

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, December 20, 2022, Beginning At 8:30 A.M.

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

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

Item #

1. Call to Order
2. (a) Invocation: Pastor Gene Holley
Life Church

(b) Pledge of Allegiance
3. Presentations
 - (a) Proclamation – Eagle Scout Day 2023, Northwest Texas Boy Scouts of America Council
 - (b) Presentation - Atmos Energy Annual Operations Report and discussion on Line A Replacement Project in Wichita County – Pam Hughes-Pak

CONSENT AGENDA

4. Approval of minutes of the December 6, 2022 Regular Meeting of the Mayor and City Council.
5. Resolutions
 - (a) Resolution authorizing the purchase of four (4) 52-inch mowers and two (2) 72-inch mowers for the Parks Maintenance Division through the BuyBoard Purchasing Cooperative from Berend Turf & Tractor, LP in the amount of \$96,751.30
 - (b) Resolution authorizing the purchase of a John Deere 35G Compact Excavator and tilt trailer for the Parks Maintenance Division through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$90,435.00
6. Receive Minutes
 - (a) Wichita Falls Park Board, October 27, 2022
 - (b) Lake Wichita Revitalization, November 8, 2022

REGULAR AGENDA

7. Ordinances
 - (a) Ordinance canceling the regularly scheduled Council meeting on January 3, 2023
 - (b) Ordinance approving the transfer of various aged receivable accounts to dormant status and appropriating FAA COVID Funds to the Kickapoo Airport Fund as part of the City's fiscal year end closing process
 - (c) An Ordinance requested by Onelife Community Church granting a variance from Section 5430(A) of the Wichita Falls Code of Ordinances, which prohibits alcohol sales within 300 feet of a church, to the property at 807 Austin Street described as Lot 11-A, Block 172, Original Townsite, owned by Onelife Community Church
 - (d) Ordinance Amending Ordinance No. 37-2022, the fee schedule Section 6 Health, 6a Animal Services, adding subsection 12; Wichita County Sheriff's Office fees; providing for severability; providing that such ordinance shall not be codified
 - (e) Ordinance Amending Chapter 14 Article III Division 3 Residential Permits, Section 14-202 Project Animals Permit, and Providing for Codification
8. Resolutions

- (a) Resolution authorizing the execution of an Inter Local Agreement between the City of Wichita Falls and Wichita County for the provision of limited Animal Control Services in the unincorporated areas of Wichita County
- (b) Resolution authorizing the City Manager to award bid and contract for the City of Wichita Falls Landfill Entrance Facility Improvements Project to Anthony Inman Construction, Inc. in the amount of \$1,180,224.00
- (c) Resolution authorizing the City Manager to approve Change Order No. 1 for the City of Wichita Falls Landfill Entrance Facility Improvements Project for a deduction of \$238,760.00
- (d) Resolution confirming reappointment to the Firefighters and Police Officers' Civil Service Commission
- (e) Resolution authorizing the City Manager to execute a five-year contract with H Two Management and Marketing to provide waterpark management services for Castaway Cove in the amount of \$162,000
- (f) Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the budget to include funding up to \$49,000 to John Dickinson Et al., dba Restoring the Past LLC, to assist in mechanical, electrical, and plumbing system upgrades as part of the renovation of the existing building at 608 7th Street downtown

9. Other Council Matters

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

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

11. Executive Sessions

- (a) Executive Session in accordance with Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of a public officer or employee, including, but not limited to members of the following boards and commissions:
 - Airport Board of Adjustments
 - Construction Board of Adjustments & Appeals

- Landmark Commission
- Planning & Zoning
- TIF #2
- TIF #3
- TIF #4
- Zoning Board of Adjustment

(b) 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.

12. Appointments to Boards and Commissions

- Airport Board of Adjustments
- Animal Shelter Advisory Committee
- Construction Board of Adjustments & Appeals
- Landmark Commission
- Park Board
- Planning & Zoning
- TIF #2
- TIF #3
- TIF #4
- Wichita County – City of Wichita Falls Health Board
- Water Resources Commission
- Zoning Board of Adjustment

13. Adjourn

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

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

otherwise listed on the agenda plus any subject specified in the executive session notice. Executive sessions described generally hereunder are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087.

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 14th day of December, 2022 at 4:30 o'clock p.m.



City Clerk



City of Wichita Falls
City Council Meeting
Minutes
December 6, 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

Major Joe Burton, Salvation Army, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Employee of the Month – Simeon Marchbanks, Utility Collections

8:32 a.m.

Mayor Santellana recognized Simeon Marchbanks as the Employee of the Month for December 2022 and shared a brief video. Mayor Santellana congratulated Mr. Marchbanks and presented him with a plaque, letter of appreciation, dinner for two, and a check, and thanked him for his service.

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Item 3b – Proclamation – Soup & Socks Day, Project Texoma – Anndrea Harris

8:38 a.m.

Mayor Santellana read a proclamation proclaiming December 10, 2022, as Soup & Socks Day in Wichita Falls and encouraged all citizens to support this wonderful project based organization by donating items, your time, or monetary donations.

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Item 4-6 – Consent Items

8:41 a.m.

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

Moved by Councilor Browning to approve the consent agenda.

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

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

Nays: None

Item 4 – Approval of Minutes of the November 15, 2022 Regular Meeting of the Mayor and City Council

Item 5a – Ordinance 58-2022

Ordinance authorizing the City Manager or his designee, to accept from the Office of the Governor, Homeland Security Grant Division, the 2022 State Homeland Security Grant Program – Grant/Application #4447201, in the amount of \$36,326.88.

Item 5b – Ordinance 59-2022

Ordinance appropriating \$2,244.67 of grant funds pursuant to the FY 2022 Patrick Leahy Bulletproof Vest Partnership Grant, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

Item 5c – Resolution 157-2022

Resolution establishing a designated mailing address, email address, and website for the receipt of Public Information Requests; requiring the City Clerk to post notice of said official designations on the City's website; and providing an effective date.

Item 5d – Resolution 158-2022

Resolution authorizing the purchase of a Pothole Repair Truck for the Street Department through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Bruckner Truck Sales, Inc. in the amount of \$264,217.00.

Item 6 – Receive Minutes

- (a) Wichita Falls – Wichita County Public Health Board, September 9, 2022
- (b) Wichita Falls Economic Development Corporation, September 15, 2022
- (c) Planning & Zoning Commission, October 12, 2022
- (d) Landmark Commission, October 18, 2022
- (e) Wichita Falls Economic Development Corporation, October 20, 2022

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Item 7a – Ordinance 60-2022

8:43 a.m.

Ordinance authorizing the carry-forward of capital and related funds from the FY 2022 Budget to the FY 2023 Budget as part of the FY 2022 year end closing process.

Moved by Councilor Brewer to approve Ordinance 60-2022.

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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Item 8a – Resolution 159-2022

8:45 a.m.

Resolution authorizing the purchase of Reverse Osmosis Membrane Elements in order to replace six reverse osmosis trains at Cypress Water Treatment Facility, from Toray Membrane USA Inc., in the amount of \$814,464.00.

Moved by Councilor Browning to approve Resolution 159-2022

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 8b – Resolution 160-2022

8:49 a.m.

Resolution authorizing the City Manager to execute a change order with Clark Contractor, LLC for the renovation of the Wichita Falls MPEC Exhibit Hall in the amount not to exceed \$3,303,924.

Moved by Councilor Brewer to approve Resolution 160-2022.

Motion seconded by Councilor Browning

Blake Jurecek noted that the agenda outline listed “in the amount not to exceed \$3,500,000,” however, Mr. Leiker read the agenda item and the motion was made with the correct amount of \$3,303,294.

Mr. Jurecek gave a presentation and discussed the history of the venue tax, the amount of funding available, the proposed renovations, and the importance of the MPEC having the same look and feel as the new convention center. Staff recommends using the same contractor approved for the convention center through a change order, which is the most cost-effective and timely option.

There was a brief discussion regarding the change order process complying with the charter and state law. Mr. Leiker, Mr. Heggland, and Mayor Santellana discussed that the change order complies with both, and will save taxpayer dollars.

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

Nays: Councilor Jackson

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Item 8c – Resolution 161-2022

9:12 a.m.

Resolution authorizing the City Manager to execute American Institute of Architects (AIA) contract to Bundy, Young, Sims, and Potter Architects (BYSP) to prepare building/construction documents for the Memorial Auditorium Building renovation in the amount not to exceed \$918,750.

Moved by Councilor Browning to approve Resolution 161-2022.

Motion seconded by Councilor Smith.

Mr. Jurecek discussed public health concerns and the proposed renovation project.

There was a brief discussion regarding the project being overdue and important, and the need for a facility needs assessment for public safety facilities. Mr. Jurecek stated that funding was approved for a needs assessment and that process has been started.

Mr. Leiker clarified that the 2018 bond election voted against using general obligation bonds paid by an increase in property taxes to fund a new municipal facility, not against the project itself. He noted that the majority of this project is funded with federal dollars, and discussed that public safety facilities are a priority, but may require a bond election or other funding options.

Motion carried by the following vote:

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

Nays: Councilor Jackson

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Item 8d – Resolution 162-2022

9:25 a.m.

Resolution authorizing award of bid for the purchase of ten (10) 2023 Ford Utility Police Interceptors from the low bidder Caldwell Country Ford, LLC in the amount of \$434,250.

Moved by Councilor Brewer to approve Resolution 162-2022.

Motion seconded by Councilor Smith.

John Burrus, Director of Aviation, Traffic and Transportation, stated that due to price increases, the number of vehicles being purchased was decreased by one, and the purchase of a supervisor vehicle was delayed.

Motion carried by the following vote:

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

Nays: None

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Item 8e – Resolution 163-2022

9:30 a.m.

Resolution authorizing award of bid for the purchase of eight (8) $\frac{3}{4}$ -ton pickup trucks from the low bidder, Wichita Falls Ford-Lincoln, Inc., in the amount of \$358,898.18.

Moved by Councilor Browning to approve Resolution 163-2022.

Motion seconded by Councilor Jackson.

Mr. Burrus stated that due to a fifty percent price increase, the number of vehicles being purchased was reduced from twenty to eight, and we are replacing eight of the most critical units.

Motion carried by the following vote:

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

Nays: None

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Item 8f – Resolution 164-2022

9:32 a.m.

Resolution authorizing award of bid for the purchase of five (5) one-ton pickup trucks from the low bidder, Wichita Falls Ford-Lincoln, Inc., in the amount of \$227,717.22.

Moved by Councilor Browning to approve Resolution 164-2022.

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

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

Nays: None

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

9:34 a.m.

Councilor Brewer congratulated all of the Firefighters and Police Officers that were recently promoted and thanked them for the good job they do.

Councilor Smith reminded everyone of the Christmas parade that will be held downtown on Saturday, December 17th, and that December 7th is Pearl Harbor Remembrance Day.

Councilor Whiteley congratulated the Employee of the Month, Simeon Marchbanks. He stated that he attended the stakeholder contractor meeting held this week, and he asked that we consider having the meetings quarterly.

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

9:37 a.m.

Annie Nickerson, 5113 Wildflower Lane, member of VFW Auxiliary 8878, asked for the City Council's permission to hang Hometown Heroes banners on light poles. The cost of the brackets and banners will be paid for with donations and the only cost to the City would be the labor to hang the banners. Ms. Nickerson discussed possible community involvement and suggested locations downtown or on Kemp.

Erica Goss, 1708 Eagle Ridge Circle, read a prepared statement regarding her and her neighbor's concerns about the new Dollar General on Seymour Highway and the entrance on Turtle Creek Blvd. She asked that the entrance and exit both be routed onto Seymour Highway. She noticed today that the concrete has already been poured and asked that the entrance on Turtle Creek be blocked off.

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Item 11 –Adjourn

Mayor Santellana adjourned the meeting at 9:44 a.m.

