

City of Wichita Falls City Council Agenda



Tim Short, Mayor
Bobby Whiteley, Mayor Pro Tem/At Large
Michael Smith, District 1
Larry Nelson, District 2
Jeff Browning, District 3
Mike Battaglino, District 4
Tom Taylor, 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, November 21, 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 City's Facebook page (City of Wichita Falls, Texas Government) (<https://www.facebook.com/cityofwichitafalls>)**
- 2. 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: Major Joe Burton
Salvation Army
- (b) Pledge of Allegiance

CONSENT AGENDA

3. Approval of minutes of the Mayor and City Council.
 - (a) November 7, 2023 Regular Meeting
 - (b) November 14, 2023 Special Meeting
4. Receive Minutes
 - (a) MPO Transportation Policy Committee, July 25, 2023
 - (b) Animal Services Advisory Committee, July 28, 2023

REGULAR AGENDA

5. Resolutions

- (a) Resolution authorizing the Mayor to submit a request letter to the U.S. Army Corps of Engineers for the City of Wichita Falls to pursue the Section 1135 Continuing Authorities Program
- (b) Resolution authorizing the City Manager to execute all documents necessary to purchase the 175 Solarmax LED Ballfield Lights from Solarmax LED, INC. to replace aging lights at the youth baseball fields located at Kiwanis and Lake Wichita Parks in the amount of \$83,125
- (c) Resolution authorizing the purchase of a dual shaft tire shredder from Recycling Equipment Inc. (REI) in the amount of \$345,562.00
- (d) Resolution authorizing the purchase of the ASIM Advanced (Active Shooter Incident Management) Course through the sole source vendor from C3 Pathways, Inc. in the amount of \$61,759.00

6. Other Council Matters

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

7. 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.

8. Executive Sessions

- (a) Executive Session in accordance with Texas Government Code §551.071, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (including, but not limited to, legal issues related to a litigation update, Wichita Falls Hospitality, Inc, and Dupont/3M).
- (b) Executive Session in accordance with Texas Government Code § 551.072, to deliberate the purchase, exchange, lease, or value of real property interests due

to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party (including, but not limited to, the purchase and/or value of Lot 1, Block B-1 Scotland Gardens Addition).

- (c) Executive Session in accordance with Texas Government Code § 551.087, to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the City and/or economic development corporations created by the City are conducting economic development negotiations (including, but not limited to an economic development update).

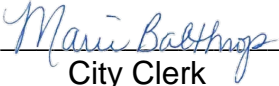
9. Adjourn

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 15th day of November, 2023 at 3:45 o'clock p.m.



City Clerk



City of Wichita Falls
City Council Meeting
Minutes
November 7, 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

Reverend David Sapata, DAV TX Chapter 41, gave the invocation.

Item 2b – Pledge of Allegiance

DAV TX Chapter 41 led the Pledge of Allegiance.

Item 3a Employee of the month – Michael Moreno, Code Enforcement
8:33 a.m.

Mayor Santellana recognized Michael Moreno as Employee of the Month for November 2023 and shared a brief video. Mayor Santellana congratulated Mr. Moreno and presented him with a plaque, letter of appreciation, dinner for two, and a check, and thanked him for his service.

Item 3b – Nurse Practitioner Day, Wichita County, Nurse Practitioners

8:36 a.m.

Mayor Santellana read a proclamation proclaiming November 7, 2023, as Nurse Practitioner Day in Wichita Falls in recognition of the countless contributions Nurse Practitioners have made over the past half century, and will continue to make on behalf of the health and wellbeing of the citizens of our city.

8:39 a.m.

Mayor Santellana recognized Ava Luxton, as Mayor for the Day and presented her a certificate of recognition.

Item 4-6 – Consent Items

8:41 a.m.

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

Moved by Councilor Browning to approve the consent agenda.

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

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

Nays: None

Item 4 – Approval of Minutes of the October 17, 2023, Regular Meeting of the Mayor and City Council

Item 5 – Resolution 129-2023

Resolution authorizing the purchase of two (2) Aluminum Solid Waste Transfer Trailers to BTE Body Company, Inc. in the amount of \$241,732.00

Item 6 – Receive Minutes

(a) WFMPO, Technical Advisory Committee, July 6, 2023

(b) Employee Benefits Trust Board, August 24, 2023

(c) Planning & Zoning Commission, September 13, 2023

(d) Park Board, September 28, 2023

Item 7a – Ordinance 62-2023

8:42 a.m.

Ordinance making an appropriation to the Special Revenue Fund for STD/HIV-DIS Prevention Services Program in the amount of \$299,909; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same.

Moved by Councilor Brewer to approve Ordinance 62-2023.

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 7b – Ordinance 63-2023

8:44 a.m.

Ordinance making an appropriation to the Special Revenue Fund for the Federal Tuberculosis Prevention and Control Program in the amount of \$16,052; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same.

Moved by Councilor Brewer to approve Ordinance 63-2023.

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

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

Nays: None

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Item 7c – Ordinance 64-2023

8:46 a.m.

Ordinance appropriating \$868.12 of grant funds pursuant to the Office of the Governor, Public Safety Office, Criminal Justice Division, FY 2023 ALERRT Travel Assistance, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

Moved by Councilor Brewer to approve Ordinance 64-2023.

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

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

Nays: None

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Item 7d – Ordinance 65-2023

8:47 a.m.

Ordinance appropriating \$150,334.65 of grant funds pursuant to the Office of the Governor, Public Safety Office, Criminal Justice Division, FY 2024 Body-Worn Camera Grant Program, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

Moved by Councilor Browning to approve Ordinance 65-2023.

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 7e – Ordinance 66-2023

8:49 a.m.

Ordinance appropriating \$113,560.00 of grant funds pursuant to the Office of the Governor, Public Safety Office, Criminal Justice Division, FY 2024 Criminal Justice Grant Program, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

Moved by Councilor Brewer to approve Ordinance 66-2023.

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 8a – Resolution 130-2023

8:51 a.m.

Resolution authorizing the emergency rehabilitation of 436 feet of sewer collections pipeline at Lift Station 14, by Insituform Technologies LLC., in the amount of \$84,850.00.

Moved by Councilor Browning to approve Resolution 130-2023.

Motion seconded by Councilor Smith carried by the following vote:

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

Nays: None

Item 8b – Resolution 131-2023

8:54 a.m.

Resolution authorizing the award of a sole source rehabilitation of a Belt Filter Press at the Wichita Falls Resource Recovery Facility, to Andritz Separation Technologies Inc., in the amount of \$309,942.00.

Moved by Councilor Brewer to approve Resolution 131-2023.

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

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

Nays: None

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Item 8c – Resolution 132-2023

8:56 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget to include an up to \$75,000 performance agreement with Magic Aire, Inc. to assist in site improvements at the existing facility in Wichita Falls.

Moved by Councilor Browning to approve Resolution 132-2023.

