

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 Heggland, 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, May 2, 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 Al Easterling
St. Marks United Methodist Church

(b) Pledge of Allegiance
3. Presentations
 - (a) Employee of the Month – Brian Railsback, Health Department
 - (b) Proclamation – Bike Month, Bike Wichita Falls
 - (c) Proclamation – Letter Carriers' "Stamp Out Hunger" Food Drive Day, Wichita Falls Area Food Bank
 - (d) Proclamation – National Historic Preservation, Kell House Heritage Center

- (e) Proclamation – 54th Annual Municipal Clerks Week, City Clerk
- (f) Presentation of Annual Comprehensive Financial Report by Edgin, Parkman, Fleming, & Fleming, PC

CONSENT AGENDA

- 4. Approval of minutes of the April 18, 2023 Regular Meeting of the Mayor and City Council.
- 5. Receive Minutes
 - (a) Planning & Zoning, March 8, 2023
 - (b) Landmark Commission, March 28, 2023

REGULAR AGENDA

- 6. Public Hearing & Ordinances
 - (a) Conduct a public hearing and take action on an ordinance to establish the minimum Standards of Care for the Summer Day Camp Program
 - i. Public Hearing
 - ii. Take Action
 - (b) Ordinance making an appropriation to the Special Revenue Fund for the Texas Healthy Communities Grant in the amount of \$85,185; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same
 - (c) Ordinance appropriating \$13,988.77 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program (“Click It or Ticket”) Wave Grant for Fiscal Year 2023 and authorizing the City Manager to accept said funds
 - (d) Ordinance appropriating \$13,988.77 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program (Operation SlowDown) Wave Grant for Fiscal Year 2023 and authorizing the City Manager to accept said funds
- 7. Resolutions
 - (a) Resolution authorizing the City Manager to make application for a grant from the Office of the Governor, Public Safety Office, Criminal Justice Division, FY 2023 ALERRT Travel Assistance in the amount of \$2,300.00

(b) Resolution authorizing the City Manager to award bid and contract for the 2023 Lake Wichita Park Parking Lot to Freeman Paving, LLC, in the amount of \$802,440.00

(c) Resolution appointing Andrea Bacon of the Animal Services Division of the Wichita Falls-Wichita County Public Health District to act as the Local Rabies Control Authority for the City of Wichita Falls, Texas

(d) Resolution accepting an allocation from the Tax Increment Financing (TIF) #2 Board of the remaining TIF #2 District fund balance for the design and construction of the South Wenonah Boulevard extension to the City of Wichita Falls to manage and construct

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 Sessions

(a) Executive Session in accordance with Texas Government Code §551.087, to discuss or deliberate the offer of a financial or other incentive, including modification to an existing agreement, for a business prospect that the WFEDC seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the WFEDC is conducting economic development negotiations for creation and retention of primary jobs (as defined by Tex. Local Gov't. Code §501.002).

(b) Executive Session in accordance with Texas Government Code §551.072, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

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 26th day of April, 2023 at 5:00 o'clock p.m.



City Clerk

CITY COUNCIL AGENDA
May 2, 2023

ITEM/SUBJECT: Employee of the month

INITIATING DEPT: Health

NAME: Brian Railsback

DEPARTMENT: Health

HIRE DATE: August 20, 2002

PRESENT POSITION: Health Inspector Trainer

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
April 18, 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

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

Item 2a – Invocation

Pastor Harold Roan, Lamar Baptist Church, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3-5 – Consent Items

8:31 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 April 4, 2023, Regular Meeting of the Mayor and City Council

Item 4a – Resolution 41-2023

Resolution authorizing the City Manager to execute all documents necessary to purchase an HPE Nimble DHCI solution to replace several aging servers and storage for our City Business Network from CDW Government LLC in the amount of \$159,856.90.

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Item 4b – Resolution 42-2023

Resolution authorizing award of bid for roadway striping services for the Wichita Falls Traffic Engineering Division from the low bidder Linear Traffic Markings LLC in the amount of \$51,171.50.

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Item 5 – Receive Minutes

(a) Library Advisory Board, September 20, 2022

(b) Lake Wichita Revitalization Committee, March 14, 2023

- - - - -

Item 6a – Ordinance 17-2023

8:33 a.m.

Ordinance making an appropriation to the Special Revenue Fund for the State Tuberculosis Prevention and Control Program in the amount of \$42,446; received from

the Department of State Health Services; and authorizing the City Manager to execute contract accepting same.

Moved by Councilor Brewer to approve Ordinance 17-2023.

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

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

Nays: None

Item 6b – Ordinance 18-2023

8:34 a.m.

Ordinance making an appropriation to the Special Revenue Fund for Public Health Preparedness in the amount of \$124,416; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same.

Moved by Councilor Browning to approve Ordinance 18-2023.

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

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

Nays: None

Item 7a – Resolution 43-2023

8:35 a.m.

Resolution authorizing the City Manager to execute all documents necessary to repair the damage that occurred in the MPEC Seminar Room due to flooding in the amount of \$143,213 with Clark Contractors.

Moved by Councilor Brewer to approve Resolution 43-2023.

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

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

Nays: None

Item 7b – Resolution 44-2023

8:37 a.m.

Resolution authorizing the City Manager to approve a request from the Museum of North Texas History to donate by Gift Agreement, artifacts from the holdings of the abandoned Railroad Museum.

Moved by Councilor Browning to approve Resolution 44-2023.

Motion seconded by Councilor Nelson.

Paul Menzies, Assistant City Manager discussed the history of the Railroad Museum, and the plan moving forward.

Councilor Jackson requested a public meeting to allow citizens the opportunity to discuss restoring the Railroad Museum, and made a motion to table this item until May 16, 2023.

The motion to table was seconded by Councilor Browning.

There was brief discussion regarding the work already completed by the Museum of North Texas History, various calls Councilors have received, and concerns with donations and ownership.

The motion to table carried by the following vote:

Ayes: Councilors Brewer, Browning, Jackson, and Whiteley

Nays: Mayor Santellana, and Councilors Nelson, and Smith

Item 7c – Resolution 45-2023

8:55 a.m.

Resolution authorizing the City Manager to apply for and accept funding in an amount of \$2,742,753 for a section of circle trail along the Wichita River under the 2023 Transportation Alternatives Set-Aside Program provided by the Texas Department of Transportation.

Moved by Councilor Brewer to approve Resolution 45-2023.

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

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

Nays: Councilors Brewer and Jackson.

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Item 8a – Staff Reports – Update on Strategic Plan Goal 4.2 as related to the city’s construction permitting and inspections operations - Paul Menzies

8:59 a.m.

Paul Menzies, Assistant City Manager, gave a presentation on Strategic Plan Goal 4.2, Reinforce a Culture of Superior Customer Service, as related to the city’s construction permitting and inspection operations, and perception issues. Mr. Menzies reviewed the development process, discussed performance measures being used, addressed the perception issue in the community, and discussed continued opportunities for improvement. He provided a comparison of inspection times in comparable cities, discussed the adopted building codes, and the spirit of general compliance versus strict compliance. Various members of Council acknowledged improvements in the department, and there was brief discussion regarding how complaints are often due to contractor issues, and not issues with the development process. Mr. Leiker discussed how staff is now including the project owner in any emails to contractors. Mr. Menzies visited with various community members and he discussed their feedback and the local attitude. He discussed recommendations he received, such as making the public feel like they are in a partnership with the City, and to promote our flexibility. Mr. Menzies discussed research being completed for new permitting software, the new Development Services poster regarding our commitment to partnerships, and our development values.

Mr. Leiker provided input on the values for development and reiterated that the City will continue to measure our performance. He asked the Council to partner with staff in changing negative perception, and to pass along any issues that are reported to them. He also discussed the partnership with the Chamber of Commerce to assist the development community, and change the negative perception in an effort to promote growth in the City.

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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.

10:23 a.m.

Councilor Jackson expressed his appreciation for tabling the railroad museum item and encouraged interested individuals to reach out to him or City staff to set up a meeting.

The Appraisal District is sending out appraisals and he recommended that citizens protest increases. He stated that the 2020 local election audit is still going on, and will hopefully have more information in the next month.

Councilor Brewer discussed how it is springtime and time to water, and he thanked Mr. Schreiber for the water reuse program, since without it we would have much stricter watering restrictions.

Councilor Smith discussed how the little bit of rain has caused grass to grow and he encouraged citizens to keep their grass cut to help our Code Enforcement office. He stated he would like to stay involved in the discussions regarding the Railroad Museum. Councilor Smith encouraged everyone to have a wonderful day and enjoy the spring weather.

Councilor Whiteley thanked Mr. Burrus for the presentation on the trail project, and discussed positive comments he has received regarding the hike and bike trail.

Councilor Nelson reiterated 4.1 of the strategic plan regarding employee recruitment and retention. He discussed how well Debra Nix serves our inspection department and wanted to recognize her, and have the development community recognize her. He thanked Carol and Cathy for attending today, and thanked Cody Melton, Fire Marshall, for the information he learned from him.

Mayor Santellana thanked all staff, thanked Mr. Menzies for his presentation, and discussed the need to continue to work on public perception issues. He looks forward to meeting with individuals interested in working with the railroad museum, and stated that the spring weather is great so get out and enjoy our park system.

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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

9:20 a.m.

There were no comments from the public.

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Item 10 –Adjourn

Mayor Santellana adjourned the meeting at 10:32 p.m.

PASSED AND APPROVED this 2nd day of May 2023.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

MINUTES
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

I. CALL TO ORDER

The meeting was called to order by Chairman, Mr. David Cook, at 2:00 p.m.
Chairman Cook proceeded to make the following comments:

III. PUBLIC COMMENTS

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

IV. APPROVAL OF MINUTES

Mr. Doug McCulloch made a motion to adopt the February 8, 2023, minutes. Mr. Matt Marrs seconded the motion. The motion was passed unanimously, 8-0

VII. CONSENT AGENDA

Case P 23-05 Plum Creek Commercial Addition – Preliminary
Case P 23-06 Bridge Creek Estates, Section 8

Case P 23-07 Hill & Hill Heights, Section 3, Unit 7
Case P 23-08 Cherokee Industrial Park, Lot 1, Block 5

Mr. Fabian Medellin advised Chairman Cook that Mr. McCulloch had recused himself from voting as there was a conflict of interest with one of the plats on the consent agenda and that all appropriate paperwork was filed in the City Clerk's office. Chairman Cook asked if anyone had an item to be moved to the regular agenda. Nothing to be moved. Mr. Jeremy Woodward made a motion to approve the consent agenda. Mr. Marrs seconded the motion. Motion passed unanimously, 7-0.

VIII. REGULAR AGENDA

1. Case C 23-02 – 2356 Airport Drive:

Consider taking action on a conditional use at 2356 Airport Drive to allow for an automotive repair shop in a General Commercial (GC) zoning district.

Applicant: Stephanie Wall, Triangle Engineering

Mr. Michael Grassi made a motion to approve the case. Mr. Marrs seconded the motion. Mr. Medellin presented the case and stated, Stephanie Wall had met with staff for a pre-development meeting in November 2022, in regards to a new 16,000sf., Caliber Collision Center on Airport Drive. During the meeting staff explained all development regulations and that a conditional use permit approval would be required for the proposed autobody repair facility in a General Commercial (GC) zoning district.

Mr. Medellin advised the subject property was undeveloped agriculture land located at the corner of Loop 11 and Airport Drive intersection. That same use could be found to the north of the subject property and to the south, southeast, and the east, is a Wal-Mart along with mixed uses in a strip center. To the southwest of the subject property is the Warren CAT distribution center. Mr. Medellin noted the lack of residential uses and stated the nearest residential use was ½ mile to the east and 1 mile to the west.

Mr. Medellin displayed the preliminary site plan and advised the proposed street to the west side of the subject property would be named Shaffer Street and would be used to gain access to the site. Airport Drive is a TxDOT owned road and the developer is aware all approvals would need to be given by TxDOT.

As Mr. Medellin continued over the site plan he explained the detention pond on-site as part of the development requirements as well as the correct number of parking stalls and noted that a portion of the property will be fenced in for cars waiting for parts to arrive and/or repairs. Any inoperable vehicles parked in this area will require the fence to be fully screened as to restrict visibility of the inoperable vehicles.

The surrounding uses to the north of the subject property are agriculture, to the south and east are, retail, offices and restaurants and to the west are agriculture and warehouse uses.

Notices were sent to the 3 property owners in the surround 200ft. of the subject property. A total of 2 responses were received back, both in favor of this conditional use.

Staff recommends approval of the operation of an automotive repair services at 2356 Airport Dr. subject to the following conditions:

1. Final Plat the lot before any permits or development is started.
2. Obtain all necessary permits and licenses in accordance with city ordinances, adopted building code and health code regulations.
3. Any proposed lights provided to illuminate any parking facility or paved area shall be designed to reflect away from any residential use and / or public street.
4. Any additional site improvements or developmental requirements will be subject to the site plan review process.
5. Prior to initiating operations all developmental requirements, conditions, permits and licensing shall be reviewed, approved, constructed and inspected.
6. The storage of vehicles shall comply with Chapter 46, Article V – Outdoor Storage.
7. The screening of the storage area shall be of materials approved by the director of Development Services.