PASSED AND APPROVED this 20th day of December 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution authorizing the purchase of four (4) 52-inch mowers and two (2) 72-inch mowers for the Parks Maintenance Division through the BuyBoard Purchasing Cooperative from Berend Turf & Tractor, LP in the amount of \$96,751.30.

INITIATING DEPT: Aviation, Traffic & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: The City has purchased mowers through a cooperative purchasing program for the past several years. We have found this process to be cost-effective not only in the initial purchase but also for maintenance during the life of the product. By limiting the acceptable models, we are able to maintain a limited parts inventory as well as inter-change components when necessary. All of the mowers are replacement units (see attached list).

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

Staff recommends the purchase of four (4) Toro Model #72906 52" mowers and two (2) Kubota RCK72R 72" Rear Discharge mowers through the BuyBoard Purchasing Cooperative from Berend Turf & Tractor, LP in the amount of \$96,751.30.

Budgeted Cost	\$158,000.00
Actual Cost:	<u>\$96,751.30</u>
Budget Savings:	\$61,248.70

Staff selected a smaller cut 52" mower than the 60" budgeted. Hence, the additional budget savings.

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

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of four (4) 52-inch mowers and two (2) 72-inch mowers for the Parks Maintenance Division through the BuyBoard Purchasing Cooperative from Berend Turf & Tractor, LP in the amount of \$96,751.30

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

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

WHEREAS, the City Council finds that Berend Turf & Tractor, LP is offering four (4) Toro Model #72906 52" mowers and two (2) Kubota RCK72R 72" Rear Discharge mowers through the BuyBoard Purchasing Cooperative, and it is in the City's best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

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

City Staff is authorized to execute all documents necessary to purchase four 52-inch mowers and two 72-inch mowers through the BuyBoard Purchasing Cooperative from Berend Turf & Tractor, LP in the amount of \$96,751.30.

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

4315 Seymour Hwy.
Wichita Falls, TX 76309
(940) 691-1141

BEREND
TURF & TRACTOR
"You got work to do"

Salesman:	Jay Berend
Ship Via:	
Terms:	Net 20th

Ship To:		

Toro Model#72906 25hp Kohler Command Pro EFI Engine 52" Turbo Force Deck	4.00	\$12,450.00	\$49,800.00	\$49,800.00	\$49,800.00
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Page 1 of 1 Pages



Contract Numbers:
CE - #597-19
GM - #611-20

F2690 WEB QUOTE #2465476
Date: 9/15/2022 10:09:01 AM
-- Customer Information --
Looney, Wade
City of Wichita Falls
wade.looney@wichitafallstx.gov
940-761-7931

Quote Provided By
BEREND TURF & TRACTOR, LP
Jay Berend
4315 SEYMOUR HWY.
WICHITA FALLS, TX 76309
email: jberend@berendturfandtractor.com
phone: 9406911141

-- Standard Features --

-- Custom Options --



F Series

F2690

*** EQUIPMENT IN STANDARD MACHINE ***

DIESEL ENGINE

Model #D1105
3 Cyl., 1123 cu. cm.
+24.8 Gross Eng. HP
@3000 Eng. RPM
CARB Certified
Alternator -- 40 Amps
Hand Throttle
Dual Element Air Cleaner

TRANSMISSION

Hydrostatic Drive (F2/R2)
Forward Speed -- 0 - 12.5 mph
Reverse Speed -- 0 - 6.8 mph
Front Differential Lock

FLUID CAPACITY

Fuel Tank 16.1 gal
Cooling System 4.9 qts
Engine Oil 3.7 qts
Transmission and Hydraulics 14.8 qts

OPERATING FEATURES

Tilt Steering Wheel
Power Steering
Deluxe Suspension Seat
w/ 4 Adj. Controls

SAFETY EQUIPMENT

2 Post Foldable ROPS w/
Retractable Sear Belt
ROPS meet ISO and OSHA
Safety Start Switch
Operator Presence Control
Parking Brake
Overheat Alarm Buzzer

HYDRAULICS

Open Center -- Gear Type
2 Point Hitch Lift
Cap at Lift Point -- 573 lbs
8.6 GPM Hyd. Pump Cap.
6 GPM Remote Outlet

INSTRUMENTS

Liquid Chrystal Display (LCD) Panel
Hour Meter
Electric Fuel Gauge
Temperature Gauge
Easy Checker TM
Oil Light
Charge Light
Glow Plug Light

HYD. INDEPENDENT PTO

Hyd. Multi-Disc PTO
Single Speed PTO
2545 rpm @ 3000 Eng. rpm

+ Manufacturer Estimate

SELECTED TIRES

AR8641 & AF9398A
FRONT - 24x12.00-12 R3 Maxxis Pro Tech
REAR - 18x9.50-8 R3 Kenda Super Turf K500

F2690 Base Price: \$23,204.00

(1) SUSPENSION SEAT inc.
F8280-SUSPENSION SEAT

(1) 72" REAR DISCHARGE MOWER \$5,139.00
RCK72R-F36-72" REAR DISCHARGE MOWER

Configured Price: \$28,343.00

BUY BOARD Discount: (\$5,668.60)

SUBTOTAL: \$22,674.40

Dealer Assembly: \$63.75

Freight Cost: \$487.50

PDI: \$250.00

Total Unit Price: \$23,475.65

Quantity Ordered: 2

Final Sales Price: \$46,951.30

**Purchase Order Must Reflect
the Final Sales Price**

To order equipment – purchase orders must be made out and returned to:

Kubota Tractor Corporation
Attn: National Accounts
1000 Kubota Drive
Grapevine, TX 76051
or email NA.Support@kubota.com
or call 817-756-1171 or fax 844-582-1581

*All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price. All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.

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192.230.86.7

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution authorizing the purchase of a John Deere 35G Compact Excavator and tilt trailer for the Parks Maintenance Division through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$90,435.00.

INITIATING DEPT: Aviation, Traffic & Transportation

STRATEGIC GOAL: Efficiently Delivery City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: As part of the additional \$1 million provided for vehicle and equipment capital replacement in the FY 23 budget, a replacement tractor with front loader was identified for the Parks Maintenance Division. However, upon review by staff, it was determined that a John Deere 35G Compact Excavator would provide more versatility, value, and productivity for the Parks Maintenance Division.

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

Staff recommends the purchase of one (1) John Deere 35G Compact Excavator and a tilt trailer through the Sourcewell Purchasing Cooperative in the amount of \$90,435.00. This unit will replace a 2000 New Holland tractor.

Budgeted Amount:	\$150,000.00
Actual Amount:	<u>\$90,435.00</u>
Budget Savings:	\$59,565.00

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

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☐ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of a John Deere 35G Compact Excavator and tilt trailer for the Parks Maintenance Division through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$90,435.00

WHEREAS, the City of Wichita Falls desires to purchase a John Deere 35G Compact Excavator and tilt trailer; and,

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

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

WHEREAS, the City Council finds that Yellowhouse is offering one (1) John Deere 35G Compact Excavator and tilt trailer through the Sourcewell Purchasing Cooperative, and it is in the best interest to purchase equipment in accordance with the Cooperative Purchasing Programs.

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

City Staff is authorized to execute all documents necessary to purchase one (1) John Deere 35G Compact Excavator and tilt trailer through the Sourcewell Purchasing Cooperative from Yellowhouse Machinery Company in the amount of \$90,435.00.

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk





Quote Summary

Prepared For:

CITY OF WICHITA FALLS
PO BOX 1431
WICHITA FALLS, TX 76307
Business: 940-761-7466
JENNIFER.BABINEAUX@WICHITAFALLSTX.GOV

Prepared By:

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

Source well quote

Quote Id: 27594299
Created On: 11 October 2022
Last Modified On: 11 October 2022
Expiration Date: 11 November 2022

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 35G Compact Excavator	\$ 68,570.00 X	1 =	\$ 68,570.00
John Deere Extended Warranty-60 MONTH OR 2,000 HOUR FULL MACHINE WARRANTY	\$ 0.00 X	1 =	\$ 0.00
CONNECT WORK TOOLS CH65	\$ 8,665.00 X	1 =	\$ 8,665.00
INTERSTATE 16TST TILT DECK TRAILER 16,000 LBS GVWR - 1JKTST160LM017442	\$ 13,200.00 X	1 =	\$ 13,200.00
Equipment Total			\$ 90,435.00

Quote Summary

Equipment Total	\$ 90,435.00
SubTotal	\$ 90,435.00
Total	\$ 90,435.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 90,435.00

Salesperson : X _____

Accepted By : X _____

Confidential



Selling Equipment



Quote Id: 27594299

Customer: CITY OF WICHITA FALLS

JOHN DEERE 35G Compact Excavator

Hours:

Stock Number:

Code	Description	Qty
0050FF	35G Compact Excavator	1
Standard Options - Per Unit		
3125	Rubber Track	1
4150	Suspension Seat - Cloth	1
7120	Long Arm and Extra Counterweight	1
8185	ROPS / FOPS Cab	1
9555	Angle Blade	1
Dealer Attachments		
BYT10962	12 in. (305 mm) Heavy Duty Bucket; 1.33 cu. ft. (0.038 cu. m) (3 Teeth Included)	1
BYT10966	18 in. (457 mm) Heavy Duty Bucket; 2.8 cu. ft. (0.080 cu. m) (4 Teeth Included)	1
BYT10967	24 in. (610 mm) Heavy Duty Bucket; 4.0 cu. ft. (0.11 cu. m) (4 Teeth Included)	1
Service Agreements		
John Deere Extended Warranty - 60 MONTH OR 2,000 HOUR FULL MACHINE WARRANTY		

CONNECT WORK TOOLS CH65

Equipment Notes:

Hours: 0

Stock Number:

Code	Description	Qty
CONNECT	CH65 HYDRAULIC HAMMER	1

INTERSTATE 16TST TILT DECK TRAILER 16,000 LBS GVWR - 1JKTST160LM017442

Confidential



Selling Equipment

HOUSE
MACHINERY CO.

Quote Id: 27594299 Customer: CITY OF WICHITA FALLS

Equipment Notes:

Hours: 0

Stock Number: 65441

Code	Description	Qty
---	MISC INTERSTATE 16TST TILT DECK TRAILER 16,000 LBS GVWR	1

Confidential

**Wichita Falls Park Board Meeting
October 27, 2022**

**W.F. Recreation Center
600 11th Street Room 205
Time: 1:30pm**

Presiding: Jim Heiman

**Members Present: Dorcas Chasteen, Sandy Fleming, Patrick Hearn,
Jessica Traw, Thomas Taylor, Josh Phillips, Michael
Battaglino**

Members Absent: Alan Donaldson, Simeon Hendrix, Larri Jean Jacoby

City Council Representative: Absent: Steve Jackson

**Other: Scott McGee, Terry Points (Staff Liaison)
Absent: Blake Jurecek**

- 1. CALL TO ORDER:**
Jim Heiman called the meeting to order at 1:30 p.m.
- 2. APPROVAL OF MINUTES:**
The minutes from September 22, 2022, were put before the Board for approval. Josh Phillips made the motion to approve the minutes and Michael Battaglino seconded the motion.
- 4. DEPARTMENTAL REPORT:**
 - A. Recreation: Scott McGee**
 - See Attached Recreation Report
 - Added Turf construction underway at Softball Complex, start to finish completion time estimated at 190 days.
 - B. Parks: Terry Points**
 - See Attached Parks Report
 - C. Lake Wichita Revitalization Committee:**
 - Plan for ground breaking on November 11, 2022 for Veterans memorial plaza, has been canceled at this time.
 - D. Circle Trail Update:**
 - No update at this time
 - E. Parks Review Update:**
 - Park Review Board Report : Working on Survey

F. Other Business, Announcements, Comments:

- **E-Bikes: Texas Parks and Wildlife** hosting an open comment session on November 2, 2022 on e-bike in state parks.
- Next meeting set for December 1, 2022, Combine for November & December.

