

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, September 6, 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: Eric DeLuna, Pastor
Lakeview Church of the Nazarene
- (b) Pledge of Allegiance
3. Presentations
- (a) Employee of the month - Al Vitolo, Fire Department
- (b) Proclamation – National Preparedness Month, Wichita Falls Office of Emergency Management

CONSENT AGENDA

4. Approval of minutes of the August 16, Regular Meeting of the Mayor and City Council.
5. Resolutions
 - (a) Resolution appointing William Tucker of the Animal Services Division of the Wichita Falls-Wichita County Public Health District to act as the Local Rabies Control Authority for the City of Wichita Falls Texas
 - (b) Resolution authorizing the City Manager to execute all documents necessary to purchase network equipment to complete the network assessment remediation from Presidio Networked Solutions Group, LLC in the amount of \$167,065.49
6. Receive Minutes
 - (a) Landmark Commission, June 28, 2022
 - (b) Wichita Falls 4B Sales Tax Corporation, July 7, 2022
 - (c) Planning & Zoning Commission, July 13, 2022
 - (d) Wichita Falls Economic Development Corporation, July 21, 2022

REGULAR AGENDA

7. Public Hearing & Ordinances
 - (a) Public Hearing on the Fiscal Year 2022-23 Proposed Tax Rate
 - (b) Ordinance adopting the Annual Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023
 - (c) Ordinance ratifying the increase in property tax revenue as reflected in the Annual Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023
 - (d) Ordinance levying, assessing, and fixing the tax rate for the use and support of the Wichita Falls Municipal Government and providing for the Interest and Sinking Fund for the 2022-23 fiscal year

- (e) Ordinance adopting the Five-Year Capital Improvement Plan for the Fiscal Year beginning October 1, 2022 and ending September 30, 2027
- (f) Ordinance replacing Ordinance No. 14-2022, the fee schedule applied to City operations; providing for severability; providing that such ordinance shall not be codified
- (g) Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of \$47,100 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same
- (h) Ordinance authorizing the City Manager to approve a request from Chris and Heather Fugate to vacate and abandon a portion of a drainage and storm water detention easement adjacent to Lot 22, Block 2, Bluebonnet Park Addition Section Seven also known as 5443 Prairie Lace Lane
- (i) Ordinance making an appropriation to the Special Revenue Fund in the amount of \$46,978.82 for grant revenue from the Texas Department of Transportation (TxDOT) for a Comprehensive Selective Traffic Enforcement Program (STEP) Grant for Fiscal Year 2023 and authorizing the City Manager to execute all documents necessary to accept said funds

8. Resolutions

- (a) Resolution authorizing the City Manager to make application for a non-matching grant from the Office of the Governor, Criminal Justice Division, FY 2023 Bullet-Resistant Shield Grant Program, in the amount of \$136,000.00
- (b) Resolution authorizing the City Manager to execute all documents necessary to purchase 144 computer workstations from UniqueDigital in the amount of \$109,481.76
- (c) Resolution authorizing the City Manager to execute all documents necessary to purchase an HPE Nimble DHCI solution to replace several aging servers and storage for our Public Safety Network from CDW Government LLC in the amount of \$161,249.55
- (d) Resolution authorizing the City Manager to execute a contract with Work Services Corporation for services provided by vocationally handicapped persons, in a total amount not to exceed \$142,116

- (e) Resolution authorizing the City Manager to enter into a contract with the Work Services Corporation for grounds maintenance of various parks and medians in the amount not to exceed \$95,550.00
- (f) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include an up to \$1,500,000 performance incentive to Compass Container Works, dba Proforma, as part of the company's potential new location in Wichita Falls
- (g) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$118,220 to the City of Wichita Falls to facilitate hangar modifications at Wichita Falls Regional Airport
- (h) Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$133,979 to the City of Wichita Falls for local match funding related to various airfield projects and equipment for use by Sheppard Air Force Base
- (i) Resolution approving the Wichita Falls Type B (4B) Sales Tax Corporation Budget for Fiscal Year 2022-23

9. Other Council Matters

(a) Staff Reports

Results of the Development Permitting Cost of Service Study – Terry Floyd (City) and Courtney Ramos, Matrix Consulting Group

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

10. Comments from the public to members of the city council concerning items that are not on the city council agenda. People wishing to address the council should sign up prior to the start of the meeting. A three-minute time frame will be adhered to for those addressing their concerns. Since comments from citizens are not posted agenda items, the City Council is prohibited from deliberating or taking any action, other than a proposal to place the item on a future agenda. Staff may provide factual statements in response to inquiries or recite existing policy.

11. Executive Sessions

Executive Session in accordance with Texas Government Code §551.087 to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the City and/or economic development corporations created by the City are conducting economic

development negotiations (including, but not limited to Compass Container Works and an economic development update).

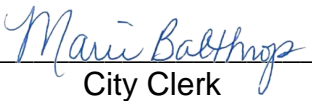
12. Adjourn

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

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

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 31st day of August, 2022 at 4:50 o'clock p.m.



City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Employee of the month.

INITIATING DEPT: Human Resources

NAME: Al Vitolo

DEPARTMENT: Fire Department

HIRE DATE: 5/24/2000

PRESENT POSITION: Captain

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

☒ **Director of Human Resources**

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



City of Wichita Falls
City Council Meeting
Minutes
August 16, 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

Ken Holsberry, Minister 10th & Broad Church of Christ, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Proclamation – Women’s Equality Day, League of Women Voters

8:33 a.m.

Mayor Santellana read a Proclamation proclaiming August 26, 2022, as Women's Equality Day in Wichita Falls and recognized the League of Women Voters of Wichita County along with women from all over the city gathered here today to celebrate the 102 anniversary of the nineteenth amendment.

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Item 4-5 – Consent Items

8:38 a.m.

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

Moved by Councilor Smith to approve the consent agenda.

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 4a – Approval of Minutes of the August 2, 2022, Regular Meeting of the Mayor and City Council

Item 4b – Approval of Minutes of the August 9, 2022, Special Meeting of the Mayor and City Council

Item 5 – Receive Minutes

- (a) MPO-TAC, April 7, 2022
- (b) MPO-TPC, April 26, 2022
- (c) Park Board, June 23, 2022
- (d) Lake Wichita Revitalization Committee, July 12, 2022

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Item 6ai – Public Hearing on an Ordinance amending the Wichita Falls Code of Ordinances, Appendix B: Zoning.

8:40 a.m.

Mayor Santellana opened the public hearing at 8:40 a.m.

Paul Menzies, Assistant City Manager, gave a presentation and discussed the history of the Downtown (Re) Zoning Initiative that began in 2017, and delays in the process due to the pandemic.

Terry Floyd, Director of Development Services, discussed the ten public input meetings held December 9, 2021, through August 16, 2022, to discuss the zoning changes in the downtown area, and the efforts made to contact all parties involved through social media, postcards, and press releases. There is a dedicated page on the city's website for the process that has been used to share information, and messages were sent out via the City's notify me application. Mr. Floyd discussed the recommended text changes to the Code of Ordinances, Appendix B: Zoning, differences from the recommendations in the Freese and Nichols report, the updated property use tables, and recognized Karen Montgomery-Gagné for her work on this project.

Councilor Whiteley asked about the boundaries of each zone since the maps are not clear, and some of the boundaries do not follow streets or alleys or they fall in the middle of a block. He is in favor, but concerned about redefining boundaries to follow streets and possible future unintended consequences due to the current boundaries.

Mr. Menzies stated that most of the boundaries of the city wide zoning from 1985 were probably drawn to make current businesses compliant. He stated there was not much public input during the process to adjust the boundaries, and noted that this plan is not permanent and Council has the ability to adjust and rezone property.

Councilor Whiteley stated that he understands this recommendation came from the Planning and Zoning Commission and it was not a unanimous vote. His opinion is that we should clean it up now as opposed to going through rezoning in the future.

Councilor Nelson asked for a copy of the downtown zoning tables and asked about businesses with drive-thru windows. Mr. Floyd discussed items considered when allowing drive-thru windows at a business.

There were no comments from the public.

Mayor Santellana closed the public hearing at 9:09 a.m.

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Item 6a(ii) – Ordinance 30-2022

9:09 a.m.

Ordinance amending the Wichita Falls Code of Ordinances, Appendix B: Zoning revising, consolidating and incorporating sections addressing: definitions, downtown zoning district boundaries, creation of special downtown zoning districts, downtown non-conforming use limitation and appeal process, development regulations (setbacks), and incorporating a

downtown zoning use table; and a Land Use Plan amendment to consolidate use categories in Greater Downtown; providing a repealer clause; providing for inclusion.

Moved by Councilor Browning to approve Ordinance 30-2022.

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 6b – Ordinance 31-2022

9:10 a.m.

Ordinance Amending Chapter 58 Article V – Lodging in Its Entirety, And Providing for Codification.

Moved by Councilor Brewer to approve Ordinance 31-2022.

Motion seconded by Councilor Smith.

There was brief discussion regarding definitions, and concerns with wording.

Mayor Santellana moved to 6c while staff researched the wording.

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Item 6c – Ordinance 32-2022

9:19 a.m.

Ordinance accepting and appropriating a donation for COVID Positive Individuals Housing in the amount of \$5,000 received from Wichita Falls Faith Mission.

Moved by Councilor Brewer to approve Ordinance 32-2022.

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

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

Nays: None

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Item 7(a)i – Public Hearing on the Fiscal Year 2023 Proposed Operating Budget

9:23 a.m.

Mayor Santellana opened the public hearing at 9:23 a.m.

Jessica Williams, Director of Finance/CFO, discussed the proposed 2022-2023 fiscal year budget. She discussed the 19.63% increase over the prior year budget, and how some of the increase is due to use of fund balance and transfers between funds for one-time expenditures. When one-time expenditures are removed, the increase is 10.52% over the prior year.

Paul Clark, 2101 Miramar, asked about tax rates and increases in taxes in relation to the budget and increased revenues.

Mr. Leiker discussed the proposed reduced tax rate, and the 3.5% cap in property tax revenues. At the proposed tax rate, the City will not meet the 3.5% revenue cap. He stated that the City is not bringing in 19.4% of additional property taxes, since there are other sources of revenue. Mr. Leiker discussed appraisal values versus tax rates; the 10% increase cap on appraisal values; how these items together determine the amount of taxes paid; various property tax exemptions; and stated that estimates of tax calculations are sent out by the Appraisal District. There was brief discussion regarding the difference between additional property tax revenues versus total revenues in the budget, and changes due to SB 2. Ms. Williams shared a slide that showed each revenue source and the percent increase over last year.

Mayor Santellana closed the public hearing at 9:34 a.m.

Item 7(a)ii – Resolution 93-2022

9:35 a.m.

Resolution Setting a Date for Adoption of the FY 2023 Budget.

Moved by Councilor Brewer to approve Resolution 93-2022.

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

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

Nays: None

Item 7b – Resolution 94-2022

9:36 a.m.

Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax rate that exceeds the no new tax rate, but does not exceed the voter-approval tax rate; scheduling one public tax rate hearing, and establishing the date to vote on same

Moved by Councilor Brewer to approve Resolution 94-2022.

Motion seconded by Councilor Smith.

Ms. Williams discussed changes due to SB 2, the current tax rate, the no-new revenue rate, the voter approval rate, and the recommended tax rate of \$0.694321, which is an 8.7% decrease from last year's tax rate and below the voter approval rate.

Mr. Leiker discussed how citizens could calculate their city taxes by multiplying the proposed rate per \$100 of property value, possible exemptions, and city services provided that are supported by property taxes.

Moved by Councilor Browning to amend the main motion to include the proposed tax rate of \$0.694321.

Motion to amend was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

Moved by Councilor Brewer to approve the main motion as amended.

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

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

Nays: None

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Item 7c – Resolution 95-2022

9:43 a.m.

A Resolution of the City Council of the City of Wichita Falls, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2022 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel

Moved by Councilor Browning to approve Resolution 95-2022.

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

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

Nays: None

Item 7d – Resolution 96-2022

9:52 a.m.

Resolution authorizing the City Manager to award bid and contract for the 2022 Sewer Budget Utility Improvement Project – Phase 2 to Bowles Construction Co. in the amount of \$1,192,530.00

Moved by Councilor Brewer to approve Resolution 96-2022.

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 7e – Resolution 97-2022

9:55 a.m.

Resolution authorizing the City Manager to award bid and contract for the 2022 Concrete Street Rehabilitation Project to Scales Concrete Construction Co. INC in the amount of \$881,287.00

Moved by Councilor Browning to approve Resolution 97-2022.

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 7f – Resolution 98-2022

9:59 a.m.

Resolution authorizing the City Manager to execute an agreement with Brandy Belk, dba Suga B's, at Wichita Falls Regional Airport for Food, Beverage, and Gift Shop Concessions at Wichita Falls Regional Airport.

Moved by Councilor Brewer to approve Resolution 98-2022.

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

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

Nays: None

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Mayor Santellana returned to Item 6b at 10:04 a.m.

Lou Kreidler discussed the wording in the Ordinance and the difference between a Bed and Breakfast and a Lodging Establishment. Ms. Kreidler stated that the current wording in the proposed Ordinance is correct.

The motion previously made by Councilor Brewer and seconded by Councilor Smith carried by the following vote:

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

Nays: None

Item 8a – Staff Report – Update of exhibits and holdings of the former Wichita Falls Railroad Museum (Paul Menzies, Assistant City Manager, and Madeleine Calcote-Garcia, Executive Director, Museum of North Texas History)

10:05 a.m.

Mr. Menzies discussed the past two years regarding the non-profit group that previously ran the Railroad Museum, their disbandment, and the end of their lease with the City. The Museum of North Texas History completed a complete inventory of all holdings and they are considering selling part of the fleet to help fund other needs.

Ms. Calcote-Garcia discussed the proposal and accomplishments including the inventory of over 100 different objects. She recommended that the City transfer approximately 50% of the collection from outside the stock cars to the Museum of North Texas History, and discussed items in poor condition and items too large to store. The remainder of the collection could be sold or donated to another museum, organization, or collector. Ms. Calcote-Garcia stated that she has a list of interested parties.

Due to historical significance they recommend keeping the 304 Fort Worth and Denver Engine, Burlington Route Coal Tender, one of the United States Postal Service cars, one of the silver MKT Bunk Cars, the Trolley Car, the black and yellow hand car, the Blue Pullman car, and one or both of the cabooses. They recommend that the City restore the exterior of the engines and stock they are keeping and they should be restored by someone with expertise and experience. They recommend a roof covering and fences around the remaining cars, City maintenance of the grounds, and the addition of interpretative signage. The vision for this area is to be accessible to the public and become a highlight of Wichita Falls. Ms. Calcote-Garcia discussed the cars suggested for removal from the collection due to poor condition or redundancy. She recommended the first step of coming to an agreement to transfer the smaller items, and using funds from cars sold, grants, and individual donations to fund the restoration process.

Staff will continue to work with the Museum of North Texas History to implement the recommendations if that is what the Council desires.

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

10:30 a.m.

Councilor Brewer asked Lou Kreidler to explain the ribbon cutting for the flashing beacon held yesterday. Ms. Kreidler stated that Karel Davis, Texas Healthy Communities

Program, applied for a grant along with our Aviation, Traffic, and Transportation department to set up flashing beacons at a crosswalk. It was a national grant program and the City was the only city in the nation to receive the grant for the beacon. Aviation, Traffic, and Transportation Department along with the Streets Division assisted with the installation at Lamar Elementary to provide safety for some of our most vulnerable citizens.

Councilor Browning reminded everyone that Hotter than Hell is next weekend.

Councilor Whiteley thanked everyone that assisted with the cleanup efforts downtown this past weekend. He recognized Carol Murray for attending the majority of council meetings this year.

Mayor Santellana discussed the ribbon cutting for the flashing beacon and stated that it was neat that we were the only city in the nation to receive the grant. He thanked Downtown Development and those that assisted with the cleanup downtown over the weekend.

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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

10:35 a.m.

There were no comments from the public.

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Item 10 –Adjourn

Mayor Santellana adjourned the meeting at 10:36 a.m.

PASSED AND APPROVED this 6th day of September 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution appointing William Tucker of the Animal Services Division of the Wichita Falls-Wichita County Public Health District to act as the Local Rabies Control Authority for the City of Wichita Falls Texas.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Rabies Control Act (Chapter 826 of the Texas Health and Safety Codes, as amended May 5, 1995) requires that the Commissioners' Court of each county and the governing body of each municipality appoint an officer to act as the Local Rabies Control Authority (LRCA). The LRCA is empowered to quarantine animals exposed to rabies and enforce both local and state rabies orders, ordinances, and statutes.

Mr. Tucker will replace Angela Bakken who resigned from the City of Wichita Falls. Mr. Tucker is the Animal Care Field Supervisor and has been employed with the City of Wichita Falls since March of 2022. He came to us from California where he has 5 years of experience as an Animal Control Officer. He had advanced investigation certifications in California and working on receiving his certifications in Texas.

Staff recommends approval of the resolution.

☒ **Director of Health**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

**Resolution appointing William Tucker of the Animal Services division
of the Wichita Falls-Wichita County Public Health District to act as the
local Rabies Control Authority for the city of Wichita Falls Texas**

WHEREAS, the Rabies Control Act (Chapter 826, as amended May 5, 1995) was established as a minimum statewide program to control and eradicate rabies in the State of Texas, to be administered by the Texas Department of State Health Services, with cooperation of the governing bodies of the counties and incorporated municipalities within the State; and,

WHEREAS, the Act requires that the governing bodies of the counties and incorporated municipalities appoint a Local Rabies Control Authority to assume the responsibilities of administering the Act; and,

WHEREAS, the City staff deem it appropriate that Mr. Tucker be appointed as Local Rabies Control Authority for the City of Wichita Falls.

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

Mr. William Tucker of the Wichita Falls-Wichita County Public Health District is hereby appointed as the Local Rabies Control Authority for the City of Wichita Falls, Texas.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute all documents necessary to purchase network equipment to complete the network assessment remediation from Presidio Networked Solutions Group, LLC in the amount of \$167,065.49.

INITIATING DEPT: Information Technologies & Facilities

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The current year FY 2022 budget includes \$170,077 to replace and upgrade existing server and network equipment for the City. These funds are used to replace aging and unsupported network and server equipment every fiscal year.

A contract with Presidio Networked Solutions Group, LLC was executed to assist in performing a network security assessment. The results of the assessment recommended the installation of additional network equipment and services to properly update, secure, and monitor the City's network. The equipment and service recommendations use industry standard practices and hardware from Cisco Systems, Inc. The licenses carry a 3-year warranty and it is anticipated the hardware will have a 5-year life cycle. Presidio Networked Solutions Group, LLC is a reseller for the Cisco Systems, Inc. equipment and associated licenses on the Texas Department of Information Resources (DIR) purchasing contract.

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 all documents necessary to purchase recommended equipment and associated licenses from Presidio Networked Solutions Group, LLC in the amount of \$167,065.49

WHEREAS, the City's fiscal year 2021-22 budget includes funds to replace and upgrade existing server and network equipment that is no longer supported; and,

WHEREAS, this equipment is recommended by Presidio Networked Solutions Group, LLC. after our network security assessment.

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

The City Manager is authorized to execute all documents necessary to purchase the recommended equipment and associated licenses from Presidio Networked Solutions Group, LLC in the amount of \$167,065.49.

PASSED AND APPROVED this the 6th day of September, 2022.

M A Y O R

ATTEST:

City Clerk

LANDMARK COMMISSION

MINUTES

June 28, 2022

MEMBERS PRESENT:

Michele Derr

John Dickinson

Christy Graham

Joel Hartmangruber

Andy Lee

Nadine McKown

Marcela Medellin

Janel Ponder Smith

Tim Brewer

Terry Floyd, Development Services Director

Karen Montgomery-Gagné, Principal Planner

Christal Ashcraft, Development Services Admin. Asst.

■ Chairperson

■ Member

■ Member

■ Member

■ Member

■ Vice-Chairperson

■ Member

■ Member

■ Council Liaison

■ City Staff

■ City Staff

■ City Staff

ABSENT:

Noros Martin

■ P&Z Liaison

GUESTS:

Rick Ost, Applicant

Justin Duncan, Representative

Steve Wood

Matt West

Jeremy Daniels, Applicant

John Phillips

Kim Tigrett

■ 1712 Buchanan

■ Fastrac Energy Services

■ BYSP Architects

■ BYSP Architects

■ 1503 Grant Street

■ WFH-Design Review Rep

■ WFH Assoc. President

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

Chairperson Michele Derr called the meeting to order at 12:00 p.m. Ms. Derr had Commission members, staff and guests, introduce themselves.

II. Review & Approval of Minutes from: April 26th 2022

Chairperson Derr called for review and approval of the April 26th 2022 Landmark Commission meeting minutes. Ms. Janel Ponder-Smith made a motion to approve the minutes, Ms. Marcela Medellin seconded the motion. Minutes were unanimously approved 8-0.

Regular Agenda Item

III. Action Item: Design Review – 802 Ohio Avenue (Units C & D) – Zales/Ward Stanley Building (Depot Square Historic District)

Request design review approval for renovation/remodel with replacement exterior doors/emergency lighting

Ms. Gagné presented the case and stated staff received the design review application from Bundy, Young, Sims, & Potter Architects (BYSP) on behalf of the owners, Josh & Amber Schacter for a renovation/remodel to a structure in the Depot Square Historic District for a downtown orthopedic clinic.

The subject property is located on the corner of 8th and Ohio Avenue was purchased from Downtown Wichita Falls Development Inc. (DWFD, Inc.) The building consists of 4 units, A, B, C & D, however, the petition is only for units C & D that will become the orthopedic clinic. The two units had not officially been finished out. This will be an entire renovation/remodel, however, what is impactful to character and historical design are the exterior entry doors and code required emergency egress lighting. The other alterations will be interior or not visible from the public right-of-way.

Historic photos from 1906 show the Wichita Hardware Co., which was suite C & D. Ms. Gagné stated the structure has experienced numerous periods of alterations with the most significant period being in 1915 for the National Bank of Commerce which later became City National Bank, now located on 8th and Scott Street. A photo from 1995 show the art deco architectural influences when the structure was DeFoors Pawn Shop. In these photos the windows and transoms can be seen boarded up and covered. An inventory photo from 2014 just prior to sale of the property to DWFD, Inc. show the detailed Masonic symbols located on the roof top corner and above the front door which were added during building renovation in 1909/10 by the Knights of Pythias that conferenced on the second floor of the Zales Building.

An additional inventory photo from 2016 during the restoration/rehab (historic tax credits) project under ownership of DWFD, Inc., show what was under the removed layers of wood and the door for unit C. During that restoration/rehab, a design review case was approved by the Commission for wooden replacement doors, however, they were not the industrial, commercial grade and started delaminating while the project was still being renovated. An approval was given to replace the doors in units A-D with an alternative fiberglass material door with wood grain finish. At that time, the doors in unit A (*Karat Bar*), unit B (*Morris Supper Club*) and the doors on units C & D where replaced.

The mural on the south façade was also previously approved by the Commission. The space west of the rear wall is owned by Casa Manana, therefore any change would be limited to upgrades to mechanical equipment attached to the building due to limited space. From a design perspective, there is also limited visibility from the alley.

Ms. Gagné advised this review was pending preliminary comments from the Texas Historical Commission (THC) last month and was not able to be presented. The state has deemed this project not a new proposal, rather a continuing historic tax credit, part II for review. THC and the National Park Service (NPS) representatives have advised their only preference is to allow a $\frac{3}{4}$ lite, clear glass door, stating a fiberglass door was acceptable as long as overall door design remained simple, has a smooth finish and is painted. The design should be similar to what is currently in place or raise the glass to meet the bulkheads in display windows. Ms. Gagné displayed two options that followed the guidelines THC and NPS had given. Option A was recommended by architects, staff and

preliminarily by THC/NPS and shows a $\frac{3}{4}$ glass panel door. Option B was also shown as a full glass panel door.

Ms. Gagné introduced and turned the floor over to BYSP Architects, Steve Wood and Matt West for further discussion. Mr. Wood stated this project will fully complete renovation of the Zales Building. The orthopedic clinic will consist of 8 exam rooms, a casting room, x-ray room, procedure and treatment rooms. Ms. Derr stated the proposal requested was for exterior doors and emergency lighting but, the emergency lighting had not been discussed nor were there photos she asked what that would look like. Mr. Wood advised the emergency lighting would replicate the small, single fixture that was currently above unit B's door. Ms. Ponder-Smith asked if the new doors would take up the transom area, Mr. Wood advised they would not. Ms. Medellín asked why the proposal was to change to a $\frac{3}{4}$ glass panel door. Mr. Wood advised the purpose was to try and replicate what was originally on the structure and that was also following the advice from THC/NPS representatives. Ms. Medellín stated the request mentioned replacing 4 or 5 doors for the building but the presentation only mentioned replacing each door on units C and D. Mr. Wood advised the other doors on units A and B would be replaced to match units C and D at a later date.

Mr. Dickinson made a motion to approve the request for new doors. Ms. Gagné advised Mr. Dickinson would need to clarify which option he was approving. Mr. Dickinson amended his motion and stated he would approve the door replacements using option A. Mr. Lee seconded the motion. The motion passed unanimously. Ms. Graham made a motion to approve the emergency exit lighting fixture as presented, Ms. Ponder-Smith seconded the motion that passed unanimously 8-0.

IV. Action Item: Design Review – 2120 Speedway Avenue (Landmark/RTHL): Request for Installation of ADA Compliant Ramp and Steps with a New Door/Sidelight for the Side (East) Entrance.

Ms. Gagné stated the Commission had reviewed numerous revisions over many years for The Woman's Forum, now known as The Forum located at the convergence of Speedway Avenue, Martin Boulevard and Harrison Street in the Country Club area.

Ms. Gagné advised in 1980 The Forum was designated as a Recorded Texas Historic Landmark (RTHL) and in 1984 became the City of Wichita Falls' 5th landmark site. Ms. Gagné stated the proposal involved alterations to the east façade, 1960 addition to allow for ADA compliance that would include a new concrete ramp, concrete entry steps, landings and replace the aluminum double doors with one single, ADA compliant door with a side lite.

The Forum was constructed in 1927 on land donated through the organization of Hamilton, Martin Investment Company. The structure's style is Spanish Colonial Revival with strong Mediterranean influences. There were major additions in 1954, 1956 with 1960 being the last major addition of the east wing.

Inventory photos from 2019 show the exterior virtually unchanged. A current photo (June 2022) shows a detailed view of the previously approved (2010) main entrance doors. Ms. Gagné advised the same door design and materials are proposed for the new ADA

compliant entry door/sidelite on the east entrance. A detailed, existing site plan shown highlighted the east side entrance accessible from the east parking lot and noted the limited visibility from Speedway Avenue and Harrison Street. Ms. Gagné stated the project was currently under review by the THC, however, their preliminary review found no immediate concerns with the alterations to the state landmark.

Ms. Gagné noted the Wichita Falls Design Review Guidelines state under Architectural Barriers and Accessibility (pg 50) for construction of ADA elements since they have the potential to impact character defining features, buildings may qualify for variances from the Texas Accessibility Standards Commission (TAS). Staff reminded the Commission of the precedent setting case involving the Kell House Museum's former accessibility standards situation where essentially a federal judge stated no matter what was presented to him the courts would require ADA compliance with current standards for building access. Rather than attempting an appeal via TAS, The Forum was being proactive in addressing ADA compliance.

Ms. Gagné advised as previously stated, the inventory photos of the current doors shown are not historically original to the structure as they were constructed with the 1960 addition. However, the addition actually meets the minimum 50-year criteria and could be considered historic. Similar doors being proposed were previously approved in 2010 and meet design guideline specifications. Ms. Gagné turned the floor over to BYSP Architects, Steve Wood and Matt West. Mr. Wood stated they are making the facility accessible to all people while disrupting as little as possible. Ms. Ponder-Smith asked if the ramp would block any of the entry way. Mr. Wood advised it would stop before blocking the entry way.

Ms. Ponder-Smith made a motion to allow the requested ADA improvements at 2120 Speedway (The Forum), which included concrete ADA compliant ramp, landings, railings, new steps along with replacement of existing double entry doors for a single ADA compliant door with a single sidelite at the covered, east entrance. All modifications are subject to THC guideline compliance with Recorded Texas Historic Landmark (RTHL) regulations. Ms. McKown seconded the motion. Motion passed unanimously 8-0.

V. Action Item: Design Review – 1503 Grant Street (West Floral Heights HD): Request for various exterior alterations:

1. Roof – Replace composition shingles with alternate materials: standing seam metal
(stop work order issued)
2. Window Replacement – 31 windows (aluminum)
3. Front Door – Repair/Restore
4. Privacy Fencing – Replace
5. Upper Story Window Awnings – Remove
6. Rear Garage – Demolish
7. Rear Carport – Relocate
8. Painting & Interior Remodel

Ms. Graham made a motion to vote on all items separately. Ms. Ponder-Smith seconded the motion with it passing unanimously.

Ms. Gagné stated the subject property was in the middle of the West Floral Heights Historic District, located between Avenues E and F and considered a contributing structure. An

inventory photo was displayed from 2004 during preparation for the district designation that occurred in January 2005. This Prairie Style home was constructed circa 1923 with some of the key features being a low-pitched, hipped roof; wide, overhanging eaves (enclosed) and pyramidal roof wing at the front left. The subject property has a 2-story frame with 1-story, flat roof entry porch now supported by decorative iron with railing along the roof that is not original to the home. Also shown are multiple, multi-paned, 6 over 1 windows. The home has an asymmetrical façade with the original details obscured by aluminum siding. Shutters on windows and Porte co-cohere with a room above are not original and were later additions. Even with all the alterations the property is still a contributing structure to the district.

