

## 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



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**Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, March 5, 2024, 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/cityofwichitafalls>)**
- 3. A video of the meeting will be posted on the City's YouTube page (<https://www.youtube.com/cityofwf>)**

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Item #

1. Call to Order
2. (a) Invocation: Dr. Mark Bender  
First Christian Church  
  
(b) Pledge of Allegiance
3. Presentations  
  
(a) Employee of the Month – David Maywald, Fire Department  
  
(b) Proclamation – March for Meals, Meals on Wheels Wichita County  
  
(c) Proclamation – Women's History Month, Wichita Falls Alliance
4. 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.

### CONSENT AGENDA

5. Approval of minutes of the February 20, 2024 Regular Meeting of the Mayor and City Council.
6. Receive Minutes
  - (a) Planning & Zoning Commission, January 10, 2024

### REGULAR AGENDA

7. Resolutions
  - (a) Resolution authorizing the City Manager to award bid and contract for the 2024 Water Budget Utility Improvement Project & Large Valve Replacement to Bowles Construction Co., in the amount of \$1,877,904.00
  - (b) Resolution authorizing the City Manager to execute a Consulting Services Agreement with Garver, LLC for the purpose of developing a Pavement Management Program Update for Wichita Falls Regional Airport
  - (c) Resolution authorizing the City Manager, or his designee, to make application to FEMA for the FY 2023 Assistance to Firefighters Grant to support emergency medical training at a cost of \$577,200.00
  - (d) Resolution setting the rates at Lake Arrowhead and Lake Kickapoo for leases of City-owned property
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. Adjourn

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

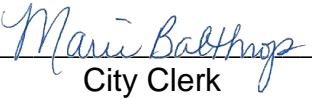
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Every item on this agenda shall be considered a public hearing. Regardless of the agenda heading under which any item is listed, any word or phrase of any item listed on this agenda shall be considered a subject for consideration for purposes of the Texas Open Meetings Act and other relevant law, and City Council may deliberate and vote upon any such subject and resolutions related thereto. Resolutions, ordinances,

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

### CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 28<sup>th</sup> day of February, 2024 at 4:00 o'clock p.m.

  
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City Clerk

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**CITY COUNCIL AGENDA**  
**March 5, 2024**

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**ITEM/SUBJECT:** Employee of the Month

**INITIATING DEPT:** Fire

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**NAME:** David Maywald

**DEPARTMENT:** Fire

**HIRE DATE:** 4/23/2023

**PRESENT POSITION:** Quartermaster

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**COMMENTARY:** Presentation of the Employee of the Month Award (plaque, letter of appreciation, gift card for dinner at a local restaurant, and a check for \$200.00).

☒ **Director of Human Resources**

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☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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City of Wichita Falls  
City Council Meeting  
Minutes  
February 20, 2024



**Item 1 - Call to Order**

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

Tim Short	-	Mayor
Bobby Whiteley	-	Mayor Pro Tem/ At-Large
Mike Battaglino	-	Councilors
Jeff Browning	-	
Larry Nelson	-	
Michael Smith	-	
Tom Taylor	-	
Darron Leiker	-	City Manager
Kinley Heggland	-	City Attorney
Marie Balthrop	-	City Clerk

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

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**Item 2a – Invocation**

Dr. Samuel Abbott, Kingdom Life International, gave the invocation.

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**Item 2b – Pledge of Allegiance**

Mayor Short led the Pledge of Allegiance.

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**Item 3a – Proclamation – Government Communicators Day, City of Wichita Falls  
Public Information Office**

8:30 a.m.

Mayor Short read a proclamation proclaiming February 24, 2024, as Government Communicators Day.

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**Item 4 – Comments from Citizens**

8:33 a.m.

There were no comments from the public.

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**Item 5-6 – Consent Items**

8:33 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 Short, Councilors Battaglini, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

**Item 5 – Approval of Minutes of the February 6, 2024, Regular Meeting of the Mayor and City Council**

**Item 6a – Resolution 17-2024**

8:45 a.m.

Resolution authorizing the purchase of three (3) 60-inch mowers and two (2) 72- inch mowers for the Parks Maintenance Division through the Sourcewell Purchasing Cooperative from Berend Turf & Tractor, LP in the amount of \$98,940.08.

**Item 6b – Resolution 18-2024**

8:45 a.m.

Resolution authorizing the City Manager to make application for a grant from the Office of the Governor, FY2024 HS-Homeland Security Grant Program, Law Enforcement Terrorist Prevention Activities (LEPTA) in the amount up to \$32,000.00.

**Item 7 – Receive Minutes**

(a) Wichita Falls Metropolitan Planning Organization, Transportation Policy Committee, October 24, 2023

(b) Lake Wichita Revitalization Committee, January 9, 2024

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**Item 8b – Ordinance 05-2024**

8:35 a.m.

Ordinance amending Sections 2-31 and 2-32 of Chapter 2 of the Code of Ordinances of the City of Wichita Falls, Texas, modifying the location of regular meetings and special meetings of the city council; designating a posting location for open meeting notices; and providing an effective date.

Moved by Councilor Browning to approve Ordinance 05-2024.

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

Ayes: Mayor Short, Councilors Battaglini, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 9a – Resolution 19-2024**

8:40 a.m.

Resolution nominating Vitro Flat Glass LLC to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for designation as a Single Enterprise Project (Project) under the Texas Enterprise Zone Program (EZP) under the Texas Enterprise Zones Act, Chapter 2303, Texas Government Code (Act).

Moved by Councilor Nelson to approve Resolution 19-2024.

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

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Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 9b – Resolution 20-2024**

8:46 a.m.

Resolution authorizing award of bid for demolition, clearing, and cleaning of 13 properties to Mote's Wholesale, Inc. dba Mote, Inc. in the amount of \$69,136.00.

Moved by Councilor Nelson to approve Resolution 20-2024.

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

Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 9c – Resolution 21-2024**

8:49 a.m.

Resolution authorizing a guaranteed maximum price (GMP) of \$16,389,745 in the Construction Manager at Risk contract with Anthony Inman Construction, Inc. for package #2 associated with services related to the Memorial Auditorium Building Renovation project.

Moved by Councilor Nelson to approve Resolution 21-2024.

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

Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 9d – Resolution 22-2024**

9:23 a.m.



Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC/4A) by authorizing the sale of 28+/- acres at the WFEDC-owned Wichita Falls Business Park to BHD Land Development LLC, and approving an expenditure in an amount not to exceed \$2.8M for the design and construction of the extension of Production Blvd and related utilities.

Moved by Councilor Nelson to approve Resolution 22-2024.

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

Ayes: Mayor Short, Councilors Battaglini, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 9e – Resolution 23-2024**

9:29 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the budget to include funding up to \$398,000 to Sheppard Air Force Base to support the airfield Bird Air Strike Hazard (BASH) reclamation project.

Moved by Councilor Nelson to approve Resolution 23-2024.

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

Ayes: Mayor Short, Councilors Battaglini, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 10a – FY2025 Budget Calendar Overview – Stephen Calvert, CFO**

9:37 a.m.

Stephen Calvert, CFO/Director of Finance, presented the FY 2025 Budget calendar, and provided an overview of actions required. The budget kickoff will begin March 14, 2024, and includes various meetings and workshops. There is also time built in for individual discussions with Councilors, and the process ends with the approval of the budget and setting the property tax rate on September 3, 2024.

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**Item 10b - Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.**

9:41 a.m.

Councilor Whiteley discussed the funds being spent for the renovation, and how the City is getting a bang for their buck. He said it was great to see Memorial Auditorium filled to capacity for two nights last week, and the quality events that are coming in. Quality events will continue to come to Wichita Falls if citizens participate.

Councilor Battaglini stated that there are two events in Memorial Auditorium starting with Bluey's Big Play tonight and the Symphony this weekend. If you have not been playing Downtown Bingo, he has 3 spaces left on his card and he encouraged everyone to participate. He apologized for missing the last meeting, but he was in San Diego spending time with individuals in the Marine Corp and Navy, and next month he will have the opportunity to spend time with individuals in the Army. He noted that the Lake Wichita parking lot is almost completed and looks great.

Councilor Nelson asked about the entry doors at the Health Department, and Amy Fagan, Director of Health stated the door has not come in yet, and they have been waiting for five months. Councilor Nelson encouraged staff to follow up with the contractor. He asked John Burrus about the vehicles coming in, and Mr. Burrus stated that the trucks are starting to come in.

Councilor Smith stated that Animal Services would like us to remember that today is National Love Your Pet Day. Council was invited to the annual Police Banquet at the Delta, and he discussed how nice it was. As a board member he attended the Early Head Start Program meeting, and also attended the Optimist Youth Awards Ceremony, which was very nice. He discussed the Neighborhood Revitalization Program, and asked for an update on this program, and in particular the area around Old High. Councilor Smith expressed concern about the timeliness of minutes from our Boards and Commissions as sometimes Council is getting them quite late. It was noted that this is due to minutes not being approved until the next meeting, but Councilor Smith asked if they could receive the draft minutes so they can stay informed.

Mayor Short thanked everyone for attending, and he hopes to see a packed room at our last meeting in this building. We are a City moving forward and are beginning to hit our stride and celebrate those wins together. He asked for continued prayers for rain.

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**Item 11 – Appointments to Boards and Commissions**

9:50 a.m.

- Lake Wichita Revitalization Committee
- Library Advisory Board
- TIF #4
- Zoning Board of Adjustment

Moved by Councilor Battaglino to make the following appointments to the Lake Wichita Revitalization Committee:

Move Jack Roe from Place 7 to Place 12 – Voting Alternate, term to expire 07/31/2027.

Move Austin Cobb from Place 12 – Voting Alternate to Place 7, term to expire 07/31/2027.

