

## City of Wichita Falls City Council Agenda



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

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



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**Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, April 4, 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>)**

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Item #

1. Call to Order
2. (a) Invocation: Pastor Chris Swinford  
Faith Village Church of Christ  
  
(b) Pledge of Allegiance
3. Presentations
  - (a) Employee of the Month – Oren Brown, Aviation, Traffic, & Transportation, Public Transportation
  - (b) Proclamation – National Telecommunicator Week, Police Department
  - (c) Proclamation – National Public Health Week, Health Department
  - (d) Recognition of Foreign Exchange Students – Dave Clark

## **CONSENT AGENDA**

4. Approval of minutes of the March 21, 2023 Regular Meeting of the Mayor and City Council.
5. Receive Minutes
  - (a) Landmark Commission, November 22, 2022

## **REGULAR AGENDA**

6. Public Hearing & Ordinances
  - (a) Conduct a public hearing and take action on an ordinance to rezone 2901 City View Drive (Hicks Subdivision, Lot 1, Block 1) from Light Industrial (LI) to the Single Family 1 (SF-1) zoning district and amend the Land Use Plan from Light Industrial to Low Density Residential to allow for the development of an additional residential structure
    - i. Public Hearing
    - ii. Take Action
  - (b) Ordinance making an appropriation to the Special Revenue Fund for Public Health Infrastructure Grant (PHIG) funding in the amount of \$2,509,263 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same
  - (c) Ordinance accepting \$187,090 for the Public Transportation Division from the Texas Department of Transportation in Federal Transit Agency funds for FY 2020 Section 5339 Bus and Bus Facilities Formula Grants
  - (d) Ordinance accepting \$155,820 from the United States Department of Energy for FY 2023 Energy Efficiency and Conservation Block Grant Funds
7. Resolutions
  - (a) Resolution authorizing the City Manager to Approve Change Order No. 1 and Final for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements Project for a deduct in the amount of \$147,433.70
  - (b) Resolution for appointment to Wichita-Wilbarger 9-1-1 District
  - (c) Resolution approving an agreement under the Meet and Confer process to allow for creation and maintenance of multiple eligibility lists for beginning positions in the Police Department

## 8. Other Council Matters

(a) 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 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, City Manager, City Attorney, Judge of the Municipal Court, and City Clerk.)

## 11. Adjourn

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

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

## CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 29<sup>th</sup> day of March, 2023 at 3:30 o'clock p.m.

  
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City Clerk

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**CITY COUNCIL AGENDA**  
**April 4, 2023**

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

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

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**NAME:** Oren Brown

**DEPARTMENT:** Public Transportation

**HIRE DATE:** May 29, 2018

**PRESENT POSITION:** Transit Operator

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**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**

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☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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City of Wichita Falls  
City Council Meeting  
Minutes  
March 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
Bobby Whiteley	-	Mayor Pro Tem/ At-Large
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Larry Nelson	-	
Michael Smith	-	
Darron Leiker	-	City Manager
Kinley Heggland	-	City Attorney
Marie Balthrop	-	City Clerk

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

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**Item 2a – Invocation**

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

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**Item 2b – Pledge of Allegiance**

Mayor Santellana led the Pledge of Allegiance.

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**Item 3-5 – Consent Items**

8:32 a.m.

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

Moved by Councilor Browning to approve the consent agenda.

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

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

Nays: None

**Item 3 – Approval of Minutes of the March 7, 2023, Regular Meeting of the Mayor and City Council**

**Item 4a – Ordinance 11-2023**

Ordinance making an appropriation to the Special Revenue Fund in the amount of \$7,000.00 for grant funding from the Dallas Internet Crimes Against Children Task Force, which is administered by the City of Dallas Reimbursement Program.

**Item 4b – Resolution 30-2023**

Resolution authorizing the City Manager to award bid and contract for Steel Guard Railing Along Holliday Creek to Benedict R. Lindeman Jr. dba Lindeman Welding in the amount of \$81,260.00.

**Item 5 – Receive Minutes**

- (a) Wichita Falls-4B Sales Tax Corporation (4BSTC) December 1, 2022
- (b) Wichita Falls-Wichita County Public Health Board, January 13, 2023
- (c) Wichita Falls Park Board, January 26, 2023
- (d) Planning & Zoning Commission, February 8, 2023
- (e) Lake Wichita Revitalization Committee, February 14, 2023

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**Item 6(a)i – Public Hearing**

8:33 a.m.

Conduct a public hearing on an ordinance finding certain buildings and/or structures to be dangerous.

Mayor Santellana opened the public hearing at 8:33 a.m.

Rita Miller, Code Enforcement & Housing Administrator, addressed the council and discussed the dangerous structure criteria, demolition process, notice timeline, and presented the following dangerous structures for demolition:

1501 N. 9<sup>th</sup> St. main and accessory structures – Date of notice October 14, 2022, date of fire February 27, 2015. Vida Cooke, 1815 8<sup>th</sup> Street, addressed the Council and stated that she would like to obtain a permit and repair the property, and requested an extension. Ms. Cooke stated that she can have the property repaired within 120 days.

1117 23<sup>rd</sup> St., main structure – Date of notice October 14, 2022 and there were no public comments.

620 Barwise St., main structure – Date of notice November 8, 2022, and there were no public comments.

1905 Burroughs St., main structure – Date of notice October 14, 2022, and there were no public comments.

903 Falls Dr., main structure – Date of notice September 30, 2022, and there were no public comments.

905 Falls Dr., main and accessory structures – Date of notice October 7, 2022, and there were no public comments.

1407 Grace St., main structure – Date of notice October 14, 2022, and there were no public comments.

3912 Iowa Park Rd., main structure – Date of notice November 15, 2022, and there were no public comments.

3914 Iowa Park Rd., main and accessory structures – Date of notice June 19, 2020, and there were no public comments.

3116 ½ Jacqueline Rd., main and accessory structures – Date of notice November 15, 2022, date of fire November 25, 2021, and there were no public comments.

901 Jacqueline Rd., main and accessory structures – Date of notice September 30, 2022, and there were no public comments.

903 Jacqueline Rd., main structure – Date of notice September 30, 2022, and there were no public comments.

711 Jalonick St., main and accessory structures – Date of notice November 8, 2022, and there were no public comments.

500 Juarez St., main structure – Date of notice September 29, 2022, and there were no public comments.

1601 McGregor Ave., main structure – Date of notice October 14, 2022, date of fire February 5, 2022, and there were no public comments.

914 E. Scott Ave, abandoned motel – Date of notice September 30, 2022, and there were no public comments.

1115 E. Scott Ave., abandoned store – Date of notice October 13, 2022. Judith Hudson, 1626 Collins Ave, stated that she has a potential buyer willing to fix up the property, and willing to pay back taxes.

Dennis Rivard, 1929 Perigo St., stated that he saw the notice in the newspaper, and he has been looking at this property for some time and was unable to contact Ms. Hudson. He asked if securing the property would that be sufficient while he researches possible liens against the property. Mrs. Miller suggested a predevelopment meeting to discuss code requirements for a commercial property.

Tom Taylor, 2318 Rockhill Rd., addressed the Council and stated that structure issues were important to address and he thanked the Council for their work.

Ms. Cooke inquired about 3914 Iowa Park Rd, and stated she is interested in contacting the owner and purchasing this property.

Mayor Santellana closed the public hearing at 9:08 a.m.

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**Item 6(a)ii – Ordinance 12-2023**

9:08 a.m.

Ordinance finding certain buildings and/or structures to be dangerous; requiring property owners to demolish said buildings and/or structures within thirty (30) days of the date of this ordinance and declaring an emergency and immediate effective date.

Moved by Councilor Browning to approve Ordinance 12-2023 with 1501 N. 9<sup>th</sup> street moved to the repair list.

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

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

Nays: None

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**Item 7a – Resolution 31-2023**

9:09 a.m. a.m.

Resolution authorizing the purchase of thirty-six (36) ProTech Assault VP Shields Level III w/viewports through the BuyBoard Purchasing Cooperative from G T Distributors, Inc. in the amount of \$122,364.00.

Moved by Councilor Brewer to approve Resolution 31-2023.

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 7b – Resolution 32-2023**

9:11 a.m.

Resolution authorizing the City Manager to make application for a grant from the Department of Justice, Bureau of Justice Assistance, FY 2023 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies, in the amount of \$942,603.00.

Moved by Councilor Browning to approve Resolution 32-2023.

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 7c – Resolution 33-2023**

9:14 a.m.

Resolution authorizing the purchase of twelve (12) Flock Safety Automated License Plate Recognition (ALPR) cameras through the sole source vendor from Flock Safety in the amount of \$69,500.00.

Moved by Councilor Brewer to approve Resolution 33-2023.

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

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

Nays: None

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**Item 7d – Resolution 34-2023**

9:17 a.m.

Resolution authorizing The City Manager to execute all documents necessary to make an emergency purchase for a replacement Chiller for the Health Department from Trinity Air Conditioning, Inc. in the amount of \$311,565.

Moved by Councilor Browning to approve Resolution 34-2023.

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

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

Nays: None

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**Item 7e – Resolution 35-2023**

9:22 a.m.

Resolution authorizing the City Manager to approve a contract modification for the maintenance of the Storm Watch Tower at Castaway Cove for an addition of \$30,000

Moved by Councilor Brewer to approve Resolution 35-2023.

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

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

Nays: None

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**Item 7f – Resolution 36-2023**

9:25 a.m.

Resolution authorizing the City Manager to execute a five-year contract with Falls Town Courts LLC, to provide management services for Hamilton and Weeks Park Tennis/Pickleball Centers in the amount of \$120,000

Moved by Councilor Browning to approve Resolution 36-2023.

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

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

Nays: None

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Mayor Santellana moved to item 8(a)

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**Item 8a – Staff Reports – Strategic Plan Update, Paul Menzies**

9:42a.m.

Paul Menzies, Assistant City Manager, gave a presentation and update on the Strategic Plan, and discussed progress made on the 5 goals and 33 strategies. Various Directors provided updates for goals and strategies in their departments.

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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.**

10:53 a.m.

Councilor Brewer recognized Woman's History month and thanked all women that work and run businesses in Wichita Falls.

Councilor Smith discussed the dedication of the Sport's Complex last night and noted that at this time last year we had 4 softball tournaments scheduled and now we have 16 scheduled. That is what investment in the future will do.

Councilor Browning thanked Paul Menzies for his presentation.

