

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, March 7, 2023, 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 Bob McCartney
First Baptist Church

(b) Pledge of Allegiance
3. Presentations
 - (a) Employee of the Month – Kathy Bazile, Fire Department
 - (b) Proclamation – Women's History Month, Wichita Falls Alliance for Arts & Culture
 - (c) Proclamation – March for Meals Month, Meals on Wheels Wichita County
 - (d) Proclamation – Absolutely Incredible Kid Day, Camp Fire North Texas
 - (e) Proclamation - Working Mom's Day, Child Care Partners

CONSENT AGENDA

4. Approval of minutes of the February 21, 2023 Regular Meeting of the Mayor and City Council.
5. Resolutions
 - (a) Resolution authorizing the City Manager to award bid and contract for the 2023 Water Budget Utility Improvement Project & Large Valve Replacement to MH Civil Constructors, Inc. in the amount of \$1,804,226.00
 - (b) Resolution authorizing the City Manager to award bid and contract for the 2023 Sewer Budget Utility Improvement Project Phase 1 to Insituform Technologies, LLC in the amount of \$759,616.00
 - (c) Resolution authorizing the purchase of decorative signal poles for Downtown intersections from Consolidated Traffic Controls Inc. in the amount of \$61,596.00
6. Receive Minutes
 - (a) Lake Wichita Revitalization Committee, January 10, 2023

REGULAR AGENDA

7. Resolutions
 - (a) A Resolution of the City of Wichita Falls, Texas, authorizing the City Manager to execute a settlement agreement and related documents in the lawsuit styled *City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Cause No. 2018-3835-4
 - (b) Resolution authorizing the City Manager to execute agreements for City Facilities, namely MPEC, Sports Complex, Tennis Center, Library, Travel Center, Parks, Community Centers, and Airport Leases
 - (c) Resolution authorizing the City Manager to execute the renewal of the first of two agreed upon extensions of a five-year Towing and Impound Service Contract and Commercial Lease for the property at 3229 Industrial Drive with Mike Freeman's Towing Services, LLC
 - (d) Resolution rejecting the bid for roadway striping from Traffic Highway Maintenance, LLC in the amount of \$161,780

8. Other Council Matters

- (a) Staff Reports - Overview of the City's Investment Policy and Active Investment Portfolio - Jessica Williams, CFO, and Murphy Davis Jr., President, Sentry Management
- (b) Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

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

10. Executive Sessions

- (a) Executive Session in accordance with Texas Government Code §551.071, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (including, but not limited to, legal issues related to *City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Cause No. 2018-3835-4).

11. Adjourn

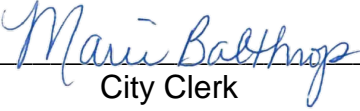
Spanish language interpreters, deaf interpreters, Braille copies or any other special needs will be provided to any person requesting a special service with at least 24 hours' notice. Please call the City Clerk's Office at 761-7409.

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

items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087.

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 1st day of March, 2023 at 5:30 o'clock p.m.



City Clerk

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Employee of the month.

INITIATING DEPT: Fire

NAME: Kathy Bazile

DEPARTMENT: Fire

HIRE DATE: January 26, 2005

PRESENT POSITION: Administrative Assistant

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

☒ **Director of Human Resources**

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



City of Wichita Falls
City Council Meeting
Minutes
February 21, 2023



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
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Larry Nelson	-	
Michael Smith	-	
Darron Leiker	-	City Manager
Julia Vasquez	-	Deputy City Attorney
Marie Balthrop	-	City Clerk

Absent: Bobby Whiteley, Councilor At-Large, Kinley Heggland, City Attorney

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

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Item 2a – Invocation

Dr. Mark Bender, First Christian Church, gave the invocation.

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Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

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Item 3a – Employee of the Month – Luke Baker, Public Works/Water Purification

8:32 a.m.

Mayor Santellana recognized Luke Baker as the Employee of the Month for February 2023 and shared a brief video. Mayor Santellana congratulated Mr. Baker 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 4-5 – Consent Items

8:36 a.m.

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

Moved by Councilor Browning to approve the consent agenda.

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

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

Nays: None

Item 4 – Approval of Minutes of the February 7, 2023, Regular Meeting of the Mayor and City Council

Item 5 – Receive Minutes

- (a) MPO Transportation Policy Committee, October 25, 2022
- (b) Park Board, December 1, 2022
- (c) Planning and Zoning Commission, December 14, 2022
- (d) Planning and Zoning Commission, January 11, 2023

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Item 6a – Ordinance 10-2023

8:37 a.m.

Ordinance replacing Ordinance No. 37-2022 that was amended by Ordinance 64-2022, the fee schedule applied to City operations; providing for severability; providing that such ordinance shall not be codified; and providing an effective date.

Moved by Councilor Brewer to approve Ordinance 10-2023.

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

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

Nays: Councilors Jackson and Nelson

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Item 7a – Resolution 21-2023

8:39 a.m.

A Resolution of the City of Wichita Falls, Texas, authorizing the City Attorney to proceed with litigation against the property owners at 3003 Cumberland Ave., Wichita Falls Texas under Texas Local Government Code Chapter 54.

Moved by Councilor Browning to approve Resolution 21-2023

Motion seconded by Councilor Smith.

Terry Floyd, Director of Community Development, gave a presentation showing the debris, health hazards, and fire hazards on the property. Over thirty citations have been issued to the property owners.

Motion carried by the following vote:

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

Nays: None

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Item 7b – Resolution 22-2023

8:48 a.m.

Resolution authorizing the City Manager to execute a one-year lease agreement renewable up to four times with the Wichita Falls Federal Credit Union for the amount of \$1,500.00 a month.

Moved by Councilor Brewer to approve Resolution 22-2023.

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

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

Nays: None

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Item 8a – Staff reports

8:50 a.m.

- i. Update on Personal Mobility Devices (Scooters) – John Burrus

John Burrus, Director of Aviation, Traffic, and Transportation, gave an update on scooters used in the downtown area, issues to date, potential ordinance changes, and future considerations.

- ii. Update on ARPA-funded projects – Paul Menzies

Paul Menzies, Assistant City Manager, gave an update on ARPA-funded projects, the restrictions for the use of funds, US Treasury Guidance, unallocated funds, and projects no longer eligible due to guidance changes. Staff provided detailed updates on various City projects.

- iii. Update on projects funded in FY2023 using excess fund balances (i.e., “1-time funds”) – Jessica Williams.

Jessica Williams, Director of Finance/CFO, gave an update on the progress of one-time projects funded with excess fund balance. Staff provided detailed updates on various projects.

- iv. FY 2024 Budget Calendar – Jessica Williams

Ms. Williams gave an overview of the proposed FY 2024 budget calendar.

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

10:07 a.m.

Councilor Brewer thanked everyone involved in the presentations given today, and for all of the work staff put into them. He is glad that we are completing projects that upgrade quality of life.

Councilor Smith discussed the ceremony that will be held on Friday to rename Cleveland Street to Clever Street to honor Mr. Clever, WW II veteran and Tuskegee Airman.

Councilor Jackson stated that the Boy's and Girl's club ground breaking ceremony is on the same day as a City Council meeting and he asked if there was any way to change the meeting time so Council can attend.

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

10:11 a.m.

There were no comments from citizens.

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Item 10 – Executive sessions

City Council adjourned into Executive Session at 10:11 a.m. in accordance with Texas Government Code §551.071, and §551.072.

City Council reconvened at 10:56 a.m.

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

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Item 11 –Adjourn

Mayor Santellana adjourned the meeting at 10:57 a.m.

PASSED AND APPROVED this 7th day of March 2023.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2023 Water Budget Utility Improvement Project & Large Valve Replacement to MH Civil Constructors, Inc. in the amount of \$1,804,226.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: On February 21, 2023, bids were opened for the 2023 Water Budget Utility Improvement Project & Large Valve Replacement. This project is generally described as the installation of new waterlines in various locations & various valve improvements, and associated work. A portion of this project is to relocate existing meters from the back of the house to the front and replace 2" galvanized steel water mains which have been continuous maintenance issues. The replacement of these lines will improve the water quality and reliability of the system in these areas and will allow fire protection to be installed in areas which previously had none. The budget for this project is \$2,200,000.00.