Place 11 – David Bender, term to expire 07/31/2027.

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

Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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Moved by Councilor Browning to appoint Zachary Carlton to an unexpired term for Place 6 on the Library Advisory Board, term to expire 07/31/2024.

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

Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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Moved by Councilor Browning to appoint Cody Magana to Place 3 on the Tax Increment Financing District Reinvestment Zone #4, term to expire 12/31/2025.

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

Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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Moved by Councilor Browning to appoint Blake Haney to Place 9 – Alternate 4 on the Zoning Board of Adjustment, term to expire 12/31/2025.

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

Ayes: Mayor Short, Councilors Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

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**Item 12 – Executive Sessions**

City Council adjourned into Executive Session at 9:53 a.m. in accordance with Texas Government Code §551.072, §551.074 and §551.087.

City Council reconvened at 12:48 a.m.

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

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**Item 13 –Adjourn**

Mayor Short adjourned the meeting at 12:49 a.m.

PASSED AND APPROVED this 5<sup>th</sup> day of March 2024.

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Tim Short, Mayor

ATTEST:

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Marie Balthrop, TRMC, MMC  
City Clerk

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February 20, 2024  
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**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**January 10, 2024**

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**PRESENT:**

David Cook  
Brady Enlow  
Blake Haney  
Michael Grassi  
Doug McCulloch  
Wayne Pharries  
Alan Sizemore  
Jeremy Woodward  
Councilor Bobby Whiteley

◆ Chairman  
◆ Alternate No. 1  
◆ Member  
◆ Member  
◆ Member  
◆ Member  
◆ Alternate No. 2  
◆ Vice-Chair  
◆ Council Liaison

Councilor Mike Battaglini  
Monica Aguon, Legal Department  
Paul Menzies, Assistant City Manager  
Russell Schreiber, Director of Public Works  
Terry Floyd, Development Services Director  
Fabian Medellin, Planning Manager  
Christal Cates, Neighborhood Revitalization Coordinator  
Cedric Hu, Planning Technician

◆ Council Liaison  
◆ City Staff  
◆ City Staff  
◆ City Staff  
◆ City Staff  
◆ City Staff  
◆ City Staff  
◆ City Staff

**ABSENT:**

Mark McBurnett  
Matt Marrs  
Noros Martin  
Steve Wood

◆ SAFB Liaison  
◆ Member  
◆ Member  
◆ Member

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**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**

Vice-Chairman, Mr. Jeremy Woodward, made a motion to adopt the December 13, 2023, minutes. Mr. Wayne Pharries seconded the motion. The motion was passed unanimously, 8-0

**VII. REGULAR AGENDA**

**1. Case C 24-01 – 1514 Britain Street:**

**Consider taking action on a conditional use at 1514 Britain Street to allow for a duplex in a Single Family-2 (SF-2) zoning district.**

Mr. Woodward made a motion to approve the case. Mr. Michael Grassi seconded the motion. Mr. Cedric Hu presented the case and stated the owner and applicant, Mr. Scottie Smith of Phoenician Development Group, met with staff regarding the development of a duplex in a residential area. Currently, the City ordinance does require a conditional use approval for development of a duplex in a Single Family-2 (SF-2) zoning district.

Mr. Hu stated the subject property, at 1514 Britain Street, was located in central Wichita Falls, three blocks northeast of Wichita Falls High. The property is currently vacant and surrounded by other residential structures with residential uses.

Mr. Hu stated the applicant's site plan shows a structure that would be a total of 2,236sf., placed 26ft. from the front property line, 62ft. from the rear and 11ft. from the north, side interior and 18ft. from side exterior, adhering to all setback requirements.

The subject property is located in the Single Family-2 (SF-2) zoning district, surrounded by other residential properties. Located to the southeast, a block away is a small area of Limited Commercial (LC) zoning along Harrison Street with residential uses.

Mr. Hu advised staff sent notices to 36 surrounding property owners located within 200ft of the subject property and received no responses. With all potential impacts taken into consideration, staff recommends the approval of the proposed duplex at 1514 Britain Street subject to the following conditions:

1. A total of 4 parking stalls be provided meeting the design standards of Section 6200 – Off Street Parking Regulations.
2. Prior to the issuance of a building permit the property must be platted.
3. The development shall comply with all applicable building code regulations, permitting, and inspections.

Chairman Cook asked if the applicant was present and wished to make a presentation. The applicant was not present. Mr. Cook asked if there were any comments from the public. With no comments, Mr. Cook asked the Commission if they had any comments or questions. Chairman Cook called for a vote. The proposal passed unanimously with a vote of 8-0.

**2. Case C 24-02 – 1614 Polk Street:**

**Consider taking action on a conditional use at 1614 Polk Street to allow for a duplex in a Single Family-2 (SF-2) zoning district.**

Vice-Chairman Woodward made a motion to approve the case. Mr. Pharries seconded the motion. Mr. Hu presented the case and stated the owner and applicant, was the same as the previous case with an identical site plan.

Mr. Hu stated the subject property, at 1614 Polk Street, was located in central Wichita Falls, across the street, north of Zundy Elementary. The property is currently vacant and surrounded by other residential structures with residential uses.

Mr. Hu stated the applicant's site plan showed each unit having 3 bedrooms and 2 baths. The structure would be a total of 2,236sf., placed 26ft. from the front property line, 36ft. from the rear and 5ft. from the side interior and 17ft. on the side exterior along Avenue G.

The subject property is in the Single Family-2 (SF-2) zoning district. Located two blocks west is the Commercial Corridor (CC) zoning district that runs along Kemp Boulevard with various different uses.

Mr. Hu advised staff sent notices to 20 surrounding property owners located within 200ft of the subject property and received one response opposed. Mr. Hu noted that there was one other duplex located within the 200ft. notification area. Staff recommended the approval of the proposed duplex at 1614 Polk Street subject to the following conditions:

1. A total of 4 parking stalls be provided meeting the design standards of Section 6200 – Off Street Parking Regulations.
2. The conversion shall comply with all applicable building code regulations, permitting, and inspections.

Chairman Cook asked if the applicant was present and wished to make a presentation. The applicant was not present. Mr. Cook asked if there were any comments from the public. With no comments, Mr. Cook asked the Commission if they had any comments or questions. Chairman Cook called for a vote. The proposal passed unanimously with a vote of 8-0.

**3. Case C 24-03 1800 Fillmore Street:**

**Consider taking action on a conditional use at 1800 Fillmore Street to allow for a duplex in a Single Family-2 (SF-2) zoning district.**

Vice-Chairman Woodward made a motion to approve the case. Mr. Pharries seconded the motion. Mr. Hu presented the case and stated the owner and applicant, was the same as the previous cases and the final for the owner and applicant, Mr. Scottie Smith of Phoenician Development Group.

Mr. Hu stated the subject property, at 1800 Fillmore Street, was located in central Wichita Falls, southwest of Zundy Elementary. The property is currently vacant and surrounded by other residential structures with residential uses.



Mr. Hu stated the applicant's site plan showed each unit having 3 bedrooms and 2 baths. The structure would be a total of 2,236sf., placed 26ft. from the front property line, 36ft. from the rear and 5ft. from the side interior on the south and 17ft. on the side exterior to the north.

The subject property is in the Single Family-2 (SF-2) zoning district. Located to the west, adjacent to the Commercial Corridor (CC) zoning district that runs along Kemp Boulevard with various different uses.

Mr. Hu advised staff sent notices to 21 surrounding property owners located within 200ft of the subject property and received no responses. Mr. Hu noted that there were two other duplexes located within the 200ft. notification area and one four-plex. Staff recommended the approval of the proposed duplex at 1800 Fillmore Street subject to the following conditions:

1. A total of 4 parking stalls be provided meeting the design standards of Section 6200 – Off Street Parking Regulations.
2. The conversion shall comply with all applicable building code regulations, permitting, and inspections.

Chairman Cook asked if the applicant was present and wished to make a presentation. The applicant was not present. Mr. Cook asked if there were any comments from the public. With no comments, Mr. Cook asked the Commission if they had any comments or questions. Chairman Cook called for a vote. The proposal passed unanimously with a vote of 8-0.

**4. Case C 24-04 – 2801 Colquit Street:**

**Consider taking action on a conditional use at 2801 Colquit Street to allow for a duplex in a Single Family-2 (SF-2) zoning district.**

Vice-Chairman Woodward made a motion to approve the case. Mr. Pharris seconded the motion. Mr. Hu presented the case and stated the owner and applicant, had previously met with staff regarding the development of a duplex on the subject property.

Mr. Hu stated the subject property, at 2801 Colquit Street was located in central Wichita Falls, north of the Kell Boulevard and Lawrence Road intersection. The property is currently vacant and surrounded by other residential structures with residential uses.

Mr. Hu stated the applicant's site plan showed each unit having two separate garages and drive-ways. The structure would be a total of 3,600sf., with the front setback at 25ft. from the front property line, 5ft. from the rear and 5ft. from the side interior on the south and 15ft. on the side exterior to the north.



The subject property is in the Single Family-2 (SF-2) zoning district and is surrounded by other residential uses.

Mr. Hu advised staff sent notices to 22 surrounding property owners located within 200ft of the subject property and received one response in favor, one response in opposition and one response as undecided. Staff recommended the approval of the proposed duplex at 2801 Colquit Road subject to the following conditions:

1. Parking for each lot be provided meeting the design standards of Section 6200 – Off Street Parking Regulations.
2. The conversion shall comply with all applicable building code regulations, permitting, and inspections.

Chairman Cook asked if the applicant was present and wished to make a presentation. The applicant was not present. Mr. Cook asked if there were any comments from the public. With no comments, Mr. Cook asked the Commission if they had any comments or questions. Chairman Cook called for a vote. The proposal passed unanimously with a vote of 8-0.