Councilor Whiteley agreed with Councilor Smith's comments regarding the Sport's Complex and stated that it looks fabulous and probably should have been completed years ago. He thanked the Fire and Police departments for the annual Gun's and Hose's fundraising event that was well attended. Councilor Whiteley asked if we keep track of all water main breaks and repairs and expressed concern about recurrent issues at the block on Lamar between 13<sup>th</sup> and 14<sup>th</sup> Streets. Russell Schreiber stated they do keep records and that information is used when annual maintenance projects are planned.

Councilor Nelson stated the Softball Complex looks great.

Councilor Jackson stated that the demo process approved today has been a long time coming and it is a start for the derelict buildings in Districts 5 and 1. He thanked Rita for her work on this process.

Mayor Santellana stated it our responsibility to stay on top of the derelict structures due to fire and health hazards. He thanked Paul and staff for the Strategic Plan review, and discussed the importance of the plan for decisions now and in the future. The Sport's Complex event was great and he discussed public comments he received after the event. It is a great asset for the community.

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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**

11:03 a.m.

Alyssa Johnston, 901 Indiana Ave., Ste. 350, Program Coordinator for the Alzheimer's Association, North Central Texas Chapter, discussed the Alzheimer's Community Forum she will be hosting on March 25, 2022, from 1:00 – 3:00 p.m. at the Martin Luther King Center. Ms. Johnston discussed statistics and individuals that are at a higher risk. The association is committed to inclusion of all citizens and being connected to the community.

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**Item 10 – Executive sessions**

11:08 a.m.



City Council adjourned into Executive Session at 10:03 a.m. in accordance with Texas Government Code §551.072, §551.087, and §551.071.

City Council reconvened at 12:00 p.m.

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

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Mayor Santellana returned to item 7g

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**Item 7g – Resolution 37-2023**

12:01 p.m.

Resolution approving the programs and expenditures of the Wichita Falls 4B Sales Tax Corporation Board of Directors and amending the budget to include funding up to \$62,443 to the City of Wichita Falls for the acquisition of a 14.7± acre tract of land otherwise known as 1500 Scotland Drive.

Moved by Councilor Browning to approve Resolution 37-2023.

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

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

Nays: None

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**Item 11 –Adjourn**

Mayor Santellana adjourned the meeting at 12:04 p.m.

PASSED AND APPROVED this 4<sup>th</sup> day of April 2023.

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Stephen Santellana, Mayor

ATTEST:

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Marie Balthrop, TRMC, MMC  
City Clerk

# LANDMARK COMMISSION MINUTES

November 22, 2022

## MEMBERS PRESENT:

Michele Derr  
John Dickinson  
Christy Graham  
Joel Hartmangruber  
Nadine McKown  
Noros Martin  
Janel Ponder Smith  
Tim Brewer

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

Kinley Heggland, City Attorney  
Terry Floyd, Development Services Director  
Chris Horgen, Public Information Officer  
Karen Montgomery-Gagné, Principal Planner/HPO  
Christal Cates, Development Services Assistant

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

## ABSENT:

Andy Lee  
Marcela Medellin

■ Member  
■ Member

## GUESTS:

Eduardo Fuentes, Contractor  
Fr. Joseph Lim, Owner/Applicant  
Steve Wood, BYSP Architects  
Derek BROWN, Applicant/CWF IT/Building Services Administrator  
Katrina Lister, Owner/Applicant

■ 612/614 Ohio  
■ 612/614 Ohio  
■ 1300 7<sup>th</sup> Street  
■ 1300 7<sup>th</sup> Street  
■ 1704 Tilden

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

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

## II. Review & Approval of Minutes from: October 18<sup>th</sup> 2022

Chairperson Derr called for review and approval of the October 18<sup>th</sup> 2022 Landmark Commission meeting minutes. Mr. Noros Martin made a motion to approve the minutes, Ms. Janel Ponder-Smith seconded the motion. Minutes were unanimously approved 7-0.

## Regular Agenda Item

## III. Action Item: Design Review – 612/614 Ohio Avenue: Depot Square Historic District

Request to retain illegally constructed metal/wood carport in the rear yard, visible from Ohio Avenue and alley:

- Materials: metal, wood, concrete/cinder blocks
- Roof: standing seam metal

Request lattice panels on existing chain link fence/gate for additional privacy.

Ms. Gagné presented the case and stated the subject property, formerly known as B & B Antiques was located in the heart of the Depot Square Historic District and a contributing structure to the character of the district. The subject property, a 2-story red brick commercial building was constructed in 1913, during the oil boom era. Inventory photos displayed to the Commission show visibility of the carport from both Ohio Avenue and rear alley.

Staff received a report of a carport being constructed in the historic district without receiving an approved design review from the Landmark Commission. On October 21<sup>st</sup>, 2022, a City building inspector found a carport being constructed at the subject property without design review approval and no permits for construction. The building inspector issued a stop work order for an illegal commercial carport and photographed the work already performed.

Many violations were found for both zoning and building codes. The zoning violation was related to the setback of the structure. The contractor constructed carport approx. 1ft. into the presumed interior property line setback. Therefore, this violates city ordinance since required setbacks shall remain free of any building or structure higher than 2ft unless non-combustible materials, etc.

The building code violations found were for exterior walls in the 2015 International Residential Code (IRC) stating, carport hybrid structures with combustible materials require a 5ft. setback from property line. A foundation violation also found in IRC 2015 states, "*All exterior footings shall be placed at least 12 inches (305 mm) below the undisturbed ground surface.*" Ms. Gagné advised because no building permits were obtained no assessment was performed before pouring concrete. If the work had been inspected, staff could have ascertained footing depth and rebar requirements. Another violation was for framing and roof slope. Ms. Gagné stated when the stop work order was issued on October 21<sup>st</sup>, the contractor had not finished the framing. Staff returned to the location at a later date to collect more information from the owner and discovered additional wood framing had been installed to support the roof but not anchored or installed according to Building Code standards. The final violation noted was for the carport roof, violating Section R905.1.2-Slope. "*The minimum roof slope for lapped, non-soldered seam metal roofs with applied lap sealant shall be one-half unit vertical in 12-units horizontal (4% slope).*" The ceiling bows inward in center and therefore does not have adequate fall to support a ground snow load requirement of 5 lbs./sf Figure R301.2.5 - 2015 IRC. Detailed photos displayed showed views of roofing material, the support/cross beam construction and lack of proper footings, both items in violation of building code.

Ms. Gagné noted besides all the violations, the carport does not follow the intent of Wichita Falls Design Review Guidelines. Also visible from the alley were lattice panels attached to the chain link fence and gates for added privacy the owner was petitioning to retain. Photos showed a detailed view of the carport framing and rear masonry wall. Holes had been drilled in preparation for connection/tie into historic brick wall. Owner stated there would be no lag bolts or screws into historic brick material. Ms. Gagné advised the importance of following Design Review Guidelines which recommend avoiding damage to historic brick and penetration only through grout if necessary.



Ms. Gagné concluded the presentation advising the Commission the owner and contractor were present to answer any additional questions. Mr. Hartmangruber asked the contractor Mr. Fuentes how deep the rebar was in the footings. Mr. Fuentes stated they were 18" and filled with concrete. Mr. Hartmangruber asked where he got the figures for the sizing spans and if he followed any codes. Mr. Fuentes stated he followed no codes. Mr. Hartmangruber gave his professional opinion that the carport looked to be a very dangerous structure and didn't think it would withstand the elements, stating there was no cross bracing, no momentum connections which presented a big safety concern.

Ms. Ponder-Smith pointed out a large crack down the center of one of the support posts shown in the slide presentation. Mr. Fuentes stated he had not finished construction and that he was going to drill bolts into it down to the existing slab. Mr. Martin pointed out the structure looked dangerous and not professionally constructed. Chairperson Derr stated this structure would not be approved to remain due to the safety element of construction and not having obtained any permits. Mr. Fuentes stated back in the 1990's when he had his construction business he didn't remember permits being required. A member of the Commission stated permits have been required since probably before the 1960's.

Mr. Hartmangruber stated he appreciated that the owner was trying to fix up the structure, however, this could not be considered fixing, noting this was a safety hazard not only to the owner but surrounding neighbors as well. Mr. Hartmangruber advised the structure needed to be taken down immediately to the foundation and start from that point with permits and the proper inspections being obtained along the way. Father Lim, the owner, apologized for not having followed the required procedures. He stated his contractor advised him no permits were needed for a carport.

Ms. Graham asked staff if this petition was denied and he returned at a later date with new plans if the applicant would have to wait the minimum time frame to re-apply. Ms. Gagné advised that this case was a unique scenario and that Father Lim would need to craft a new proposal to present a design review request to the Commission. Ms. Gagné's interpretation is that a new application would be sufficiently different enough from what was being presented today that Father Lim would not be required to wait 6-months to re-apply.

Ms. Graham introduced a motion to separate the proposal into two items for voting purposes. Ms. Ponder-Smith seconded with a passing vote of 7-0. Ms. Graham made a motion to allow the placement of lattice panels on the existing chain link fence/gate in the rear yard. Mr. Hartmangruber seconded the motion which passed with a 7-0 vote. Chairperson Derr introduced a motion to deny the commercial carport based on it being in violation of building code, zoning ordinance and design review guidelines. Ms. McKown seconded the motion to deny. The Commission had a unanimous vote of 7-0 to deny allowing the carport to remain.

#### **IV. Action Item: Design Review – 2908 10<sup>th</sup> Street: West Floral Heights Historic District**

Request to Retain an Unauthorized Residential Carport:

- Materials: metal framing covered by wood components; front-gable roof design; metal rafter ends; wood elements include: lap siding, columns, soffit/fascia boards and false window frame to mirror house design
- Roof – standing seam metal

Ms. Gagné presented the case and stated the subject property was actually two separate properties, 2908 & 2910 10<sup>th</sup> Street. Ms. Gagné stated the owner had worked with staff after the stop work order for the previously constructed metal framed carport to consider three potential options. Owner opted to move forward with replatting to combine the two residential lots. The re-plat provided the opportunity for an accessory structure to be considered by the Landmark Commission.

Ms. Gagné advised the subject property was a contributing structure located at the north end of the West Floral Heights Historic District. The home was built in 1925 in a Craftsman architecture style. Inventory photos from 2004 show a structure on the former adjacent lot at 2910 10<sup>th</sup> Street. A photo from June 2018 show the structure gone leaving a vacant lot. Ms. Gagné advised when the district was designated there was a two-story Prairie style home at 2910 10<sup>th</sup> St; circa 1919. The structure became a life, health and safety concern within the neighborhood with scaffolding on-site for approximately 8-10 years, significant resident complaints and issues with conditions inside the building and on-site resulted in numerous Code violations and City Council ordered the demolition.