The bids received for this project, which include the Base Bid plus Add/Alts #1 & #6 are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
MH Civil Constructors, Inc. – Amarillo, TX	\$1,804,226.00
Bowles Construction Co. – Wichita Falls, TX	\$2,155,801.00

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

MH Civil Constructors, Inc. has performed similar work for the City in the past. Therefore, staff recommends award of the contract to MH Civil Constructors, Inc. in the amount of \$1,804,226.00, which includes the Base Bid and Add/Alts #1 & #6 based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab, Location Map

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

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2023 Water Budget Utility Improvement Project & Large Valve Replacement to MH Civil Constructors, Inc. in the amount of \$1,804,226.00

WHEREAS, the City of Wichita Falls has advertised for bids for the 2023 Water Budget Utility Improvement Project & Large Valve Replacement; and,

WHEREAS, it is found that the lowest responsible bidder is MH Civil Constructors, Inc., who made a unit price bid with an estimated total of \$1,804,226.00.

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

The unit price bid for the 2023 Water Budget Utility Improvement Project & Large Valve Replacement is awarded to MH Civil Constructors, Inc., in an estimated total amount of \$1,804,226.00, 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 7th day of March, 2023.

MAYOR

ATTEST:

City Clerk

2023 Water Budget Utility Improvement Project & Large Valve Replacement
CWF23-550-05
BID DATE: FEBRUARY 21, 2023

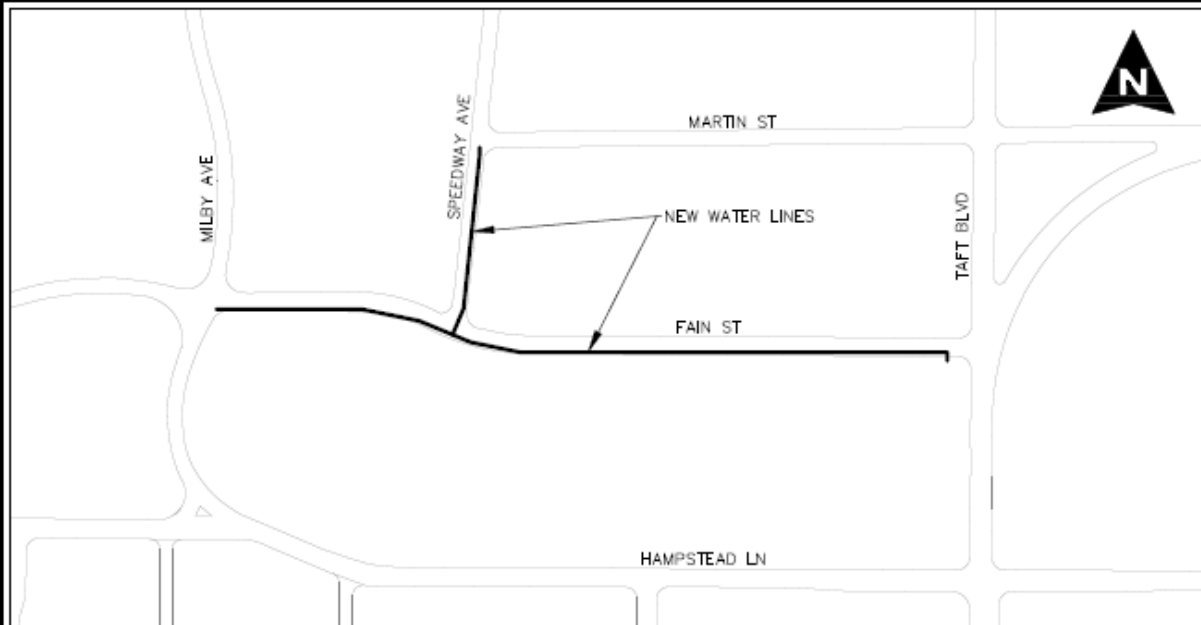
BASE BID				MH Civil Constructors, Inc. Amarillo, TX		Bowles Construction Co. Wichita Falls, TX	
Pay Item	Description	Unit	Quantity	Unit Price	Total	Unit Price	Total
107-TS	Trench Safety System	LF	8098	\$1.00	\$8,098.00	\$1.00	\$8,098.00
200.1	Site Preparation & Mobilization (Not to Exceed 5%)	LS	1	\$75,000.00	\$75,000.00	\$70,000.00	\$70,000.00
305.2-PED	Pedestrian Ramp	EA	1	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00
305.2-SW	4" Reinforced Concrete Sidewalk	SY	61	\$140.00	\$8,540.00	\$60.00	\$3,660.00
402-R	Pavement Repair (Asphalt/Concrete)	SY	2287	\$61.00	\$139,507.00	\$150.00	\$343,050.00
501.14-6	Install 6" Waterline and Fittings	LF	7533	\$80.00	\$602,640.00	\$70.00	\$527,310.00
501.14-6RJ	Install 6" Waterline and Fittings (Restrained Joint)	LF	73	\$90.00	\$6,570.00	\$100.00	\$7,300.00
501.14-8	Install 8" Waterline and Fittings	LF	565	\$100.00	\$56,500.00	\$100.00	\$56,500.00
502.3-FH	Install 5 1/4" Fire Hydrant Assembly	EA	12	\$9,000.00	\$108,000.00	\$6,500.00	\$78,000.00
502.6-6	Install 6" Gate Valve with Box	EA	15	\$2,000.00	\$30,000.00	\$1,800.00	\$27,000.00
502.6-20	Install 20" Valve	LS	3	\$51,000.00	\$153,000.00	\$50,000.00	\$150,000.00
502.10-RMS	Relocate Water Meter & Install House Service Line	EA	39	\$1,000.00	\$39,000.00	\$7,300.00	\$284,700.00
502.10-EL	Install 3/4" Extra Long Services	EA	1	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00
502.10-L	Install 3/4" Long Services	EA	47	\$1,000.00	\$47,000.00	\$1,800.00	\$84,600.00
502.10-SL	Install 3/4" Long Services Under Storm Drain	EA	13	\$1,000.00	\$13,000.00	\$4,500.00	\$58,500.00
502.10-TL	Install 3/4" TxDOT Long Services	EA	1	\$1,000.00	\$1,000.00	\$4,500.00	\$4,500.00
502.10-S	Install 3/4" Short Services	EA	57	\$1,000.00	\$57,000.00	\$1,200.00	\$68,400.00
520.10-L-1	Install 1" Long Services	EA	10	\$1,000.00	\$10,000.00	\$2,100.00	\$21,000.00
502.10-S-1	Install 1" Short Services	EA	7	\$1,000.00	\$7,000.00	\$1,700.00	\$11,900.00
503-12	Install 12" Steel Casing	LF	58	\$633.00	\$36,714.00	\$280.00	\$16,240.00
506.8-2	Cut and Plug Exist 2" Water Main	EA	11	\$500.00	\$5,500.00	\$500.00	\$5,500.00
506.8-4	Cut and Plug Exist 4" Water Main	EA	1	\$500.00	\$500.00	\$600.00	\$600.00
506.8-6	Cut and Plug Exist 6" Water Main	EA	1	\$500.00	\$500.00	\$800.00	\$800.00
506.8-V	Cut and Plug Existing Water Valve	EA	23	\$500.00	\$11,500.00	\$1,000.00	\$23,000.00
801	Temporary Barricading and Traffic Control	LS	1	\$75,000.00	\$75,000.00	\$25,000.00	\$25,000.00
Engineers Estimate: \$1,939,000.00				TOTAL	\$1,497,569.00	TOTAL	\$1,884,658.00

ADD/ALT #1 - Old Jacksboro Hwy				MH Civil Constructors, Inc. Amarillo, TX		Bowles Construction Co. Wichita Falls, TX	
Pay Item	Description	Unit	Quantity	Unit Price	Total	Unit Price	Total
107-TS-ALT1	Trench Safety System	LF	1578	\$1.00	\$1,578.00	\$2.50	\$3,945.00
305.2-SW-ALT1	4" Reinforced Concrete Sidewalk	SY	99	\$140.00	\$13,860.00	\$60.00	\$5,940.00
402-R-ALT1	Pavement Repair (Asphalt/Concrete)	SY	105	\$61.00	\$6,405.00	\$150.00	\$15,750.00
501.14-6-ALT1	Install 6" Waterline and Fittings	LF	1668	\$80.00	\$133,440.00	\$76.00	\$126,768.00
502.3-FH-ALT1	Install 5 1/4" Fire Hydrant Assembly	EA	4	\$9,000.00	\$36,000.00	\$6,500.00	\$26,000.00
502.3-RS-ALT1	Remove & Salvage 5 1/4" Fire Hydrant	EA	1	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00
502.6-6-ALT1	Install 6" Gate Valve with Box	EA	2	\$2,000.00	\$4,000.00	\$1,800.00	\$3,600.00
502.10-S-ALT1	Install 3/4" Short Services	EA	6	\$1,000.00	\$6,000.00	\$1,200.00	\$7,200.00
502.10-S-1-ALT1	Install 1" Short Services	EA	1	\$1,000.00	\$1,000.00	\$1,700.00	\$1,700.00
503-12-ALT1	Install 12" Steel Casing	LF	78	\$633.00	\$49,374.00	\$330.00	\$25,740.00
506.8-2-ALT1	Cut and Plug Exist 2" Water Main	EA	2	\$500.00	\$1,000.00	\$500.00	\$1,000.00
506.8-V-ALT1	Cut and Plug Existing Water Valve	EA	2	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00
Engineers Estimate: \$164,000.00				TOTAL	\$255,657.00	TOTAL	\$221,143.00