**5. Case C 24-05 – 1900 Grant Street:**

**Consider taking action on a conditional use at 1900 Grant Avenue to allow for a duplex in a Single Family-2 (SF-2) zoning district.**

Vice-Chairman Woodward made a motion to approve the case. Mr. Pharris seconded the motion. Mr. Fabian Medellin presented the case and stated the case being presented would be slightly different than a normal duplex development proposal.

The property owner, Mr. Erik Scott, had previously demolished a secondary living structure that had deteriorated beyond repair with the intention of rebuilding it. The owner was unaware that the structure was a legal non-conforming structure and that city ordinances would not allow the rebuilding without first seeking approval from the Planning and Zoning Commission. Staff met with Mr. Scott who prepared and application and site plan to request the rebuild of a secondary living structure.

The subject property is located at 1900 Grant Street at the corner of Avenue I and Grant Street, south of the West Floral Heights Historic District. The proposed site plan Mr. Scott presented shows a 3-bedroom, 2-bathroom layout for the duplex addition to the existing single-family residence. Mr. Medellin stated staff worked with Mr. Scott to ensure all setback requirements would be met according to city ordinances.

Mr. Medellin advised the subject property was located in the Single Family-2 (SF-2) zoning district surrounded by residential uses. To the south is a small pocket zoned Limited Commercial (LC) containing primarily residential uses.

Mr. Medellin stated staff notified 25 property owners within 200ft. of the subject property and received 2 responses, both in favor of this proposal. Staff recommends approval of this request to allow for a duplex at 1900 Grant Street with the conditions outlined below;

1. The property be subject to platting requirements prior to construction permit issuance.
2. The applicant must provide and maintain adequate parking for the development.
3. The structures shall comply with all applicable zoning/ building code regulations, permitting, and inspections.

Chairman Cook asked if the applicant was present and wished to make a presentation. Mr. Scott was present but gave no presentation. Mr. Cook asked if there were any comments from the public. Mr. Doug McCulloch asked about the carport and garage shown on the site plan. Mr. Medellin clarified those structures are existing structures. With no comments, Mr. Cook asked the Commission if they had any comments or questions. Chairman Cook called for a vote. The proposal passed unanimously with a vote of 8-0.

**6. Case TA 23-01 – Update to Subdivision and Development Regulations: Consider a recommendation to amend the City Code of Ordinances, Appendix A – Subdivision and Development Regulations, to amend platting requirements and formally adopt a Pavement Design Manual to comply with regulations as set forth in Texas House Bill 3699.**

Mr. Terry Floyd presented the case and stated this was a proposal for a text amendment previously brought before the Commission during the December 10, 2023, Planning & Zoning Commission meeting. Mr. Floyd stated the reason for presentation was to request a favorable recommendation to the City Council at their next meeting on Tuesday, January 16<sup>th</sup>, 2024. The reason for the text amendment was to bring the City of Wichita Falls into compliance with House Bill No. 3699 passed by State Legislation in 2023.

Mr. Floyd provided an update and advised City staff heard the Commissioner voice concern about not having approvals from the City Council to the Pavement Design and Stormwater Design manuals. The proposal now contained verbiage that require approvals from the City Council and not just City Staff as originally proposed in December of 2023. Mr. Floyd reiterated that the amendments did not add any additional requirements to the current platting process and that is was only to achieve compliance with HB 3699.

Mr. Floyd gave the following information on the background of HB 3699:

- Clarifies 30-day plat approval “shot clock” requirements.
- Requires adoption of a Pavement Design Manual that was and is available to the public via the City website.

- Cities may not require analyses, studies, documents, agreements as part of a plat application.
- Multiple extensions can be requested by the applicant

Mr. Floyd provided the proposed subdivision amendments:

- Infrastructure (water, sewer, drainage) improvements must have approved plans, accepted installation or surety in place prior to plat application being filed with the City.
- Adoption of a Pavement Design Manual. The adoption would not change any current pavement design standards, rather it would collect all the standards into one document as required by HB 3699.
- Reiterates adoption of 2011 Stormwater Drainage Manual
- Minor text changes to correct Director of Comm. Dev. title
- No changes to current Planning Commission plat approval process

Mr. Floyd advised the Commission that staff recommended the Planning Commission favorably recommend to City Council the proposed Subdivision Regulations amendments for Council consideration at the January 16<sup>th</sup> meeting. Mr. Floyd stated he appreciated the Commission members that reached out to him and emailed questions and concerns and the staff that was able to work through those issues.

Chairman Cook asked if there was anyone from the public that wished to comment on the amendment proposal. Mr. Tanner Wachsmann, 5689 Blackstone Drive, stated he came before the Commission during the December 13<sup>th</sup>, 2023, meeting and apologized as presenting and speaking before a Board is not something he does on a regular basis. Mr. Wachsmann gave a brief history of previous amendments from around 2018 and stated he had met with other developers and members of the public and had a list of amendments he would like to see the Commission recommend to the City Council on January 16<sup>th</sup>, 2023, that he believes would be beneficial, along with staff proposed amendments and subsequent design manuals.

Mr. Wachsmann stated he would like for the Commission to take a second look at §14 – Modification of Subdivision Regulations, particularly the exact requirements for an applicant to propose modifications to the subdivision and/or development regulations in order to get a variance or approval for an alternative design to be acceptable in place of what is currently required. Mr. Wachsmann stated it was his and many others opinion that this section was written too stringently to allow for any real consideration of what would be allowed as alternative methods to achieve compliance. Furthermore, Mr. Wachsmann stated often, alternative methods could not even be discussed publicly unless they meet all specified requirements to have a proposal brought before the Commission for consideration. Mr. Wachsmann stated he didn't think the instances where a modification is needed are many, but when they are needed, there is not a smooth path for an to seek approval for an alternative method of compliance.



Mr. Wachsman advised to allow for greater economic prosperity in the development of Wichita Falls, the Commission and/or City Council should look at ways to develop inside city limits by creating an easier path to apply for a variance to the subdivision and development regulations.

Mr. Wachsman stated he was not sure how the Commission would like to proceed with his recommendations; however, he had copies for Commission members and would also be willing to read through the verbiage of his recommendations for a possible vote to favorably recommend to the City Council at the January 16<sup>th</sup> meeting.

Chairman Cook asked, with the recommendations Mr. Wachsman was proposing and the widespread effect they would have, if he had given and/or discussed those modifications to City staff and/or had any kind of meeting in the past month. Mr. Wachsman advised he had not, that he had only had private discussions with non-city staff on his proposed modifications. Mr. Cook stated looking at the possible effects on such a large mass of individuals he would not feel comfortable voting on those recommendations at that time. However, Mr. Cook did believe the discussion should be held at a future time when staff could be given the proposed modifications as well as the Commission with time to study and review them and asked for Mr. Floyd to comment on the subject. Mr. Floyd stated today staff's only recommendation was the modification presented to bring the City into compliance with the State.

Chairman Cook stated in light of what Mr. Wachsman had presented he wanted to hear from the Commission regarding the possibility of having a meeting to discuss in detail those proposed modifications. Mr. Michael Grassi stated it was his understanding at the conclusion of last month's meeting that there was to be a separate meeting with the Stakeholders and Commission members to discuss the amendments staff had proposed and asked if any sort of meeting was held. Mr. Wachsman stated he had no contact or had mention of a meeting held that he was aware of. Mr. Grassi stated with modifications from previous years several meetings were held to review those proposals. Mr. Wachsman stated his modifications mainly only had to do with the path to bring a proposed modification before the board. He believes rather than bring those before another Commission or Stakeholder meeting, he could save the City money and many man-hours by considering his proposed modifications at that time rather than a string of meetings later.

Mr. McCulloch asked for clarification on how Mr. Wachsman was proposing to save money and time. Mr. Wachsman responded by saying he believed it was in the Commission's authority to have his proposed modifications favorably recommended to City Council at the January 16<sup>th</sup> meeting rather than postponing discussions to future meeting dates. Further discussion among Mr. Wachsman and the Commission on the practicality of recommending the modifications versus having future meetings.

Mr. Russell Schreiber advised the Commission he was present for the previous subdivision modifications that were indeed very in-depth. Mr. Schreiber advised Mr.

Wachsman's modification be taken into consideration at a future meeting date when they could be reviewed by all parties. He stated at this time the most important thing was to get a recommendation for City Council so that the City could be in compliance with the State. Mr. Schreiber further advised the Commission that no changes to the plat approval process was taking place, that process is the same the City has been following since 2018.

There was further discussion among the Commission, staff and Mr. Wachsman about his proposed modifications, adding a meeting time-frame and verbiage on a potential motion.

Chairman Cook asked if there were any additional comments from the public. Mr. Cook closed the public comments and asked if there were any additional comments or discussion from the Commission. Mr. McCulloch made a motion to favorably recommend the modifications as presented to the City Council with the stipulation of meetings to be held in the future with staff and stakeholders to review current and future modifications within 180 days from January 10<sup>th</sup>, 2024.

More discussion between staff and Commission on deadlines, ramifications of being out of compliance with the State, and what happens if the motion on the floor is not seconded. Vice-Chairman Woodward seconded the motion which passed with a vote of 8-0.

**7. Case M 24-01 – Subdivision Regulations Modification:**

**Consider taking action on a modification request by Mr. Michael Grassi, under Section 3 14 of the City Code of Ordinances, Appendix A – Subdivision and Development Regulations to Section 3.3.4 Open Channels, Pilot Channels in the City's Stormwater Design Manual for Drainage Channel Improvements, Hill and Hill Heights, Section 3, Unit 7 and unplatted northern tract, City of Wichita Falls, Wichita County, Texas.**

Chairman Cook stated for the record, that Mr. Grassi had filed the appropriate paperwork in the City Clerk's office to recuse himself from voting on the following proposal as he is the applicant, owner & developer for the subject property. *\*It is noted Mr. Grassi physically stepped down and sat in the audience. Any further participation from Mr. Grassi would be that of the applicant.*

Mr. Floyd presented the case and stated Mr. Grassi, developer of Classic Builders, was requesting a modification of the City subdivision regulations, specifically, stormwater design requirements of pilot channels for drainage channel improvements located on the unplatted subject property, Hill & Hill Heights, Section 3, Unit 7.

