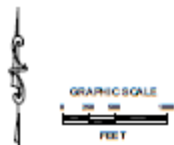


EXHIBIT "B"

NINTH STREET
ELEVATED TANK REPLACEMENT
CITY OF WICHITA FALLS, TEXAS



SOOS & MATHEWS, INC.
CIVIL ENGINEERS
10000 DALLAS HWY., SUITE 100
DALLAS, TEXAS 75243-1000

DATE	DESCRIPTION	BY	CHKD	DATE	BY
		SM	SM		
		SM	SM		
		SM	SM		

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CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the Level Control and Yard Piping - Ninth Street Elevated Tank Replacement Project to KLA Adams Construction, LLC in the amount of \$775,895.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On June 8, 2022, bids were opened for the Level Control and Yard Piping - Ninth Street Elevated Tank Replacement Project. This project is generally described as the demolition of existing abandoned structures/facilities, level control piping, yard piping connections from the new elevated storage tank to the existing distribution system, and associated work. The Engineer's estimate for this project is \$550,000. Funding for the project will come from the water fund balance.

The bids received for this project include the Base Bid and Add/Alt and are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
KLA Adams Construction, LLC – Iowa Park, TX	\$ 775,895.00

Construction of this project should require approximately 150 calendar days to complete.

KLA Adams Construction, LLC has successfully completed similar projects in the past. Therefore, staff recommends approval for the resolution awarding the contract to KLA Adams Construction, LLC in the amount of \$775,895.00, which includes the Base Bid and Add/Alt, based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Letter of Recommendation, Bid Tab, Location Maps

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the Level Control and Yard Piping - Ninth Street Elevated Tank Replacement Project to KLA Adams Construction, LLC in the amount of \$775,895.00

WHEREAS, the City of Wichita Falls has advertised for bids for the Level Control and Yard Piping - Ninth Street Elevated Tank Replacement Project and,

WHEREAS, it is found that the lowest responsible bidder is KLA Adams Construction, LLC who made a unit price bid with an estimated total of \$775,895.00.

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

The unit price bid for the Level Control and Yard Piping - Ninth Street Elevated Tank Replacement Project is awarded to KLA Adams Construction, LLC in an estimated total amount of \$775,895.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk



BIGGS & MATHEWS INC.
Consulting Engineers

June 9, 2022

Russell Schreiber, Public Works Director
City of Wichita Falls
P.O. Box 1431
Wichita Falls, Texas 76301

RE: Ninth Street Elevated Tank Replacement – 1,500,000 Gallon Elevated Tank
Level Control and Yard Piping – Ninth Street Elevated Tank Replacement

Dear Mr. Schreiber:

As you are aware, on June 8, 2022 competitive bids were received for the Ninth Street Elevated Tank Replacement which was split into two (2) separate contracts. One contract generally included the demolition of the existing 500,000 gallon elevated tank and construction of a new 1,500,000 gallon elevated tank. A second contract included the demolition of existing abandoned structures/facilities, level control piping, and yard piping connections to the existing distribution system.

Three (3) competitive bids were received for the 1,500,000 Elevated Tank Replacement and only (1) competitive bid was received for the Level Control & Yard Piping contract, with a summary of the bids results for each contract provided below along with a detailed bid tabulation sheet attached.

Ninth Street Elevated Tank Replacement – 1,500,000 Gallon Composite Elevated Tank:

<u>Bidder Name</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
<i>Phoenix Fabricators and Erectors, LLC</i>	<i>\$4,240,057</i>	<i>\$4,543,176</i>
<i>Landmark Structures I, LP</i>	<i>\$4,335,000</i>	<i>\$4,742,000</i>
<i>C B & I</i>	<i>\$4,428,571</i>	<i>\$4,748,570.95</i>

Level Control and Yard Piping – Ninth Street Elevated Tank Replacement:

<u>Bidder Name</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
<i>Adams Construction, LLC</i>	<i>\$754,770</i>	<i>\$775,895</i>

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

2021-054

Based on the bid results, and after all bids having been reviewed and accepted by the City legal department, Biggs & Mathews, Inc. recommends the following awards:

Ninth Street Elevated Tank Replacement – 1,500,000 Gallon Composite Elevated Tank be awarded to Phoenix Fabricators and Erectors, LLC for the Alternate Bid Amount of **\$4,543,176**.

Level Control and Yard Piping – Ninth Street Elevated Tank Replacement contract be awarded to Adams Construction, LLC for the Alternate Bid Amount of **\$775,895**.

Recommended award for the combination of the two (2) construction contracts totals to **\$5,319,071**, and with allocated construction funds for these improvements being \$5,825,000; adequate funds are available for the recommended improvements at the existing Ninth Street Elevated Tank Site.