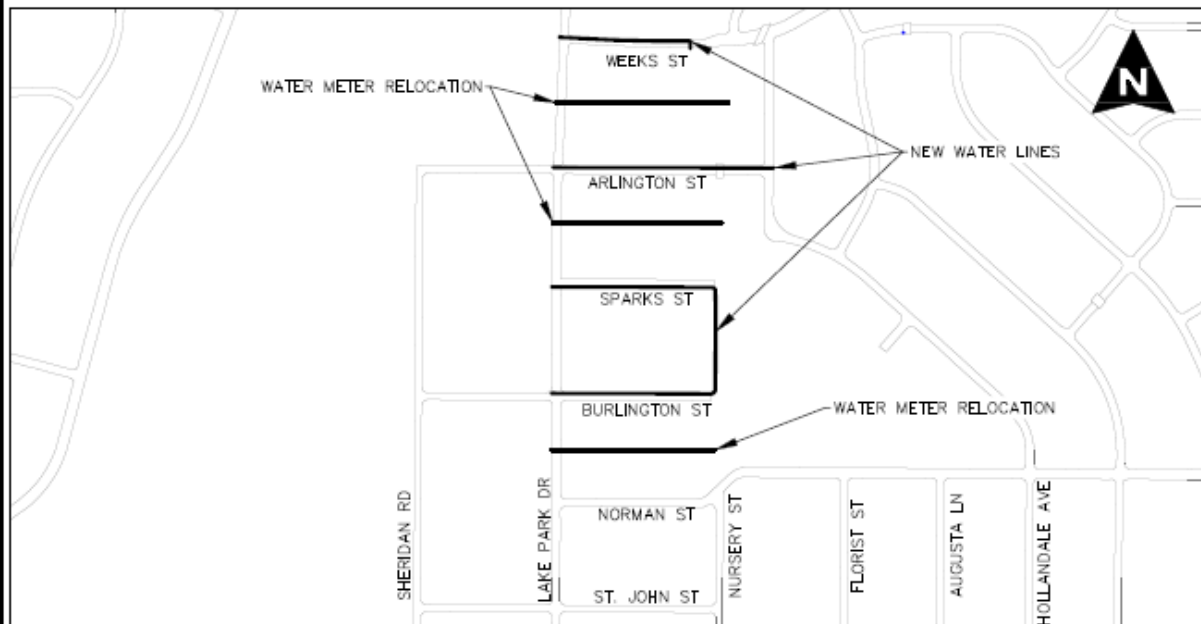
ADD/ALT #6 - Bluff St & 16th St Large Valve				MH Civil Constructors, Inc. Amarillo, TX		Bowles Construction Co. Wichita Falls, TX	
Pay Item	Description	Unit	Quantity	Unit Price	Total	Unit Price	Total
502.6-20-ALT6	Install 20" Valve	LS	1	\$51,000.00	\$51,000.00	\$50,000.00	\$50,000.00
Engineers Estimate: \$60,000.00				TOTAL	\$51,000.00	TOTAL	\$50,000.00

TOTAL - (Base Bid + Add/Alts 1 & 6)				\$1,804,226.00		\$2,155,801.00	
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2023 WATER BUDGET UTILITY IMPROVEMENT PROJECT & LARGE VALVE REPLACEMENT CWF23-550-05