Mr. Floyd presented location maps to the Commission showing the subject property that was a new subdivision located in the southwest area of Wichita Falls, west of Memorial Stadium.



Mr. Floyd advised the Commission this was not a proposal to amend the design standards and would only be applicable to this request and subject property location. The original developer for this subject property was Mr. Gary Broyles, before Mr. Grassi purchased and took over development of the subdivision including infrastructure. City ordinances state all public infrastructure is provided and paid for by the developer. Once all inspections are passed, the ownership is then turned over to the City to maintain.

Mr. Floyd stated the original preliminary plat was approved in November 2016, with infrastructure approved by the City engineering department in 2021. Since that time, the development has been in various stages. The water and sewer were completed and accepted by City staff in October 2023 as well as the roads. The stormwater drainage being discussed is still pending as of this time.

Mr. Floyd stated the developer and home builder had agreed to increase the size of some of the lots in the area that are adjacent to the drainage area not yet constructed, to accommodate larger backyards and adjacent lots. The proposed increase of the size of the lots has necessitated the adjusting of the drainage channel size and location. Mr. Grassi's engineer has submitted a set of plans for the new proposed drainage channel that will be required to meet the Stormwater Design Manual that calls for a concrete bottom.

Mr. Floyd advised the new plans submitted by Mr. Grassi's engineer, not only meets, but exceeds the thresholds of the City's ordinance requiring a concrete bottom pilot channel. Mr. Grassi, as the developer, has not completed the pilot channels which require a concrete bottom and is requesting variance to that ordinance.

For this variance, Mr. Grassi must prove to the Commission deprivation of land use. Mr. Floyd advised the Commission their role per City ordinance § 14 – Modification of Subdivision Regulations reads as follows;

- A. Where existing conditions require a modification from the standards and regulations herein contained because of a distinct and unusual condition that does not prevail on other undeveloped land generally in the city, the Commission may approve a modification from specific standards to permit the equitable treatment of the land or tract in light of the unusual condition.
- B. The Commission may authorize a modification from these regulations when in its opinion deprivation of use of land will result from requiring strict compliance. The applicant shall have the responsibility of proving that the strict application of the subdivision ordinance creates a deprivation of use of land. The following conditions must be present for consideration. The City response will follow each in *Italics*.
  - 1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this

- chapter would deprive the applicant of the reasonable use of his land; and,
- *The requirement of the installation of a pilot channel in the proposed drainage channel does not deprive the applicant the use of his land for the drainage channel in this instance and has been installed as required for a number of projects throughout the city.*
2. The granting of the modification will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and,
    - *Flat, grass-lined channels allow silt to build up reducing the carrying capacity of the channel and do not dry out frequently enough to allow for routine maintenance to occur.*
    - *Creates a breeding ground for mosquitoes and other insects and would be considered having a detrimental effect on public health.*
  3. The granting of the modification will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter; and,
    - *The modification would not prevent the orderly subdivision of other lands based on the information provided by the applicant.*
  4. A more appropriate design solution exists which is not currently allowed in this chapter; and,
    - *The newly proposed design submitted in October 2023 would be adequate and appropriate if the concrete pilot channel included as part of the design.*
  5. The granting of the modification is harmonious with the engineered design of the infrastructure of any neighboring subdivision.
    - *The modification is not harmonious with other infrastructure as all other developers have been required to install the concrete (i.e. pilot) channel in accordance with Section 3.3.4 of the Stormwater Design Manual.*
- C. The modification may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety, and welfare may be secured and substantial justice is done. Economic hardship to the applicant shall not be deemed to constitute a deprivation of use. The Commission may reach a conclusion that a deprivation exists if it finds that:
1. If the applicant complies strictly with the provisions of this chapter, the applicant can make no reasonable use of the property; and

- *The applicant can use his property as a drainage channel. Compliance with Section 3.3.4 of the Stormwater Design Manual does not deprive the applicant of use of the land.*
- 2. The deprivation of use relates to the applicant's land, rather than personal circumstances; and
  - *The applicant is not deprived of the use of his land for a drainage channel based on the information provided.*
- 3. The deprivation of use is unique to the property, rather than one shared by many surrounding properties; and
  - *There is no deprivation of use of the property based on the information provided at this time.*
  - *The requirement for the concrete channel is not unique to this property as the Stormwater Design Manual has been in use since 2011.*
- 4. The deprivation of use is not the result of the applicant's own actions or actions of a previous owner or owner's agent.
  - *The proposed design as submitted in October 2023 would be adequate and appropriate if the concrete pilot channel were included as part of the design.*

Mr. Floyd turned the presentation over to Mr. Russell Schreiber, Director of Public Works. Mr. Schreiber gave more clarification on the plan sheet Mr. Grassi submitted in October 2023. The original approved plan set from Mr. Broyles had a drainage ditch behind the homes. Mr. Grassi wants to relocate the drainage ditch into the existing irrigation canal to allow for larger backyards and make the lots more appealing.

City staff is amenable with the relocation of the drainage ditches; however, Mr. Grassi does not wish to place a concrete pilot channel in the bottom of the relocated channel. The existing channel is over the minimum slope required and a concrete pilot channel is not required; however, the relocated drainage facilities would require a concrete pilot channel due to the flat slopes.

Mr. Schreiber advised the Commission of the City's Stormwater Design Manual, 3.3.4 Open Channels

Open Channel Types - Pilot Channels - *Man-made earthen channels with longitudinal slopes of less than 0.5% or that serve an area where consistent low flows are or may become prevalent shall be provided with a pilot channel per City Engineering standards.*



Mr. Schreiber further explained to the Commission that would be .5% of slope is 6 inches of slope in 100 feet. When the channels are not lined with a concrete V pan, the flows cannot be carried away, they never dry up, and City staff cannot mow, creating a health hazard. Mr. Schreiber pointed out that fellow developer, Mr. Doug McCulloch has had properties like this and had adhere to the same requirements. For the modification request to be approved, Mr. Grassi would need to meet all 9 criteria under sections B and C. Based on the information provided by the applicant, deprivation of use of land has not been proven and all 9 conditions for consideration and granting of the variance have not been met. Staff recommends compliance with the City's stormwater design standards as the request for a modification does not meet the standards set forth for such in the Subdivision Ordinance. Mr. Floyd noted that financial/economic hardship shall not be deemed deprivation of use.

Chairman Cook stated for the record at the beginning of this case he was advised to make a statement that Mr. Grassi's membership on the Commission should not be considered in the evaluation. The repeated highlight that one of the Commission members is in compliance with the stormwater design guidelines should not be considered in the evaluation as well. Mr. Cook asked if there was any discussion. Mr. McCulloch asked if him being a developer and a member of the Commission was in some way a conflict on this case in response to Chairman Cook's statement. Ms. Aguon, attorney for the City, stated there was no monetary gain for Mr. McCulloch and he was not in conflict. Mr. McCulloch asked for a visual where the drainage channel was located, Mr. Schreiber displayed the location on the site plan.

Mr. Grassi greeted the Commission and stated he had hand-outs to go along with his presentation to the Commission. Mr. Grassi gave a brief history of the property and advised the irrigation canal that had been around since the 1930's that sits on residential property he owns as well as property to the north owned by Mr. Broyles, which provides irrigation to surrounding properties in the area. Mr. Grassi advised it was earlier stated that when the property was being developed in November 2021, the plan set had this drainage channel on it and that information was incorrect. Mr. Grassi advised in the process of developing the property there was difficulty trying to pour concrete for the streets that face the lots due to the constant drainage. Mr. Grassi stated he and his team approached the public works department and stated there was an issue with water not draining and hindering further development. During that time, Mr. Grassi stated he and his staff determined there was an off-site water issued to the north causing water to drain onto this property, preventing it from drying out long enough to develop the residential streets. It became the opinion to cut the water off to the north and push it along the drainage ditch. Mr. Grassi advised the solution that was added to the plan set in 2022 does not take

care of the problem that is still present today. Mr. Grassi stated he has submitted to public works a plan drawn up by a private engineer of a channel that does not have a concrete bottom that parallels the existing drainage channel. The best solution would be to divert the water from the north to the other side, another ditch in itself. That discussion was taken before the Wichita County Water District No. 2 as that is their water easement. They stated they no longer sent water, or very little water down that channel and would the City be willing to accommodate some tailwaters that comes from someone to the west that fills their stock tanks. Mr. Grassi stated they would be willing to abandon and convey that easement to the City of Wichita Falls to utilize the ditch that is there and fix the drainage problem.

Mr. Grassi stated he is bound by the irrigation canal running through the property along with water coming in from the north and this a unique issue not normally found when developing subdivisions. Mr. Grassi states his handouts show the acceptable slopes in other cities in Texas. Mr. Grassi continues to discuss slopes and other designs to mitigate water flow. Mr. Grassi talked briefly about vegetative linings and quoted from the stormwater design manual that vegetation, where practical, is the most desirable lining for an artificial channel. It stabilizes the channel body, consolidates the soil mass of the bed, checks erosion on the channel surface, provides habitat, and provides water quality benefits. Mr. Grassi stated concrete channels were not the one and only solution to these channels.