Chairman Cook asked if the applicant was present. Ms. Stephanie Wall was present and did not wish to present anything further to the Commission. Chairman Cook asked for any public comments. Chairman Cook closed public comments and opened the floor up to Commission discussion. Commission member, Mr. McCulloch, asked if there would be an entrance off Airport Drive to access the subject property. Mr. Medellin stated at that time TxDOT had not approved any curb cuts and it was planned to use Shaffer Street for access. There were no further comments from the Commission. Mr. Cook called for a vote and the motion passed unanimously 8-0.

2. Case C 23-03 – 802 Waco Street:

Consider taking action on a conditional use at 802 Waco Street to allow for a manufactured home in a Single Family-2 (SF-2) zoning district.

Applicant: Nancy Hagan

Mr. Woodward made a motion to approve the case. Mr. Grassi seconded the motion. Mr. Cedric Hu presented the case and stated, the applicant was seeking approval of the proposed conditional use permit for a manufactured home on her property located at 802 Waco Street.

Mr. Hu stated the subject property was located in the east part of Wichita Falls, northeast of Galveston and East Scott intersection. The property was vacant with surrounding residential uses. To the east is a contractor's yard and to the south is an auto repair shop.

Mr. Hu displayed the site plan showing a 3-bedroom, 2-bathroom home approximately 1,232sf. that would set on a .17acre parcel. The manufactured home measures 28ft. X 44ft. and will meet all setback requirements.

The surrounding uses to the north are residential and vacant lots in a Single Family-2 (SF-2) zoning district. To the south are warehouse and auto services in a Light Industrial (LI) zoning district. To the east is more vacant land in a Single Family-2 (SF-2) zoning district and a contractor's yard in a Light Industrial (LI) zoning district. Lastly, to the west is continued vacant land and residential uses both in a Single Family-2 (SF-2) zoning district.

Mr. Hu advised staff notified 17 surrounding property owners and received no responses back. Staff recommends approval of a conditional use for a manufactured home at 802 Waco Street with the following conditions:

1. The manufactured home meets the requirements of Section 5600 for in-fill manufactured housing of the zoning ordinance for manufactured housing.
2. The proposed home must comply with all applicable codes and ordinances at the time of construction permitting.

Chairman Cook asked if the applicant was present, the applicant was present, but did not wish to present anything further to the Commission. Chairman Cook asked for any public comments. Chairman Cook closed public comments and opened the floor up to Commission discussion. With no comments from the Commission, Mr. Cook called for a vote and the motion passed unanimously 8-0.

3. Case R 23-02 2901 City View Drive - Rezone:

Public hearing to consider taking action on a proposed rezone at 2901 City View Drive (Hicks Subdivision, Lot 1, Block 1) from Light Industrial (LI) to Single Family – 1 Residential (SF-1) to allow for development of an additional residential structure.

Applicant: Teresa Villarreal

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 and additional residential structure.

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.

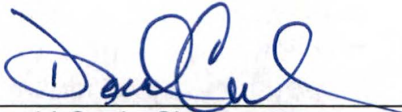
Staff notified 8 property owners within 200ft. of the subject property and received 3 responses in favor and 1 opposed. The opposing neighbor was contacted by staff and they stated their objection was they did not want any manufactured homes on the property. Once the objector knew the purpose for the 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 discussion among the Commission, Chairman Cook called for a vote. The vote was 8-0 in favor of the rezoning recommendation

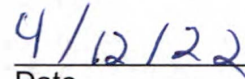
IX. ADJOURN

Chairman Cook adjourned the meeting at 2:22 p.m.



David Cook, Chairman

Date

Terry Floyd, Director of Development Services

Date

LANDMARK COMMISSION MINUTES

March 28, 2023

MEMBERS PRESENT:

Michele Derr
John Dickinson
Christy Graham
Andy Lee
Nadine McKown
Noros Martin
Marcela Medellin
Janel Ponder Smith

■ Chairwoman
■ Member
■ Member
■ Member
■ Vice- Chairwoman
■ P&Z Liaison
■ Member
■ Member

Monica Aguon, Assistant City Attorney
Terry Floyd, Development Services Director
Chris Horgen, Public Information Officer
Karen Montgomery-Gagné, Principal Planner/HPO

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

ABSENT:

Joel Hartmangruber
Tim Brewer

■ Member
■ Council Liaison

GUESTS:

Whitni Stone Simmons
Jase King
James Wetherbee
Rhonda Wetherbee
Melissa Monteiro
Richard Moore
Sean Donovan
Scott Todd
Kim Tigrett

■ 1501 Tilden
■ 1300 Tilden
■ 1300 Tilden
■ 1300 Tilden
■ 1409 Tilden
■ Home Depot
■ Home Depot
■ 1401 Garfield
■ Pres. WFHNA

I. Call to Order, Introductions and Welcome

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

II. Action Item: Election of Landmark Commission 2023 Chairperson & Vice-Chairperson

Mr. John Dickinson nominated Ms. Michele Derr for Chairperson. Ms. Nadine McKown seconded the motion. The motion passed unanimously 8-0.

Ms. Derr nominated Ms. McKown for Vice-Chairperson. Mr. Andy Lee seconded the motion. The motion passed unanimously 8-0.

III. Review & Approval of Minutes from: November 22nd 2022

Chairwoman Derr called for review and approval of the November 22nd 2022 Landmark Commission meeting minutes. Mr. Lee made a motion to approve the minutes, Ms. Marcela Medellin seconded the motion. Minutes were unanimously approved 8-0.

Regular Agenda

IV. Action Item: Design Review – 1501 Tilden Street: *West Floral Heights Historic District (Residential)*

Request Various Exterior Alterations:

- 1) Windows – Replace with Alternative Materials:
 - 9 Windows Replaced Void of Permits
 - Stop Work Order Issued December 2022
- 2) Doors – Replace with Alternative Design & Materials:
 - 2 Doors Replaced Void of Permits
 - Stop Work Order Issued December 2022

Ms. Karen Montgomery-Gagné presented the case and stated the homeowner was in attendance and that the contractor was expected soon. Ms. Gagné advised this was brought before the Commission to consider a request to authorize prior alterations with removal of 9 wood windows, 1 single door, and 1 door with 2-sidelites, void of permitting approval.

Ms. Gagné stated this was brought to staff's attention in December from a call of concern about work being performed without a permit. The subject property is located at the corner of Avenue E and Tilden. The property is a 3-story brick, contributing structure in the Neo-Classical style, constructed in 1920. The structure is symmetrical with a full-height entry porch with a flat-roof in Greek Revival detail; classical columns with Ionic capitals. Ms. Gagné further detailed the structure having side-gabled, shingle tiled, roof with boxed eave; moderate overhang with modillions beneath and rounded arch roof dormers with 6 light windows. The single and paired, double-hung, sash windows have a vertical emphasis, 5 over 1; 6 over 1; 9 over 9 and 12 over 12. The entry features a larger door with sidelights and elaborate surround. The 2nd story features narrow double doors with a wrought iron balcony. The side wings feature a porte co-chère on north side and single-story sunroom on south side.

Displaying photos for the Commission, Ms. Gagné advised the structure, in 2013 was virtually unchanged other than paint and a missing shutter from the nomination photo previously shown from 2004. Inventory photos from 2019 show some changes. Ms. Gagné stated in 2017 there was authorization approved by the Landmark Commission to replace the tile roof. Some of the unauthorized changes at that time by the previous owner (2018/19) were dormer windows replaced with 2 over 2 pattern and other windows to the rear-side and upper story.

A photo was displayed showing the Tilden Avenue façade that is highly visible from the public right-of-way. The main windows and doors, believed to be original, appear intact and are 6 over 1 on the 2nd story, 5 over 1 on the 1st story and 9 over 9 and 12 over 12 on the sunroom. The front entry door is a single hung door with side-lights.

Staff stated a stop-work order was issued on December 19th, 2022. Staff worked with the contractor and homeowner on that same day providing a design review application to the contractor, requesting it be completed and turned in by the first week of January 2023 so the request could be heard at the January 24th Landmark meeting.

The owners retained the removed windows, door and side-lights and have allowed staff to view the condition of those materials. In order to have an unbiased review and comment on the condition of the materials, staff asked one of the Commission's architects and one of the craftsmen to review. Commission members are appointed by City Council and have taken a sworn oath of office to uphold regulations, laws and requirements of the City of Wichita Falls and the State of Texas. Staff felt it was key to work with the architects and craftsman on the Landmark Commission. On February 10th, 2023 staff and the two Commission members, with the approval of the homeowners, met on-site to view the condition of the removed windows and doors. Ms. Gagné advised their detailed reports were given in the staff report.

Photos taken by Building Inspections on December 19th, 2022, when the stop-work order was issued, were displayed showing in detail, the work in progress. Photos showed the original leaded glass front door and paired sidelights removed and replaced with double doors with 2 x 3 window panels without building permits or design review authorization for the alterations. Also removed were the original windows, constructed of wood with exterior muntins and double-hung. Photos of the replacement windows were displayed to the Commission showing the replacement vinyl window inserts that were installed with an alternate pattern 4 over 1 instead of original 5 over 1 style; simulated divided lights and single hung. The owners indicated the replacement windows were installed for improved energy efficiency, conservation and security. The owners stated since December there had been significant energy savings and at one point the original front door would not stay latched.

Ms. Gagné advised the concern of staff was that the replacement window pattern configuration and design materials are not the same as what was removed. For a contributing structure, the design guidelines require matching replacements. The Building Code Inspector working with staff on this case did advise there was an exemption from the energy code (*Building Code – Sec. 101.4.2 – Historic Buildings*) for buildings and structures that are designated as historic properties under our local and state designation. This gives additional authority to the Chief Building Official for interpretation of the energy code when it comes to restoration and rehab of existing windows that if they were manufactured the way they came out of the house today, they would not meet minimum energy code standards, but because it is a designated historic district, it allows for the option to restore the windows and reinstall them in the structure.

The assessment from the Landmark architect and craftsman that viewed the original removed windows was a determination the windows could be repaired; deglazed and repainted then re-installed. Noting it was not the end of the useful life of the wood windows. Ms. Gagné stated the Secretary of the Interior Standards for wood on historical structures, which are the basic parameters the design guidelines were based on, was that replacement elements must match the design and detailing of the original or historic feature as closely as possible, and they must be replicated using similar elements at the site as a template or

through the use of historic photographs. The Landmark Design Guidelines for windows build upon that statement (pages 56-57):

- b. Retain & restore original windows, window surrounds, and screens unless deteriorated beyond repair.*
- c. Storm windows may provide increased energy efficiency without damaging historic windows.*
- d. If original windows or screens deteriorated beyond repair, replacement windows shall maintain the same size, profile, configuration, finish and details as the original windows.*
- f. False muntins inserted inside the glass are not permitted; true divided lites or dimensional muntins on outside of glass and spacers inside glass provide appearance of true divided lites.*

Ms. Gagné stated the concern was the replacement windows material (vinyl), style, finish and visual qualities did not reflect materials removed and were a change in architectural style thus potentially creating a non-contributing structure.

Staff believed the replacement inserts do not follow the Sec. of the Interior Standards for Treatment of Historic Properties and the Wichita Falls Design Review Guidelines for windows. The sunroom window appearance does not match the materials, configuration or finishes of the previous windows which noticeably change the depth of reveal, muntin configuration, and the reflectivity. It is not recommended to alter windows or features which are important in defining historic character of a building so that, as a result, the character is diminished.

Ms. Gagné advised she would be moving forward to discuss the previously installed replacement doors located on the front and side entries of the structure. The original front entry door was a single wood door with leaded glass and leaded glass full sidelights that were replaced with fiberglass double glazed doors with 6 window panels in each. The original front door's right plane is warped about ½ inch from top to bottom. The assessment from the Commission's architect and craftsman were if the bottom portion of the door were replaced; rebuilt, it would be very difficult to remove the warping without continued long-term issues. The sidelights however, were deemed to have options for restoration & reinstallation. Staff believed the main issue with the replacement is size, proportion and style – completely different from original which impacts overall architectural character of the building. When looking at the Sec. of the Interior's Standards for Rehabilitation this is what is found:

- #2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
- #6. Deteriorated historic features shall be repaired rather than replaced. Where severity of deterioration requires replacement of a distinctive feature, new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*

The Wichita Falls Design Guidelines for doors states (page 58):

- a. Do not enlarge, move, or enclose original door openings. May be appropriate to restore original door openings that have been enclosed.*

- b. Retain original doors, door surrounds, sidelights, and transoms, unless deteriorated beyond repair.
- c. If a replacement door, door surround, sidelight, or transom is necessary, the style, materials, and finish of the replacement shall reflect the style and period of the building.

Ms. Gagné stated there was another door replaced that was located on the north side under the porte cochère and was visible from Avenue E. This replacement door does meet the style and design more closely of the original because it was a single door. The window pattern is slightly different and it was textured/frosted glass but is more in keeping with the previous door style. The last door for discussion, which is not subject to design guidelines, however, was provided as an example. The door was located on the sunroom rear patio and was not visible from the right-of-way but clearly visible during the homeowner approved site visit in the rear yard.

Ms. Gagné advised the sequence of treatments would be to first try and repair the building elements as much as possible. If that were not an option, replacement was deemed as the last and final option.

Chairwoman Derr asked if the Commission had any questions or comments. Ms. Janel Ponder-Smith asked if there was any attempt to retain the side-lights and rebuild the front door or have another door built to match the original so that side-lights could be retained. Ms. Gagné stated she would defer that question to the owner and/or contractor, however, there are other options available depending on what preference the owner was seeking. Noting the architect and craftsman determined the side-lights could be restored and reinstalled.