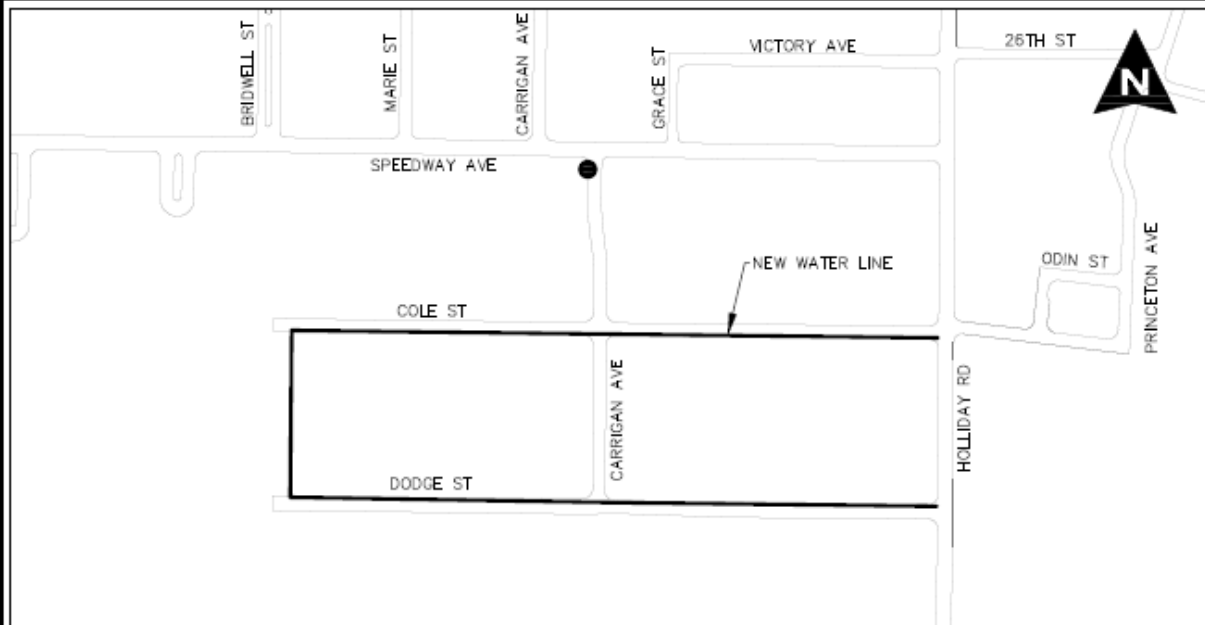
NOT TO SCALE
FAIN STREET



NOT TO SCALE
NORMAN STREET, BURLINGTON STREET, SPARKS STREET, ARLINGTON STREET, WEEKS STREET

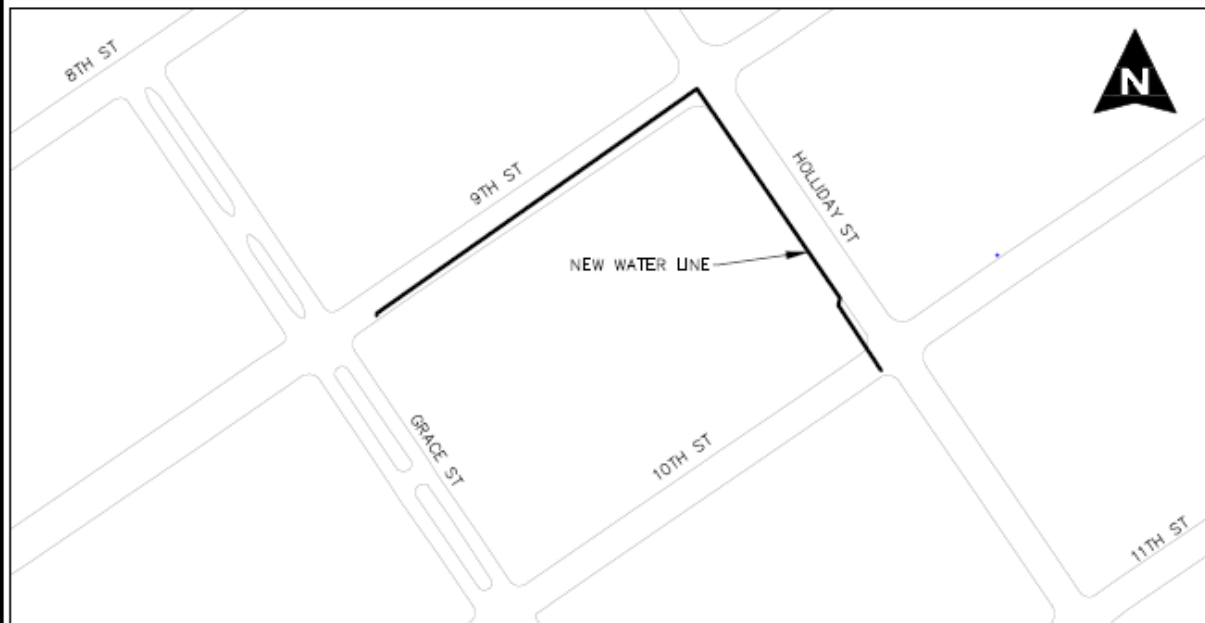
SHEET 1 OF 4

2023 WATER BUDGET UTILITY IMPROVEMENT PROJECT & LARGE VALVE REPLACEMENT CWF23-550-05



NOT TO SCALE

COLE STREET, DODGE STREET, CARRIGAN AVENUE & SPEEDWAY AVENUE

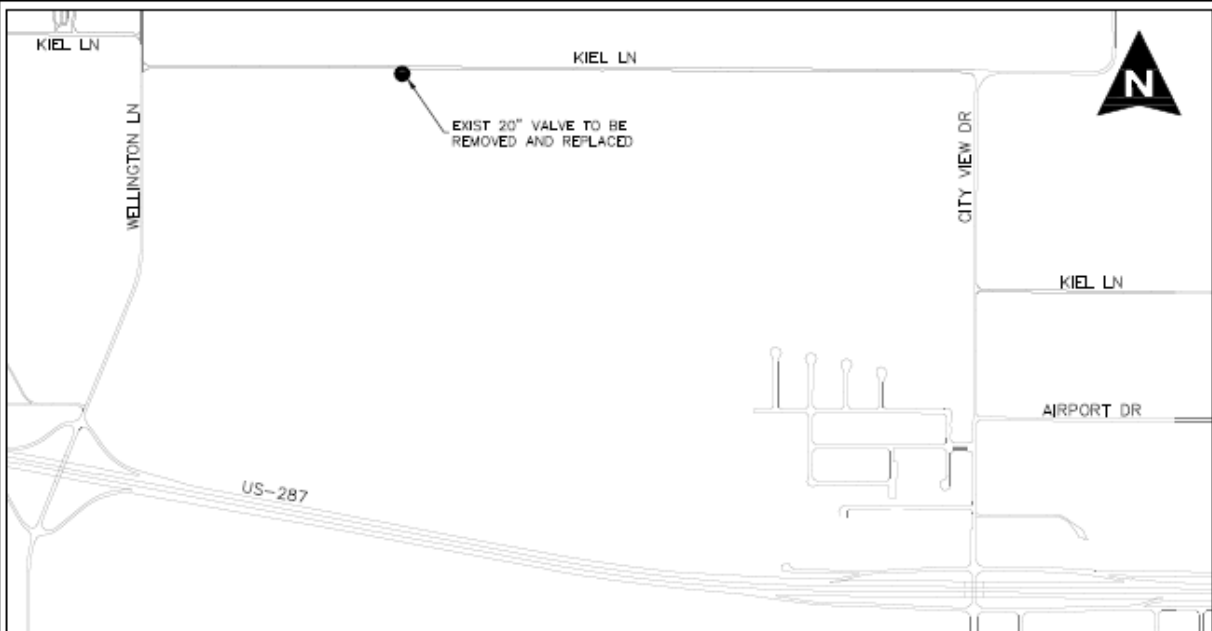


NOT TO SCALE

9TH STREET & HOLIDAY STREET

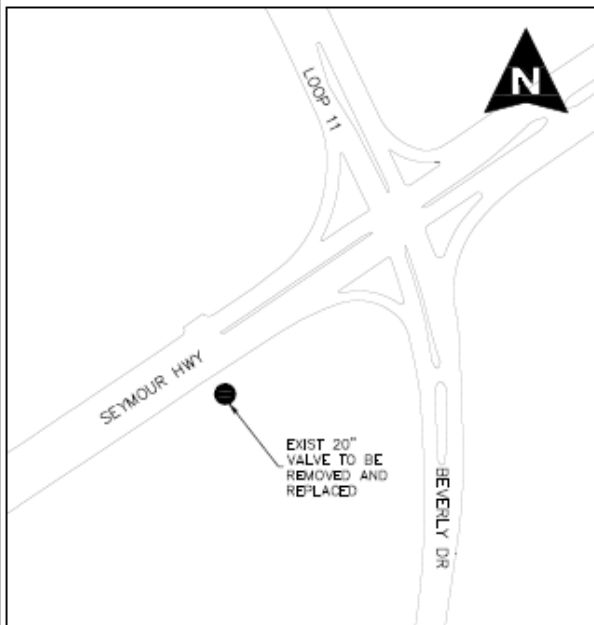
SHEET 2 OF 4

2023 WATER BUDGET UTILITY IMPROVEMENT PROJECT & LARGE VALVE REPLACEMENT CWF23-550-05



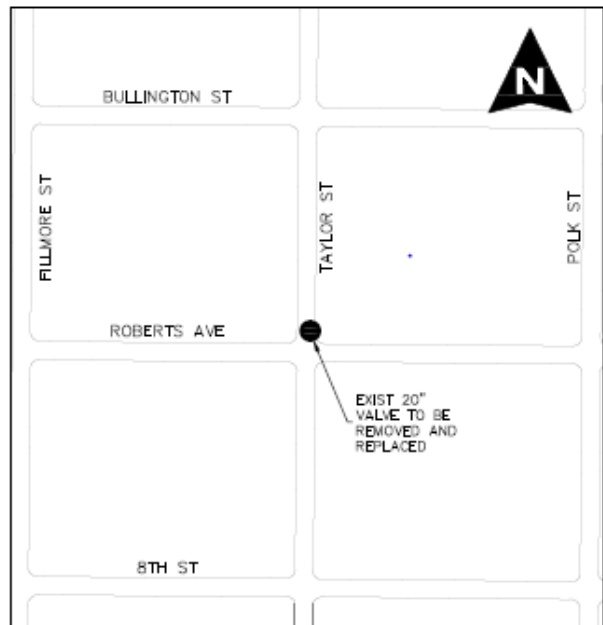
NOT TO SCALE

5301 KIEL LANE



NOT TO SCALE

3201 SEYMOUR HIGHWAY

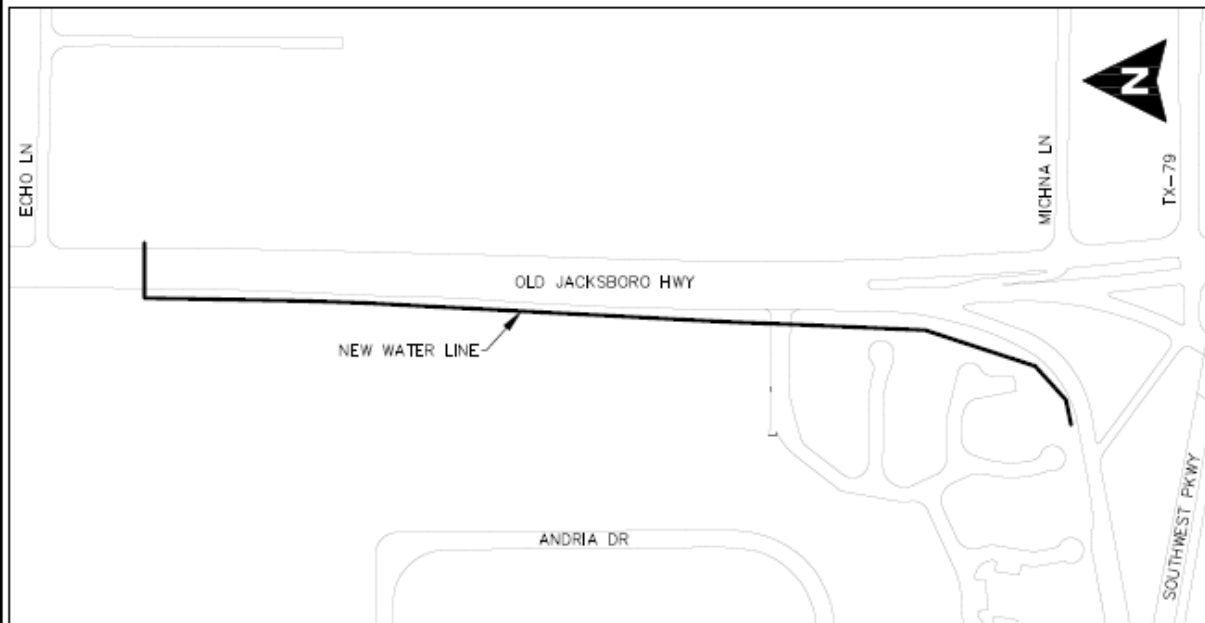


NOT TO SCALE

ROBERTS AVENUE & TAYLOR STREET

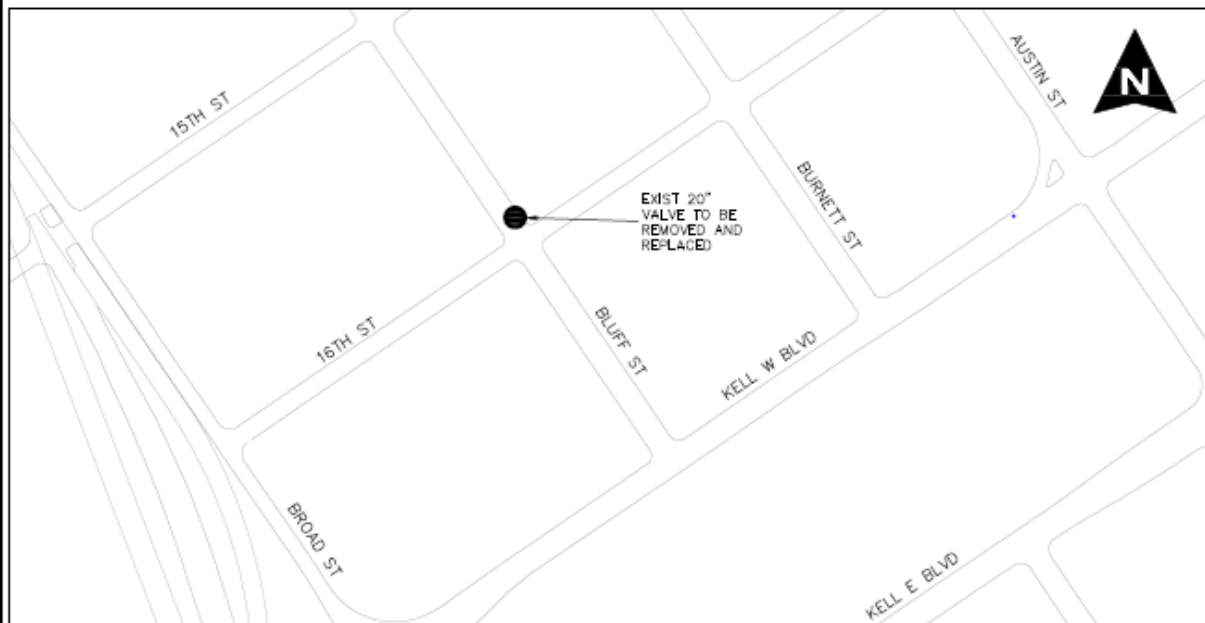
SHEET 3 OF 4

2023 WATER BUDGET UTILITY IMPROVEMENT PROJECT & LARGE VALVE REPLACEMENT CWF23-550-05



NOT TO SCALE

OLD JACKSBORO HIGHWAY (ADD/ALT #1)



NOT TO SCALE

BLUFF STREET & 16TH STREET VALVE REPLACEMENT (ADD/ALT #6)

SHEET 4 OF 4

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2023 Sewer Budget Utility Improvement Project Phase 1 to Insituform Technologies, LLC in the amount of \$759,616.00.

INITIATING DEPT: Public Works / Engineering

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: On February 22, 2023 a proposal was received for the 2023 Sewer Budget Utility Improvement Project Phase 1. This project will rehabilitate existing sanitary sewer line segments underneath Kell Blvd and along Galveston St. The collection system in this area is old vitrified clay pipe and has become a continuous maintenance problem. The collection system in this area is very inaccessible and thus does not lend itself toward conventional dig and replace rehab processes. Therefore, the rehabilitation work will employ the trenchless technologies of pipe bursting.

The proposal for the project was prepared by Insituform Technologies, LLC, which is a sewer rehabilitation company who has been selected through a competitive bidding process by the outside agency, BuyBoard.

The proposal received for this project is as follows:

<u>Company</u>	<u>Amount</u>
Insituform Technologies, LLC – Corinth, TX	\$ 759,616.00

Construction of the project should require approximately one hundred and fifty (150) consecutive days to complete. The sewer rehab budget this year is \$2.6 million.

Insituform Technologies, LLC has completed similar projects for the City. Therefore, staff recommends award of the contract to Insituform Technologies, LLC in the amount of \$759,616.00, based on unit price quantities.

☒ Director, Public Works

ASSOCIATED INFORMATION: Resolution , BuyBoard Proposal, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2023 Sewer Budget Utility Improvement Project Phase 1 to Insituform Technologies, LLC in the amount of \$759,616.00

WHEREAS, the City of Wichita Falls has requested a BuyBoard Proposal from Insituform Technologies, LLC for the 2023 Sewer Budget Utility Improvement Project Phase 1; and