Mr. Grassi stated he believed he met all qualifications to bring this before the Commission and had the following responses to the criteria for section B:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land; and,
  - *Mr. Grassi stated the irrigation canal was in itself a unique and special circumstance.*
2. The granting of the modification will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and,
  - *Mr. Grassi stated the granting of this modification will not be detrimental to public health, as the standing water issue already exists and the new design will alleviate that issue.*
3. The granting of the modification will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter; and,

- *Mr. Grassi stated the granting of this modification will actually promote development of future subdivisions by rectifying the water issue.*
- 4. A more appropriate design solution exists which is not currently allowed in this chapter; and,
  - *Nothing specifically noted for this.*
- 5. The granting of the modification is harmonious with the engineered design of the infrastructure of any neighboring subdivision.
  - *Mr. Grassi stated the modification is harmonious with the neighborhood as there are other ditches like that throughout the neighborhood.*

Criteria for section C and Mr. Grassi's responses:

1. If the applicant complies strictly with the provisions of this chapter, the applicant can make no reasonable use of the property; and
  - *Mr. Grassi believes without the modification the land will continue to flood and will not be able to be inhabited.*
2. The deprivation of use relates to the applicant's land, rather than personal circumstances; and
  - *The deprivation is due to the water shed to the north and has nothing personal in relation.*
3. The deprivation of use is unique to the property, rather than one shared by many surrounding properties; and
  - *Mr. Grassi stated the irrigation canal running through the property makes it unique and the water standing issue is shared by surrounding properties.*
4. The deprivation of use is not the result of the applicant's own actions or actions of a previous owner or owner's agent.
  - *Mr. Grassi stated the deprivation is not a result of his actions, rather has been an on-going issue.*

Mr. Floyd asked who owned the irrigation canal. Chairman Cook clarified with Mr. Grassi the water standing was coming from property to the north that Mr. Grassi did not own. Mr. Grassi stated that was correct.

Chairman Cook asked if there were any other questions for Mr. Grassi. With no response, Mr. Cook asked if there were any comments from the public. No public comments were made. Chairman Cook closed the discussion to the public and opened to the Commission. Mr. McCulloch advised the Commission that land in Wichita Falls was very flat and hard to move water, and often, developers, inherit issues such as. This was not rare, and he frequently has had to deal with these



situations as well. Mr. McCulloch stated he had concerns on the maintenance of these if there was no concrete bottom and how they would be able to get mowing equipment out there to mow. Mr. McCulloch states he believes a concrete bottom channel is the best way to move water and does not believe the v-shaped channel Mr. Grassi is proposing will work. He stated the concrete channel will be the quickest, most effective way to handle the water flow.

Chairman Cook asked if there were any other comments. Mr. Medellin stated a surety had been put up when the plat went before the Planning and Zoning Commission. Some of the homes Mr. Grassi has already completed even have certificates of occupancy; therefore, that in of itself shows there is no deprivation of the property. Mr. Medellin advised the Commission, if this proposal was approved it would show special treatment.

Ms. Aguon further advised the Commission that first they had to find that all five conditions in section B must be present for consideration. If the Commission believes all five of the conditions are present; then the Commission may reach a conclusion that a deprivation exists if it finds that all four of the conditions in section C are reached. Chairman Cook asked where these stipulations are listed. Ms. Aguon advised Mr. Cook the verbiage could be found in subsection B and states, the applicant shall have the responsibility of proving that the strict application of the subdivision ordinance creates a deprivation of use of land. The following conditions must be present for consideration. In subsection C, the verbiage reads as the modification may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety, and welfare may be secured and substantial justice is done. Economic hardship to the applicant shall not be deemed to constitute a deprivation of use. The Commission may reach a conclusion that a deprivation exists if it finds that those four conditions exists.

Chairman Cook stated he felt Mr. Grassi had met the nine conditions and that his presentation meets that threshold. Mr. Cook asked if there were any additional comments. Mr. Schreiber stated that it goes back to the question of deprivation of land and staff and the Legal Department believe he has not met the standard of being deprived; Mr. Grassi was asking not to do the work.

Ms. Aguon stated she was not taking a position, but she was only advising the Commission on their sworn duties. Mr. Cook asked Ms. Aguon what the difference between discretion and opinion was, and that it didn't make sense to him to not use his opinion along with his discretion.

Mr. Pharries asked if Mr. Grassi was being required to move the ditch. Mr. Schreiber advised he was not. Mr. Pharries asked if he could just leave it and let the water run down the street. Mr. Schreiber advised no; he would be required to address the off-site flow by a couple of different means. The existing ditch has not been approved by the City due to ongoing issues, although, he had continued developing for the last two years and has not addressed it previously.

Chairman Cook asked Mr. Grassi if he would like to speak. Mr. Grassi stated this was not a last-minute issue, and that Wichita County Water District No. 2 only holds meetings certain times of the year. Mr. Grassi stated staff had time to review his plans and noted there is no design standard for off-site water and that he was being leveraged with the certificates of occupancy by the City for homes he already has developed and ready to sell.

Mr. Rick Branum stated he had 40 years of experience and has reviewed Mr. Grassi's plans and has been working on this issue since day one when Mr. Broyles was the one to develop the subdivision. Mr. Branum stated it was late 2021 – early 2022 that issues with off-site flows were discovered. The engineering staff met with the developer and advised this issue would need to be dealt with. A plan was worked out to dig a channel to protect the homes and was deep enough to handle the water shed from the north. He stated Mr. Grassi is saying this issue only came up mid-summer of 2022 and was a sudden problem, but that is not the case, and he has many emails sent to the developer asking when the issue would be resolved and asking for updates. Mr. Branum stated a surety was put up to be able to file the plat and pull permits to build the homes. Mr. Branum advised that Mr. Broyles did not do the improvements as required and sold the lots to Mr. Grassi and walked away. He stated just before Christmas Mr. Grassi agreed and dug the channel that is not up to City design standards and not accepted by the City.

Chairman Cook asked Mr. Branum to clarify if the surety was given where that money was and if it could be used for this project. Mr. Branum stated the surety was still with the City and yes, that it could be used for completion of an approved channel. Chairman Cook asked if there was any other discussion from the Commission. With no further discussion, Mr. Cook asked if there was a motion to approve a modification request by Mr. Michael Grassi, under Section 3,14 of the City Code of Ordinances, Appendix A – Subdivision and Development Regulations to Section 3.3.4 Open Channels, Pilot Channels in the City's Stormwater Design Manual for Drainage Channel Improvements, Hill and Hill Heights, Section 3, Unit 7 and unplatted northern tract, City of Wichita Falls, Wichita County, Texas. Mr. Pharries made a motion to approve the modification as presented. Mr. Blake

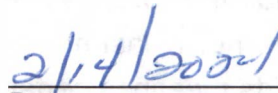
Haney seconded the motion. The motion passed with a vote of 6 in favor and one, Commissioner McCulloch, opposed.

### VIII. ADJOURN

Chairman Cook adjourned the meeting at 4:27 pm.



David Cook, Chairman



Date



Terry Floyd, Director of Development Services



Date

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**CITY COUNCIL AGENDA**  
**March 5, 2024**

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**ITEM/SUBJECT:** Resolution authorizing the City Manager to award bid and contract for the 2024 Water Budget Utility Improvement Project & Large Valve Replacement to Bowles Construction Co., in the amount of \$1,877,904.00.

**INITIATING DEPT:** Public Works

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**STRATEGIC GOAL:** Provide Adequate Infrastructure

**STRATEGIC OBJECTIVE:** Complete Public Improvements Projects

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**COMMENTARY:** On February 20, 2024, bids were opened for the 2024 Water Budget Utility Improvement Project & Large Valve Replacement. This project is generally described as the installation of new waterlines in various locations, meter relocations & valve improvements, and associated work. The purpose of this project is to replace deteriorating cast iron, asbestos cement and galvanized steel water mains, which have become continuous maintenance problems. The replacement of these lines will improve the fire protection, water quality and reliability of the system in these areas. It will also reduce water loss from the system which demonstrates sound water conservation practices. The budget for this project is \$2,100,000.00.

The bids received for this project, which include the Base Bid plus Add/Alts # 1-4 are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Bowles Construction Co. – Wichita Falls, TX	\$1,877,904.00
Atkins Bros. Equip. Co. Inc. – Midlothian, TX	\$2,542,268.00

Construction of this project should require approximately 330 consecutive days to complete.

Bowles Construction Co. has performed similar work for the City in the past and therefore, staff recommends award of the contract to Bowles Construction Co., which includes the Base Bid and Add/Alts #1-4 based on unit price quantities.

☒ **Director, Public Works**

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**ASSOCIATED INFORMATION:** Resolution, Bid Tab, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution authorizing the City Manager to award bid and contract for the 2024 Water Budget Utility Improvement Project & Large Valve Replacement to Bowles Construction Co. in the amount of \$1,877,904.00**

WHEREAS, the City of Wichita Falls has advertised for bids for the 2024 Water Budget Utility Improvement Project & Large Valve Replacement; and,

WHEREAS, it is found that the lowest responsible bidder is Bowles Construction Co. who made a unit price bid with an estimated total of \$1,877,904.00.