Sincerely,

BIGGS & MATHEWS, INC. (Firm No. F-834)


Kerry D. Maroney, P.E.
President

Level Control and Yard Piping - Ninth Street Elevated Tank Replacement

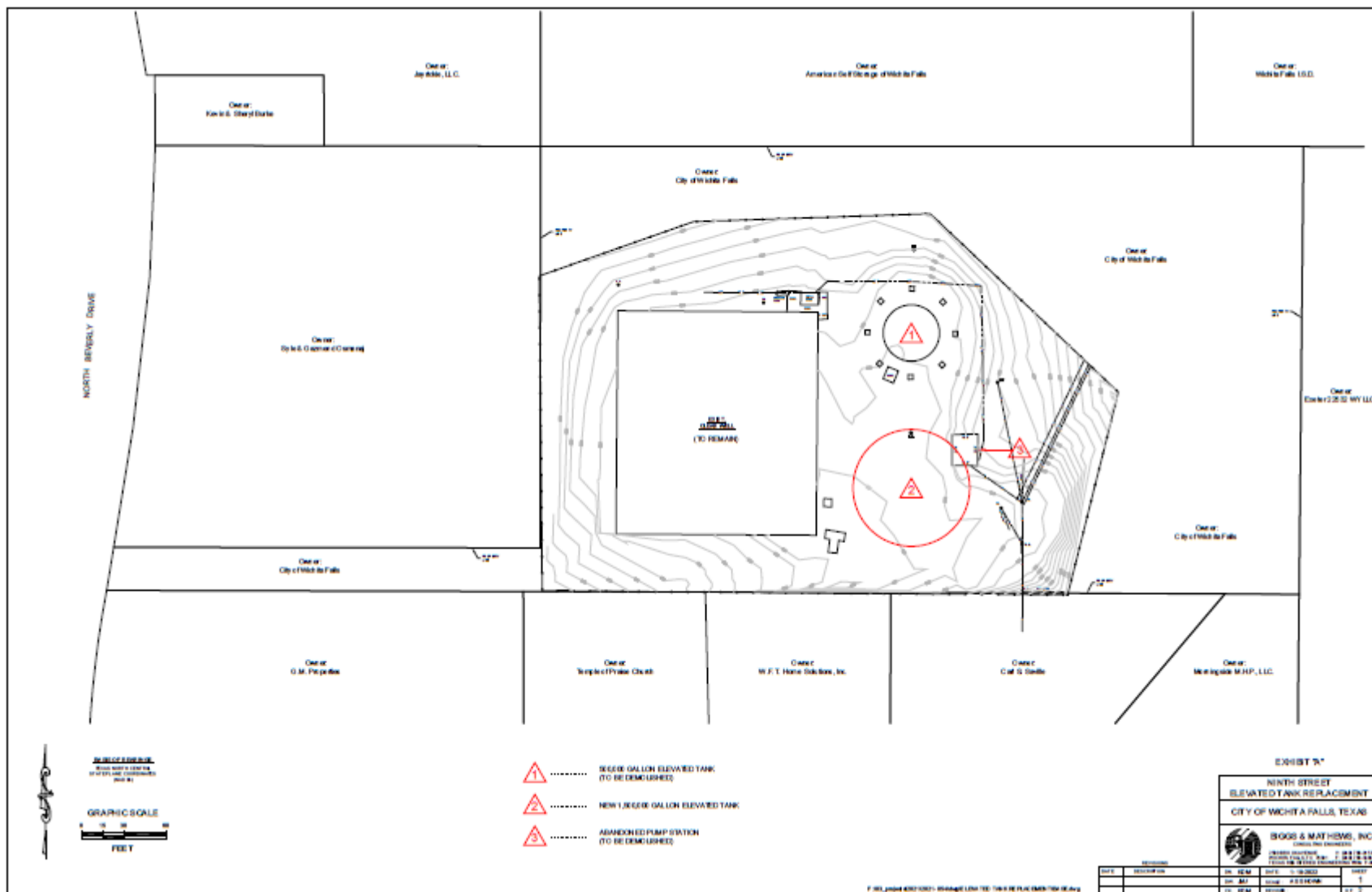
CWF22-550-19A

Bid Date: June 8, 2022

BASE BID				KLA Adams Construction, LLC	
** ORDER OF BIDS FROM LOWEST TO HIGHEST **				Iowa Park, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total
1	Mobilization, Insurance, & Bonding	LS	1	\$31,630.00	\$31,630.00
2	Furnish All Equipment and Labor to Demolish Existing Abandoned Pump Station, Pumps, Piping, and Electrical and Other Designated Site Demolition Work as Noted on the Demolition Plan Sheet	LS	1	\$181,440.00	\$181,440.00
3	Furnish All Materials and Labor to Construct the Level Control Piping and Valves within the New Elevated Tank Concrete Support Pedestal	LS	1	\$154,860.00	\$154,860.00
4	Furnish and Install 18" Ductile Iron Pipe Inlet/Outlet Pipe to Connect to the Existing 20" Yard Piping	LF	105	\$653.00	\$68,565.00
5	Locate and Connect to Existing 20" A.C. Distribution Line	LS	1	\$19,380.00	\$19,380.00
6	Furnish and Install 18" Gate Valve and Box at Distribution Line Connection	LS	1	\$27,610.00	\$27,610.00
7	Furnish and Install Fire Hydrant Assembly	LS	1	\$9,200.00	\$9,200.00
8	Furnish All Materials and Labor to Construct All Electrical and Lighting within the New Elevated Tank Concrete Support Pedestal	LS	1	\$42,480.00	\$42,480.00
9	Allowance for SCADA Panel, Programming and Integration of Controls	LS	1	\$35,250.00	\$35,250.00
10	Furnish and Install Required Site Power to New Elevated Tank Main Panel	LS	1	\$39,155.00	\$39,155.00
11	Provide and Utilize OSHA Approved Trench Safety System	LS	1	\$11,200.00	\$11,200.00
12	Furnish All Materials and Labor to Provide Erosion Control and Stormwater Management Including SW3P to Comply with TCEQ	LS	1	\$134,000.00	\$134,000.00
Total Base Bid				\$754,770.00	

ADDITIVE/ALTERNATE				KLA Adams Construction, LLC	
				Iowa Park, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total
1-A	Furnish All Materials and Labor to Construct All Second Floor Electrical and Lighting within the Concrete Tank Pedestal	LS	1	\$21,125.00	\$21,125.00
Total Add/Alt				\$21,125.00	

Total (Base Bid + Add/Alt)	\$775,895.00
---------------------------------------	---------------------





LOCATION MAP
SCALE: 1" = 80'

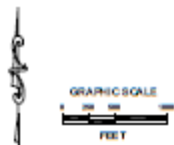


EXHIBIT "B"

NINTH STREET
ELEVATED TANK REPLACEMENT