WHEREAS, it is found that the quote is reasonable and competitive and Insituform Technologies, LLC is a responsible contractor who made a unit price proposal with an estimated total of \$759,616.00.

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

The unit price proposal for the 2023 Sewer Budget Utility Improvement Project Phase 1 is awarded to Insituform Technologies, LLC, in an estimated total amount of \$759,616.00. 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 7th day of March 2023.

MAYOR

ATTEST:

City Clerk



Insituform Technologies, LLC is a subsidiary of Aegion Corporation

1103 Postwood Dr.
Corinth, TX 76210
www.insituform.com

Name: Tim Peterie
Phone: 214-317-0950

Fax: 940-498-0265
Email: tpeterie@insituform.com

February 22, 2023

SF#: SO-00104737

Ms. Miranda Neidzwiecki, EIT
City of Wichita Falls
1300 7th St.
Wichita Falls, TX 73601

Buyboard Proposal

Project Name: City of Wichita Falls, TX – 2023 BUIP Sewer Rehab Project Ph I
Location 2, Kell Blvd & Galveston St – Pipe Burst 12" to 16"

INSITUFORM TECHNOLOGIES, LLC herein proposes to furnish a Proposal for all labor, materials, equipment, and services necessary to reconstruct the referenced project (as detailed in the project location maps and other information presented by the City of Wichita Falls) utilizing the Local Purchasing Cooperative Contract #635-21, administered through the BuyBoard.

ASSUMPTIONS AND QUALIFICATIONS

We have based this proposal on a nominal wall thickness as shown in the price. This is based on the best available information at the time of this proposal. Existing pipe deterioration in excess of the conditions assumed, ground water loads in excess of those assumed, or other loads or conditions may increase the recommended thickness for all or portions of the work. Final recommendations may be submitted to you following the completion of the preliminary TV phase of the project. Stated prices are subject to adjustment if design changes are agreed upon.

Laterals. During TV inspection all side sewers are verified, using best practical efforts, to determine if each is an active hook up. Normal practice only reinstates those that are active. You may direct us to reinstate all, or specific laterals, as you desire. This proposal, unless otherwise stated, assumes that all laterals will be reconnected externally for Pipe Bursting. Specific service connections will not be reconnected only when written directions are received from the Owner.

Water shall be provided at no cost to Insituform Technologies, LLC for all construction phases of this project. The Owner shall furnish Insituform Technologies, LLC with required water meters and pay all associated fees, deposits, and charges. Insituform Technologies, LLC will follow all required backflow prevention and metering procedures.

Insituform will supply the City of Wichita Falls 1-year Maintenance, Payment, and Performance Bonds, and Certificate of Insurance following acceptance of this proposal.

The pricing in this proposal assumes that all Technical Specifications set forth by the BuyBoard will be strictly adhered to. Any changes to these specifications must be noted and agreed upon by both parties prior to finalizing the proposal pricing.