Ms. Gagné displayed inventory photos from 2013 showing the property virtually unchanged. Current photos show significant change, most noticeable was the removal of the overgrown vegetation. The view from the rear shows the patio cover that was present in 2019 photos is no longer there, as well as the unapproved, partially installed metal roof.

1. Roof

The weekend of May 7/8 staff received information from residents that work was being done to the exterior of the home. In cooperation with Building Inspection a stop work order was issued May 9th, 2022 for roofing work being done without permits and without Landmark approval. The owner, Mr. Jeremy Daniels requested approval to continue with alternate roofing materials rather than replacing with composition shingles. Ms. Gagné stated that allowing a standing seam, metal roof in the West Floral Heights Historic District would set a precedent and impact the architectural and historic character of the house along with the entire district. Previously, the Commission has approved metal shingles that replicate the profile of slate and/or tile roofing materials as alternate roofing materials, however, those have only been approved for secondary structures and never for a primary structure. Photos displayed clearly show the difference in roofing materials and the missing patio cover. The non-approved metal roofing material is different in finish, profile, appearance and scale and does not adhere to design guideline standards for roofing (Wichita Falls Design Review Guidelines, pg 53).

Ms. Gagné did advise the Commission that Mr. Daniels stopped all work on the building upon receiving the stop work order and has not continued work while awaiting the Commission's review and determination. Ms. Gagné advised the owner, Mr. Daniels, was present and available for questions. Much discussion ensued among the Commission, homeowner and staff regarding the roof. Ms. Medellin made a motion to deny the standing seam metal roof as presented as an alternate roofing material for 1503 Grant and recommended replacement with an in-kind roof that was similar in materials, scale, profile and appearance to ensure compliance with both the Wichita Falls Design Guidelines (Sec. 4-3a/d-f) and the Dept. of Interior - Secretary's Standards for Rehabilitation. Ms. Ponder-Smith seconded the motion. The motion for a standing seam metal roof was unanimously denied 7-1, with Mr. Lee voting in opposition of the denial.

2. Windows

Ms. Gagné stated Mr. Daniels worked with staff to determine if he could repair the windows instead of replacing all 31 windows. After researching and talking with professionals it was determined restoring the windows would not be an option and

would have to replace them. Mr. Daniels is proposing to replace all 31 windows with an aluminum window that will keep the same, 6 over 1 pattern for 28 windows and 3 over 1 pattern for 3 windows. The windows being proposed meet design guideline standards. Mr. Lee made a motion to approve replacement of 31 windows as presented for 1503 Grant with aluminum materials and having interior/exterior mullions based on the Wichita Falls Design Guidelines (Sec. 4-6d-h) with Ms. Graham seconding. The motion passed unanimously 8-0.

3. Front Entry Door

Mr. Daniels also requested to repair and restore the extra wide front door to the home. The door/frame had visible damage from a previous forced entry. It was unknown if the door was original to the home but it was believed to be based on its size and beveled glass window inserts. Ms. Graham introduced a motion to approve restoration/repair of the front entry door believed to be original at 1503 Grant. Ms. Ponder-Smith seconded the motion with it passing unanimously 8-0.

4. Fencing

Ms. Gagné displayed photos showing significant deterioration to the current fence located on the subject property. Mr. Daniels was proposing to replace the current dilapidated fencing with a cedar fence with the same design and profile. Ms. Ponder-Smith made the motion to allow replacement of the deteriorated privacy fence at 1503 Grant with the same style fence (wood/privacy) in the same footprint/location and outside the front yard setback in accordance with the Wichita Falls Design Guidelines (Sec. 4 - 11f/g). Ms. McKown seconded the motion and unanimously approved 8-0.

5. Awnings

Photos of the existing awnings (obviously not original to the home) show significant damage. It is believed the awnings were added sometime in the 1970's. Mr. Daniels was requesting to remove the awnings and retain the shutters. Ms. Graham made a motion to allow removal of the non-original upper story window awnings (two) at 1503 Grant as presented. Ms. Ponder-Smith seconded the motion which passed 8-0.

6. Garage – Demo

Mr. Daniels requested demolition of the rear detached garage that was not considered original and was believed to be constructed in the 1930's or 1940's. The garage was a hazard as the structure was considered a safety issue. The proposal was to demolish the garage and keep the carport. Mr. Lee motioned to allow the demolition of the rear, detached garage based on structural safety concerns and lack of maintenance at 1503 Grant. Ms. Ponder-Smith seconded the motion. The motion passed unanimously 8-0.

7. Carport – Relocate

Ms. Gagné requested Mr. Daniels speak to the Commission on the carport relocation as she had not received specific details where the owner wished to place in the rear yard. Mr. Daniels advised he wished to salvage and reuse the carport as it was well constructed of good materials. The carport will be moved to the current location of the garage once demolished. The only change Mr. Daniels stated he would make was to use two metal posts at the rear where attached to the garage. The metal posts will match the current front two posts. Ms. Ponder-Smith made a motion to allow the non-

original rear carport to be relocated in the location of the former detached garage at 1503 Grant. Ms. Graham seconded the motion which passed unanimously 8-0.

Ms. Gagné advised the Commission Mr. Daniels would also be painting and doing interior remodeling that required no action from the Commission but would trigger building permits. Staff informed the applicant/owner, Building Inspections would be notified of the Commission's denial for a replacement metal roof and the remaining design alterations that were approved.

VI. Action Item: Design Review – 1712 Buchanan Street (West Floral Heights HD): Request to install solar panels on roof of rear detached garages:

1. Structure #1 – 13 panels
2. Structure #2 – 24 panels

Ms. Gagné stated the applicant and their contractor were present at the meeting for questions after the presentation. The subject property was located in the 1700 block of Buchanan Street on the corner of Buchanan and Avenue H, at the southern boundary of the West Floral Heights Historic District. The structure was constructed circa 1925 in the craftsman style and features a low-pitched cross-gabled roof with wide, unenclosed eaves featuring exposed rafters and decorative braces under prominent front gables; decorative false, half-timbering (Tudor influence) and decorative edge boards; a side porte co-chère supported by square brick columns. There is also a partial-width, wrap around porch with separate front-gable extended roof supported by square brick columns with a two, rear detached garage buildings.

Inventory photos displayed from 2013 show the property essentially unchanged from its designation in January of 2005. From the right-of-way on Avenue H the detached garages can be seen as structure #2's south roof slope faces Avenue H. Fastrac Energy Services is the company that will be contractor to install the requested solar panels for the owners. Based on the results of an energy simulation report by Fastrac, the owner was proposing 13 solar panels to be placed on the eastern facing roof slope of structure #1 and 24 solar panels on the south facing roof slope of structure #2.

Ms. Gagné advised the Commission, Code Enforcement was currently working with the owners in regards to the fencing located in the front and exterior side yard. There are not supposed to be any new (without historic evidence) fences in the front yard in West Floral Heights HD. Any front yard fence, if situated in the District, must still comply with zoning regulations of being no more than 4ft tall and only 50% opaque.

Ms. Gagné introduced Mr. Justin Duncan from Fastrac Energy Services for further questions. Mr. Duncan stated most solar panels are installed on the primary structure, however, with this being a historic property, they have provided an alternate layout on the secondary structures as to not damage the home. Fastrac is proposing to install solid black panels rather than the standard blue for a more esthetically pleasing panel.

Ms. Ponder-Smith asked if the secondary structures framing had been assessed. Mr. Duncan stated their engineer had stamped all of the plans for the structures. Discussion about placement of solar panels continued. Ms. Graham pointed out on page 60 of the Wichita Falls Design Guidelines it stated placement of solar panels was recommended on the secondary structures and not the primary structure.

Ms. Graham made a motion to allow placement of 37 solar panels on two rear, detached structures at 1712 Buchanan based on compliance with interpretation of the Wichita Falls Design Guidelines (Sec. 4-9c) recommending placement on outbuildings. Ms. McKown seconded with the motion passing unanimously 8-0.

VII. Other Business:

a) Monthly Reports

Depot Square:

Ms. Derr gave the following updates:

- The Farmer's Market is open Tue. & Thurs. for summer hours.
- July 4th – Most Patriotic Parade hosted by The Kell House
- July 7th – After Hours Art Walk
- July 15th-30th – Backdoor Theater: Adams Family Musical
- July 8th-30th – Wichita Theater: Newsies the Musical
- July 1st – Wichita Theater: Grand 'Ole Americana Show
- July 15th-Aug 6th – Wichita Theater, Stage 2 Dinner Theater: 10 Nights in a Bar Room

Kell House Restoration/Rehab Project:

Ms. McKown provided a status report.

West Floral Heights:

Ms. Ponder-Smith gave the following updates:

- Noted West Floral Heights Assoc. President was present for the meeting but left before she could be introduced.
- Bringing back the Turkey Trot on Thanksgiving

b) Updates:

Ms. Gagné gave an update on the THC Marker Refurbishment Project noting four markers were refurbished during National Preservation in May. Staff indicated they will be preparing for phase II of the project for May 2023 and soliciting volunteer community service groups to select a marker for refurbishment as part of heritage preservation community outreach which is a requirement for CLGs. Staff updated commission members regarding the THC SBR (State Board of Review) recommendations on the two Wichita Falls NRHP Nominations – Indiana Ave Historic District and 726 Scott Ave. Based on updates from THC staff, anticipate NPS review & approval by end of 2022.

c) Resources & Periodicals:

- National Trust: Preservation – Spring 2022
- The Medallion – Spring 2022

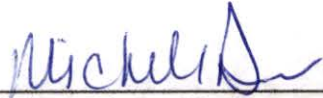
d) Design Review – Staff Authorized – Minor Alteration/Repairs

- 2908 10th Street (*West Floral Heights*) – repair sidewalk damage (permit)
- 802 Ohio Avenue (*Depot District*) – partial interior demolition permit
- 1512 Buchanan (*West Floral Heights*) – rafter tail/porch in-kind trim restoration, repair; new roof drip strip to reduce water damage (permit)

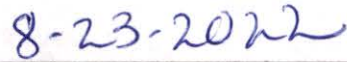
VIII. Adjourn

Next regularly scheduled meeting August 23, 2022 - 12p.m.

Meeting adjourned at 1:49 p.m.



Michele Derr, Chairperson



Date

MINUTES OF THE
WICHITA FALLS 4B SALES TAX CORPORATION (4BSTC)

July 7, 2022

Present:

Tony Fidelie, President	§	Members
Glenn Barham, Vice President	§	
Rick Hatcher, Secretary-Treasurer	§	
Dave Clark	§	
Darron Leiker	§	
Nick Schreiber	§	
Bobby Whiteley, Councilor-at-Large/Mayor Pro-Tem	§	City Council
R. Kinley Hegglund, Jr., City Attorney	§	City Staff
Paul Menzies, Assistant City Manager	§	
Blake Jurecek, Assistant City Manager	§	
Terry Floyd, Director of Community Development	§	
Pat Hoffman, Property Administrator		
Chris Horgen, PIO		
Paige Lessor, Recording Secretary	§	
Syd Litteken, Architect	§	Syd Litteken Design Concept/Architects
Sabian Santistevan	§	
Jana Schmader, Executive Director	§	DWFD
Jeanette Charos, Marketing Director	§	
Sandy Hay	§	Wichita Restaurant Supply
<u>Absent:</u>		
Michael Mills	§	4B Member

1. Call to Order.

Mr. Fidelie called the meeting to order at 3:01 p.m.

2. Report of financial condition (current, past & planned budget & expenditures); and other administrative actions, including, if necessary, induction of any new board members.

Mr. Paul Menzies addressed the Board and explained that they have the most recent sales tax report. He said that the City is up 11% month over month from last year and is running about 10% ahead for the year. There were approximately \$6 million of encumbered funds, which includes all of the existing commitments regarding the hotel conference center project. He asked the Board to please mark their calendars for next month's meeting on the first Thursday in August because they will be talking about approving the budget for next year.

Mr. Barham asked why sales tax was down 8% in May when it had been significantly higher in all the previous months. Mr. Leiker said that staff was not sure yet, but looking at the trend cities in Texas, it is slowing. He stated that the double-digit growth is tending to slow down. He explained that he thinks the combination of increasing interest rates, fuel prices, and inflation has caused people to spend less. It is a little bit of a roller coaster, and it is unclear whether sales

tax will go up or down. He stated that he had not seen sales tax reports for the rest of the state and just received the City's numbers, but he was curious how other cities compare.

3. Consent Agenda

- a) Approval of Minutes of 04/07/2022.**
- b) Approval of Downtown Matching Grant Applications**
 - i. 620 Ohio (Unit 102) - McIntosh Building
 - ii. 711 Indiana - Hoover Rogers Law
 - iii. 726 Scott Ave - The Kate
 - iv. 900 8th St - The Hamilton Building
 - v. 600 Ohio Ave - Marcom/Mayfield Events
 - vi. 1001 8th St - Wichita Falls Baptist Church

Mr. Leiker moved to approve the consent agenda. Seconded by Mr. Clark, the motion carried 6-0.

4. Public hearing regarding a request from Kirk Laney, dba Picker's Universe L.L.C., for an extension of the approved funding agreement to renovate the existing building at 1000 Indiana downtown into a mixed-use retail and restaurant establishment.

Mr. Fidelie opened the hearing at 3:05 p.m.

Mr. Menzies addressed the Board to give a brief history of the project. He explained that the Board and the City Council initially approved funding for this project in the amount of \$133,000 in 2019. Then about six or seven months ago, this Board reapproved it for six months. The applicant requests an additional six months, and the Board will hear an update on the project.

Mr. Sabian Santistevan with Syd Litteken Architects addressed the Board. He stated that he is Picker's Universe's general contractor and project manager and they have encountered some supply chain issues that have caused delays. He explained that they were replacing the ornate tin ceiling, and in January, they were supposed to receive 1,500 ceiling tiles, 500 pieces of four-foot cornice, and 2,500 feet of hammered mortar to go into the ceiling system. Those materials were not delivered until May 25th. With the installation of the ceiling comes electrical and HVAC, and the delayed deliveries pushed everything involved back. Another delay occurred with the partitioned walls. This installation was to start on February 14th. However, in May, they discovered that the entire company had moved to Mexico, and they have had no contact with them since late January. They are currently gathering new estimates from other companies. He stated that the bid they originally received for the kitchen flooring in 2019 has now doubled, and the owner would like to go with something less expensive.

Mr. Santistevan continued to discuss the delays and addressed the Board regarding issues with the restaurant equipment. Before finalizing their order with Wichita Restaurant Supply, Jimmy Hay passed away. At the time of his passing, they did not know where they were going with the company. So they gave the kitchen equipment back and a few leads on places to go. The company, Wichita Restaurant Supply, has now contacted Pickers Universe and would like them to return and reorder with them. However, a news article published said, "the owner of Wichita Restaurant Supply died without delivering the product." Mr. Santistevan said that was not what

happened. They never finalized their order, and now Wichita Restaurant Supply has come forward and expressed that they are ready to do business again. He said they would return to Wichita Restaurant Supply to rebid the order.

These delays caused progress to be pushed back, which is the reason they are asking for an additional six months. They are about to finalize the sprinkler system, on which the 4B funding must be used. However, because of how the agreement reads, the establishment must be issued a certificate of occupancy, so an additional six months is needed to finish and get the C.O.

Mr. Barham thanked Mr. Santistevan for attending the meeting and updating the Board on the project. He also stated that he appreciated that Mr. Santistevan clarified the information about Wichita Restaurant Supply and the equipment supplied to the project. Mr. Barham said he spoke with the company, and everything in the original contract had been installed or delivered. Mr. Santistevan explained that the only purchase finalized at that time was the exhaust hood, which had been delivered and installed. He stated that the problem with the newspaper comment was that it was deceiving. He said he wanted to make sure everyone knew what happened.

Mr. Fidelie asked if the Board agrees to another six months, how confident is the contractor that it will get done within that time frame? He stated that he did not want another extension request in five months. Mr. Santistevan noted that the third floor was their problem, and they have the flooring for the kitchen. He stated that the rest of the flooring is hardwood, and it is in the last stage of being finalized. The ceramic tile that will be installed in the kitchen, hallway, and upstairs restroom has been delivered and is on site. Installation of the tile is supposed to begin next week. All the ceiling tiles are installed on every floor except the second-floor bar, and they lack 20 feet to be finished. Then, the crown molding and painting will be the last step. They are on the downhill stretch and are about to finish. Mr. Fidelie stated that if six months gives a little cushion, what would he anticipate the actual time to complete? Mr. Santistevan said they are looking at probably three months.

Mr. Fidelie closed the hearing at 3:12 p.m.

3. Public hearing regarding a funding request from Downtown Wichita Falls Development, Inc. for various streetscape improvements downtown.

Mr. Fidelie opened the hearing at 3:13 p.m.

Ms. Jana Schmader addressed the Board, presented a PowerPoint presentation and explained that her funding request package contained community branding items and public improvement projects. She stated that the first item DWFD would like to add is an additional 30 wrought iron benches to the downtown area. DWFD has already placed 22 benches in the area. She stated that the items brought before the Board are in line with their Streetscapes Plan and will complement some of the items already in place and some of the new items that have been approved by city council, such as the street lamps and light poles. DWFD polled downtown property owners to see if they would like benches outside their property, and the overwhelming response was that they would like to see this. She showed the proposed locations of bench placements on a map but explained that they would work with property management to go through the encroachment process.

The next item Ms. Schmader discussed was trash cans. She stated that DWFD had placed 17 trash cans in the downtown area, and they are requesting funding to add 14 more. As pedestrian traffic increases downtown, they would like to ensure the streets and sidewalks are as clean as possible. She said DWFD contracts with Work Services Corporation and pays for trash removal services. So it will not cost taxpayers any additional money. DWFD will take on the maintenance

contract with the extra trash cans. The trash cans get emptied three times a week unless they call them after a crowded night.

The third item Ms. Schmader presented to the Board was pole banners. She stated that this item had been on DWFD's marketing collateral list since 2017, when it went through the massive rebranding of the downtown logo. DWFD is looking at placing the banners along Scott Street, and having them become more concentrated in the core area. They will also be located close to the hotel and conference center. The banners will all have general branding to increase their longevity. They will include DWFD taglines and logos to stay up year-round. DWFD would like to purchase 70 banners to cover the proposed locations. These locations would give a good gateway corridor and welcome into the heart of downtown. The placement has already been approved by John Burris, Director of AT&T, and that department will help us install them.

The fourth item presented to the Board was pet stations. The number one target in the economic development strategy is the addition of residences in downtown. There are 170 residential units to be added in the next couple of years, and pets typically come with residences. Currently, there is one pet station in Park Central, and DWFD would like to add another one since that is the largest greenspace downtown. Also, they would like to add one to Bud Daniel Park. They are all close in proximity to where people walk their pets. The placement of additional pet stations would go one step further to ensure the streets and greenspaces are kept clean.

Ms. Schmader estimated the total project cost would be \$40,000, and the Board of Directors has authorized DWFD to invest the first \$5,000 and agrees to all the maintenance costs. In total, the request to 4B is for 116 items for \$35,000. If approved by the Board, this project would go to Council on July 19th, and the items should be installed by Hotter'n Hell 100 this year.

Mr. Schreiber asked if the banners would all look the same or if there would be some variances. Ms. Schmader stated that the whole branding packet has the same colors, but there would be different taglines. The wording may be different, but the overall feel will be the same. Mr. Schreiber then asked if the banners at the outermost locations would say, "Welcome to Downtown." Ms. Schmader noted that they could look at that, which is why they will be a little more spaced out on the north and south ends and become more concentrated in the core area. She said they were indeed open to suggestions from the public or otherwise.

Mr. Fidelie closed the public hearing at 3:19 p.m.

4. Staff report/update on the corporation-owned Lindemann Parking Garage downtown.

Mr. Menzies addressed the Board and reminded them that the WF4BSTC owns and operates the Lindeman Parking Garage, and the Board does budget for its maintenance. There are a couple of lease agreements with folks that use it regularly, and it is open for downtown events. Mr. Menzies explained that Ms. Hoffman would update the Board on some recent activities with the facility. It has been challenging to keep the facility clean of graffiti, and many vandals are entering the garage and causing lots of damage. Mr. Menzies stated that the City will gate off the 7th Street entrance, then give remotes to current lessees and DWFD to allow them access in and out of the garage.

Ms. Hoffman addressed the Board and explained that it had been quite an experience trying to maintain and take care of the garage. Ms. Hoffman displayed a photo of the garage with graffiti on the walls. She explained that it had been abated four previous times. She received a quote to have it abated for the fifth time, and it was by far the most expensive, at \$1,500. Before the company was able to get to the garage to abate and sandblast it, it had been tagged four more

times, so it will cost significantly more to have abated. Ms. Hoffman displayed additional photos of the vandalized garage, explaining that it had been vandalized on every floor and every wall. Other problems are vagrants breaking into and camping, cooking in the stairwells, and leaving trash behind. It must be cleaned every week because it stinks so badly. Ms. Hoffman explained that city staff is proposing to gate off the garage. She presented a quote obtained for a square, tubular, sliding gate operated by remote. The bid includes ten gate remotes, allowing staff to give remotes to the current lessees, building maintenance, and DWFD to open it for public events. Property Management would still have additional remotes for any other lessees and for staff to enter the garage daily to check it out. The gate will be seven feet tall, so it will be impossible for anyone to climb over to get in. No one should be able to get into the garage without a remote. Ms. Hoffman stated that there is an opening that is ten feet high that someone could enter. If that starts happening, cyclone fencing could easily be added if necessary.

Mr. Menzies reminded the Board that it has a performance agreement with a downtown property owner in which this garage may transfer back into private ownership within the next two years. Mr. Menzies said it was pertinent to maintain and keep it in good shape. Ms. Hoffman restated that over \$3,000 has already been spent on the abatement of the graffiti alone. It will cost another \$3,000 to \$4,000 to have it abated again. Also, an additional \$3,600 has been spent on replacing and repairing light fixtures.

Mr. Barham asked if Ms. Hoffman had a photo of the Indiana side of the garage. Ms. Hoffman stated that she did not. Mr. Schreiber directed everyone's attention to the first photo shown. Ms. Hoffman pointed out that on the 7th Street side and the alley side, it has a gate and cyclone fencing around the corner on the Indiana side.

Mr. Fidelie reaffirmed with Mr. Menzies that the \$14,000 or \$15,000 had already been budgeted. Mr. Menzies stated that \$25,000 is budgeted annually for this maintenance, and this presentation is just an update on what is happening.

Mr. Barham told Ms. Hoffman to go ahead and fence the Indiana side that had no fencing. He said it would be better to be proactive than reactive.

Mr. Fidelie asked what the turnaround time on the gate would be. Ms. Hoffman stated that that staff was already in the process and just needed a requisition order which will be done next week. It would probably take a couple of months.

Mr. Jurecek clarified that the first floor is fenced all the way around the building. However, the second floor on the Indiana side is not fenced.

Mr. Fidelie dismissed the idea that an on-duty police officer would be able to sit there all night, every night, to keep an eye on things. Ms. Hoffman stated that there is an officer up there nightly. She also noted that city staff goes down to the garage once a day, and a code enforcement officer goes down there as well, but no one has been able to catch anyone. Mr. Fidelie asked if the lights stay on overnight. Ms. Hoffman said they do and people go in there and destroy the lights.

7. Executive Session.

Mr. Fidelie adjourned the meeting into executive session at 3:30 p.m. pursuant to Texas Government Code section 551.087. He announced the meeting back into regular session at 4:04 p.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further action were taken on these items in executive session.

8. **Consider a funding request from Kirk Laney, dba Picker's Universe L.L.C., for a six-month extension of the approved funding agreement to renovate the existing building at 1000 Indiana downtown into a mixed-use retail and restaurant establishment.**

Mr. Clark moved to provide the six-month extension of the approved funding agreement. Seconded by Mr. Schreiber, the motion carried 6-0.

9. **Consider a funding request from Downtown Wichita Falls Development, Inc. for various streetscape improvements downtown.**

Mr. Hatcher moved to fund the \$35,000 as requested. Seconded by Mr. Leiker, the motion carried 6-0.

10. **Adjourn.**

Mr. Fidelie adjourned the meeting at 4:06 p.m.


Guy A. "Tony" Fidelie, Jr., President

MINUTES
PLANNING & ZONING COMMISSION

July 13, 2022

PRESENT:

David Cook
Michael Grassi
Blake Haney
Steve Lane
Mark McBurnett
Doug McCulloch
Noros Martin
Wayne Pharries
Steve Wood
Jeremy Woodward

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

James McKechnie, Deputy City Attorney
Paul Menzies, Assistant City Manager
Terry Floyd, Development Services Director
Fabian Medellin, Planning Manager
Karen Montgomery-Gagné, Principal Planner
Christal Ashcraft, Development Services Admin. Assist.
Cedric Hu, Planning Technician

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

ABSENT:

Cayce Wendeborn
Councilor Whiteley

◆ Member
◆ Council Liaison

I. CALL TO ORDER

The meeting was called to order by Chairman, Mr. David Cook, at 2:00 p.m.
Chairman Cook 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

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

IV. APPROVAL OF MINUTES

Mr. Noros Martin made a motion to adopt the June 8, 2022, minutes. Mr. Jeremy Woodward seconded the motion. The motion was passed unanimously, 9-0

VII. CONSENT AGENDA

Case P 22-12 – Seymour Creek Acres, Lots 1 & 2, Block 1 – Preliminary Plat

Case P 22-13 – Stone Lake Estates Phase 9 – Final Plat

Chairman Cook asked if anyone had an item to be moved to the regular agenda. Nothing to be moved. Mr. Jeremy Woodward made a motion to approve the consent agenda. Mr. Steve Wood seconded the motion. Motion passed unanimously, 9-0.

VIII. REGULAR AGENDA

1. Case C 22-14 – 2101 Buchanan Street:

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

Applicant/Owner: Omer Farooq

Mr. Doug McCulloch made a motion to approve the case. Mr. Martin seconded the motion. Mr. Cedric Hu presented the case and stated the applicant, Mr. Omer Farooq had submitted a conditional use application to staff requesting to convert a previous laundry mat, into a convenience store. The subject property is located in a Limited Commercial (LC) district where convenience stores are conditionally allowed, and that is why staff is bringing the proposal before the Commission today.

Mr. Hu advised 2101 Buchanan Street was located in the central area of Wichita Falls, west of the Kemp Boulevard and Avenue K intersection. To the south of the subject property were residential uses down Kemp Boulevard and to the north is Compassion Church along with its parking lot. To the west and east are various retail and office uses along Kemp Boulevard located in the Commercial Corridor (CC) zoning district.

Mr. Hu stated the applicant was proposing to convert the structure, built in 1984, from a previously used laundry mat to an approximately 2,000 sf. convenience store. With this change of use from a service use to retail, the off-street parking requirements will change from 1 parking stall per 300 sf. to 1 parking stall per 200 sf. The current parking layout satisfies the new requirements.

The subject property is within the Limited Commercial (LC) zoning district with various uses surrounding, including those in the Commercial Corridor (CC) zoning district, composed of mostly office and retail uses to the east. Residential uses located to the south of the subject property are in a Single Family-2 (SF-2) zoning district. To the north are various parking lots in the Limited Commercial (LC) zoning district with residences further north in the Single Family-2 (SF-2) zoning district. To the west are construction and warehouse uses located included in the Limited Commercial (LC) zoning district.

Mr. Hu advised staff sent notices to 14 property owners and received back a total of 2 responses, both in opposition of this petition. After consideration of the proposed use, staff recommended approval of this Conditional Use Permit request for 2101 Buchanan St. 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. Any additional site improvements, non-conforming site elements, and developmental requirements as required by the Health, Building, or Zoning Codes will be subject to the site plan review/re-occupancy process.
3. Comply with all special conditions unique to the Limited Commercial (LC) zoning district to include limitations of hours of operation and signage.
4. Prior to initiating operations all developmental requirements, conditions, permits and licensing shall be reviewed, approved, constructed and inspected.
5. No illuminated signage, either by internal or external lighting, will be allowed on the southwestern property line, adjacent to the residences.

Chairman Cook asked if the applicant was present and wished to make a presentation. The applicant, was not present for Commission questions. Mr. Cook asked if there were any comments from the public. With no comments, Chairman Cook closed the public comments and opened the floor for the Commission. Mr. Noros Martin asked if fuel and/or diesel would be sold at the convenience store, to which Mr. Hu advised there would not be. Mr. Terry Floyd advised the Commission since the applicant was not present, it was at the Commission's discretion to table the case. With no other questions Chairman Cook called for a vote. The motion passed unanimously with a vote of 9-0.

2. Case TA 22-01 – Text Amendment – Downtown Zoning Realignment:

Public hearing to consider a proposed text and boundary amendment to the Wichita Falls Code of Ordinances, Appendix B: Zoning revising, consolidating and incorporating sections addressing: definitions,

downtown zoning district boundaries, creation of special downtown zoning districts, downtown non-conforming use limitation and appeal process, development regulations (setbacks) and incorporating a downtown zoning use table; and Land Use Plan amendment to consolidate use categories in Greater Downtown.