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

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

Nays: None

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Item 8d – Resolution 133-2023

8:59 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by amending the budget and the existing performance agreement with Panda Biotech for an additional amount not to exceed \$200,000 related to the company's operation out of their existing facility on I-44.

Moved by Councilor Brewer to approve Resolution 133-2023.

Motion seconded by Councilor Browning

It was noted that Panda Biotech has repaid all but two payments of the \$1M loan, and the loan will be paid off in December. This Resolution extends the hiring period for three years, and provides additional funds to help cover the cost of improving the rail line which will include city access.

Dixie Carter, President Panda Biotech, discussed the completion of the construction project and building improvements. They are currently commissioning the equipment to bring the facility online, have feedstock on hand, and have implemented a new pay to grow incentive program for farmers. This facility will be the second largest hemp production facility in the world. Currently, they have hired nine full-time employees. There was brief discussion about the hope to hire as many local individuals as possible, the low number of local farmers participating, the hope that the incentive program will help increase that number, and reasons for the length of time this project has taken.

Motion carried by the following vote:

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

Nays: None

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Item 9a – Staff Reports

9:09

There were no staff reports.

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

9:09 a.m.

Councilor Nelson stated he enjoyed the hotel ribbon cutting and the Hirschi Band did a wonderful job. He stated that he and Councilor Jackson are going to start visiting the schools in their districts, working with them, and encouraging the children to visit the Police Department and Fire Department.

Councilor Whiteley stated there it was nice to see a good crowd at the push-in service at the Fire Department. Donald Hughes, Fire Chief, stated that there would be more ceremonies as trucks are received. Councilor Whiteley congratulated the Employee of

CITY COUNCIL MINUTES
November 7, 2023
PAGE 7 OF 9

the Month, Mike Moreno. It is Election Day, congratulations to all of the candidates, and it is nice to see so many individuals willing to serve.

Councilor Browning encouraged everyone to take a neighbor and vote today. He is not looking forward to Mayor Santellana leaving, but we have great candidates.

Councilor Smith discussed the success of Halloween in the Park. It was well attended with a great costume contest. Tomorrow at 6:00 p.m., you will be able to view the lighting of the bridge between the MPEC and Ag Center. Last Saturday was the Veteran's Day Parade which was also very successful and well attended, and was a great activity to honor our veterans. The City has an employee assistance program and will be having a fish fry on Wednesday November 15th at the MPEC and he encouraged individuals to attend. Go vote, it is your responsibility, and opportunity.

Councilor Brewer stated this might be his last full meeting and he thanked his fellow councilors and staff.

Councilor Jackson congratulated Councilor Brewer on his retirement, and stated it was a privilege to work with him. He attended the 1980's Hirschi Huskie High School Reunion at the hotel, and the football team won and are going to the playoffs for the last time as Hirschi Huskies. He has a lot of memories there and it will be hard to see it go. He thanked John Burrus for starting on the improvements on Iowa Park Road and hopes the lighting will assist with visibility of bicycles. It is our privilege to vote and he encouraged everyone to get out and vote today, and he thanked the staff for their work over the past five years.

Mayor Santellana discussed the Fire Department Push-In Ceremony and how neat it was to participate in this event. He is glad he was able to participate in the ceremony before leaving office. The hotel ribbon cutting was very well attended and the Hirschi Huskie Pep Band did a great job. He thanked the Public Information Office for the video they produced for him and stated it was very professionally done. The video will be released on YouTube. He thanked Councilor Brewer for his service on the Council. Mayor Santellana encouraged everyone to grab a neighbor and get out and vote. He admires the passion of the candidates as they have all worked very hard. Campaigns are not only good for the candidates, but also great for the public to get information out, and to get the public involved.

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

11:16 a.m.

There were no comments from citizens.

Item 11 – Executive Sessions

There was no executive session.

Item 12 –Adjourn

Mayor Santellana adjourned the meeting at 9:27 a.m.

PASSED AND APPROVED this 21st day of November 2023.

Tim Short, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk



City of Wichita Falls
City Council Meeting
Minutes
November 14, 2023



Item 1 - Call to Order

The City Council of the City of Wichita Falls, Texas, met in a special session at 8:30 a.m. on the above date in the Council Chambers at Memorial Auditorium with the following members present.

Stephen Santellana	-	Mayor
Bobby Whiteley	-	Mayor Pro Tem/ At-Large
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Larry Nelson	-	
Michael Smith	-	
Darron Leiker	-	City Manager
Kinley Heggland	-	City Attorney
Marie Balthrop	-	City Clerk

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

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Item 2a – Invocation

Michael Smith, District 1 City Councilor, gave the invocation.

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Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

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Item 3a – Ordinance 67-2023

8:33 a.m.

Ordinance canvassing the returns of the General Municipal Election held in the City of Wichita Falls, Texas on November 7, 2023

Moved by Councilor Brewer to approve Ordinance 67-2023.

Motion seconded by Councilor Browning.

Marie Balthrop, City Clerk, read the cumulative totals from the canvassing report as follows:

Mayor:

Carol Murray	received	<u>1,665</u> votes
Tim Short	received	<u>5,574</u> votes
Beverly Taylor Ellis	received	<u>969</u> votes
Write in: Scott Poenitzsch	received	<u>588</u> votes

COUNCILOR DISTRICT 3:

Cathy Dodson	received	<u>627</u> votes
Jeff Browning	received	<u>1,438</u> votes

COUNCILOR DISTRICT 4:

Mike Battaglino	received	<u>1,481</u> votes
Kevin Hunter	received	<u>425</u> votes
Samuel Pak	received	<u>683</u> votes

COUNCILOR DISTRICT 5:

Steve Jackson	received	<u>301</u> votes
Tom Taylor	received	<u>567</u> votes

There were a total of 8,976 votes cast.

Moved by Councilor Browning to amend the main motion to include the total number of votes, and the number of votes cast for each race as presented by the City Clerk.

Motion to amend the main motion was seconded by Councilor Whiteley and carried by the following vote:

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

Nays: None

The amended main motion carried by the following vote:

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

Nays: None

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Item 4 – Administration of Official Oath to Newly Elected Council Members

8:33 a.m.

Marie Balthrop, City Clerk, administered the Oath of Office to newly elected council members Tim Short, Mayor, Jeff Browning, Councilor District 3, Mike Battaglino, Councilor District 4, and Tom Taylor, Councilor District 5.

Mayor Santellana expressed his gratitude and appreciation to his family, friends, fellow councilors and staff.

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Item 5 –Adjourn

Mayor Santellana adjourned the meeting at 8:53 a.m.

PASSED AND APPROVED this 21st day of November 2023.