CITY OF WICHITA FALLS, TEXAS



SOOS & MATHEWS, INC.
CIVIL ENGINEERS
2000 LINDSEY BLVD., SUITE 100
WICHITA FALLS, TEXAS 76799-1000

DATE	REVISION	BY	CHKD	DATE	BY
		SM	SM	10/20/2010	SM
		SM	SM	10/20/2010	SM
		SM	SM	10/20/2010	SM

F:\001_p0001_40011001 - 00000001_L001_T001 - TANK RE PLAC (DWG) 10/10/2010

CITY COUNCIL AGENDA
June 21, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute a professional services agreement with Nelco Media Inc. for \$152,775.50 for the Public Information Office studio remodel.

INITIATING DEPT: Public Information Office

STRATEGIC GOAL: Actively engage and inform the public

STRATEGIC OBJECTIVE: Enhance public outreach and engagement

COMMENTARY: The Public Information Office (PIO) is continuously working on the strategic goal of actively engaging and informing the public. In doing so, a need was identified to remodel and update the television studio that is currently in the PIO office. The studio update and remodel will provide the PIO department multiple ways to create content which will be used to inform and communicate with the public.

The Public Information Office studio was last remodeled in 2015. It was set up specifically for one type of broadcast. In the summer of 2021, PIO staff began researching options for an update. The total cost of the studio remodel is \$152,775.50, which includes video and audio equipment, new lighting, studio design, a control room set up, set design and set up, and support from the design company through 2026.

Funding for the project comes from Public Educational and Governmental (PEG) Funds which are designated for uses such as this type of project. Franchised cable companies in Texas that have PEG Channels are required to assess a PEG fee to customers. The revenue is then sent quarterly to providers of programming like the Wichita Falls Public Information Office where the PIO department then produces content for the Wichita Falls Public Access Channel 1300 on Spectra Cable, among other platforms.

The updated and redesigned studio would create the opportunity for PIO staff to go live immediately on Channel 1300 and on Social Media in an emergency situation. The new equipment in the studio would also integrate with the current equipment expanding the ability to produce content in a variety of ways which can be used on a variety of platforms.

Staff recommends approval of the resolution.