In July 2021 the applicant started fence construction at 2910 10<sup>th</sup> St without permits being obtained. City staff issued a stop work order and a design review case was considered by Landmark Commission and later approved for a 6ft wood privacy fence/gate outside the 25ft. front setback area.

Ms. Gagné stated staff received a report of a carport being constructed without Landmark approval and obtaining the proper permits. On September 21<sup>st</sup>, 2022 City building inspector met with the owner and issued a stop work order. The owner was advised of three options regarding the framing already constructed:

1. Remove carport framing;
2. Re-plat 2908 & 2910 as one lot to allow the option for an accessory structure; Landmark Com. approval still required;
3. Remove framing; request approval from Landmark Com. for rear accessory structure at 2908 10<sup>th</sup> Street.

Ms. Gagné advised the Commission the owner had chosen to pursue option #2 and further advised, if approved, the carport must be subordinate in terms of height, massing and form to the historic, primary residence while also using complementary materials to be mindful of the historic and architectural character of the houses in this block. The owner also requested a metal standing seam roof that would be visible from 10<sup>th</sup> Street in place of a composition shingle roof. Current framing will not support a composition shingle roof and adds cost to the project.

Staff worked with the owner on his plans to retain the carport to replicate the look of his historic home. Rather than use wood for roof beams, he would like to use metal and paint white to match the residence. The owner was attempting to ensure the materials used would reflect those historically present in the district.

Ms. Gagné stated research showed secondary structures in the district were of a much smaller scale and generally accessed through the alley to rear of the home. Historic setback patterns for carports/garages would have been in the rear-side yards. This was an unusual case because the front setback area throughout the district typically has residential



structures but since the former house was demolished there could potentially be a detached carport in the front building area depending on how the Commission interpreted the Design Guidelines. Ms. Gagné advised the Commission the applicant was not present, but she would try to answer any questions.

The Commission discussed the case and Ms. Graham stated she had no issues with a metal roof and that there are materials that are metal, made to replicate the look of typical wooden shingles that could be purchased. Ms. Graham made a motion to separate the proposal into two separate items and was seconded by Ms. McKown and passed unanimously 7-0.

Ms. Graham made a motion to approve the carport as proposed in the application with metal structural system covered with wood components - square columns, lap siding, soffit/fascia boards, front-gable roof, window proportionate with carport scale, gutters/downspouts on east/west facades, exposed roof beams (painted metal) and color scheme on the 10th St (south facade) consistent with the historic residence at 2908 10th Street. Ms. Ponder-Smith seconded and the motion passed unanimously 7-0.

Ms. Ponder-Smith made a motion to allow additional construction to support a roof that is either metal shingles or composition shingle that match the color and appearance of the historic residential roof at 2908 10th Street. Mr. Hartmangruber seconded the motion which passed unanimously with a vote 7-0.

**V. Action Item: Design Review – 1704 Tilden Street: West Floral Heights Historic District**

Request for façade repair/replacement & stabilization due to deterioration & separation from structure.

- Amend approved brick selection

Ms. Gagné presented the case and stated the owner/applicant was present and there had been new information received for a change in the requested replacement brick to be discussion during the presentation. Ms. Gagné stated the previous approval from the Commission was in August of 2020, and was beyond the one-year design review renewal timeline, thus the reason for the request to amend.

Ms. Gagné advised the subject property was located in the south part of the West Floral Heights Historic District. The structure was constructed in 1920 with the second story being added in 1960. Photos displayed deterioration of all four facades with the north brick veneer separated from main structure and by 2020 had become a life, health & safety concern. Current photos show project has been initiated with brick veneer partially removed from the north and south facades along with the brick chimney. At this time the progress has stalled due to multiple factors including Covid, contractor delays and the brick selection being unavailable.

The previously approved replacement brick was Whitesboro #8799, which is no longer available from the vendor. Therefore, the owner had requested to replace all brick with style Libby Mills, however, the owner was concerned the brick selection was too modern with the variation and darker bricks interspersed. The owner has requested the use of Harper Creek option as there is a more uniform color with less variation and believes it will be a better match with the existing second story painted siding.

Mr. Martin asked the owner if all the brick would be replaced to which the owner advised yes, all the current brick façade would be replaced. Ms. Ponder-Smith made a motion to accept the requested brick selection amendment of "Harper Creek" that will be used for replacement brick veneer (north, south, east and west facades - 1st story) and the chimney as part of the foundation/stabilization project with the brick veneer remaining unpainted. Mr. Dickinson seconded and the motion passed unanimously 7-0.

**VI. Action Item: Design Review Renewal/Modification – 1300 7<sup>th</sup> Street – Memorial Auditorium Building: *City Landmark #2***

Request for renewal/modification related to the West Wing Foundation Stabilization Project

Ms. Gagné presented the case and stated the City's auditorium building was located at 1300 7<sup>th</sup> Street and a prominent building of Spanish Eclectic style designed by architects Voelcker and Dixon in collaboration with Dallas architects. Lang and Winchell who completed the State Fair Music Hall in 1925. Construction began in 1927 on Memorial Auditorium and its design is a duplication of the Dallas Music Hall. The building was dedicated in 1928 and underwent a major remodel in 1963/1964 with the interior gutted, auditorium walls, ceiling, seating and stage areas updated along with city offices. Staff referenced visuals of the building in postcards, circa 1930-1945 that illustrated the original central block and wings as well as photos from the 1983 city landmark nomination application, prior to historic designation.

Inventory photos from 2013 showed the structure essentially unchanged, but in need of maintenance. Photos from the Times Record News archives in 2017 showed significant damage on 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> floors of the west wing as well as the outdoor stairs spreading and shifting concrete. A comprehensive feasibility study and building needs assessment conducted by BYSP Architects in 2017 stated structural problems related to support columns spreading at the bottom from years of pressure and shifting ground and the 1963/64 2<sup>nd</sup> floor renovation/addition; concrete floor poured at that time is shifting; walls are shifting away impacting doors, ceilings, windows, etc. In current photos, the continuing exterior damage is visible, particularly stop-gap repairs by the exterior 2<sup>nd</sup> floor door which is buckling under the weight of the structure.

Ms. Gagné advised as work progressed and the deteriorated brick and stucco were removed more damage was revealed. While trying to stabilize the deteriorated foundation additional issues such as cracking in the columns and a cut stem wall from when the exterior door was made from an existing window during the 1963/1964 remodel. Mr. Steve Wood from BYSP Architects stated engineers had to re-evaluate the newly discovered damaged and how best to proceed. Mr. Wood stated they would be replacing and adding a portion of a beam between 2 columns and will have to remove a portion of brick to do so. Initially the proposal was to reuse as much of the removed brick as possible, however, there is a concern there will not be enough salvageable brick to reuse. Therefore, they are requesting to use stucco as a replacement to match the current areas of stucco on the west wall.

Ms. Graham introduced a motion to allow minor material modification to an approved design review project allowing use of new brick veneer on the west facade as there will be insufficient salvaged brick to be repurposed after structural repairs; new brick sections will



be covered with stucco material to complement the existing stucco sections already on the west wall. Mr. Hartmangruber abstained from voting to ensure no conflict of interest even though not working on this project, he was employed by the architectural firm of BYSP Architects overseeing the stabilization project. Ms. Ponder-Smith seconded the motion which passed with a unanimous vote of 6-0.

## **VII. Action Item: 2023 Landmark Commission Meeting Schedule & Application Deadlines**

Ms. Gagné presented the proposed 2023 meeting schedule and application deadlines for the Landmark Commission and advised once adopted the document would be available on the City website. Ms. Graham made a motion to adopt the 2023 Landmark Commission Meeting Schedule & Application Deadlines as presented. Ms. McKown seconded with the motion passing unanimously 7-0.

## **VIII. Other Business:**

### **a) Monthly Reports**

#### **Depot Square:**

Ms. Derr gave the following updates:

- Nov. 26<sup>th</sup> – Small Business Saturday
- Dec. 3<sup>rd</sup> – Jingle & Mingle
- Dec. 10<sup>th</sup> – Cookie Crawl
- Dec. 17<sup>th</sup> – City of Lights Parade & Festival
- Nov-Dec. 10<sup>th</sup> – Backdoor Theater, The Best Christmas Pageant Ever Musical
- Nov-Dec. 18<sup>th</sup> – Wichita Theater, A Christmas Story, the Musical
- Nov. 25<sup>th</sup>-Dec. 17<sup>th</sup> – Wichita Theater, A Tuna Christmas
- Dec. 2<sup>nd</sup> & 3<sup>rd</sup> – Memorial Auditorium, The Nutcracker
- Dec. 17<sup>th</sup> – Kell House, Candlelight Tour
- Nov.30<sup>th</sup>-Dec. 9<sup>th</sup> – Kell House, Santa House
- Dec. 3<sup>rd</sup> – Kell House, Artist's Market

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

Ms. Ponder-Smith gave the following updates:

- Turkey Trot Fundraiser – Thanksgiving morning (Nov. 24<sup>th</sup>)
- Kim Tigrett, President of the West Floral Heights Historic District & Janel Ponder-Smith working with Ms. Gagné on historic district awareness efforts.

#### **Kell House Restoration/Rehab Project:**

Ms. McKown, Kell House Museum Curator, provided a final restoration status report and invited members to the official ribbon cutting on Oct. 25<sup>th</sup> at 5:00 p.m.

### **b) Updates:**

- Kell House Restoration/Rehab Project:  
Ms. McKown stated Chairperson Derr covered in her updates.

### **c) Resources & Periodicals - THC:**

- Preservation (National Trust) – Fall 2022

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

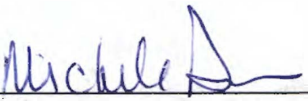
- 1404 Grant – WFHHD – HVAC replacement
- 1400 Tilden – WFHHD – Foundation/pool repair

- 1614 Tilden Front – WFHHD – Roofing permit for composition shingle
- 1614 Tilden Rear – WFHHD – Window & siding permits (Landmark authorized)
- 2904 Sturdevandt – Morningside NR District – Plumbing permit *(information purposes only)*
- 900 Bluff Street – Kell House Museum – revise existing sign logo/wording

**IX. Adjourn**

Next regularly scheduled meeting January 24, 2023 – 12 p.m.

Meeting adjourned at 1:28 p.m.