Tim Short, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

WICHITA FALLS METROPOLITAN PLANNING ORGANIZATION

Transportation Policy Committee

Minutes

Tuesday, July 25, 2023

Voting Members Present:

Stephen Santellana, Chairperson, Wichita Falls Mayor
Dennis Wilde, North Texas Regional Planning Commission
Jeff Watts, City of Pleasant Valley, Representative
Judge Jim Johnson, County Judge, Wichita County
Larry Nelson, City of Wichita Falls, City Council
Mike Beaver, TxDOT, District Engineer
Russell Schreiber, City Public Works

MPO Staff:

Lin Barnett, WFMPO, Transportation Planning Director
Jaimie Lee, WFMPO, Senior Transportation Planner

Absent:

Cory Glassburn, Mayor, Lakeside City
Bobby Whiteley, City Council

Visitors:

Scot Reaves, TxDOT
Cody Bates, TxDOT
Adam Steed, NORTEX RPC

I. Welcome & Introduction

Mayor Santellana, the TPC chairperson, called the meeting to order at 8:30 a.m. and welcomed everyone in attendance.

II. Public Comment on Agenda and Non-Agenda Items

Mayor Santellana asked for any public comments on agenda and non-agenda items. Receiving none, the committee moved on to the next agenda item.

III. Review and Approval of the April 25, 2023 Transportation Policy Committee's (TPC) Meeting Minutes

Mayor Santellana asked for any comments or corrections to the April 25, 2023 TPC meeting minutes. Receiving none, he asked for a motion to approve the minutes. Mr. Beaver made the motion to approve. Mr. Wilde seconded the motion, which passed unanimously.

IV. Review and Comment Regarding the July 6, 2023 Technical Advisory Committee (YAC) Meeting Minutes – No Action Required

Mayor Santellana asked for any comments or corrections to the July 6, 2023 TAC meeting minutes. Receiving none, the committee moved on to the next agenda item.

V. Review and Approval of Resolution #5-2023: Adopt the FY 2022 Annual Project Listing (APL) for Authorization and Submittal to TxDOT

Mr. Barnett directed the committee's attention to page 13 of the meeting packet. Mr. Barnett stated this resolution complies with the new TxDOT requirement that all MPO's collaborate with their local TxDOT districts during the production of the Annual Project Listing (APL). He stated that all MPO's must submit an APL at the end of each year, in early December. The expectation is that the District Offices will verify the APL information with the MPO's as the District has more in-depth information to support the MPO. Mr. Barnett stated WFMPO posted the 2022 APL on the MPO's homepage for public comment from May 26th through June 26th. He stated that these new procedures for the APL – consulting with the TxDOT District Office, posting the APL for public comment, and asking the TPC Policy Board to approve the resolution – will now become an annual requirement. Mr. Beaver asked why the MPO was just now doing the FY 2022 APL. Mr. Barnett informed the Committee that the reason for issuing a resolution for FY 2022 was that the new regulation did not come down from Federal Highways (FHWA) until after January 2022. He informed everyone there that this new requirement would start again in January 2024. Mayor Santellana asked for any comments or questions regarding the APL Resolution #5-2023. Receiving none, he asked for a motion to approve the resolution. Mr. Watts made the motion to approve. Judge Johnson seconded the motion, which passed unanimously.

VI. Review and Approval of the Wichita Falls Transit System (Falls Ride) TIP Amendments for FY 2023 and FY 2024

Mr. Barnett directed the Policy Boards attention to Transportation Improvement Program (TIP) enclosure of the meeting packet. He stated the Wichita Falls Transit System had submitted their request to amend Fiscal years 2023 and 2024 in Section IV – Federally Funded Transit Projects of the 2023-2026 TIP. Mr. Barnett stated these changes reflect updates to Capital, Preventive Maintenance, Operational Assistance and Planning based on forecasted Section 5307 formula dollars. Mayor Santellana asked for any comments or questions regarding the TIP Amendments. Receiving none, he asked for a motion to approve the amendments. Mr. Schreiber made the motion to approve. Mr. Beaver seconded the motion, which passed unanimously.

VII. Update on the 2023 Bicycle Friendly Community Application for Bronze Level Renewal

Mr. Barnett updated the committee on the current progress of the 2023 Bicycle Friendly Community Application renewal process. He stated that he continues to work with the Bicycle Friendly Working Group for data and information to include in the application. Mr. Barnett stated that he has begun inputting information into the online application. Mr. Barnett asked for comments or questions regarding the Bicycle Friendly Community Application. Receiving none, the committee moved on to the next agenda item.

VIII. Other Business:

a. Discussion & Overview of Progress on Local Transportation Projects – City and TxDOT staff (Quarterly Review)

City: Mr. Schreiber reported Taft Blvd. widening was 100% complete. 2023 Asphalt St. Rehab was 85% complete. The Business Park Streets and Drainage Project is 99% complete. 2022 Concrete St. Rehab project was 98% complete. 2023 Concrete St. Rehab project is at 0% complete. Future projects include Lake Wichita Parking Lot.

TxDOT: Mr. Bates reported on the current construction projects: SH 240 intersection improvements, FM 369 Districtwide Seal Coat, FM 1814 Roadway Widening, LP 473 Mill at Gutters, FM 2380, SH 79 and SL 473 are pavement repair and overlay.

b. MPO Quarterly Financial Report (2nd Quarter FY 2023 – January, February, March)

Mr. Barnett reported on the 2nd quarter expenses for the MPO. He stated that the MPO had spent 45% of its total allocation for FY 2023 and that it was on track to spend the minimum requirement of 75% in all Five Tasks. Mr. Barnett asked for any comments or questions on the first quarter financial report. He received none.

c. Other Items

Mr. Barnett stated the MPO would begin the process for hiring a qualified consultant for the 2025-2050 Metropolitan Transportation Plan (MTP) update starting this fall. He stated the update is due January 2025 and a consultant would be hired by January 2024 because it is a yearlong process to update the MTP.

IX. Meeting Adjournment

The meeting adjourned at 9:17 a.m.

A handwritten signature in blue ink, appearing to read "SA 7-8-23", is written over a horizontal line.

Honorable Stephen L. Santellana
Mayor Wichita Falls

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

COMMITTEE MEMBERS PRESENT:

Nicki Bacon
Samuel Jones
Bryan Wade, D.V.M.
Michelle Pohlman

City Official LRCA
Animal Services Operator
Veterinarian
Animal Welfare

COMMITTEE MEMBERS ABSENCE:

Amber Browning

At Large

OTHERS PRESENT:

Amy Fagan
Katherine Moore
Henry Anderson
James McKechnie

Director of Public Health
Senior Admin Clerk
City of Wichita Falls Intern
City of Wichita Falls Legal

I. CALL TO ORDER

Nicki Bacon, Chair, called the meeting to order.

II. INDUCTION OF NEW COMMITTEE MEMBERS

Samuel Jones and Michelle Pohlman were sworn in.

III. REVIEW & APPROVAL OF NOVEMBERS MINUTES

The minutes from the ASAC Meeting from November 2022, were distributed and reviewed. A motion was made to accept these minutes by Bryan Wade, with a second following by Michelle Pohlman. The motion was carried.

IV. OLD BUISNESS

Mrs. Bacon brought back into discussion the Swine Ordinance business discussed in the last ASAC meeting.