Mr. John Dickinson asked if it was correct there initially was no building permit. Ms. Gagné stated that was correct, all alterations were void of any permitting. If permits had been applied for, the address would have been flagged as historic in the building inspection's database and staff would have been able to work with the homeowner/contractor to try and address replacement material, design, what the guidelines would allow and what would be recommended prior to any installation.

The owner, Ms. Whitney Stone Simmons, stated it was her understanding, unfortunately, that the contractor had obtained permits and all replacements approved. She stated she sent a picture of the front door she originally wanted to the contractor and was told that was denied because it was an arched door.

Ms. Marcela Medellin stated unfortunately in this situation the design was just too different for it to be approved. The style is very different, the windows in the front are starting to get there, but was there a reason why you changed the configuration on the sunroom windows when you could have also kept them the same. The front door is completely different and would not approve that. Ms. Stone Simmons stated from a cost standpoint to refurbish the original front door along with the safety issues they were having plus the utility bills it was cheaper to replace the front door. Ms. Medellin stated she understood the cost and having energy efficiency and that the owners are close, however, the windows for example, the muntins are on the inside of the vinyl and there were other options the owner could have selected.

Mr. Dickinson stated the re-glazing on the original windows with storm windows over them would have accomplished energy efficiency. Ms. Stone Simmons stated her husband leaned over to pick up a soccer ball and leaned against a rear original window and it shattered, that was the condition of the windows. Ms. Simmons stated some of the windows had been replaced with something other than glass and were very uneven; the windows were all different and not in good shape.

Mr. Terry Floyd, Director of Development Services reminded the public that if they wished to address the Commission they would need to come up to the podium to speak.

Mr. Andy Lee stated that many of those homes built in 1920/1925, the front door was the key element of the architectural style. Mr. Lee stated the door and the side-lights were a featured element and set the tone for the structure and believed it changed everything with the replacement doors. Mr. Lee stated the fact that permits were not obtained is concerning because at the time it would have given the Commission a chance to comment on replacement doors and would have saved time and money and that issue should be taken up with the contractor. Mr. Lee stated he was opposed to the replacement front door and asked if they had since obtained permits. Ms. Gagné stated permits had been applied for, however, they were on hold until the case was reviewed by Landmarks as the materials and design allowed had to be addressed prior to a permit being issued.

Ms. Smith stated she would like to separate the request into different parts since there were multiple styles of windows and doors replaced. Ms. Smith made a motion to separate the design review into four different parts; 1) front door; 2) sunroom windows; 3) 1st story Tilden Avenue windows; and 4) side porte-cochere door. Mr. Lee seconded the motion. Ms. Derr asked if there was any public comment on the separation of the design review. Mr. Aldana, Aldana Construction, who is the contractor for 1501 Tilden Avenue apologized to the Commission for showing up late and stated the replacement windows on the 1st story floor were the same windows that had been replaced on the second story by prior contractor. Ms. Gagné noted those prior replacement windows had no design review approval or staff review. Chairwoman Derr asked Mr. Aldana if he had any comments on the motion to separate the design review, Mr. Aldana stated he did not. Chairwoman Derr called for a vote, the motion passed unanimously 8-0.

Chairwoman Derr stated the discussion would start with the front door and side-lights and stated it did not adhere to the design review standards and did not match the style of the house. Mr. Lee stated he agreed and the door and side-lights were a key feature on the structure. Ms. Medellin stated she agreed and would like to see it replaced with the same 3-part configuration and that the replacement did not match on any level and completely changed the face of the structure. Ms. Derr asked if the Commission had any further comment on the front door. Ms. Smith stated she again would like to ask the question to the homeowner, if they had any other contractors look at the front door and side-lights to see if they could have been restored and reinstalled prior to installing the unauthorized replacement door. Mr. Aldana stated the door was not salvageable. Ms. Gagné again asked, for anyone addressing the Commission to please come to the podium so they could be heard. Mr. Aldana stated when they removed the original doors parts were breaking and that is why they replaced it. He stated he wished they could have fixed it but he was not a wood craftsman and could not replace it piece-by-piece and replacing the entire door was the cheapest option. Ms. Smith stated there were craftsmen in Wichita Falls that could have repaired the door. Mr. Aldana stated they didn't look for a craftsman. Ms. Medellin

stated she understood things happen when taking out certain elements of a historical home, however, there are other doors that could have been purchased to replace the original door and side-lights that would have matched in character. Mr. Aldana stated when he started the project he went to the city to find out if a permit was needed, if this was in the historic district and was told by the lady at the counter it was not in the historical district so he did not obtain a permit. Mr. Aldana stated he didn't start work on that day because they had ordered the doors and the windows and started a month later. He stated he again asked if the lady at the counter was sure he did not need a permit and she advised him he did not that it was not in the historical area and as long as he wasn't changing the size of the existing window opening he did not need a permit. Ms. Smith stated in the photos you can see where framing was done. Mr. Aldana stated it was not new framing, he only replaced the trim around it to cover the old frame. The trim was so the new door, which was slightly smaller would fit. Ms. Smith stated if the new door was smaller then he did change the opening size which was not allowed. Mr. Aldana stated that was incorrect the trim was just until they could get an inset that would fit the new door.

Mr. Noros Martin asked what authority the Commission had, if the homeowner did not comply with the decision the Commission agreed on. Chairwoman Derr stated, as the Commission, they were charged with following the guidelines the City of Wichita Falls sets forth on making the changes. Ms. Gagné stated there is also Chapter 62 of the Code of Ordinances for the City of Wichita Falls, which is the Historic Preservation section. Mr. Martin asked what the guidelines were for this issue. Ms. Gagné stated, the preservation ordinance has basic parameters that are then applied through the design guidelines, which when originally created and prepared as part of a joint City and Texas Historical Commission funded grant program were endorsed by the City Council. The design guidelines are in place to carry out the provisions of Chapter 62, the preservation ordinance and the Secretary of the Interior's Standards for Rehabilitation. Mr. Martin stated that it would seem the current door did not meet the historic guidelines, was that correct. Ms. Gagné stated in the current configuration, they did not.

Chairwoman Derr asked if there were anymore comments from the Commission, or comments from the public. With no further comments Chairwoman Derr called for a motion. Mr. Martin made a Motion to deny the replacement front doors as installed as they do not meet the City's Design Review Guidelines Sec. 4, Item 7. Mr. Lee stated he would advise the owner to retain the original glass, restore the side-lights and keep the same size. Ms. Medellin stated restoring the original would be best however, if not possible, find something of the same character. Mr. Dickinson stated there are door shops in Wichita Falls that you can take the original pieces to and they will salvage the glass, side-lights and anything else that can be used and make a new unit utilizing the original glass. The Ms. Stone Simmons stated the original door has sat out in the elements for 3 months now and is not salvageable. She stated she would be willing to find a replacement door the Commission would approve to replace it, but the cost to have those doors built was insane. She stated she was not going to use the old doors, that she would find new doors the Commission would approve. Mr. Dickinson and Ms. Smith both stated they were not telling her she had to use the original doors, but rather the glass from the original doors could be salvaged and the door shop could make her a new door using the salvaged pieces. Ms. Christy Graham stated she believed the owner could get new doors and side-lights that matched the same size as the original and have the new glass removed and replaced with the original glass that way the door would be energy efficient and still have the style and character with the original glass.

Ms. Smith stated given the condition of the original door being out in the elements she would like to have the owner find a new door with side-lights that is comparable to the original and fit the original opening and have those specs brought in before the Commission for approval. Motion passed unanimously.

Mr. Martin revised his motion to state denial of the replacement front doors as installed as they do not meet the City's Design Review Guidelines Sec. 4, Item 7 – Doors and submit a new application for a single front door with side lites that maintain the same configuration and design as original. The motion was seconded by Ms. Smith. The motion passed unanimously with a vote of 8-0.

Chairwoman Derr asked if the Commission had any discussion on the second item of the sunroom windows. Ms. Medellin asked if the original windows in the sunroom were operational and she was advised they were not operable. Chairwoman Derr stated the first issue was that the replacement windows were vinyl and those are not an acceptable option that they would need to be wooden or aluminum clad wood windows. Mr. Dickinson stated secondly, the muntins also were on the inside of the windows and those would need to be located on the outside. The third issue is the replacement windows were not the same configuration of 9 over 9 windows. Ms. Graham stated she didn't believe the sunroom windows had to be 9 over 9 since the sunroom would have been added on to the original structure and was newer. Ms. Graham stated she believed the homeowner was trying to match the windows on the front of the home to the ones on the sunroom. Chairwoman Derr asked if the sunroom was an addition or original to the structure. Ms. Stone Simmons stated the sunroom was added on after the home was built and that she was indeed trying to match all the windows to be the same configuration. The question was asked if muntins could be added to the outside of the replacement windows. Ms. Smith asked if just the muntins were vinyl or if the entire window was vinyl. Mr. Aldana stated the entire window was vinyl.

A question from the public was asked if you couldn't tell by looking if the window was wood, vinyl or wood clad aluminum what the difference would be because these homes are not energy efficient. Ms. Smith stated vinyl does not withstand the heat and that they must adhere to the design guidelines set forth by the City of Wichita Falls. Ms. Gagné stated a 70/80-year-old-growth wood window is of better quality than a vinyl window that has been newly produced. Obviously, maintenance is needed over time and some repair but it is still a better quality made of wood window and is also a state standard. The citizen asked how energy efficient that old window would be. Ms. Medellin stated they are energy efficient and the seals can be replaced to keep them efficient. Mr. Dickinson stated there are also replacement issues with new vinyl windows as they do not have the perfect fit. He noted there are many things you can do to improve the energy efficiency of a wooden window and even send your windows to a wood-workshop. There are many things that have to be researched when you own a historic home. The citizen stated the historic homeowners want to comply with the design standards but it is too costly and the City doesn't offer financial assistance for those standards and they should rather than slapping those homeowners on the hand. Chairwoman Derr said that is the purpose of coming before the Landmark Commission with a design review. This case was actually coming in reverse, typically the Commission will review what the homeowner is wanting to do before the work is started and approve or disapprove as well as give alternative options for replacements before they are purchased. Chairwoman Derr explained the guidelines state, "...although

some substitute materials, such as aluminum, may be used for replacement windows, the appearance of the window from the public right-of-way shall closely resemble the original in size and configuration, profile and finish. Vinyl is not an appropriate substitute material." Mr. Dickinson stated that when he was talking about having windows and doors restored or custom built, that anyone could visit Ms. Gagné's office and she had all the information they would need. A citizen asked what the difference would be in their electric bill. Mr. Dickinson stated a correctly built wood window would be as energy efficient as a new window. The citizen asked at what cost. Ms. Smith stated there are also interior storm windows that can be installed that do not change the look of the exterior at all. Ms. Gagné stated storm windows are highly encouraged in the design guidelines. Chairwoman Derr asked if there were any further discussion from the Commission or the public and once again reminded if anyone wished to comment they would need to come to the podium.

Ms. Kim Tigrett, President of the West Floral Heights Neighborhood Association, stated currently there was no homeowner's association, however, there was a neighborhood association and the neighbors get together to help each other. She invited homeowners of the district to attend the next meeting, April 4th, 2023, which would be held at her residence on 1301 Grant Street. She stated there was a member that knew how to work on old wood doors and windows and had worked on historical homes in San Francisco. She would give his contact information to them after conclusion of the meeting.

Mr. Dickinson stated he didn't want a homeowner to spend more money than they needed to, however, the Commission is in place to uphold the design guidelines. Chairwoman Derr asked if there was a motion. Mr. Martin made a motion to deny the installed sunroom windows as they do not meet the requirements (City's Design Review Guidelines Sec. 4, Item 6 – Windows and Screens) for replacement windows as they need to be replaced with wood, aluminum or aluminum clad wood, exterior muntins and a 9 over 9 configuration. Ms. Graham seconded the motion. Scott Todd, 1401 Garfield, stated he believed the owner should be able to keep in continuity with the front of the home and replace with 5 over 1 configuration in the sunroom. Ms. Graham removed her previous motion and Mr. Martin amended his motion to state denial of the installed sunroom windows as they do not meet the requirements (City's Design Review Guidelines Sec. 4, Item 6 – Windows and Screens) for replacement windows as they need to be replaced with wood, aluminum or aluminum clad wood, exterior muntins and a 5 over 1 configuration. Mr. Lee seconded the motion. Chairwoman Derr called for a vote with the motion passing 8-0.