Applicant: City of Wichita Falls

Chairman Cook opened the public hearing at 2:07 pm concerning case TA 22-01. Ms. Karen Gagné presented the amendment and discussed the previous work session held at last month's Planning Zoning meeting, June 8th, 2022. Ms. Gagné stated City Council initiated a Strategic Plan process in 2016, working with an organizational management firm to develop a long-term plan. The re-development of Downtown Wichita Falls emerged as one of the top goals. September 2018, the City Council adopted the Downtown Strategic Plan Recommendations with the Downtown Zoning Diagnostic Report a key element.

Ms. Gagné gave a brief summary of Downtown Strategic Plan progress to date, including the numerous Downtown Zoning Realignment public meetings held and other opportunities for both downtown property owners and the general public to comment or attend to provide input.

Again, Ms. Gagné discussed the proposed revisions to the Greater Downtown area in which the details and reasoning for the revisions given at the previous work session. The Downtown Strategic Plan recommendations from the Freese & Nichols Diagnostic Report, were to realign the downtown areas shown in a map provided to the Commission in their handouts and displayed for the public on screen. There was one staff recommendation that was not on the previous working draft to rezone LaSalle Alley from Light Industrial (LI) to the Central Business District (CBD). Ms. Gagné advised all 6 property owners were contacted and discussed what this would mean for their business uses. Out of the 6 property owners, 5 asked if they could be rezoned to the Central Business District (CBD) as their uses align more closely with commercial rather than the railroad and industrial and 1 asked to remain Light Industrial (LI).

Ms. Gagné reintroduced the Downtown Zoning Use Table for review of uses which would and would not be appropriate, generally or without certain restrictions throughout a zoning district but which, if controlled as to the number, area, location or relation to the neighborhood, would promote the health, safety, and welfare of the community. Non-conforming uses were also discussed as well as the option for appeal and/or request extending a non-conforming use status.

Ms. Gagné reviewed the development standards with the Commission and the recommended reduced setbacks for the Greater Downtown area proposed to help provide greater flexibility for future development include; front, interior side and exterior side setbacks.

Additionally, Ms. Gagné reviewed the definitions section that from a land use perspective, simplify text in the ordinance; establish the precise meaning of a word or phrase, eliminates ambiguity; and transforms technical terms into understandable terminology. Among those Ms. Gagné advised of the staff recommended revisions to:

- Incorporate new definition section (Sec. 2100) for uses in Downtown Zoning Use Table;
- Clarify terms to ensure compliance with federal case law and disability standards;
- Terms for Removal (Sec. 2000):
 - Adult Daycare Facility, Foster Care Facility, Group Homes, Halfway House, Personal Care Home and Residential Care Facility
- Updated Terms:
 - Household Care Facility and Structured Sober Living Facility

A review of the existing Downtown Land Use Plan was given along with a corresponding map showing the existing categories and the recommended revisions that were to consolidate the DNT-Downtown and PAR-Parks and Open Spaces.

The last thing Ms. Gagné outlined were the next steps in the projected timeline. After this meeting, the City Council would be given an update at the July 19th, 2022 meeting and then on the agenda for the August 16th, 2022 meeting for a public hearing & ordinance consideration. Mr. Terry Floyd reminded the Commission this was initiated by City Council and approved in 2019.

Chairman Cook asked if there was anyone from the public that would like to comment. With no comments, Mr. Cook closed the public hearing at 2:31 pm and asked for a motion to open the item for discussion. Mr. Steve Wood made the motion with Mr. Martin seconding.

There was much discussion among the Commission with questions being asked and answered by staff. Mr. Wood made a motion to move forward, followed by more discussion along with questions and answers. The discussion then moved to what options the Commission had and took council with legal staff at which time Mr. Wood called to vote on the motion on the table. Chairman Cook called for a vote to recommend the proposed text and boundary amendment to the Wichita Falls Code of Ordinances, *Appendix B: Zoning* revising, consolidating and incorporating sections addressing: definitions, downtown zoning district boundaries, creation of special downtown zoning districts, downtown non-conforming use limitation and appeal process, development regulations (setbacks) and incorporating a downtown zoning use table; and Land Use Plan amendment to consolidate use categories in Greater Downtown. The motion passed unanimously with a vote of 6 in favor (David Cook, Steve Lane, Doug McCulloch, Noros Martin, Steve Wood, and Jeremy Woodward) and 3 opposed (Michael Grassi, Blake Haney, and Wayne Pharrises).

IX. ADJOURN


David Cook, Chairman

8/10/2022
Date


Terry Floyd, Director of Development Services

8/10/2022
Date

MINUTES OF THE
WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION

July 21, 2022

Present:

Leo Lane, President	§	WFEDC Members
David Toogood, Vice President	§	
Phyllis Cowling, Secretary-Treasurer	§	
Darron Leiker	§	
Stephen Santellana, Mayor	§	Mayor & Council
Paul Menzies, Assistant City Manager	§	City Administration
R. Kinley Heggland, Jr., City Attorney	§	
Russell Schreiber, Director of Public Works	§	
Jessica Williams, Chief Financial Officer	§	
John Burrus, Director of AT&T	§	
Terry Floyd, Director of Development Svcs	§	
Chris Horgen, Public Information Officer	§	
Paige Lessor, Recording Secretary	§	
Henry Florsheim, President and CEO	§	WFCCI
Katie Britt, VP of Marketing	§	
Ryan McGowan, Director of Bus Intelligence	§	
Jana Schmader, Executive Director	§	DWFD
Jeanette Charos, Marketing Director	§	
Rodney Case, Treasurer	§	
Kerry Maroney, President	§	Biggs & Matthews
Lynn Walker, Writer	§	Times Record News

Absent:

Brent Hillary	§	WFEDC Member
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1. Call to Order

Mr. Leo Lane called the meeting to order at 2:30 p.m.

2. Consent Agenda

a. Approval of Minutes (June 6, 2022)

b. Financial Report

Mr. Menzies stated that sales tax is up and running consistently with inflation. And the WFEDC's healthy bottom line is about \$8.6 million and is reflective of the Land O'Lakes deal ratified by council since the last meeting.

Mr. Leiker moved to approve the consent agenda. Seconded by Mr. Toogood, the motion carried 4-0.

3. Discussion and possible action related to 2023 Budget Presentations:

Mr. Barham was not present to begin the SMAC presentation, so Mr. Lane skipped to the next presentation on the agenda, i.d.e.a.WF.

b. i.d.e.a.WF

Dr. Jeff Stambaugh addressed the Board and explained that he represented Dr. Scott Manley because Dr. Manley was out of the state in Georgia. Dr. Stambaugh reminded the Board that i.d.e.a.WF had undergone several changes. One significant change brought about was to try to leverage the assets of the 4A Board to increase the amount of prizes significantly. But that has not worked as well as has been intended. In this year's budget request, i.d.e.a.WF is returning to its roots. The proposal is for a simple \$50,000 to support administrative support and advertising. i.d.e.a.WF will commit to raising an equal amount to provide prizes for the winners. And that will allow the focus to be on the traditional startups rather than the businesses ready to scale and engage in more of a cash-for-jobs arrangement. If companies enter the contest and it becomes apparent that they would be great candidates for cash-for-jobs, they would be referred to the 4A Board and The Chamber. Dr. Stambaugh asked the Board if they had any questions.

Mr. Lane noted that there is an amount of money that was allocated for last year that is being returned. The money was never used.

Ms. Cowling asked for clarification and asked if i.d.e.a. WF's plan was for the budget to have a private sector campaign, but that did not occur this past year. But that was the intention. Dr. Stambaugh answered yes, and the reason it didn't happen this year was that only one entity applied, and it didn't qualify for a cash-for-jobs type of position, which was the prize package. Ms. Cowling clarified that the funding would revert to the way it was before the past two years. Dr. Stambaugh confirmed that was correct.

Mr. Lane added that he had a couple of discussions with Dr. Manley, who stated that he had seen other organizations going through the same turmoil through COVID, which included lower participation. Still, hopefully, everyone will get past this. Dr. Stambaugh stated that this was a long-term investment, and they want a community that supports entrepreneurship, which is one of the ways to support it. He further noted that if you want a vibrant startup community, you have to have a mechanism to support it, and i.d.e.a. WF is one of the ways to do that. Sometimes it's a lumpier process than we would like it to be. But if you abandon it, your results will be horribly disappointing for the community's long-term viability.

Ms. Cowling asked what the other components of a vibrant community are. Dr. Stambaugh said that the Lalani Center also has the idea of an investment mechanism in which promising ideas can obtain funding, like an angel investment. The angel investor group became a casualty of COVID, but they are trying to resurrect it. He said that he started and ran the group for several

years, and they funded some large local deals.

Mr. Leo stated that he had a note that Glenn Barham was on his way. So the meeting would move on to Downtown Development.

c. Downtown Wichita Falls Development

Ms. Schmader addressed the Board and thanked them for creating this year's process. She said it was very beneficial to have a procedure and directive on what to present and what reporting mechanisms were needed. She described some of DWFD's key accomplishments for the year. She stated that they helped put together several 4B incentive packages, which resulted in over \$1.24 million in funding. The most notable is The Kate, the creation of 170 residential units in the downtown area. DWFD had 60 property platform information requests, which often resulted in tours of the specific properties, ten redevelopment meetings with the City of Wichita Falls, which put all of those projects into development, 20 businesses opened, and eight under construction. By DWFD's estimate, the services in the organization touched over 350,000 square feet downtown. Another significant accomplishment is the creation of the Indiana historic district, located between 9th and 10th Streets. Buildings within that particular boundary will now be eligible for federal and state historic tax credits.

Ms. Schmader further explained that the services of DWFD are broken down into two parts. She is in charge of real estate, from property listings to property tours. She also helps to create the WF4BSTC proposals. She also is in charge of project facilitation, customer relationship management, and retention programs. The marketing director, Jeanette, is in charge of all grand openings, sneak peeks, photography, and website and social media content. She presented a list of all the stakeholders they represent.

She stated that DWFD furthers WFEDC's strategy by continuing to establish relationships with the private sector to leverage primarily Type B funding. They convene resources and identify strategies with the vacant structure registry to update storefronts to make them more marketable. They continue to advocate and educate the downtown property owners about the benefits of the public improvement district and support the implementation of the Downtown Master Plan. They support and endorse opportunities for state and federal resources. For example, they just endorsed the \$2 million worth of ARPA funds approved by Council for Downtown Streetscapes improvement. And they continue to research other grants to complete the downtown master plan.

Ms. Schmader went on to list the goals of DWFD for the upcoming year. They aim to have 40% of all available properties for sale or lease go into development status, meaning they have capital and adequate funding. She stated that even through rough times, Downtown has maintained a high retention rate, having very few businesses move out of the area or shut down, and they believe they can keep the retention rate static. They are adapting some promotional programs with new technology and algorithms over their platforms. They are working with Crane West on different ideas to project into other regional areas to attract investors. She stated that 95% of downtown real estate is not listed with a real estate agency. It is for sale by the owner. So this is when contacts become important because DWFD might know the building owner personally and can start working towards a deal.

Ms. Schmader stated that DWFD's request is for \$125,000, which encompasses operations, salaries, and liabilities for her and Janette and all of the economic development activities that have been done for the last couple of years. She asked the Board if they had any questions.

Mr. Lane asked about DWFD's program for making contacts outside Wichita Falls. She

stated that they did a lot of search engine optimization marketing. However, sometimes it does go back to relationships. For example, someone may know someone in Metroplex or Abilene that is looking to invest in property in Wichita Falls. Mr. Lane asked if they were making cold calls to developers outside the community. She said no, that it was all digital.

Ms. Cowling stated that she appreciated the metrics provided by DWFD and the goal of reducing the number of available properties by 40%. She asked about the starting point. She wondered if they were going by the number of available properties or square footage and the starting number. Ms. Schmader said they measure off what properties they know people are willing to sell right now. Ms. Cowling asked how many precisely that was. Ms. Schmader stated that DWFD has 25 properties currently on its website.

Ms. Cowling commented that she thought the history of their three-year metrics accomplished was very admirable but tended to be pretty process oriented. She suggested providing outcome measures in the future. For example, what is the percentage of non-vacancy or the amount of square footage that gets renovated or expanded in a year? She asked if there was a way to quantify the sales tax or ad lorem that comes straight out of Downtown. That would be another way to show the impact of Downtown and DWFD. Mr. Leiker explained that sales tax gets difficult because the comptroller keeps that confidential. Then, Ms. Schmader explained that DWFD posted a graphic on their website showing the Central Business District property values over the last twenty years. Ms. Cowling said she would use that as a metric because she thinks it will continue to grow. Ms. Schmader noted the creation of the vacant structure registry would help them track the vacancy rate closer.

Finally, Ms. Cowling clarified that the \$18,000 increase in salaries was not for additional people but an increase in salary structure. Ms. Schmader confirmed that clarification.

d. Chamber of Commerce

Mr. Florsheim addressed the Board and explained that the Chamber's proposal was for \$981,500, a decrease from last year. He stated that they have decided not to fund a downtown development position, which causes a reduction in salaries and related expenses. As with the past couple of years, he asked that WFEDC include \$24,000 in its own budget for the relocation assistance program for existing businesses to recruit people from out of town. Mr. Florsheim stated that he would walk the Board through activities projected for this next year and give a staffing update.

The executive committee is in the process of negotiating with the candidate for interim CEO at the Chamber. At the next chamber board meeting, that should be finalized within a couple of weeks. So the Chamber will have an experienced that cannot developer on Board for the next 3 to 4 months while they conduct a national search for Mr. Florsheim's replacement. The Board has already hired Todd Jorgensen's firm to perform the CEO search. The Chamber will pause the search for the business attraction position until a CEO is hired. Some duties have been transitioned internally to ensure none of the current activities stop.

Summaries

Business Attraction

- Site selector outreach – the Chamber had an excellent database of site selectors and good relationships with them. They will continue to conduct outreach in person, by phone calls, zoom

calls, and email campaigns.

- Continue to participate in Team Texas mission trips. Katie Britt participated in one last month in Washington, DC.
- Katie also manages a complete email and digital marketing campaign aimed at all of the site selectors and corporate executives that are prospects.
- Ryan McGowan handles research and will be managing the Chamber site and building database.

Business Retention and Expansion

- Taylor Davis transitioned into this position. She is conducting a regular visitation program and all the expansion assistance.
- The Chamber also assists local businesses to help them get their story out and identify more potential customers and employees.

Talent Development

- A new director of the Chamber's talent initiative will start in two weeks. Taylor will be able to provide training to get the new person up to speed quickly.
- The Chamber will continue to assist companies, helping them figure out how to recruit better, train, screen, and retain their employees.
- The Chamber will continue to add to the catalog of military programs, work on the young professionals program, and rollout an internships campaign.
- The Chamber will continue to package and augment its existing relocation support efforts.

Mr. Floresheim also mentioned Karen Bivona, the Chamber's office manager, handles project oversight and reconciliation for all the contracts between EDC and companies.

Falls Future Strategy

They just wrapped up the new strategy's development and will be speaking with Matt Deveau tomorrow to discuss an implementation plan. Discussion about international talent arose. There is a large group of international students at MSU and a large group of people at Sheppard AFB that would like to stay in Wichita Falls, but they have VISA issues. They plan to develop a program to assist companies in understanding the process of helping someone through the sponsorship process. They have plans to develop better pathways into the industrial trades that are hurting to find labor right now. The Chamber will be working to develop more public-private partnerships with Sheppard Air Force Base. It is another ambitious strategy; they accomplished about 85 to 90% of the last.

Ms. Cowling asked how many expansion and attraction programs were done this past year. Mr. Florsheim did not have a number. Ms. Cowling stated that this was a critical metric and how the number of jobs is tracked. Mr. Florsheim and Ms. Cowling discussed compiling workforce data to calculate the number of people working in Wichita Falls. Ms. Cowling said a goal of where Wichita Falls is headed needs to be set.

Ms. Cowling then asked about the budget and how the net decrease adds up to around \$25,000. Mr. Florsheim explained that the key programming changes are \$10,000. Additionally, for Lead Generation, that's our business attraction efforts, \$5000 added to the military

programming and \$2500 to the talent partnership. The \$20,000 for relocation is not what was mentioned earlier. This is to provide the Chamber with more tools to develop a marketing campaign aimed at companies and to provide other resources, relocation guide, and other things that can be done internally to help those companies. Then an additional \$5,000 for Intern Wichita Falls. Ms. Cowling clarified that these increases are tied to the economic development strategy that is in development. Mr. Florsheim agreed.

Mr. Lane made a final comment about the jobs metric that unless the average pay of the job is known and how it matches up with the cost of living, no progress is being made. Many very low-paying jobs are just the opposite of what is needed.

a. SMAC

Mr. Barham addressed the Board and apologized for being late. He said he inadvertently left off two columns on the budget request spreadsheet. He handed the Board the additional information that had been omitted. He stated that SMAC was again asking for \$150,000, which is the same level the Board has funded for the last five years. The investment will be used to support the Shepherd Military Affairs Committee's mission of protecting the future of Sheppard Air Force Base.

One of the issues SMAC has worked on this past year is acquiring funding to construct a new child development center at Sheppard Air Force Base. He stated that Sheppard would receive approximately \$27 million to build that new facility.

This past December, Governor Abbott toured Sheppard and met with the installation commander, Brigadier General Lyle Drew, and the Second Air Force commander, Major General Michelle Edmondson. Mr. Barham was told it was a worthwhile discussion, and many things had been cleared up.

SMAC continues to work on low-level Military Training Routes. Mr. Barham stated that wind farms continue to be an issue. The heights of the turbines and blades reach 680 to 700 feet. The low-level MTRs are at 500 feet. It is an obvious hazard to student pilots dealing with windmills in their flight paths. Early notification from the developers to the military is key to this process. James Frank and Drew Springer will be introducing legislation next spring that will define early notification, which will force the wind farm developers to notify the military very early in the process where they want to establish a development.

SMAC will continue to focus efforts in the upcoming holiday season by assisting low-income Sheppard families. In FY2023, SMAC will host two dinners. The first one will be held in October. The guest speaker is General Charles Q Brown, the Chief of Staff of the Air Force. The second dinner will be held in the spring when the steering committee returns to Sheppard. They went to Canada for the spring meeting and return to Sheppard in March.

Mr. Barham stated that the WFEDC Investment in SMAC operations would help protect the future of Sheppard AFB's largest employer in the area. Losing Sheppard or either of its two wings would have a monumental and devastating impact on the local economy, not only Wichita Falls economy but the entire metropolitan statistical area. Mr. Barham said he looks forward to the continued partnership with the 4A Board.

Ms. Cowling asked if BRAC was a threat or an opportunity. Mr. Barham explained that it is actually both. In 2005 Sheppard lost the medical training, and it moved to San Antonio. However, Sheppard is well positioned at this point for a BRAC. The likelihood of Sheppard is low because of its unique training mission. Many international folks come through Sheppard AFB. The

majority of airmen in training come to Sheppard AFB. He stated that everyone needs to be prepared, and he always keeps his ear to the ground on whether a BRAC will happen or not.

Ms. Cowling asked if there was a way to protect Sheppard and expand it in terms of mission. She wondered if expansion only happens during a BRAC. Mr. Barham explained that it could happen outside of a BRAC.

4. Consider and take action to approve Change Order #1 to the contract for the Wichita Falls Business Park Fisher Road & Midwestern Parkway Improvements (Project A), in the amount of \$21,110.00, and authorizing the Board president to execute all related documents

Mr. Schreiber addressed the Board and reminded it of the improvements funded for the business park to make it more attractive for businesses to come to Wichita Falls. The current project under construction is the Phase A project (Midwestern Parkway Feature Road Expansion). The contractor has begun that work. However, the Board is well aware of the new development attempting to locate in the business park on lot six. This lot does not have a roadway in front of it, so the contractor has been asked to reschedule his phasing of the project and begin on the Midwestern Parkway portion because Land O'Lakes needs that roadway in front of their lot by October. This has resulted in a change order. Realignment and adjustment of some storm sewer also resulted in about \$3,600 added to the project.

5. Discussion and possible action related to Incentive Policy Development proposal from Boyette Strategic Advisors

Mr. Florsheim explained that this had been discussed multiple times. He wondered if they were doing things competitively and using their incentive dollars appropriately. Are there other best practices they can impose, and how do they standardize a policy? Mr. Floresheim spoke to Alicia Cook, who referred him to Boyette Strategic Advisors. They forwarded a proposal to him that would help develop a true incentive policy. They said they could start in late August or early September if the Board chooses to move forward. It would be a three-month process, and the fee would be \$22,850. Section four of the proposal states that the potential expense is capped at 15% of the fee.

Mr. Toogood asked if their work for their representative client list was similar or a different type of economic development consulting. Mr. Florsheim said the work did include some look at incentives. Mr. Florsheim said that Alisha Cook told him that this company was the best in the business for this task.

Mr. Lane asked if they represent both manufacturers and chambers. Mr. Florsheim did not believe they did that sort of thing. For all the communities listed in their proposal, they have done strategic planning, incentive review, and assembling incentive packages. Ms. Cowling clarified that they have negotiated on both sides.

6. Executive Session

Mr. Lane adjourned the meeting into executive session at 3:25 p.m. pursuant to Texas Government Code §§ 551.087 and 551.071. He announced the meeting back into regular session at 4:46 p.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further actions were taken on the items in executive session.

7. Motions

2023 Budget Presentations

Ms. Cowling moved to approve the 2023 budget funding as follows: SMAC - \$150,000; i.d.e.a. Wichita Falls - \$50,000; Downtown Development - \$115,000; Chamber of Commerce - \$981,500. Seconded by Mr. Toogood, the motion carried 4-0.

Change Order #1 to the contract for the Wichita Falls Business Park Fisher Road & Midwestern Parkway Improvements Project A), in the amount of \$21,110.00

Mr. Leiker moved to approve the change order as presented in the amount of \$21,110. Seconded by Mr. Toogood, the motion carried 4-0.

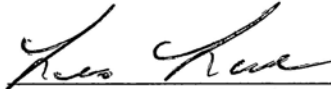
Incentive Policy Development proposal from Boyette Strategic Advisors

Ms. Cowling moved to approve the incentive policy development proposal for Boyette Strategic Advisors in an amount not to exceed \$28,000. Seconded by Mr. Toogood, the motion carried 4-0.

On behalf of the Board, Mr. Toogood thanked Mr. Florsheim for his service to Wichita Falls and wished him good luck.

7. Adjourned.

The meeting adjourned at 4:50 p.m.



Leo Lane, President

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Public Hearing on the Fiscal Year 2022-23 Proposed Tax Rate.

INITIATING DEPT: Finance

STRATEGIC GOAL: Actively Communicate and Engage the Public

STRATEGIC OBJECTIVE: Enhance Public Outreach and Engagement

COMMENTARY: This item is to seek public comment on the FY 2022-23 proposed Tax Rate, which covers the fiscal period beginning October 1, 2022 and ending September 30, 2023.

- FY 2021-22 (current) tax rate: \$0.760928
- FY 2022-23 “no new revenue tax rate”: \$0.675652
- FY 2022-23 “voter approval rate”: \$0.719697
- **Proposed FY 2022-23 tax rate: \$0.694321**

The current property tax rate for the City of Wichita Falls is \$0.760928 per \$100 of assessed value. The no-new-revenue tax rate of \$0.675652 is essentially the rate that generates the same property tax revenue as the prior year from properties that were on the tax roll in both tax years. The voter-approval rate is \$0.719697.

The proposed FY 2022-23 budget recommends a tax rate of \$0.694321 which, if approved, results in an 8.8% reduction in the tax rate compared to the current year. The tax rates, above, are calculated and certified by Tommy Smyth, Wichita County Tax Assessor-Collector.

Staff recommends the City Council open the public hearing and receive public comments. No action is required. Consideration of the tax rate and budget is later in this agenda.

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

CITY COUNCIL AGENDA

September 6, 2022

ITEM/SUBJECT: Ordinance adopting the Annual Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY:

Timeline

- June 14, 2022 – City Council conducts pre-budget workshop;
- July 26, 2022 – City Manager’s proposed FY 2022-23 budget conveyed to City Council;
- August 16, 2022 – City Council conducts public hearing on proposed budget;
- **September 6, 2022** – City Council scheduled to (1) hold public hearing and consider adoption of FY 2022-23 City of Wichita Falls property tax rate, (2) consider adopting the FY 2022-23 budget, as well as several budget-related items;
- September 30, 2022 – Fiscal year 2021-22 ends;
- October 1, 2022 – Fiscal year 2022-23 begins.

Budget Highlights

- Continues current service levels despite 40-year high inflation;
- Proposes to reduce the property tax rate by 8.75%, to \$0.694321 per \$100 of assessed value;
- Provides a 5% employee pay increase;
- Increases the City’s contribution to the Firefighter Pension Fund;
- Invests \$19.3M of excess fund balance for numerous priority projects

Summary

The total proposed City budget for the 2022-23 fiscal year is \$233.8M. This is an increase of approximately \$38.3M from the FY 2021-22 (current year) adopted budget, and reflective of the use of \$19.3M in fund balance expenditures (“one-time funds”), increased transfers between funds, and increases in federal grant revenues/expenditures. The budget provides for a one-time 5% cost of living adjustment for all eligible employees, and assumes a decrease in the current City of Wichita Falls property tax rate of \$0.760928 to \$0.694321 per \$100 of assessed value.

The City’s General Fund, representing approximately 45% of the total budget, has proposed expenditures in FY 2022-23 of approximately \$103.3M or an increase of approximately \$15.3M from the current year, which includes the use of \$8.6M in fund

balance for one-time expenditures. The proposed General Fund budget also increases the City's contribution to the Firefighter's Pension Fund from 13.25% to 16.18%.

The proposed Water & Sewer Fund budget includes an increase in retail water and sewer rates of 5% for FY 2022-23. Please note that the proposed fee ordinance you'll consider later on the agenda also reflects a 5% increase in retail water and sewer rates for FY 2023-24. The proposed budget includes the use of excess fund balance for several one-time projects, including an increase to water and sewer line maintenance and replacement.

Adoption of the ordinance would also approve FY 2022-23 budgets for other funds, including the Sanitation Fund (garbage collection), Fleet Maintenance Fund, Airport Funds, Transit Fund (City bus system), Hotel/Motel Fund (MPEC and the CVB), Fleet Fund, Information Technology Fund, Water Park Fund (Castaway Cove), Golf Course Fund (Champions at Weeks), and Stormwater Fund.

Staff recommends approval of the ordinance.

☒ **CFO/Finance Director**

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance adopting the Annual Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023

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

1. The budget estimate of the revenues and expenses for conducting the affairs of the City of Wichita Falls for the ensuing year, beginning October 1, 2022 and ending September 30, 2023, as submitted to the City Council by the City Manager, is hereby adopted and approved as the budget estimate of all revenues, expenses as well as the fixed charges against said City for the fiscal year beginning the 1st day of October, 2022, and ending the 30th day of September, 2023.

2. Appropriations are hereby made for such revenues, expenses, and charges for the fiscal year beginning October 1, 2022 and ending September 30, 2023, and such appropriations are to be set up in accounts as submitted to the City Council. Operational control of the budget shall be exercised at the class (fund) total level within each Fund, Department, and Budget Unit.

3. The City Manager is authorized to make transfers between items appropriated to the same office, department, fund or division, where not in contravention of the Constitution and laws of this State or of the City Charter.

4. The projects, programs and benefits, which are included in this budget and for which appropriations are herein made, are hereby approved.

5. The salaries for the City Council appointed positions will be as follows: City Manager \$247,142, City Attorney \$199,734, Municipal Court Judge \$135,000, and City Clerk \$90,000. The Mayor is hereby authorized to execute an amended employment agreement with the City Manager and City Attorney for the approved salary and existing benefits, with further authorization to provide benefits and transfer benefit amounts between categories in said contracts in a manner negotiated thereby. The aforementioned employees shall further be entitled to such other benefits as provided to the other City employees, as provided in the budget. To the extent governmental immunity may limit judicial enforcement of said agreements, immunity is waived.

6. The revisions to the FY 2021-22 Budget are hereby adopted. These revisions will increase appropriations in the Hotel/Motel Fund, from \$3.9M to \$4.1, and in the Fleet Fund, from \$10.5M to \$14.0M. The increase in the Fleet Fund will be offset by a transfer out of \$3M or less from the General Fund and the use of \$500k in fund balance. The increase in the Hotel/Motel Fund will be offset by an increase of \$200k in the General Fund transfer out. Transfers will only be completed as required to balance the above listed funds. No increase in appropriation is needed in the General Fund due to salary savings in the current year.

7. The immediate need to continue the normal operation of the business of the City creates an emergency, and in order to protect the public health, welfare, and to preserve the peace, this ordinance shall take effect immediately, and it is so ordained.

PASSED AND APPROVED this the 6th day of September, 2022.

M A Y O R

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
September 6, 2022**

ITEM/SUBJECT: Ordinance ratifying the increase in property tax revenue as reflected in the Annual Budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY:

The proposed FY 2022-23 budget will raise more total property taxes than last year's budget by \$1,448,300, which is an increase of 3.49%. Of that amount, \$649,442 is tax revenue to be raised from new property added to the tax roll this year.

In addition to approving the budget, the State law requires a second vote on the budget (this item) that ratifies the increase in property tax revenue included in the budget. As such, a motion is required for this item as follows:

Staff recommends approval of the ordinance via the following motion:

Motion:

"I MOVE TO ADOPT THIS BUDGET THAT WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$1,448,300, OR 3.49 PERCENT INCREASE, AND OF THAT AMOUNT \$649,442 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR."