Mrs. Fagan Continued by stating she did grant a variance for John Horry to own a pig, after many months of going back and forth in discussion of rehoming the pig, Mr. Horry came to the last ASAC meeting to request a modification of the Swine Ordinance which he was informed we could not do. Mrs. Fagan continues stating that Mr. Horry was able to find a place within the law that allowed him to keep the pig.

For Public Record Mrs. Fagan is not able to say where.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

An agreement was made that he had to come into compliance with certain standards to ensure the pigs safety, ensuring the pig be kept contained, Mr. Horry would not get anymore animals, and he had to come into compliance with the municipal court in regards other actions.

Mrs. Fagan asked Mrs. Bacon if he had come into compliance. Mrs. Bacon agreed

V. NEW BUISNESS

A. Shelter Number Update

Mrs. Bacon continued with the shelter's updates and numbers. As of July 5th, 2023, our Live outcomes for all animals that come into our shelter including guinea pigs, pigs, goats, chickens and roosters, rabbits, etc. is 61%. The live outcome for just dogs and cats is 60%. The adoption rate is at 15% which is 5% decrees from 2022 and the euthanasia rate is at 40% which is a 10% increase from 2022. The transfers to rescues are at 25% which is a 3% decrease from 2022 and our return to owner is at 21% which is 3% decrease from 2022.

That makes our total live outcome 61% which is a 11% decrease from 2022.

The total number of animals coming into our shelter has increased by 13.1% from 2022 at this time. Mrs. Bacon stated that we have noticed a huge increase in our owner surrendered animals, last year out owner surrender total animals was 94 and this year we already are at 154, we have had a 64% increase in owner surrendered animals.

Mrs. Bacon states that she believes the amount of owner surrendered animals is affecting our live outcome. She states that this same time last year we "loved" the number 72% and we are fighting to get back up there.

Mrs. Fagan continues with adding what we have talked about in telling the public on what we are dealing with, citizens walk through our facility and everything looks "calm and nice and peaceful, staff looks happy, life is good". What they are not aware of is how many animals are in the back, staff has had to euthanized five days a week, and that we are above capacity.

Mrs. Fagan brings up that last week the staff had to put around 8 animals in crates in areas that were not intended to hold animals. This does not include the addition added to the facility a couple years back, the cat isolation room, and that room was full.

Some options that were talked about to give this information out the public were; In the front there will be a board with numbers on how many animals are here as well as what those animals are, in addition there will be a description on how those animals came to us. The purpose of this is to bring light on to common misconception that we are out searching for animals.

Mrs. Fagan states that if she was told that the majority of animals that come into the facility are through the front door and not by our officers she would have not believed you when this shelter was built.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

This solution was talked about to show the public what we have to work with on a daily basis. These numbers will also be posted on social media, to hopefully get some attention to the problem we have at hand.

Mrs. Fagan asks if there are any question in regards to this plan.

Question asked if these numbers will be shared on social media?

Mrs. Fagan responds, the plan is to have the board with our shelter numbers as a physical visual for when citizens come into the facility. Then a photo of that board and prepare it in a common graphic when it is updated (For example every Tuesday) then be posted on social media as well.

In addition, when we get different from normal animals or when animals are dumped on the side of building let the public know of these situations.

Mrs. Fagan mentioned Mrs. Bacon had a great idea to possibly post like some police departments do. They post suspects when they are unaware of who they are to show the public to see if they know them. As well as to let the citizens know the situation at hand.

Mrs. Bacon adds to this with stating when you go to the city's website, there is a column or section labeled as "Shelter Numbers" that shows all of our intake and outcome numbers from 2019. We have not uploaded 2022 yet but plan to do so soon.

Additionally, to look at some numbers rather than percentages, total number of animals taken in through June, *July has not been counted*, for this year 1,311 animals. This number does not include wildlife, this number includes domesticated animals we are able to adopt out or can be transferred to rescues such as dogs, cats, livestock, etc. Out of this total 494 were brought in by our ACO's and 690 were brought in by the public.

Out of the 690, 18 were return adoption, they have reasons for return but that number is significant.

Mrs. Bacon states that these numbers do show that we are not just the "Bad Guys" or the "Dog Catchers" this will show a real picture of what we do here.

Mrs. Bacon asks if there are any further questions on this subject, there is none.

B. Shelter Policies

Mrs. Bacon begins stating this year and next year we have committed to rewrite or update all of our policies across the board. At this moment we have 96 policies that are currently being looked at.

Our top priority policies are Euthanasia which includes; use of Xylazine for specific animals and the use of inhaled anesthesia for the euthanasia of snakes.

Mrs. Bacon asks if there are any questions for this, there are none.

Mrs. Bacon continues, out of the 96 policies we have finalized 26, and we are at 27% complete.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

C. Legislature

Mr. McKechnie states that the legislature updates around every two years, many bills are involved in this but the following are the top three that affect the Health Dept and Animal Services.

First one mentioned is **House Bill 1750**, this bill expands the definition of agricultural operation for purposes of implementation in City Ordinances. It also adds the requirement that cities must comply with the heightened standard when it comes to composing any government requirements when it comes to an agricultural operation.

Agricultural Operation explained; This includes many things such as producing crops, planting/raising plants, trees, flowers. The major one is raising or keeping livestock and/or poultry.

Now if you own chickens or goats and you live in a single county zone district, you now have an agricultural operation. What this does now is put into jeopardy our chapter 14 regulations, The Regulation of Animals.

Mr. McKechnie continues; What House Bill 1750 is that we are going to regulate these "Agricultural Operations" we have to have heightened standard.

The solution to keep Chapter 14 in addition to complying with House Bill 1750 is our government has to show with clear and convincing evidence that the purpose of the regulation is to protect persons, and it has to show what we are protecting them from. Such as vermin and insects, physical injury, spread of contagious diseases, contamination of water supply, etc.

To continue how do we show the clear and convince evidence? House Bill 1750 states if we are going to enforce these ordinances the city must first obtain and review a report that has been prepared by the City Health Officer that identifies the health hazards, that then makes the determination that there is a necessity and the manner is inline with what House Bill 1750 allows.

Mr. McKechnie explains that what we have planned to do is; Mrs. Fagan has drafted a report that explains what the subjects are in our local ordinances cover, for example the setbacks included in our ordinances if you own chickens, goats, etc.

Mrs. Fagan interjects to add additional subjects our ordinances have in order to own certain animals. This include; care of animal, vector control, and many more.

Mr. McKechnie continues to add that this report that is being made must include all of these things. This bill goes into effect September 1st and if we are unable to have that report done and sent before then we most likely will not be able to enforce our ordinances.

Other cities are just ignoring the law (which is not recommended to do), some are just going through and striking everything that is in relation to animals, the third is drafting these reports and having council vote on it. Many cities did not know this was even in affect until May.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

Mrs. Bacon asks if she got a goat as a pet would it still be considered an agricultural operation?

Mr. McKechnie answers that yes, any livestock owned can be considered an agricultural operation?

Mrs. Bacon asks if there are any further questions in regards to House Bill 1750. There are none.