- Special:**
1. Water shall be provided as noted above.
 2. Manhole 1317 will not be replaced as noted in the plans. Due to close proximity to other utilities, this manhole will be rehabilitated using Warren epoxy.
 3. Insituform estimates completing this project within 150 days.

PROPOSAL PRICING

PAY ITEM NO.	DESCRIPTION	QTY	U/M	UNIT PRICE	ESTIMATED AMOUNT
Location 2 – Kell Blvd & Galveston St					
1	Travel & Mobilization – Clean/TV Crew	1	EA	\$7,500.00	\$7,500.00
2	12" Clean/TV Sanitary Sewer	1,249	LF	\$8.00	\$9,992.00
3	Travel & Mobilization – Excavation Crew	1	EA	\$7,500.00	\$7,500.00
4	Additional Mobilization for Static Pull Equipment and Method	1	LS	\$43,500.00	\$43,500.00
5	Burst Existing 12" or 15" to 16" IPS SDR 19 (0'-8' deep)	1,249	LF	\$100.00	\$124,900.00
6	16"-22" Pipeburst Setup Charge Per Install Length	1,249	LF	\$25.00	\$31,225.00
7	Change Pipeburst to Non-Standard Pipe Type Add-On (SDR 17 Static Pull)	14,988	IN-DIA/LF	\$20.00	\$299,760.00
8	Set Up 6" Pump (Per Pump)	7	EA	\$1,000.00	\$7,000.00
9	Set Up 6" Piping	415	LF	\$15.00	\$6,225.00
10	Operate 6" Pumping System (Fuel & Maint)	7	DAY	\$650.00	\$4,550.00
11	Bypass Pump Watch Labor	7	DAY	\$600.00	\$4,200.00
12	16" Post-TV Inspection After Rehabilitation	1,249	LF	\$4.00	\$4,996.00
13	External Reconnect (0'-8' deep)	2	EA	\$1,500.00	\$3,000.00
14	Install Cleanout at Property Line	2	EA	\$300.00	\$600.00
15	Access Pit (0'-8' deep)	7	EA	\$3,500.00	\$24,500.00
16	Increase Access Pit Size for Static Pull Equip.	7	EA	\$4,000.00	\$28,000.00
17	Potholing for Nearby Utility Location (0'-8' deep)	6	EA	\$975.00	\$5,850.00
18	Trench Safety	146	LF	\$10.00	\$1,460.00
19	Granular Backfill	24	TON	\$75.00	\$1,800.00
20	Repair/Rehab 2" Asphalt Pavement	28	SY	\$150.00	\$4,200.00
21	Repair/Rehab 8" Flex Base	28	SY	\$75.00	\$2,100.00
22	Repair/Rehab 8" Concrete Pavement (not full panel)	44	SY	\$225.00	\$9,900.00
23	Repair/Rehab 4" Concrete Sidewalk	48	SF	\$21.00	\$1,008.00
24	Repair/Rehab Concrete Curb & Gutter	36	LF	\$50.00	\$1,800.00
25	Repair/Rehab Chain Link Fence w/ Existing	32	LF	\$50.00	\$1,600.00
26	Traffic Control	40	DAY	\$150.00	\$6,000.00
27	Light Arrow Board (Per Arrow Board)	35	DAY	\$250.00	\$8,750.00
28	Traffic Control Plan (3 rd Party Certified)	1	EA	\$3,000.00	\$3,000.00
29	Major Manhole Bench Rebuild	4	EA	\$1,500.00	\$6,000.00
30	Erosion Control Devices (Does not include SWPPP)	1	LS	\$7,100.00	\$7,100.00
31	Parkway/Yard Restoration – TXDOT ROW Hydro-mulch ROW Blend	1	LS	\$3,500.00	\$3,500.00
32	Travel & Mobilization – MH Rehab Crew	1	EA	\$7,500.00	\$7,500.00
33	Manhole, Pipe, or Other Structure - Spray Rehabilitation (Warren Epoxy)	240	SF	\$65.00	\$15,600.00
34	Owner's Contingency Allowance	1	AL	\$50,000.00	\$50,000.00
35	Bonds	1	LS	\$15,000.00	\$15,000.00
TOTAL					\$759,616.00

Note: A Tax-Exempt certificate will need to be provided prior to mobilization.

PROPOSAL INCLUSIONS

The prices stated in this proposal include:

1. Mobilizations and demobilization.
2. Initial pipeline cleaning to include normal debris and deposits only.
3. Bypass pumping.
4. External service reconnects.
5. Pre-Video inspections and documentation of existing pipe prior to reconstruction with pipe bursting.
6. Final video inspection following completion of the installation to document your new pipe rehabilitated by pipe bursting
7. HDPE Pipe for pipe bursting.
8. Confined space safe entry practices.
9. Manhole rehabilitation with Warren to include surface preparation.
10. Traffic control.
11. Hydro-mulch restoration along TXDOT ROW.
12. One-year standard construction warranty.
13. One-year Bonds.
14. Certificate of insurance with a standard coverage.

PROPOSAL EXCLUSIONS

Not included in the prices stated in this estimate are costs associated with the items listed below. These items, if needed or found to be applicable, would be provided by **INSITUFORM TECHNOLOGIES, LLC** at your additional cost; or would be furnished by others, at your direction, at no cost to **INSITUFORM TECHNOLOGIES, LLC**:

- a) If preliminary video inspection of the pipe interior indicates excessive damage, or other extra-ordinary condition, which will require excavation, or other extraordinary remedy, to prepare the pipe for pipe bursting, then those services will be provided by utilizing the Owner's Contingency Allowance after approval.
- b) Additional mobilizations and/or setups may apply due to point repairs, obstruction removals, or delays out of our control.
- c) Manual operation of any pumping and/or metering stations.
- d) Sod.
- e) Water from fire hydrants within a convenient distance from each cleaning and inversion site location.
- f) Legal dumpsite for debris resulting from pipes cleaning.
- g) *If any hazardous or toxic materials are encountered during the project, the Owner will be responsible for the removal and disposal of the materials.*
- h) Project permits and/or local licenses will be provided by the Owner or Engineer.
- i) State and local sales and/or use taxes on the value of the project. If you are exempt, please submit the appropriate documentation.
- j) Additional premiums for special insurance coverage(s) demanded by you or other parties particular to this project.

PROPOSAL TERMS AND CONDITIONS

- a) Limits of Liability. In consideration of **INSITUFORM TECHNOLOGIES, LLC**'s agreement to maintain no less than \$5,000,000 of comprehensive general liability insurance in the form required by the Contract, **INSITUFORM TECHNOLOGIES, LLC**'s liability to the Owner for any matter covered by such insurance will be limited to the extent of such insurance. Neither party shall be liable to the other for consequential damages relating to the contract. In case of conflict between this provision and any other provision in the Contract as ultimately executed, this provision shall govern and prevail.

-
- b) LIMITED WARRANTY. IN LIEU OF ALL OTHER EXPRESSED, IMPLIED AND/OR STATUTORY WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, CONTRACTOR AGREES TO CORRECT ANY DEFECTS IN THE MATERIALS OR SERVICES PROVIDED BY CONTRACTOR WHICH ARE BROUGHT TO THE ATTENTION OF CONTRACTOR WITHIN ONE YEAR FOLLOWING COMPLETION OF CONTRACTOR'S WORK, PROVIDED OWNER AFFORDS CONTRACTOR SUITABLE ACCESS AND WORKING CONDITIONS TO ACCOMPLISH SUCH CORRECTION.
- c) MUTUAL RELEASE OF CONSEQUENTIAL DAMAGES. Neither party shall be liable to the other for consequential damages relating to or arising out of the Contract.
- d) PROPOSAL SUBJECT TO NEGOTIATION OF OTHER STANDARD TERMS OF AGREEMENT. This proposal is subject to agreement of the parties on other terms and conditions as are customary in contracts of this nature.
- e) Quantities are estimated. Unit prices apply for actual invoice and payment.
- f) Payments are due at net within thirty days of invoice. Final payment is due within thirty days of completion of project.
- g) Monthly progress payments may be requested for the value of work in progress or completed, including materials secured and on site.
- h) Prices stated are in effect for thirty days from the date of this proposal. The acceptance period may be extended at the sole option of **INSITUFORM TECHNOLOGIES, LLC**.
- i) Conflicts. In case of conflict between the provision of the aforesaid paragraphs and any other provision in the Contract as ultimately executed the provisions as set forth above shall govern and prevail.