Meeting was adjourned at 2:30pm

Signature: _____

Jim Heiman
Jim Heiman (First Chair)

MINUTES
LAKE WICHITA REVITALIZATION COMMITTEE

October 11, 2022

PRESENT:

■ Members

David Coleman, Chair
Steve Garner, Vice Chair
Sharon Roach
Mike Battaglino
Austin Cobb
Kari Shaw
Alicia Castillo, Gold Star Family Rep

■ Staff

Blake Jurecek, Assistant City Manager
Blane Boswell, City Engineer
Terry Points, Parks Superintendent

■ Guests

Robert Mauk, TX Parks & Wildlife

ABSENT: Ford Swanson, John Strenski, Alison Sanders, Tim Brewer, Matt Marrs, Rick Hernandez

1. **Call to Order:** David called the meeting to order at 10:07 am. David introduced our new member, Kari Shaw, and welcomed her to the Committee.

2. **Approval of Minutes:** September meeting minutes were approved unanimously.

3. **Project Updates:**

3.a. **Veteran's Plaza Project:**

Blane stated that the design will be 100% complete, signed and sealed, by the end of this week. Then the City will send the plans to Marrs Patriot Construction for them to update their pricing. After that, City Council approval will be required to proceed with a change order to effect the new design and start construction. The target City Council meeting is 15 November, at the earliest.

David stated that he and Steve had been discussing holding a Groundbreaking ceremony on Veteran's Day, since Congressman Jackson is already scheduled to be here that day (originally set up so he could speak at a Dedication ceremony). However, since it's not possible to have City Council approval by 11 November, the decision was made to scrap the idea of a Groundbreaking ceremony. Instead, David will contact the Congressman's staff and discuss the situation with them, to see how they would like to proceed, perhaps to hold a Press Conference to publicize the potential start of the Veterans Plaza project.

3.b. **Lake Deepening:** Steve suggested we create a project to make improvements to the former Wichita Falls Yacht Club basin, which is on City property now leased by the Wild Bird Sanctuary. This idea was met with general support, and Steve will get more information from a company called Dredge America, since he recently got a point of

October 11, 2022

contact there. Also, Austin will research any potential historic preservation grants that may be available from the State of Texas.


3.c. Kayak Launch Grant: Terry will schedule his crews to install the walkway first, but will wait for some rain to install the launch itself.

4. Discussion of Brick Sales and Fundraising Initiatives: David stated that all but about 75 of the Replicas have been picked up, but there are still many damaged or missing Replicas that will have to be re-made by Polar Engraving. Sharon suggested that Committee members could start calling the people who have not yet picked up their Replica, and David stated he would send out the information for that process to begin.

In light of the construction schedule, the group agreed that the webpage at Polar Engraving (to enable new Brick orders to be placed) will be available until the end of November.

5. Other Business Matters: Steve mentioned that we need a rendering to show what the final Veterans Plaza project will look like, and the group agreed this should be done, and authorized David to spend up to \$400 to get our rendering updated by Carey Dodson and printed on poster size foam board.

6. Adjournment: The meeting adjourned at 10:55 am.



David Coleman, Chair

13 Dec 22

Date

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Ordinance canceling the regularly scheduled Council meeting on January 3, 2023.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice effective governance

COMMENTARY: The January 3, 2023 City Council meeting falls the day after the New Year's Day holiday, a time when several City staff and officials will be off work enjoying time with their families. The attached ordinance will cancel that meeting.

☒ **City Attorney**

ASSOCIATED INFORMATION: Ordinance

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

**Ordinance canceling the regularly scheduled Council meeting on
January 3, 2023**

WHEREAS, the regularly scheduled Council meeting of January 3, 2023, falls the day after the New Year's Day holiday; and,

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

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

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

The regularly scheduled City Council meeting on January 3, 2023, is hereby canceled.

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2021**

ITEM/SUBJECT: Ordinance approving the transfer of various aged receivable accounts to dormant status and appropriating FAA COVID Funds to the Kickapoo Airport Fund as part of the City's fiscal year end closing process.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Each year, the City removes various aged receivable accounts from the general ledger and transfers the accounts to dormant status. These delinquent receivables have been on the books for at least 90 days without activity and it has been determined that it is unlikely that they will be collected. The total net transfer to dormant status as of September 30, 2022, is in the amount of \$133,378.98. This amount is approximately \$89,958.46 less than the amount transferred to dormant status in the prior year. The breakdown of the amount transferred to uncollectible status is as follows:

Water/Sewer/Refuse/Storm Water Charges	<u>\$133,378.98</u>
	\$133,378.98

Efforts will continue to be made to collect these accounts and they will remain in our system records. However, it is recommended that these accounts receivable be moved to an uncollectible status on the general ledger to reflect a more accurate figure on the City's financial records for anticipated assets.

Water/Sewer/Refuse/Storm Water Collection Charges: These charges were for normal water/sewer/sanitation/storm water services that were provided during the 2021-22 fiscal year. The customer accounts have been closed and the deposits were insufficient to cover the outstanding balances.

Collection efforts will continue for these debts, as debts of this nature are collected for the City through its contract with Perdue, Brandon, Fielder, Collins & Mott. In total, over \$72.6 million of revenue was collected for water/sewer/sanitation/storm water services during the year, resulting in a very strong collection rate of over 100% of budgeted revenues.

Kickapoo Airport Fund: The Kickapoo Airport fund requires additional appropriations from the FAA COVID Fund due to the increased cost of fuel in the prior year. While every effort was made to control overall appropriations, final fuel invoices, which account for fuel that was purchased at the end of the year, to be sold in the new year, contributed to the need for increased appropriations. It should be noted that revenues in the fund exceeded total

budgeted projections. Fuel sold in the past year will contribute to increased revenues in the current year.

Staff recommends approval of the ordinance.

☒ **CFO/Director of Finance**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance approving the transfer of various aged receivable accounts to dormant status and appropriating FAA COVID Funds to the Kickapoo Airport Fund as part of the City's fiscal year end closing process

WHEREAS, each year, the City Council removes from the general ledger various aged receivable accounts and transfers them to dormant status for possible collection by the Legal Department and/or outside collection agencies.

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

1. The Chief Financial Officer is hereby authorized to remove from the general ledger the charges hereinafter set out, which are now deemed un-collectible and/or obsolete:

Water/Sewer/Refuse/Storm Water Charges	<u>\$133,378.98</u>
	\$133,378.98

2. The City Attorney and/or outside Collection Agencies are authorized to evaluate the un-collectible accounts receivable and file suits and claims therein if such actions are determined to be cost-effective.

3. The revisions to the FY 2021-22 Budget are hereby adopted. These revisions will increase appropriations in Kickapoo Airport Fund from \$1,076,780 to \$1,159,494, an increase of \$82,714. The increase in the Kickapoo Airport Fund will be offset with a transfer in of available FAA COVID Cares Funds.

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

Acct #	Account Description	Balance 9/30/2021	Balance 9/30/2022	Increase
550	Water and Sewer	3,309,568.17	3,394,182.24	84,614.07
530	Sanitation	1,074,405.03	1,114,348.97	39,943.94
552	Stormwater	<u>228,880.27</u>	<u>237,701.24</u>	<u>8,820.97</u>
		<u>4,612,853.47</u>	<u>4,746,232.45</u>	<u>133,378.98</u>

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: An Ordinance requested by Onelife Community Church granting a variance from Section 5430(A) of the Wichita Falls Code of Ordinances, which prohibits alcohol sales within 300 feet of a church, to the property at 807 Austin Street described as Lot 11-A, Block 172, Original Townsite, owned by Onelife Community Church.

INITIATING DEPT: Development Services/ Planning

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Enhance Focus on culture, arts, and entertainment venues.

COMMENTARY:

- August 1, 2022– Staff met with Ronnie Whitfield, Pastor of Onelife Community Church, and Scott Poenitzsch, WF Farmer’s Market Association (WFFMA) President, to discuss the proposed operation of a farmer’s market at 807 Austin.
- August 20, 2022 – The WFFMA began operations at 807 Austin. Alcohol sales are not allowed as such is prohibited by City ordinance within 300-feet of a church (Onelife and WF Baptist).
- December 9, 2022 – Variance request received from Onelife Community Church, property owner, on behalf of the WFFMA (see attached).
- **December 20, 2022** – City Council to consider request.

The applicant, Onelife Church, has leased a portion of its property to the WFFMA for use as a farmer’s market up to three (3) days per week since August 2022. Pursuant to Section 5430(A) of the City’s Zoning Ordinance, alcohol sales at the site are not allowed as the site is within 300-feet of a church (both the site itself, Onelife Church, and WF Baptist next door). The property owner (Onelife) and tenant (WFFMA) request a variance to the regulation to allow for the sales of alcohol at 807 Austin as part of the farmer’s market operations

The Texas Alcoholic Beverage Code section 109.33(e) allows for the City Council to consider and/or grant applicable variances:

“.....if the...governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the court or governing board, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.”

As part of the variance request, the WFFMA has included letters of support from both churches within 300-feet: Onelife Community Church and WF Baptist Church at 1001 8th Street. WF Baptist Church is approximately 170-feet from the subject property owned by Onelife Community Church.

In July 2017, the City Council granted a similar variance for alcohol sales within 300-feet of a church to the owners of 806 Travis, Alicia and Ismael Duran. The site was approximately 100 feet from the Messiah Baptist Church at 800 Travis St.

Recommendation

Staff recommends the City Council hear and consider the request. If approved, staff recommends the following conditions:

1. Alcohol sales will only be allowed during Wichita Falls Farmer's Market Association (WFFMA) market days and special events organized by the WFFMA;
2. The sales will only take place onsite (807 Austin) and not within the public right-of-way;
3. Only members of the WFFMA with applicable Texas Alcoholic Beverage Commission off premise retailer's licenses will be allowed to sell at 807 Austin St;

☒ **Assistant City Manager**

☒ **Development Services Director**

ASSOCIATED INFORMATION: Exhibit A – Applicant Request Letter; Exhibit B – Photos of Subject Property & Area; Exhibit C – Separation Map; Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

EXHIBIT A – Waiver Request



December 9th, 2022

Darron Leiker
City Manager
City of Wichita Falls, TX

On behalf of the Wichita Falls Farmers Market Association, I would like to formally request an ordinance variance to permit vendors, who hold a valid TABC license that authorizes for off-premises sales of alcohol, be allowed to sell their products at Farmers Market events held at 807 Austin Ave, Wichita Falls, TX. The ordinance in reference is # 5400, as enclosed.

Furthermore, enclosed you will also find supporting information that a variance has been previously granted for an adjacent property to a church, for on-premises sale of alcohol in near proximity to the 807 Austin Ave location.

We understand that such a request must be further approved by the Wichita Falls City Council, and this request begins that process. Finally, we would request that the process be expedited as reasonably possible, so as the impacted local vendors may begin sales.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Scott Poenitzsch", is written over a circular stamp that matches the Farmers Market Association logo.

Scott Poenitzsch
President- Wichita Falls Farmers Market Association
(217) 617-8046

Enclosures:

- City Ordinance #5400
- TABC General Provisions Code
- TABC Chapter 16 – Winery Permit
- City Council Meeting – July 5, 2017
- TABC BG Permit – Potencia Projects LLC – 806 Travis Street
- Google Map of Travis & 8th Street with dimensions
- Onelife Community Church approval letter
- Wichita Falls Baptist Church approval letter

EXHIBIT A – Waiver Request Cont.



To whom it may concern:

Onelife Community Church will allow vendors to sell alcohol within the pavilion at 807 Austin. These vendors (including Horseshoe Bend Vineyards) and their sale of alcohol will only be allowed in association with the Wichita Falls Farmers Market Association.

If you have any questions please feel free to contact me via email or phone.

Respectfully,

A handwritten signature in black ink, appearing to read "Ronnie Whitfield".

Ronnie Whitfield
Lead Pastor, Onelife Community Church
ronnie@onelifecc.org
940-249-5004

Onelife Community Church
807 Austin St.
Wichita Falls TX, 76301
www.onelifecc.org

EXHIBIT A – Waiver Request Cont.