Next is **House Bill 2127**, this can be called the Super Preemption Bill, some may call it the Death Star Bill. This creates specific preemption regulations in regards to the agricultural code, the labor code, the property code, and the local government code.

It also prohibits a city adopting or enforcing an ordinance in a field of regulations occupied by the state within those codes. It also allows a person or an organization who represents persons, after giving a three-month notice, to sue a city to stop enforcing an ordinance they believe falls under House Bill 2127.

What this bill says, is if you have a state license to do one of these items; Breeding, Care, Treatment, or Sale of animals or animal products including Veterinarian practices, you don't in addition need a city license.

Mr. McKechnie states that this is pretty normal and is seen across the board. They are not wanting to in terms to "Double Dip". Again, this is pretty normal across the board it is just now being applied to these types of businesses.

Secondly, it states that new or amended regulations relating of the retail sale of dogs or cats are unable to be done. So, our current Ordinance in regards to this is fine, meaning it will remain in place. We are just unable to make any amendments to it or graph a new ordinance to replace it.

Mr. McKechnie goes on with; We get a field preemption argument, its broad and basically states like mentioned before if a state regulates a field to the degree that they believe no other government can regulate, then we are in terms pushed out.

This is kind of a novel concept because state courts have always said that field preemption doesn't exist. As it stands today we are waiting and seeing, like mentioned prior they have to provide a three-month notice of what ordinance they believe is field preempted and then give the city an opportunity to review those ordinances. Those include: Agricultural labor, property, and local government code. For us, maybe there is something in these codes mentioned, and codes are massive, thousands of pages long. So, for city governments to pour through those, to find very specific instances where regulations overlap would be difficult.

The City of Houston has filed a lawsuit against the State of Texas, stating basically that it is unconstitutional because if you're going to preempt something it must be expressed. So, they are stating that it is vague.

In addition, their argument is that it delegates to the Texas Legislature all to making authority that is historically granted to homeward municipalities. We are a homeward city so the Texas

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

Constitution says that if there is not an express law that says we can't do something then we can do it/regulate.

For example; If we would like to regulate rabbits specifically, if there is not something that states we cannot regulate rabbits, then we can regulate rabbits to the degree that we determine is appropriate.

Now under the field preemption argument is that if the state mentioned rabbits, then we are out and unable to. This lawsuit is very broad and that it attacks the Legislatures authority.

Lastly, we have **SB 876**, this is the licenses breeders' law. This is a good thing, back in 2011 the idea was that we would start regulating large scale dog and cat breeders. So, this new bill kind of closes some of those loop holes that were active in the 2011 bill. In addition, requires some certain standards of care.

Previously, breeders with a 11 or more breeding animals were required to be registered and regulated. Now with SB 876 it is 5 or more, so it has lessened that breeding requirement.

Secondly it removed the requirement to prove that the breeder has sold 20 animals or more in a calendar year. There is no proof of sales requirement.

So, over all it lessened the number of dogs required to be a breeder and removes the necessary to show proof of sale proving you're a breeder. This is agreed upon a good thing, Mr. McKechnie states that this closes some of these loop holes that we have before and maybe will lessen the number of animals that are being dumped.

Mr. McKechnie asks if there are any questions. There are none.

Mrs. Fagan thanks everyone for coming so quickly and goes into why this was meeting was called so soon. The following items really needed to be discussed and the timing of all of this has been unreal.

Mr. Fagan states that Mr. McKechnie has talked about what the different options are which are striking out which would be livestock and poultry out of the ordinance or leave the ordinance alone and see what happens. Mrs. Fagan explains, leaving the ordinance alone one, it's against the law and two, we have our ACO staff out enforcing these ordinances and inspecting to make sure animals are taking care of properly. Mrs. Fagan is not willing to have the staff out and enforcing these things when one, it is illegal and two, it would be very confusing for our citizens.

Could we imagine that we have a neighbor who has a rooster and you call Animal Control and when the dispatcher answers she states that there is nothing we can do. In addition, citizens like to use our ordinances against us. So, Mrs. Fagan further continues to add that if the citizen who calls brings up our ordinance stating we have to do something because our ordinance states no Roosters. We would then have to explain to them due to this house bill that ordinance no longer applies, then continue to explain to them all the legal terms.

Mrs. Fagan mentions quickly during this example that our Dispatch receives many calls throughout the day about noise, pollution, feces, and many other things.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

We have done so much work to talk with our community and to build trust back with the community that we serve, as well as being very clear and consistent in our applications of the rules. This is because, people no matter where you live should have the same expectations of the rules.

So, for staff to have to do this, during that time of which they are either going to be challenged legally or we could have a consultant come up with a report it is not beneficial and not the best decision.

Mrs. Fagan goes on by stating they are doing what needs to be done, in regards to these new bills/laws/etc. It also sounds as if we are the firsts to be doing this as well. We are walking out on a ledge and we are going to see what happens.

Mrs. Fagan states what we need from this committee is everyone's feedback as a shelter committee, everyone's role within the governmental organization is an advisory committee, meaning to provide your feedback and expertise in selected areas. We also have two staff members in this group, which is unusual but, this deals with running of a shelter.

Part of what is added in this report is we unfortunately cannot take anymore animals in, and the sheriffs office is responsible in the State of Texas for stray livestock.

It is mentioned that this situation just recently happened down in Granbury, with five lose cows and it was all over the news.

Mrs. Fagan believes that we will begin to see this if this where to take affect and we didn't have 14 or just struck through livestock, we would have more animals in the city limits of Wichita Falls. They would be different types, this would allow exotics such as rhinoceroses, if you can name it its included unless its wolf or a bat. It also includes poultry and swine so, you could have backyard pigs, game bird, peafowls, etc.

Then who becomes the care and keepers of those animals when people decide the animal(s) is to much work. Example, the pig was adorable at first but now it is 200 pounds. We then become the care and keepers and certain things and the WCSO become the responsible party for stray livestock.

Mrs. Fagan states that she spoke to the Chief Deputy yesterday and they use to have this property where they would put animals when they were collected as stray livestock, due to having to hold them by Texas State law while they seek the owner. Now that property they no longer have, so they are being held at the Humane Society.

Not to speak for the Humane Society but Mrs. Fagan imagines that they as well have very limited room. We ourselves have online one livestock pen, your unable to cross species and it wasn't designed to house an Emu for example. We have one Exotics room, and normally is taken up with kittens, dogs, chinchillas, ferrets, goats, etc.

We have only had one emu in the 22 years Mrs. Fagan has been here.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

So, this was brought before the committee to either have a vote in support of the choice that we have made to pursue the option in regards of the Health Official Report to maintain or defend Chapter 14 or if you have an alternative suggestion.

Mrs. Fagan will include what your feedback is in the memo to council, that goes out this afternoon, and also when print out the resolution on the 15th of August.

Mrs. Fagan asks if there are any questions or feedback specific to our choice.