☒ **Director of Marketing and Communications**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

PIO current studio:



Before and after of McAllen, Texas remodel:



Before and after of San Angelo, Texas studio:



Resolution No. _____

Resolution authorizing the City Manager to execute a professional service agreement with Nelco Media Inc for \$152,775.50 for PIO Office studio remodel.

WHEREAS, The Public Information Office (PIO), is continuously working on the strategic goal which is to actively engage and inform the public and, the studio was last remodeled in 2015.

WHEREAS, in doing so, a need was identified to remodel and update the television studio that is currently in the PIO office and the remodel qualifies for PEG funding.

WHEREAS, the City Council finds that NELCO Media Inc. is offering services through the TIPS Cooperative, and it is in the City's best interest to purchase equipment and services 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 appropriate PEG Funds in the amount of \$152,775.50 to Nelco Media Inc. for a studio remodel, equipment and tech support in the PIO office.

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

_____ City Clerk

Nelco Media, Inc
505 Howard St
San Antonio, TX 78212 US
+1 2106862918
sales@nelcomedia.net



Quote

ADDRESS

Anndrea Harris
City of Wichita Falls

QUOTE # 1932

DATE 12/07/2021

ACTIVITY	SKU	QTY	RATE	AMOUNT
Panasonic - AK-HC3900GSJ - Upgradable 1080p HDR Studio Camera Panasonic - Upgradable 1080p HDR Studio Camera The AK-HC3900 is designed specifically for studio use and derives its 1080p Imaging from a 4K sensor so the future 4K upgrade will be to true 4K, moreover when using its digital 2x extender the cropped portion of the imager is still HD resolution.	AK-HC3900GSJ	1	22,000.00	22,000.00T
SHAN-TM700 Tripod Adaptor Plate	SHAN-TM700	1	440.00	440.00T
Fujinon XA20sx8.5BRM Fujinon XA20sx8.5BRM	XA20sx8.5BRM	1	6,700.00	6,700.00T
NewTek - NDI HX Upgrade for Panasonic Cameras Coupon Code NewTek - NDI HX Upgrade for Panasonic Cameras Coupon Code (Compatible Cameras: AW-UE70 AW-HE40 AW-HE70 AW-HE65 AW-HE38 AW-HE58 AW-HE35 AW-HE48 AW-HE130)	PPTZUCC	1	299.00	299.00T
Panasonic AW-HE145KPJ PTZ Camera 1" Full HD MOS Sensor 20x Optical, 10x Digital Zoom, 32x iZoom HDMI/3G-SDI/IP Video Out, 3.5mm Mic In RTMP/SRT Video Streaming	AW-HE145KPJ	2	8,995.00	17,990.00T
E-Image Fluid Drag Video Head and Tripod (E-Image) 17.6 lb Capacity Fluid Drag Tripod Head Sliding Balance Plate with Safety Lock Spring-Loaded Counterbalance System Fixed Tilt and Pan Drag	EK60AAM	3	279.99	839.97T
NewTek - TriCaster TC Mini 4K Bundle NewTek - TriCaster TC Mini 4K Bundle - includes TriCaster TC Mini 4K, TC Mini Control Surface, two Spark Plus 4K IO Converters and NewTek custom travel case	TCM4KUHDB	1	9,995.00	9,995.00T