Chairwoman Derr proceeded to the third item of the 1st story windows facing Tilden Avenue. Ms. Chairwoman clarified they are the main windows on the home. Chairwoman Derr stated the summary was the same discussion had on the sunroom windows and they did not meet guidelines. Chairwoman Derr asked if there was any further comment from the Commission. With nothing more from the Commission, Chairwoman Derr asked if there were any comments from the public. Ms. Stone Simmons stated the replacement windows on the bottom floor matched the windows on the 2nd story that had been replaced by a previous owner (2018/19) without design review approval and if they would have to be replaced. Ms. Simmons also asked if she would have to replace the windows in the rear of the home as well. Ms. Medellin stated the previous windows were wood and the replacements were not. Ms. Smith stated the replacement windows in question are only those visible from the right-of-way. Ms. Gagné stated the Commission does hold the current homeowner accountable for actions of previous homeowners. Ms. Stone Simmons stated

the 3 windows in the rear along with the windows in the front were all vinyl, so why was it okay for those in the rear to stay and the ones in the front to have to be replaced. Ms. Smith stated because the rear windows were replaced by a previous owner they could not make her as the current homeowner accountable to replace them, only the windows she replaced as the current homeowner were in question. Ms. Stone Simmons asked if she should have just denied their calls and then would she have been able to keep the replacement windows she had because that is what the previous homeowner had done. Chairwoman Derr stated if they were replaced in the future, the homeowner would have to replace with approved windows. Chairwoman Derr stated if there were no more comments she would hear a motion. Ms. Medellin made a motion to deny the installed replacement windows (City's Design Review Guidelines Sec. 4, Item 6 – Windows and Screens) and replace with an appropriate material with exterior muntins and same configuration of 5 over 1. Ms. Smith seconded the motion which passed unanimously with a vote of 8-0.

Chairwoman Derr stated the last item was the side port-cochere door. Ms. Gagné displayed photos of the original door and the replacement door. Ms. Smith asked Ms. Gagné what the visibility was for that door. The door is visible, however, Ms. Gagné stated it was limited depending if there were vehicles in the porte-cochere and shrubbery because it has a side-curved driveway from Avenue E. Ms. Medellin asked if it was a fiberglass door and if so was that acceptable material. Chairwoman Derr stated yes it was fiberglass and acceptable. Ms. Graham asked for the Commission to view page 61 of the packet book to view what the visibility is from Avenue E. Mr. Lee said he questioned how much visibility the door would have as well as the security risk of the old door. Ms. Gagné stated in the past the Commission has allowed fiberglass materials on the side and secondary facades. Ms. Smith made a motion to accept the replacement side porte-cochere door as installed based on limited visibility from the public right of way (Ave E/Tilden) and similar size/materials as removed door. Chairwoman Derr asked if there was any public discussion. With no discussion Ms. McKown seconded the motion which passed unanimously with a vote of 8-0.

V. Action Item: Design Review – 1409 Tilden Avenue: West Floral Heights Historic District
Request for Solar Panel Installation:

Residence – Main Structure:

- Option 1 – Request to Install 21 Roof Panels:
 - 9 West Slope (Facing Tilden)
 - 12 East Slope (Facing Alley)
- Alternate Option – Residence + Detached Garage (21 panels)

Ms. Gagné presented the case and stated the owner Ms. Melissa Montero, presented staff with a design review application after working with Fastrac Energy Services of Houston, Texas. The home is in the Colonial Revival style, constructed in 1919 and at one time was a contributing structure, however, with current structures on the property is in non-contributing. Ms. Gagné noted, even with non-contributing structures, it was the goal to move the structure towards contributing. Key features include; side-gabled, 1 story symmetrical façade; full-width porch under main roof; doric columns; and altered, aluminum siding and new windows before the district was designated by City Council.

Inventory photos shown from 2019 reflect repairs authorized by the Commission in December of 2011 include the authorization to allow brick structural support for front porch (not painted); replace windows, replace front door panel with Craftsman style insert; replace front porch columns in-kind; repair concrete porch steps and concrete driveway repair and new egress for detached garage. Staff noted at some point (between 2013 and 2019) the detached garage door was either changed or painted white with a new window panel; there is no record of design review for this alteration.

The first proposal included 21 solar panels on the main structure, the house roof. The alternate proposal suggested panels on the rear roof slope facing the alley and on the front detached garage. Current photos show the home virtually unchanged since 2019 and how the solar panels would be visible from Tilden with panels placed on the west roof slope of the house and south facing roof slope of the detached garage. Photos taken from the rear alley show the primary structure east roof slope is clearly visible above the fence line from the public right-of-way. The proposed solar panels on the rear side of the roof will also have direct visibility from the alley.

Ms. Gagné displayed the overview from Fastrac Energy showing the proposed 21 solar panels; 9 on primary roof slope directly facing Tilden and 12 on rear/east roof slope facing the alley.

Staff advised the Commission this configuration would set a precedent in the historic district with solar panels proposed on the main structure and on the roof slope facing the street if approved. In addition, the east roof slope placement will have visibility from the rear alley. Ms. Gagné stated the Commission has previously approved solar panels only on secondary structures with limited visibility. The alternate proposal shows 12 panels on the main structure (rear facing alley slope) and 9 panels on the front detached garage that has high visibility. Ms. Gagné again stated allowing solar panels to be placed on the main structure and with direct visibility on the front detached garage would set a precedent in the District and impact the historic character not only for 1409 Tilden but the 1400 block and entire West Floral Heights Historic District. Ms. Gagné gave a brief overview of other cities solar panel placement best practices and noted the design guidelines for the City of Wichita Falls.

Ms. Medellin asked in the second option, was there a reason why the panels were pushed to the front of the detached garage verses the rear. Ms. Gagné stated that was the alternate plan submitted by the energy company to ensure an option was approved. The Commission discussed both options and the concerns with highly visible panels. The homeowner, Ms. Monteiro, stated where the panels would be placed, they would be visible and she wasn't sure the integrity of the roof would sustain the added weight of the panels. She also noted she was not happy with the fact she may have to significantly prune very old trees for the panels to be successful and was surprised to learn this company had an "F" rating which she feels they would not fix any problem and had no issues with them denying the panels.

Ms. Smith made a motion to deny both options based on setting a precedent in the historic district as the solar panels would have direct visibility from the primary public right of way (Tilden) which is not in compliance with City's Design Review Guidelines [Sec. 4 - Item 5 (energy efficiency) and 9 (mechanical equipment)]. Mr. Lee seconded the motion. Chairwoman Derr asked if there were any public comments. Mr. Todd stated the Commission needed to really look at what they are doing, that energy prices are going up and they have to make provisions for historical home owners. Mr. Todd continued to note

his high utility bills and the cost of maintaining a historical home. Assistant City Attorney, Monica Aguon, reminded the Commission of the motion of the floor. Chairwoman Derr called for a vote, motion passed 7 in favor; 1 opposed.

VI. Action Item: Design Review – 1300 Tilden Avenue – The Langford House: *Wichita Falls Landmark #29 & West Floral Heights Historic District*

Request Replacement Tile Roofing & Repairs:

- Replace Existing Tile with Ludowici Tile
- Replace Felt Underlay Materials
- Replace Copper Flashing
- Repair Dormers & Trim Pieces

Ms. Gagné presented the case and stated this property had a pivotal structure as it was located at the entrance of West Floral Heights Historic District, had distinct architectural features and occupied an entire city block. Ms. Gagné stated the proposal was to replace the entire Ludowici tile roof on the main structure and the detached, 2-story garage apartment along 10th Street. The structure is located in the 1300 Block of Tilden Avenue, constructed in the Neoclassical style in 1922 and was a contributing, character defining property in historic district. The structure is also a City of Wichita Falls Landmark #29, known as, The Langford House.

The original Ludowici tile roof is a prominent, character defining feature; proposed for replacement due to age/ weathering/storm damage (hail impact). Some of the key features included: a façade dominated by full-height, partial-width porch; roof supported by classical columns with Corinthian capitals; symmetrical balanced windows and center door; 2 ½ story; brick with wood and stone trim (keystone lintel, sills and quoins at corners; garlands, hands, etc.); hipped roof; entry porch features a classical pediment with exaggerated modillions and gabled roof above; roof dormers with segmented pedimented roof; multi-pane double-hung sash windows in single and triples (6 over 1; 12 over 1); side extensions: south – 2 story; north – 2 story porte-cochere; and low balustrade around a platform porch (stone).

Inventory and current photos displayed to the Commission show tile roof and dormer conditions. Staff stated the 101-year-old roof had outlasted the 75-year lifetime warranty, noting the overall roofing damage after several hail storms, age and weathering was visible from an aerial photo from Restore Masters. The contractor, Restore Masters, would be replacing the historic Ludowici tile roof, copper flashing, trim pieces, and wood decking materials with Ludowici vintage green tile and new trim components.

Mr. Jase King, with Restore Masters stated he had previously met with the Commission last year on an approved design review at 1400 Tilden Avenue and wanted to provide photos of that project for examples of what goes on for a historic project of this magnitude. Mr. Martin asked what the replacement tiles would be made of, Mr. King stated they are handmade, fired clay tile. Ms. Smith asked if the texture of the new tiles would match the original, Mr. King stated they would. Mr. Martin clarified work had not been done prior to design review approval. Staff stated no work initiated. Chairwoman Derr asked if there were any other comments from the public. Mr. Lee made a motion to approve the replacement of the Ludowici tile roof, felt underlay materials, wood decking (as needed),

new copper flashing, gutters and dormer caps along with the rear roof section (flat portion) will be TPO with removal and replacement of the termination bar and repair of the overlay. Mr. Martin seconded the motion which was approved as presented based on compliance with City's Design Review Guidelines Sect 4. - Item 3 (Roofs); Motion passed unanimously with a vote of 8-0.

VII. Action Item: Design Review – 1612 Grant Street: West Floral Heights Historic District
Request for Solar Panel Installation:

- Request to Install 35 Panels on Flat Roof Sections of the Main Structure:
 - 9 Panels on the North Wing (Over Porte-Cochere)
 - 26 Panels on the South Wing

Ms. Gagné presented the case and stated she was not certain if the homeowner and/or contractor were present, but the contractor would be Davis Electric. Staff stated this was another key contributing structure located on the corner of Avenue G and Grant Street. The home was built in 1925 in the Prairie style with Craftsman details. Key features of the structure include; two-story brick – American Foursquare; low pitched, hipped pantile roof; 3 chimneys; symmetrical façade with recessed wings; north forms two-story porte-cochere; exposed roof rafters under wide, overhanging eaves; flat-roofed one-story entry porch with decorative iron railing, exposed rafters and decorative brackets at corners; supported by square, brick columns and tapered Doric columns; and double-hung sash windows (9 over 9 or 9 over 1) with stone sills.

Ms. Gagné displayed inventory photos showing the structure virtually unchanged over the decades. Also shown were two portions of flat-roof, proposed for solar panel placement which is not supposed to have direct or oblique visibility. Ms. Gagné stated the proposed addition of solar panels to the south wing, 2nd story flat roof, would result in minimal visibility from the public right of way. Photos showing panels similar to those proposed and method for attachment to the house roof were displayed. Based on City Design Review Standards, the goal would be for zero visibility from the public right of way (Grant & Ave G) with either a direct or oblique view. Ms. Gagné stated the current proposal for 1612 Grant involved installation on the main structure primary roof. However, because of the flat 2nd story roof sections, it's anticipated the proposed panels will not be visible from either Grant or Ave G. Ms. Gagné did note that allowing solar panels on a main structure sets a precedent in West Floral Heights Historic District and that consideration must be given for impacts on historic character in surrounding blocks.

Mr. Dickinson asked if this project would require a building permit and staff advised it would. Mr. Dickinson stated when obtaining the building permit the contractor would be required to provide detailed site plans showing the panel slope so there should be opportunity to verify no visibility. Ms. Gagné stated staff would be reviewing those plans as that is a concern with the slight angle of the panels. Chairwoman Derr and Ms. Medellin both agreed they didn't believe there would be any visibility. Mr. Martin stated he understood there was a need for solar energy, however, he thought the solar panels were not pleasant to observe on a home. Mr. Dickinson agreed with Mr. Martin and stated this was a chance to work with the homeowner and still meet design guidelines. Ms. Medellin pointed out there was an accessory structure they could have placed some panels on. Chairwoman Derr pointed out that roof had a slight slope and the panels would be visible on it and wasn't near large

enough to fit all panels. Ms. Smith asked what material the roof was made of and if there were tiles that would have to be removed. Ms. Gagné stated it was a TPO roof.

Mr. Martin made a motion to approve the placement of solar panels only on the main structure's sections of 2nd story flat roof. Motion to allow the request for placement of 35 solar panels, 9 north wing and 26 on south wing only on the flat roof sections with no visibility from Grant and Ave G. Mr. Dickinson seconded the motion that passed unanimously with a vote of 8-0.

VIII. Action Item: Design Review – 1416 Hayes Street: West Floral Heights Historic District
Request for Various Exterior Alterations:

- 1) Windows – Replace with Alternate Materials
 - 10 Windows (Vinyl) Replaced Void of Permits
 - Installed January 2023
- 2) Front Door – Replace with Alternate Design & Materials
 - Steel Door; No Window Panel; Storm Door
 - Stop-Work Order Issued March 2023

Ms. Gagné presented the case and stated the property was located on the northwest corner of Hayes Street and Avenue E intersection and was a contributing structure to the West Floral Heights Historic District. Staff was alerted to work being done without design review approvals and permits. The 1 ½ story brick home was constructed in 1925 in the Craftsman style with key features including; a brick chimney; hipped roof with wide, overhanging eaves with exposed roof rafters; clipped front gable with decorative beams form small covered entry hoot; clipped front gable roof dormer with shingles and series of 4 double hung sash windows 6 over 6; double-hung, sash windows (6 over 1; and 6 over 6) single, paired or tripled; two front entries; 1 more prominent with 8 small, square lights in top of door with distinctive glazing; and wrought iron screen doors which were added at a later date.