To Whom It May Concern:

I, Jeremy Mollenkopf, pastor of Wichita Falls Baptist Church, am writing to you to on behalf of the leadership of our church. It is our understanding that the Texas Alcohol and Beverage Commission (TABC) requires permission for any alcohol sales or usage within 300 feet of a religious building. With the Wichita Falls Farmer's Market Association (WFFMA) relocating to 807 Austin St, that puts them within that distance. However, we will allow vendors to sell alcohol through the WFFMA.

In 2016, Ismael and Alicia Duran with Potencia Projects sought an alcohol permit for their location at 806 Travis Street, which sits within 50 feet of our site on Travis Street. We also gave permission at that time to them for the permit they were seeking.

If you have any questions or concerns, please feel free to call the church (940) 766-4951 or my cell phone (940) 882-1151.

Thanks,

Jeremy Mollenkopf
Pastor
[Wichita Falls Baptist Church](#)
1001 8th St.
Wichita Falls, TX 76301

12/08/2022

EXHIBIT C – Site Photos

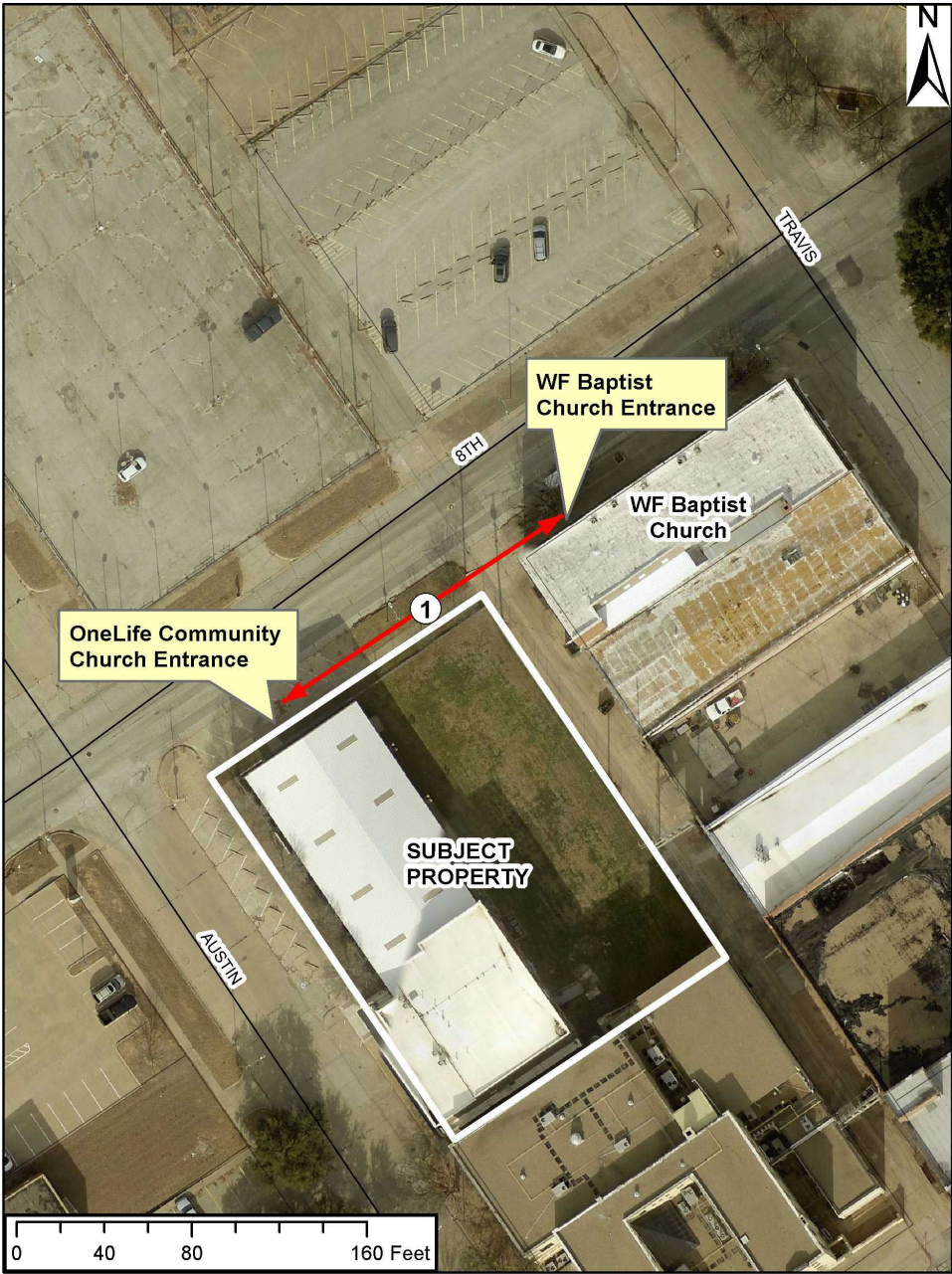
Photo 1 – View of Subject Property from Austin St.



Photo 1 – View of Subject Property from 8th St.



EXHIBIT C – Separation Map



① Subject property to Wichita Falls Baptist Church = 170 feet

Legend

 Parcels

Ordinance No. _____

Ordinance granting a variance from Section 5430.A. of the Wichita Falls Code of Ordinances, which prohibits alcohol sales within 300 feet of a church, to the property at 807 Austin described as Lot 11-A, Block 172, Original Townsite, which is owned by Onelife Community Church

WHEREAS, Section 5430.A. of the Wichita Falls Code of Ordinances provides as follows:

5400. - ALCOHOLIC BEVERAGE SALES AND SERVICE

5430. - Sales near churches, hospitals and schools.

A. The sale of alcoholic beverages within the city by any dealer whose place of business is within 300 feet of a church or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections, is hereby prohibited.

WHEREAS, Onelife Community Church, the owners of the property located at 807 Austin Street, are requesting to allow for onsite sales of alcohol and are within 300 feet of Wichita Falls Baptist Church at 800 Travis; therefore, they are requesting a variance from the Section 5430.A. prohibition of the sale of alcoholic beverages; and,

WHEREAS, the City Council, upon review, finds that strict enforcement of Section 5430.A. of the Zoning Ordinance is not in the best interest of the public, creates an undue hardship on the applicant, and is not effective or necessary.

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

A variance from Section 5430.A. of the Wichita Falls Code of Ordinances, which prohibits alcohol sales within 300 feet of a church, is granted to the property at 807 Austin Street with the following limitation:

- Alcohol sales will only be allowed during Wichita Falls Farmer's Market Association (WFFMA) market days and special events organized by the WFFMA.
- The sales will only take place onsite and not within the public right-of-way.
- Only members of the WFFMA with applicable Texas Alcoholic Beverage Commission off premise retailer's licenses will be allowed to sell at 807 Austin St.

PASSED AND APPROVED this the 20th day of December, 2022.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Ordinance Amending Ordinance No. 37-2022, the fee schedule Section 6 Health, 6a Animal Services, adding subsection 12; Wichita County Sheriff's Office fees; providing for severability; providing that such ordinance shall not be codified.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice effective governance

COMMENTARY: Upon reviewing the Inter-local agreement with the Wichita County Sheriff's Office (WCSO), the decision was made to remove the fees from the agreement and add them to the fee ordinance for Animal Services. This will allow us to adjust fees as needed without revising or renewing the agreement. The County was in favor of removing the fees from the agreement. Any increase in fees will be discussed with County Representatives prior to bringing the fee ordinance to Council for approval.

☒ **Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance Amending Ordinance No. 37-2022, the fee schedule Section 6 Health, 6a Animal Services, adding subsection 12; Wichita County Sheriff's Office fees; providing for severability; providing that such ordinance shall not be codified

WHEREAS, the amendment of the recodified Code of Ordinances requires that a separate ordinance be passed incorporating fees to be applied to Animal Services; and,

WHEREAS, after receiving and reviewing the aforementioned costs, the County is in agreement of said fees for services provided for limited animal services in the unincorporated areas of the County; and,

WHEREAS, 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.

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 the City of Wichita Falls Animal Services for providing assistance to the Wichita County Sherriff's Office.

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.

(12) WCSO Basic Call for Service Fees

- Required Trip Fee (Per Call for Service): \$40.00
- Animal Pick Up Fee per animal: \$10.00

(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 additional trip				\$100	\$100	\$100

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

2. 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.

3. 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.

4. This ordinance shall take effect on January 20, 2023, and it is so ordained.

PASSED AND APPROVED this 20th day of December 2022.

M A Y O R

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Ordinance Amending Chapter 14 Article III Division 3 Residential Permits, Section 14-202 Project Animals Permit, and Providing for Codification.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: When the Animal Ordinance was changed in 2019 the ordinance underwent major revisions. Part of those revisions occurred with the Project Animal Permit section. At the time, we felt like we were making changes, which would make the ordinance easier to enforce and would open it up to more groups. Our changes had the opposite effect due to a true lack of understanding of how 4-H and home school programs operated. 4-H is not a school-affiliated program so under the current ordinance they would not be allowed to have a permit. In addition, the permits expire at the end of the school year however; some 4-H projects are year-round. The issue surfaced when a 4-H participant applied for a permit. The proposed changes are inclusive of both homeschool and 4-H programs.

These ordinance changes have not been formally discussed with either the Animal Shelter Advisory committee or the Board of Health. The changes were briefly discussed at an Animal Shelter Advisory Committee meeting however, a draft was not presented for review. Normally both groups would have reviewed the ordinance before bringing it to Council. We did send an email out to members of both committees asking if anyone wished to discuss this at a meeting or if they were ok with proceeding directly to Council. We did not receive any feedback asking that we not proceed directly to Council.

Staff recommends the attached ordinance to the City Council for approval.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance Amending Chapter 14, Article III, Division 3 Residential Permits, Section 14-202 Project Animals Permit, and Providing for Codification

WHEREAS, the Health District is the Regulatory Authority for the City of Wichita Falls; and

WHEREAS, the Health District recommends revision of the Project Animal Permit section to ensure inclusivity of all school age groups to be eligible for a Project Animal Permit; and

WHEREAS, the City Council of the City of Wichita Falls desires to ensure that all School aged individuals can participate in animal projects to gain leadership and educational experience;

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

1. Chapter 14, Article III, Division 3 Residential Permits, Section 14-202 Project Animals Permit of the Code of Ordinances of the City of Wichita Falls is hereby amended to read as follows:

§ 14-202 **Project animal permit.**

(a) School-age children enrolled in a public, ~~or private school~~ or home school program, who are involved in a -which offers programs in which class participants are required school program or 4-H where they are ~~or~~ allowed to raise project animals, livestock, or fowl for show or profit purposes may apply for a permit to keep certain prohibited animals, livestock, or fowl for the qualified program. school, such as FFA or 4-H. project. The permit may be issued even though the property may not be fully in compliance with the setback requirements of this article. Those students are required to:

- (1) Apply for an annual project animal permit. Permits will ~~run concurrently with the school year. expire one year from date of issuance.~~
- (2) Pay the annual permit fee.
- (3) Show proof of enrollment in one of the ~~listed school~~ qualified programs.
- (4) Agree to comply with the cleanliness and sanitation requirements of this article and the state health and safety code.
- (5) Obtain the approval, in writing, of all property owners located within 200 feet of the property.
- (6) Allow inspection of the animal, livestock, or fowl, as well as pens, facilities, and property before issuance of the permit by ASC staff.

(b) Failure to comply with any of the requirements of this section will result in denial of the necessary permit. Permits are nontransferable and are revoked upon either the student's graduation from high school, dropping out of the class or qualified program, or nonattendance by the student. (Ordinance 52-2019 adopted 11/5/19; Ordinance 12-2022 adopted 4/19/22)

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution authorizing the execution of an Inter Local Agreement between the City of Wichita Falls and Wichita County for the provision of limited Animal Control Services in the unincorporated areas of Wichita County.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City and County have been parties to an inter-local agreement since 1991 for the provision of limited Animal Control Services in the unincorporated areas of Wichita County. The agreement allows the City of Wichita Falls Animal Care Officers to respond to calls from the Wichita County Sheriff's Office (WCSO) for the provision of limited services. Under this agreement, we will assist the Sheriff's office in the impoundment of animals required to be quarantined, due to either a bite incident or exposure to a rabid animal. We will also respond to the WCSO request for the impoundment of stray animals. The City will charge the County a trip fee as well as a per-animal fee for each call. The fees will no longer be located in the agreement and will be set by Council each year as part of the passage of the fee ordinance. This will allow us to monitor and set fees without changing the agreement.