Remittance Address:
Nelco Media, Inc.
PO Box 12301
SA TX 78212-0301

ACTIVITY	SKU	QTY	RATE	AMOUNT
Multi-Year Promo ProTek Ultra for TriCaster TC Mini 4K including Sp Multi-Year Promo ProTek Ultra for TriCaster TC Mini 4K including Spark IOs (Replaces Basic, 1 Year Coverage)	MYPPTUTCM4KUHD	5	756.00	3,780.00T
Multi-Year Promo ProTek Ultra for TriCaster TC Mini CS (Replaces Basic, 1 Year Coverage) Multi-Year Promo ProTek Ultra for TriCaster TC Mini CS (Replaces Basic, 1 Year Coverage)	MYPPTUTCTCMCS	5	236.00	1,180.00T
27" Computer Monitor 27" Computer Monitor		2	280.00	560.00T
NewTek - Remote Storage Powered by SNS - Commissioning NewTek - NRS Remote Commissioning (US & Canada only)	NRS-RC	1	1,245.00	1,245.00T
iKan 17" High Bright Beam Splitter Teleprompter & Hard Case Travel Kit Includes PT3700-HB and Rolling Hard Case 1000 nit high bright monitor High quality American made 70/30 beam splitter glass Custom Cut Foam to Protect your Teleprompters Wide Wheels with Rubber Tires for Durability & Stability Air & Water Tight Design	PT3700-HB-TK	1	2,199.00	2,199.00T
Control Room Desk Control Room Desk - Design to be determined	Control Room Desk	1	2,500.00	2,500.00T
Behringer Truth B2031A 8.75 inch Powered Studio Monitor The Behringer Truth B2031A powered studio monitors are a budget-friendly way to get into a powerful set of studio monitors	B2031A	2	199.00	398.00T
DR Pro DRPRO SMS1BK Wood Studio Monitor Stand (Pair) Black The DR Pro's 36" monitor stand provides optimal, ear-level placement of a near-field (compact) studio speaker. It eliminates interference from resonant surfaces like desks and tables and this speaker stand is a stylish, space-saving solution for any recording studio. It features a hollow, gasket-sealed, steel pillar that's ready for sand or shot fill (fill not included) for added stability while on the pillar; plus carpet spikes, vinyl-glide feet, cable clips, and an assembly tool. The wood-grain finish of DR Pro's monitor speaker stand will keep the professional style of your home or project studio looking consistent. This is a pair.	SMS1BK	1	129.00	129.00T
LUXUL- XMS-1208P The XMS-1208P is a 12 port/8 PoE+ front-facing rackmount switch that provides silent fan-less operation, 24Gbps switching capacity, Layer 3 static routing, 802.1Q VLAN support with trunking, and QoS prioritization--perfect for security and small	XMS-1208P	1	485.00	485.00T

Remittance Address:
Nelco Media, Inc.
PO Box 12301
SA TX 78212-0301

ACTIVITY	SKU	QTY	RATE	AMOUNT
business installations. The 8 Gigabit 802.3af/at PoE+ ports and 130W budget provide robust power and simple management for security cameras, VoIP phones, and other PoE powered devices. The two Gigabit Ethernet or two SFP ports can be used for devices or uplinking to other switches.				
Ubiquiti Networks UniFi Enterprise Gateway Router with Gigabit Ethernet Dual-Core 500 MHz Processor 2GB On-Board Flash Memory Wall Mountable Design 1 x RJ-45 Serial Console Port 3 x Gigabit Ethernet Ports	USG	1	111.59	111.59T
Shure AD4Q-US Axient Digital Four-Channel Wireless Receiver The Shure AD4Q-US is a 4-channel wireless receiver housed in a rugged, single-rack unit complete with cable and mounting accessories. Part of the Axient Digital system, it delivers mission-critical signal stability and clear, transparent sound for professional productions that demand flawless execution.	AD4Q-US	1	6,430.00	6,430.00T
Shure UA860SWB Passive Omnidirectional Antenna The UA860SWB from Shure is a passive wide band omnidirectional UHF antenna. It's been designed to improve the reception of wireless microphone systems	UA860SWB	1	237.00	237.00T
Shure AD1 Digital Wireless Bodypack Transmitter with TA4M The Shure AD1 is a digital wireless bodypack transmitter compatible with Axient Digital series receivers.	AD1-G57	2	847.00	1,694.00T
Shure DL4 DuraPlex Omnidirectional Miniature Lavalier Microphone for Bodypack Transmitters The black Shure DL4 DuraPlex is a waterproof, omnidirectional miniature lavalier microphone equipped with a TA4F connector for compatible Shure wireless bodypack transmitters.	DL4B/O-MTQG-A	2	299.00	598.00T
Shure SM7B Cardioid Dynamic Microphone The Shure SM7B Vocal Microphone is a dynamic microphone with a smooth, flat, wide-range frequency response appropriate for music and speech in all professional audio applications.	SM7B	2	399.00	798.00T
Behringer Digital Mixer X32 Full Size Mixer Auto-mix on first 8 input channels. X-TOUCH control over X32 Crossover filters added to main left/right mix and main mono bus. Phase inversion added on routing page to all outputs. New X32 Edit GUI. X32 Edit can go full screen.	X32	1	2,498.99	2,498.99T