Dr. Wade states that he agrees with the decision because it is public health hazard. He further explains; With all the zoonotic diseases and everything else that we would be having to deal with, in addition to the public health hazard it is also a nuisance. One of our goals is to take care of the public health. There is also the risk of citizens getting injured by these exotic animals, if they are unaware of what they are doing.

Dr. Wade compares this to an open box to just cause havoc on the city.

Mrs. Fagan takes over to state that the Public Health was originally created back in the 1800's as part of Animal Regulations in New York City, because they found people were getting so sick. All of these years later and we are having similar conversations than they had in the 19 hundred.

Mrs. Fagan states that people have asked her about the intent, and she is unable to speak in regards to the intent of the Legislature, all she is able to say is she knows that agricultural is important, its important in the State of Texas. The economics of it, the being able to take care/feed ourselves however, like with anything else there is always a middle ground. This open wide doing whatever we want versus, care and control to protect our citizens and our animals.

Mrs. Fagan mentioned that she agrees with Dr Wade mentioning the disease. For example, Avian Influence. People sometimes forget that when you have combined populations of different types of animals, and you don't have the knowledge base to care for them. We end up with these different diseases. Again, example Avian Influenza, then this could morph into where it can pass over to human-human transmission.

The more that we can make sure that we are protecting the health and safety of our population is the goal.

Dr. Wade states that he has already seen an uptake in chickens, so many people are owning chickens. Since his Vet office is one of the only Vets in town that will treats chickens as pets. So, they are seeing many sick chickens. He states the this is most likely is just the start of what could be coming with all these changes.

Mrs. Fagan adds to what Dr Wade stated, that she recently read an article on Kissing Chickens and how backyard chickens are becoming now indoor pet chickens. Additionally, how people are bringing viruses into the home because, their either tracking it in from the backyard, their having them in their home, loving on them such as kissing their pet chickens.

Dr. Wade mentions, that a lot of the chickens they see at his Vet office are ones that are considered like personal pets.

The Animal Services Advisory Committee (ASAC) Minutes

Date: July 28, 2023

Mrs. Fagan asks Mrs. Pohlman if she has anything further to add.

Mrs. Pohlman states she is in total agreement with Drs. Wade on this topic.

Mrs. Fagan states now Mrs. Bacon will now move onto a motion of support on the decision made to go forth with the Health Officials report.

D. Motion of Support for Health Official Report

Dr. Wade made the motion to support. Mrs. Pohlman seconds the motion. The motion carried, all in favor.

ADJOURN

No date was set for the next meeting at this time. Dr. Wade motions to adjourn meeting. Mrs. Pohlman seconds the motion. The motions carried, all in favor.



Nicki Bacon
ASAC Chairman
Animal Services Administrator



Date

CITY COUNCIL AGENDA
November 21, 2023

ITEM/SUBJECT: Resolution authorizing the Mayor to submit a request letter to the U.S. Army Corps of Engineers for the City of Wichita Falls to pursue the Section 1135 Continuing Authorities Program.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Complete Signature Public Improvements; Evaluate Alternative Options for Financing Infrastructure Improvements

COMMENTARY: Lake Wichita was constructed over 100 years ago as the primary water supply for Wichita Falls but has since been replaced by other reservoirs that supply drinking water. Until the 1950's Lake Wichita was a primary place for recreation in this area, with boating, dancing, carnival rides, and other attractions. In the mid-1990s, the U.S. Army Corps of Engineers (USACE) reworked Holliday Creek and lowered the spillway on the Lake Wichita dam to alleviate upstream flooding. This significantly lowered the pool elevation of the water in the Lake, and combined with decades of siltation, the depth of the Lake is now too shallow. Boating is very restricted, and it is no longer a healthy fish habitat, especially during a drought. To restore Lake Wichita as a viable recreational asset, dredging is required.

The Lake Wichita Revitalization Committee has identified a Federal program that could potentially help achieve lake deepening and environmental restoration. The City of Wichita Falls can pursue the Section 1135 Continuing Authorities Program (CAP), by sending a request letter to the U.S. Army Corps of Engineers. This program is a 75/25 cost share with up to \$10 million from the Corps. The local \$2.5 can be a combination of "in kind" and cash. Upon receipt of this letter, the USACE will add the Lake Wichita project to their workload, and when funds are available, they will pay up to \$50,000 for a study to formalize the Federal Interest Determination (FID), which is required for the project to proceed.

The letter to the USACE does not obligate the City to provide any funding nor to take any future actions. If the FID is affirmative, then it is possible to proceed to the next stage, in which the USACE will determine the cost to complete a Feasibility Study and Cost Share Agreement. This phase could require a local cost share, depending on the complexity of the Study, so another City Council decision would be required before proceeding to this stage. In-kind service can be used as the City's cost share portion. At this point, many details of project costs and cost shares would be known, and a future City Council would make the decision whether to proceed or not.

The Lake Wichita Revitalization Committee and City Staff recommend approval of this item.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the Mayor to submit a request letter to the U.S. Army Corps of Engineers for the City of Wichita Falls to pursue the Section 1135 Continuing Authorities Program

WHEREAS, the Mayor is authorized to send a letter to the US Army Corps of Engineers to begin the Section 1135 program; and

WHEREAS, this letter will not financially obligate the City to expend any funds; and

WHEREAS, if the Corps of Engineers assigns this project a Federal Interest Determination there will be future City Council action to move forward.

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

The Mayor has the City Council's approval to submit a request letter to the U.S. Army Corps of Engineering for the City of Wichita Falls to pursue the Section 1135 Continuing Authorities program.

PASSED AND APPROVED this the 21st day of November, 2023.

MAYOR

ATTEST:

City Clerk

Sample Letter

District Engineer
U.S. Army Corps of Engineers
Attn: Planning Branch
2488 East 84st Street
Tulsa, OK 74137-4290

Dear Dr. Clyde:

This letter is to request the assistance of U.S. Army Corps of Engineers under Section 1135 of the Water Resources Development Act of 1986, as amended, in improving the environment at Lake Wichita in Wichita Falls, TX, which has been adversely affected by the Holliday Creek drainage project and lowering of the Lake Wichita spillway elevation.

The Holliday Creek project was completed in the mid-1990's, and with 100 years of sedimentation, the depth of Lake Wichita is shallow and needs to be dredged. Increasing the volume of water in the Lake would significantly improve the Lake's ability to survive a period of drought and would greatly improve fish habitat and boater access. This would restore the environment and ecosystems of Lake Wichita and benefit all the residents of the Wichita Falls area.

We understand that as a local sponsor under the Section 1135 program, we are responsible for 50 percent of feasibility costs exceeding \$100,000 in Federal expenditures and 25 percent of project design and construction costs if a feasible plan is identified. We acknowledge that the cost share contribution can be in the form of "in kind" services that contribute a direct component to the study, cash, or a combination. Our cost-share obligation would include the provision of all lands, easements, rights-of-way, relocations, and dredged material disposal areas required for the project. We intend to pursue budgetary actions so that funds are available to meet our cost-sharing requirements. We would assume responsibility for the operation and maintenance of the project upon completion.