Ms. Gagné displayed inventory photos from 2019 showing a screen door that had been added to the primary entry door, with former windows and doors still intact. When city staff was alerted to window installation being conducted by Home Depot the installation was essentially completed with no permits or design review obtained. There were 10 windows replaced on east and south facades with direct visibility from Hayes/Avenue E. The replacement windows were vinyl double-hung, with simulated divided lites. Reflectivity/glare is visible from replacement windows. The replacement windows are the same size as the original windows. The replaced windows were single-pane, sash windows. Post WWII, it appears original windows were replaced with standard size wood sash units and sometime later, were replaced, wrapped with aluminum and mill-finish aluminum storm windows installed A replacement front door was in the installation process on March 7th, 2023, when Building Inspections issued a stop-work order.

Photos of the original and replacement windows were shown side-by-side. As a point of comparison for the missing ground floor windows, the roof dormer windows, which were still intact, were double hung, 6 over 6 and appeared to be wood and possibly original. The removed ground floor windows may have been replaced at some point, with aluminum and built-up framing to match the original openings with aluminum storm windows.

Ms. Gagné stated the removed front door had 8-lites of beveled glass and appeared original based on design and unique size (43.5 x 85.75 inches). The proposed replacement door is a JELD-WEN steel single door unit with no glazing. The owner is also requesting a full-view-window storm door. The style, materials and design do not fit the Craftsman architectural style or meet the minimum design review guidelines. The replacement door is not a Craftsman design and impacts overall architectural character of the building. The design guidelines specify that, *"Solid steel or hollow-wood doors are not appropriate for main entries for landmarks or historic districts designated to date"*. Ms. Gagné advised the staff's concern was the replacement material, style and overall appearance do not reflect the architectural style of original door potentially creating a non-contributing structure.

The Commission had discussions on the removed windows and whether they were original windows or windows that had been replaced by another homeowner. Mr. Rick Moore from Home Depot briefly spoke to the Commission that he was unaware the structure was in a historical district.

Ms. Graham stated she understood the special ordered steel door was for security purposes, however, the replacement door is not Craftsman style and does not meet design standards. Ms. Smith asked if the removed door was wood. The owner was not present and Mr. Moore and Ms. Gagné surmised the door was likely wood but were not aware of the location of the door post removal. Chairwoman Derr stated she would recommend a door that matched the Craftsman style.

Chairwoman Derr asked if there were any comments from the public or anything further from the Commission. Mr. Martin made a motion to deny the solid steel door and recommend either repair original wood door or replace with either a wood or fiberglass door that matches the same architectural style. Mr. Dickinson seconded the motion which passed unanimously with a vote of 8-0.

Ms. Graham made a motion to deny the windows as installed with vinyl which do not meet the City's Design Review Guidelines Sec. 4 – Item 6 – Windows and Screens. The windows need to be replaced with either wood, aluminum or aluminum clad materials, any color, muntins on the exterior and 6 over 6 configuration, with the middle single window (Hayes façade) being 8 over 8 configuration. Ms. McKown seconded the motion which passed unanimously with a vote of 8-0.

IX. Other Business:

a) Monthly Reports

Depot Square:

Ms. Derr gave the following updates:

- Apr. 6th – Art Walk begins and is the 1st Thursday of each month through Oct.
- Apr. 22nd – Cajun Fest
- Now – Apr. 15th – Wichita Theater – Wizard of Oz
- Apr. 21st – Wichita Theater – James Taylor Tribute

West Floral Heights:

Ms. Smith had no updates

b) Commission Procedural Items:

- Online - Open Meetings Act & Public Information Act Training; Release of Information Form

c) Updates:

- NPS Listing – Indiana Ave. Historic District
- THC Real Places Conference & CLG Annual Report
- Preservation Month 2023 – THC Marker Refurbishment Phase II Project
- Preservation TX – North Central Regional Summit

d) Derelict Historic Properties Update: 502 Ohio; 1400 Travis (Berry Brown landmark)**e) Articles/Periodicals/Trainings:**

- Nat'l Trust: Preservation – Winter 2023 issue
- THC – The Medallion – Fall 2022 issue
- NAPC - CAMP Training – Ft Worth – Sat. April 15

f) Design Review – Staff Authorized – Minor Alteration/Repairs:

- 1705 Tilden – WFHHD – composition roof
- 1701 Tilden – WFHHD – interior bathroom remodel/stop work order
- 1311 Tilden – WFHHD – foundation repair
- 1307 Tilden – WFHHD – foundation repair
- 1717 Grant – WFHHD – electrical panel replacement rear building

X. Adjourn

Next regularly scheduled meeting April 25, 2023 – 12 p.m.

Meeting adjourned at 2:41 p.m.


Michele Derr, Chairperson

4-25-2023
Date

CITY COUNCIL AGENDA
May 2, 2023

ITEM/SUBJECT: Conduct a public hearing and take action on an ordinance to establish the minimum Standards of Care for the Summer Day Camp Program.

INITIATING DEPT: Parks & Recreation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

The City of Wichita Falls provides several youth-oriented activities including a summer day camp. State law considers summer day camps in many instances as “day care facilities” which requires state licensing as a daycare. However, statute also allows municipal operated day camps to be exempted from the state licensing requirement by, after a public hearing, adopting an ordinance outlining the “Standards of Care” for such programs.

The proposed standards are included in the attached ordinance and, at minimum, require:

- That such standards are provided to the parents of each program participant, and
- That such standards shall include staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and
- That parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility.

Staff recommends approval of the ordinance.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance to adopt established minimum Standards of Care for the Summer Day Camp Program

WHEREAS, the City's Parks and Recreation Department has determined that certain minimum standards of care are necessary to health, safety, and welfare of individuals participating in the Summer Day Camp Program and,

WHEREAS, the State of Texas Human Resources Code Chapter 42 exempts certain after - school and summer recreation programs from state licensing requirements as identified in Subsection 42.041(b)(14) stating "an elementary-age (ages 5-13) recreation program operated by a municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility;"

WHEREAS, the City Council, at a meeting on May 2, 2023, held a public hearing prior to adopting this ordinance regarding established Standards of Care for the Summer Day Camp Program.

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

The attached minimum standards of care for the City's summer camp program are hereby adopted by the City of Wichita Falls.

PASSED AND APPROVED this the 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk

Standards of Care for Summer Day Camp Program.

Definitions.

- A. "Camp Program Staff" means a person responsible for the direct care or supervision of participants, including volunteers and contractors. The term excludes a person whose primary duties include administration, clerical support, or facility maintenance.
- B. "Department" means the Parks and Recreation Department.
- C. "Administrator" means an administrator of the Parks and Recreation Department.
- D. "Designee" means a person appointed by the administrator to act on the administrator's behalf.
- E. "Facility" means a building or improvement operated or used by the department in conducting a recreational program.
- F. "Participant" means a child age 5 to 13 years old that is enrolled in a recreational program and is under the supervision of department staff.
- G. "Recreational Program or Program" means a fee-based children's program or activity offered and supervised by the department that requires a participant to enroll or register to participate.
- H. "Staff" means a person who is employed by the department to work in a recreational program.
- I. "Parent" means a legal guardian of a participant.

Purpose. The Standards of Care set forth in this chapter are intended to be the minimum standards by which the City of Wichita Falls Parks and Recreation Department will operate its Summer Day Camp program which is recreational in nature and not designated as a child care program. Pursuant to section 42.041(b)(14) of the Texas Human Resource Code, adoption of these Standards of Care will allow the City to qualify as being exempt from the state licensing requirements of the Texas Human Resource Code.

Participant and Camp Program Staff Ratios.

- A. Camp programs shall have no greater than a 12/ 1 ratio of participant to camp program staff for children 5-13 years of age.
- B. Each participant should have a program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special problem.

Minimum Camp Program Staff Qualifications.

- A. Camp program staff must be at least 16 years of age.
- B. At least 50% of camp program staff must possess certification from a nationally recognized body in First Aid; and Community CPR or equivalent.
- C. Camp program staff must complete a camp program staff orientation including but not limited to:
 - 1. An overview of the City of Wichita Falls Standards of Care; and
 - 2. Policies including discipline, guidance, and the release of participants; and
 - 3. An overview of symptoms of child abuse, neglect, and sexual abuse and the responsibility of reporting these; and
 - 4. The procedures to follow in handling emergencies including but are not limited to: fire, explosion, tornado, toxic fumes, volatile persons, and severe injury or illness of a child or adult; and the use and locations of fire extinguishers and first aid equipment.

Employment Restrictions.

- A. Criminal background checks will be conducted on prospective camp program staff. Criminal background checks shall conform with the policies and procedures of the City of Wichita Falls Human Resources Department.

Minimum Building Standards.

- A. The facility and equipment used do not present any known fire, health, or safety hazards and are kept free of accumulations of objectionable debris.
- B. The facility shall be subject to an annual safety inspection.
- C. The facility shall reasonably be kept free of insects, rodents, and stray animals.
- D. Facility buildings shall maintain clearly marked emergency exits.
- E. A disaster and evacuation procedure shall be posted at the facility.
- F. First-aid kits and infection control kits shall be available at the facility and taken to other locations at which the participants are engaged in program activities.
- G. First-aid guidelines shall be on file and available at the facility.
- H. The facility shall have a sufficient number of restrooms maintained in good repair and equipped for independent use by children and designed to permit staff supervision as needed.

Minimum Health and Safety Standards.

- A. A participant who is ill or injured shall be supervised until the participant is released to a parent or other authorized person.
- B. A participant whose illness or medical condition requires a degree of supervision by staff that would compromise the health or safety of the other participants shall be kept separate from the other participants until the participant is removed from the facility.
- C. A participant whose illness or medical condition prevents the participant from comfortably participating in program activities or places other participants at risk may not be admitted or readmitted to the facility for the duration of the illness or condition.
- D. A staff member will not administer medication to a participant. Parents are highly encouraged to come to the camp and administer medication by pre-arranging with the Camp Supervisor.
- E. Parents must complete a medication administration form with the Camp Supervisor.
- F. A staff member shall maintain a medication and first aid log.

Mechanisms for Monitoring and Enforcing Standards.

The administrator or designee shall monitor the camp programs for performance. Compliance with these standards will be a factor in rating the performance of the youth program.

Review.

This Chapter will expire one year after its effective date.

Recommendation for Amendment or Re -Adoption.

No later than May 1st of each year the administrator or designee shall recommend to the City Council adoption of the local standards of care.

CITY COUNCIL AGENDA
May 02, 2023

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for the Texas Healthy Communities Grant in the amount of \$85,185; received from the Department of State Health Services; 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 Department of State Health Services (DSHS) is amending the current Texas Healthy Communities Grant Program contract to add \$85,185 of funding for Fiscal Year 2024. This grant program has no match requirement. This grant covers a Texas Healthy Communities Program Manager; the primary job duties of the Program Manager are to ensure programmatic and financial requirements are met. Programmatic activities change each year based on the needs of the community, as identified by DSHS. Prior activities have included heart disease and stroke education and prevention, the creation and maintenance of a Wichita Falls Trail App, and bicycle safety education. The contract period for this grant is September 01, 2023, to August 31, 2024.

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 the Texas Healthy Communities Grant in the amount of \$85,185; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same

WHEREAS, the Health District and the Department of State Health Services desire to enter into a contract for continued public health services; and

WHEREAS, 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 \$85,185 for the Texas Healthy Communities Grant Program, and the City Manager is authorized to enter into a contract with the Department of State Health Services for the Wichita Falls-Wichita County Public Health District.

PASSED AND APPROVED this the 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
May 2, 2023

ITEM/SUBJECT: Ordinance appropriating \$13,988.77 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program ("Click It or Ticket") Wave Grant for Fiscal Year 2023 and authorizing the City Manager to accept said funds.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City of Wichita Falls has been invited to participate in a direct award grant, also known as "Click It or Ticket," from the Texas Department of Transportation. The \$14,000.00 grant is to be awarded during the Memorial Day holiday period spanning May 22, 2023, through June 4, 2023. The grant also requires a 20% total match from the City of Wichita Falls (\$3,547.66), which will be comprised of in-kind contributions, including salary related to grant administration and vehicle usage. Calculating State funding and City match, the total amount will be \$17,536.43. This selective enforcement period places primary emphasis on the non-use of safety belts and child safety seats. The award amount is to reimburse the City of Wichita Falls for overtime payment to off-duty officers working selective traffic enforcement during the specified holiday period.

Staff recommends approval of the ordinance.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Document Information: [2023-WichitaPD-CIOT-00041](#)[Details](#)You are here: > [STEP - CIOT - 2023 Menu](#) > [Forms Menu](#) > [Budget](#)**BUDGET SUMMARY****Instructions:**

- Click the **Save** button to complete this page.

Budget Category		TxDOT	Match	Total
Category I - Labor Costs				
(100)	Salaries	\$11,284.00	\$1,157.36	\$12,441.36
(200)	Fringe Benefits	\$2,704.77	\$277.42	\$2,982.19
	Category I Sub-Total	\$13,988.77	\$1,434.78	\$15,423.55
Category II - Other Direct Costs				
(300)	Travel	\$0	\$714.00	\$714.00
(400)	Equipment	\$0	\$0	\$0
(500)	Supplies	\$0	\$0	\$0
(600)	Contractual Services	\$0	\$0	\$0
(700)	Other Miscellaneous	\$0	\$0	\$0
	Category II Sub-Total	\$0	\$714.00	\$714.00
Total Direct Costs		\$13,988.77	\$2,148.78	\$16,137.55
Category III - Indirect Costs				
(800)	Indirect Cost Rate	\$0	\$1,390.44	\$1,390.44
Summary				
	Total Labor Costs	\$13,988.77	\$1,434.78	\$15,423.55
	Total Direct Costs	\$0	\$714.00	\$714.00
	Total Indirect Costs	\$0	\$1,390.44	\$1,390.44
Grand Total		\$13,988.77	\$3,539.22	\$17,527.99
	Fund Sources (Percent Share)	79.81%	20.19%	

Ordinance No. _____

Ordinance appropriating \$13,988.77 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program (“Click It or Ticket”) Wave Grant for Fiscal Year 2023 and authorizing the City Manager to accept said funds.