☒ **CFO/Finance Director**

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

**Ordinance ratifying the increase in property tax revenue as reflected
in the Annual Budget for the fiscal year beginning October 1, 2022 and
ending September 30, 2023**

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

1. The City of Wichita Falls, FY 2022-23 Budget is hereby ratified to raise more total property taxes than last year's budget by \$1,448,300, which is an increase of 3.49%, and of that amount \$649,442 is tax revenue to be raised from new property added to the tax roll this year.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Ordinance levying, assessing, and fixing the tax rate for the use and support of the Wichita Falls Municipal Government and providing for the Interest and Sinking Fund for the 2022-23 fiscal year.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: The attached ordinance is required to set the total property tax levy for the 2022-23 fiscal year. The property tax rate is made up of two parts: (1) the rate needed to support Operations and Maintenance of the City's general operations; and (2) the rate needed to pay Principal and Interest on a portion of the City's General Obligation Debt. As the proposed tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council (i.e. 5 affirmative votes). TEX. TAX CODE § 26.05(b).

- FY 2021-22 (current) tax rate: \$0.760928
- FY 2022-23 "no new revenue tax rate": \$0.675652
- FY 2022-23 "voter approval rate": \$0.719697
- **Proposed FY 2022-23 tax rate: \$0.694321**

The proposed FY 2022-23 budget recommends a tax rate of \$0.694321 which, if approved, results in an 8.8% reduction in the tax rate compared to the current year. The tax rates, above, are calculated and certified by Tommy Smyth, Wichita County Tax Assessor-Collector.

Staff recommends approval of this ordinance. Approval of this ordinance requires the following motion, and then no less than five (5) votes in the affirmative:

Motion:

"I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.694321, WHICH IS EFFECTIVELY A 3.53 PERCENT INCREASE IN THE TAX RATE."

NOTE: This motion references the increase between the total tax rate being adopted, and the no-new-revenue tax rate, per Texas Tax Code.

☒ CFO/Director of Finance

ASSOCIATED INFORMATION:

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Ordinance No. _____

Ordinance levying, assessing, and fixing the tax rate for the use and support of the Wichita Falls Municipal Government and providing for the Interest and Sinking Fund for the 2022-23 fiscal year

WHEREAS, the City Council finds that the City Council has performed all legal prerequisites to increasing the tax rate as provided herein, in accordance with Texas Tax Code § 26.05.

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

1. There shall be assessed, levied, and collected on all taxable property in the City of Wichita Falls, Texas, for the fiscal year 2022-23 and following, to-wit:

\$0.661579 on each \$100.00 assessed valuation of all taxable property in the City for the purpose of paying the general governmental operating expenses of the City and for general improvements of said City and its property. THIS TAX RATE WILL RAISE MORE TAXES FOR **MAINTENANCE AND OPERATIONS** THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE DECREASED BY 8.94 % PERCENT AND WILL DECREASE TAXES FOR **MAINTENANCE AND OPERATIONS** ON A \$100,000 HOME BY APPROXIMATELY \$64.99.

\$0.032742 on each \$100.00 of assessed valuation of all taxable property in the City for the purpose of paying interest and principal for the redemption of bonds legally issued by said City.

RECAPITULATION OF RATE

\$0.661579 for Maintenance & Operations

\$0.032742 for Interest and Sinking Fund

Total levy for 2022-23: **\$0.694321** per \$100.00 assessed valuation of all taxable property in the City.

2. There is also levied an occupation tax on every person, firm or corporation pursuing any of the occupations named in the Charter, ordinances and general laws of Texas as being subject to such a tax by cities, which shall be paid in advance; said occupation tax shall be one-half (1/2) of the state tax for similar occupations.

3. The immediate need to continue the normal operation of the business of the City creates an emergency and in order to protect the public health, welfare, and to preserve the peace, this ordinance shall take effect immediately, and it is so ordained.

PASSED AND APPROVED this 6th day of September, 2022.

M A Y O R

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Ordinance adopting the Five-Year Capital Improvement Plan for the Fiscal Year beginning October 1, 2022 and ending September 30, 2027.

INITIATING DEPT: Finance

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: (1.1) Upgrade or Replace Outdated Public Facilities, (2.2) Complete Signature Public Improvements, (2.3) Evaluate Alternative Options for Financing Improvements, (2.4) Advance Lake Ringgold Project

COMMENTARY: The purpose of the Capital Improvement Plan (CIP) is to focus on the City's capital budgeting needs over a multi-year basis and to identify potential funding sources to finance those projects. The CIP for fiscal years beginning October 1, 2022 and ending September 30, 2027 was submitted to the City Council on August 26, 2022, and is included in summary format in the 2022-23 Proposed Budget, presented to Council July 26, 2022. Total expenditures over the five-year period are \$251.8 million. However, only "year 1" (FY 2022-23) is funded pursuant to today's approval of the FY 2022-23 budget. Years 2-5 are used for planning purposes only.

The projects listed in the 2022-23 fiscal year, which total \$47.2 million, have approved funding sources and/or the City is firmly committed to undertaking these projects within this fiscal year. The projects listed in the outlying fiscal years are for financial and project planning purposes only. Attached is a summary of the Five-Year Plan.

Staff recommends approval of the ordinance.

☒ CFO/Director of Finance

ASSOCIATED INFORMATION: Ordinance, CIP Cover Memo and Summary

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

**Ordinance adopting the Five Year Capital Improvement Plan for the
Fiscal Year beginning October 1, 2022 and ending September 30, 2027**

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

1. The 2023-2027 Capital Improvement Plan, which includes budget estimates of the revenues and expenses for completing capital projects outlined in this plan, as submitted to the City Council by the City Manager and outlined in the attached **Summary of All Capital Project Costs**, is hereby adopted and approved.

2. Project costs and associated funding sources listed in the 2022-23 fiscal year of the Five-Year Capital Improvement Plan formulate the approved capital improvement budget. Project costs and associated funding sources for the remaining fiscal years of the Five-Year Capital Improvement Plan are for planning purposes only, and are not approved for funding by Council adoption of this document.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

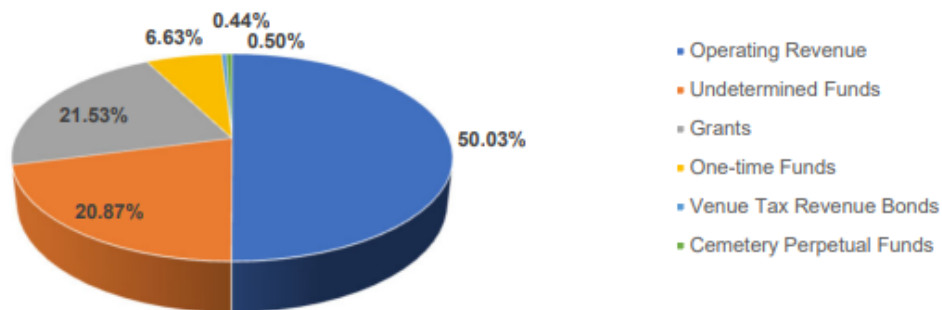
City Clerk



City of Wichita Falls, Texas
Summary of All Capital Projects
From FY 2023 through FY 2027

Projected Financial Plan						
	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	Total
Project Costs						
Buildings & General Facilities	\$ 3,689,465	\$ 7,000,000	\$ 1,300,000	\$ -	\$ -	\$ 11,989,465
Health	29,685	-	-	-	-	29,685
Public Safety	2,496,615	-	-	-	-	2,496,615
Information Technology	2,305,354	1,636,854	2,140,854	530,854	510,854	7,124,770
Parks and Recreation	2,841,867	14,429,691	4,834,519	9,882,354	6,000,000	37,988,431
Fleet Replacements	2,227,418	4,862,143	6,186,319	5,939,145	5,964,283	25,179,308
Airports	-	12,243,076	3,250,000	3,250,000	3,000,000	21,743,076
Transit System	1,160,000	2,901,340	250,000	4,675,000	100,000	9,086,340
Traffic	1,041,014	1,606,629	1,356,629	606,629	606,629	5,217,530
Streets	4,655,860	4,840,000	2,530,000	2,530,000	2,530,000	17,085,860
Water & Sewer	8,834,200	26,468,000	12,435,000	6,800,000	6,795,000	61,332,200
Sanitation	5,055,123	3,608,939	7,303,957	4,406,825	4,667,406	25,042,250
Stormwater	8,311,500	4,200,000	2,300,000	3,060,000	3,000,000	20,871,500
MPEC	4,520,000	2,165,000	-	-	-	6,685,000
Total Project Costs	\$ 47,168,101	\$ 85,961,672	\$ 43,887,278	\$ 41,680,807	\$ 33,174,172	\$ 251,872,030
Sources of Funding						
General Operating Funds	\$ 3,342,225	\$ 6,506,629	\$ 3,436,629	\$ 3,136,629	\$ 3,136,629	\$ 19,558,741
General Fund (One-time)	7,489,999	-	-	-	-	7,489,999
Information Tech. Oper. Funds	714,104	1,636,854	2,140,854	530,854	510,854	5,533,520
Information Tech Fund (One-time)	1,416,250	-	-	-	-	1,416,250
Fleet Operating Funds	2,884,033	4,862,143	6,186,319	5,939,145	5,964,283	25,835,923
Sanitation Operating Funds	3,125,836	3,608,939	3,303,957	4,406,825	4,667,406	19,112,963
Sanitation Fund (One-time)	1,929,287	-	-	-	-	1,929,287
Water/Sewer Operating Funds	8,834,200	7,118,000	10,885,000	6,800,000	6,795,000	40,432,200
Stormwater Operating Funds	2,644,028	4,200,000	2,300,000	3,060,000	3,000,000	15,204,028
Stormwater Fund (One-time)	5,667,472	-	-	-	-	5,667,472
Water Park Operating Funds	355,000	-	-	-	-	355,000
ARPA Grant Program	5,518,800	11,800,000	3,300,000	-	-	20,618,800
Federal Grant Funds	2,660,000	16,414,416	3,500,000	7,925,000	3,100,000	33,599,416
Venue Tax	381,000	715,000	-	-	-	1,096,000
Golf Course Fund	205,867	-	-	-	-	205,867
Cemetery Perpetual Care Fund	-	900,000	350,000	-	-	1,250,000
Undetermined Funding Source	-	28,199,691	8,484,519	9,882,354	6,000,000	52,566,564
Total Sources of Funding	\$ 47,168,101	\$ 85,961,672	\$ 43,887,278	\$ 41,680,807	\$ 33,174,172	\$ 251,872,030

Combined 5 Year Estimated Funding Sources



CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Ordinance replacing Ordinance No. 14-2022, the fee schedule applied to City operations; providing for severability; providing that such ordinance shall not be codified.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice effective governance

COMMENTARY: This fee ordinance amendment has been prepared using the tracked changes function so that the City Council can see the current and proposed fees. This amendment includes the following:

2. Development Services

- 2a-3
 - (8) Reduces the annual backflow inspection fee

4. Finance

- 4a-1
 - (1) & (2) Increases credit card service fees

5. Fire

- 5a-1
 - (5) Adds fee for extended on-scene time to mitigate gas line breaks and downed power lines
- 5a-3
 - (3) Adds Alarm Service Fees
 - (4) Adds fees for failed final inspections
- 5a-4
 - Adds Credit Card Transaction Fee

8. Municipal Court

- (2) Adds Credit Card Transaction Fee of \$2.50 per transaction

9. Parks and Recreation

- 9a
 - Increases Light Use Fee
- 9b
 - (1) Decreases Softball, Kickball, & Basketball Fees
 - (3) Increases Swim Lesson Fee
- 9d
 - (2) Increases Stage Rental Fee, but now includes Generator & Decorative Skirting Fees
 - Removes (5) Generator Fee and (6) Decorative Skirting Fee

- 9e
 - Adds Rental Fees for (4) Kemp Sunnyside Center and (5) East Lynwood Center

*** Please note that there are two separate Section 11 fees. **11-2022** goes into effect **October 1, 2022**, and includes various fee adjustments, including a 5% increase in water and sewer rates. **11-2023** goes into effect **October 1, 2023**, and includes additional 5% water and sewer rate increases. ***

11-2022 Public Works

- 11b-2
 - (5) Adds credit card transaction fee at the landfill and transfer station
 - (6) Adds language about exclusive franchise holders
 - (6) Adds a minimum monthly amount of 100 tons
- 11b-3
 - Removes (12) Commercial Compactor Service
 - (14) Increases replacement deposit amount on curbside containers
- 11b-4
 - Increases sewer service rates
- 11b-6
 - (1) Increases minimum monthly bill for metered treated water service
 - (2) Increases water consumption rates
 - (3) Increases Reilly Road Fill Station rates
 - (6) Increases raw water rates
 - (7) Increases wholesale water rates
 - (8) Increases credit card convenience fee
 - (9) Increases city utilities division fees for service
 - § Standard water tap
 - § Standard manhole
 - (9) Increases fee to establish a temporary water account
- 11b-8
 - (8) Increases Industrial Water Reuse Rate

11-2023 Public Works

- 11b-4
 - Increases sewer service rates
- 11b-6
 - (1) Increases minimum monthly bill for metered treated water service
 - (2) Increases water consumption rates
 - (3) Increases Reilly Road Fill Station rates
 - (6) Increases raw water rates
- 11b-8
 - (8) Increases Industrial Water Reuse Rate

12. Property Management

- 12a
 - (3) Adds Credit Card Transaction Fee of 3% of transaction amount

Staff recommends approval.

Document Key:
Original Text
[Proposed Changes](#)
~~Excluded Language~~

☒ City Attorney

ASSOCIATED INFORMATION: Ordinance

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Ordinance No. _____

Ordinance replacing Ordinance No. 14-2022, the fee schedule applied to City operations; providing for severability; & providing that such ordinance shall not be codified.

WHEREAS, the adoption of the recodified Code of Ordinances requires that a separate ordinance be passed incorporating fees to be applied to City operations; and,

WHEREAS, City Staff has studied the cost of providing the services and enforcing the regulatory schemes which are currently not being covered by the existing fees; and,

WHEREAS, after receiving and reviewing the aforementioned costs, the City Council finds that the fees established herein do not exceed the amount reasonably necessary to provide the services and administer and enforce the regulatory programs to which they are related; and,

WHEREAS, the City Council finds that the fines, fees, and rates described herein are necessary to provide for the services and regulated programs and further finds that any discrimination established against non-residents in fee amounts does not provide funds that exceed the taxpayer-funded amount of the described programs.

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

1. The following schedule of fees and charges shall be adopted for all City operations which are authorized to create or enforce such fees by state or federal law or by the Code of Ordinances:

1. Aviation, Traffic and Transportation

1a. Taxicabs

1a-1. Miscellaneous Taxicab Fees:

- (1) Annual Franchise Fee \$1,000.00
- (2) Annual Permit Fee \$35.00 per taxicab
- (3) City Chauffeur's License Application Fee \$30.00, and includes one chauffeur's license. Each additional copy of said chauffeur's license is \$20.00
- (4) Initial Franchise Application Fee \$85.00

1b. Street Closure and Parade

- 1b-1. Permit Fee:** \$50.00 (non-refundable) 2 weeks prior to the event)
 \$75.00 (non-refundable) less than 2 weeks' notice

1b-2. Refundable Deposit: \$250.00 for barricades and cones
 \$1,000 for trailer and devices (additional \$75.00 per
 day if not returned by 10:00 a.m. of the business day
 following the event)

1c. Airport

1c-1. Airport Fees:
Long term parking fee.....\$5.00 per day

1d. Personal Mobility Devices

1d-1. License Fee: \$200 annual fee.

2. Development Services

2a. Building Inspections

2a-1. Building Permits & Fees:

A minimum fee of \$ 45.00 shall be charged for issuing any class of permit required by the building code and as required in this section. In addition to the minimum fee there shall be charged the following inspection fees:

- (1) New building construction or addition:
 - Single-family or duplex residence, per square foot of building or addition \$0.18
 - Single-family or duplex use storage, outbuilding, carport or patio, per square foot of building or addition \$0.06
 - Commercial use, which includes all other occupancies not listed in this section, per total square feet of building or addition \$0.29
 - Commercial storage building, per total square feet of building or addition \$0.10
 - Commercial plan review, per square foot of covered area..... \$ 0.10
 - Commercial plan review for remodel work, per value\$ 0.0019
 - Commercial plan review for storage and finish outs, per square foot \$ 0.04
- (2) Finish out of existing shell buildings or areas within shell buildings, per total square feet of area \$ 0.08
- (3) Repair, alteration or remodel of existing residential buildings, per total square foot of work area \$ 0.18
- (4) Repair, alteration or remodel of existing commercial buildings, per total valuation of work \$ 0.006
- (5) Roofing or siding, per square foot of area covered or repaired\$ 0.006
- (6) Window replacement \$20.00
- (7) Foundation repair \$30.00
- (8) Foundation only, per square foot of area of foundation \$0.003
- (9) Signs, each:

- Up to and including 80 square feet of total sign face area (on-premises)..... \$10.50
- Over 80 square feet of total sign face area (on-premises) \$37.00
- All off-premises..... \$89.00
- (10) Demolition, which is required for any structure exceeding 150 square feet in area, per square foot of all structures at each location \$0.007
- (11) Building moves, which does not include mobile or manufactured homes transported by a licensed installer \$52.00
- Plus:
 - Aviation, traffic and transportation department fees for moves two hours or less in duration.....\$100.00
 - Aviation, traffic and transportation department fees for moves exceeding two hours in duration will be the base rate of \$100.00, plus a charge of \$65.00 per hour or any part of an hour, per vehicle used for the time exceeding two hours.
- (12) Swimming pool..... \$21.00
- (13) Mobile or manufactured home installation outside of a mobile home park \$21.00
- (14) Flammable or combustible liquid storage tank or service station pump:
 - Each new tank or replacement, which includes test verification \$35.00
- (15) Fire suppression system:
 - Each fire suppression system \$125.00
 - Repair or alteration of an existing fire suppression system \$25.00
- (16) Miscellaneous:
 - Demolition cleanup deposit, refundable to the permittee following final inspection approval, per square foot of all structures at each location..... \$0.05
 - Reinspection permit
 - First occurrence \$45.00
 - Second occurrence..... \$55.00
 - Each reinspection thereafter \$65.00
 - General inspection.... \$50.00
 - Equipment or structures not listed in this section \$50.00
 - A permit fee may be refunded to the payee upon approval of the building and code administrator.
 - Building, electrical, plumbing, or mechanical permits issued to premises located outside of the city limits shall include an additional inspection service charge of \$50.00.
 - Weekend or after hours inspections \$75.00 to include the first hour, \$75.00 for each additional hour

(Code 1966, § 23-17(1); Ord. No. 79-2003, § 1, 9-2-2003; Ord. No. 40-2008, § 1, 8-5-2008; Ord. No. 30-2009, § 2, 5-5-2009; Ord. No. 53-2010, § 3, 9-21-2010) (1)

2a-2. Electrical Permits & Fees:

A minimum fee of \$75.00 shall be charged for issuing any class of electrical permit required by the electrical code and as required in this section. In addition to the minimum fee there shall be charged the following inspection fees:

- (1) New building or addition or complete rewire of existing buildings:
 - Single-family, multifamily or duplex use not exceeding three stories, which includes an attached or detached residential garage, storage or outbuilding, per square foot of building or addition \$0.018
 - Commercial use, which includes all other occupancies not listed in this section, per square foot of building or addition \$0.03
 - Commercial storage, warehouse or parking garage, which does not apply to accessory office areas, per square foot of building or addition..... \$0.008
 - Solar Panels per square foot of panel area \$.008
- (2) Alteration, repair, or replacement of electrical services:
 - Existing single-family, duplex, or multifamily residences tenant or premises, for each: \$5.25
 - Existing commercial electrical installations for each tenant or premises:..... \$15.75
 - Swimming pool, hot tubs, decorative pools or fountains \$15.75
 - General inspection\$5.25
 - Reinspection permit:
 - First occurrence..... \$45.00
 - Second occurrence..... \$55.00
 - Each reinspection thereafter \$65.00
- (3) Miscellaneous electrical fees:
 - Clearance to connect electrical service pursuant to 22-224(b)(5) [following discontinuance of service or change of occupants]:
 - Residential..... \$10.50
 - Commercial\$36.75

2a-3. Plumbing Permits:

A minimum fee of \$75.00 shall be charged for issuing any class of permit required by the city plumbing code excluding Backflow Device Annual Inspections, which will be charged only the amount listed below. In addition to the minimum fee there shall be charged the following inspection fees:

- (1) New building or addition or complete re-plumb of existing building:
 - Single-family, multifamily or duplex use not exceeding three stories, which includes an attached or detached residential garage, storage or outbuilding per square foot or building or addition \$0.019
 - Commercial use, which includes all other occupancies not listed in this section, per square foot of building or addition \$0.012
 - Commercial storage, warehouse or parking garage which does not apply to accessory office areas, per square foot of building or

- addition..... \$0.008
- (2) Alteration, repair or replacement of plumbing service:
 - Existing single-family, duplex, or multifamily residences tenant or premises, for each..... \$5.25
 - Alteration, repair, addition to or replacement of plumbing installations or fixtures on commercial structures, for each \$15.75
- (3) General inspection\$5.25
- (4) Lawn sprinkler system, which includes backflow preventer..... \$32.00
- (5) Excavation\$15.75
- (6) Temporary gas \$5.25
- (7) Reinspection:
 - First occurrence..... \$45.00
 - Second occurrence\$55.00
 - Each reinspection thereafter.....\$65.00
- ~~(8) — Inspections for backflow devices..... \$21.00~~
- (8) Backflow Device – Annual Inspection \$30.00
- (9) Other equipment or appliances not listed in this section, each.....\$5.25

(Code 1966, § 23-17(3); Ord. No. 79-2003, § 1, 9-2-2003; Ord. No. 40-2008, § 1, 8-5-2008; Ord. No. 53-2010, § 3, 9-21-2010)

2a-4. Mechanical Permits:

A minimum fee of \$ 75.00 shall be charged for issuing any class of permit required by the city mechanical code. In addition to the minimum fee there shall be charged the following inspection fees:

- (1) New building or addition or complete re-fit of existing buildings:
 - Single-family, multifamily or duplex use not exceeding three stories, which includes an attached or detached residential garage, storage or outbuilding, per square foot of building or addition \$0.007
 - Commercial use, which includes all other occupancies not listed in this section, per square foot of building or addition \$0.009
 - Commercial storage, warehouse or parking garage, which does not apply to accessory office areas, per square foot of building or addition..... \$0.003
- (2) Alteration, repair or replacement of mechanical units:
 - Existing single-family, duplex, or multifamily residences tenant or premise, for each:..... \$5.25
 - Alteration, repair, addition to or replacement of mechanical units on commercial structures, for each:..\$15.75
- (3) Reinspection:
 - First occurrence..... \$ 45.00
 - Second occurrence\$ 55.00
 - Each reinspection thereafter.....\$ 65.00
- (4) Other equipment or appliances not listed, each\$5.25
- (5) General inspection\$5.25

(Code 1966, § 23-17(4); Ord. No. 79-2003, § 1, 9-2-2003; Ord. No. 40-2008, § 1, 8-5-2008; Ord. No. 53-2010, § 3, 9-21-2010)

2b. Code Enforcement

2b-1. Miscellaneous Fees:

- (1) Fee to Abate Junk Vehicleno more than \$150.00
- (2) Public Right-of-Way Sign Removal\$25.00 plus \$1.00 per day for storage
- (3) Vacant Structure Registry (Annual)...\$150.00
- (4) Vacant Structure Inspection Fee (Annual)...\$100.00

2c. Planning

2c-1. Platting:

(1) **Preliminary Plats:**

Fees for preliminary platting shall be as follows:

- Up to five acres\$ 170.00
- More than five acres\$ 170.00
- Plus, additional per acre fee or thereof up to \$500.00 maximum....\$10.00

(2) **Final, Notification and Minor Plats:**

(a) Fees for final platting and courthouse filing shall be as follows:

1. Plats within City of Wichita Falls and Wichita County:

Plat Type	Wichita County
Final Plat: Up to five acres More than five acres <i>Plus, additional per acre fee or fraction thereof up to \$500.00 maximum</i>	\$ 280.00 \$ 280.00 \$ 10.00
Notification Plat, in addition to final plat fee	\$ 75.00
Plat Vacation	\$200.00
Minor Plat	\$ 280.00

2. Plats within the Extra-Territorial Jurisdiction (ETJ) Area shall be as follows:

Plat Type	Archer County	Clay County
Final Plat: Up to five acres	\$ 280.00	\$500.00
More than five acres <i>Plus, additional per acre fee or</i>	\$ 280.00 \$ 10.00	\$500.00 \$ 10.00

<i>fraction thereof up to \$500.00 maximum</i>		
Notification Plat, in addition to final plat fee	\$75.00	\$75.00
Plat Vacation	\$200.00	\$450.00
Minor Plat	\$ 280.00	\$500.00

- (2) The fees in subsection ((1) and (2)) of this section shall not apply to the following types of plats:
- Plats submitted by the city or any governmental or public educational agency.
 - Plats submitted to correct minor drafting errors in a recorded plat.
 - Plats filed for the purpose of dedicating land to the city in which no other subdivision of land is shown.
 - Replats occasioned by governmental action.
- (3) Fees for revised preliminary plats shall apply to the area changed from the previous submission.

(Code 1966, § 23-17(5))

2c-2. Miscellaneous Development Fees:

- (1) Variance, Board of Adjustment, Airport Board of Adjustment \$200.00
- (2) Right-of-way and easement encroachment release \$100.00
- (3) Street, alley, or easement closure, abandonment, vacation \$200.00
- (4) Street name change \$500.00
- (5) Annexation \$500.00
- (6) Certification letters for zoning, floodplain or building encroachment
Basic fee \$25.00
Intensive review fee \$50.00
- (7) Zoning fees:
 - Site plan review:
 - Application. This fee shall not apply to site plans accompanying a conditional use application \$75.00
 - Appeal \$50.00
 - Conditional use permit:
 - Application \$ 170.00
 - Application for carport \$ 170.00
 - Conditional use for communications tower ... \$250.00
 - Appeal \$100.00
 - Administrative appeals \$200.00
 - Zoning amendments (rezoning) \$ 450.00
 - Up to five acres \$ 450.00
 - More than five acres \$ 450.00

- § Plus, per acre or fraction thereof..... \$10.00
 - Rezoning to PUD..... \$ 560.00
 - § Plus, per acre or fraction thereof..... \$10.00
 - (8) Credit Card/Online Transaction Fee... additional 3% of transaction amount
- (Code 1966, § 23-17(6)—(13); Ord. No. 2-2004, § 1, 1-6-2004; Ord. No. 71-2009, § 1, 10-6-2009)

3. City Clerk

3a. Miscellaneous City Clerk Fees:

- (1) Liquor Permit Certification Fee\$ \$50.00
- (2) Solicitor's Permit Fee\$100.00
 - Renewal Fee.....\$100.00
 - Plus per employee working under permit\$10.00
- (3) Itinerant Merchant Permit Fee\$30.00
 - Plus per additional location\$30.00
- (4) Crafted Precious Metal Dealer Permit Fee\$15.00
 - Plus per employee working under permit\$10.00
- (5) Transient Show License Fee\$25.00
 - Plus per day\$10.00

4. Finance

There shall be charged the following fees by the Wichita Falls Utility Collections Division under Chapter 106, Article IV, Rates and Charges:

4a.-1 Credit Card Service Fees:

- (1) For payments made via IVR, the City's website, or Kiosk: No more than ~~\$3.00~~\$3.25 per \$250.00 charge
- (2) For payments made in person at the Utility Collections' counter: No more than ~~\$3.00~~\$3.25 per \$250.00 charge

4a.-2 ACH Participation:

During promotions authorized by the Director of Finance, there will be a one-time \$5.00 credit to accounts for signing up for ACH payment processing.

5. Fire

5a.-1 Miscellaneous Fire Department Fees:

- (1) The following fees shall be assessed and collected for the use or presence of equipment and supplies in fire department responses to open burning permit supervision, vehicle fires and accidents, hazardous material spills and releases, and low water crossing rescues and rescue attempts:

- For each response to an incident scene involving at least one fire apparatus (engine, truck, rescue/Hazmat, manpower squad, command vehicle, mini-pumper): \$450.00 per day, with a one-day minimum;
- The actual cost of any consumable used or partly used for the mitigation of any hazardous materials spill or release; and
- The actual cost of repairing or replacing any nonconsumable item damaged during attempts to mitigate an incident covered under this section.
- If a vehicle that is the subject of a response is covered by an automobile insurance policy, the occupants of said vehicle will not be billed in accordance with this section for the response, and the responsible vehicle's insurance company will instead be billed for that response.

(Ord. No. 53-2010, § 1, 9-21-2010; Ord. No. 69-2011, § 2, 12-6-2011)

- (2) Pyrotechnic display permit\$100.00; plus \$50.00 per hour for standby fire crew with 2-hour minimum
- (3) Bonfire Standby ... \$50.00 per hour with 2-hour minimum
- (4) Other fire department permits\$50.00

(5) Extended on-scene time to mitigate gas line breaks and downed power lines.

- a. For each response to a hazardous condition involving gas line breaks and downed power lines involving at least one fire apparatus (engine, truck, rescue, squad, command vehicle), a one-time fee of \$450.00 will be assessed if the responsible utility company is not on-scene and prepared to release the fire department within 45 minutes of being notified by dispatch.