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

3-28-2023  
\_\_\_\_\_  
Date

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**CITY COUNCIL AGENDA**  
**April 4, 2023**

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**ITEM/SUBJECT:** Conduct a public hearing and take action on an ordinance to rezone 2901 City View Drive (Hicks Subdivision, Lot 1, Block 1) from Light Industrial (LI) to the Single Family 1 (SF-1) zoning district and amend the Land Use Plan from Light Industrial to Low Density Residential to allow for the development of an additional residential structure.

**INITIATING DEPT:** Development Services/ Planning

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**STRATEGIC GOAL:** Accelerate Economic Growth

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

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**COMMENTARY:**

- January 20, 2023 – Staff met with applicant/owner, Teresa Villarreal, to discuss subdividing and building a single family residence on her property. Staff outlined the site's zoning, allowed uses, and the process to rezone. The applicant/ owner, soon thereafter, submitted an application.
- February 17, 2023 - Planning staff mailed notifications of the proposed rezone to property owners within 200 feet of the subject property, in accordance with state law and local ordinance. Rezone signage was posted at the property notifying of the March 8, 2023, P&Z meeting.
- February 19, 2023 – Notice of March 8, 2023, P&Z public hearing published in the Times Record News (TRN), in accordance with state law and local ordinance.
- March 8, 2023 – P&Z conducts public hearing and recommends to the City Council approval of the rezoning requested by unanimous vote.
- March 10, 2023 - Notice of April 4, 2023, City Council public hearing mailed to all property owners within 200 feet of the subject property. Posted rezone signage revised to list city council public hearing date.
- March 12, 2023 - Notice of April 4, 2023, City Council public hearing published in TRN.
- April 4, 2023 – City Council scheduled to conduct public hearing and consider ordinance rezoning the subject property.

Staff met with the applicant/owner, Teresa Villarreal, to discuss subdividing and construction of a new residential structure (home) at 2901 City View Dr. in January 2023. Staff informed the applicant/owner that the existing Light Industrial (LI) zoning designation does not provide for new residential structures. Staff advised of the option of requesting to rezone the property to a Single-Family 1 designation by extending the adjacent Single-Family 1 (SF-1) district just to the north of the subject property. The applicant then submitted a rezone application for the March 2023 Planning and Zoning Commission meeting.

## **Evaluation**

The area to be rezoned is primarily situated adjacent to residential uses or undeveloped land. Staff believes the petition will allow the applicant's lot to better serve its purpose in terms of keeping a residential character for the surrounding properties.

1. **Changed Conditions:** Being removed from the commercial development along Northwest Freeway further south on City View Drive, the uses are reduced to residential uses along this section of City View Drive.
2. **Relationship to the Comprehensive Plan:** With the proposal, the land use is in conflict with the current designation of Light Industrial. Staff are recommending an amendment to the designation from Light Industrial to Low Density Residential to promote the long term designation of low density residential development.
3. **The nature and degree of impact upon neighboring lands:** When looking at the proposed transition, the use would be of very low intensity and impact to surrounding properties. The current designations of Light Industrial zoning leave the door open for developments with higher impacts to intrude into established residential neighborhoods. The greater risk of harmful development would come from failing to act and amend an improper designation.

If council approves the rezone to Single-Family 1 (SF-1), the applicant is subject to all other zoning and building code regulations for the residential project. Rezoning the tracts to Single Family 1 (SF-1) would be in harmony with the area and the Land Use Plan.

## **Recommendation**

In accordance with State law and local ordinances, the Planning and Zoning Commission (P&Z) conducted a public hearing at their meeting on March 8, 2023, and, after consideration, unanimously recommended approval by City Council.

Staff also recommends the approval of the ordinance.

☒ **Assistant City Manager**

☒ **Development Services Director**

---

**ASSOCIATED INFORMATION:** Exhibit A – Aerial Map; Exhibit B – Photos of Subject Property & Area; Exhibit C – Notification Response Map; Exhibit D – Zoning & Land Use Map; Exhibit E – Allowed Uses in Single Family 1; Exhibit F – Planning & Zoning Commission – March 2023 Minutes Excerpt; Ordinance; Attachments 1 & 2.

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



## Exhibit A – Aerial Location Map



R 23-02  
2901 City View Drive  
Aerial Map

CITY OF WICHITA FALLS, PLANNING DIVISION  
MAP PRODUCED BY: Cedric Hu  
DATE PRODUCED: 13 February 2023

Disclaimer  
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### Legend

- Subject Property
- Parcels



## EXHIBIT B - Rezoning Request – 2901 City View Dr.

Photo 1 – View of Subject Property from Airport Dr.



Photo 2 – View south from the subject property along Airport Dr.





## EXHIBIT B Cont. - Rezoning Request – 2901 City View Dr.

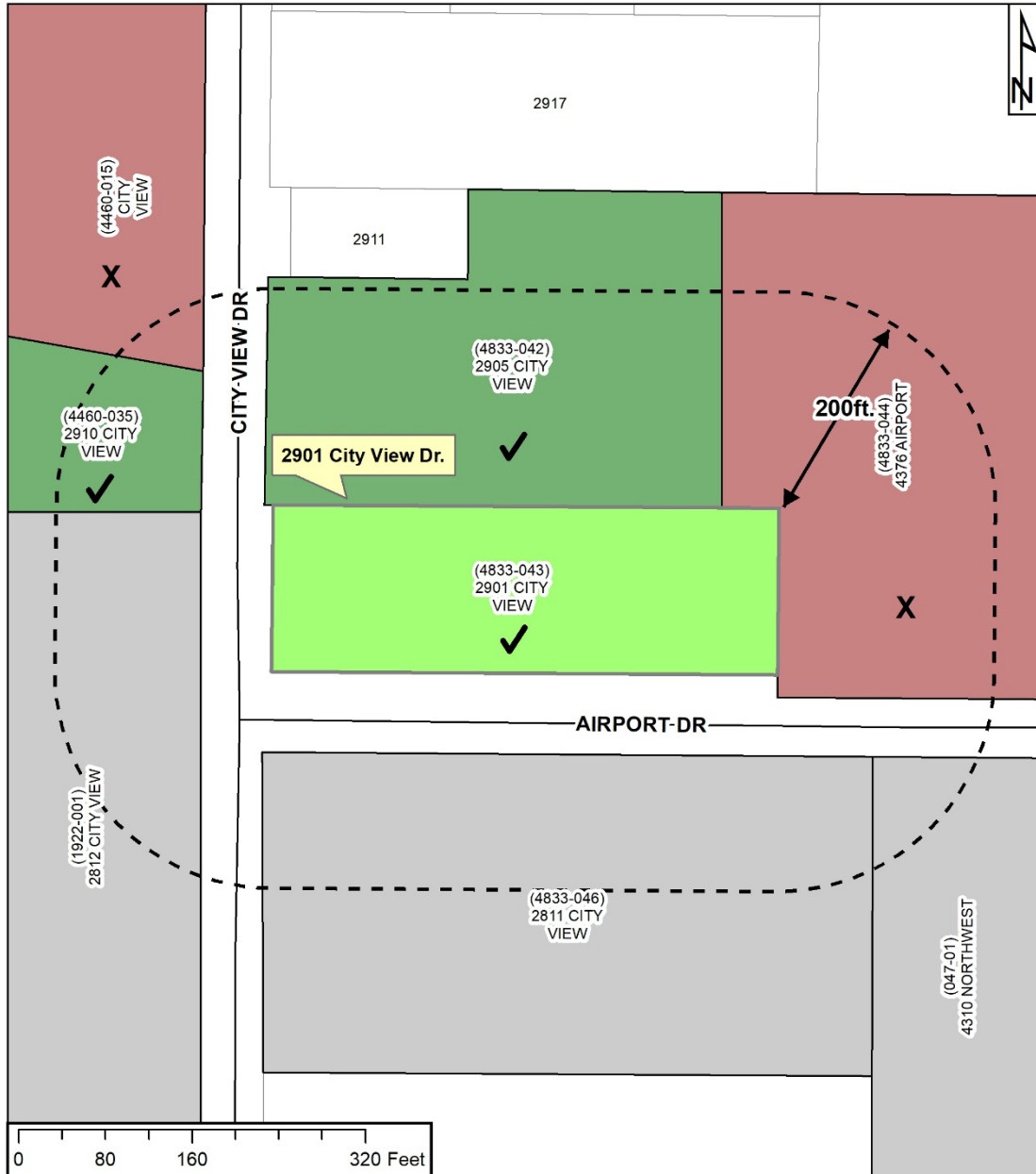
Photo 3 – West view from Subject Property along Airport Dr.



Photo 4– East view from the property along Airport Dr.