Owners of the animals are able to reclaim their animals and are responsible for all boarding and reclamation fees. With this new agreement, they will also be charged the fees, which are charged to the County. Those fees will be reimbursed to the County. This is a new addition to the agreement at the request of the County in an effort to recoup some of the fees paid to the City.

We worked closely with both the legal department and the County Judge's office as well as the WCSO in the revision of this agreement. This agreement was presented at Commissioners Court on December 12, 2022 and was approved at that meeting.

We look forward to continuing the longstanding relationship we have with the County for the provision of limited Animal Control Services.

☒ **Director of Health**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

**Resolution authorizing the execution of an Inter Local Agreement
between the City of Wichita Falls and Wichita County for the provision
of limited Animal Control Services in the unincorporated areas of
Wichita County**

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code; and,

WHEREAS, the Parties are local governments, as that term is defined in Section 791.011 of the Texas Government Code; and,

WHEREAS, the Parties wish to enter into this Agreement for the purpose of providing impoundment services for animals found outside the City limits;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT: The Inter-local agreement, a copy of which is attached hereto, by and between the City of Wichita Falls and Wichita County for the provision of limited animal control services in the unincorporated areas of Wichita County, is hereby approved, and the Mayor is authorized to execute said Agreement on behalf of the City of Wichita Falls.

STATE OF TEXAS §
 §
COUNTY OF WICHITA §

**INTERLOCAL AGREEMENT BETWEEN
THE CITY OF WICHITA FALLS TEXAS AND WICHITA COUNTY FOR
THE IMPOUNDMENT OF ANIMALS FOR CERTAIN PURPOSES.**

THIS INTERLOCAL AGREEMENT is entered into on the _____ day of _____, 2022, by and between the City of Wichita Falls, hereinafter called “City”, and the County of Wichita, hereinafter called “County”, both parties being political subdivisions and local governments of the State of Texas, both acting by and through their duly authorized representatives, according to the provisions of the Interlocal Cooperation Act, Texas Government Code, Section 791 et seq. County and the City are referred to collectively herein as the “Parties,” or individually as a “Party.”

WITNESS

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code; and,

WHEREAS, the Parties are local governments, as that term is defined in Section 791.011 of the Texas Government Code; and,

WHEREAS, the Parties wish to enter into this Agreement for the purpose of providing impoundment services for animals found outside the City limits; and,

WHEREAS, both governing bodies have reviewed and approved this interlocal agreement and conditions herein.

NOW, THEREFORE, it is mutually agreed upon by the parties:

I. PURPOSE

The purpose of this agreement is to cooperate in the impoundment of animals located in the covered area which are suspected of having rabies and which are required to be quarantined because of the animal owner’s failure to quarantine the animal in compliance with the Wichita County Rabies Control Order. An additional purpose of this agreement is to cooperate in the impoundment of stray animals found in the covered area upon the request of the Wichita County Sheriff’s Office. The deputy requesting assistance shall remain on site, until the animal is impounded by an Animal Care Officer. The term “covered area” shall mean the area located outside the corporate limits of the City, but within the unincorporated areas of the County.

II. AUTHORIZATION

This agreement shall be duly authorized by the governing body of each party, as evidenced by the signatures of each chief administrative officer herein. Failure of each governing body to authorize this agreement shall render this agreement void.

III. RESPONSIBILITIES

Upon the request of the Wichita County Sheriff's Office or other County officials, the City agrees to pick up any animals in the covered area which are stray or need to be quarantined as determined by the County or the Local Rabies Control Authority. City agrees to deliver such animals to the Animal Services Center located at 1207 Hatton Road Wichita Falls Texas. The owner of any animal impounded for quarantine shall have the right to reclaim the animal upon payment of all quarantine and boarding fees for each day the animal is held at the Animal Services Center. The owner shall also be responsible for payment of the trip fee and the per animal fees charged to the County at the time of impoundment. Such fees will be reimbursed to the County upon receipt.

The owner is responsible for showing proof of current rabies vaccination. If the animal does not have a current rabies vaccination. The owner must purchase a voucher and show proof of vaccination within 10 days of reclaim. If the animal is not reclaimed, all associated fees shall be paid by the County. The County shall pay the City for the pickup and delivery of stray animals. The fee will be set annually by City Council and will be agreed upon by both parties. There will be a fee for each trip and for each animal picked up and delivered to the Animal Services Center.

IV. AMENDMENTS

This agreement contains all commitments and agreements of the parties, and no other oral or written commitment shall have any force or effect if not contained herein. Any proposed amendment shall not become effective until approved in writing by both parties to this agreement.

V. TERM AND EFFECTIVE DATE

This agreement shall become effective upon approval by the governing body of both parties and signing by the authorized agent of each party. It shall remain in effect until terminated by either party upon written notice and setting forth a date of termination. The parties agree that each shall have the right to terminate this agreement upon thirty (30) days written notice to the other party.

VI. GENERAL PROVISIONS

- A. **Venue and Governing Law.** The parties hereby consent and agree that state courts located in Wichita County, Texas, and the United States District Court for the Northern District of Texas (Wichita Falls Division) each shall have personal jurisdiction and proper venue with respect to any dispute between the parties arising in connection with this Agreement. In any such dispute, the parties shall not raise and do hereby expressly waive, any objection or defense to such jurisdiction as an inconvenient forum.
- B. **Dispute Resolution.** The Parties to this Agreement will work together in good faith to resolve any controversy, dispute, or claim between the Parties which arises out of or relates to this Agreement whether stated in tort, contract, statute, claim for benefits, bad faith, professional liability or otherwise ("Claim"). Nothing herein is intended to prevent either Party from seeking any other remedy available by law including seeking redress in a court of competent jurisdiction. This provision shall survive the termination of this Agreement.
- C. **No Waiver of Immunities.** Nothing in this Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to the Parties, their past or present officers, employees, or agents, nor to create any legal rights or claim on behalf of any third party. The Parties do not waive, modify, or alter to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas and the United States.
- D. **Governmental Function.** All parties agree that this contract is one that pertains solely to a governmental function taken by or on behalf of the City. All parties expressly agree that the City is not engaging in any proprietary functions.
- E. **Contractual Damages Limitation.** Neither Party shall be liable for consequential damages, exemplary damages, or damages for unabsorbed home office overhead.
- F. **Waiver of Attorney's Fees.** If any action at law or in equity is necessary to enforce this agreement, each party agrees to pay its own attorneys' fees and will not seek to recover its own attorneys' fees from the other party. All parties

understand that Texas Local Government Code subchapter I, § 271.153(a)(3) provides that the total amount of money awarded in an adjudication brought against a governmental entity for breach of a contract includes attorneys’ fees. All parties expressly waive all statutory and other rights to recover attorneys’ fees pursuant to § 271.153(a)(3) and all other law.

VII. SAVINGS CLAUSE

In the event one or more provisions contained in this agreement shall for any reason be found to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this agreement, and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this agreement.

IN WITNESS WHEREOF, the Parties of this agreement have executed the same as of the effective date first written above, each respective party acting by and through its governing body and authorized agent in the manner required by each party’s charter or by law.

WICHITA COUNTY

CITY OF WICHITA FALLS, TEXAS

By: _____
Woodrow Gossom Jr., County Judge

By: _____
Stephen Santellana, Mayor

ATTEST:

ATTEST:

By: _____

By: _____
Marie Balthrop, City Clerk

Approved as to Form:

Approved as to Form:

By: _____

By: _____
City Attorney

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the City of Wichita Falls Landfill Entrance Facility Improvements Project to Anthony Inman Construction, Inc. in the amount of \$1,180,224.00.

INITIATING DEPT: Public Works / Sanitation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The use at the City of Wichita Falls Landfill has increased significantly during the last several years. Each of the vehicles must be weighed coming into and going out of the Landfill in order to comply with the TCEQ regulations. Since it currently is a single scale system, customers have been experiencing wait times from 10-15 minutes up to 30 minutes to get onto the scale during high volume times. This is only expected to increase as the City Landfill is a top regional location for trash disposal. Therefore, the City contracted with Biggs and Mathews Environmental to design and oversee the construction of a two-scale system to meet demands and ensure maintenance of all TCEQ permit requirements.

On November 22, 2022, bids were opened for the City of Wichita Falls Landfill Entrance Facility Improvements project. The project will construct a new scale house with two scales in which the inbound scale will be new and the existing scale will be refurbished and become the outbound scale. During construction, a temporary scale and scale house will be installed along with a temporary entrance into the landfill.

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

<u>COMPANY</u>	<u>AMOUNT</u>
Anthony Inman Construction, Inc.	\$1,180,224.00

The FY22-23 Sanitation Fund budgeted \$1M for the project in the current year's budget. In order to complete the project within budget, Biggs and Mathews Environmental and staff have worked with the contractor to value engineer the project and will revise the scope of work in order to bring the project under budget. Construction of the project is expected to take 270 calendar days to complete.

Anthony Inman Construction, Inc. has successfully completed projects as a general contractor for the City, and Biggs and Mathews Environmental and City staff recommend

the award of the contract to Anthony Inman Construction, Inc., based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab, Project Location

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the City of Wichita Falls Landfill Entrance Facility Improvements Project to Anthony Inman Construction, Inc. in the amount of \$1,180,224.00

WHEREAS, the City of Wichita Falls has advertised for bids for the City of Wichita Falls Landfill Entrance Facility Improvements Project; and

WHEREAS, it is found that the lowest responsible bidder is Anthony Inman Construction, Inc., who made a unit price bid with an estimated total of \$1,180,224.00.

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

The unit price bid for the City of Wichita Falls Landfill Entrance Facility Improvements Project is awarded to Anthony Inman Construction, Inc. in an estimated total amount of \$1,180,224.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 20th day of December, 2022.