(Ord. No. 69-2011, § 2, 12-6-2011)

5a.-2 General Fire Inspection ... \$30.00 per year for any General Business that does not fall into one of the following categories:

- (1) State-Licensed Healthcare Facility ... \$5.00 per bed, per year
(Hospitals, Nursing and Assisted Living Facilities, Rehab Hospitals)
- (2) Education Campuses (Private and Public) ... \$35.00 per campus, per year
(Elementary, Middle, High Schools, Technical/Career Centers)
- (3) Apartment Complexes ... \$35.00 per building, plus \$20.00 per floor, per year
(Residential Apartments [Single and Multi-Story])
- (4) Hotel/Motel ... \$75.00 per floor, per year
- (5) Hazardous Material Occupancy ... \$150.00 per year
- (6) Outside of city limits inspections ... \$45.00 per hour with 1-hour minimum including follow up inspections.
- (7) Compliance Failure Penalty ... \$25.00 after second failed inspection;

\$50.00 after third failed inspection; \$100 after fourth failed inspection.

5a.-3 New and Updated Fire Alarms and Sprinkler Systems:

- (1) Fire Sprinkler Systems
 - a. New fire sprinkler systems ... \$125.00 plus \$25.00 per 5,000 square foot to a maximum of \$500.00
 - b. Alterations/Repairs ... \$40.00 for up to 50 heads; \$80.00 for 51-100 heads; \$125 for 100+ heads
 - c. Subsequent inspections ... \$50.00
- (2) Fire Alarm Systems
 - a. New fire alarm system ... \$75.00 plus \$25.00 per 5,000 square foot to a maximum of \$450
 - b. Alterations/Repairs ... \$40.00 per alarm panel swap; \$40.00 for up to 25 devices; \$80.00 for 26-40 devices; New Alarm System rate for 41+ devices
 - c. Subsequent inspections ... \$50.00
- (3) **Alarm Service Fees:**
 - a. If the location has more than three but fewer than six false alarms in the preceding 12-month period\$50.00
 - b. If the location has more than five but fewer than eight false alarms in the preceding 12-month period\$75.00
 - c. If the location had eight or more false alarms in the preceding 12-month period\$100.00
- (4) **Failed Final Inspection Fee**
 - Assessed when contractor calls for a final inspection on sprinkler system or detection system and fails to correct identified errors/violations
 - a. Initial final inspection with identified errors/violations \$0.00
 - b. First follow-up inspection with identified errors/violations \$0.00
 - c. Second follow-up inspection with outstanding errors/violations \$50.00
 - d. Subsequent follow-up inspections with outstanding errors/violations \$100.00

5a.-4 Credit Card/Online Transaction Fee:

- Additional 3% of transaction amount up to \$3.25 per transaction

6. Health

6a. Animal Services

(1) Licenses:

- Spayed or neutered Animal:
 - One-year: \$10.00
 - Two-year: \$15.00
 - Three-year: \$20.00
- Animal that is not spayed or neutered:
 - One-year: \$30.00

- Two-year: \$60.00
 - Three-year: \$90.00
- Dangerous Animal
 - One-year: \$400.00
- Duplicate city tag: \$7.00
- (2) Annual permits:
 - Commercial:
 - Fowl, Rabbit, Guinea Pig, Ferret: \$150.00
 - Grooming Shop: \$150.00
 - Kennel: \$125.00
 - Performing Animal, Petting Zoo, Circus: \$150.00
 - Pet Store: \$150.00
 - Private Animal Shelter: \$150.00
 - Stable, Riding School: \$150.00
 - Permit Reapplication Fee: \$50.00
 - Permit Reinspection Fee: \$25.00
 - Residential:
 - Fowl: \$30.00
 - Livestock: \$75.00
 - Livestock with identification: \$55.00
 - Pet Fancier: \$50.00
 - Project Animal: \$20.00
 - Rabbit: \$25.00
 - Swine: \$45.00
 - Permit Reapplication Fee: \$25.00
 - Permit Reinspection Fee: \$25.00
- (3) Special permits:
 - Feral Cat Colony: \$10.00
 - Litter: \$100.00 per litter
 - Sellers: \$250.00 per litter
 - Stud: \$100.00 per breeding
- (4) Impound fees:
 - Spayed or neutered Animal.
 - 1st impound: \$45.00
 - 2nd impound in any 36-month period: \$80.00
 - 3rd impound in any 36-month period: \$105.00
 - 4th impound in any 36-month period: \$130.00 + \$25.00 for each additional impound
 - Animal that is not spayed or neutered.
 - 1st impound: \$50.00
 - 2nd impound in any 36-month period: \$90.00 ASC will transport to veterinarian for spay/neuter
 - Small Animal (birds, rabbits, guinea pigs, snakes, hamsters, fish, etc.) impound: \$10.00
 - Small livestock.
 - Impound Fee: \$65.00

- Large livestock.
 - Impound Fee: \$125.00
- (5) Daily boarding fees:
 - Small Animal (birds, rabbits, guinea pigs, snakes, hamsters, fish, etc.): \$5.00
 - Animal: \$10.00
 - Small livestock: \$20.00
 - Large livestock: \$25.00
- (6) Quarantine fees:
 - Quarantine Vaccinations\$20
 - Ten-day quarantine fee (to be paid at beginning of quarantine):
 - (a) Initial quarantine \$170.00
 - (b) 2nd quarantine of same animal \$220.00
 - (c) 3rd quarantine of same animal \$320.00
 - (d) 4th quarantine of same animal \$420.00
 - (e) Any subsequent quarantine: \$420.00 + \$100.00 for each additional quarantine.
 - Daily boarding fee after 10-day quarantine: \$25.00 per day
 - Rabies testing in lieu of quarantine: \$50.00
- (7) Animal surrender fee payable by owner:
 - Single animal: \$30.00
 - Litter less than 4 months old – three or less (Mom charged as single animal): \$40.00
 - Litter less than 4 months old – four or more (Mom charged as single animal): \$60.00
 - Animal Pickup Fee: \$15.00 (in addition to surrender fee)
- (8) Deceased animal removal fee:
 - Animal weighing 50 lbs or less: \$20.00
 - Animal weighing greater than 50 lbs: \$30.00
- (9) Trapping:
 - Small trap deposit: \$60.00
 - Large trap deposit: \$155.00
 - Trapping and animal removal fee: \$35.00 for 5 days, and \$10.00 for every day thereafter.
 - Animal removal fee – private trap:
 - Animal weighing 50 lbs. or less: \$20.00
 - Animal weighing 50 lbs. or more: \$30.00
- (10) Adoption fees:
 - Dog Adoption Fee: \$40.00
 - Cat Adoption Fee: \$40.00
 - Transport Fee to Veterinarian out of City limits: \$25.00
 - Small Animal: (birds, rabbits, guinea pigs, snakes, hamsters, fish, etc.) \$10.00
 - Fowl: \$3.00
 - Small Livestock: (goats, sheep, pigs): \$40.00

- Large Livestock (Horses, donkeys and cows): \$75.00
- (11) Miscellaneous fees:
 - Microchipping: \$10.00
 - Rabies voucher: \$12.00
 - Late Fee Permit: \$25.00
 - Late Fee License: \$10.00
 - The health district is hereby authorized to pass along the cost of any veterinary services incurred for the care of an animal to that animal's owner, possessor, or harbinger.

(Ord. No. 67-2011, § 1, 11-15-2011; Ord. No. 58-2012, § 1, 9-18-2012)

6b. Environmental

6b-1. Food Establishment Permit and Certification Fees:

There shall be charged the following fees for permits, certifications, and inspections by the Wichita Falls/Wichita County Local Public Health District under chapter 26, article IV, Food and food vendors and establishments:

(1) Permits:

- Process 1 (low to moderate risk): \$200.00
- Process 2 (high risk): \$225.00
- Process 3 (very high risk): \$300.00
- Temporary events: \$30.00 for non-profit event; \$50.00 for for-profit event
- An additional permitting fee of \$125.00 will be charged to a food establishment for each of the following activities at the establishment:
 - Meat market
 - Catering
 - Bakery
 - Snack bar
 - Fish market
 - Commissary
 - Produce
 - Dog Patio
- Seasonal Permits: \$175.00
- Non-profit organizations which are exempt from federal tax liability under 26 U.S.C. 501(c)(3) are exempt from permit fees, unless consideration is charged for the food served.

(2) Certifications:

- Frozen dessert establishment certification,: \$150.00
- Frozen dessert operator certification: \$20.00 for each employee valid for two years.
- Non-profit organizations which are exempt from federal tax liability under 26 U.S.C. 501(c)(3) are exempt from certification fees, unless consideration is charged for the food served.

(3) Food handler's training certificate:

- Food handler training certificate: \$20.00
- Replacement food handler's training certificates (lost card): \$5.00

(4) Re-inspection fees:

- Each inspection: \$75.00
- Soft-serve sample fee: \$25.00

(5) Plan review fees:

- New construction: \$150.00
- Extensive remodel that requires construction: \$100.00
- Concept change that requires change of equipment: \$100.00
- Each requested site visit: \$50.00

(Ord. No. 54-2011, § 1, 9-20-2011)

6b-2. Fees for Ambulance Franchises and Permits:

There shall be charged the following fees for ambulance franchise applications, franchises, and annual permits issued by the City of Wichita Falls under Chapter 42, Emergency services:

- (1) Initial franchise application fee: \$500.00
- (2) Annual franchise fee: \$100.00
- (3) Annual permit fee per ambulance: \$100.00

(Ord. No. 54-2011, § 1, 9-20-2011)

6b-3. Body Art Fees:

- (1) Annual body art establishment permit fee: \$600.00
- (2) Initial annual body art operator license fee: \$500.00
- (3) Renewal annual body art operator license fee: \$100.00
- (4) Initial testing fee: \$100.00, which covers two attempts to pass the examination, and which amount will be credited toward the initial annual body art operator license fee.
- (5) Additional attempts to pass the examination: \$50.00, which will not be credited toward any license or permit fees.
- (6) Apprenticeship fee: \$100.00
- (7) Temporary tattoo artist fee: \$50.00
- (8) Temporary event permit: \$250.00

(Ord. No. 11-2012, § 2, 3-6-2012)

6b-4. Miscellaneous Fees:

- (1) Foster home inspection fee: \$50.00
- (2) Day care inspection fee: \$100.00
(Ord. No. 54-2011, § 1, 9-20-2011)
- (3) Swimming pool permits: \$200.00 per pool per year.
- (4) Manager of public and semi-public water-related activity operation: \$50.00 per manager per year.

(Ord. No. 54-2011, § 1, 9-20-2011)

Re-inspection fees: ... \$25.00 for each failed water sample

(Ord. No. 54-2011, § 1, 9-20-2011)

- (5) Late charge for renewal of expired division 1 permits: \$25.00 for every month expired.

(Ord. No. 54-2011, § 1, 9-20-2011)

6b-5. Lodging Permit Fee Schedule:

1-10 Rooms: \$100.00

11-25 Rooms: \$125.00

26-50 Rooms: \$150.00

51-75 Rooms: \$200.00

76-100 Rooms: \$225.00

101-150 Rooms: \$250.00

151-200 Rooms: \$300.00

201+ Rooms: \$350.00

6b-6. Vacuum Truck and Grease Trap Permit Fees:

- (1) Vacuum truck permit fee (per truck): \$150.00

- (2) Grease trap permit fee: \$75.00

- (3) Late fees:

· Grease trap permit: \$25.00 for every month expired

· Vacuum truck permit: \$25.00 for every month expired

· Industrial wastewater permit: Five percent of permit fee

- (4) The rates in this section are for a permit issued for a period of one year. The control authority may prorate the amounts for permits with shorter durations, or, for initial permits only, may increase the amounts by the appropriate factor for a slightly longer period.

(Ord. No. 67-2011, § 1, 11-15-2011) On-Site Sewage Facilities (OSSF) Fees

SYSTEM TYPES		FEES				
	Archer	LAH	Wichita	Archer	LAH	Wichita
Conventional System				\$250	\$250	\$250
Proprietary system w/on-going maintenance				\$275	\$275	\$275
Property transfer				\$150	\$150	\$150
Note: fees cover up to 2 site visits. Extra fee for each				\$100	\$100	\$100

additional trip						
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6c. Laboratory

6c-2. Miscellaneous Laboratory Fees:

- (1) Water testing fees:
 - Total Coliform Water Testing: \$16.00
 - Fecal Coliform Water Testing: \$20.00
- (2) Fees for clinic and medically related services may be set by the city manager.

(Ord. No. 67-2011, § 1, 11-15-2011)

6.d. Donation Boxes

6d-1. Donation Boxes:

- Initial Donation Box Fee ... \$75.00 (site plan review; building permit/inspection)
- Annual Renewal Donation Box Fee ... \$50.00

7. Library

7a. Miscellaneous Library Fees:

The following fines and fees for the public library are established:

- (1) Overdue and/or lost materials. Patrons shall be assessed a fine of \$0.15 per workday per item for all overdue materials until the item is returned or the replacement cost is reached. However, a five-day grace period is provided, whereby no fine is charged on items if they are returned within five workdays of the due date. If an item is lost, the patron shall be required to pay a set fee based on the replacement cost of the item and the approximate processing costs involved in accessioning the replacement item.
- (2) Damaged materials. Damaged materials shall be inspected by the library staff, and the charges shall be assessed based upon the degree of damage.
- (3) Lost library cards. A new library card shall be issued as replacement for a lost library card for a charge of \$1.00 for adults and children.
- (4) Photocopying. Patrons may make photocopies or microfilm or microfiche copies or computer printouts for a charge to be determined by option shown on copying machine.
- (5) Nonresident library cards. When new library cards are issued, a fee of \$25.00 shall be assessed to all individuals who reside outside the city limits. This fee shall not apply to non-resident property owners and their immediate family members (i.e., spouse and children who reside at the same residence) who can substantiate payment of current ad valorem taxes to the city. Library cards are valid for one year from the date of issuance.

8. Municipal Court of Record

8a. Miscellaneous Court Fees:

- (1) Child Safety Fund Fee\$5.00
State law reference— Fee for child safety authorized, Vernon's Ann. C.C.P. art. 102.014.

(2) Credit Card Transaction Fee.....\$2.50 per transaction

9. Parks and Recreation

9a. Athletic Complex Fees:

- (1) Tournament Deposit Fees:
 - Tournament Reservation Security Deposit\$100.00
 - Cleanup, Damage, and Loss Deposit\$200.00
 - Tournament Waiting List Deposit\$100.00
- (2) Facilities Fees:
 - Scorekeeper's Booths/Meeting Room Rental\$50.00 per day plus 100.00 damage deposit
 - Field Rental: per field per day \$75.00
 - Light Use Fee: per hour per field ~~\$15.00~~\$30.00
- (3) Practice Fees:
 - Light Use Fee: per 1.5 hours per field ~~\$20.00~~\$30.00
- (4) In addition to the above fees, certain percentage-based fees may apply as outlined in relevant portions of the City of Wichita Falls Code of Ordinances.

9b. Athletic & Recreation Fees:

- (1) Athletic Fees:
 - Spring Softball ~~\$350.00~~\$300.00
 - Fall Softball ~~\$325.00~~\$300.00
 - Kickball \$300.00
 - Flag Football \$225.00
 - Volleyball \$200.00
 - Basketball ~~\$400.00~~\$350.00
 - Registration Late Fee \$25.00
- (2) Summer Day Camp Fees: \$100.00 per 2-week session
 - Transfer Fee \$15.00
 - Late Registration \$15.00
- (3) Swimming Pool Fees:
 - Admission Fee \$2.00 under 18 or \$3.00 18 & over
 - Swim Lesson Fee ~~\$30.00~~\$40.00 per 2 week session
 - Swimming Pool Rental \$200.00 per two hours

- (4) Tennis Fees:
 - At all times \$3.00 per 1.5 hours per person
 - Tournament Fee \$5.00 per person
 - Annual Permit Fees:
 - Adult (19 & over)\$100.00
 - Juniors (18 & under)\$100.00
- (5) Summer Track Program: June 6-July 9 ... \$50.00

9c. Cemetery Fees:

- (1) Riverside Cemetery:
 - Single Space\$1,600.00
 - Two Space Lot\$3,200.00
 - Baby Space\$750.00
- (2) Rosemont and Lakeview:
 - Single Space\$1,300.00
 - Two Space Lot\$2,600.0
 - Baby Space\$550.00
- (3) Opening /Closing Adult Grave - Includes 1 tent set-up\$813.00
- (4) Opening/Closing Infant Grave\$375.00
- (5) Cremation including tent....\$438.00
- (6) Adult Disinterment\$1,300.00
- (7) Infant Disinterment\$550.00
- (8) Lot Maintenance - Steel or Concrete Container\$125.00
- (9) Lot Maintenance – Wood\$188.00
- (10) Lot Maintenance - No Container.....\$250.00
- (11) Overtime Monday - Friday Arrival to cemetery after 3:00 p.m.....\$281.00
- (12) Overtime Monday - Friday After 3:00 p.m.\$281.00
- (13) Overtime Saturday\$625.00
- (14) Additional Tent Set-up\$94.00
- (15) Cemetery Transfers.....\$25.00 per burial site

9d. Mobile Stage Fees:

- (1) Reservation Deposit \$100.00
- (2) Stage Rental Fee ~~\$525.00~~ \$600.00 per day
- (3) Cleanup & Damage Deposit \$1000.00
- (4) Call Back Fee \$50.00 per occasion
- ~~(5) Generator Fee \$75.00 per day~~
- ~~(6) Decorative Skirting \$15.00 per day~~
- ~~(7)~~(5) Sound System \$100.00 per day

9e. Miscellaneous Parks Fees:

- (1) RV Park Usage Fee\$17.00 per day per site
- (2) 50 Plus Zone Membership Fee\$30.00 per year
- (3) Log Cabin Rental Fees:
 - Cleanup & Key Deposit\$115.00
 - Rental Fee (4 Hour Block)\$60.00

- Rental Fee (5 Hour Block)\$70.00
- After-hours key pickup \$30.00
- (4) Kemp Sunnyside Center
 - Cleanup & Key Deposit \$115.00
 - Rental Fee (Up to 5 Hours) \$50.00/(6 Hours+)\$100.00
 - After-Hours Key Pickup \$30.00
- (5) East Lynwood Center
 - Cleanup & Key Deposit \$115.00
 - Rental Fee (Up to 5 Hours) \$50.00/(6 Hours+)\$100.00
 - After-Hours Key Pickup \$30.00
- (4)-(6) Recreation Center Meeting Room Rentals:
 - Large Room Rental Fee (4,500 sq. ft.)\$60.00 per four hours plus \$50.00 deposit
 - Small Room Rental Fee (1,050 Sq. ft.)\$40.00 per four hours plus \$50.00 deposit
- (5)(7) Park Shelter Rental ... \$15.00 per four hours

10. Police

10a. Accident Investigation Reports:

- (1) Accident Investigation Reports Fee higher of \$6.00 or maximum allowed statutory fee
- (2) Certification Fee\$2.00

Code 1966, § 29-17(b), Trans. Code Sec. 550.065(d))

10b. Alarm Permits:

- (1) Issuance Fee\$25.00
- (2) Permit Renewal Fee\$15.00
- (3) Late Permit Renewal Fee ...\$25.00
- (4) Alarm Service Fees:
 - \$50.00, if the location has more than three but fewer than six false alarms in the preceding 12-month period.
 - \$75.00, if the location has more than five but fewer than eight false alarms in the preceding 12-month period.
 - \$100.00, if the location had eight or more false alarms in the preceding 12-month period.

10c. Towing and Rotation Contracts:

- (1) New or Renewal Permit\$15.00
- (2) New or Renewal Rotation Contract\$200.00
- (3) Public Safety Fee on Police Tows ... \$25.00

10d. Miscellaneous Police Fees:

- (1) Vehicle Storage Preservation Fee\$20.00
(V.T.C.A., Occupations Code ch. 2303)

- (2) Certified Copies of Criminal Offense Reports ...\$2.00”

*****Section 11-2022 will go into effect on October 1, 2022 and will be replaced by 11-2023 (as found below) on October 1, 2023.*****

11-2022 Public Works

11a. Construction in the Right-of-Way.

11a-1. Construction in the Right-of-Way Fees:

- (1) Excavation \$53.75
- (2) Drive Approach \$10.00Each Additional Approach \$5.00
 - Drive Approach with Sidewalk and/or curb ... \$0.15 per linear foot of sidewalk and/or curb
- (3) Sidewalk and/or Curb Work only \$10.00 plus \$0.15 per linear foot of sidewalk or curb
- (4) Median Cut Permit Application Fee \$5.00
- (5) Network Nodes
 - Single Node Permit Fee \$250
 - \$500 for up to 5 Network Nodes and \$100 for each additional Network Node
 - Annual Network Node rental rate \$250 per Network Node
- (6) Node Support Poles \$1,000 for each pole
 - City Owned Service Pole \$20 per node.
- (7) Transfer Facility \$500 for up to 5 Network Nodes for connectivity purposes, \$100 per Network Node for each additional node thereafter.
 - Monthly Transfer Facility rental rate \$28 per network node site.
- (8) Reinspection Fee (if required) \$10.00

11b. Sanitation, Sewage, & Stormwater

11b-1. Abnormal Sewage Surcharges:

- (1) Abnormal BOD\$0.075 per 100 cubic feet of water usage for each unit or fraction of 300 mg/l in excess of 300 mg/l
- (2) Abnormal TSS\$0.075 per 100 cubic feet of water usage for each unit or fraction of 300 mg/l in excess of 300 mg/l
- (3) Abnormal fats, oils, and grease\$0.075 per 100 cubic feet of water usage for each unit or fraction of 200 mg/l in excess of 100 mg/l.

11b-2. Commercial Landfill and Transfer Station Charges:

- (1) Municipal/industrial solid waste hauled to landfill, per ton\$30.80
- (2) Municipal/industrial solid waste hauled to transfer station, per ton\$40.15
- (3) Tires hauled to the transfer station, per ton\$200.00
- (4) Source-separated compostable organics hauled to the landfill, per ton\$19.80

(5) Credit Card Transaction Fee \$3.25 per transaction

~~(5)(6)~~ Only exclusive franchise holders shall be allowed to obtain a waste disposal agreement by written contract with the city manager. Contract haulers and private firms hauling commercial and certain industrial waste in a minimum annual amount of 800 tons may negotiate a disposal charge by written contract with the city manager. The city manager shall negotiate a minimum monthly amount of 100 tons and a rate profitable to the city after considering current market conditions and the city's disposal costs.

~~(6)(7)~~ Commercial haulers will be assessed the appropriate user fee for the use of the landfill or transfer station. All governmental entities, excluding the city, shall be charged the commercial rate.

~~(7)(8)~~ Any hauler who delivers solid waste material to the landfill or transfer station shall be charged a loose materials fee of \$25.00 unless the following conditions are met:

- Waste material is completely covered with a tarp, cargo net, wire screen or other covering adequate to prevent the trash or other refuse from escaping therefrom, and said covering shall be securely tied to the bed of the vehicle or trailer, or
- Large waste material items must be securely tied to the bed of the vehicle or trailer with ropes or straps adequate to prevent the large items from escaping therefrom, or
- Brush or tree limbs must be securely tied to the bed of the vehicle or trailer with ropes or straps of adequate strength and number, or covered completely with a tarp, cargo net, wire screen or other covering adequate to prevent the trash or other refuse from escaping therefrom, or
- The waste material is completely enclosed by the load-carrying compartment of the vehicle.

(9) The purchase price for compost shall be \$12.50 per cubic yard with a three-yard minimum.

11b-3. Solid Waste Removal Rates and Charges:

(1) Single-family unit:

- Alley collection\$23.11 per month
- Curbside automated collection\$16.48 per month

(2) One-family unit or single-family unit, without alley entrance, where it is necessary to carry out municipal solid waste for more than ten feet but less than 50 feet from the curb\$41.66 per month

(3) One-family unit or single-family unit, without alley entrance, where it is necessary to carry out municipal solid waste for more than 50 feet but less than 100 feet from the curb\$51.09 per month

(4) One-family unit or single-family unit, without alley entrance, where it is necessary to carry out the municipal solid waste more than 100 feet from the curb\$60.53 per month

(5) Multifamily units on one meter, excluding apartment complexes and mobile home parks, per unit:

- Alley collection\$23.11 per month
 - Curbside automated collection\$16.48 per month
- (6) Multifamily units on separate meter, excluding apartment complexes and mobile home parks, per unit:
- Alley collection\$23.11 per month
 - Curbside automated collection\$16.48 per month
- (7) Apartment houses and complexes, which receive curbside automated collection, all residential units therein, each unit\$16.48 per month
- (8) Mobile home parks, which receive curbside automated collection, all occupied mobile home spaces therein, each space\$16.48 per month
- (9) Commercial and business establishments, which receive curbside automated collection, shall be charged \$37.84 per month.
- (10) Commercial and business establishments, apartment complexes and mobile home parks and the city housing authority which receive sanitation container system service for the removal of municipal solid waste shall be regulated under the rates and rules as provided in this subsection, as routes for such service are established by the city. Under the sanitation container system service, the city will furnish a container to be used in the collection and removal of municipal solid waste. The monthly charges will be determined from the following schedule; these charges are based on the container size and number of collections per week, with twice per week service being the minimum allowable service:

Container Size (cubic yard)	Pickups Per Week	Monthly Charge Per Container
3	2	\$113.58
3	3	\$170.24
3	4	\$227.00
3	5	\$284.13
3	6	\$340.47
4	2	\$128.63
4	3	\$192.97
4	4	\$257.26
4	5	\$321.60
4	6	\$386.58
6	2	\$227.16
6	3	\$340.53
6	4	\$454.00
6	5	\$568.21
6	6	\$680.84
8	2	\$245.87

8	3	\$368.83
8	4	\$491.73
8	5	\$614.75
8	6	\$737.60

Any customer who pays the rate set forth in this subsection for containers and has been furnished the containers may upon request be furnished additional containers. The rate increase is to be determined by the schedule in this subsection. A charge of \$47.33 per container will be made for each change in size or number of containers serving a site when such change is requested by the customer. When containers can serve several adjacent business institutions, they will be required to use the same container and pay a pro rata part of the charge. The minimum charge per business will be \$37.84. When multiple businesses are served by one meter, each business will be charged the minimum fee. Additional pickups will be made at \$63.07 per container. Nothing outside the container will be removed for the container fee.

(11) Commercial Dumpster Lock, per month....\$5.00

~~(12) Commercial Compactor Service~~

~~—Commercial compactors serviced by the city will be charged based on fees set in subsection (10) based on size and at least twice per week service.~~

~~(13)~~ Service rendered outside the corporate limits shall be 200 percent of the rates set out in this section.

~~(14)~~ Automated curbside service rates will be calculated on the same basis as subsections (1) through (9) of this section. Additional automated curbside service may be added to any account for a rate, for each additional container, that is 50 percent of the established rate.

~~(15)~~ Replacement deposit on curbside container if abuse or neglect is determined shall be ~~\$61.25~~ \$65.00 per container.

~~(16)~~ The charges for ten cubic yard roll-off service are as follows:

(Updated July 1, 2022)

- Delivery set fee\$80.35
- Pull / Reset Fee \$44.65
- Per day rental.....\$5.35
- Landfill charge for refuse, per ton\$30.80
- Landfill charge for compostable organic material, per ton\$19.80

~~(17)~~ Payload Service:

- Initial trip charge \$31.20
- Plus loading fee \$2.10 per minute

~~(18)~~ Automated Curbside Organic Reuse:

- Residential 96-gallon cart ... \$3.00 per month
 - Residential customers must maintain the organic reuse service for a minimum of six months or be charged a pick up fee of \$12.50.

- In order to participate in the twice-per-year compost give-away, residential customers must participate in the organics reuse program for 45 days prior to a scheduled give-away.

- Commercial 96-gallon cart ... \$7.00 per month

- Commercial customers are not allowed to participate in the compost give-away program.