Remittance Address:
Nelco Media, Inc.
PO Box 12301
SA TX 78212-0301

ACTIVITY	SKU	QTY	RATE	AMOUNT
X32 Edit can open multiple windows and use multiple screens. X32 Edit now has two user definable banks of faders.				
Behringer X32 32-ch Dante Card Reliable multichannel audio that shares the same network with other IP-based data traffic Interface with Dante networks using any 100Mbit/s or Gigabit Network 24-bit signal transmission with low latency and sample-accurate synchronization Auxiliary input lets you easily set up a seamless redundant network Integrated Ethernet switch gives you full remote control of your X32 Connect to your computer to control configuration and signal routing of Dante-enabled devices Also compatible with the Midas M32 consoles	XDANTE	1	399.00	399.00T
Dante Virtual Soundcard Software, PERMANENT LICSENSE		1	30.00	30.00T
55" LCD Monitor 55" LCD Monitor with mounting hardware		2	750.00	1,500.00T
LIVECOM 1000FT WIRELESS INTERCOM SYSTEM WITH 4 BELTPACKS Up to 1000ft full-duplex wireless communication Rechargeable beltpacks run up to 8 hours on a full charge 1 base station connects to 4 beltpacks Built-in noise reduction headsets Base station can be powered either by L series style batteries or AC wall plug (Single fully charged NP-F970 battery last up to 20 hours) Expandable to an additional base station to total 8 beltpacks (additional unit sold separately)	LIVECOM1000	1	2,399.00	2,399.00T
Chief XTM1U Fusion Series Tilting Landscape Wall Mount for 55 to 82" Displays For 55 to 82" Displays For Displays up to 250 lb -12 to 2 Tilt 21.4" (54.2 cm) Post-Install L/R Shift Post-Installation Height Adjustment Post-Installation Level Adjustment Kickstand for Easy Cable Access	XTM1U	2	373.00	746.00T
KanexPro 1x4 HDMI Splitter Send one HDMI signal to up to four displays with the KanexPro 1x4 HDMI Splitter. This splitter can be used to transmit content protected by HDCP, useful for Blu-ray discs and other HD content. Resolutions up to 4K are supported on inputs and outputs. The unit is built in a metal enclosure and comes with a power supply so it's ready to be used right out	SP-HD1X44K	2	80.00	160.00T
CAT 6 23AWG 600MHZ CMR UTP DATA CABLE - 1000' (RED)	6CMR234BR	1	139.95	139.95T

Remittance Address:
Nelco Media, Inc.
PO Box 12301
SA TX 78212-0301

ACTIVITY	SKU	QTY	RATE	AMOUNT
Commodity Cables Inc. - CAT 6 23AWG 600MHZ CMR UTP DATA CABLE - 1000' (RED)				
MegaLite - Drama LED W50, Black Body MegaLite - Drama LED W50, 5749K, On/Off in Black Body, 100-220V 50/60 HZ.	7050	4	419.00	1,676.00T
The Drama LED 50W is a compact yet powerful ellipsoidal with a smooth, flat spotlight. This single source 50-watt LED fixture has a robust 2557 lumen output, yet only measures 14.5 inches long and weighs less than 5 pounds. It's just the right size for a small to medium sized stage or venue.				
The Drama LED W50 has 4 lens options including 19-, 26-, 36- and 50-degree to best suit the throw requirements of the application. Four framing blades come equipped with this unit, perfect for changing the shape of the spotlight. The fixture also comes standard with a gobo holder used to project patterns and a gel frame holder used to change the color of the spotlight. The projection can be focused manually with the unit's lens tube.				
MegaLite - Drama LED W50 Lens 50 Black Barrel MegaLite - Drama LED W50 Lens 50 Black Barrel Item ID: 7050-LENS-50	7050-LENS-50	4	69.00	276.00T
Litepanels - Astra Snapbag Softbox Litepanels - Astra Snapbag Softbox including 1/2 Grid Cloth and bag	900-0032	2	290.00	580.00T
Litepanels - Astra DMX XLR 5pin Communications Module Litepanels - Astra 1x1 DMX XLR 5pin Communications Module Compatible with All Astra 1x1 LED Panels Standard DMX512 Protocol Male and Female 5-Pin XLR Connectors Supports Daisy Chaining Lights Termination Switch	900-3502	1	325.00	325.00T
DMX adapter for drama w50 DMX adapter for drama w50	7051-DMX5	6	69.00	414.00T
Litepanels - Astra 6X Bi-Color LED Panel Litepanels - Astra 6X Bi-Color LED Panel. Adjustable from Daylight to Tungsten including Astra 6X Bi-Color fixture, Manual Yoke, Power Supply and US & EU Power Cords.	935-1023	6	1,110.00	6,660.00T
Obra Flood N180 It is designed to create a clean wash effect, smooth color mixing transitions and generate vibrant colors that can transform any venue.	4340	6	749.00	4,494.00T
Jands Stage CL 512-ch DMX Lighting Controller Powerful yet easy to use, the Jands Stage CL is tailor-made for small lighting rigs. Each channel features Saturation and Hue encoders for dialing in the perfect color. An LED on each channel displays	StageCl	1	1,345.00	1,345.00T
Remittance Address: Nelco Media, Inc. PO Box 12301 SA TX 78212-0301				