WHEREAS, the City of Wichita Falls has been invited to participate in a direct award from the Texas Department of Transportation for the purpose of selective traffic enforcement; and,

WHEREAS, the City of Wichita Falls will provide a 20.23% match totaling \$3,547.66; and,

WHEREAS, the primary emphasis will be on the non-use of occupant restraints (safety belts and child safety seats) during the holiday period; and

WHEREAS, the holiday period will span May 22, 2023, through June 4, 2023.

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

There is appropriated \$13,988.77 to the Special Revenue Fund for the purpose of selective traffic enforcement as authorized in the grant from the Texas Department of Transportation, and the City Manager is authorized to execute all documents necessary to accept said funds on behalf of the City of Wichita Falls.

PASSED AND APPROVED this the 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
May 2, 2023

ITEM/SUBJECT: Ordinance appropriating \$13,988.77 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program (Operation SlowDown) Wave Grant for Fiscal Year 2023 and authorizing the City Manager to accept said funds.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

The City of Wichita Falls has been invited to participate in a direct award grant, also known as "Operation SlowDown," from the Texas Department of Transportation. The \$14,000.00 grant is to be awarded during the Memorial Day holiday period spanning July 14, 2023 through July 30, 2023. The grant also requires a 20% total match from the City of Wichita Falls (\$3,547.66), which will be comprised of in-kind contributions including salary related to grant administration and vehicle usage. Calculating State funding and City match, the total amount will be \$17,536.43. This selective enforcement period places primary emphasis on the enforcement of speed limits in selected zones throughout the city that have been identified as problem areas for serious injury and fatality crashes. The award amount is to reimburse the City of Wichita Falls for overtime payment to off-duty officers working selective traffic enforcement during the specified holiday period.

Staff recommends approval of the ordinance.

☒ **Police Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Document Information: [2023-WichitaPD-OpSlow-00040](#)[Details](#)You are here: > [STEP - OpSlow- 2023 Menu](#) > [Forms Menu](#) > [Budget](#)**BUDGET SUMMARY****Instructions:**

- Click the **Save** button to complete this page.

Budget Category		TxDOT	Match	Total
Category I - Labor Costs				
(100)	Salaries	\$11,284.00	\$1,157.36	\$12,441.36
(200)	Fringe Benefits	\$2,704.77	\$277.42	\$2,982.19
Category I Sub-Total		\$13,988.77	\$1,434.78	\$15,423.55
Category II - Other Direct Costs				
(300)	Travel	\$0	\$714.00	\$714.00
(400)	Equipment	\$0	\$0	\$0
(500)	Supplies	\$0	\$0	\$0
(600)	Contractual Services	\$0	\$0	\$0
(700)	Other Miscellaneous	\$0	\$0	\$0
Category II Sub-Total		\$0	\$714.00	\$714.00
Total Direct Costs		\$13,988.77	\$2,148.78	\$16,137.55
Category III - Indirect Costs				
(800)	Indirect Cost Rate	\$0	\$1,390.44	\$1,390.44
Summary				
Total Labor Costs		\$13,988.77	\$1,434.78	\$15,423.55
Total Direct Costs		\$0	\$714.00	\$714.00
Total Indirect Costs		\$0	\$1,390.44	\$1,390.44
Grand Total		\$13,988.77	\$3,539.22	\$17,527.99
Fund Sources (Percent Share)		79.81%	20.19%	

Ordinance No. _____

Ordinance appropriating \$13,988.77 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program (Operation SlowDown) Wave Grant for Fiscal Year 2023 and authorizing the City Manager to accept said funds.

WHEREAS, the City of Wichita Falls has been invited to participate in a direct award from the Texas Department of Transportation for the purpose of selective traffic enforcement; and,

WHEREAS, WHEREAS, the City of Wichita Falls will provide a 20.23% match totaling \$3,547.66; and,

WHEREAS, the primary emphasis will be on the enforcement of speed limits during the specified period; and

WHEREAS, the specified period will span July 14th, 2023 through July 30th, 2023.

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

There is appropriated \$13,988.77 to the Special Revenue Fund for the purpose of selective traffic enforcement as authorized in the grant from the Texas Department of Transportation, and the City Manager is authorized to execute all documents necessary to accept said funds on behalf of the City of Wichita Falls.

PASSED AND APPROVED this the 2nd day of May, 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
May 2, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to make application for a grant from the Office of the Governor, Public Safety Office, Criminal Justice Division, FY 2023 ALERRT Travel Assistance in the amount of \$2,300.00.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficient Delivery of City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Office of the Governor, Public Safety Office, Criminal Justice Division have opened applications for law enforcement agencies to offset agency-incurred travel costs for the sending of peace officers to Advanced Law Enforcement Rapid Response Training (ALERRT) Training for FY 2023. The Wichita Falls Police Department sent (2) officers for ALERRT training in the month of March. We are looking to apply for a grant to get reimbursed for incurred travel costs and registration fees from this training opportunity.

Staff recommends approval of the resolution.

☒ **Police Chief**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to make application for a grant from the Office of the Governor, Public Safety Office, Criminal Justice Division, FY 2023 ALERRT Travel Assistance in the amount of \$2,300.00

WHEREAS, the City of Wichita Falls is eligible to apply for a non-matching grant, from the Office of the Governor, Public Safety Office, Criminal Justice Division FY 2023 ALERRT Travel Assistance in the amount of \$2,300.00; and,

WHEREAS, the Wichita Falls City Council finds it in the best interest of the citizens of Wichita Falls, that the City Manager applies for the reimbursement of incurred agency cost from the Office of the Governor, Public Safety Office to be offered for FY 2023; and,

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

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

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

The City Manager is hereby authorized to make application for a non-matching grant from the Office of the Governor, Public Safety Office, Criminal Justice Division FY 2023 Advanced Law Enforcement Rapid Response Training (ALERRT) Travel Assistance, grant #4712501 in the amount of \$2,300.00.

PASSED AND APPROVED this the 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
May 2, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2023 Lake Wichita Park Parking Lot to Freeman Paving, LLC, in the amount of \$802,440.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Signature Public Improvements Projects

COMMENTARY: On April 18, 2023, bids were opened for the 2023 Lake Wichita Park Parking Lot. This project is generally described as the construction of a parking lot at Lake Wichita Park and associated work. The project will be comprised of the installation of curb & gutter and asphalt pavement at the Lake Wichita Parking Lot, a sidewalk connection from the existing pavilion at Lake Wichita Park to the new proposed parking lot, and a 2-inch asphalt overlay on the parking lot by the dam off Taft Blvd. The budget for this project is \$870,000.00.

The bids received for this project, which include the Base Bid plus Add/Alts No. 3 & No. 4, are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Freeman Paving, LLC – Vernon, TX	\$802,440.00
SPI Asphalt, LLC – Argyle, TX	\$1,013,780.00

Construction of this project should require approximately 120 calendar days to complete.

Freeman Paving, LLC has performed similar work for the City in the past, and therefore, staff recommends award of the contract to Freeman Paving, LLC in the amount of \$802,440.00, which includes the Base Bid and Add/Alts No. 3 & No. 4 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 Lake Wichita Park Parking Lot to Freeman Paving, LLC, in the amount of \$802,440.00

WHEREAS, the City of Wichita Falls has advertised for bids for the 2023 Lake Wichita Park Parking Lot; and,

WHEREAS, it is found that the lowest responsible bidder is Freeman Paving, LLC, who made a unit price bid with an estimated total of \$802,440.00.

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

The unit price bid for the 2023 Lake Wichita Park Parking Lot is awarded to Freeman Paving, LLC, in an estimated total amount of \$802,440.00, 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 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk

2023 Lake Wichita Park Parking Lot
CWF23-550-09
BID DATE: APRIL 18, 2023

BASE BID Lake Wichita Park Parking Lot			
Pay Item	Description	Unit	Quantity
200.1	Mobilization (Not to Exceed 5%)	LS	1
202	Temporary Erosion Control	LS	1
203	Site Prep	LS	1
204-HM	Hydromulch & Seeding	SY	1506
301.3-RIP	12" Subgrade Recycle In Place	SY	6991
302-D	Type D HMAC	TON	1934
305-VG	8" Concrete Valley Gutter	SY	63
305.1	6" Concrete Curb & Gutter	LF	2,692
305.2-SW	Concrete Sidewalk	SY	20
467	Safety End Treatment	EA	2
508.6	12" ADS HP Pipe	LF	27
801	Temporary Traffic Control	LS	1
803.3	12" Rock Riprap	CY	1
804	Striping	LS	1
Engineers Estimate: \$800,000.00			

Freeman Paving, LLC Vernon, TX	
Unit Price	Total
\$10,000.00	\$10,000.00
\$5,000.00	\$5,000.00
\$10,000.00	\$10,000.00
\$2.50	\$3,765.00
\$40.00	\$279,640.00
\$150.00	\$290,100.00
\$90.00	\$5,670.00
\$40.00	\$107,680.00
\$120.00	\$2,400.00
\$2,500.00	\$5,000.00
\$125.00	\$3,375.00
\$5,000.00	\$5,000.00
\$3,000.00	\$3,000.00
\$7,500.00	\$7,500.00
TOTAL	\$738,130.00

SPI Asphalt, LLC Argyle, TX	
Unit Price	Total
\$30,000.00	\$30,000.00
\$20,000.00	\$20,000.00
\$40,000.00	\$40,000.00
\$14.00	\$21,084.00
\$18.00	\$125,838.00
\$167.00	\$322,978.00
\$120.00	\$7,560.00
\$120.00	\$323,040.00
\$108.00	\$2,160.00
\$5,000.00	\$10,000.00
\$600.00	\$16,200.00
\$20,000.00	\$20,000.00
\$500.00	\$500.00
\$10,000.00	\$10,000.00
TOTAL	\$949,360.00

ADD/ALT No. 3 Taft Parking Lot			
Pay Item	Description	Unit	Quantity
302-D-A3	Type D HMAC	TON	141
402-A3	Base Repair	SY	282
403-M-A3	Milling	SY	85
804-A3	Striping	LS	1
Engineers Estimate: \$55,000.00			

Freeman Paving, LLC Vernon, TX	
Unit Price	Total
\$150.00	\$21,150.00
\$90.00	\$25,380.00
\$80.00	\$6,800.00
\$7,500.00	\$7,500.00
TOTAL	\$60,830.00

SPI Asphalt, LLC Argyle, TX	
Unit Price	Total
\$180.00	\$25,380.00
\$70.00	\$19,740.00
\$100.00	\$8,500.00
\$5,000.00	\$5,000.00
TOTAL	\$58,620.00

ADD/ALT No. 4 Pavillion Connection			
Pay Item	Description	Unit	Quantity
305.2-SW-A4	Concrete Sidewalk	SY	29
Engineers Estimate: \$3,200.00			

Freeman Paving, LLC Vernon, TX	
Unit Price	Total
\$120.00	\$3,480.00
TOTAL	\$3,480.00