(~~1918~~) Commercial Dumpster Organic Reuse:

Container Size (cubic yard)	Pickups Per Week	Monthly Charge Per Container
3	1	\$51.01
4	1	\$57.77
6	1	\$102.03
8	1	\$110.45

(~~2019~~) Franchise Hauler

- Franchise Fee.....\$250 per year
- Franchise Vehicle Fee.....\$500 per vehicle per year

(~~2120~~) Commercial Service Site Permit

- Compacter Unit.....\$25 per month
- Roll-Off Container (minimum 10 yd up to 50 yd).....\$10 per month

11b-4. Sewer Service Rates:

- (1) Retail User Monthly Minimum ~~\$7.53~~ \$7.91 per full billing cycle
- (2) Monthly Sewer Usage Rate(Non-Residential)..... ~~\$1.75~~ \$1.84 for each 100 cubic feet of water
- (3) Monthly Sewer Usage Rate (Residential)based upon the average winter months' water usage

11b-5. Water Connection Application Deposits:

- (1) Fees & Minimum Deposits:
 - Single-Unit Residential Meters\$100.00
 - Duplexes, Apartments, Mobile Home Park Meters
 - Each Unit or Occupiable Space\$75.00
 - Minimum\$110.00
 - Business, Commercial, and Industrial Meters.....Estimate of a two-month bill, \$110.00 minimum
 - Special-Purpose Meters (e.g. Yard Sprinklers, Pools).....\$75.00 per service connection
- (2) Builder Deposit for New Construction Site\$110.00

11b-6. Water Usage Rates:

- (1) The minimum monthly bill for all metered treated water service shall be as follows exclusive of any water volume charge:

Meter Size (inches)	Minimum Bill
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3/4	\$17.91 <u>\$18.81</u>
1	\$36.28 <u>\$38.09</u>
1½	\$66.89 <u>\$70.23</u>
2	\$103.62 <u>\$108.80</u>
3	\$189.37 <u>\$198.84</u>
4	\$311.84 <u>\$327.43</u>
6	\$618.00 <u>\$648.90</u>
8	\$1,095.64 <u>\$1,150.42</u>
10	\$1,708.10 <u>\$1,793.51</u>

- (2) For consumption, the rates per 100 cubic feet for single-family units and multi-family units up to four units shall be at an inclining block rate as follows:
- First 200 cubic feet of water at ~~\$3.64~~ \$3.82 per hundred.
 - Next 800 cubic feet of water at ~~\$3.81~~ \$4.00 per hundred.
 - Next 1,000 cubic feet of water at ~~\$3.99~~ \$4.19 per hundred.
 - Next 2,000 cubic feet of water at ~~\$4.36~~ \$4.58 per hundred.
 - Next 2,000 cubic feet of water at ~~\$4.61~~ \$4.84 per hundred.
 - Next 6,000 cubic feet and above of water at ~~\$4.89~~ \$5.13 per hundred.
 - Specific use meters installed for lawn sprinklers, swimming pools, and other nondomestic uses will also be billed at the inclining block rate described above.
- (3) For Reilly Road Water Fill Station customers, the rates shall be:
- City residents ~~\$6.73~~ \$7.07 per thousand gallons of water.
 - Non-city residents ~~\$13.46~~ \$14.13 per thousand gallons of water.
 - Non-resident service fee ~~\$25.00~~ \$26.25 per month.
- (4) For multi-family units having 5 or more units, and all other non-residential use meters, the rate shall be a flat rate of ~~\$3.90~~ \$4.10 per hundred cubic feet.
- (5) During the first and last billing cycle in which an account is active, the minimum monthly bill shown in this section shall be prorated for the number of days the account is active; the prorated daily charge shall be based on a 30-day month. The amount charged in the first and last billing cycle for water consumed and the prorated minimum bill shall not exceed the charges for the same amount of water in a full billing cycle.
- (6) The current rate structure for raw water retail customers inside the corporate city limits is as follows:
- Minimum bill, per month ~~\$17.91~~ \$18.81
 - Volume charge per 100 cubic feet for consumption ~~\$0.52~~ \$0.55

- Retail treated and raw water customers outside the corporate city limits will pay two times the above rates.
- (7) Wholesale Water Rates: The following rates are approved for the indicated category of wholesale water customer, and shall apply unless a contract expressly provides for fees to be charged or calculated in a different manner than as shown below:

Category	Per 1,000 Gallons	Per 100 Cubic Feet
Treated water transmitted (TWT)	NA	\$3.9097 <u>\$3.9246</u>
Raw water only (RWO)	\$0.6063 <u>\$0.6441</u>	NA

The rates in the above part of this section shall apply to the following contract customers. Unless otherwise shown, the applicable rate will be effective during the first full billing cycle after October 1 of the year in which the rate was modified, and thereafter:

Customer	Rate Category	Remarks
Sheppard Air Force Base (SAFB)	TWT, sole source	Pump station meter
Sheppard Air Force Base	TWT	Capehart housing meter
Sheppard Air Force Base	TWT	Puckett Tower Meter
Archer Co. Municipal Utility Dist. #1	TWT	
City of Burkburnett	TWT	
Dean Dale Water Supply Corporation	TWT	
Friberg-Cooper Water Supply Corporation	TWT	
City of Holliday	TWT	
City of Iowa Park	TWT, sole source	
City of Lakeside City	TWT	
Town of Pleasant Valley	TWT	
City of Scotland	TWT	
City of Olney	RWO	
City of Archer City	RWO	
Red River Authority of Texas	TWT	Lake Arrowhead System

Windthorst Water Supply Corporation	TWT	
Wichita Valley Water Supply Corporation	RWO	Lake Kickapoo Meter
Wichita Valley Water Supply Corporation	TWT	Wranglers Retreat Meter

(8) Credit Card Convenience Fee ~~\$3.00~~ \$3.25 per transaction.

(9) City Utilities Division Fees for Service:

- Standard water tap: A three-quarter-inch or one-inch water tap that does not exceed 15 feet of service line. Excavation is performed in soil using a backhoe and no additional construction (e.g. cutting of asphalt or concrete; underground boring or specialized construction to avoid other utility lines, etc.) is required.

Size of Tap	
3/4"	\$1,497 <u>\$1,541</u>
1"	\$1,620 <u>\$1,663</u>

- Non-standard water tap: A water tap that is larger than one inch or that includes a service line longer than 15 feet; requires underground boring, breaking of concrete or asphalt in street, alley or behind curb, or other non-standard construction techniques such as carrier pipe encasement or excavation by a means other than backhoeDetermined by job estimate using standard charges.
- Standard sewer tap: A sewer tap installed on an existing sewer main line or manhole using standard equipment and materials where the property owner or agent has excavated and no additional preparation by the city is required, and where the excavation meets OSHA standards for trench/excavation safety.

Type Tap	
Pipe	\$119.49
Manhole	\$300.00

- Non-standard sewer tap: A sewer tap where non-standard equipment or materials are required; additional preparation by the city is required; or trench/excavation safety to meet OSHA standards must be achieved by the cityDetermined by job estimate using standard charges.
- Standard charges for labor, equipment and materials. The following standard charges for labor, equipment and materials will be used

to estimate non-standard water and sewer taps and other special utility-related services:

Item	
Labor (Normal duty hours)	\$22.50/hour
Labor (Overtime)	\$33.75/hour
Materials	Current cost City + 10% for Administration & Warehousing
Backhoe/ditcher/front-end loader	\$63.50/hour (4-hour min.)
Crew truck with tools	\$40.00/day (1/2 day min.)
Sewer rod truck, or jet cleaner with crew	\$80.00/hr (Normal duty hours) \$112.50/hr (Overtime)
Sewer Recycle Unit with crew	\$160.00/hr (Normal duty hours) \$225.00/hr (Overtime)
Air compressor	\$33.00/hr (2-hour min.)
Tap machine (6" and smaller)	\$200.00/job
Tap machine (larger than 6")	\$364.00/job
Lighted arrow board	\$132.25/day (1/2 day min.)
Standard barricading of excavation: use of not more than 3 Type I barricades w/lights as necessary and/or plastic fencing, 3 standard traffic signs and 6 standard traffic cones. Includes 1 on-site check per day.	\$86.00/day (1/2 day min.)
Standard manhole (5' deep)	\$1,891.50 <u>\$2,148.34</u> plus \$380/ft. over 5'
Fire Hydrant (installed)	Determine by job estimate using standard charges

Standard charges for general services: The price for the general utility-related services shown below will be as indicated:

Service	
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Meter size reduction or increase	Determine by job estimate using standard charges
Underground boring without casing (up to 60') (for 1" and less)	\$476.10/job
Underground boring without casing	Diameter in Inches X \$4 + \$4/linear foot
Underground boring with casing	Boring cost plus materials cost
Shoring (if required for other services)	\$264.50/day
Backfill and Pavement Repair:	
Labor (Normal duty hours)	\$22.50/hour (2-hour min.)
Labor (Overtime)	\$33.75/hour (2-hour min.)
Materials	Current cost City + 10% for Administration and Warehousing
Backhoe	\$33.36/hour (2-hour min.)
Front End Loader	\$47.17/hour (2-hour min.)
Dump Truck	\$72.05/hour (2-hour min.)
Crew truck with tools	\$20.00/hour (2-hour min.)
Pavement repair for water tap	\$475.00/job min.
Unload septic waste from vacuum truck at City Wastewater Treatment Plant	\$0.08 per gallon for loads originating within city limits; \$0.16 per gallon for loads originating outside city limits
Laboratory testing of septic loads with excessive levels of FOG, TSS, or BOD or with other constituents not acceptable at plant.	Commercial lab cost plus 10% for administration and handling
Dewatering and disposal of grease and/or grit waste at City Waste-water Treatment Plant	N/A - refer customer to private Type 5 facility
Returned check (no cut-off required)	\$30.00

Cut-off/reconnect as per request of customer	\$30.00
Service Disconnect and Restoration Fee	\$30.00 plus \$20.00 extra if same day reconnect requested
Remove meter (up to and including 1")	\$66.00 plus deposit or payment
Remove meter (larger than 1")	Determine by job estimate using standard charges
Meter Reset for Pre-existing Residence (up to and including 1")	\$500.00, unless within 5 years after removal of the meter
Meter Reset for Pre-Existing Residence (larger than 1")	Determine by job estimate using standard charges
Padlock and saddle damage	\$37.00
Water-off lid (customer damage)	\$53.00
Cut-off/replacement (customer damage)	\$125.00
Meter damage (customer tampering) up to 1"	\$66.00 plus parts
Remove/install cut-off and install/remove plug customer service line (up to 1")	\$190.00
Additional measures to prevent illegal use of water	Determine by job estimate using standard charges
Meter test (of accurate meter) (up to 1")	\$72.75
Meter test (of accurate meter) (larger than 1")	Determine by job estimate using standard
Reread (reading accurate)	\$20.00
Establish temporary water Account	\$30.00 \$20.00 (includes establishment of account, turn-on/turn-off of water)
Deposit for Fire Hydrant Meter	\$1,900.00 meter deposit plus \$100.00 billing deposit
Manual invoicing (minimum charge)	\$22.50/hr., 1 hr. min.

Standard barricading of excavation: use of not more than 3 Type I barricades w/lights as necessary and/or plastic fencing, 3 standard traffic signs and 6 standard traffic cones. Includes 1 on-site check per day.	\$86.00/day (½ day Min.)
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11b-7. Industrial Wastewater Discharge Permit Fees:

(Charged pursuant to chapter 106, Article VII, Regulations for Disposal of Industrial Waste):

Category 1:	Metal Finishers	\$2,200.00
Category 2:	Centralized Waste	\$2,000.00
Category 3:	Steam/Electric Generation	\$1,100.00
Category 4:	Electroplating	\$2,100.00
Category 5:	Laundry	\$1,000.00
Category 6:	Non-Classified	\$1,000.00
Category 7:	Glass Manufacturing	\$1,000.00
Category 8:	Non-Significant Industries	\$800.00

11b-8. Miscellaneous Water/Sewer/Sanitation/Stormwater Fees:

- (1) New landscaping fee during Stage 1 & 2 drought.....\$50
- (2) New Landscaping Water Rate during Stage 2 ...3 x normal rate over 10 ccf
- (3) Stormwater fee\$5.00 per unit. Maximum commercial fee \$1,666.65 per month
- (4) Street Sweeper Fee\$83.00 per hour. Minimum 2-hour charge.
- (5) Engineering Construction Bid Plan Set \$35.00
- (6) Late Payment Fee \$25.00 for every 30 days after due date
- (7) Municipal Settings Designation (MSD) Application Fee\$2,500.00
- (8) Industrial Water Reuse Rate.... ~~\$3.73~~\$3.92/1000 ccf"

*****Section 11-2023 (as found below) will replace Section 11-2022 on October 1, 2023.*****

11-2023 Public Works

11a. Construction in the Right-of-Way.

11a-1. Construction in the Right-of-Way Fees:

- (1) Excavation \$53.75

- (2) Drive Approach \$10.00 Each Additional Approach \$5.00
 - Drive Approach with Sidewalk and/or curb ... \$0.15 per linear foot of sidewalk and/or curb
- (3) Sidewalk and/or Curb Work only \$10.00 plus \$0.15 per linear foot of sidewalk or curb
- (4) Median Cut Permit Application Fee \$5.00
- (5) Network Nodes
 - Single Node Permit Fee \$250
 - \$500 for up to 5 Network Nodes and \$100 for each additional Network Node
 - Annual Network Node rental rate \$250 per Network Node
- (6) Node Support Poles \$1,000 for each pole
 - City Owned Service Pole \$20 per node.
- (7) Transfer Facility \$500 for up to 5 Network Nodes for connectivity purposes, \$100 per Network Node for each additional node thereafter.
 - Monthly Transfer Facility rental rate \$28 per network node site.
- (8) Reinspection Fee (if required) \$10.00

11b. Sanitation, Sewage, & Stormwater

11b-1. Abnormal Sewage Surcharges:

- (1) Abnormal BOD\$0.075 per 100 cubic feet of water usage for each unit or fraction of 300 mg/l in excess of 300 mg/l
- (2) Abnormal TSS\$0.075 per 100 cubic feet of water usage for each unit or fraction of 300 mg/l in excess of 300 mg/l
- (3) Abnormal fats, oils, and grease\$0.075 per 100 cubic feet of water usage for each unit or fraction of 200 mg/l in excess of 100 mg/l.

11b-2. Commercial Landfill and Transfer Station Charges:

- (1) Municipal/industrial solid waste hauled to landfill, per ton\$30.80
- (2) Municipal/industrial solid waste hauled to transfer station, per ton\$40.15
- (3) Tires hauled to the transfer station, per ton\$200.00
- (4) Source-separated compostable organics hauled to the landfill, per ton\$19.80
- (5) Credit Card Transaction Fee \$3.25 per transaction
- (6) Only exclusive franchise holders shall be allowed to obtain a waste disposal agreement by written contract with the city manager. The city manager shall negotiate a minimum monthly amount of 100 tons and a rate profitable to the city after considering current market conditions and the city's disposal costs.
- (7) Commercial haulers will be assessed the appropriate user fee for the use of the landfill or transfer station. All governmental entities, excluding the city, shall be charged the commercial rate.

- (8) Any hauler who delivers solid waste material to the landfill or transfer station shall be charged a loose materials fee of \$25.00 unless the following conditions are met:
 - Waste material is completely covered with a tarp, cargo net, wire screen or other covering adequate to prevent the trash or other refuse from escaping therefrom, and said covering shall be securely tied to the bed of the vehicle or trailer, or
 - Large waste material items must be securely tied to the bed of the vehicle or trailer with ropes or straps adequate to prevent the large items from escaping therefrom, or
 - Brush or tree limbs must be securely tied to the bed of the vehicle or trailer with ropes or straps of adequate strength and number, or covered completely with a tarp, cargo net, wire screen or other covering adequate to prevent the trash or other refuse from escaping therefrom, or
 - The waste material is completely enclosed by the load-carrying compartment of the vehicle.
- (9) The purchase price for compost shall be \$12.50 per cubic yard with a three-yard minimum.

11b-3. Solid Waste Removal Rates and Charges:

- (1) Single-family unit:
 - Alley collection\$23.11 per month
 - Curbside automated collection\$16.48 per month
- (2) One-family unit or single-family unit, without alley entrance, where it is necessary to carry out municipal solid waste for more than ten feet but less than 50 feet from the curb\$41.66 per month
- (3) One-family unit or single-family unit, without alley entrance, where it is necessary to carry out municipal solid waste for more than 50 feet but less than 100 feet from the curb\$51.09 per month
- (4) One-family unit or single-family unit, without alley entrance, where it is necessary to carry out the municipal solid waste more than 100 feet from the curb\$60.53 per month
- (5) Multifamily units on one meter, excluding apartment complexes and mobile home parks, per unit:
 - Alley collection\$23.11 per month
 - Curbside automated collection\$16.48 per month
- (6) Multifamily units on separate meter, excluding apartment complexes and mobile home parks, per unit:
 - Alley collection\$23.11 per month
 - Curbside automated collection\$16.48 per month
- (7) Apartment houses and complexes, which receive curbside automated collection, all residential units therein, each unit\$16.48 per month
- (8) Mobile home parks, which receive curbside automated collection, all occupied mobile home spaces therein, each space\$16.48 per month

- (9) Commercial and business establishments, which receive curbside automated collection, shall be charged \$37.84 per month.
- (10) Commercial and business establishments, apartment complexes and mobile home parks and the city housing authority which receive sanitation container system service for the removal of municipal solid waste shall be regulated under the rates and rules as provided in this subsection, as routes for such service are established by the city. Under the sanitation container system service, the city will furnish a container to be used in the collection and removal of municipal solid waste. The monthly charges will be determined from the following schedule; these charges are based on the container size and number of collections per week, with twice per week service being the minimum allowable service:

Container Size (cubic yard)	Pickups Per Week	Monthly Charge Per Container
3	2	\$113.58
3	3	\$170.24
3	4	\$227.00
3	5	\$284.13
3	6	\$340.47
4	2	\$128.63
4	3	\$192.97
4	4	\$257.26
4	5	\$321.60
4	6	\$386.58
6	2	\$227.16
6	3	\$340.53
6	4	\$454.00
6	5	\$568.21
6	6	\$680.84
8	2	\$245.87
8	3	\$368.83
8	4	\$491.73
8	5	\$614.75
8	6	\$737.60

Any customer who pays the rate set forth in this subsection for containers and has been furnished the containers may upon request be furnished additional containers. The rate increase is to be determined by the schedule in this

subsection. A charge of \$47.33 per container will be made for each change in size or number of containers serving a site when such change is requested by the customer. When containers can serve several adjacent business institutions, they will be required to use the same container and pay a pro rata part of the charge. The minimum charge per business will be \$37.84. When multiple businesses are served by one meter, each business will be charged the minimum fee. Additional pickups will be made at \$63.07 per container. Nothing outside the container will be removed for the container fee.

- (11) Commercial Dumpster Lock, per month....\$5.00
- (12) Service rendered outside the corporate limits shall be 200 percent of the rates set out in this section.
- (13) Automated curbside service rates will be calculated on the same basis as subsections (1) through (9) of this section. Additional automated curbside service may be added to any account for a rate, for each additional container, that is 50 percent of the established rate.
- (14) Replacement deposit on curbside container if abuse or neglect is determined shall be \$65.00 per container.
- (15) The charges for ten cubic yard roll-off service are as follows:
(Updated July 1, 2022)
 - Delivery set fee\$80.35
 - Pull / Reset Fee \$44.65
 - Per day rental.....\$5.35
 - Landfill charge for refuse, per ton\$30.80
 - Landfill charge for compostable organic material, per ton\$19.80
- (16) Payload Service:
 - Initial trip charge \$31.20
 - Plus loading fee \$2.10 per minute
- (17) Automated Curbside Organic Reuse:
 - Residential 96-gallon cart ... \$3.00 per month
 - Residential customers must maintain the organic reuse service for a minimum of six months or be charged a pick up fee of \$12.50.
 - In order to participate in the twice-per-year compost give-away, residential customers must participate in the organics reuse program for 45 days prior to a scheduled give-away.
 - Commercial 96-gallon cart ... \$7.00 per month
 - Commercial customers are not allowed to participate in the compost give-away program.
- (18) Commercial Dumpster Organic Reuse:

Container Size (cubic yard)	Pickups Per Week	Monthly Charge Per Container
3	1	\$51.01
4	1	\$57.77
6	1	\$102.03
8	1	\$110.45

- (19) Franchise Hauler
 - Franchise Fee.....\$250 per year
 - Franchise Vehicle Fee.....\$500 per vehicle per year
- (20) Commercial Service Site Permit
 - Compacter Unit.....\$25 per month
 - Roll-Off Container (minimum 10 yd up to 50 yd).....\$10 per month

11b-4. Sewer Service Rates:

- (1) Retail User Monthly Minimum ~~\$7.91~~\$8.31 per full billing cycle
- (2) Monthly Sewer Usage Rate(Non-Residential)..... ~~\$1.84~~\$1.93 for each 100 cubic feet of water
- (3) Monthly Sewer Usage Rate (Residential)based upon the average winter months' water usage

11b-5. Water Connection Application Deposits:

- (1) Fees & Minimum Deposits:
 - Single-Unit Residential Meters\$100.00
 - Duplexes, Apartments, Mobile Home Park Meters
 - Each Unit or Occupiable Space\$75.00
 - Minimum\$110.00
 - Business, Commercial, and Industrial Meters.....Estimate of a two-month bill, \$110.00 minimum
 - Special-Purpose Meters (e.g. Yard Sprinklers, Pools).....\$75.00 per service connection
- (2) Builder Deposit for New Construction Site\$110.00

11b-6. Water Usage Rates:

- (1) The minimum monthly bill for all metered treated water service shall be as follows exclusive of any water volume charge:

Meter Size (inches)	Minimum Bill
3/4	\$18.81 <u>\$19.75</u>
1	\$38.09 <u>\$39.99</u>
1½	\$70.23 <u>\$73.74</u>
2	\$108.80 <u>\$114.24</u>
3	\$198.84 <u>\$208.78</u>
4	\$327.43 <u>\$343.80</u>
6	\$648.90 <u>\$681.35</u>
8	\$1,150.42 <u>\$1,207.94</u>
10	\$1,793.51 <u>\$1,883.19</u>

- (2) For consumption, the rates per 100 cubic feet for single-family units and multi-family units up to four units shall be at an inclining block rate as follows:
- First 200 cubic feet of water at ~~\$3.82~~\$4.01 per hundred.
 - Next 800 cubic feet of water at ~~\$4.00~~\$4.20 per hundred.
 - Next 1,000 cubic feet of water at ~~\$4.19~~\$4.40 per hundred.
 - Next 2,000 cubic feet of water at ~~\$4.58~~\$4.81 per hundred.
 - Next 2,000 cubic feet of water at ~~\$4.84~~\$5.08 per hundred.
 - Next 6,000 cubic feet and above of water at ~~\$5.13~~\$5.39 per hundred.
 - Specific use meters installed for lawn sprinklers, swimming pools, and other nondomestic uses will also be billed at the inclining block rate described above.
- (3) For Reilly Road Water Fill Station customers, the rates shall be:
- City residents ~~\$7.07~~\$7.42 per thousand gallons of water.
 - Non-city residents ~~\$14.13~~\$14.84 per thousand gallons of water.
 - Non-resident service fee ~~\$26.25~~\$27.56 per month.
- (4) For multi-family units having 5 or more units, and all other non-residential use meters, the rate shall be a flat rate of ~~\$4.10~~\$4.31 per hundred cubic feet.
- (5) During the first and last billing cycle in which an account is active, the minimum monthly bill shown in this section shall be prorated for the number of days the account is active; the prorated daily charge shall be based on a 30-day month. The amount charged in the first and last billing cycle for water consumed and the prorated minimum bill shall not exceed the charges for the same amount of water in a full billing cycle.
- (6) The current rate structure for raw water retail customers inside the corporate city limits is as follows:
- Minimum bill, per month ~~\$18.81~~\$19.75
 - Volume charge per 100 cubic feet for consumption ~~\$0.55~~\$0.58
 - Retail treated and raw water customers outside the corporate city limits will pay two times the above rates.
- (7) Wholesale Water Rates: The following rates are approved for the indicated category of wholesale water customer, and shall apply unless a contract expressly provides for fees to be charged or calculated in a different manner than as shown below:

Category	Per 1,000 Gallons	Per 100 Cubic Feet
Treated water transmitted (TWT)	NA	\$3.9246
Raw water only (RWO)	\$0.6441	NA

The rates in the above part of this section shall apply to the following contract customers. Unless otherwise shown, the applicable rate will be effective during the

first full billing cycle after October 1 of the year in which the rate was modified, and thereafter:

Customer	Rate Category	Remarks
Sheppard Air Force Base (SAFB)	TWT, sole source	Pump station meter
Sheppard Air Force Base	TWT	Capehart housing meter
Sheppard Air Force Base	TWT	Puckett Tower Meter
Archer Co. Municipal Utility Dist. #1	TWT	
City of Burkburnett	TWT	
Dean Dale Water Supply Corporation	TWT	
Friberg-Cooper Water Supply Corporation	TWT	
City of Holliday	TWT	
City of Iowa Park	TWT, sole source	
City of Lakeside City	TWT	
Town of Pleasant Valley	TWT	
City of Scotland	TWT	
City of Olney	RWO	
City of Archer City	RWO	
Red River Authority of Texas	TWT	Lake Arrowhead System
Windthorst Water Supply Corporation	TWT	
Wichita Valley Water Supply Corporation	RWO	Lake Kickapoo Meter
Wichita Valley Water Supply Corporation	TWT	Wranglers Retreat Meter

(8) Credit Card Convenience Fee \$3.25 per transaction.

(9) City Utilities Division Fees for Service:

- Standard water tap: A three-quarter-inch or one-inch water tap that does not exceed 15 feet of service line. Excavation is performed in soil using a backhoe and no additional construction (e.g. cutting of

asphalt or concrete; underground boring or specialized construction to avoid other utility lines, etc.) is required.

Size of Tap	
3/4"	\$1,541
1"	\$1,663

- Non-standard water tap: A water tap that is larger than one inch or that includes a service line longer than 15 feet; requires underground boring, breaking of concrete or asphalt in street, alley or behind curb, or other non-standard construction techniques such as carrier pipe encasement or excavation by a means other than backhoeDetermined by job estimate using standard charges.
- Standard sewer tap: A sewer tap installed on an existing sewer main line or manhole using standard equipment and materials where the property owner or agent has excavated and no additional preparation by the city is required, and where the excavation meets OSHA standards for trench/excavation safety.

Type Tap	
Pipe	\$119.49
Manhole	\$300.00

- Non-standard sewer tap: A sewer tap where non-standard equipment or materials are required; additional preparation by the city is required; or trench/excavation safety to meet OSHA standards must be achieved by the cityDetermined by job estimate using standard charges.
- Standard charges for labor, equipment and materials. The following standard charges for labor, equipment and materials will be used to estimate non-standard water and sewer taps and other special utility-related services:

Item	
Labor (Normal duty hours)	\$22.50/hour
Labor (Overtime)	\$33.75/hour
Materials	Current cost City + 10% for Administration & Warehousing
Backhoe/ditcher/front-end loader	\$63.50/hour (4-hour min.)
Crew truck with tools	\$40.00/day (1/2 day min.)
Sewer rod truck, or jet cleaner with crew	\$80.00/hr (Normal duty hours) \$112.50/hr (Overtime)

Sewer Recycle Unit with crew	\$160.00/hr (Normal duty hours) \$225.00/hr (Overtime)
Air compressor	\$33.00/hr (2-hour min.)
Tap machine (6" and smaller)	\$200.00/job
Tap machine (larger than 6")	\$364.00/job
Lighted arrow board	\$132.25/day (1/2 day min.)
Standard barricading of excavation: use of not more than 3 Type I barricades w/lights as necessary and/or plastic fencing, 3 standard traffic signs and 6 standard traffic cones. Includes 1 on-site check per day.	\$86.00/day (1/2 day min.)
Standard manhole (5' deep)	\$2,148.34 plus \$380/ft. over 5'
Fire Hydrant (installed)	Determine by job estimate using standard charges

- Standard charges for general services: The price for the general utility-related services shown below will be as indicated:

Service	
Meter size reduction or increase	Determine by job estimate using standard charges
Underground boring without casing (up to 60') (for 1" and less)	\$476.10/job
Underground boring without casing	Diameter in Inches X \$4 + \$4/linear foot
Underground boring with casing	Boring cost plus materials cost
Shoring (if required for other services)	\$264.50/day
Backfill and Pavement Repair:	

Labor (Normal duty hours)	\$22.50/hour (2-hour min.)
Labor (Overtime)	\$33.75/hour (2-hour min.)
Materials	Current cost City + 10% for Administration and Warehousing
Backhoe	\$33.36/hour (2-hour min.)
Front End Loader	\$47.17/hour (2-hour min.)
Dump Truck	\$72.05/hour (2-hour min.)
Crew truck with tools	\$20.00/hour (2-hour min.)
Pavement repair for water tap	\$475.00/job min.
Unload septic waste from vacuum truck at City Wastewater Treatment Plant	\$0.08 per gallon for loads originating within city limits; \$0.16 per gallon for loads originating outside city limits
Laboratory testing of septic loads with excessive levels of FOG, TSS, or BOD or with other constituents not acceptable at plant.	Commercial lab cost plus 10% for administration and handling
Dewatering and disposal of grease and/or grit waste at City Waste-water Treatment Plant	N/A - refer customer to private Type 5 facility
Returned check (no cut-off required)	\$30.00
Cut-off/reconnect as per request of customer	\$30.00
Service Disconnect and Restoration Fee	\$30.00 plus \$20.00 extra if same day reconnect requested
Remove meter (up to and including 1")	\$66.00 plus deposit or payment
Remove meter (larger than 1")	Determine by job estimate using standard charges
Meter Reset for Pre-existing Residence (up to and including 1")	\$500.00, unless within 5 years after removal of the meter
Meter Reset for Pre-Existing Residence (larger than 1")	Determine by job estimate using standard charges

Padlock and saddle damage	\$37.00
Water-off lid (customer damage)	\$53.00
Cut-off/replacement (customer damage)	\$125.00
Meter damage (customer tampering) up to 1"	\$66.00 plus parts
Remove/install cut-off and install/remove plug customer service line (up to 1")	\$190.00
Additional measures to prevent illegal use of water	Determine by job estimate using standard charges
Meter test (of accurate meter) (up to 1")	\$72.75
Meter test (of accurate meter) (larger than 1")	Determine by job estimate using standard
Reread (reading accurate)	\$20.00
Establish temporary water Account	\$30.00 (includes establishment of account, turn-on/turn-off of water)
Deposit for Fire Hydrant Meter	\$1,900.00 meter deposit plus \$100.00 billing deposit
Manual invoicing (minimum charge)	\$22.50/hr., 1 hr. min.
Standard barricading of excavation: use of not more than 3 Type I barricades w/lights as necessary and/or plastic fencing, 3 standard traffic signs and 6 standard traffic cones. Includes 1 on-site check per day.	\$86.00/day (½ day Min.)