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

The unit price bid for the 2024 Water Budget Utility Improvement Project & Large Valve Replacement is awarded to Bowles Construction Co. in an estimated total amount of \$1,877,904.00, and the City Manager is authorized to execute a contract, in a form approved by the City Attorney, for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 5<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

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



2024 WATER BUIP & LARGE VALVE REPLACEMENT  
 CWF24-565-05  
 BID DATE: FEBRUARY 20, 2024

BASE BID			
Pay Item	Description	Unit	Quantity
107-TS	TRENCH SAFETY SYSTEM	LF	5604
200.1	SITE PREP & MOBILIZATION (NOT TO EXCEED 5%)	LS	1
402-PR	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	2153
501.14-6	INSTALL 6" WATERLINE AND FITTINGS	LF	4288
501.14-6RJ	INSTALL 6" WATERLINE AND FITTINGS (RESTRAINED JOINT)	LF	20
501.14-8	INSTALL 8" WATERLINE AND FITTINGS	LF	1296
502.3-FH	INSTALL 5-1/4" FIRE HYDRANT ASSEMBLY	EA	7
502.3-RS	REMOVE & SALVAGE 5-1/4" FIRE HYDRANT ASSEMBLY	EA	4
502.6-6	INSTALL 6" GATE VALVE WITH BOX	EA	12
502.6-8	INSTALL 8" GATE VALVE WITH BOX	EA	4
502.6-12	REMOVE & REPLACE 12" GATE VALVE & BOX	EA	2
502.6-14	REMOVE & REPLACE 14" GATE VALVE & BOX	EA	1
502.6-20	INSTALL 20" VALVE	LS	2
502.6-24	INSTALL 24" VALVE	LS	2
502.6-RB	REMOVE WATER VALVE BOX	EA	12
502.10-900	INSTALL 3/4" 900 TURTLE CREEK SERVICE	EA	1
502.10-901	INSTALL 3/4" 901 TURTLE CREEK SERVICE	EA	1
502.10-1105	INSTALL 3/4" 1105 TURTLE CREEK SERVICE	EA	1
502.10-FL	RECONNECT FIRE LINE	LS	1
502.10-L	INSTALL 3/4" LONG SERVICES	EA	28
502.10-S	INSTALL 3/4" SHORT SERVICES	EA	26
502.10-L1	INSTALL 1" LONG SERVICES	EA	5
502.10-S1	INSTALL 1" SHORT SERVICES	EA	4
502.10-L2	INSTALL 2" LONG SERVICES	EA	1
502.10-S2	INSTALL 2" SHORT SERVICES	EA	2
502.10-RS	RELOCATE WATER METER & INSTALL HOUSE SERVICE LINE	EA	23
503-12	INSTALL 12" STEEL CASING	LF	12
506.8-2	CUT AND PLUG EXISTING 2" WATER MAIN	EA	4
506.8-6	CUT AND PLUG EXISTING 6" WATER MAIN	EA	7
506.8-8	CUT AND PLUG EXISTING 8" WATER MAIN	EA	2
506.8-V	CUT AND PLUG EXISTING WATER VALVE	EA	6
801	TEMPORARY BARRICADING & TRAFFIC CONTROL	LS	1

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$1.00	\$5,604.00
\$50,000.00	\$50,000.00
\$100.00	\$215,300.00
\$65.00	\$278,720.00
\$70.00	\$1,400.00
\$75.00	\$97,200.00
\$6,500.00	\$45,500.00
\$800.00	\$3,200.00
\$1,500.00	\$18,000.00
\$2,300.00	\$9,200.00
\$10,000.00	\$20,000.00
\$20,000.00	\$20,000.00
\$54,000.00	\$108,000.00
\$64,000.00	\$128,000.00
\$300.00	\$3,600.00
\$6,000.00	\$6,000.00
\$3,000.00	\$3,000.00
\$2,000.00	\$2,000.00
\$6,500.00	\$6,500.00
\$1,700.00	\$47,600.00
\$1,000.00	\$26,000.00
\$2,000.00	\$10,000.00
\$1,300.00	\$5,200.00
\$3,700.00	\$3,700.00
\$2,600.00	\$5,200.00
\$3,900.00	\$89,700.00
\$400.00	\$4,800.00
\$500.00	\$2,000.00
\$800.00	\$5,600.00
\$1,000.00	\$2,000.00
\$1,000.00	\$6,000.00
\$25,000.00	\$25,000.00
<b>TOTAL</b>	<b>\$1,254,024.00</b>

Atkins Bros. Equip. Co. Inc., Midlothian, TX	
Unit Price	Total
\$1.00	\$5,604.00
\$50,000.00	\$50,000.00
\$150.00	\$322,950.00
\$115.00	\$493,120.00
\$150.00	\$3,000.00
\$131.00	\$169,776.00
\$8,000.00	\$56,000.00
\$300.00	\$1,200.00
\$1,000.00	\$12,000.00
\$2,000.00	\$8,000.00
\$3,000.00	\$6,000.00
\$10,000.00	\$10,000.00
\$25,000.00	\$50,000.00
\$35,000.00	\$70,000.00
\$100.00	\$1,200.00
\$1,500.00	\$1,500.00
\$1,500.00	\$1,500.00
\$5,000.00	\$5,000.00
\$3,000.00	\$84,000.00
\$1,500.00	\$39,000.00
\$3,000.00	\$15,000.00
\$1,500.00	\$6,000.00
\$4,000.00	\$4,000.00
\$3,000.00	\$6,000.00
\$600.00	\$13,800.00
\$250.00	\$3,000.00
\$3,000.00	\$12,000.00
\$3,000.00	\$21,000.00
\$3,000.00	\$6,000.00
\$3,000.00	\$18,000.00
\$25,000.00	\$25,000.00
<b>TOTAL</b>	<b>\$1,521,150.00</b>

ADD/ALT #1 - FORT WORTH			
Pay Item	Description	Unit	Quantity
107-TS-ALT1	TRENCH SAFETY SYSTEM	LF	2051
402-PR-ALT1	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	1149
501.14-6-ALT1	INSTALL 6" WATERLINE AND FITTINGS	LF	2051
502.3-FH-ALT1	INSTALL 5-1/4" FIRE HYDRANT ASSEMBLY	EA	3
502.6-6-ALT1	INSTALL 6" GATE VALVE WITH BOX	EA	6
502.6-RB-ALT1	REMOVE WATER VALVE BOX	EA	5
502.10-EL-ALT1	INSTALL 3/4" EXTRA LONG SERVICE	EA	1
502.10-L-ALT1	INSTALL 3/4" LONG SERVICES	EA	24
502.10-S-ALT1	INSTALL 3/4" SHORT SERVICES	EA	24
506.8-4-ALT1	CUT AND PLUG EXISTING 4" WATER MAIN	EA	1
506.8-6-ALT1	CUT AND PLUG EXISTING 6" WATER MAIN	EA	1
506.8-V-ALT1	CUT AND PLUG EXISTING WATER VALVE	EA	2

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$5.00	\$10,255.00
\$100.00	\$114,900.00
\$65.00	\$133,315.00
\$6,500.00	\$19,500.00
\$1,500.00	\$9,000.00
\$300.00	\$1,500.00
\$5,700.00	\$5,700.00
\$1,700.00	\$40,800.00
\$1,000.00	\$24,000.00
\$500.00	\$500.00
\$800.00	\$800.00
\$1,000.00	\$2,000.00
<b>TOTAL</b>	<b>\$362,270.00</b>

Atkins Bros. Equip. Co. Inc., Midlothian, TX	
Unit Price	Total
\$1.00	\$2,051.00
\$150.00	\$172,350.00
\$175.00	\$358,925.00
\$8,000.00	\$24,000.00
\$1,000.00	\$6,000.00
\$100.00	\$500.00
\$1,500.00	\$1,500.00
\$3,000.00	\$72,000.00
\$1,500.00	\$36,000.00
\$3,000.00	\$3,000.00
\$3,000.00	\$3,000.00
\$2,000.00	\$4,000.00
<b>TOTAL</b>	<b>\$683,326.00</b>

ADD/ALT #2 - KEELER AVE			
Pay Item	Description	Unit	Quantity
107-TS-ALT2	TRENCH SAFETY SYSTEM	LF	578
402-PR-ALT2	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	305
501.14-6-ALT2	INSTALL 6" WATERLINE AND FITTINGS	LF	496
501.14-6RJ-ALT2	INSTALL 6" WATERLINE AND FITTINGS (RESTRAINED JOINT)	LF	82
502.6-6-ALT2	INSTALL 6" GATE VALVE WITH BOX	EA	5
502.6-RB-ALT2	REMOVE WATER VALVE BOX	EA	1
502.10-L-ALT2	INSTALL 3/4" LONG SERVICES	EA	8
502.10-S-ALT2	INSTALL 3/4" SHORT SERVICES	EA	11
502.10-S1-ALT2	INSTALL 1" SHORT SERVICES	EA	1
503-2-ALT2	INSTALL 2" PVC CASING	LF	160
503-12-ALT2	INSTALL 12" STEEL CASING	LF	37
506.8-2-ALT2	CUT AND PLUG EXISTING 2" WATER MAIN	EA	3

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$5.00	\$2,890.00
\$100.00	\$30,500.00
\$70.00	\$34,720.00
\$70.00	\$5,740.00
\$1,500.00	\$7,500.00
\$300.00	\$300.00
\$1,700.00	\$13,600.00
\$1,000.00	\$11,000.00
\$1,300.00	\$1,300.00
\$130.00	\$20,800.00
\$400.00	\$14,800.00
\$500.00	\$1,500.00
<b>TOTAL</b>	<b>\$144,650.00</b>

Atkins Bros. Equip. Co. Inc., Midlothian, TX	
Unit Price	Total
\$1.00	\$578.00
\$150.00	\$45,750.00
\$115.00	\$57,040.00
\$135.00	\$11,070.00
\$1,000.00	\$5,000.00
\$100.00	\$100.00
\$3,000.00	\$24,000.00
\$1,000.00	\$11,000.00
\$1,000.00	\$1,000.00
\$100.00	\$16,000.00
\$250.00	\$9,250.00
\$3,000.00	\$9,000.00
<b>TOTAL</b>	<b>\$189,788.00</b>