OFFERED BY:

ACCEPTED BY:

INSITUFORM TECHNOLOGIES, LLC

Timothy R. Peterie

SIGNATURE

DATE

TIMOTHY R. PETERIE
BUSINESS DEVELOPMENT MANAGER

NAME

REVIEWED BY:
ANDY OZMENT
AREA MANAGER

TITLE

ORGANIZATION

cc: Blane Boswell, PR (COWF)
Ben Hawkins
Kodiak O'Ravez

2023 SEWER BUDGET UTILITY IMPROVEMENT PROJECT PHASE 1 CWF23-550-06



PROJECT LOCATION
KELL BOULEVARD - GALVESTON ST.

SCALE: 1"=500'

H:\EngDrafter\Terry Walters\Land Projects\Land Projects 2023\2023 Sewer BUJP\Phase 1\Drawg\2023 Sewer BUJP Phase 1.dwg, 2/22/2023, 10:02:53 AM

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Resolution authorizing the purchase of decorative signal poles for Downtown intersections from Consolidated Traffic Controls, Inc. in the amount of \$61,596.00.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Continue implementation of Downtown Master Plan

COMMENTARY: In 2022, City Council approved the purchase of signal poles, mast arms, and decorative elements for nine Downtown intersections. The Downtown intersections are among the oldest in the City's inventory, and a complete reconstruction is warranted at existing locations. The overall goal is to complete a \$1.6 million reconstruction and upgrade of all Downtown signal infrastructure over the next three years. Work developed through the Downtown Revitalization Committee's infrastructure team served as the blueprint for this project. The Traffic Engineering Division, on average, reconstructs 1-2 signalized intersections each year.

Federal Transit Administration (FTA) grant funds will be used to pay for this project because of the intersection's proximity to the Clarence W. Muehlberger Travel Center. The FTA would not allow the City to use the HGAC cooperative to make this purchase, so the City was required to bid the project. One bid was received from Consolidated Traffic Controls, Inc. This project is eligible for 100% funding by the FTA, so no local tax dollars will be used on this project.

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

- 4th & Scott

Other upgrades to these intersections will include LED lighted street name signs and audio pedestrian signals. In alignment with the Downtown Master Plan and the work from the Downtown Revitalization Committee, the signalized improvements will help improve walkability at these intersections. Staff worked with Downtown Wichita Falls Development on the original purchase to select this signal hardware, and these poles/mast arms will complement the traditional and historic aesthetics of Downtown. It was also determined to remain with the hunter-green color of the poles/mast arms through a powder coating process. Lead time for these signal poles is estimated to be twelve months.

Funding for the project was included in the fiscal year 22-23 budget for Public Transportation.

Staff recommends approval of the resolution authorizing the purchase of decorative signal poles for the Downtown area from Consolidated Traffic Controls, Inc. in the amount of \$61,596.00.

Budget:	\$65,638.00
Project Cost:	<u>\$61,596.00</u>
Budget Savings:	\$4,042.00

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

☒ **Purchasing**

ASSOCIATED INFORMATION: Resolution; HGAC Documentation; Photo

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

**Resolution authorizing the purchase of decorative signal poles for
Downtown intersections from Consolidated Traffic Controls, Inc. in
the amount of \$61,596.00**

WHEREAS, the City of Wichita Falls advertised and requested bids for decorative signal poles and street furniture for the intersection of 4th & Scott; and

WHEREAS, bids were received and publicly opened on February 24, 2023; and

WHEREAS, the City Council finds that Consolidated Traffic Controls, Inc. is offering decorative signal poles and street furniture at a cost of \$61,596.00.

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

City Staff is authorized to execute all documents necessary to purchase decorative signal poles and hardware from Consolidated Traffic Controls, Inc. in the amount of \$61,596.00.

PASSED AND APPROVED this the 7th day of March, 2023.

MAYOR

ATTEST:

City Clerk

2/24/2023

BID TABULATION

BID 23-04
DECORATIVE POLES

VENDOR	MODEL	25FT SIGNAL POLE (2)		30FT SIGNAL POLE (2)		MOUNTING BASE (4)		POLE TOP ASSY (4)		TOTAL
		UNIT	SUBTOTAL	UNIT	SUBTOTAL	UNIT	SUBTOTAL	UNIT	SUBTOTAL	
CONSOLIDATED TRAFFIC CONTROLS ARLINGTON, TX	PELCO	\$10,900.00	\$21,800.00	\$12,872.00	\$25,744.00	\$2,492.00	\$9,968.00	\$1,021.00	\$4,084.00	\$61,596.00



MINUTES
LAKE WICHITA REVITALIZATION COMMITTEE

January 10, 2023

PRESENT:

■ Members

David Coleman, Chair
Steve Garner, Vice Chair
Tim Brewer, City Council Rep
Rick Hernandez
Ford Swanson
Mike Battaglino
Kari Shaw

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

■ Staff

Robert Mauk, TX Parks & Wildlife

■ Guests

ABSENT: John Strenski, Alison Sanders, Matt Marrs, Sharon Roach, Austin Cobb, Alicia Castillo

1. **Call to Order:** David called the meeting to order at 10:04am.
2. **Approval of Minutes:** December meeting minutes were approved unanimously.
3. **Project Updates:**
 - 3.a. **Veteran's Plaza Project:**

David updated the project status: site work has begun with fence poles erected around the entire site. Fence fabric and project sign are expected this week. The final brick order was delivered yesterday and is in the warehouse with the first order of bricks. David asked Blane to facilitate communication with Marrs Patriot Construction (MPC) regarding when they would like to pick up the bricks and have them laid out at the site. The order of Replica Tiles will be delivered to David's house by tomorrow, and he will email the purchasers and let them pick up the tiles from his house.

Project funds remaining available are: \$13k held by the City, \$1,300 held by the WFACF that will be soon deposited in the Wells Fargo account, \$500 already in the Wells Fargo account, and approximately \$38k in PayPal that will be moved to the Wells Fargo account. John Strenski will take action to change the signature authority on the Wells Fargo account to David Coleman and Steve Garner, so the LWRC will have control of its funds.

David stated that 29 May 2023, Memorial Day, is on Rep Jackson's calendar for a Dedication Ceremony.

January 10, 2023

Rick inquired about re-paving the Lake Wichita Park parking lot, and Blane replied the project is funded and in design. Construction of the new parking lot will begin after the Veterans Plaza project is complete, to avoid contractor conflicts.

- 3.b. **Lake Deepening:** David informed the group that the City of Lakeside City has hired Dredge America to dredge one of their sewage treatment lagoons, and John Strenski will set up a meeting with them in mid February. David will invite other LWRC members to attend this meeting if they desire.
- 3.c. **Kayak Launch Grant:** Terry will schedule his crews to install the launch equipment, after we get some rain.
- 3.d. **Former Yacht Club Rehabilitation:** The group discussed this project at length, but decided a site visit is essential. The April LWRC meeting will be held at the American Legion Post 169 facility, so the group can walk next door and see the Yacht Club basin in person.
4. **Discussion of Brick Sales and Fundraising Initiatives:** David stated that Mr. Charles Finnell, former State Rep from Holliday, has donated thousands of dollars to the LWRC, but never ordered a brick. The group voted unanimously to allow David to use project funds to purchase a brick to honor Mr. Finnell.
5. **Other Business Matters:** David asked the group whether we should pursue relocating some, or all, of the WFISD Veterans Memorial from the Memorial Stadium to the new Veterans Plaza area at Lake Wichita Park. The group agreed to pursue this idea, and David will contact Ms. Ashley Thomas of WFISD to start a discussion.
6. **Adjournment:** The meeting adjourned at 10:50 am.



David Coleman, Chair

14 Feb 23

Date

January 10, 2023

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: A Resolution of the City of Wichita Falls, Texas, authorizing the City Manager to execute a settlement agreement and related documents in the lawsuit styled *City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Cause No. 2018-3835-4.

INITIATING DEPT: City Attorney's Office

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

On May 31, 2019, a coalition of 26 cities, including the City of Wichita Falls, (the "Cities"), filed a lawsuit alleging that Spectrum failed to properly account for and pay various cable fees to the Cities as required by Texas Utilities Code Chapter 66. After mediation, the parties agreed to settle all claims. The proposed full and final settlement of all claims by the Cities includes a requirement that Spectrum calculate and pay various cable fees by certain methodologies over the next ten years. The attached resolution would authorize the City Manager to execute a settlement agreement and related documents with Spectrum in connection with the full and final settlement of all claims involving the City of Wichita Falls in the lawsuit.