11b-7. Industrial Wastewater Discharge Permit Fees:

(Charged pursuant to chapter 106, Article VII, Regulations for Disposal of Industrial Waste):

Category 1:	Metal Finishers	\$2,200.00
Category 2:	Centralized Waste	\$2,000.00
Category 3:	Steam/Electric Generation	\$1,100.00
Category 4:	Electroplating	\$2,100.00

Category 5:	Laundry	\$1,000.00
Category 6:	Non-Classified	\$1,000.00
Category 7:	Glass Manufacturing	\$1,000.00
Category 8:	Non-Significant Industries	\$800.00

11b-8. Miscellaneous Water/Sewer/Sanitation/Stormwater Fees:

- (1) New landscaping fee during Stage 1 & 2 drought.....\$50
- (2) New Landscaping Water Rate during Stage 2 ...3 x normal rate over 10 ccf
- (3) Stormwater fee\$5.00 per unit. Maximum commercial fee \$1,666.65 per month
- (4) Street Sweeper Fee\$83.00 per hour. Minimum 2-hour charge.
- (5) Engineering Construction Bid Plan Set \$35.00
- (6) Late Payment Fee \$25.00 for every 30 days after due date
- (7) Municipal Settings Designation (MSD) Application Fee\$2,500.00
- (8) Industrial Water Reuse Rate.... ~~\$3.92~~\$4.12/1000 ccf"

12. Property Management

12.a Miscellaneous Fees & Liens:

- (1) Administrative Fee For Abatement\$ 125.00 per lot or parcel
- (2) Dangerous Weeds and Grass Abatement fee \$125.00 per lot or parcel
- (3) Credit Card/Online Transaction Fee.....3% of the transaction amount

State law reference— Similar provisions, V.T.C.A., Health and Safety Code § 342.007.

12.b. Easement, License, Abandonment, or Encroachment Agreement Fees:

- (1) General default.....\$1,000
- (2) Sidewalk Encroachment\$250.00
- (3) Trail Connection Encroachment.....\$0

12.c Lake Lot Fees:

- (1) Annual Fee:
 - Pier: \$75.00 (2004)
 - Boathouse: \$150.00 (2004)
 - Crappie House: \$150.00 (2004)
- (2) Pier, Boathouse, and Crappie House
 - Applications: ...\$50.00 one-time fee (1998)
- (3) Transfer Fees:
 - Old Leases: \$75.00 per lease
 - Current Leases: \$200.00 (1994)
- (4) Waterfowl Hunting Permit..... \$50.00
- (5) Late Payment Penalty.... \$100.00

3. The fee schedule established by this ordinance shall be made available to the public through the Office of the City Clerk, and be published online in such a manner as to be available to the public.

4. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

5. To the extent that the Code of Ordinances establishes the existence of a fee, this ordinance will govern the amount of that fee, but this ordinance shall not be codified.

6. The immediate need to continue the normal operation of the business of the City creates an emergency, and in order to protect the public health, welfare, and to preserve the peace, this ordinance shall take effect immediately, and it is so ordained.

PASSED AND APPROVED this 6th day of September, 2022.

M A Y O R

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of \$47,100 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The State WIC program has provided \$47,100 in additional funding to enhance services, specifically to reimburse the City for overtime expenditures created by the State required reissuance of benefits to all participants. These expenditures are an effort by the State to increase the client experience and therefore increase participation and retention rates among clients. This will increase our total fiscal year grant amount to \$1,105,868 with a project end date of September 30, 2022

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of \$47,100 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 has identified additional funding for our local WIC agency; 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 \$47,100 for the Women, Infants, and Children (WIC) Program.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Ordinance authorizing the City Manager to approve a request from Chris and Heather Fugate to vacate and abandon a portion of a drainage and storm water detention easement adjacent to Lot 22, Block 2, Bluebonnet Park Addition Section Seven, also known as 5443 Prairie Lace Lane.

INITIATING DEPT: Property Management

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Chris and Heather Fugate, property owners of 5443 Prairie Lace Lane, have applied for the closure, abandonment, and vacation of a portion of a drainage and storm water detention easement located on their property as indicated and depicted per the attached **Exhibit A and Exhibit B** and **Property Location Map**. This request would facilitate the property owner to construct a new accessory structure to replace the one that was on the property when they purchased it. The easement issue was discovered when the owners inquired about permits for the new structure; it appears the prior property owners had placed the shed in a drainage easement without seeking or obtaining the proper city permits and, subsequently, the title company missed the encroachment when doing the commitment when the property was purchased by the current owners. Based on an independent appraisal, the owners have provided the City \$3,105.60 in exchange for the vacating of the easement on their property.

Notifications were sent to all utility companies and affected City departments and all have responded with a recommendation of approval.

Staff recommends approval.

☒ **Asst. City Manager**

☒ **Property Administrator**

ASSOCIATED INFORMATION: Ordinance, Exhibit A, Property Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance authorizing the City Manager to approve a request from Chris and Heather Fugate to vacate and abandon a portion of a drainage and storm water detention easement located on Lot 22, Block 2, Bluebonnet Park Addition Section Seven adjacent to 5443 Prairie Lace Lane

WHEREAS, the Chris and Heather Fugate of 5443 Prairie Lace Lane has requested the closure, abandonment, and vacation of a portion of the drainage and storm water detention easement consisting of approximately 2,035 square feet and 1,070.6 square feet located on the property at Lot 22, Block 32, Bluebonnet Park Addition Section Seven; and

WHEREAS, all affected utility companies and City departments have reviewed this request and have recommended approval to close, abandon, and vacate a portion of said drainage and storm water detention easement; and

WHEREAS, it has been determined to be in the best public interest to close, abandon, and vacate a portion of said drainage and storm water detention easement.

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

The City Council has determined that the closure and abandonment request of approximately 2,035 square feet and 1,070.6 square feet of drainage and storm water detention easement located on the property with the legal description Lot 2, Block 22, Bluebonnet Park Section Seven as described and depicted in the following attached **Exhibit A and Exhibit B** and **Property Location Map** is in the best interest of the public and the City Manager is authorized to take said action and to accept payment from Chris and Heather Fugate in the amount of \$3,105.60 as payment for such.

PASSED AND APPROVED this the 6th day of September, 2022

MAYOR

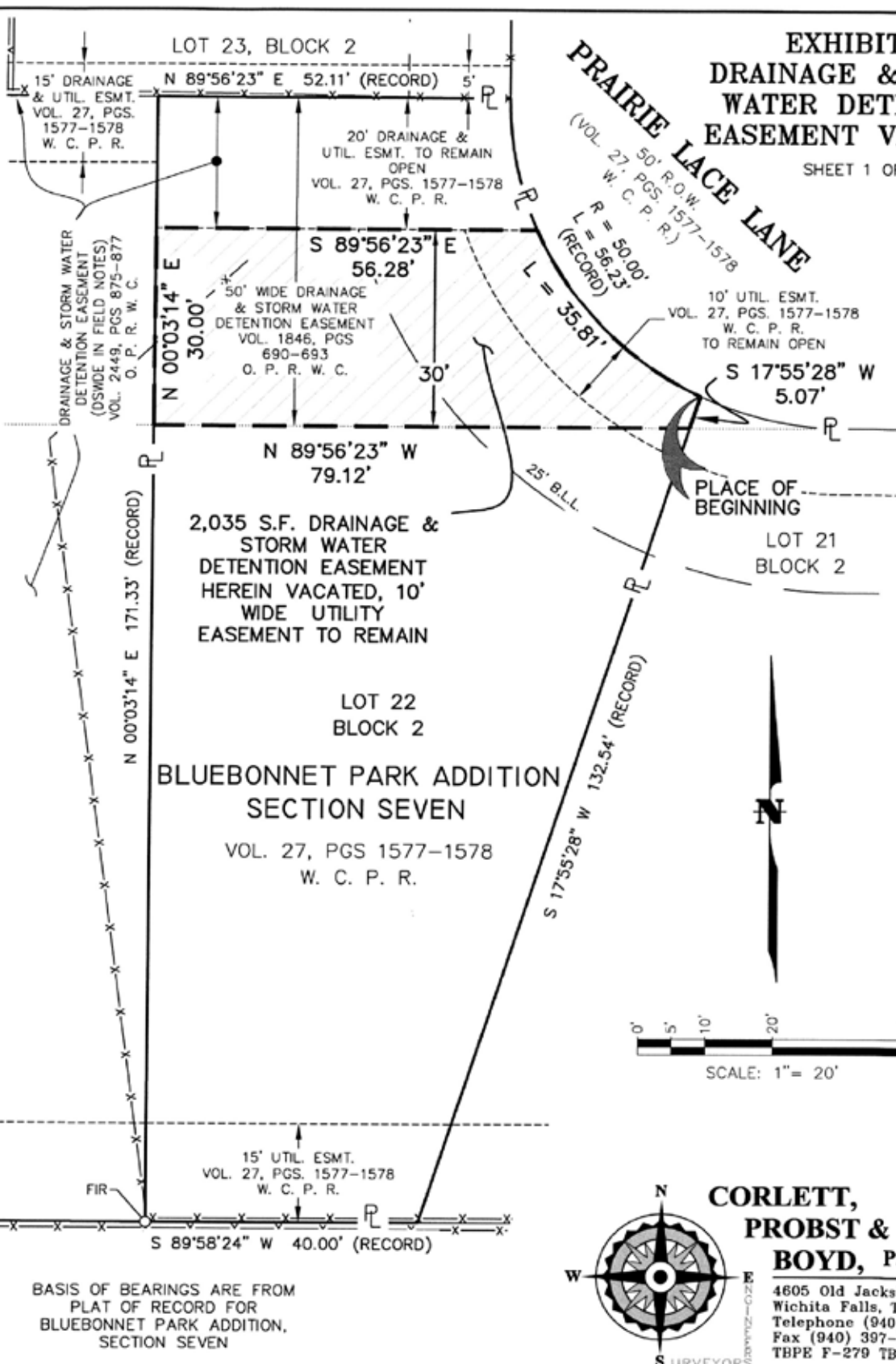
ATTEST:

City Clerk

EXHIBIT A DRAINAGE & STORM WATER DETENTION EASEMENT VACATION

SHEET 1 OF 2

PRAIRIE LACE LANE
(VOL. 27, PGS. 1577-1578
W. C. P. R.)
50' R.O.W.
R = 50.00'
L = 56.23'
(RECORD)
L = 35.81'



BASIS OF BEARINGS ARE FROM
PLAT OF RECORD FOR
BLUEBONNET PARK ADDITION,
SECTION SEVEN

EXHIBIT A
DRAINAGE & STORM WATER
DETENTION EASEMENT VACATION

SHEET 2 OF 2

FIELD NOTES OF THE VACATION OF A PORTION OF A 50 FOOT WIDE DRAINAGE AND STORM WATER DETENTION POND EASEMENT RECORDED IN VOLUME 1846, PAGES 690-693, OFFICIAL PUBLIC RECORDS OF WICHITA COUNTY, TEXAS, SAID VACATED PORTION LIES WITHIN LOT 22, BLOCK 2, BLUEBONNET PARK ADDITION, SECTION SEVEN, AS RECORDED IN VOLUME 27, PAGES 1577-1578, WICHITA COUNTY PLAT RECORDS, SAID VACATED PORTION BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the most Easterly Northeast corner of said Lot 22, the Northwest corner of Lot 21, Block 2, of said Bluebonnet Park Add., Section Seven, said corner being on the South right-of-way line of Prairie Lace Lane, a dedicated street, for the Place of Beginning of this easement vacation tract;

THENCE S 17° 55' 28" W, with the East line of said Lot 22, the West line of said Lot 21, a distance of 5.07 feet to a point where said East line intersects the South line of said 50 foot wide Drainage and Storm Water Detention Pond Easement, for the Southeast corner of this easement vacation tract;

THENCE N 89° 56' 23" W with the South line of said 50 foot wide Drainage and Storm Water Detention Pond Easement, a distance of 79.12 feet to a point where said South easement line intersects the West line of Said Lot 22 and the East line of a Drainage and Storm Water Detention Easement recorded in Volume 2449, Pages 875-877, Official Public Records of Wichita County (herein called DSWDE to differentiate from vacated easement), for the Southwest corner of this easement vacation tract;

THENCE N 00° 03' 14" E with the West line of said Lot 22 and the East line of said DSWDE, a distance of 30.00 feet to an interior ell corner of said DSWDE, said point being at the Southwest corner of a 20 foot wide drainage and utility easement for the Northwest corner of this easement vacation tract;

THENCE S 89° 56' 23" E with the South lines of said DSWDE and said 20 foot wide drainage and utility easement, a distance of 56.28 feet to the Southeast corner of said 20 foot wide drainage and utility easement, said corner being on a curve in the South/West right-of-way line of Prairie Lace Lane and on the east line of said Lot 22 for the most Northerly Northeast corner of this easement vacation tract;

THENCE Southeasterly along the South line of Prairie Lace Lane, the East line of said Lot 22, along a curve to the left, said curve having a radius of 50.00 feet, an arc distance of 35.81 feet to the PLACE of BEGINNING and containing 2,035 square feet of vacated easement.




DEVIN G. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5849



**CORLETT,
PROBST &
BOYD, P.L.L.C.**

4605 Old Jacksboro Highway
Wichita Falls, Texas 76302
Telephone (940) 723-1455
Fax (940) 397-0549
TBPE F-279 TBPLS-1005410-00

EXHIBIT B

BLUEBONNET PARK ADDITION SECTION 7

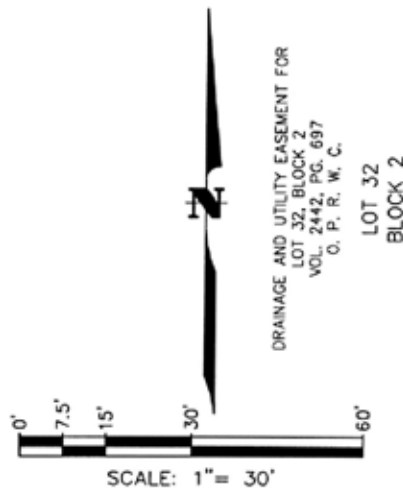
The herein described property does lie within the Special Flood Hazard Areas inundated by 100 Year Flood as delineated on the Flood Insurance Rate Map for the City of Wichita Falls, Wichita County, Texas,

Panel Number: 48485C0430G,

Dated: 2/3/2010,

as published by the U.S. Department of Homeland Security, Federal Emergency Management Agency. The 100 Year Flood elevation is 984 above MSL.

Flood Zone designation is Zone AE.



DRAINAGE AND UTILITY EASEMENT FOR LOT 32, BLOCK 2 VOL. 2442, PG. 697 O. P. R. W. C.

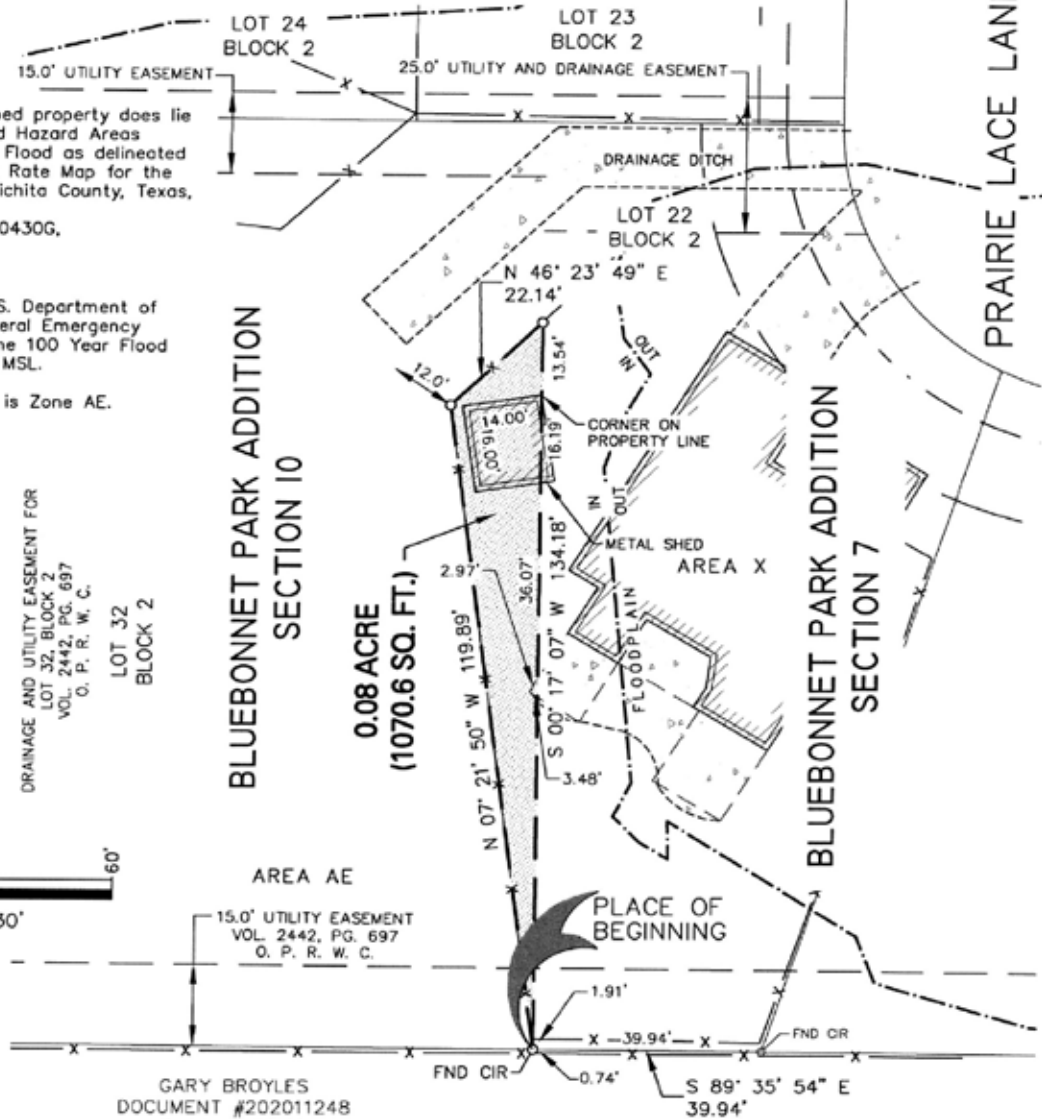
LOT 32 BLOCK 2

BLUEBONNET PARK ADDITION SECTION 10

0.08 ACRE (1070.6 SQ. FT.)

BLUEBONNET PARK ADDITION SECTION 7

PRAIRIE LACE LANE



DENTON COUNTY SCHOOL
LAND BLOCK 37, LEAGUE 2

PAGE 1 OF 2

WO#22-0672

BASIS OF BEARINGS ARE NAD 83 - TEXAS NORTH CENTRAL

Scale: 1" = 30'

THE ABOVE DESCRIBED TRACT WAS SURVEYED AUGUST, 2022 AND THE DIMENSIONS SHOWN ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT.

Devin G. Smith 8/22/22

DEVIN G. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5849
TBPLS-100541-00 TBPE F-279

EASEMENT VACATION EXHIBIT B

0.08 ACRE OUT OF LOT 32, BLOCK 2

BLUEBONNET PARK ADDITION SECTION 10

WICHITA FALLS, WICHITA COUNTY, TEXAS

SURVEY FOR: CHRIS FUGATE

CORLETT, PROBST & BOYD, P.L.L.C.

ENGINEERS & SURVEYORS
PH. (940)723-1455, FAX (940)397-0549

4605 OLD JACKSBORO HIGHWAY
WICHITA FALLS, TEXAS, 76302

EXHIBIT B

FIELD NOTES

FIELD NOTES OF 0.08 ACRE OUT OF THE LOT 32, BLOCK 2, BLUEBONNET PARK ADDITION, SECTION 10 AS SHOWN ON THE PLAT RECORDED IN VOLUME 28, PAGE 1345-1346, WICHITA COUNTY PLAT RECORDS, WICHITA FALLS, WICHITA COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped iron rod found in the North line of a tract of land conveyed to Gary Broyles by deed recorded in Document #202011248, Official Public Records of Wichita County, said iron rod bears S 89° 35' 54" E, a distance of 39.94 feet to a found capped iron rod at the Southeast corner of said Lot 32 and at the Southwest corner of Lot 22, Block 2, Bluebonnet Park Addition Section 7, as shown on the plat recorded in Volume 27, Page 1577-1578, Wichita County Plat Records, for the South corner of this easement vacation;

THENCE N 07° 21' 50" W, generally with a fence, a distance of 119.89 feet to a point, for the West corner of this easement vacation;

THENCE N 46° 23' 49" E, generally with a fence, a distance of 22.14 feet to a point in the East line of said Lot 32 and the West line of said Lot 22, for the West corner of this easement vacation;

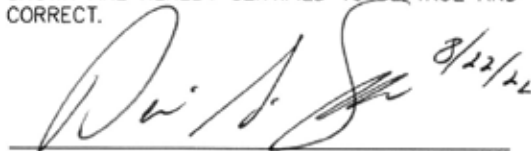
THENCE S 00° 17' 07" W, with the East line of said Lot 32 and the West line of said Lot 22 at 16.7 feet pass a fence line, at 13.54 feet pass the North corner of a Metal Shed, at 29.73 feet pass the South line of a Metal Shed, at 65.80 feet pass the North line of a Gazebo, at 68.77 feet pass the South line of a Gazebo, at 132.27 feet pass a fence line and continuing on the same course, a total distance of 134.18 feet to the PLACE of BEGINNING and containing 0.08 acre of land.

PAGE 2 OF 2

WO#22-0672

BASIS OF BEARINGS ARE NAD 83 - TEXAS NORTH CENTRAL

THE ABOVE DESCRIBED TRACT WAS SURVEYED AUGUST, 2022 AND THE DIMENSIONS SHOWN ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT.

 8/22/22

DEVIN G. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5849
TBPLS-100541-00 TBPE F-279

EASEMENT VACATION EXHIBIT B

0.08 ACRE OUT OF LOT 32, BLOCK 2

BLUEBONNET PARK ADDITION SECTION 10

WICHITA FALLS, WICHITA COUNTY, TEXAS

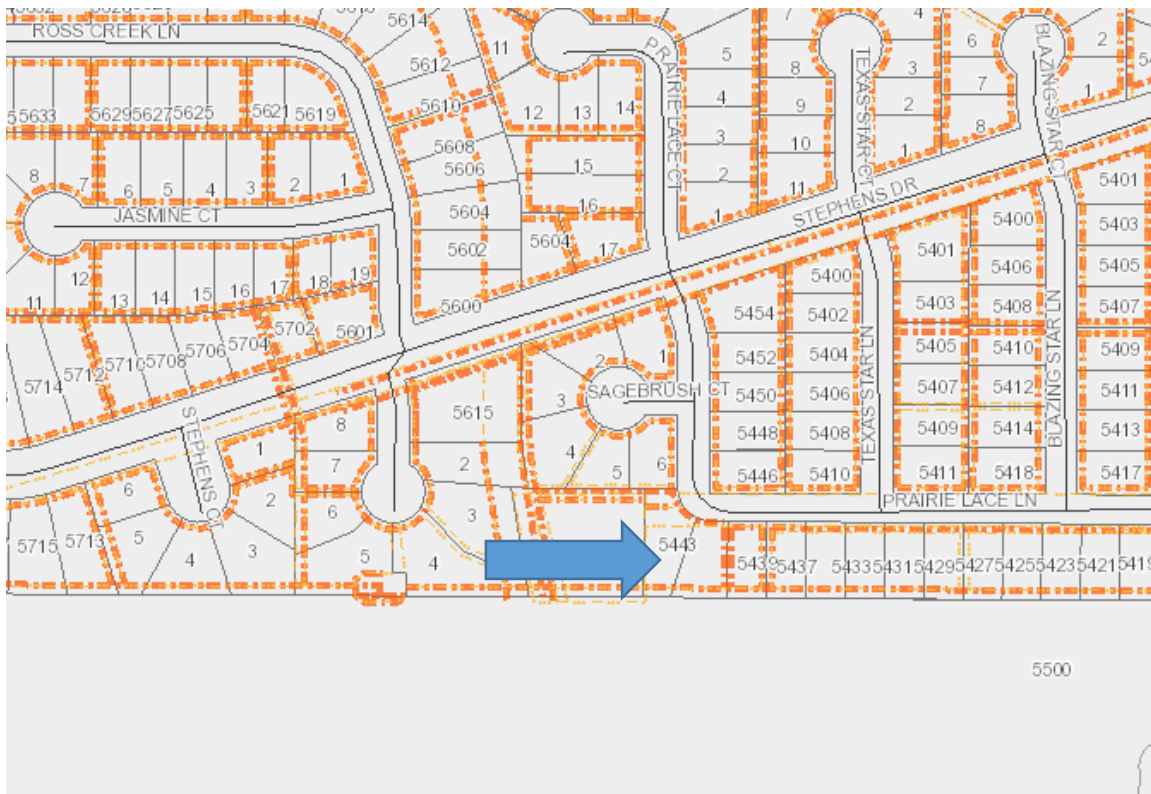
SURVEY FOR: CHRIS FUGATE

CORLETT, PROBST & BOYD, P.L.L.C.

ENGINEERS & SURVEYORS 4605 OLD JACKSBORO HIGHWAY
PH. (940)723-1455, FAX (940)397-0549 WICHITA FALLS, TEXAS, 76302

S:\MMA\2022\22-0672.DWG EXHIBIT-EASEMENT-VAC-2 P-8/22/2022 9:29 AM S-8/22/2022 9:28 AM IAN MILUNAS

PROPERTY LOCATION MAP



**CITY COUNCIL AGENDA
SEPTEMBER 6, 2022**

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund in the amount of \$46,978.82 for grant revenue from the Texas Department of Transportation (TxDOT) for a Comprehensive Selective Traffic Enforcement Program (STEP) Grant for Fiscal Year 2023 and authorizing the City Manager to execute all documents necessary to accept said funds.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City of Wichita Falls has been invited to participate in a Comprehensive Selective Traffic Enforcement Grant ("STEP") from the Texas Department of Transportation for the fiscal year 2022-23. As such, the City has been awarded a \$46,978.82 grant with the City required to provide a 20.01% match of \$11,748.65, for a total program amount of \$58,727.47. The match will be comprised of in-kind contributions including salary related to grant administration and maintenance costs from vehicles used during STEP enforcement. The purpose of the STEP grant is to focus on the Traffic Safety including Occupant Protection, Speed, Intersection Traffic Enforcement, Distracted Driving, and DWI. This will be the eleventh year that WFPD has participated in the yearlong traffic enforcement campaign. Officers of the department are paid an overtime rate reimbursed by TxDOT for their enforcement efforts. Our participation in the STEP grant no doubt makes the roadways safer for our motoring public. The fiscal year period will span October 1, 2022 through September 30, 2023.

Staff recommends approval.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund in the amount of \$46,978.82 for grant revenue from the Texas Department of Transportation (TxDOT) for a Comprehensive Selective Traffic Enforcement Program (STEP) Grant for Fiscal Year 2023 and authorizing the City Manager to execute all documents necessary to accept said funds

WHEREAS, the City of Wichita Falls was awarded a TxDOT STEP grant in the amount of \$46,978.82; and,

WHEREAS, the City of Wichita Falls will provide a 20.01% match totaling \$11,748.65; and

WHEREAS, the purpose of the grant is to focus on the Traffic Safety STEP elements of Occupant Protection, Speed, Intersection Traffic Enforcement, Distracted Driving and DWI; and,

WHEREAS, the fiscal year will span October 1, 2022 through September 30, 2023.

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

There is appropriated \$46,978.82 to the Special Revenue Fund for the purpose of selective traffic enforcement as authorized in the grant from the Texas Department of Transportation, and the City Manager is authorized to execute all documents necessary to accept said funds on behalf of the City of Wichita Falls.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to make application for a non-matching grant from the Office of the Governor, Criminal Justice Division, FY 2023 Bullet-Resistant Shield Grant Program, in the amount of \$136,000.00.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Office of the Governor, Criminal Justice Division, has opened the application period for grants from the FY 2023 Bullet-Resistant Shield Grant Program. The Wichita Falls Police Department request to utilize grant funding to purchase (40) Pro-Tech or equivalent Ballistic Resistant Shields at a cost of \$136,000.00. The Police Department will equip 40 Patrol Officers with these shields to respond to any critical incident to include active shooter incidents in the city. It is recommended that the Office of the Governor, Criminal Justice Division, Bullet-Resistant Shield Grant Program be earmarked for this purpose.

Staff recommends approval of the resolution.

☒ **Police Chief**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to make application for a non-matching grant from the Office of the Governor, Criminal Justice Division, FY 2023 Bullet-Resistant Shield Grant Program, in the amount of \$136,000.00

WHEREAS, the City of Wichita Falls is eligible to apply for a non-matching grant, from the Office of the Governor, Criminal Justice Division, FY 2023 Bullet-Resistant Shield Grant Program, in the amount of \$136,000.00; and,

WHEREAS, the Wichita Falls City Council finds it in the best interest of the citizens of Wichita Falls, that the Bullet-Resistant Shield Grant Program be operated for FY 2023; and,

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

WHEREAS, the Wichita Falls City Council designates Darron Leiker, City Manager, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

The City Manager is hereby authorized to make application for a non-matching grant from the Office of the Governor, Criminal Justice Division, Bullet-Resistant Shield Grant Program in the amount of \$136,000.00.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute all documents necessary to purchase 144 computer workstations from UniqueDigital in the amount of \$109,481.76.