ACTIVITY	SKU	QTY	RATE	AMOUNT
<p>the color you're creating, supplying you with intuitive at-a-glance feedback. Fader and flash buttons on each channel make calibrating your light's intensity a breeze. Take full manual command, or use this lighting controller's built-in automation features to craft sophisticated light shows. Designed specifically for LED fixtures, the Stage CL is loaded with high-quality 60mm faders, push-button encoders, responsive tactile buttons, and multicolor LED indicators, all packed into a durable, lightweight chassis.</p>				
PDMX-5P-10 Patch Cables	PDMX-5P-10	10	25.00	250.00T
Black Edison Cable Power Cable	EC16325	10	17.00	170.00T
Skinny clamp half coupler half coupler 45-51 mm , max 440 lb	CLA-SKINNY	20	13.00	260.00T
DROP CEILING MOUNT STUDIO CHROMAKEY LIGHT KIT 2-light small office studio kit Ceiling mounted to save space Key light and back light set up 8 channel DMX controller Portable chroma key screen (up to 76" tall; 57.5" wide)	CHROMA-1F1S	1	2,099.00	2,099.00T
Pipe Grid 4 x 4 All components for a complete 4 x 4 grid	Pipe Grid 4 x 4	1	3,000.00	3,000.00T
Custom Carpentry Stabilize Pipe Grid	Custom Carpentry	1	2,240.00	2,240.00T
Set Design Set Design Services including: design, wall treatments, table, set decoration and installation	Set Design	1	9,500.00	9,500.00T
Travel Travel/Lodging for Engineering/Installation	Travel	1	1,400.00	1,400.00
Misc Cables Misc Cables XLR, HDMI	Misc Cables	1	400.00	400.00T
Nelco Media Installation Nelco Media Installation	Install	7	1,995.00	13,965.00T
Nelco Media Training (On-Site) Nelco Media Training (On-Site)	NMTOS	2	1,995.00	3,990.00T
Wichita Falls Equipment Wellness Checks Annual visit for software updates, workflow check, migration of saved Tricaster sessions and any troubleshooting for 2022, 2023, 2024, 2025 and 2026		1	11,250.00	11,250.00T
4967 TIPS Contract 19090201 TIPS Vendor #4967		1	0.00	0.00T
<p>Terms: Pre-Pay 50%, balance due upon completion Acceptance of Estimate: No work will begin without signed estimate or company purchase order</p>				<p>SUBTOTAL 152,775.50 TAX 0.00</p>
<p>Remittance Address: Nelco Media, Inc. PO Box 12301 SA TX 78212-0301</p>				

Late Payment: Interest accrues at the rate of 1.5 percent per month or 18 percent annually on overdue payments.
Ownership: All equipment remains property of Nelco Media, Inc until full payment including any late fees are paid in full

TOTAL

\$152,775.50

Accepted By

Accepted Date

Remittance Address:
Nelco Media, Inc.
PO Box 12301
SA TX 78212-0301

CITY COUNCIL AGENDA June 21, 2022

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$1,248,000 performance incentive to Winfield Solutions, L.L.C and Land O'Lakes, Inc., as part of the company's planned new facility in Wichita Falls.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

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

COMMENTARY:

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

Timeline

- June 6, 2022 – WFEDC Board hears and approves request from applicant's regarding the proposed Land O' Lakes project;
- June 19, 2022 – City Council to consider ratifying WFEDC budget amendment to facilitate project.

Summary

This item is to consider approval of an amendment to the WFEDC's (4A) budget to include an up to a \$1,248,000 expenditure to facilitate a performance incentive to support a 100,000 – 135,000 square foot new facility in the WF Business Park, and a private investment of approximately \$14.2M. The approval by the WFEDC also included a land donation in the WF Business Park (Lot 5) for the construction of the new facility, with an estimated land value of approximately \$1.05M. The total incentive package approved is \$2,286,686.50 (land + performance incentive); however, only the \$1,248,000 performance incentive expenditure that includes a forgivable loan, cash for jobs, and workforce training requires budget approval by the City Council.

On June 6, 2022, the WFEDC considered and approved this item (see attached from WFEDC meeting). The WFEDC's economic development staff at the Chamber of Commerce will be at the City Council meeting to provide details on the company and project. The WFEDC's June 2022 Financial Report shows the corporation has approximately \$8.8M in available funds to facilitate this project.

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

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Exhibits from WFEDC meeting, Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include an up to \$1,248,000 performance incentive to Winfield Solutions, L.L.C and Land O'Lakes, Inc., as part of the company's planned new facility in Wichita Falls

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

WHEREAS, on June 6, 2022, the WFEDC approved the Project listed below and as stated in its agenda.