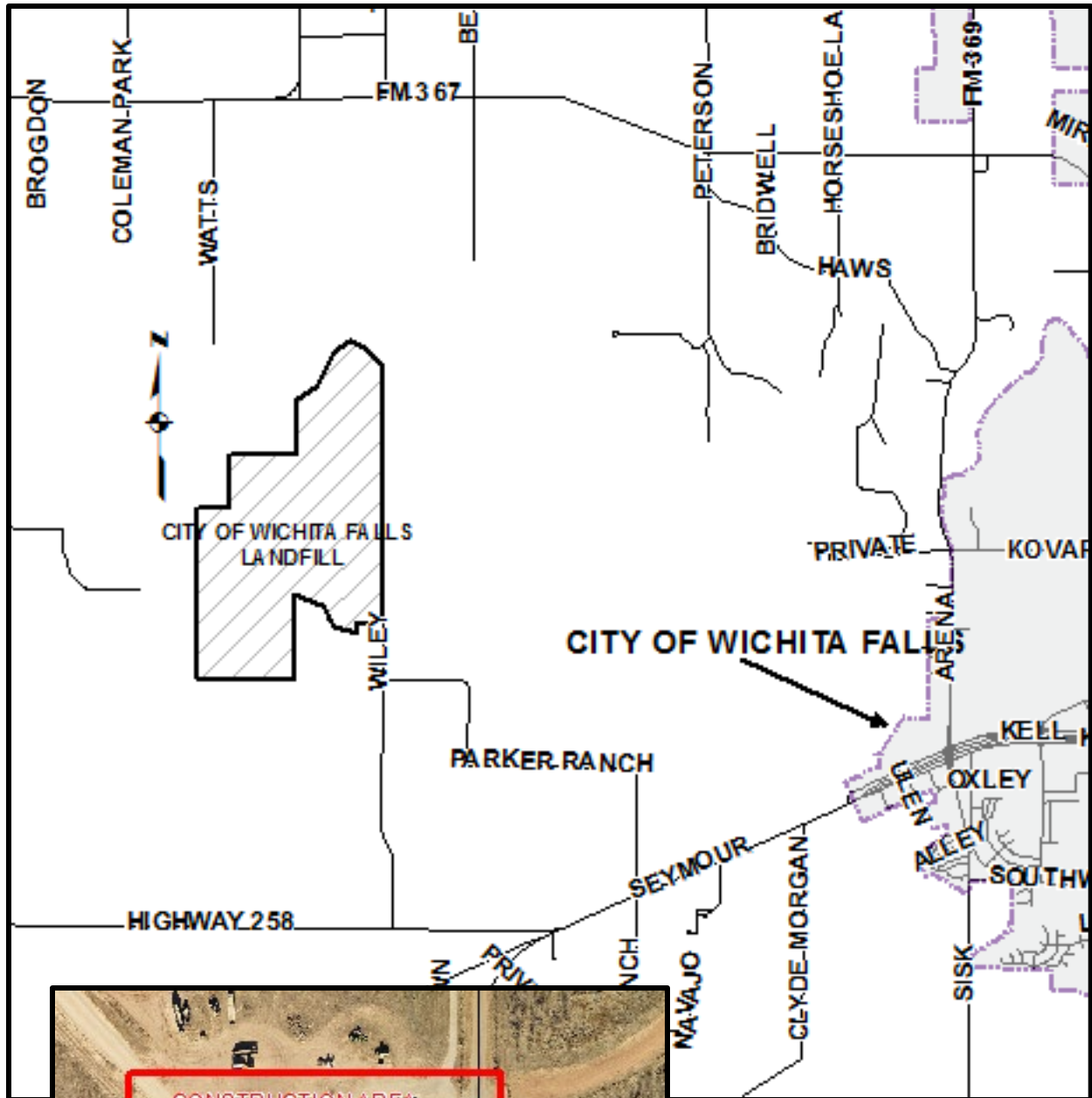
MAYOR

ATTEST:

City Clerk

**Wichita Falls Landfill Entrance Facility Improvements
CWF22-530-18**

Item	Unit	QTY	Description	Anthony Innam Construction	
				Unit Price	Total Price
1	LS	1	Site Preparation & Mobilization	\$ 206,944.10	\$ 206,944.10
2	LS	1	Trench safety	\$ 2,000.00	\$ 2,000.00
3	LS	1	Temporary controls	\$ 26,180.00	\$ 26,180.00
4	LS	1	Erosion and sedimentation controls	\$ 7,370.00	\$ 7,370.00
5	LS	1	Temporary scale house installation and removal	\$ 16,969.70	\$ 16,969.70
6	LS	1	Temporary scale installation and removal	\$ 19,463.40	\$ 19,463.40
7	MO	9	Temporary scale house rental	\$ 1,430.00	\$ 12,870.00
8	MO	9	Temporary scale rental	\$ 3,850.00	\$ 34,650.00
9	SF	5,935	Concrete pavement demolition	\$ 1.98	\$ 11,751.30
10	SF	440	Concrete foundation demolition	\$ 8.80	\$ 3,872.00
11	LS	1	Building demolition	\$ 8,258.80	\$ 8,258.80
12	BCY	1,500	General excavation	\$ 16.50	\$ 24,750.00
13	BCY	400	General earthfill	\$ 30.80	\$ 12,320.00
14	SF	33,600	Fine grading	\$ 0.72	\$ 24,192.00
15	LS	1	Underground electric	\$ 25,951.20	\$ 25,951.20
16	LS	1	Underground communication.	\$ 12,036.20	\$ 12,036.20
17	LS	1	Water service	\$ 2,750.00	\$ 2,750.00
18	LS	1	Sewer service	\$ 2,750.00	\$ 2,750.00
19	SF	6,785	Concrete paving	\$ 13.38	\$ 90,783.30
20	SF	21,300	Aggregate paving	\$ 7.18	\$ 152,934.00
21	LS	1	Scale foundations and ramps	\$ 86,042.00	\$ 86,042.00
22	LS	1	Scales	\$ 158,035.90	\$ 158,035.90
23	LS	1	Scale catwalks.	\$ 15,070.00	\$ 15,070.00
24	LS	1	Scale house	\$ 126,380.10	\$ 126,380.10
25	LS	1	Chain link fence and gates	\$ 38,500.00	\$ 38,500.00
26	EA	8	Pipe bollards	\$ 1,210.00	\$ 9,680.00
27	LS	1	K rails	\$ 27,500.00	\$ 27,500.00
28	EA	2	FODS	\$ 5,500.00	\$ 11,000.00
29	AC	0.5	Seeding	\$ 18,440.00	\$ 9,220.00
Total Bid					\$ 1,180,224.00



**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution authorizing the City Manager to approve Change Order No. 1 for the City of Wichita Falls Landfill Entrance Facility Improvements Project for a deduction of \$238,760.00.

INITIATING DEPT: Public Works / Sanitation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Due to the limited funds available to construct the new two-scale landfill entrance, City staff along with our design engineer have performed some value engineering and reduced the original scope of work. The work being removed from the contract will be performed by Landfill staff as they have the materials, equipment, and capability to complete this work. The City has met with the contractor and he has agreed to have the scope of the project reduced. The total reduction is \$238,760.00. This change order will bring the project in under the budgeted amount.

Staff recommends the approval of Change Order No. 1.

☒ **Director, Public Works**

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

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to approve Change Order No. 1 for the City of Wichita Falls Landfill Entrance Facility Improvements Project for a deduction of \$238,760.00

WHEREAS, the City of Wichita Falls entered a unit price contract with Anthony Inman Construction, Inc. for the City of Wichita Falls Landfill Entrance Facility Improvements Project with the estimated total cost of \$1,180,224.00; and

WHEREAS, the City of Wichita Falls has negotiated Change Order No. 1 for a deduction of \$238,760.00 for a final contract amount of \$941,464.00.

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

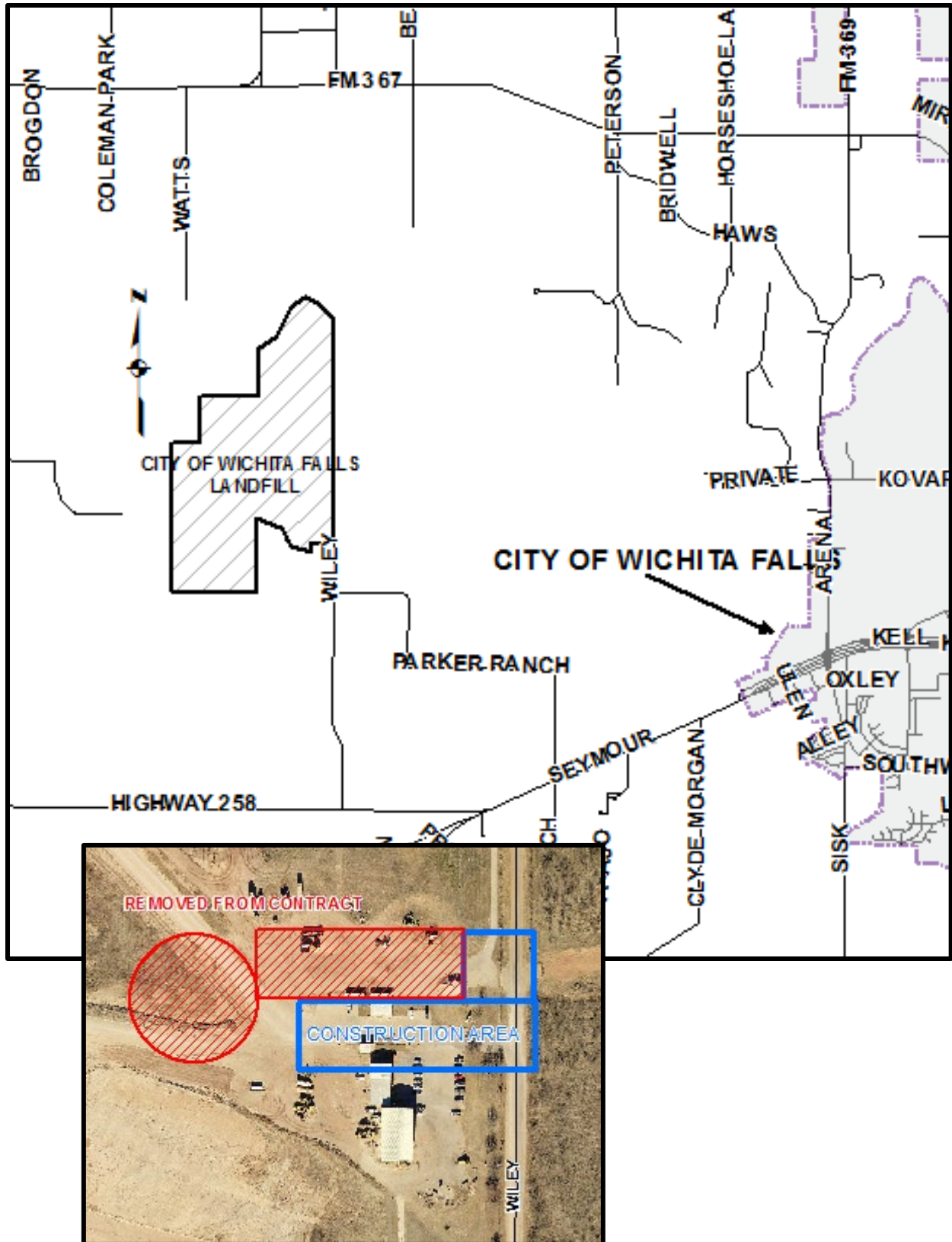
The City Manager is authorized to execute Change Order No. 1 for the City of Wichita Falls Landfill Entrance Facility Improvements Project in a deduct amount of \$238,760.00.

PASSED AND APPROVED this the 20th day of December, 2022.

MAYOR

ATTEST:

City Clerk



CITY COUNCIL AGENDA
December 20, 2022

ITEM/SUBJECT: Resolution confirming reappointment to the Firefighters and Police Officers' Civil Service Commission.

INITIATING DEPT: City Clerk

STRATEGIC GOAL: Actively Engage & Inform the Public

STRATEGIC OBJECTIVE: Enhance public outreach and engagement.

COMMENTARY: The Civil Service Commission is a three-member group that provides direction, review, and decision-making on certain civil service issues that may come before the Commission. The State of Texas, through the provision of Chapter 143 of the Local Government Code, provides for civil service and mandates certain rules and regulations that govern the civil service divisions of Police and Fire personnel.

In certain instances, there may be disputes that arise or operational provisions that are of question or concern to interested parties to the civil service provisions. The City Manager is charged with selecting individuals to serve on this Commission and the City Council's role is to confirm or deny the selection.

In accordance with LGC 143.006 (c-1) a commission member may serve up to three consecutive terms, and can be reappointed to a fourth or subsequent consecutive term if the term is confirmed by a two-thirds majority of the City Council. Laura Fidelie is interested in continuing to serve and staff recommends her reappointment. This item may be discussed in executive session.

☒ **City Clerk**

ASSOCIATED INFORMATION: Resolution reappointing Laura Fidelie

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution confirming reappointment to the Firefighters and Police Officers' Civil Service Commission

WHEREAS, the Firefighters and Police Officers' Civil Service Commission is established by state law; specifically, Section 143.006 of the TEXAS LOCAL GOVERNMENT CODE; and,

WHEREAS, this three-member board is appointed by the City Manager, with confirmation by the City Council; and,

WHEREAS, the City Manager requests the confirmation of the reappointment of Laura Fidelie, term to expire December 31, 2025, to the Firefighters and Police Officers' Civil Service Commission.