ADD/ALT #3 - HAIRPIN CURVE			
Pay Item	Description	Unit	Quantity
107-TS-ALT3	TRENCH SAFETY SYSTEM	LF	380
402-PR-ALT3	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	216
501.14-4-ALT3	INSTALL 4" WATERLINE AND FITTINGS	LF	380
502.6-4-ALT3	INSTALL 4" GATE VALVE WITH BOX	EA	2
502.6-RB-ALT3	REMOVE WATER VALVE BOX	EA	2
502.10-S-ALT3	INSTALL 3/4" SHORT SERVICES	EA	8
506.8-2-ALT3	CUT AND PLUG EXISTING 2" WATER MAIN	EA	2

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$5.00	\$1,900.00
\$100.00	\$21,600.00
\$80.00	\$30,400.00
\$1,200.00	\$2,400.00
\$300.00	\$600.00
\$1,000.00	\$8,000.00
\$500.00	\$1,000.00
<b>TOTAL</b>	<b>\$65,900.00</b>

Atkins Bros. Equip. Co. Inc., Midlothian, TX	
Unit Price	Total
\$1.00	\$380.00
\$150.00	\$32,400.00
\$100.00	\$38,000.00
\$900.00	\$1,800.00
\$100.00	\$200.00
\$1,000.00	\$8,000.00
\$2,000.00	\$4,000.00
<b>TOTAL</b>	<b>\$84,780.00</b>

ADD/ALT #4 - HORSESHOE BEND			
Pay Item	Description	Unit	Quantity
107-TS-ALT4	TRENCH SAFETY SYSTEM	LF	274
402-PR-ALT4	PAVEMENT REPAIR (ASPHALT/CONCRETE)	SY	157
501.14-4-ALT4	INSTALL 4" WATERLINE AND FITTINGS	LF	274
502.6-4-ALT4	INSTALL 4" GATE VALVE WITH BOX	EA	2
502.6-RB-ALT4	REMOVE WATER VALVE BOX	EA	2
502.10-L-ALT4	INSTALL 3/4" LONG SERVICES	EA	1
502.10-S-ALT4	INSTALL 3/4" SHORT SERVICES	EA	5
506.8-2-ALT4	CUT AND PLUG EXISTING 2" WATER MAIN	EA	2

TOTAL (Base Bid + Add/Alts #1-4)

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$5.00	\$1,370.00
\$100.00	\$15,700.00
\$85.00	\$23,290.00
\$1,200.00	\$2,400.00
\$300.00	\$600.00
\$1,700.00	\$1,700.00
\$1,000.00	\$5,000.00
\$500.00	\$1,000.00
<b>TOTAL</b>	<b>\$51,060.00</b>

TOTAL \$1,877,904.00

Atkins Bros. Equip. Co. Inc., Midlothian, TX	
Unit Price	Total
\$1.00	\$274.00
\$150.00	\$23,550.00
\$100.00	\$27,400.00
\$900.00	\$1,800.00
\$100.00	\$200.00
\$1,000.00	\$1,000.00
\$1,000.00	\$5,000.00
\$2,000.00	\$4,000.00
<b>TOTAL</b>	<b>\$63,224.00</b>

TOTAL \$2,542,268.00

Written amount of \$1,800 was incorrect. Correct amount is \$1,900.  
Written amount of \$65,800 was incorrect. Correct amount is \$65,900.  
Written amount of \$50,760 was incorrect. Correct amount is \$51,060.  
Written amount of \$187,788 was incorrect. Correct amount is \$189,788.

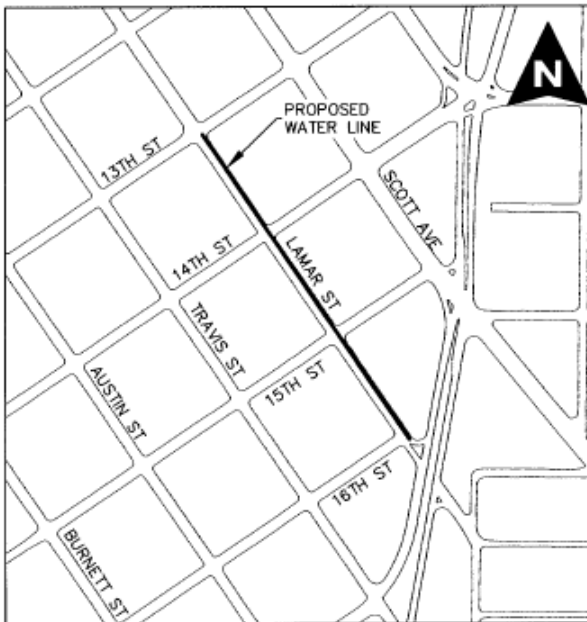
# **2024 WATER BUDGET UTILITY IMPROVEMENT PROJECT & LARGE VALVE REPLACEMENT CWF24-565-05**



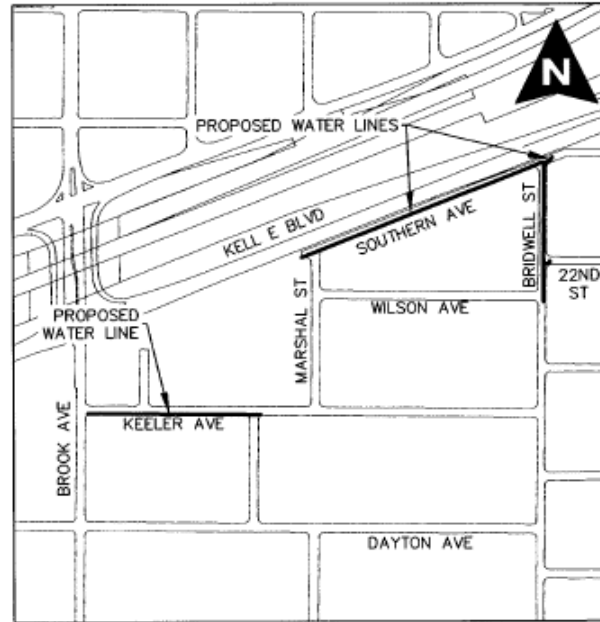
NOT TO SCALE  
LAKE PARK DRIVE, SHERIDAN ROAD



NOT TO SCALE  
25TH STREET

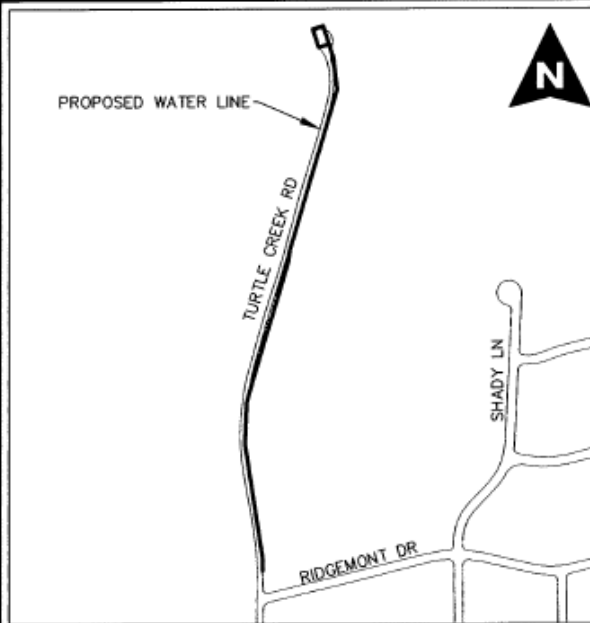


NOT TO SCALE  
LAMAR STREET

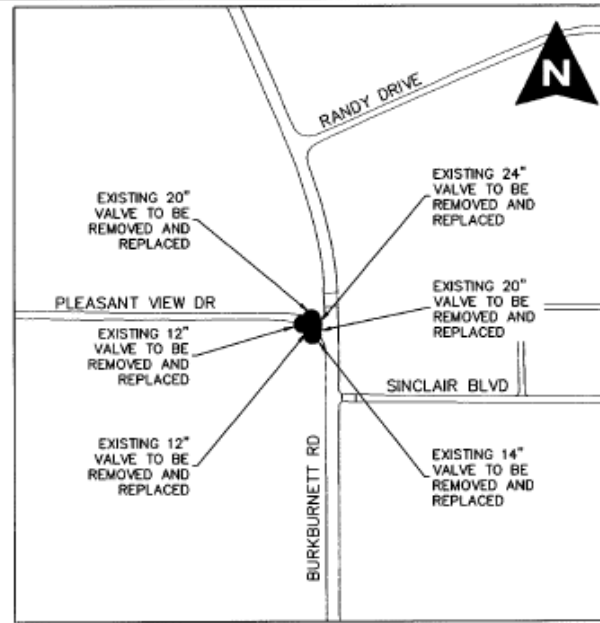


NOT TO SCALE  
SOUTHERN AVENUE, BRIDWELL STREET,  
KEELER AVENUE (ADD/ALT #2)

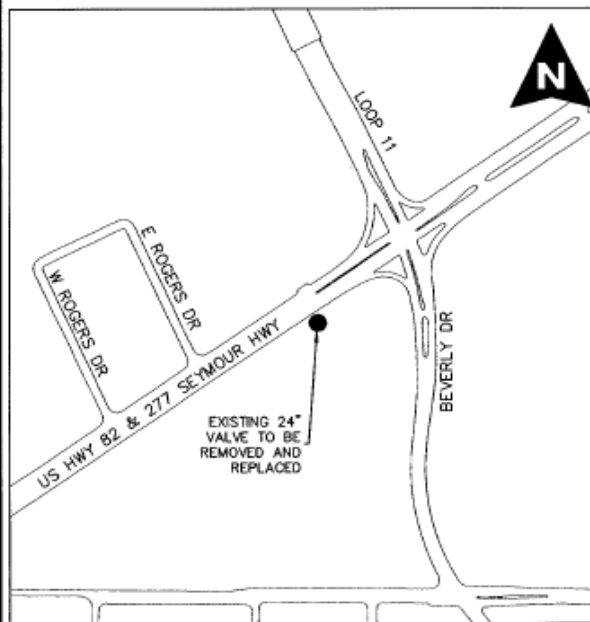
# 2024 WATER BUDGET UTILITY IMPROVEMENT PROJECT & LARGE VALVE REPLACEMENT CWF24-565-05