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

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

Land O'Lakes Project:

A total of up to \$1,248,000 to facilitate a performance incentive to Winfield Solutions, L.L.C and Land O'Lakes, Inc., as part of the company's planned new facility in Wichita Falls.

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

PASSED AND APPROVED this the 21st day of June, 2022.

MAYOR

ATTEST:

City Clerk

WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION
PROJECT SUMMARY
JUNE 6, 2022

SUBJECT: Winfield Solutions/Land O' Lakes Expansion and Retention Project

INITIATED BY: Henry Florsheim & Taylor Davis

Overview:

Land O' Lakes Inc is one of the largest member owned agricultural cooperatives in the United States. Land O' Lakes owns a number of subsidiaries including well-known names like Purina Mills and Nutra Blend. One subsidiary is Wichita Falls based Winfield Solutions, LLC which operates in the animal feed and farm supply sector.

The Project:

Winfield Solutions has operations in Texas and Oklahoma including one at 1911 Sheppard Access Road. The Company performed a competitive site search for a location in which to invest for long-term growth. Should they choose Wichita Falls, not only will we retain the existing employee base of 8 people with payroll equaling \$466,000 annually but add an additional 8 people with new payroll equaling \$436,700 annually for a total annual payroll of \$902,700.

The company would like to break ground this summer on a new 100,000 square foot building in lot 5 of the Wichita Falls Business Park, with an anticipated opening during the 4th Quarter of 2023. There are also plans to add an additional 30-35,000 SF at a later date. Total investment in this initial new building is expected at \$14.2 Million.

Three companies are involved in this project. The initial land and development of the facility will be owned and managed by Opus Development Company, L.L.C., a third-party developer not affiliated with Land O' Lakes. Upon completion of the facility, Land O'Lakes, Inc. would purchase it from Opus Development Company, L.L.C. Winfield Solutions, L.L.C would own the equipment and Land O'Lakes, Inc. would be the employer.

Local Incentive Proposal:

- Forgivable Loan – \$1,000,000 for a term of 5 years at a rate of 20% annual forgiveness as long as the Company meets or exceeds their performance metrics.
- Land Donation – Donation of Lot 5 in the Wichita Falls Business Park equal to 14.9 acres.
 - *Estimated Value - \$1,054,696.50 (\$1.625/SF)*
- Cash for Jobs – \$5,000 per job scheduled for 16 jobs (8 retained/8 new) after employees are in place for a minimum of six (6) months.
 - *Maximum Value - \$80,000*
- Employee Relocation Assistance – The company will receive an incentive of \$4,000-8,000 if employee(s) relocate to Wichita County and remain a resident for a minimum of six (6) months after receipt of acceptable employment and residency documentation.

- *Estimated Value - \$48,000, Maximum Value - \$64,000*
- Reimbursement for Fees and Permits – Reimbursement of up to \$50,000 for any fees and permits from the City of Wichita Falls, Wichita County and/or the State of Texas.
- Skills Development Fund – The WFEDC will provide funding not to exceed \$1,200 per employee for workforce training if grant funding is not provided by Texas Workforce Commission.
 - *Estimated Value - \$54,000*

Estimated Value of Local Incentives - \$2,286,696.50 (maximum cash outlay of \$1,248,000)

Recommendation:

Chamber staff recommends to the WFEDC that the proposed incentives to Land O'Lakes, inc., Opus Development Company, L.L.C. and Winfield Solutions, L.L.C. be approved and sent to the City Council.

Proposed Motion Language:

Move to donate lot 5 (approximately 14.9 acres) in the Wichita Falls Business Park to Opus Development Company, L.L.C. and Land O'Lakes, Inc., in exchange for the development of a new facility which is at least 100,000 sq.ft., and for retention of 8 jobs and the creation of an additional 8 jobs for a minimum of 12 months. Should Company fail to hire and retain the 16 jobs as agreed, Company will pay a proportionate amount of the total land value of \$1,054,696.50 back to the WFEDC based on the total actual number of jobs in compliance.

Move to provide incentives of a five year forgivable loan not to exceed \$1,000,000, cash for jobs not to exceed \$80,000, employee relocation assistance not to exceed \$64,000, reimbursement for fees and permits not to exceed \$50,000, and Skills Development Fund not to exceed \$54,000 for a total maximum obligation of \$1,248,000 to Winfield Solutions, L.L.C and Land O'Lakes, Inc., as presented. The loan funds will not be tendered to Company until the City issues a certificate of occupancy for a new 100,000 sq.ft. or larger, structure built on lot 5 of the WFEDC Business Park.