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

The reappointment of Laura Fidelie to the Firefighters and Police Officers' Civil Service Commission for a term ending December 31, 2025, is hereby confirmed.

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution authorizing the City Manager to execute a five-year contract with H Two Management and Marketing to provide waterpark management services for Castaway Cove in the amount of \$162,000.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Castaway Cove has been under the same management company for the last 12 years. In order to keep a competitive and efficient contract, it is best practice to re-bid management contracts after a while. On June 26, 2022, the City published a Request for Proposal for the management of Castaway Cove. USA Management and H Two Management (H2) and Marketing submitted proposals. These two proposals were evaluated over the last two months by Susan White, Jennifer Babineaux, and Blake Jurecek.

Both companies were interviewed and evaluated on the following criteria.

- Results of reference checks, demonstrated performance on past contracts and financial stability
- Track record of fair, transparent, and reputable management of facility funds and resources w/o a history of financial or fiscal impropriety
- Contractor's methodology of conducting services
- Proposed long-term maintenance plan
- Proposed overall project implementation and training plan

Evaluation Score – H Two MGT (81) and USA MGT (73)

H2 rose to the top based on their past involvement with Castaway Cove Operations and Marketing. H2 President/Chief Marketing Officer, Jimmy Holmes, has been a marketing consultant for AMG since 2010, and Vice President of Operations, Steve Vaughn, has been Castaway Cove's General Manager since 2010.

The term of the contract will be for five years with the option of 1-year renewals after the 5th year. All the waterpark employees will be employed by the H2 and will not be City employees. The monthly fee is \$13,500 for an annual cost of \$162,000. The previous contract with AMG was \$120,000. Each fiscal year the City will pay H2 an incentive payment of 10% of the amount by which Castaway Cove's actual net income for the fiscal year exceeds the jointly agreed upon annual budget. Along with the annual budget, H2 will provide an annual maintenance report along with a 5-year capital improvement plan.

Staff recommends approval of this management contract.

☒ 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 five-year contract with H Two Management and Marketing to provide waterpark management services for Castaway Cove in the amount of \$162,000

WHEREAS, the current management company has been managing the waterpark for the last 12 years; and,

WHEREAS, on June 26, 2022, the City issued a Request for Proposal for waterpark management services at Castaway Cove; and,

WHEREAS, H Two Management received the highest score on the documented evaluation criteria.

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

Resolution authorizing the City Manager to execute a contract with H Two Management and Marketing to provide waterpark management services for Castaway Cove in the amount not to exceed \$162,000 in a contract form as approved by the City Attorney.

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the budget to include funding up to \$49,000 to John Dickinson Et al., dba Restoring the Past LLC, to assist in mechanical, electrical, and plumbing system upgrades as part of the renovation of the existing building at 608 7th Street downtown.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Pursue Public/Private Partnerships

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

Timeline

- November 18, 2022 – Applicant submits request;
- December 1, 2022 – Corporation Board conducts public hearing and approves request in an amount not to exceed \$49,000;
- **December 20, 2022** – City Council consideration of budget amendment facilitating project.

At its December 1, 2022 meeting, the Type B Board approved funding of an amount not to exceed \$49,000 (~10% of \$500,000 renovation cost) to assist in mechanical, electrical, and plumbing (MEP) upgrades as part of the planned renovation of the existing building at 608 7th Street downtown for future retail. The request to the Board is attached, below, and the applicant as well as DWFD will be available at the meeting to provide additional information and to answer any questions.

Staff recommends approval of the resolution.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



608 7th



Carla Rogers
Chairman

Tyler Sales
Vice Chairman

Rodney Case
Treasurer

Charis Rhoades
Secretary

Joel Hartmangruber

Denton Keltner

Matt Ledesma

Syd Litteken

Bill Weske

Ivonne Wineinger

Jana Schmader
Executive Director

Jeanette Charos
Marketing Director

Alisha Hagler
Program Director

DATE:

November 18, 2022

TO:

Mr. Paul Menzies

Assistant City Manager, City of Wichita Falls

FROM:

Jana Schmader

Executive Director, Downtown Wichita Falls Development, Inc.

Mr. Menzies,

On behalf of my client, Restoring the Past, LLC, please find the attached 4B Sales Tax Corporation request for MEP assistance for 608 7th Street, also known as the The Savoy Hotel Downtown. Included within this package is an overview of the project, multiple project bids, remodel estimates from the general contractor and renderings from architect, Syd Litteken.

Downtown Wichita Falls Development supports the ongoing progress being made on historical structures on 7th Street. In proximity to other full restoration projects, The Savoy Hotel adaptive reuse venture will create another mixed use location for professional offices and retailers. As an advocate for preservation and economic development in the district, I endorse this request.

Our development team is looking forward to sharing the vision with the Board in person. If any additional information is requested, my contact information is below.


Jana Schmader
Executive Director, DWFD



Phone.

940-322-4525



Email.

director@downtownproud.com



Address.

709 Indiana Ave., Wichita Falls, TX 76301

THE SAVOY HOTEL

PROJECT OVERVIEW:

The Savoy Hotel, built in 1912, contains a rich history of welcoming visitors on the railway to Wichita Falls. Throughout its tenure, the property has housed offices, restaurants, and lodging accommodations. Project plans, with state and federal endorsed restoration protocols, include second story office development, and two ground floor retail establishments. Rehabilitation includes upgrades to infrastructure, in addition to facade improvements and overall aesthetic enhancement. Post-development, developers will work with Downtown Development for asset marketing for leaseholders.



FUNDING REQUEST:

\$49,000 (10% of total project costs); funding requested specifically in the areas of mechanical, electrical, and plumbing. Total project investment by developers: \$517,000+

The remaining funding is secured and comprised of private funds and traditional financing.

PROJECTED TIMELINE:

In conjunction with the development of 604 7th Street, anticipated completion is 12 months.

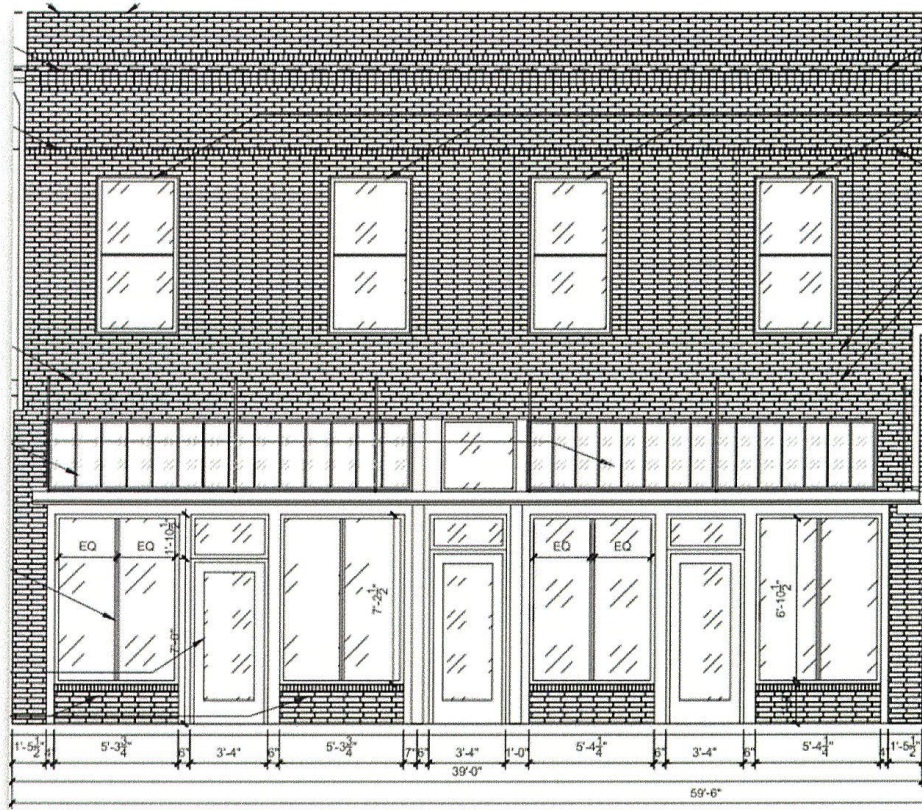
STRATEGY

This project aligns with the City of Wichita Falls Strategic Plan by pursuing public-private partnerships (3.7) for redevelopment and creating a live-work-play environment (3.8).

PRIOR PROJECTS

Restoring the Past, LLC is comprised of Daniel Ahern, John Dickinson, Denton Keltner, and John Barad. The Savoy Hotel will be the 11th redevelopment project between the applicants within the district. The applicants also have an active Type B incentive on the adjacent property at 604 7th Street. In perspective, both deals occurring simultaneously, will have direct and significant impact on the growth of Depot Square and will be the 5th active project in development in the oldest (and arguably most complex) area in town. Additionally, both properties include complicated utility easements that work in concert with each other.

PROJECT RENDERING



Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the budget to include funding up to \$49,000 to John Dickinson Et al., dba Restoring the Past LLC, to assist in mechanical, electrical, and plumbing system upgrades as part of the renovation of the existing building at 608 7th Street downtown

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

WHEREAS, on December 1, 2022, the Wichita Falls Type B Sales Tax Corporation approved the project listed below and as stated in its agenda.

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

1. The Wichita Falls Type B Sales Tax Corporation's approval and funding of the following programs and expenditures, in a total amount not to exceed **\$49,000** as described below and in said corporation's agenda, is approved:

An amount up to \$49,000 to John Dickinson Et al., dba Restoring the Past LLC, to assist in mechanical, electrical, and plumbing system upgrades as part of the renovation of the existing building at 608 7th Street downtown.

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

PASSED AND APPROVED this the 20th day of December 2022.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
December 20, 2022**

ITEM/SUBJECT: Appointments to Boards and Commissions

INITIATING DEPT: City Clerk

STRATEGIC GOAL: Actively engage and inform the public.

STRATEGIC OBJECTIVE: Enhance public outreach and engagement.

COMMENTARY: Terms of members for several boards expire December 31, 2022, and vacancies were advertised in accordance with Resolution 21-2015. Following are the current members, expiration dates, and interest in being reappointed for the following boards:

- *Airport Board of Adjustments
- Animal Shelter Advisory Committee
- *Construction Board of Adjustments & Appeals
- *Landmark Commission
- Park Board
- *Planning & Zoning
- *TIF #2
- *TIF #3
- *TIF #4
- Wichita County – City of Wichita Falls Health Board
- Water Resources Commission
- *Zoning Board of Adjustment

Boards with an * can be discussed in executive session.

In accordance with Resolution 21-2015, no appointee shall serve more than six (6) consecutive years, unless waived by the Mayor and Council. These limits apply only where existing law or ordinance does not specify limits to terms of service on City boards. Staff is requesting six-year term limits to be waived where noted.

Applicants highlighted in green are eligible for and desire reappointment, and those highlighted in yellow will either be moved to another position or replaced with a current applicant.

Applications will be sent to the council by separate e-mail.

☒ **City Clerk**

ASSOCIATED INFORMATION: Member Rosters

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

AIRPORT BOARD OF ADJUSTMENT

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Glenn Beavers	12/18/2018 12/15/2020	12/31/2020 12/31/2022	CWF	3
2	James Wingo	12/06/2016 12/18/2018 12/15/2020	12/31/2020 12/31/2022	CWF **Waive term limit	3
3	Amy Bobrowitz	01/17/2006 12/05/2006 12/02/2008 12/07/2010 12/04/2012 12/02/2014 12/06/2016 12/18/2018 12/15/2020	12/31/2020 12/31/2022	CWF **Waive term limit	5
4	Lawrence Cutrone	12/03/2019 12/21/2021	12/31/2021 12/31/2023	County resident/City appt.	
5	Debra Carr	11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	County resident/City appt.	
6	Mark McBurnett	01/19/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	SAFB Ex-Officio Non-Voting Member	

Current Applicants: Linda DeMuro, Dawn Ferrell, Mike Lange, Matt Maness, Josh Phillips, and Jason Traylor

ANIMAL SHELTER ADVISORY COMMITTEE

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	William Tucker	09/06/2022	None	City Official	
2	Dr. Bryan Wade	07/01/2014 12/02/2014 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	Veterinarian **Waive term limit.	2
3	Nicki Bacon	01/01/2019	None	Animal Services Administrator	
4	Amber Browning	12/21/2021	12/31/2023	Animal Welfare Organization (Move to Place 4 – At-Large)	
5	Leslie Harrelson	12/04/2018 12/15/2020	12/31/2020 12/31/2022	At-Large (Does not wish to be reappointed)	1

Current applicants: Stephen Dodge, Dawn Ferrell, Amber Gilmore, Michele Pohlmann, Traci Roberts, Shammann Smith, and Mary Walker.