Under the terms of the settlement agreement, the City will not immediately receive payment of the estimated net benefit of \$156,800. Rather, the City's estimated net benefit will be paid by Spectrum through its franchise fee and PEG fee payments to the City over the ten-year term of the settlement agreement.

Staff recommends that Council approve the resolution authorizing the execution of the settlement agreement and related documents with Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications ("Spectrum"), in connection with all claims involving the City of Wichita Falls alleged in the lawsuit styled *City of Allen, et al. v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications* (the "lawsuit"), Cause No. 6:19-CV-00345-ADA-JCM, in the United States District Court for the Western District of Texas, Waco Division.

☒ **City Attorney**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

A Resolution of the City of Wichita Falls, Texas, authorizing the City Manager to execute a settlement agreement and related documents in the lawsuit styled *City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Cause No. 2018-3835-4

WHEREAS, on April 5, 2019, 26 Cities, including the City of Wichita Falls, filed a lawsuit against Spectrum in the District Court of McLennan County, Texas (170th Judicial District), styled *City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Cause No. 2018-3835-4;

WHEREAS, on May 31, 2019, Spectrum removed the case to the United States District Court for the Western District of Texas;

WHEREAS, the Cities filed an amended complaint on September 27, 2019, styled *City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Case No. 6:19-cv-345-ADA-DTG, alleging that Spectrum underpaid franchise and PEG fees to the Cities;

WHEREAS, after mediation, the parties agreed to settle all claims. The proposed full and final settlement of all claims by the Cities includes a requirement that Spectrum calculate and pay various cable fees by certain methodologies over the next ten years; and

WHEREAS, the City Council hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City.

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

That the City Manager is hereby authorized to execute a settlement agreement and related documents with Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications in connection with the full and final settlement of all claims involving the City of Wichita Falls, Texas, alleged in the lawsuit styled *City of Allen, et al. v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications*, Cause No. 6:19-CV-00345-ADA-JCM, in the United States District Court for the Western District of Texas, Waco Division.

PASSED AND APPROVED this the 7th day of March, 2023.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to execute agreements for City Facilities, namely MPEC, Sports Complex, Tennis Center, Library, Travel Center, Parks, Community Centers, and Airport Leases.

INITIATING DEPT: City Attorney's Office

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

The City of Wichita Falls operates under a Council-Manager form of government whereby the City Manager is responsible for the proper administration of all affairs of the City as set out by section 58 of the City Charter. These duties have historically included the execution of numerous minor, short-term contracts necessary to run the MPEC, Sports Complex, Tennis Center, Library, Travel Center, Parks, Community Centers, and Airport. In an effort to implement best practices relating to contract execution, the City Manager, City Attorney, and City Clerk have been implementing new policies and procedures for contract approval. This resolution represents one of the final steps towards this best practice implementation plan.

Council is being asked to expressly authorize the delegation of authority that has been historically utilized by the City Manager in his duties managing the day-to-day operations of the City. These short term agreements are made by staff daily, and in many cases, involve near-term reservation of specific facilities and are time sensitive. This delegation of authority will expressly authorize the City Manager to execute minor contracts on behalf of the City, which can help consolidate the contracting process and ensure that contracts are executed in a timely and efficient manner.

Staff recommends this resolution as a way to streamline decision-making and ensure that city operations are managed efficiently.

☒ City Attorney

ASSOCIATED INFORMATION: Resolution

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Resolution No. _____

Resolution authorizing the City Manager to execute agreements for City Facilities, namely MPEC, Sports Complex, Tennis Center, Library, Travel Center, Parks, Community Centers, and Airport Leases

WHEREAS, the City of Wichita Falls maintains real property for events at the MPEC, sports complex, tennis center, parks, and the airport;

WHEREAS, the City licenses or leases these real property locations to individuals on an as needed basis; and,

WHEREAS, the City of Wichita Falls City Council is the final authority on contracts entered into on behalf of the City of Wichita Falls; and,

WHEREAS, to continue the efficient operation of the City of Wichita Falls, not restrict the increase in sales tax, and reduce the burdensome nature of having contracts presented for City Council approval, the City Council wishes to allow the City Manager or his designee the authority to execute these agreements on an as-needed basis in accordance with state law.

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

The City Manager or his designee is authorized to execute the following agreements in a form approved by the City Attorney:

1. Short-term rental, license, and lease agreements for terms of 30 days or less at the MPEC, Sports Center, Tennis Complex, Library, Travel Center, City Parks, and Community Centers; and
2. MPEC suite rentals and airport land leases and airport hangar leases for terms of one year or less.

PASSED AND APPROVED this the 7th day of March 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to execute the renewal of the first of two agreed upon extensions of a five-year Towing and Impound Service Contract and Commercial Lease for the property at 3229 Industrial Drive with Mike Freeman's Towing Services, LLC.

INITIATING DEPT: Police Department

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: n/a

COMMENTARY: The Police Department is requesting to use the contract renewal option for Mike's Towing Service which provides for up to two, 5-year extensions upon agreement by the Parties for towing and commercial lease for property at 3229 Industrial Drive. Approval of the resolution will provide a continued method of receiving and maintaining the inventory of vehicles impounded by a sole source wrecker provider in the best interest of the Wichita Falls Police Department and provide office space and additional overflow for evidence/property room storage.

Since March 2018, the City has contracted for sole source towing, with the current contract expiring on March 31, 2023.

To deal proactively with the inventory storage issue and provide additional service to citizens, Mike's Towing Service provides the following to the City:

- Mike's Towing: a 5-year rent-free lease of property located at 3229 Industrial Drive, providing office space and property storage space in exchange for exclusive rights to provide towing & impound services to the City,
- 24-hour access for customers to retrieve impounded vehicles,
- Secure vehicle space for 190 evidence/seizure impounds,
- Space for at least 390 total impounded vehicles, and
- Vehicle auction services.

Mike's Towing Service was established in 1996 and is an existing wrecker/towing service company within the corporate city limits of Wichita Falls. Mike's Towing Service is a well-respected business that currently provides an excellent level of service to the community.

The Wichita Falls Police Department recommends contracting the police department's towing and storage needs to Mike's Towing Service.

☒ **Police Chief**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute the renewal of the first of two agreed upon extensions of a five-year Towing and Impound Service Contract and Commercial Lease for property at 3229 Industrial Drive with Mike Freeman's Towing Services, LLC.

WHEREAS, Mike Freeman's Towing Service, LLC, doing business as Mike's Towing Service, and the City of Wichita Falls previously entered into a Towing and Impound Service Contract date April 1, 2018, with a contract expiration date of March 31, 2023; and,

WHEREAS, the Towing and Impound Service Contract provides for up to 5-year extensions upon agreement by the Parties; and,

WHEREAS, the Parties desire to enter into this first Towing and Impound Service Extension in accordance with the terms of this Extension.

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

1. The City Manager is hereby authorized to execute a Five-Year Towing and Impound Service Contract and Commercial Lease for Property with Mike Freeman's Towing Services, LLC for the Police Department in accordance with the criteria listed above and in a form to be approved by the City Attorney.

PASSED AND APPROVED this the 7th day of March 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
March 7, 2023

ITEM/SUBJECT: Resolution rejecting the bid for roadway striping from Traffic Highway Maintenance, LLC in the amount of \$161,780.

INITIATING DEPT: Aviation, Traffic, & Transportation

COMMENTARY: On February 24, 2023, the Purchasing Division received a single bid (23-05) from Traffic Highway Maintenance, LLC for 100,000 lineal feet of roadway striping in the amount of \$161,780. The FY 23 striping budget included several major arterials, such as Kemp and Call Field Rd., as well as several bicycle lane projects.

It is staff's recommendation that Bid #23-05 be rejected. Staff will proactively contact roadway striping companies to solicit future bids in order to receive more competitive pricing.

☒ **Purchasing**

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

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution rejecting the bid for roadway striping from Traffic Highway Maintenance, LLC in the amount of \$161,780

WHEREAS, the City received a bid on February 24, 2023, for 100,000 lineal feet of roadway striping from Traffic Highway Maintenance, LLC in the amount of \$161,780; and,

WHEREAS, it is in the City's best interest to reject the bid because the price is not competitive for the work to be performed.

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

The City hereby rejects any and all bids received for roadway striping for the Traffic Engineering Division.

PASSED AND APPROVED this the 7th day of March 2023.

MAYOR

ATTEST:

City Clerk