## Exhibit C – Notification Map



### R 23-02 2901 City View Drive Notification Response Map

CITY OF WICHITA FALLS, PLANNING DIVISION  
MAP PRODUCED BY: Cedric Hu  
DATE PRODUCED: 20 March 2023

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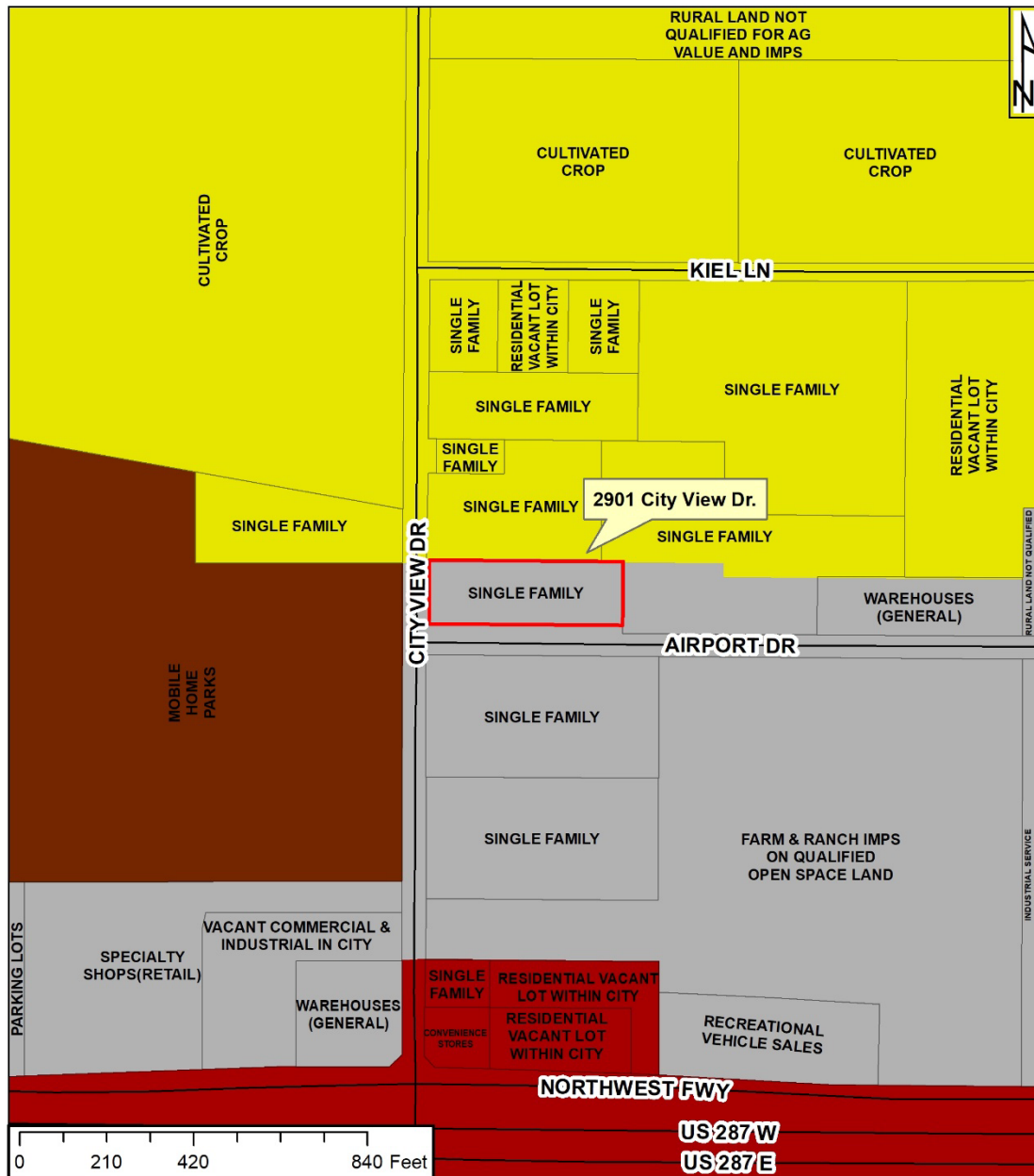
✓ In Favor  
X Opposed  
U Undecided/No Opinion  
MH Manufactured Home

#### Legend

Subject Property  
Notification Buffer  
Notified Properties  
Parcels



## Exhibit D – Zoning & Land Use Map



### R 23-02 2901 City View Drive Zoning and Land Use Map

CITY OF WICHITA FALLS, PLANNING DIVISION  
MAP PRODUCED BY: Cedric Hu  
DATE PRODUCED: 13 February 2023

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### Legend

<span style="border: 2px solid red; display: inline-block; width: 20px; height: 10px;"></span>	Subject Property	<b>Zoning</b>
<span style="border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span>	Parcels	<span style="display: inline-block; width: 20px; height: 10px; background-color: yellow;"></span> Single Family 1
		<span style="display: inline-block; width: 20px; height: 10px; background-color: brown;"></span> Mobile Home Residential
		<span style="display: inline-block; width: 20px; height: 10px; background-color: red;"></span> General Commercial
		<span style="display: inline-block; width: 20px; height: 10px; background-color: grey;"></span> Light Industrial

**Exhibit E**  
**Proposed Zoning: Single Family-1 Residential (SF-1) Zoning District**

**The following uses are permitted without any further review by the Planning and Zoning Commission. For additional regulations or definitions, contact the Planning Division.**

**Residential uses:**

Dwelling, single-family detached

**The following uses are permitted subject to submittal of a site plan and review by the Planning Division.**

**Civic uses:**

Household care facility

Park

School, primary

**The following uses are permitted following approval by the Planning and Zoning Commission for a Conditional Use Permit:**

**Residential Uses:**

Bed and breakfast homestay

Dwelling, duplex or two-family

Limited multi-family residential uses, subject to the provisions of [Section 5920](#)

Manufactured Home, subject to the provisions of [Section 5600](#)

**Civic Uses:**

Day care centers, commercial (nonresidential building).

Day care centers, limited (not conducted as a home occupation).

Private recreation areas, limited.

Public safety services.

Religious assembly.

Utility service.

**Commercial uses:**

Bed and breakfast inn.

Oil drilling, subject to the provisions of Appendix A, Subdivision and Development Regulations, section 6.4 Oil and Gas Well, as amended.

## Exhibit F

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### MINUTES – EXCERPT PLANNING & ZONING COMMISSION

March 8, 2023

**PRESENT:**

David Cook  
Michael Grassi  
Blake Haney  
Mark McBurnett  
Doug McCulloch  
Matt Marrs  
Paul Mason  
Wayne Pharries  
Jeremy Woodward

◆ Chairman  
◆ Member  
◆ Member  
◆ SAFB Liaison  
◆ Member  
◆ Member  
◆ Alternate No. 2  
◆ Member  
◆ Vice-Chair

James McKechnie, Deputy City Attorney  
Terry Floyd, Development Services Director  
Fabian Medellin, Planning Manager  
Cedric Hu, Planning Technician  
Christal Cates, Senior Executive Assist.

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

**ABSENT:**

Noros Martin  
Cayce Wendeborn  
Steve Wood  
Councilor Whiteley

◆ Member  
◆ Member  
◆ Alternate No.1  
◆ Council Liaison

---

Case 23-02 – 2901 City View Drive

**Public hearing to consider taking action on a proposed rezone of +/- 1.65 acres of land located at 2901 City View Drive (Hicks Subdivision, Lot 1, Block 1) from Light Industrial (LI) to Single Family-1 (SF-1) zoning district and amend the Land Use Plan from Light Industrial to Low Density Residential to allow for development of an additional residential structure.**

- a) Public Hearing
- b) Take Action

Chairman Cook opened the public hearing at 2:15 pm concerning case R 23-02. Mr. Hu presented the case, and stated the owner applicant of 2901 City View Drive would like to construct an additional residence on her property. City ordinances do not allow any new residential structures to be built inside Light Industrial (LI) zoning districts. The approval of the proposed rezone to the adjacent district of Single Family-1 would allow for an additional residential structure.

## Exhibit F Continued

Mr. Hu advised the subject property was located in the northwest area of Wichita Falls, north of Airport Drive and City View Drive intersection. The surrounding zoning district to the north is Single Family-1 (SF-1), to the south is Light Industrial (LI), to the east is Single Family-1 (SF-1) and Light Industrial (LI) and to the west is Mobile Home Residential (MHR) and Light Industrial (LI) zoning districts. Mr. Hu stated the uses surrounding the subject property to the north, south and east were single family residential uses with the west having a mixture of single family residential and mobile home parks.

Mr. Hu stated when the City adopted the zoning ordinance in 1985 the large tracts along City View Drive were given General Commercial (GC) and Light Industrial (LI) zoning designations. Further north is where Single Family-1 (SF-1) begins with large lot sizes.

The current zoning for the subject property is Light Industrial (LI) which does not allow for any new residential development, however, rezoning the property to Single Family-1 (SF-1) that is adjacent to the north of the subject property will allow for the new residential development. When evaluating a proposed rezoning request, it's standard procedure for planners to consider the relationship to the municipal comprehensive plan (land use element); the surrounding zoning districts and land use; infrastructure impacts; the intensity of use, along with the degree of impact on adjacent uses and size of land parcel. The area to be rezoned is primarily situated adjacent to residential uses or undeveloped land. Staff believe the petition will allow the applicant's lot to better serve its purpose in terms of keeping a residential character for the surrounding properties.

Staff notified 8 property owners within 200ft. of the subject property and received 3 responses in favor and 1 opposed. The opposing neighbor was contacted by staff and they stated their objection was they did not want any manufactured homes on the property. Once the objector knew the purpose for the proposed rezone they retracted their objection.

Staff recommends approval of the proposed rezoning request of +/- 1.65 acres of land at 2901 City View Drive (Hicks Subdivision, Lot 1, Block 1) to Single Family-1 (SF-1) Residential.

Chairman Cook asked if there was anyone from the public that would like to comment. The owner, Ms. Villarreal, was present for the meeting and advised she had nothing to add to the presentation. With no other comments, Mr. Cook closed the public hearing at 2:22 pm and asked for a motion to open the item for discussion. Mr. Woodward made the motion with Mr. Matt Marrs seconding. With no further

## **Exhibit F Continued**

discussion among the Commission, Chairman Cook called for a vote. The vote was 8-0 in favor of the rezoning recommendation

Ordinance No. \_\_\_\_\_

**Ordinance rezoning approximately +/- 1.65 acres of land located at 2901 City View Dr. (Hicks Subdivision, Lot 1, Block 1) from Light Industrial (LI) to Single Family-1 (SF-1) Residential to allow for the realignment of zoning districts with current and future development.**

WHEREAS, the Planning and Zoning Commission considered the proposed zoning change at its March 8, 2023 meeting, and voted to recommend approval of this request; and

WHEREAS, the City Council has reviewed this request and has determined the herein described zoning amendment is in the public interest.

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

1. Approximately +/- 1.65 acres of land located at 2901 City View Dr. (Hicks Subdivision, Lot 1, Block 1), as depicted on the attached map incorporated in this ordinance as **Attachment "1"**, is hereby rezoned from Light Industrial (LI) to Single Family - 1 (SF-1).
2. The area on the Land Use Map, as depicted on the attached map incorporated in this ordinance as **Attachment "2"**, is hereby amended to change the area from Light Industrial to Low Density Residential.