The City of Wichita Falls has designated Blake Jurecek, at 940.761-7404, as the point of contact for this project.

Sincerely,

Tim Short
Mayor

CITY COUNCIL AGENDA
November 21, 2023

ITEM/SUBJECT: Resolution authorizing the City Manager to execute all documents necessary to purchase the 175 Solarmax LED Ballfield Lights from Solarmax LED, INC. to replace aging lights at the youth baseball fields located at Kiwanis and Lake Wichita Parks in the amount of \$83,125.

INITIATING DEPT: Parks and Recreation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The 2023-24 Budget includes \$90,500 to upgrade and replace outdated ballfield lighting. 2023 was the first year of a three-year project to replace all the ballfield lighting at Kiwanis and Lake Wichita Parks. This is the second year of this project. The purchase will allow us to have new LED lights to increase efficiency and reduce maintenance costs.

These lights were bid out in May of 2023 through our Finance Department. The bidders were asked to provide bids that would be honored for this second batch of lights to be purchased in the current FY 2024 budget. Solarmax has honored the 2022/23 price, and it will allow us to purchase the same 175 Solarmax 460WINS-NV-L5-00-60D-5080-DSF-SL-V for \$475 ea. For a total of \$83,125.00

The Solarmax 500W light carries a 5-year warranty.

Staff recommends approving this purchase in the amount of \$83,125.00

☒ Assistant City Manager

ASSOCIATED INFORMATION: Resolution

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Resolution No. _____

Resolution authorizing the City Manager to execute all documents necessary to purchase 175 Solarmax LED Ballfield lights from Solarmax LED, INC. to replace the ballfield lighting at the youth baseball fields located at Kiwanis and Lake Wichita Parks in the amount of \$83,125

WHEREAS, the City's 2023-24 budget \$90,500 to replace and upgrade aging ballfield lighting; and

WHEREAS, this Solarmax lights unit carries a 5-year warranty; and

WHEREAS, the existing lighting is beyond its useful life and requires additional maintenance; and

WHEREAS, quotes were received from six vendors, and SOLARMAX LED, INC. RIVERSIDE, CA was low bid.

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

Resolution authorizing the City Manager to execute all documents necessary to purchase the 175 Solarmax LED Ballfield Lights from Solarmax LED, INC. to replace aging lights at the youth baseball fields located at Kiwanis and Lake Wichita Parks in the amount of \$83,125.

PASSED AND APPROVED this the 21st of November, 2023.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
NOVEMBER 21, 2023**

ITEM/SUBJECT: Resolution authorizing the purchase of a dual shaft tire shredder from Recycling Equipment Inc. (REI) in the amount of \$345,562.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Efficiently Delivery City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: In 2014, the City of Wichita Falls invested in an AMS 2030 XT dual shaft tire shredder to replace a hand operated tire cutter at the Transfer Station. The upgrade in equipment allowed the City the ability to manage and dispose of the tires within the City, but also to accept tires from surrounding cities, counties, and companies saving them money to transport and dispose of their old tires.

However, in 2022, the City's tire shredder has become inoperable and can no longer be repaired. Since the City can no longer shred whole tires, the City landfill cannot be used for tire disposal. All whole tires collected by the City must be transported to a tire recycler for processing or disposal. Since the tire shredder has been inoperable, the City has been forced to make quarterly trips to the tire processing facility in Midlothian, Texas. With the tire shredder operational, it cost the Sanitation Division approximately \$2.52 per tire for a car and small truck tire to shred and dispose of the tire in the City landfill. Without the tire shredder, the cost to haul and process the same tires by others is an average of \$8.74 per tire. Therefore, staff budgeted funds to replace the tire shredder at the Transfer Station.

Bids were opened on November 9, 2023 for the purchase of a replacement dual shaft tire shredder located at the Transfer Station. Only one responsive bid was received meeting all specifications.

VENDOR	MODEL	UNIT TOTAL
Recycling Equipment Inc.		\$345,562.00

The budgeted amount for this purchase was \$400,000.00. Staff recommends award of the bid for the replacement tire shredder to Recycling Equipment Inc.

☒ **Director of Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



Resolution No. _____

Resolution authorizing the purchase of a dual shaft tire shredder from Recycling Equipment Inc. (REI) in the amount of \$345,562.00

WHEREAS, the City advertised and requested bids for the purchase of a dual shaft tire shredder; and

WHEREAS, bids were received and publicly opened on November 9, 2023; and

WHEREAS, the City Council finds that the lowest responsible bidder was Recycling Equipment Inc.

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

The bid for the purchase of a dual shaft tire shredder is awarded to Recycling Equipment Inc. in the amount of \$345,562.00, and City Staff is authorized to execute all documents necessary to purchase said item in accordance with the bid specifications.

PASSED AND APPROVED this the 21st day of November, 2023.

MAYOR

ATTEST:

City Clerk

CITY OF WICHITA FALLS, TEXAS

NOTICE OF CALL FOR BIDS

Sealed bids will be received at the office of the City Purchasing Agent, Memorial Auditorium, Wichita Falls, Texas until **1:30 PM** on the day of **NOVEMBER 9, 2023** for furnishing the material, supplies, equipment, services, or for supplying the materials and/or doing the work necessary for the repair, construction or improvement, as the case may be, as indicated by the items hereunder listed and in accordance with the applicable specifications.

BID START DATE: OCTOBER 20, 2023

BID NUMBER: 23-26

BID CLOSING DATE: NOVEMBER 9, 2023

These columns to be filled in by firm quoting:

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BRAND NAME	UNIT PRICE	TOTAL NET PRICE	DELIVERY DATE
1	1	EACH	NOTICE OF INTENT TO BID DUE OCTOBER 30, 2023 - 1:30 PM DUAL SHAFT TIRE SHREDDER AS PER CITY SPECIFICATIONS	REI Dual Shaft Shredder	\$275,792	\$345,562	18 to 20 weeks from order

Copies of bid forms, specifications and/or plans and instructions to bidders may be obtained from <http://www.wichitafallstx.gov/bids.aspx> or the office of the City Purchasing Agent, Room 113, Memorial Auditorium, 1300 7th St. Wichita Falls, Texas 76301. Phone # 940-761-7466. All bids received by the time set for receipts of bids, will be opened publicly and read aloud at that time, in the office of the City Purchasing Agent or other designated place, Memorial Auditorium, Wichita Falls, Texas. Any bid received after the bid closing date and time will be returned to the bidder unopened and will not be considered.

Bidder shall complete Conditions of Sale section hereunder listed, including signature.