INITIATING DEPT: Information Technologies & Facilities

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The current FY 2021-22 Budget includes \$103,200 to replace 144 computer workstations for the City. The new Dell workstations will be put into service over the next year. The workstations that are being replaced have been in service for 5 years or longer and are no longer supported by the manufacturer. The Information Technology Staff solicited proposals from vendors on the State Department of Information Resources (DIR) list for the purchase of this equipment. Responses were received from 3 different DIR Vendors:

<u>Company</u>	<u>Price</u>
CDWG (HP)	\$134,981.28
Howard (Dell)	\$131,760.00
UniqueDigital (Dell)	\$109,481.76

There is savings in the IT maintenance account to make up for the additional costs.

Staff recommends approval.

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute all documents necessary to purchase 144 Dell computer workstations from UniqueDigital in the amount of \$109,481.76

WHEREAS, the City's 2021-22 budget includes funds to replace 144 computer workstations that are in excess of 5 years old or older and are no longer supported by manufacturer; and,

WHEREAS, Bids were received from various State DIR Vendors for the purchase of these computers.

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

The City Manager is authorized to execute all documents necessary to purchase 144 computer workstations from UniqueDigital in the amount of approximately \$109,481.76.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute all documents necessary to purchase an HPE Nimble DHCI solution to replace several aging servers and storage for our Public Safety Network from CDW Government LLC in the amount of \$161,249.55.

INITIATING DEPT: Information Technologies & Facilities

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The current FY 2021-22 Budget includes \$145,077 to replace and upgrade aging and or no longer supported server and network equipment. This purchase will allow for the consolidation of several servers into one appliance which will lower our overall footprint, create redundancy, and reduce our annual server maintenance cost. This HPE Nimble DHCI unit carries a 5-year warranty agreement and will be deployed on our Public Safety Network. CDW Government LLC is a reseller for the system's manufacturer. CDWG Government LLC is on the Texas Department of Information Resources (DIR) purchasing contract.

There is savings in our maintenance account to make for the additional funds.

Staff recommends approval.

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute all documents necessary to purchase an HPE Nimble DHCI solution to replace several aging servers and storage for our Public Safety Network from CDW Government LLC in the amount of \$161,249.55

WHEREAS, the City's 2021-22 budget includes funds to replace and upgrade aging and unsupported network and server equipment every fiscal year; and,

WHEREAS, this HPE Nimble DHCI unit carries a 5-year warranty agreement and will be deployed on our Public Safety Network.

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

The City Manager is authorized to execute all documents necessary to purchase an HPE Nimble DHCI solution to replace several aging servers and storage for our Public Safety Network from CDW Government LLC in the amount of \$161,249.55.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute a contract with Work Services Corporation for services provided by vocationally handicapped persons, in a total amount not to exceed \$142,116.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Since 1981, the City of Wichita Falls has contracted with the Work Services Corporation for services provided by vocationally handicapped persons. The City benefits from this contract by receiving services at a competitive labor rate, while Work Services benefits by providing jobs for several people with disabilities. Services provided by Work Services crews include activities such as power mowing, hand trimming, and picking up litter and debris. Janitorial services are also performed for the Street Maintenance Division. The City provides supervision of these services through the Parks and Streets Departments.

The current billing rate is \$19.75 per hour for those employees covered by the Affordable Care Act and \$12.75 per hour for those employees working less than 30 hours without health insurance. These billing rates include a \$7.85 wage rate, FICA/Medicare tax requirements, 401K deposits, unemployment compensation, workers' compensation, and health insurance hourly costs, if applicable. The contract provides jobs for 6 disabled individuals. The maximum labor annual contract amount totals \$118,963 plus non-productive time not to exceed \$23,153.

This contract becomes effective on October 10, 2022 and end on October 10, 2025 unless termination occurs as otherwise provided in this agreement. There will be one two (2) year renewal option under the same terms and conditions. Such renewal option shall be at the option of the City of Wichita Falls.

Staff recommends approval.

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution, Contract

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Resolution No. _____

Resolution authorizing the City Manager to execute a contract with Work Services Corporation for services provided by vocationally handicapped persons, in a total amount not to exceed \$142,116

WHEREAS, the City Council of Wichita Falls desires to contract with the Work Services Corporation for services provided by vocationally handicapped persons during October 10, 2022 ending on October 10, 2025 with a 2-year optional renewal.

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

The City Manager is hereby authorized to execute the attached **Contract with Work Services Corporation** for services provided by vocationally handicapped persons for the 2021-22 fiscal year, in a total amount not to exceed \$142,116, with such changes as are approved by the City Attorney.

PASSED AND APPROVED this the 6th day of September, 2022.

M A Y O R

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to enter into a contract with the Work Services Corporation for grounds maintenance of various parks and medians in the amount not to exceed \$95,550.00.

INITIATING DEPT: Parks Department

STRATEGIC GOAL: Effectively Deliver City Services

STRATEGIC OBJECTIVE: Identify & Evaluate Privatization; Practice Effective Governance

COMMENTARY: In 2018 one of the City Council's strategic goals is to effectively deliver City services through the evaluation of privatization. Several areas were evaluated and one area of our organization where privatization made since was the mowing, edging, and grass blowing in our park system. In order to evaluate that issue, the City requested proposals for mowing of 18 smaller parks.

Proposals were evaluated and a contract including a scope of work was signed with Work Services Corporation in October 2018 for a 3 year agreement starting on March 1, 2019. This contract expired on February 28, 2022. This agreement has worked well for the City and staff recommended continuing the contract. This contract has been on a month to month bases since March so we could align the terms of this contract with our physical year.

This agenda item will terminate the old contract and the new contract will become effective on October 1, 2022 and end on September 30, 2025 unless termination occurs as otherwise provided in this agreement. There will be one two (2) year renewal option under the same terms and conditions. Such renewal option shall be at the option of the City of Wichita Falls.

Staff recommends approval.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution, Contract

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to enter into a contract with the Work Services Corporation for grounds maintenance of various parks and medians in the amount not to exceed \$95,550.00

WHEREAS, one of the City Council's strategic goals is to ensure that we are providing effective and efficient public services; and,

WHEREAS, the proposal provided by the Work Services Corporation is in the City's best interest, principally because the City has had difficulties hiring and maintaining seasonal maintenance staff to properly maintain our parks and medians.

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

The City Manager is authorized to enter into a contract with the Work Services Corporation for grounds maintenance of 18 smaller City parks in the amount not to exceed \$95,550.00.

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include an up to \$1,500,000 performance incentive to Compass Container Works, dba Proforma, as part of the company's potential new location 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

- August 18, 2022 – WFEDC Board hears and approves request from applicant regarding the proposed Compass Container Works project;
- September 6, 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 \$1,500,000 expenditure to facilitate a performance incentive related to the company's potential new location in Wichita Falls. If the company chooses Wichita Falls for its location, total capital investment is anticipated to be approximately \$6M and an annual payroll between \$1.5M - \$3.0M. The company plans to initially hire 35 full-time employees, with a possible expansion to 70 full-time employees.

On August 18, 2022, the WFEDC considered and approved this item (see attached from WFEDC meeting). The WFEDC's economic development staff from the Chamber of Commerce will be at the City Council meeting to provide details on the company and project. The WFEDC's August 2022 Financial Report shows the corporation has approximately \$11.8M 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**

**WICHITA FALLS ECONOMIC DEVELOPMENT CORPORATION
PROJECT SUMMARY
AUGUST 18, 2022**

SUBJECT: Compass Container Works Business Attraction Project

INITIATED BY: Taylor Davis, Richard Gordon

Overview:

Compass Container Works Corporation dba Proforma is a metal container manufacturing start-up looking to emerge into the US market under the guidance of their founder, who has served as the heads of US sales for Thielmann over the last six years. Thielmann is one of the world's leading manufacturers of stainless-steel containers and delivers unsurpassed container expertise that customers from a broad range of industries trust and depend on. Compass Container Works would be bringing their knowledge from the UK- and Spain-based production to the US with the development of a plant in Wichita Falls.

The Project:

Compass Container Works has performed a competitive site search for a location within our region and is considering Wichita Falls, TX and Lawton, OK for their operations. Should they choose Wichita Falls, they will hire an initial 35 Full-Time Employees (FTEs) with an expansion to 70 FTEs estimated to take place within the first year of operation after receiving their ASME certification for the site. Average annual payroll for this company should total around \$3,150,000 per year at full capacity.

The company is seeking an existing industrial building that is at least 30,000-50,000 square feet with a possible expansion of another 30,000 square feet. The company expects operations to begin by the 1st Quarter of 2024 after the purchase of the facility and equipment. Total capital investment is expected at \$6,050,000 for this project.

Local Incentive Proposal:

- Forgivable loan offered in the amount of \$1,500,000, equivalent to 25% of the total project cost.
 - Loan will be offered in two equal installments in which the first is immediately payable upon execution of the performance agreement and promissory note, and the second after gaining ASME certification and expansion of the second industrial line, estimated to take place by the end of 2023.
 - The balance of the loan will be forgiven at an annual rate of 20% of the total cost of payroll generated each calendar year, estimated to take approximately five years.

Total Estimated Value of Local Incentives - \$1,500,000

Proposed Motion Language:

Move to provide a forgivable loan not to exceed and for a total maximum obligation of \$1,500,000 to Compass Container Works Corporation dba Proforma Corporation, as presented. The loan funds will be distributed in two equal installments with the first immediately payable upon execution of the performance agreement and promissory note, and the second after gaining ASME certification and expansion of the second industrial line, estimated to take place by the end of 2023. Loan would be forgiven at a rate of 20% of the annual payroll per year not to exceed six years.

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 \$1,500,000 performance incentive to Compass Container Works, dba Proforma, as part of the company's potential new location 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 August 18, 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:

Compass Container Works Project:

A total of up to \$1,500,000 performance incentive to Compass Container Works, dba Proforma, as part of the company's potential new location 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 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA September 6, 2022

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$118,220 to the City of Wichita Falls to facilitate hangar modifications at Wichita Falls Regional Airport.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

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

COMMENTARY:

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

Timeline

- August 18, 2022 – WFEDC Board hears and approves request from City regarding the proposed hangar modification project;
- September 6, 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 \$118,220 expenditure to facilitate modifications to Hangar #2 at the Wichita Falls Regional Airport (see attached from WFEDC meeting). The intent of the modifications to the hangar are to facilitate the attraction of a potential regional jet repair and maintenance company to the site.

On August 18, 2022, the WFEDC considered and approved this item. John Burrus, the City's Director of Aviation, Traffic, and Transportation will be at the meeting to provide additional information and to answer any questions. The WFEDC's August 2022 Financial Report shows the corporation has approximately \$11.8M 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**

Wichita Falls Economic Development Corporation
August 18, 2022

ITEM/SUBJECT: Discussion and possible action on a request by the City of Wichita Falls related to hangar modifications at Wichita Falls Regional Airport

ATTACHMENTS: Illustration of Hangar Door Modifications

Staff Summary:

The City of Wichita Falls has been working for the last eight months with the Wichita Falls Chamber of Commerce to recruit various aviation businesses to the Community. One of the compatible aviation business types identified are aircraft repair and maintenance companies. In order to attract regional jet repair and maintenance companies to Wichita Falls Regional Airport, modifications will need to be made to one of the hangars on the airfield. City of Wichita Falls Airport staff has selected Hangar #2 on the airfield and is requesting \$118,220 to make these alterations. This scope of work includes:

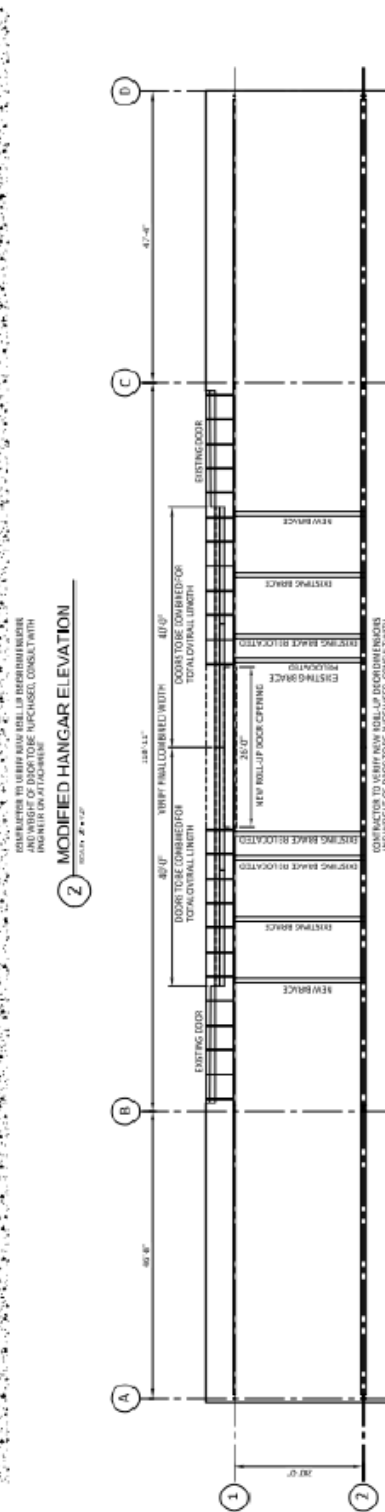
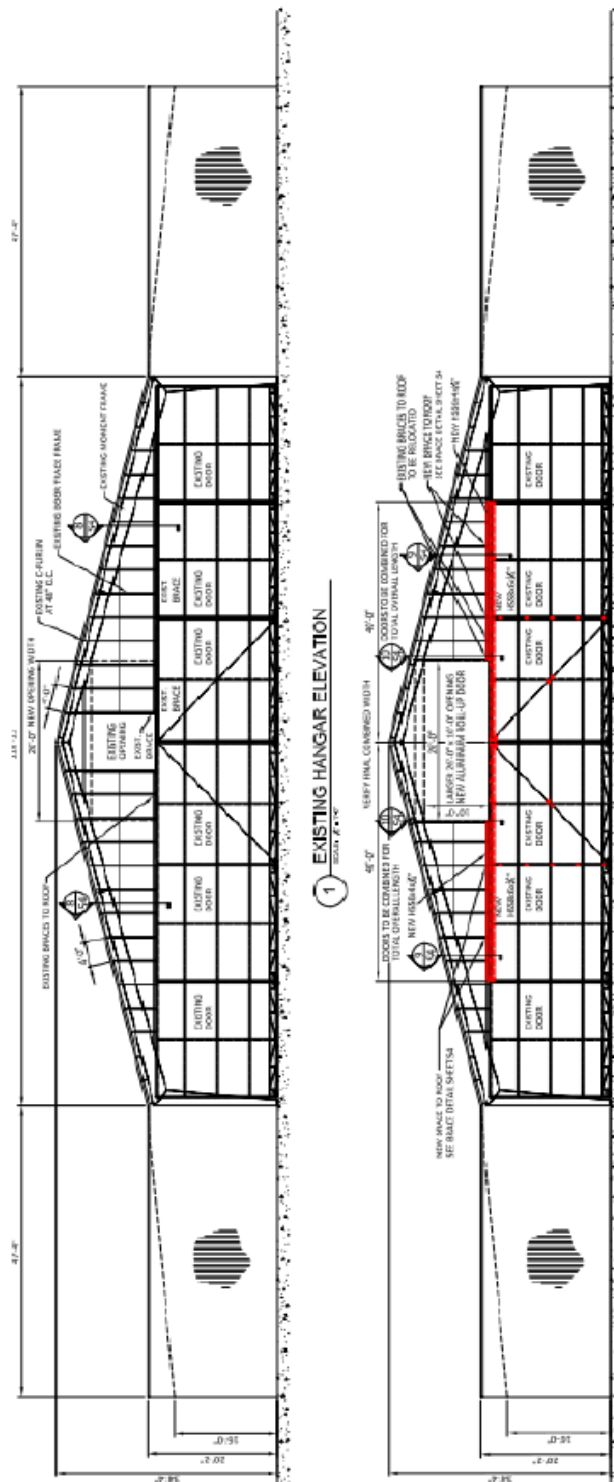
- Structural engineering to modify the sliding hangar door system for higher T-tailed aircraft, such as the Embraer 145.
- Actual modification of the hangar door to account for the higher T-tail assemblies
- 480-volt modifications to accommodate an aircraft auxillary power unit
- Electrical and plumbing installation for a 120 gallon air compressor to support pneumatic tools

Once completed, this project will help the City and the Chamber recruit aircraft maintenance and repair companies to Wichita Falls. When completed, the hangar modifications will accommodate one regional-sized aircraft.

Finally, this project also supports the Chamber's strategic goal of attracting aviation related businesses. These businesses have a history of supporting higher paid jobs, which is also a goal of both the Chamber and 4A Economic Development Corporation.

Hangar #2 Project Budget

Engineering for Door Modification:	\$7,500
Modification of Hangar #2 Door for Regional Aircraft:	\$98,300
Electrical Modification for 480-volt power unit:	\$5,420
120 Gallon Air Compressor (Installed):	<u>\$7,000</u>
Total:	\$118,220

[illegible]

The seal appearing on this document was authorized by Bradley D. Shroyough, P.E. No. 11170 on May 2, 2021. Violation of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Practice Act.

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$118,220 to the City of Wichita Falls to facilitate hangar modifications at Wichita Falls Regional Airport

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

WHEREAS, on August 18, 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:

Regional Airport Hangar #2 Project:

A total of up to \$118,220 to the City of Wichita Falls to facilitate hangar modifications at Wichita Falls Regional Airport

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

PASSED AND APPROVED this the 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$133,979 to the City of Wichita Falls for local match funding related to various airfield projects and equipment for use by Sheppard Air Force Base.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Support a Thriving Sheppard Air Force Base

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

- August 18, 2022 – WFEDC Board hears and approves request from City regarding the proposed project;
- September 6, 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 \$133,979 expenditure for 10% matching funds to facilitate several airfield projects and equipment purchases for use by SAFB, including snow removal equipment (see attached from WFEDC meeting). The Federal Aviation Administration (FAA) will fund 90% of the total project cost. These projects support the City's Strategic Goal of supporting SAFB, as well as improving the long-term viability of SAFB in conducting their training missions.

On August 18, 2022, the WFEDC considered and approved this item. John Burrus, the City's Director of Aviation, Traffic, and Transportation will be at the meeting to provide additional information and to answer any questions. The WFEDC's August 2022 Financial Report shows the corporation has approximately \$11.8M 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**

Wichita Falls Economic Development Corporation
August 18, 2022

ITEM/SUBJECT: Discussion and possible action on a request by the City of Wichita Falls for local match funding related to various airfield projects and equipment for use by Sheppard Air Force Base.

ATTACHMENTS: Photos

Staff Summary:

Sheppard Air Force Base has approached the City of Wichita Falls to assist with the following airfield projects:

- Snow Removal Equipment
- Channel Banks Communication Equipment
- Air Traffic Control Light Guns
- Tally Counters
- TC-COMM Media Converters

These projects will greatly improve airfield safety at Sheppard for Military, Commercial, and General Aviation aircraft. These projects also align with the long-term goals of the FAA to improve airfield safety across the United States. In addition, these projects support the City's Strategic Goal of supporting Sheppard AFB, as well as improving the long-term viability of Sheppard in conducting their training missions.

The Federal Aviation Administration (FAA) has indicated that they will participate in the snow removal and channel bank communication equipment. As part of this agreement, the FAA will pay 90% of those project costs. In addition, the FAA has already approved their portion of the project. Subsequently, the City requires \$133,979 to assist Sheppard's needs and provide the local match requirements for the FAA grant funds.

Snow Removal

Sheppard has no capability to remove snow. The last two winters have negatively impacted Sheppard's ability to conduct flight training due to snow on aircraft movement areas. From a City perspective, 20+ commercial flights were also cancelled in the last two years due to snow. As a joint-use airfield, new equipment would contribute to the rapid removal and continued use of all runways and aircraft movement areas. This will minimize the disruption to Sheppard's training mission, greatly improving their ability to train military pilots year round. In addition, it will allow for commercial aircraft to resume operations.

Channel Banks

Currently, Air Traffic Control and Landing Systems (ATCALS) is utilizing degraded copper connectivity and/or using legacy fiber optic transport equipment, commonly called "channel banks," within Sheppard AFB. This communication equipment consistently fails, is well beyond its life cycle, and is no longer logistically supported. The ATCALS improvements will upgrade Air Traffic Control (ATC) radar-approach control facilities to ensure compatibility with the FAA's ATC facilities. Due to the repeated interruptions to ATC operations, upgrading this infrastructure will help address these disruptions and improve airfield safety.

Air Traffic Control Light Guns

In the event of radio failure, light guns are used to safely land/depart aircraft from the Air Traffic Control Tower.

Tally Counters

Accurately counts air traffic control operations in the tower as specified by the FAA.

TC-COMM Media Converters

Converts analog to digital signal to provide a more reliable signal to the wind sensors.

Project Budget

<u>Projects</u>	<u>Total Cost</u>	<u>FAA Assistance</u>	<u>City Local Match</u>
Snow Removal	\$825,000	\$742,500	\$82,500
Channel Banks	\$175,000	\$157,500	\$17,500
Control Light Gun	\$11,540		\$11,540
Tally Counter	\$424		\$424
Media Converters	\$22,015		\$22,015
Total:	\$1,033,979	\$900,000	133,979



Air Traffic Control Light Gun



Identified Snow Plow System



Channel Bank Representation

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) and amending the budget to include up to \$133,979 to the City of Wichita Falls for local match funding related to various airfield projects and equipment for use by Sheppard Air Force Base

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 August 18, 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:

SAFB Airfield Equipment Matching Funds Project:

A total of up to \$133,979 to the City of Wichita Falls for local match funding related to various airfield projects and equipment for use by Sheppard Air Force Base

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 6th day of September, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
September 6, 2022

ITEM/SUBJECT: Resolution approving the Wichita Falls Type B (4B) Sales Tax Corporation Budget for Fiscal Year 2022-23.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: (1) Accelerate Economic Growth, (2) Redevelop Downtown, (3) Provide Quality Infrastructure

STRATEGIC OBJECTIVE: (1.6) Revitalize Depressed and Declining Neighborhoods, (2.2) Complete Signature Public Improvements, (2.3) Evaluate Alternative Options for Financing Infrastructure Improvements, (2.7) Continue the Bicycle-Friendly Initiative, (3.1) Complete the Development of a Convention Center Hotel, (3.7) Pursue Public-Private Partnerships, (3.8) Create a Live, Work, Play Downtown, (3.9) Enhance Focus on Culture, Arts, and Entertainment Venues

COMMENTARY: TEXAS LOCAL GOVERNMENT CODE § 501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation."

The Type B Sales Tax Corporation Board met on August 17, 2022, and approved the attached FY 2022-23 budget which begins on October 1, 2022, and ends on September 30, 2023. The far right hand column ("FY 2022-23 Proposed Budget") includes estimated revenues, ongoing program expenditures, and project expenditures. Highlights of the attached document include:

- Conservatively projected sales tax revenue of ~\$5.1M, which is "flat" compared to the projected sales tax revenue in the current year;
- Debt service projects: ~\$2.7M, which includes the annual bond payments for the MPEC Conference Center, Weeks Golf Course Renovation, Municipal Airport Terminal, Rhea/Lawrence Rd Realignment, Castaway Cove, and the Maplewood Rd project between Lawrence and Kemp;
- Public Safety Radio System/MDT: \$175,000, which is a 73% decrease from the \$647,706 budgeted 2 years ago. FY 2023 will be the last year the corporation will fund this item as it will be fully absorbed into the City's IT Fund for FY 2024;
- \$100,000: Continuation of the successful Downtown Improvement Grant Program
- \$25,000: Funds for the operation of the Corporation-owned Lindemann Parking garage downtown;
- \$117,088: year 3 of a multi-year funding plan to implement bicycle-friendly improvements. However, no new funds are included for FY 2023;

- \$599,781: \$594,781 for the trail section between Lake Wichita Park and Larry's Marina, and \$5,000 for a small project related to the trail section adjacent to Barnes RV Park on Seymour Hwy. These are remaining unspent funds approved in FY 2022 (current) year;
- Approximately \$7.7M available for new projects at the beginning of FY 2023.

As new projects are considered by the Type B Corporation Board during the new fiscal year, the budget will be amended accordingly upon City Council approval of such.

The resolution is recommended for approval.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: 4B Budget and Financial Report, Resolution

☒ **Budget Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

**Resolution approving the Wichita Falls 4B Sales Tax Corporation
Budget for Fiscal Year 2022-2023**

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 August 17, 2022, the Wichita Falls Type B Sales Tax Corporation's Board of Directors approved the attached 2022-23 Budget.

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

The programs and expenditures of the attached **Fiscal Year 2022-23 Budget** of the Wichita Falls Type B Sales Tax Corporation are hereby approved.

PASSED AND APPROVED this the 6th day of September, 2022.

M A Y O R

ATTEST:

City Clerk



City of Wichita Falls, TX
4B Sales Tax Corporation
Financial Summary

Current as of 08.11.22

	Original Award	FY 2021		FY 2022		FY 2023
		Revised Budget	Year End Actual	Revised Budget	YTD Actual	Proposed Budget
Beginning Fund Balance (10/1)		\$ 7,540,016	\$ 7,540,016	\$ 8,637,125	\$ 8,637,125	\$ 9,511,344
REVENUES						
Sales Taxes		\$ 3,897,293	\$ 4,727,354	\$ 4,268,361	\$ 3,836,372	\$ 5,110,000
Interest		32,150	6,395	25,000	35,751	208,000
Reimbursement (TIF #2)		358,832		358,832	359,311	358,832
Total Revenues		4,288,275	4,733,749	4,652,193	4,231,434	5,676,832
EXPENDITURES						
Annual Programs						
Debt Service - Projects						
TIF #2 Maplewood (2018-2028)		454,475	454,475	452,500	-	454,200
Castaway Cove Water Pk (2010-2025)		385,960	385,960	388,600	-	385,260
TIF #2 / Rhea Road (2011-2031)		231,550	231,550	231,750	-	226,800
WF Municipal Airport (2013-2033)		140,000	140,000	140,000	-	140,000
Trail/Land/Firing Range (Ref. 2018-2028)		207,293	207,392	207,392	-	208,735
Golf Renovation (2015-2026)		323,086	323,086	321,012	-	323,230
MPEC Conference Center (2022-2050)		915,681	-	915,681	-	948,468
Downtown Improvement Grants		100,000	48,147	100,000	39,540	100,000
CVB Incentive Funding		35,000	-	35,000	35,000	35,000
Professional Fees & Advertising		4,000	1,374	4,000	3,162	4,000
Directors & Officers Insurance		5,000	4,756	5,000	3,421	5,000
Capital Equipment Maintenance		647,706	302,140	477,000	511,542	175,000
Administration Charges		20,000	20,000	20,000	15,000	30,000
Parking Garage - Annual Program		25,000	1,668	25,000	5,176	25,000
Annual Programs Total		3,494,751	2,120,548	3,322,935	612,841	3,060,693
Open Projects						
713 Indiana LLC	250,000	250,000	-	250,000	-	250,000
Arts Alliance Mural	10,000	10,000		10,000	5,000	5,000
Bicycle Lanes	100,000	100,000	76,751	123,249	6,161	117,088
District 5 Park Improvements	318,000	26,005	-	26,005	-	26,005
MPEC Conf. Center (Architect)	456,477	456,477	314,644	141,833	35,312	106,521
Pickers Universe	133,000	133,000	-	133,000	-	133,000
TAP Grant Match (Circle Trails)	2,391,923	1,440,910	788,472	635,000	35,219	599,781
Wichita Co Heritage (Kell House)	100,000	100,000	-	100,000	-	100,000
MPEC Hotel Developer	2,000,000	2,000,000	-	2,000,000	-	2,000,000
Backdoor Theatre	104,632	-	-	104,632	-	104,632
The Kate/Petroleum Building	1,017,192	-	-	1,017,192	-	1,017,192
Open Project Total	6,881,224	4,516,392	1,179,867	4,540,911	81,692	4,459,219



City of Wichita Falls, TX
4B Sales Tax Corporation
Financial Summary

Current as of 08.11.22

	Original Award	FY 2021		FY 2022		FY 2023
		Revised Budget	Year End Actual	Revised Budget	YTD Actual	Proposed Budget
Beginning Fund Balance (10/1)		\$ 7,540,016	\$ 7,540,016	\$ 8,637,125	\$ 8,637,125	\$ 9,511,344
Closed Projects						
Half Pint III LLC (809 Ohio)	50,975	50,975		50,975	50,975	-
MPEC Facilities (LEDs, RRs)	230,000	201,937	202,000			-
Arts Council (Kemp Center)	120,000	100,000	100,000	120,000	120,000	-
The Burn Shop	8,225	8,225	8,225			-
Anchored DT LLC (620 Ohio)	26,000	26,000	26,000			-
Chelsea Plaza, LLC (909 8th)	55,700	55,700	-	55,700	53,535	-
Railroad Museum Downtown	7,500	7,500	-	7,500	-	-
MPEC Livestock Pens	150,000	-	-	150,000	148,837	-
Closed Projects Total	648,400	450,337	336,225	384,175	373,347	-
Total Expenditures		8,461,480	3,636,639	8,248,021	1,067,880	7,519,912
Revenues Less Expenditures		(4,173,205)	1,097,110	(3,595,828)	3,163,554	(1,843,080)
Less Encumbrance for Projects		-	3,399,724	-	4,459,219	
Unrestricted Fund Balance		\$ 3,366,811	\$ 5,237,402	\$ 5,041,297	\$ 7,341,460	\$ 7,668,264