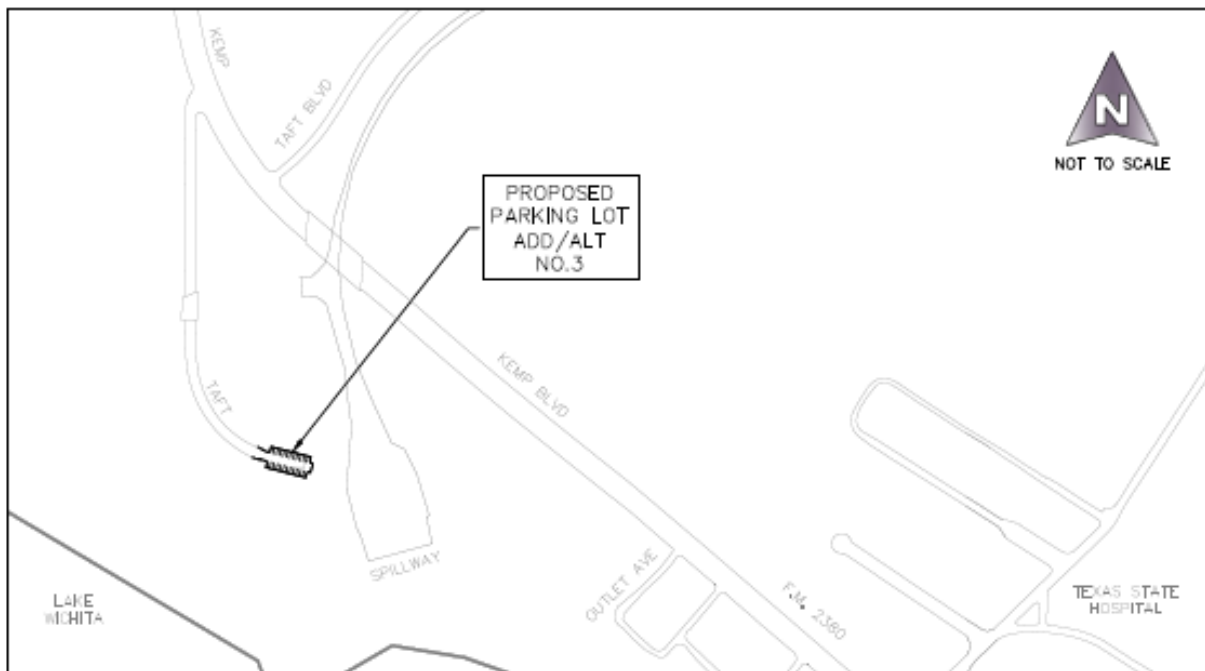
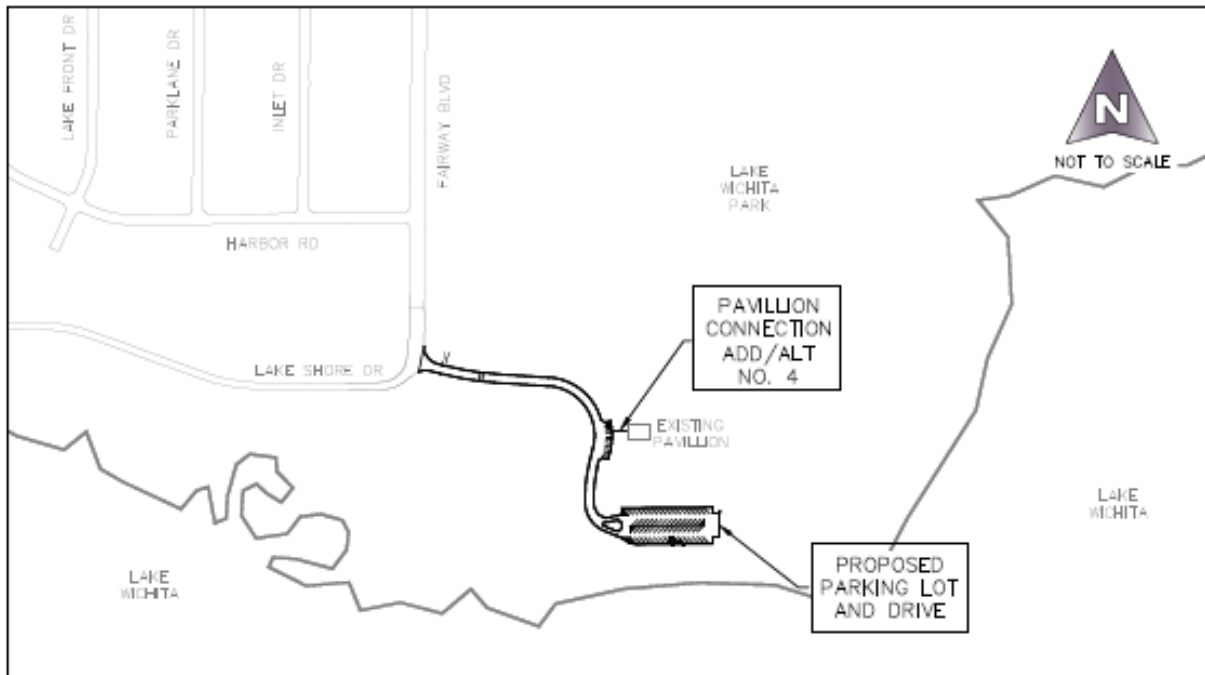
SPI Asphalt, LLC Argyle, TX	
Unit Price	Total
\$200.00	\$5,800.00
TOTAL	\$5,800.00

Total Base Bid & Add/Alt No. 3 & 4

TOTAL \$802,440.00

\$1,013,780.00

2023 LAKE WICHITA PARK PARKING LOTS CWF23-550-09



CITY COUNCIL AGENDA
May 02, 2023

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

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Rabies Control Act (Chapter 826 of the Texas Health and Safety Code, as amended April 02, 2015) requires that the Commissioners' Court of each county and the governing body of each municipality appoint an officer to act as the Local Rabies Control Authority (LRCA). The LRCA is empowered to quarantine animals exposed to rabies and enforce both local and state rabies orders, ordinances, and statutes.

Ms. Bacon will replace William Tucker, who transferred to another department within the City of Wichita Falls. Ms. Bacon is the Animal Services Administrator and has been employed with the City of Wichita Falls since December 2018. She has extensive training in animal care and control, including certifications for Animal Control and Cruelty Investigator. She has received extensive training and certifications from the Texas Animal Control Training Institute (TACTICAL) specific to LRCA and Animal Care Officer (ACO). Ms. Bacon has also received a certification in Animal Shelter Behavioral Management.

Staff recommends approval of the resolution.

☒ **Interim Director of Health**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

**Resolution appointing Andrea Bacon of the Animal Services Division
of the Wichita Falls-Wichita County Public Health District to act as the
Local Rabies Control Authority for the City of Wichita Falls Texas**

WHEREAS, the Rabies Control Act (Chapter 826, as of April 02, 2015) was established as a minimum statewide program to control and eradicate rabies in the State of Texas, to be administered by the Texas Department of State Health Services, with the cooperation of the governing bodies of the counties and incorporated municipalities within the State; and,

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

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

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

Ms. Andrea Bacon of the Wichita Falls-Wichita County Public Health District is hereby appointed as the Local Rabies Control Authority for the City of Wichita Falls, Texas.

PASSED AND APPROVED this the 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA May 2, 2023

ITEM/SUBJECT: Resolution accepting an allocation from the Tax Increment Financing (TIF) #2 Board of the remaining TIF #2 District fund balance for the design and construction of the South Wenonah Boulevard extension to the City of Wichita Falls to manage and construct.

INITIATING DEPT: Development Services Department

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Evaluate Alternative Options for Financing Infrastructure Improvements

COMMENTARY:

Timeline

- April 5, 2023 – TIF #2 Board considers and approves by unanimous vote the allocating of all current and remaining unencumbered funds to the design and construction of South Wenonah Boulevard.
- May 2, 2023 – City Council consideration of a Resolution to accept the allocation for the South Wenonah Boulevard project.

Summary

This item is to consider approval of a Resolution to accept and allocate the current and future allocations of the TIF #2 district for the design and construction of South Wenonah Boulevard. The TIF #2 Board met on April 5, 2023, and approved a recommendation (with attached subsequent Resolution) that current and future funding (projected total of approximately \$4.7M) allocated to the TIF #2 district be designated for the design and construction (including right-of-way acquisition) of South Wenonah Boulevard. The TIF #2 zone sunsets the end of 2025 along with the ability to utilize said funds.

Background

The original TIF #2 Project Plan outlined several public infrastructure projects with the goal of them being completed during the 20-year span of the zone (2005-2025):

- Maplewood Extension;
- Lawrence/Rhea Rd Realignment;
- South Wenonah Blvd

To date, the revenue generated in the zone has performed beyond expectations and is able to meet its payment commitments for the first two projects, as well as the subject South Wenonah Blvd construction.

In addition to being the last remaining major project from the TIF #2 Project Plan, the construction of South Wenonah Boulevard is also identified in the City's Thoroughfare Plan and the City's Metropolitan Planning Organization (MPO) Freight/Mobility Plan. Also, since 2017, the South Wenonah extension from Kell (US 82/277) to Maplewood has consistently ranked in the top 30 projects for the MPO region and in 2023 was ranked the 5th most important future transportation project for the area.

Estimated Project Costs

When the zone was created (2005), the South Wenonah extension had a cost estimate of \$907,500 which excluded ROW costs. The Financial Plan was updated in 2008 with revised project costs - Wenonah was estimated at \$2.51 million. By 2021, (post-COVID), the Public Works Department estimates had doubled to \$4.2m to consider acquiring, designing, and constructing South Wenonah in three phases. Current estimates continue to rise with \$5.83m potentially getting the entire roadway segment developed from Kell Blvd. to Maplewood with proposed connections at Gregory, Tarry, and Maplewood.

Based on financial projections, staff anticipates there would be sufficient increment funds available to pay for a portion of South Wenonah's development, along with design and right-of-way (ROW) acquisition costs. Other funding sources, public and/or private, may be considered to supplement this infrastructure project. Staff would consider South Wenonah's development in phases that would be dependent on numerous factors, including right of way availability, private-public partnerships, and the most logical route to initiate development, whether it be from Kell Blvd. and extend southward or begin at Maplewood and extend northward as funding/bids allow.

Staff anticipates completing right-of-way acquisition sometime this summer, and having the design completed and ready for bid by early 2024. Pending palatable bids and City Council approval of such, construction could begin in the spring/summer of 2024.

Staff recommends approval of the resolution.

☒ **Director of Development Services**

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Exhibits from TIF #2 meeting, Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

April 5, 2023, TIF #2 Board Meeting – Exhibits

AGENDA ITEM 4 April 2023

Consider Request to Allocate Remaining TIF #2 Fund Balance to Assist in the Development (Acquisition, Design and Construction) of South Wenonah Blvd. Extension

1. Staff Recommendation

Request the board consider the merits of allocating increment funds to development of South Wenonah Blvd. as a reliever route providing benefits within the reinvestment zone, for the regional transportation network and continued economic development of the area. The reinvestment zone sunsets the end of 2025 along with the ability to utilize increment funds for critical infrastructure projects. Staff recommend fund allocation for South Wenonah Blvd. as it is a logical zone investment with community benefit coupled with being the only remaining undeveloped public infrastructure project outlined in the Project & Financial Plan.

2. Basis for Consideration

Purpose of the reinvestment zone was to provide for needed redevelopment in a former industrial area and to utilize the generated increment funds for public infrastructure improvements that would benefit the zone and region. The projects focused on drainage (removal of land from 100-yr floodplain/channelization), roadway extensions, widening, and realignments that would result in both regional benefit and within the zone.

TIF #2 Project & Financial Plan:

The Plan outlined four main public infrastructure projects with the goal of them being completed during the 20-year span of the zone. To date, the zone has performed beyond expectations and is able to meet its payment commitments for two projects while growing the increment for future projects in the Plan. Two of the four projects were completed with assistance from other funding sources: Maplewood Extension (Phase II) and the Lawrence Road/Rhea realignment and widening. Other projects have successfully been completed without the use of the TIF funds. A public-private partnership in conjunction with passage of the 2018 bond allowed the final roadway segment and drainage canal work for Maplewood Phase III thus creating a complete corridor from McNiel to Southwest Pkwy. In addition, the McGrath/Quail Creek drainage improvement project is currently underway but utilizing other funding sources. The TIF #2 Board revised their project priority list in 2012 and the only remaining infrastructure project is South Wenonah Blvd. from Kell Blvd. to Maplewood.

Thoroughfare Plan:

The City's Thoroughfare Plan identifies the functional street classification system from freeways to local residential streets. The Plan serves three functions: 1) reserves adequate right of way as roads are developed to meet future demand; 2) assists in maintaining overall street connectivity; and 3) is a tool for long-range transportation planning and roadway capacity. South Wenonah Blvd. is identified on the City's Thoroughfare Plan as a future street connection and classed as a major collector with a 48ft pavement width. Since the reinvestment zone's creation in 2005, development has continued to be attracted to this area of the city and with that, the level of traffic and congestion has also grown. The South Wenonah connection was initially identified as a reliever route to divert freight traffic from the burgeoning commercial area along Lawrence near the Quail Creek Plaza and Highland Town Square (Call Field/Lawrence). South Wenonah would have connections at the north to US 82/277 (Kell) and to Gregory, Tarry and Maplewood.

Wichita Falls MPO Prioritized Project List and Freight/Mobility Plan:

The City's Metropolitan Planning Organization maintains an annual list of future roadway, bi-ped, bridge and transportation safety projects. Many of these projects are submitted from the public during annual meetings and from member communities. The projects are ranked annually based on a detailed matrix

which considers everything from funding availability to level of improvement to the federal highway system. The South Wenonah extension from Kell (US 82/277) to Maplewood, since 2017 has consistently ranked in the top 30 projects for the MPO region and in 2023 was ranked the 5th most important future transportation project for the area.

The Freight and Mobility Study/Plan (2022) is a guide for the MPO to promote safe and efficient movement of freight while supporting support freight-related economic growth opportunities. Lawrence Road was identified as a crash hot spot and access management was a recommended strategy to address safety concerns. The study also assessed congestion and network reliability by assigning an index for Level of Travel Time Reliability (LOTTR) measured by recording the time it takes traffic to travel through a roadway segment over a 4-hour period. The Lawrence Road corridor had an index of over 2 at the intersections of US 82/277 (Kell) and Call Field which was deemed unreliable. In order to improve both safety conditions and system reliability, developing South Wenonah from US 82/277 (Kell) to Maplewood provides an alternate route for freight/delivery traffic which is anticipated to reduce congestion on both Lawrence and Kemp Blvd.

3. Estimated Project Costs

When the zone was created (2005), Wenonah extension had a cost estimate of \$907,500 which excluded ROW costs. The Financial Plan was updated in 2008 with revised project costs - Wenonah was estimated at \$2.51 million. By 2021, post Covid, Public Works estimates had doubled to \$4.2m to consider acquiring, designing and constructing South Wenonah in three phases. Current estimates continue to rise with \$5.83m potentially getting the entire roadway segment developed from Kell Blvd. to Maplewood with proposed connections at Gregory, Tarry and Maplewood.