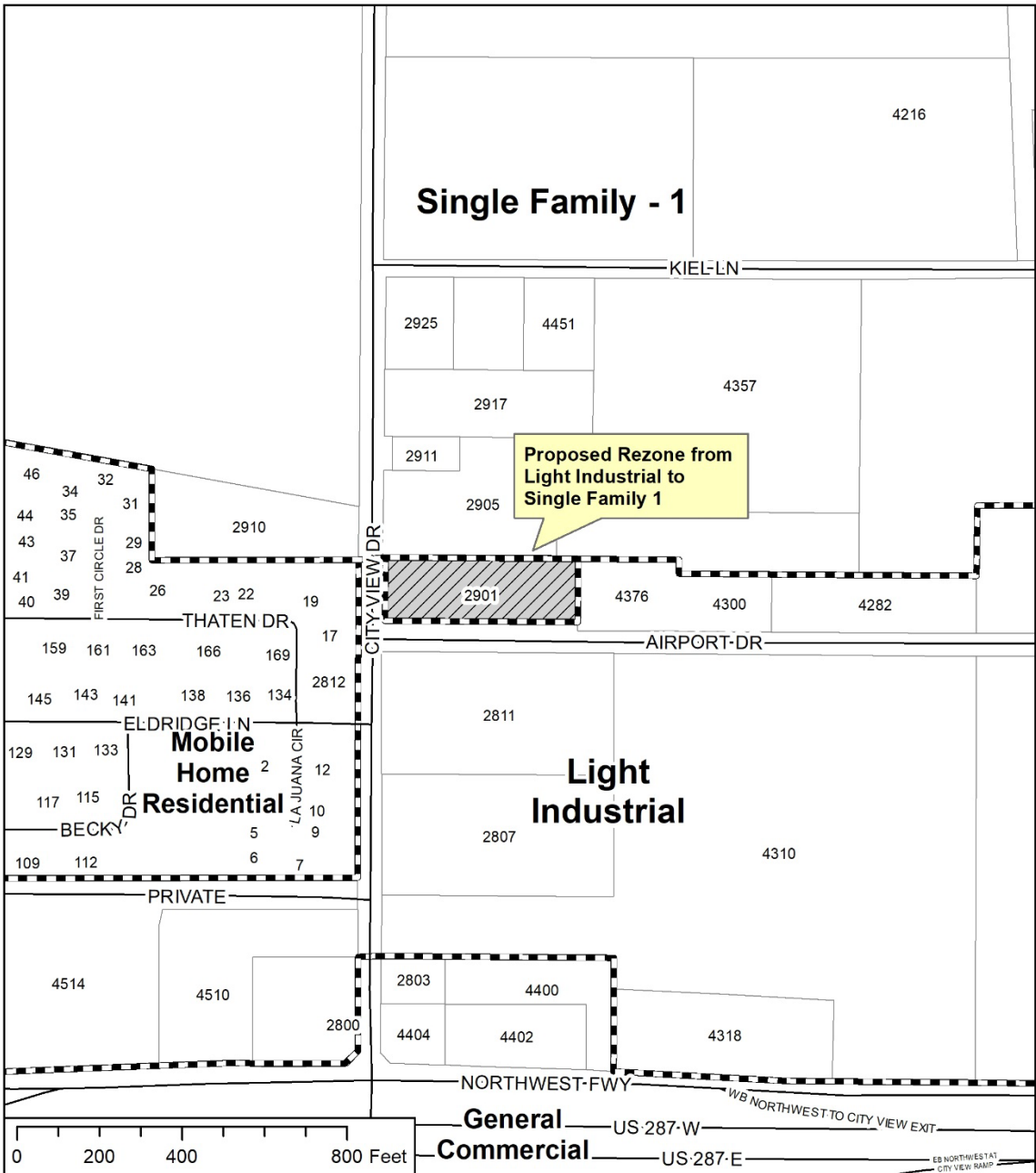
PASSED AND APPROVED this the 4<sup>th</sup> day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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

Attachment "1"



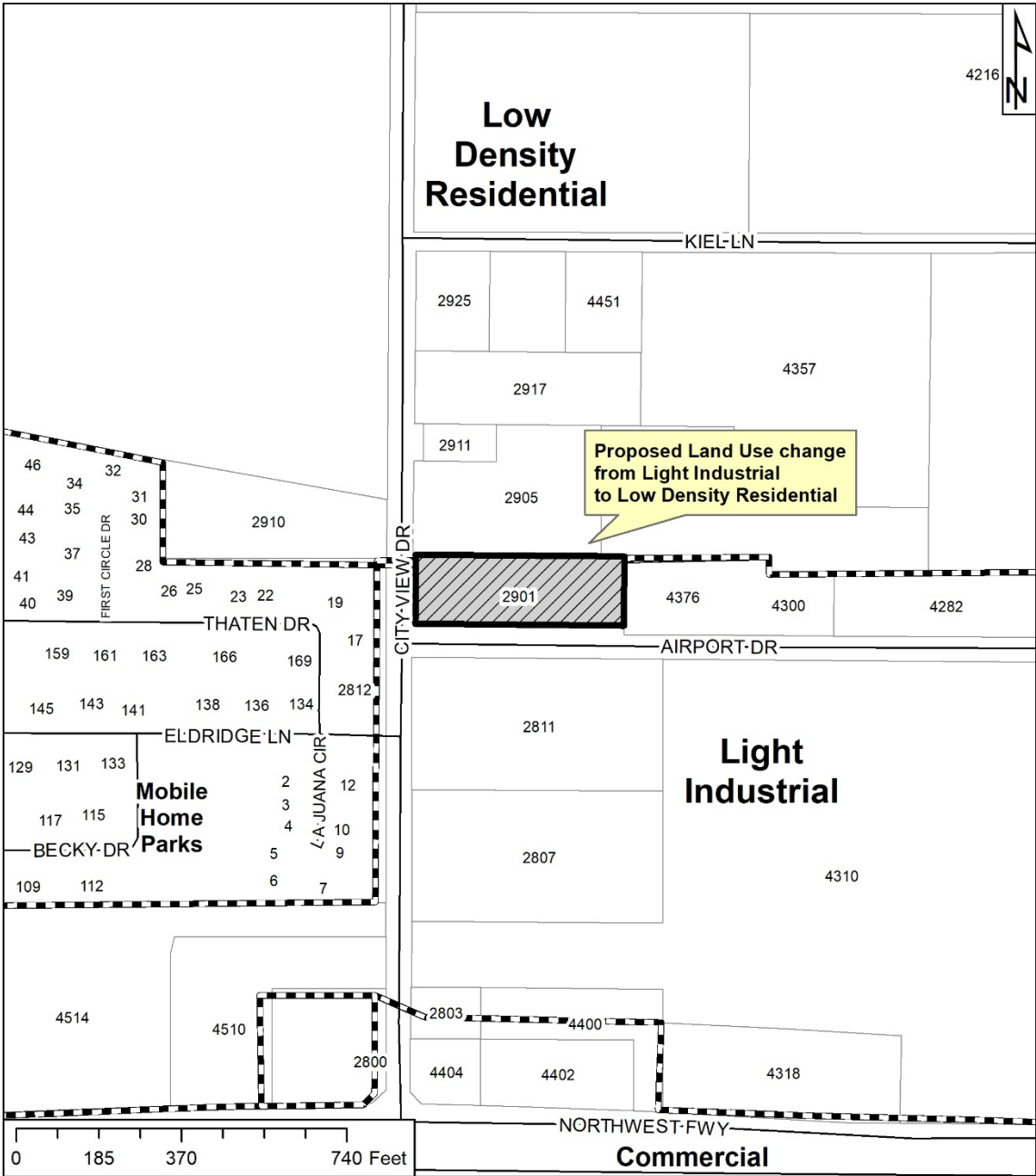
R 23-02  
2901 City View Drive  
Rezone Map

CITY OF WICHITA FALLS, PLANNING DIVISION  
MAP PRODUCED BY: Cedric Hu  
DATE PRODUCED: 13 February 2023

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- Legend**
- Zoning Boundary
  - Rezone Area
  - Subject Property
  - Parcels

Attachment “2”



R 23-02  
2901 City View Drive  
Land Use Map

CITY OF WICHITA FALLS, PLANNING DIVISION  
MAP PRODUCED BY: Cedric Hu  
DATE PRODUCED: 13 February 2023

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Legend

- Subject Property
- Proposed Land Use
- Land Use Plan Boundary
- Parcels



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**CITY COUNCIL AGENDA**  
**April 4, 2023**

---

**ITEM/SUBJECT:** Ordinance making an appropriation to the Special Revenue Fund for Public Health Infrastructure Grant (PHIG) funding in the amount of \$2,509,263 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same.

**INITIATING DEPT:** Health

---

**STRATEGIC GOAL:** Efficiently Deliver City Services

**STRATEGIC OBJECTIVE:** Practice Effective Governance

---

**COMMENTARY:**

The purpose of this contract is to make strategic investments to support hiring, retention, supporting, and training the public health workforce, and strengthening public health infrastructure and systems related to the workforce. Funds originated from the Centers for Disease Control and Prevention (CDC) to the Texas Department of State Health Services (DSHS) and were offered to grantees who currently have the Public Health Workforce Grant. There is no matching requirement.

This funding opportunity will allow those staff who are currently employed in the Workforce grant to continue employment. The Public Health Fellowship Program which was started in late 2022, will also continue with this funding; this program brings in undergraduate or graduate students into the department as part of a paid fellowship program to build knowledge and desire to work in the public health field. Additional work for health promotions, such as diabetes prevention and education, smoking cessation, and healthy cooking classes, will continue with this funding. The budget is as follows; salary and fringe (\$2,420,627), travel (\$7,533), supplies (\$38,121), and other (\$42,982).

This is a new contract with a term from execution of the contract until November 30, 2027.

Staff recommends approval of the ordinance.

☒ **Interim Director of Health**

---

**ASSOCIATED INFORMATION:** Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---

Ordinance No. \_\_\_\_\_

**Ordinance making an appropriation to the Special Revenue Fund for Public Health Infrastructure Grant (PHIG) funding in the amount of \$2,509,263 received from the Department of State Health Services and authorizing the City Manager to execute contract accepting same**

WHEREAS, the Department of State Health Services wishes to make strategic investments to support hiring, retaining, supporting and training the public health workforce, and strengthening public health infrastructure and systems; and,

WHEREAS, the approval of these funds could not have been anticipated prior to the adoption of the 2022 – 2023 budget.

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

There is hereby appropriated in the Special Revenue Fund \$2,509,263 for the Public Health Infrastructure Grant, and the City Manager is authorized to execute the contract accepting said grant funding from the State of Texas Department of State Health Services.

PASSED AND APPROVED this the 4th day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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

---

**CITY COUNCIL AGENDA**  
**April 4, 2023**

---

**ITEM/SUBJECT:** Ordinance accepting \$187,090 for the Public Transportation Division from the Texas Department of Transportation in Federal Transit Agency funds for FY 2020 Section 5339 Bus and Bus Facilities Formula Grants.

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

---

**STRATEGIC GOAL:** Efficiently Deliver City Services

**STRATEGIC OBJECTIVE:** Practice Effective Government

---

**COMMENTARY:** The City of Wichita Falls has been notified by the Texas Department of Transportation that it has been allocated \$187,090 in FY 2020 Federal Transit Agency (FTA) funds through the Section 5339 Bus and Bus Facilities Formula Grant. Transit agencies with populations over 200,000 receive their allotments directly from the FTA, while agencies with less than 200,000 in population, such as Wichita Falls, receive their allocation through the state. The Wichita Falls Transit System anticipates using these funds to purchase:

- electronic fare systems for the four newest buses in the fleet
- fare routing upgrades
- bus shelters.