Cash Discount Terms: 0 % 30 Days
(NET-30 Days unless otherwise stated)

**NOTE: CASH DISCOUNTS ARE NOT USED
FOR BID EVALUATION.**

Quotation firm for 45 Days
(45 Days unless otherwise stated)

Date: 11/8/2023

For Further Information
Contact:

Joshua Redmon
254-640-0297
joshua@gogreenrei.com

Delivery F.O.B. TO 200 Sunset Drive
Wichita Falls TX 76301
(F.O.B. Delivered unless otherwise stated)
Shipping From: 2052 Industrial Dr
Hickory, North Carolina 22658

Company Name: Recycling Equipment Inc. (REI)

Contact Name: Joshua Redmon

Signature: 

Title: VP Southwest Sales

Address: 5201 Pyramid Blvd.
Fort Worth, Texas
76126

Email: joshua@gogreenrei.com

Phone #: 254-640-0297 Fax #: N/A

CITY OF WICHITA FALLS, TEXAS P.O. Box 1431, Wichita Falls, TX 76307 940-761-7466

CITY COUNCIL AGENDA
November 21, 2023

ITEM/SUBJECT: Resolution authorizing the purchase of the ASIM Advanced (Active Shooter Incident Management) Course through the sole source vendor from C3 Pathways, Inc. in the amount of \$61,759.00.

INITIATING DEPT: Police

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City has purchased equipment through a sole source vendor in the past. We have found this process to be cost effective in the initial equipment purchase process. The Wichita Falls Police Department intends to purchase a training course involving Active Shooter Incident Management from C3 Pathways. The Wichita Falls Police Department was recently awarded non-matching grant funds in the amount of \$65,259.00 for the purchase of the ASIM Advanced (Active Shooter Incident Management) Course.

Texas Local Government Local Government Code §252.022 exempts items purchased through only one source vendors from the State's competitive bidding requirements. This chapter does not apply to expenditure for. . . (7) a procurement of items that are available from only one source, including: (a) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies;

Staff recommends the purchase of the ASIM Advanced (Active Shooter Incident Management) Course from C3 Pathways in the amount of \$61,759.00.

☒ **Police Chief**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the purchase of the ASIM Advanced (Active Shooter Incident Management) Course through the sole source vendor from C3 Pathways, Inc. in the amount of \$61,759.00

WHEREAS, Texas Local Government Local Government Code §252.022 exempts items purchased through only one source vendors from the State's competitive bidding requirements; and

WHEREAS, the City Council of the City of Wichita Falls has passed an ordinance approving the expenditure of awarded grant funds for this purchase; and

WHEREAS, the City Council finds that C3 Pathways is the sole source vendor of this type of training opportunity, and it is in the City's best interest to purchase this type of training from them.

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

The City Manager is authorized to execute all documents necessary to purchase ASIM Advanced course from C3 Pathways, Inc. in the amount of \$61,759.00.

PASSED AND APPROVED this the 21st day of November, 2023.

MAYOR

ATTEST:

City Clerk

Thank you for printing our article. We hope that some of our other articles can catch your eye as well.



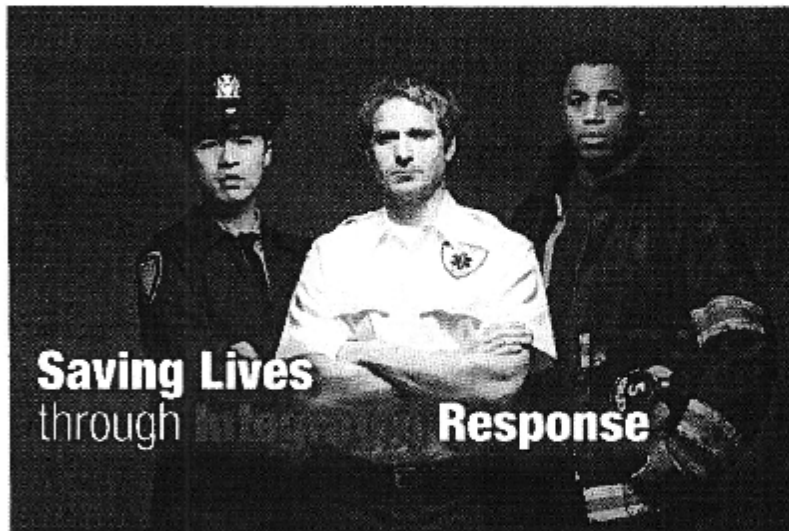
ASIMAdvanced

ACTIVE SHOOTER INCIDENT MANAGEMENT

4.8 ★★★★★ (4491 Reviews)

[Training](#) / ASIM Advanced

STOP THE KILLING. STOP THE DYING.®



This course provides responders with the experience and confidence to manage an Active Shooter Event, no matter their rank or assignment.

Active Shooter Incident Management Advanced is a 3-day comprehensive course using the ASIM Checklist integrated response process with eleven hands-on scenario exercises (using the multi-responder NIMSPRO™ 3D Simulation System). The course is appropriate for all ranks of law enforcement, fire, EMS, and dispatch. The course provides hands-on incident management experience for street responders and leaders alike. Participants are trained to integrate and manage a multi-discipline response to a full range of Active Shooter and hostile event threats, including Complex Coordinated Attack (CCA). The goal is simple — decrease the time to neutralize the threat and get injured to a hospital.

ASIM Advanced

Active Shooter
Incident
Management with
Complex
Incidents (24 Hr)

**11 Full-scale
Exercises**

**60
Participants**

30 Law
Enforcement
20 Fire / EMS
5 Dispatch
2 PIO
2 EM
1 Helicopter
Pilot

**3 Days / 5
Instructors**

**Exercise Tool
NIMSPRO™**

**\$343 /
person
Total \$61,750**

<https://www.c3pathways.com/asim/advanced>

Participants learn and practice the following positions, functions, and scenarios:

- ASIM Checklist process
- First arriving LEO
- Contact Team
- Tactical Group Supervisor
- Staging Manager
- Casualty Collection Point
- Medical Branch
- Triage Group Supervisor
- Rescue Task Force (RTF)
- Transport Group Supervisor
- Ambulance Exchange Point
- Casualty (injured) Evacuation
- Law Enforcement Branch
- Intelligence/Investigative Section
- Victim Management and Reunification
- Incident Commander
- Communication Center Integration
- Complex Coordinated Attack (CCA) including multi-site and multiple attacker teams
- Active Shooter Event with IEDs
- Active Shooter Event with hostage/barricade

ASIMAdvanced Instructors utilize a no-fault, no-embarrassment coaching style to conduct live training with up to 60 students utilizing NIMSPRO™ for hands-on scenarios. NIMSPRO™ is our professional grade 3D multi-responder simulation system that places everyone in the middle of the action! Dispatchers utilize a fully integrated CAD system to direct responders who work to neutralize threats, triage casualties, implement warm zone EMS care, treat and transport patients, establish perimeters, move and manage victims, and much more — all within to-scale photo realistic 3D environments of selected real world locations!

® Stop the Killing, Stop the Dying is a registered trademark of Texas State University and is used with permission.

<https://www.c3pathways.com/asim/advanced>

Links

ASIM Hosting Requirements

Facility requirements and logistics for hosting ASIM Advanced in-person deliveries



Active Shooter Incident Management Checklist

A Validated Active Shooter Checklist



4 Best Practices for Active Shooter Incident Management

Lessons Learned from 10 Active Shooter Exercises with the University of North Florida