Based on financial projections, staff anticipate there would be sufficient increment funds available to pay for a significant portion of South Wenonah's development. Other funding sources, public and/or private, may be considered to supplement this infrastructure project. Staff would consider South Wenonah's development in phases that would be dependent on numerous factors, including right of way availability, private-public partnerships and the most logical route to initiate development, whether it be from Kell Blvd. and extend southward or begin at Maplewood and extend north.

4. Basis for Recommendation

- Addresses goals and objections of the TIF Zone
- Enhanced economic revitalization opportunities for surrounding land tracts
- Thoroughfare Plan implementation – alternate north-south collector route
- Wichita Falls MPO Freight Mobility Study Implementation: Improving System Safety
- Assist in alleviating traffic and potential accident reduction on Lawrence Rd.
- Collaboration for public-private partnership
- Allocates final increment funds for a priority project prior to zone expiration
- Positive impact within the reinvestment zone and for greater Wichita Falls region

April 5, 2023, TIF #2 Board Meeting – Exhibits

TAX INCREMENT FINANCE ZONE NO. 2

Financial Projections as of 3/30/2023

Fiscal Year	Revenue	Expenditures	Balance	Revenue			Expenditures	
				City	County	Interest	Maplewood	Call Field
2007	98,358	98,358	-	55,442	41,884	1,032	98,358	
2008	165,147	165,147	-	93,430	70,523	1,194	165,147	
2009	230,494	230,494	-	133,364	96,575	555	230,494	
2010	255,002	255,002	-	145,661	109,114	227	255,002	
2011	319,650	319,650	-	174,762	144,850	38	319,650	
2012	305,804	305,804	-	168,195	137,497	111	231,919	73,885
2013	384,262	384,262	-	211,235	172,797	229	261,423	122,839
2014	410,164	410,164	-	226,801	183,362		260,164	150,000
2015	498,085	462,982	-	262,319	235,672	94	276,623	186,358
2016	572,737	381,883	190,855	296,546	275,522	669	231,883	150,000
2017	639,326	321,161	509,020	305,443	331,552	2,331	171,161	150,000
2018	715,669	357,608	867,081	314,606	392,130	8,933	207,608	150,000
(1) 2019	1,109,244	358,832	1,617,493	431,667	664,895	12,682	208,832	150,000
2020	794,630	357,807	2,054,316	481,493	306,880	6,258	207,807	150,000
2021	847,818	359,311	2,542,824	499,353	348,063	403	209,311	150,000
(2) 2022	811,294	359,311	2,994,806	482,947	313,556	14,791	209,311	150,000
(3) 2023	865,000	351,000	3,508,806	483,000	314,000	68,000	201,000	150,000
2024	917,000	350,400	4,075,406	483,000	314,000	120,000	200,400	150,000
2025	904,000	359,600	4,619,806	483,000	314,000	107,000	209,600	150,000
(4) 2026	20,500		4,640,306			20,500		
Life to Date	10,864,184	6,188,775	4,675,409	5,732,265	4,766,872	365,047	4,155,693	2,033,082

(1) County funds include road and bridge taxes that were excluded in subsequent years

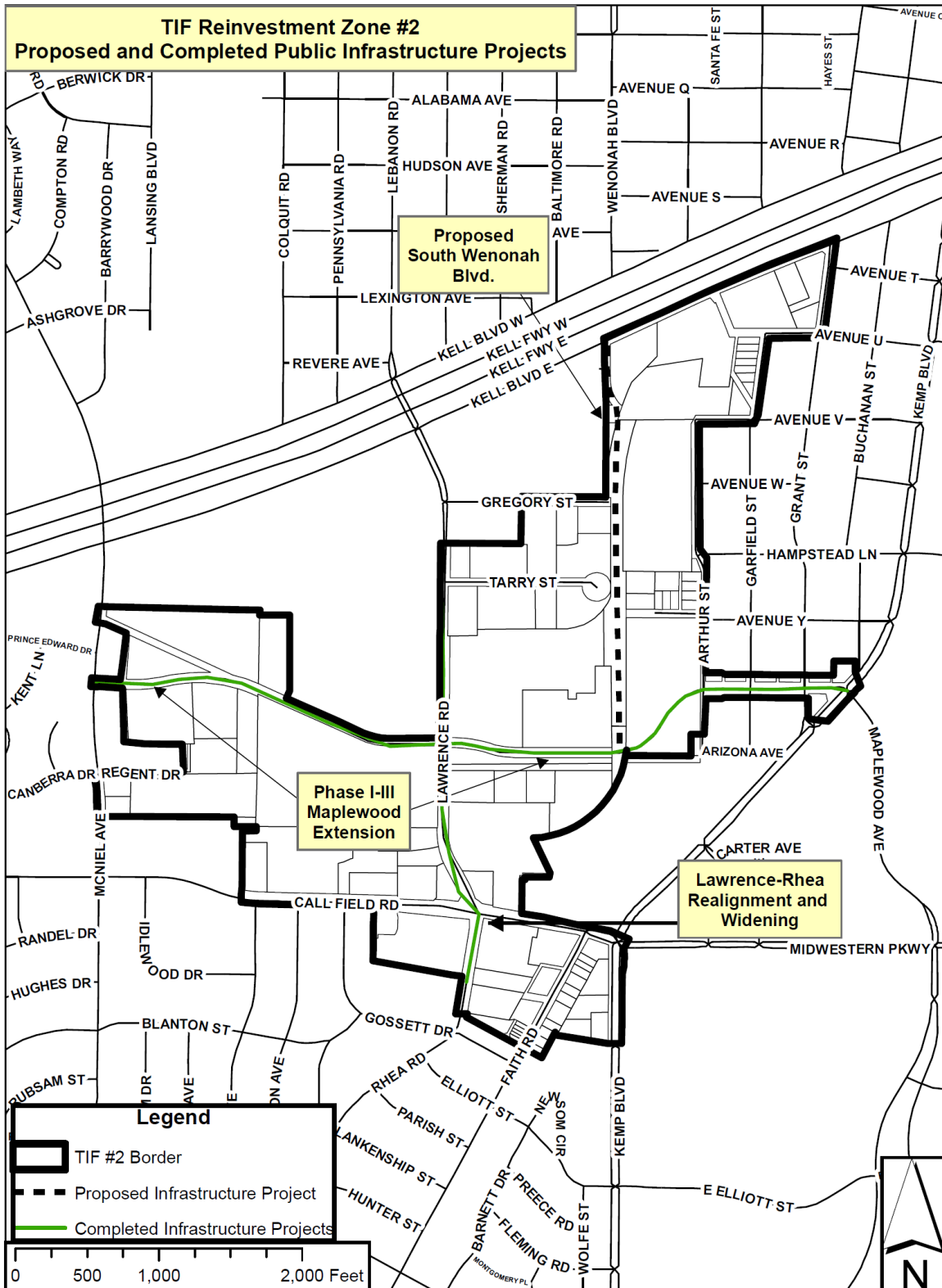
(2) Fund balance as of the fiscal year ended FY 2022 financials.

(3) Assumes revenue property tax revenues at current levels for future years.

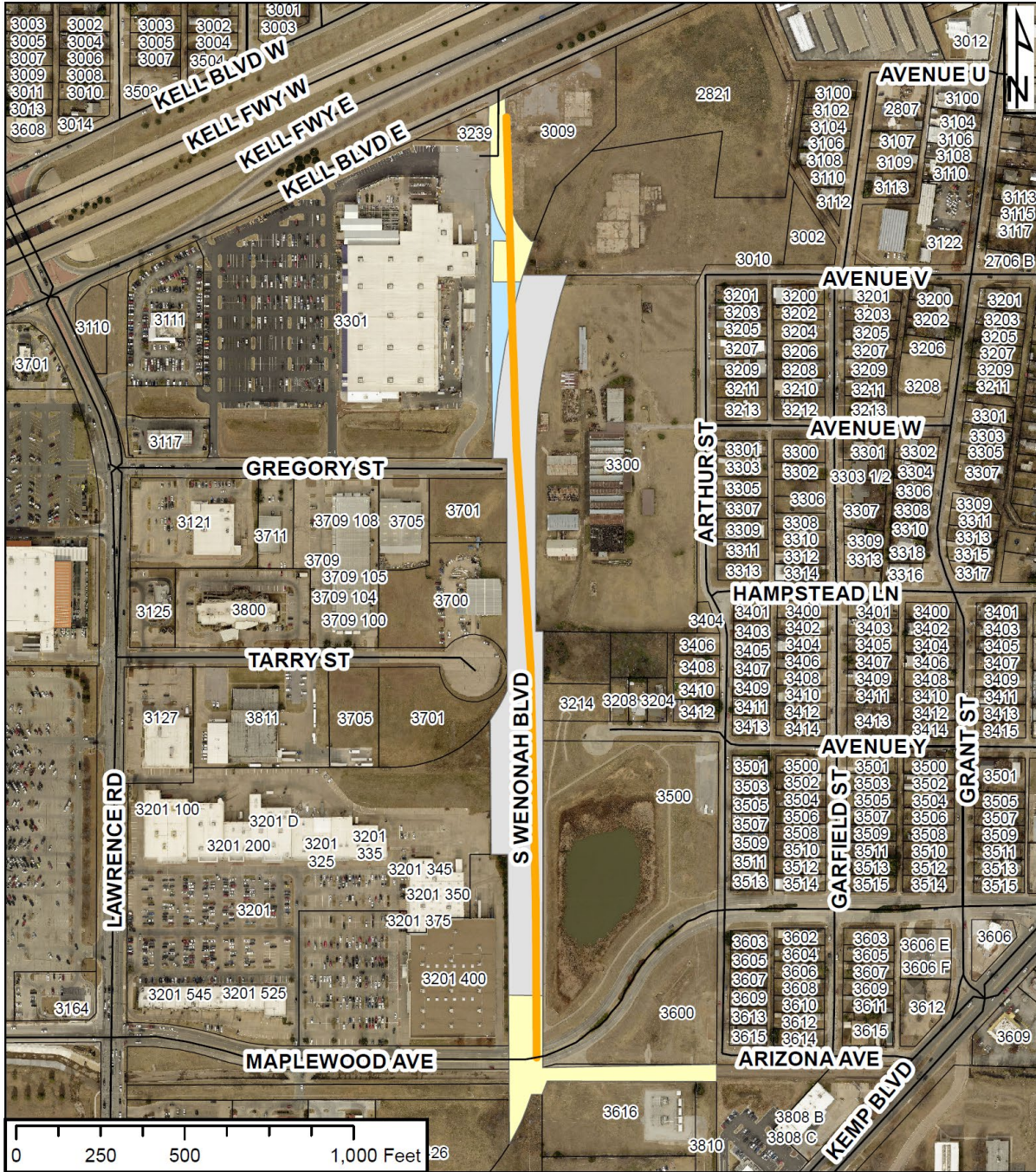
Assumes interest revenue at higher rates and that all but \$500k is invested in Texpool.

(4) TIF set to expire December 31, 2025, so interest revenue for three months only.

April 5, 2023, TIF #2 Board Meeting – Exhibits



April 5, 2023, TIF #2 Board Meeting – Exhibits



South Wenonah Boulevard Exhibit

CITY OF WICHITA FALLS, PLANNING DIVISION
 MAP PRODUCED BY: Cedric Hu
 DATE PRODUCED: 30 March 2023

Disclaimer
 The City of Wichita Falls has attempted to verify the accuracy of the information contained in the following map at the time of publication. The City of Wichita Falls assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Legend

- S Wenonah Blvd Ext.
- Property owned by City
- Property owned by Lowes
- Property owned by Railroad

April 5, 2023, TIF #2 Board Meeting – Exhibits

TIF #2 Resolution of Approval

Resolution approving the allocation of the remaining TIF #2 fund balance for the design and construction of the South Wenonah Boulevard extension within the TIF #2 District.

WHEREAS, the TIF #2 board has previously approved the design project for the South Wenonah Boulevard extension; and,

WHEREAS, the TIF #2 board wishes to allocate the remaining TIF #2 fund balance for the design and construction of the South Wenonah Boulevard extension to the City of Wichita Falls to manage and construct.

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

The TIF #2 board hereby authorizes the allocation of the remaining TIF #2 fund balance for the design and construction of the South Wenonah Boulevard extension to the City of Wichita Falls to manage and construct.

PASSED AND APPROVED this the 5th day of April 2023.


CHAIRMAN

ATTEST:


Karen Montgomery Gagné
TIF #2 Liaison
City of Wichita Falls

Resolution No. _____

Resolution accepting an allocation from the Tax Increment Financing (TIF) #2 Board of the remaining TIF #2 district fund balance for the design and construction of the South Wenonah Boulevard extension to the City of Wichita Falls to manage and construct

WHEREAS, the TIF #2 board has previously approved the design project for the South Wenonah Boulevard extension; and,

WHEREAS, on April 5, 2023, the City of Wichita Falls TIF #2 Board authorized the allocation of the remaining TIF #2 fund balance for the design and construction of the South Wenonah Boulevard extension to the City of Wichita Falls to manage and construct.

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

Accepts the current and future funding allocation to Tax Increment Financing (TIF) District #2 to design, manage and construct South Wenonah Boulevard extension.

PASSED AND APPROVED this the 2nd day of May 2023.

MAYOR

ATTEST:

City Clerk