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Anthony Inman	12/19/2017 12/15/2020	12/31/2020 12/31/2023	General Bldg. Contractor; moved up from Alt 1 09/03/2019	1
2	Leo Lane	12/6/2011 12/02/2014 12/19/2017 12/15/2020	12/31/2020 12/31/2023	Mechanical Engineer; term limit waived by council	1
3	Gary Oatman	10/07/2010 12/03/2013 12/06/2016 12/03/2019	12/31/2022	Structural Engineer; term limit waived by council **Waive term limit	4
4	David Hartwell	12/06/2016 12/03/2019	12/31/2022	Architect (Does not wish to be reappointed)	
5	Pete Johnson	12/19/2017 12/15/2020	12/31/2020 12/31/2023	Plumbing Contractor	1
6	Allen Moore	12/15/2020	12/31/2023	AC Contractor	
7	James Cox	12/15/2020	12/31/2022	Property Insurance Rep.	
8	Michael Grassi	12/19/2017 12/15/2020	12/31/2020 12/31/2023	Home Bldg. Industry; moved up from Alt 2 12/31/2017	4
9	Ripley Tate	12/4/2018 12/03/2019	12/31/2022	At-Large; cannot be connected with construction industry	1
10	Vacant		12/31/2023	Electrical Contractor	
11	Luke Oechsner	12/19/2017 12/15/2020	12/31/2020 12/31/2023	Master Electrician	1
12	Doug Marchand	09/03/2019 12/03/2019	12/31/2022	Alt. 1 – General Bldg. Contractor	1
13	Tanner Wachsman	12/19/2017 12/03/2019	12/31/2022	Alt. 2 – Home Bldg. Industry	4

Current Applicants: Eric Archer (Electrical Contractor), Rick Hernandez (Architect), Paul Mason, Jr., Matthew Prouty (Architect)

LANDMARK COMMISSION

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>	<i>DISTRICT</i>
1	Andy Lee	02/15/2011 12/04/2012 12/01/2015 12/18/2018 12/21/2021	12/31/2021 12/31/2024	Licensed Real Estate Broker or Appraiser	1
2	Joel Hartmangruber	12/03/2019 12/15/2020	12/31/2020 12/31/2023	Architect in Training	1
3	Janel Ponder Smith	12/03/2019	12/31/2022	Member of Residential Historic District	1
4	John Dickinson	10/04/2016 12/03/2019	12/31/2022	At-Large **Waive term limit	4
5	Noros Martin	03/16/2021	12/31/2022	P&Z Commission Member	1
6	Marcela Medellin	12/04/2018 12/21/2021	12/31/2021 12/31/2024	Licensed Architect	3
7	Christy Graham	12/01/2015 12/18/2018 12/21/2021	12/31/2021 12/31/2024	At-Large	1
8	Nadine McKown, <i>Vice Chair</i>	09/17/2019 12/21/2021	12/31/2021 12/31/2024	Wichita County Heritage Society	3
9	Michele Derr, <i>Chair</i>	12/03/2013 12/06/2016 12/03/2019	12/31/2022	Member of Commercial Historic District **Waive term limit.	1

Current Applicants: Austin Cobb, David Cook, Dawn Ferrell, Rick Hernandez, Dwayne McKee, David Walker

PARK BOARD

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Larri Jean Jacoby	12/15/2020	12/31/2023		1
2	Patrick Hearn	08/03/2021 12/21/2021	12/31/2021 12/31/2024		1
3	Jessica Traw	11/07/2017 12/15/2020	12/31/2020 12/31/2023		5
4	Sandy Fleming	12/18/2018 12/21/2021	12/31/2021 12/31/2024		1
5	Jim Heiman	12/18/2018 12/21/2021	12/31/2021 12/31/2024		4
6	Dr. Michael Battaglino	07/20/2021	12/31/2022		4
7	Dorcas Chasteen	12/21/2021	12/31/2024		4
8	Thomas Taylor	12/15/2020	12/31/2023		5
9	Alan Donaldson	07/05/2017 12/03/2019	12/31/2022		3
10	Simeon Hendrix	07/19/2022	12/31/2022		3
11	Josh Phillips	07/19/2022	12/31/2022		4

Current applicants: Adam Arruda, Craig Brown, Austin Cobb, Dawn Ferrell, Ben Filer, Kristen Garrison, Stephanie Ingle, Luis Severin, Katherine Smith, Shammann Smith, Daniel Streeter

PLANNING AND ZONING COMMISSION

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>	<i>DISTRICT</i>
1	Douglas McCulloch	07/19/2022	12/31/2022	Moved from Alt. 1 07/19/2022	4
2	Blake Haney	12/06/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023		3
3	Cayce Wendeborn	01/19/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023		4
4	Wayne Pharries	12/21/2021	12/31/2022	Moved from Alt 1 12/21/2021	
5	Noros Martin	12/03/2019 12/21/2021	12/31/2021 12/31/2023		1
6	Jeremy Woodward	02/19/2019 12/03/2019 12/15/2020	12/31/2019 12/31/2022	Moved from Alt 1 12/15/2020	4
7	Michael Grassi	09/03/2019 12/15/2020 12/21/2021	12/31/2021 12/31/2023	Moved from Alt. 2 03/16/2021	4
8	Steve Lane	10/04/2016 12/15/2020	12/31/2020 12/31/2022	Moved from Alt. 02/19/2019 (Does not wish to be reappointed)	4
9	David (Carl) Cook	05/09/2018 12/15/2020	12/31/2020 12/31/2022	Moved from Alt. 12/18/2018	4
10	Matt Marrs	07/19/2022	12/31/2023	Alternate 1 **Move to Place 8	3
11	Steven Wood	03/15/2022	12/31/2022	Alternate 2	4
12	Mark McBurnett	01/19/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	SAFB Ex Officio	1

Current applicants: Paul Mason, Jr., William Parkin, Aston Pecor, Alan Sizemore

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #2

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Whittney McCullar	12/21/2021	12/31/2023	City of Wichita Falls	3
2	Jim Chandler	10/18/2005 12/04/2007 12/01/2009 12/06/2011 12/03/2013 12/01/2015 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	City of Wichita Falls	3
3	Ben J. Filer, Chair	10/18/2005 12/04/2007 12/01/2009 12/06/2011 12/04/2012 12/02/2014 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	City of Wichita Falls **Appoint as chair.	3
4	Jerry Taylor	12/27/2006 02/09/2008 12/06/2010 12/27/2012 11/10/2014 12/27/2016 11/13/2018 12/07/2020	12/31/2022	Wichita County	1
5	Mark Schroeder	12/07/2020	12/31/2022	Wichita County	

No applicants

City Council Elects Chair – one year appointment

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #3

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Gail Natale	12/04/2012 12/02/2014 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	City of Wichita Falls **Waive term limit	3
2	Whittney McCullar	03/16/2021 12/21/2021	12/31/2021 12/31/2023	City of Wichita Falls	3
3	Vacant		12/31/2023	City of Wichita Falls	
4	Kenneth Haney, Chair	09/01/2009 12/07/2010 12/04/2012 12/02/2014 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	City of Wichita Falls **Waive term limit	3
5	Vacant		12/31/2023	City of Wichita Falls	
6	Ronnie Williams	12/09/2019 10/18/2021	12/31/2021 12/31/2023	Wichita County	
7	Commissioner Barry Mahler	05/31/2011 12/17/2012 12/02/2014 12/27/2016 11/13/2018 12/07/2020	12/31/2022	Wichita County	

Current applicant: Michael Battaglino, Jamie Gould, and Shammann Smith

City Council Elects Chair – one year appointment

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #4

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Ben Filer, Chair	03/17/2015 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	City of Wichita Falls **Reappoint as Chair	3
2	John Dickinson	03/17/2015 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	City of Wichita Falls	4
3	Jeff Marion	11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	City of Wichita Falls	4
4	Andy Lee	12/03/2019 12/15/2020	12/31/2020 12/31/2022	City of Wichita Falls	1
5	Cynthia Laney	03/17/2015 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	City of Wichita Falls **Waive term limit.	4
6	Commissioner Jeff Watts	03/30/2015 11/27/2017 11/25/2019 10/18/2021	12/31/2021 12/31/2023	Wichita County	
7	Tony Fidelie, Jr.	03/30/2015 12/27/2016 11/13/2018 12/07/2020	12/31/2022	Wichita County	

No current applicants.

City Council Elects Chair – one year appointment

WATER RESOURCES COMMISSION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Shane FitzHenry	03/15/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	Homebuilding Industry (Comm. Business Rep)	1
2	Steve Smith	08/05/2014 12/02/2014 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	Industry **Waive term limit.	4
3	Cheryl Nix	07/07/2020 12/15/2020	12/31/2020 12/31/2022	Education	4
4	Glenn Barham	12/06/216 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	At-Large	1
5	Roberto Huezo	03/15/2016 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	SAFB/Govt Rep.	
6	Tyson Traw	04/07/2015 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	Engineer (Water Resources Engineer) **Waive term limit.	

No current applicants.

WC CWF HEALTH DISTRICT BOARD

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>	<i>DISTRICT</i>
1	Paris Ward	11/05/2019 12/21/2021	12/31/2021 12/31/2023	At-Large CWF	4
2	Vacant		12/31/2022	Registered Nurse CWF	
3	Dr. Jered Harlan	12/03/2013 12/01/2015 11/07/2017 11/05/2019 12/21/2021	12/31/2021 12/31/2023	Practicing Veterinarian CWF	
4	Melissa Plowman	11/07/2017 11/05/2019 12/21/2021	12/31/2021 12/31/2023	Restaurant Association CWF	4
5	Dr. Keith Williamson	11/04/2014 12/06/2016 12/04/2018 12/15/2020	12/31/2020 12/31/2022	Practicing Physician CWF **Waive term limit	3
6	Dr. Tonya Egloff	12/03/2018 11/12/2019 10/18/2021	12/31/2021 12/31/2023	Practicing Dentist – County Appointment	
7	Ray Forsythe	10/17/2022	12/31/2024	At-Large County	

Current applicants: Nichole Jefferson (R.N.), and Rachel Reitan (Nurse Practitioner)

ZONING BOARD OF ADJUSTMENT

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Steven Young	12/03/2019 12/21/2021	12/31/2021 12/31/2023		4
2	Thomas Yoder	12/01/2015 12/06/2016 12/18/2018 12/15/2020	12/31/2020 12/31/2022	(Does not wish to be reappointed)	3
3	Dave Waddell	12/02/2014 12/01/2015 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023		3
4	Kerry Maroney	12/18/2018 01/05/2021 12/21/2021	12/31/2023		1
5	Tyson Traw, Chair	07/21/2015 12/01/2015 11/07/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	**Reappoint as Chair.	5
6	Jose Garcia	12/18/2018 12/15/2020	12/31/2020 12/31/2022	Alternate 1	2
7	Vacant		12/31/2022	Alternate 2	4
8	Thomas Taylor	12/15/2020	12/31/2022	Alternate 3	5
9	Rick Hernandez	12/21/2021	12/31/2023	Alternate 4	
10	Mark McBurnett	01/19/2016 11/17/2017 12/03/2019 12/21/2021	12/31/2021 12/31/2023	SAFB Non-Voting Ex Officio	

No current applicants.

City Council Elects Chair – 2 year term