This grant is classified as an 80% grant, and the City must provide the 20% local match. However, staff anticipates applying to the Texas Department of Transportation for Transportation Development Credits in the local match amount to apply towards the purchase of this new equipment. If successful, there will be no local match required for this purchase.

Staff has until September 30, 2023 to allocate these funds.

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

---

**ASSOCIATED INFORMATION:** Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---

Ordinance No. \_\_\_\_\_

**Ordinance accepting \$187,090 for the Public Transportation Division from the Texas Department of Transportation in Federal Transit Agency funds for FY 2020 Section 5339 Bus and Bus Facilities Formula Grants**

WHEREAS, the City of Wichita Falls received notification from the Texas Department of Transportation that \$187,090 is available from Section 5339 Bus and Bus Facilities Formula Grants for capital and preventive maintenance purchases; and

WHEREAS, it is desirable to budget these grant funds for the operation of the Wichita Falls Transit System; and

WHEREAS, the City of Wichita Falls anticipates applying for Texas Department of Transportation's Transportation Development Credits to offset local matches on capital purchases with these Section 5339 funds.

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

The City Manager is authorized to accept FY 2020 Federal Transit Administration Section 5339 funding from the Texas Department of Transportation.

PASSED AND APPROVED this the 4<sup>th</sup> day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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**CITY COUNCIL AGENDA**  
**April 4, 2023**

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**ITEM/SUBJECT:** Ordinance accepting \$155,820 from the United States Department of Energy for FY 2023 Energy Efficiency and Conservation Block Grant Funds.

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

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**STRATEGIC GOAL:** Efficiently Deliver City Services

**STRATEGIC OBJECTIVE:** Practice Effective Government

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**COMMENTARY:** The City of Wichita Falls has been notified by the United States Department of Energy that it has been allocated \$155,820 through the Energy Efficiency and Conservation Block Grant (EECBG) fund program. The EECBG Program is designed to assist states, local governments, and Tribes in implementing strategies to reduce energy use, to reduce fossil fuel emissions, and to improve energy efficiency.

Eligible projects include:

- Development and implementation of an energy efficiency and conservation strategy
- retaining technical consultant services to assist the eligible entity in the development of such a strategy
- conducting residential and commercial building energy audits
- establishment of financial incentive programs for energy efficiency improvements
- the provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits
- development and implementation of energy efficiency and conservation programs for buildings and facilities within the jurisdiction of the eligible entity
- development and implementation of programs to conserve energy used in transportation
- development and implementation of building codes and inspection services to promote building energy efficiency
- application and implementation of energy distribution technologies that significantly increase energy efficiency
- activities to increase participation and efficiency rates for material conservation programs, including source reduction, recycling, and recycled content
- procurement programs that lead to increases in energy efficiency
- the purchase and implementation of technologies to reduce, capture, and, to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar sources

- replacement of traffic signals and street lighting with energy efficient lighting technologies
- development, implementation, and installation on or in any government building of the eligible entity of onsite renewable energy technology that generates electricity from renewable resources
- programs for financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure), capital investments, projects, and programs, which may include loan programs and performance contracting programs, for leveraging of additional public and private sector funds, and programs that allow rebates, grants, or other incentives for the purchase and installation of energy efficiency, renewable energy, and zero-emission
- development of infrastructure, such as bike lanes and pathways and pedestrian walkways
- synchronization of traffic signals

This grant will provide 100% of the eligible costs associated with this program. As a result, there are no local match dollars required for City participation.

The City has until September 30, 2024 to allocate these funds.

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

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**ASSOCIATED INFORMATION:** Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

---

Ordinance No. \_\_\_\_\_

**Ordinance accepting \$155,820 from the United States Department of Energy for FY 2023 Energy Efficiency and Conservation Block Grant Funds**

WHEREAS, the City of Wichita Falls received notification from the United States Department of Energy that \$155,820 is available from the Energy Efficiency and Conservation Block Grant Program for various projects; and

WHEREAS, it is desirable to budget these grant funds for the operation of the City of Wichita Falls; and

WHEREAS, the City of Wichita Falls anticipates applying for United States Department of Energy for Energy Efficiency and Conservation Block Grant Program funds.

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

The City Manager is authorized to accept FY 2023 funding through the Energy Efficiency and Conservation Block Grant Program from the United States Department of Energy.

PASSED AND APPROVED this the 4<sup>th</sup> day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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**CITY COUNCIL AGENDA**  
**April 4, 2023**

---

**ITEM/SUBJECT:** Resolution authorizing the City Manager to Approve Change Order No. 1 and Final for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements Project for a deduct in the amount of \$147,433.70.

**INITIATING DEPT:** Public Works

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**STRATEGIC GOAL:** Redevelop Downtown

**STRATEGIC OBJECTIVES:** Complete the development of a convention center hotel

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**COMMENTARY:** On March 11, 2022, the Council awarded the Multi-Purpose Event Center (MPEC) Parking Facility Improvements to Freeman Paving LLC of Vernon, TX, in the amount of \$2,052,576.00. This project involved the construction of two new parking lots to serve the MPEC, including 16 RV hookups, lighting, landscaping, irrigation, and associated work. After the contract was awarded, the Parks Department requested the elimination of the lighting, landscaping, and irrigation from Lot No. 2 for ease of maintenance. The contractor has completed the required work, and final quantities were calculated to determine a deduction in the final contract amount of \$147,433.70. This Change Order will balance the final installed quantities and allow staff to close out the project.

Staff recommends approval of Change Order No. 1 and Final for a *deduct* in the amount of \$147,433.70 for the final completed quantities on the project.

☒ **Director, Public Works**

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**ASSOCIATED INFORMATION:** Resolution, Change Order No. 1 and Final

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution authorizing the City Manager to Approve Change Order No. 1 and Final for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements Project for a deduct in the amount of \$147,433.70**

WHEREAS, the City of Wichita Falls entered a unit price contract with Freeman Paving, LLC, with an estimated total cost of \$2,052,576.00; and

WHEREAS, Change Order No. 1 and Final will decrease the contract by \$147,433.70 for a revised cost of \$1,905,142.30;

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 and Final for the Multi-Purpose Event Center (MPEC) Parking Facility Improvements Project for a deduct in the amount of \$147,433.70.

PASSED AND APPROVED this the 4<sup>th</sup> day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CITY OF WICHITA FALLS, TEXAS CONTRACT CHANGE ORDER FORM	CHANGE ORDER NO.:	1 & Final	
	DATE:	3/8/2023	
	AMOUNT OF CHANGE:	\$ (147,433.70)	
PROJECT/CONTRACT: Multi Purpose Event Center (MPEC) Parking Facility Improvements, CWF17-734-16			
TO: Freeman Paving, LLC, this Change Order, after approval by the Owner, will be your (Contractor) authority to make the following changes in the work under your contract:			
Description of Changes	Decrease in Contract	Increase in Contract	Total Change in Contract
This Change Order will modify plan quantities to final in-place quantities, as well as it eliminates Landscaping (except Sod), all Irrigation and the installation of Site Lighting (paying for materials previously ordered and delivered to Traffic Dept.) for Parking Lot 2.			
1. Bid Item 3 - Remove & Replace Asphalt Pavement	\$ 27,450.00	\$ -	\$ (27,450.00)
Deduct 366 SY @ \$75.00/SY for a revised total of 204 SY			
2. Bid Item 4 - Furnish & Install Reinforced Concrete Curb & Gutter	\$ 950.00	\$ -	\$ (950.00)
Deduct 19 LF @ \$50.00/SY for a revised total of 421 LF			
3. Bid Item 7 - Furnish & Install Four Inch (4") Reinforced Concrete Sidewalk	\$ 13,320.00	\$ -	\$ (13,320.00)
Deduct 222 SY @ \$60.00/SY for a revised total of 708 SY			
4. Bid Item 22 - Furnish & Install Six Inch (6") Reinforced Concrete Pavement w/Monolithic Curb	\$ 3,575.00	\$ -	\$ (3,575.00)
Deduct 55 SY @ \$65.00/SY for a revised total of 1925 SY			
5. Bid Item 23 - Furnish & Install Six Inch (6") Reinforced Concrete Drive Approach	\$ 1,163.50	\$ -	\$ (1,163.50)
Deduct 17.9 SY @ \$65.00/SY for a revised total of 82.1 SY			
6. Bid Item 24 - Furnish & Install Four Inch (4") Reinforced Concrete Sidewalk	\$ 450.00	\$ -	\$ (450.00)
Deduct 7.5 SY @ \$60.00/SY for a revised total of 7.5 SY			
7. Bid Item 25 - Furnish & Install Reinforced Concrete Pedestrian Crossing (Type 2)		\$ 1,800.00	\$ 1,800.00
Increase 1 EA @ \$1,800.00/EA for a revised total of 3 EA			
8. Bid Item 26 - Furnish & Install all required Electrical/Control work to protect & operate the Site Lighting/Irrigation Controllers	\$ 5,492.10	\$ -	\$ (5,492.10)
Deduct \$5,492.10 from LS @ \$7,500.00/LS for a revised total of \$2,007.90 LS			
9. Bid Item 27 - Furnish & Install required Site Lighting System	\$ 2,448.10	\$ -	\$ (2,448.10)
Deduct \$2,448.10 from LS @ \$5,500.00/LS for a revised total of \$3,051.90 LS			
10. Bid Item 28 - Furnish & Install required Irrigation System	\$ 34,400.00	\$ -	\$ (34,400.00)
Deduct 1 LS @ \$34,400.00/LS for a revised total of 0 LS			
11. Bid Item 29 - Furnish & Install all required Landscaping	\$ 25,600.00	\$ -	\$ (25,600.00)
Deduct \$25,600.00 from LS @ \$35,500.00/LS for a revised total of \$9,900.00 LS			
12. Bid Item 1-A (Additive Bid) - Furnish & Install Six inch (6") Reinforced Concrete Pavement w/Monolithic Curb	\$ 34,385.00	\$ -	\$ (34,385.00)
Deduct 529 SY @ \$65.00/SY for a revised total of 5051 SY			
TOTAL	\$ 149,233.70	\$ 1,800.00	\$ (147,433.70)
AMOUNT OF ORIGINAL CONTRACT:			\$ 2,052,576.00

TOTAL AMOUNT OF THIS CHANGE ORDER:		\$ (147,433.70)												
TOTAL AMOUNT OF PREVIOUS CHANGE ORDERS:		\$ -												
CONTRACT AMOUNT TO DATE:		\$ 1,905,142.30												
<table border="0"> <tr> <td>Approved By Owner:</td> <td>Accepted By Contractor:</td> <td>Recommended By Arch/Eng: (if applicable)</td> </tr> <tr> <td>By: _____</td> <td>By: </td> <td>By: </td> </tr> <tr> <td>Title: <u>City Manager</u></td> <td>Title: <u>Owner</u></td> <td>Title: <u>City Engineer</u></td> </tr> <tr> <td>Date: _____</td> <td>Date: <u>3/13/2023</u></td> <td>Date: <u>3-14-23</u></td> </tr> </table>			Approved By Owner:	Accepted By Contractor:	Recommended By Arch/Eng: (if applicable)	By: _____	By: 	By: 	Title: <u>City Manager</u>	Title: <u>Owner</u>	Title: <u>City Engineer</u>	Date: _____	Date: <u>3/13/2023</u>	Date: <u>3-14-23</u>
Approved By Owner:	Accepted By Contractor:	Recommended By Arch/Eng: (if applicable)												
By: _____	By: 	By: 												
Title: <u>City Manager</u>	Title: <u>Owner</u>	Title: <u>City Engineer</u>												
Date: _____	Date: <u>3/13/2023</u>	Date: <u>3-14-23</u>												

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**CITY COUNCIL AGENDA**  
**April 4, 2023**

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**ITEM/SUBJECT:** Resolution for appointment to Wichita-Wilbarger 9-1-1 District.

**INITIATING DEPT:** City Clerk

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**STRATEGIC GOAL:** Actively Engage and Inform the Public

**STRATEGIC OBJECTIVE:** Enhance public outreach and engagement

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**COMMENTARY:** Glenn Barham's term on the Wichita-Wilbarger 9-1-1 District expires May 11, 2023. He has expressed his interest and willingness to be reappointed to the board, and the board recommends his reappointment.

His position is appointed jointly by all participating municipalities in the district and he represents all of the cities in the district collectively. This appointment can be discussed in Executive Session.

There are no additional current applications for this position.

☒ **City Clerk**

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**ASSOCIATED INFORMATION:** Resolution, Letter from Wichita-Wilbarger 9-1-1 District, and the current roster.

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution appointing a representative to the Wichita-Wilbarger  
9-1-1 District Board**

WHEREAS, the Wichita-Wilbarger 9-1-1 District Board of Managers is governed by Texas Health and Safety Code, Chapter 772, Subchapter D, and consists of seven members; and,

WHEREAS, the City Council of the City of Wichita Falls wishes to make a nomination and appointment to the Board of Managers for the Participating Municipalities.

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

The City Council hereby nominates and appoints Glenn Barham to the Wichita-Wilbarger 9-1-1 District Board to represent all participating municipalities, with a term to expire May 11, 2025.

PASSED AND APPROVED this the 4<sup>th</sup> day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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





## Wichita-Wilbarger 9-1-1 District

906 Travis Street  
P.O. Box 1829  
Wichita Falls, Texas 76307  
Phone - 940-723-8225 Fax - 940-723-5355

March 18, 2022

Darron Leiker, City Manager  
City of Wichita Falls  
P.O. Box 1431  
Wichita Falls, Texas 76301

Dear Mr. Leiker,

The term of Ms. Dana Ross, of Iowa Park, one of the "cities appointees" to the Wichita-Wilbarger 9-1-1 District Board of Managers, expires on May 15, 2022. Ms. Ross has expressed her interest and willingness to be re-appointed to the board. Ms. Ross has represented all of the cities within our district with honor and integrity.

I want to take a moment to explain the Board of Managers structure. The legislation which governs this 9-1-1 Board is the "Health and Safety Code, Title 9, ch. 772, subchapter d," for counties with a population over 20,000, and the legislated board makeup is as follows:

1. Two members appointed by the commissioners' court from the original county in the district. (Wichita)
2. Two members appointed jointly by all the participating municipalities in the district. (One of these positions is the subject of this letter.) These appointees represent all of the cities in the district collectively.
3. One member appointed jointly by the volunteer fire departments. This member represents all volunteer fire departments in the district.
4. One member appointed by counties, which joined the district subsequent to its inception. (Wilbarger)
5. One non-voting member appointed by the principal service supplier.

I request that you place the appointment of a "cities" representative to our board of managers on a future council agenda prior to May 15, 2022. Please let me know of your decision by way of a certified copy of your minutes.

Respectfully,

A handwritten signature in blue ink, appearing to read "L. Paul Hopkins", written over the printed name.

L. Paul Hopkins, J.D., ENP  
Executive Director

## WICHITA WILBARGER 911 DISTRICT

<i><b>PLACE</b></i>	<i><b>NAME</b></i>	<i><b>APPOINTED</b></i>	<i><b>EXPIRATION</b></i>	<i><b>QUALIFICATIONS</b></i>	<i><b>DISTRICT</b></i>
1	Glenn Barham	04/20/2021	05/11/2023	CWF	1
2	Jared Burchett		06/18/2023	Volunteer Fire Department	
3	Pat Norriss		04/01/2023	Wichita County	
4	Dana Ross Gentry	05/03/2022	05/15/2024	All Participating Municipalities	
5	Kent Smead, Vice Chair		04/02/2024	Wilbarger County	
6	Jeff Watts, Chair		05/12/2024	Wichita County	

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**CITY COUNCIL AGENDA**  
**April 4, 2023**

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**ITEM/SUBJECT:** Resolution approving an agreement under the Meet and Confer process to allow for creation and maintenance of multiple eligibility lists for beginning positions in the Police Department.

**INITIATING DEPT:** Police

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**STRATEGIC GOAL:** Efficiently Deliver City Services

**STRATEGIC OBJECTIVE:** Practice Effective Governance

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**COMMENTARY:** On March 24, 2023, Police Administration, The Wichita Falls Police Officers' Association Executive Board, and City Administration under the Meet and Confer Process crafted an agreement to allow for the creation and maintenance of multiple eligibility lists to run concurrently, one list for entry level applicants and one list for qualified lateral Police Officers for beginning positions in the Police Department. This is an attempt to recruit more people into the entry-level positions and ensure that there are enough applicants in the process to attend the appropriate Police Academy, thus reducing the number of vacancies at the Police Department.

Under this agreement, the Civil Service Director will be authorized to have multiple eligibility lists to run concurrently without having to wait until the current eligibility list has expired or been exhausted. This will allow the Police Department to get more applicants into the hiring process so that a sufficient number are available to attend the Basic Police Officer/Lateral Academy.

Staff recommends approval of the resolution.

☒ **Police Chief**

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**ASSOCIATED INFORMATION:** Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution approving an agreement under the Meet and Confer process to allow for creation and maintenance of multiple eligibility lists for beginning positions in the Police Department**

WHEREAS, the Wichita Falls Police Department wishes to fill Police Department vacancies with qualified applicants in the most expeditious manner possible; and

WHEREAS, under the State Civil Service Statute, the Civil Service Director cannot administer an entry-level examination until the current eligibility list expires or is exhausted; and

WHEREAS, a Meet and Confer Agreement between the City and the Wichita Falls Police Officers' Association allows the Civil Service Director to create multiple eligibility lists to run concurrently; one list for entry level applicants and one list for qualified Lateral Peace Officers; and,

WHEREAS, for public safety, the Wichita Falls Police Officers' Association wishes to have vacancies filled as quickly as possible.

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

1: The City Council of the City of Wichita Falls, Texas, approves the attached **Meet and Confer Agreement** between the City and the Wichita Falls Police Officers' Association.

2. The new agreement will go into effect immediately and will remain in effect for three (3) years or unless and until either the City or the Association wishes to terminate the agreement in writing upon 60 days' notice.

PASSED AND APPROVED this the 4<sup>th</sup> day of April 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

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

MEET AND CONFER AGREEMENT TO MODIFY SECTION 143.025 OF THE TEXAS  
LOCAL GOVERNMENT CODE (MUNICIPAL CIVIL SERVICE) AND SECTION 143.025  
OF THE CITY OF WICHITA FALLS FIREFIGHTERS AND POLICE OFFICERS' CIVIL  
SERVICE COMMISSION RULES AND REGULATIONS TO ALLOW FOR CREATION  
AND MAINTENANCE OF MULTIPLE ELIGIBILITY LISTS FOR BEGINNING POSITIONS  
IN THE POLICE DEPARTMENT

**THIS AGREEMENT** is made pursuant to Section 142.059 of the Texas Local Government Code, memorializing an agreement previously made by and between the city of Wichita Falls and the Wichita Falls Police Officers' Association.

**Section 1. INTENT.** The Parties agree to modify the hiring process as specified in Section 143.025 of the Texas Local Government Code for entry-level positions in the Wichita Falls Police Department to allow the City to recruit and place a sufficient number of applicants in the Wichita Falls Police Training Academy.

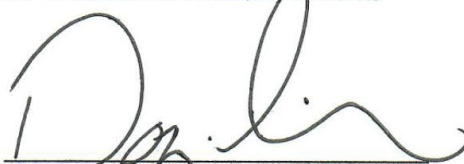
**Section 2. ADMINISTRATION OF WRITTEN ENTRY-LEVEL EXAMINATIONS.** The Civil Service Director may initiate multiple examination processes and have concurrent eligibility lists, one list for entry level Peace Officers and one list for qualified, lateral Peace Officers. For entry level applicants, the Police Department must exhaust the most current eligibility list before hiring entry level candidates from the next entry level eligibility list. The qualified, lateral Peace Officers can be hired from the lateral eligibility list prior to exhausting the entry level eligibility list.

**Section 3. SUNSET PROVISIONS.** This Agreement shall remain in effect for three (3) years from the date of ratification by the City Council unless either Party requests termination of this Agreement with 90 days' written notice.

**Section 4. AGREEMENT SUPERCEDES SECTION 143.025 of the Texas Local Government Code and the City of Wichita Falls Firefighter and Police Officers' Civil Service Commission Rules and Regulations to the extent necessary to implement this agreement.**

SIGNED this 24th day of March, 2023.

CITY OF WICHITA FALLS, TEXAS

By:   
City Manager

WICHITA FALLS POLICE OFFICERS'  
ASSOCIATION

  
President, Wichita Falls Police  
Officers' Association