NOT TO SCALE  
TURTLE CREEK ROAD



NOT TO SCALE  
PLEASANT VIEW DRIVE & BURKBURNETT ROAD VALVE REPLACEMENTS

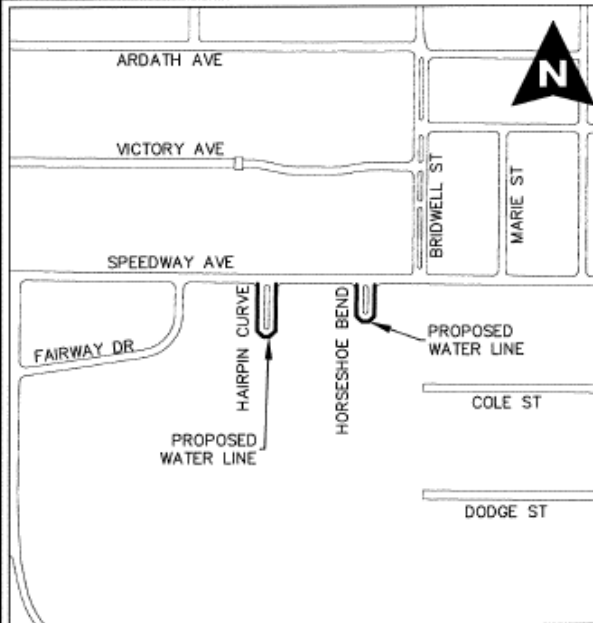


NOT TO SCALE  
3201 SEYMOUR HIGHWAY VALVE REPLACEMENT



NOT TO SCALE  
FORT WORTH STREET (ADD/ALT #1)

**2024 WATER BUDGET UTILITY IMPROVEMENT PROJECT  
& LARGE VALVE REPLACEMENT  
CWF24-565-05**



NOT TO SCALE  
HAIRPIN CURVE (ADD/ALT #3)  
HORSESHOE BEND (ADD/ALT #4)

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## CITY COUNCIL AGENDA March 5, 2024

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**ITEM/SUBJECT:** Resolution authorizing the City Manager to execute a Consulting Services Agreement with Garver, LLC for the purpose of developing a Pavement Management Program Update for Wichita Falls Regional Airport.

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

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**STRATEGIC GOAL:** Efficiently Deliver City Service; Accelerate Economic Growth; Provide Quality Infrastructure

**STRATEGIC OBJECTIVE:** Practice Effective Governance; Continue Alignment of the Priorities of the City, Chamber of Commerce, and EDC Boards; Support a Thriving Sheppard AFB; Upgrade or Replace Outdated Public Facilities

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**COMMENTARY:** On June 20<sup>th</sup>, the City Council approved \$748,462.00 for the Wichita Falls Regional Airport Master Plan update. This planning project was in conjunction with the 4A Economic Development Corporation (4A EDC), Wichita Falls Regional Airport, FAA, and Sheppard AFB. The scope of the Master Plan update includes the following:

- Evaluation of several locations for a potential aviation related business
- Development of a 20-year capital improvement plan for airside/landside improvements
- Consideration of Military Airport Program eligible projects
- Commercial air service analysis
- Update Regional's Airport Layout Plan
- Aeronautical survey to look at approaches and potential obstructions

Recent visits with Sheppard AFB have indicated that a Pavement Management Program (PMP) update is needed for the entire airfield. The FAA has provided input that they support this additional scope of work, and they will pay for 90% of the PMP update cost. A PMP assists airports in finding optimum strategies for maintaining pavements in a safe, serviceable condition over a given period for the least cost. A PMP should take into account inspection procedures, pavement condition assessment, maintenance protocols, procedures, management, and oversight of completed works. The entire process starts with developing a pavement condition index.

Per the FAA consulting selection process, the City of Wichita Falls selected Garver LLC for a five-year period beginning in 2022. The selection of Garver was approved and evaluated by the FAA. Garver was selected in June of 2023 to complete the Master Plan update for the City of Wichita Falls, and the Airport will use Garver for this scope of work. The proposed cost of the PMP will be allocated as follows:

• Federal Aviation Administration	\$240,300.00
• Wichita Falls Regional Airport	<u>\$27,000.00</u>
Total Project Cost:	\$267,000.00

The PMP process is anticipated to take several months to complete, and Garver will perform this work simultaneously alongside the Master Plan update. It is anticipated that the PMP process will start after the completion of the Sheppard Air Show to prevent disruption of those planned activities.

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

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**ASSOCIATED INFORMATION:** Resolution; Scope of Work; Fee Schedule; Map of Airfield

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution authorizing the City Manager to execute a Consulting Services Agreement with Garver, LLC for the purpose of developing a Pavement Management Program Update for Wichita Falls Regional Airport**

WHEREAS, the City of Wichita Falls desires to update its Pavement Management Program for Wichita Falls Regional and Sheppard Air Force Base; and

WHEREAS, the Federal Aviation Administration has agreed to pay for 90% of the project cost associated with updating the Wichita Falls Regional Airport Pavement Management Program; and,

WHEREAS, the Wichita Falls Regional has agreed to pay for the 10% local match required to update the Wichita Falls Regional Airport Pavement Management Program; and,

WHEREAS, the City of Wichita Falls desires to enter into a consulting services agreement to update the Wichita Falls Regional Airport Pavement Management Program; and,

WHEREAS, Garver LLC is proposing to update the Wichita Falls Regional Airport Pavement Management Program in an amount of \$267,000.00.

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

The City Manager is authorized to execute an agreement for the Wichita Falls Regional Airport Pavement Management Program update, with changes thereto in a form approved by the City Attorney, with Garver, LLC in an amount of \$267,000.00.

PASSED AND APPROVED this the 5<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

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

## **EXHIBIT A (SCOPE OF SERVICES)**

Generally, the Scope of Services includes professional services for the evaluation of airfield pavements at Wichita Falls Regional Airport (SPS). Pavements to be evaluated within this Scope are shown in Exhibit C. The Scope of Services is divided into two parts as described below.

- 1. Part 1 – Inspection Services**
- 2. Part 2 – PowerPM (Pavement Management Tool) & Executive Summary**

### **A.1 Part 1 – Inspection Services**

#### **A.1.1 Preliminary Inspection Services**

Garver will compile inventory data and review construction history from available sources for airside improvements including airfield pavements. The client shall provide Garver historical data pertaining to the pavements including construction, maintenance, and rehabilitation records. The airfield pavements will be divided into branches, with a branch being a readily identifiable part of the airport that has a distinct function. Each branch will then be broken into sections. Each section will be divided into sample units that are  $5,000 \pm 1,000\text{ft}^2$  in size for asphalt pavements and  $20 \pm 8$  slabs for concrete pavements.

Each subdivided branch, section, and sample unit will be input into PAVER. Available historical data, including construction, rehabilitation, and maintenance information, will also be input into a PAVER database for each section.

#### **A.1.2 Pavement Condition Index (PCI) Site Inspection**

Garver will conduct a PCI survey in accordance with ASTM D 5340 for the airfield pavements shown within Exhibit C. Garver will coordinate field survey activities with the airport. A schedule for the airport surveys will be developed and distributed to all parties concerned in advance of any field activities. Prior to arrival, Garver will coordinate with the airport and discuss the need for any closures required to perform the condition survey. If necessary, the airport will issue any NOTAMs required to close sections of the airfield.

All inspections will be completed during daytime hours excluding those locations specifically detailed within this Exhibit A. The Airport will provide one (1) escort to accompany a Garver inspector(s) while daytime inspections are performed. One (1) Garver inspector shall complete badging and safety training to facilitate self-escorting at locations where aircraft traffic is less frequent.

PCI survey of Runway 15L-33R, Runway 15C-33C, and Runway 15R-33L, including all connector taxiway pavements within these runway RSAs, will be completed during nightly runway closures as deemed necessary by the Airport. Inspections performed at night will be performed by a three-man crew consisting of two pavement inspectors and a designated escort provided by Garver.

Prior to beginning the inspections, Garver will provide a briefing for the airport staff involved with the work. Once cleared by airport staff to operate on the airfield, the PCI survey team will begin the inspection by laying out the sample units and evaluating the surface condition of each sample unit. During the inspections, the PCI survey team will verify the accuracy of the initial section layout and sample unit maps and make field changes as necessary.

The PCI surveys will be conducted by inspectors using tablets and walking the sample units identified for inspection and recording distresses. The recorded data in the field will be downloaded to the PAVER database. Digital photographs will be taken for each section to show typical conditions or any unusual distresses. The digital photographs will be provided to the client upon completion of the project via the PowerPM tool (see Section A.2.1).

Exhibit A – Scope of Services  
SPS Airside Pavement Management Program

Garver Project No. A11-2302333



#### A.1.3 Site Inspection QC Review

Garver will examine data and photographs collected during the PCI site inspection phase to perform a general quality control review of all data obtained through site inspections.

### A.2 **Part 2 – PowerPM and Executive Summary**

#### A.2.1 PowerPM Pavement Management Tool

Garver will analyze the results of the pavement condition surveys and generate pavement condition and distress information for the Airport in accordance with ASTM D 5340. Garver will compile pavement condition data within the PowerPM online dashboard. Garver will host and provide access to the online dashboard for a period of 3-years from the date of distribution of final deliverables.

The Interactive PowerPM online dashboard will include:

- Site Conditions:
  - Pavement Inventory and Map:
    - Section names
    - Pavement use (runway, taxiway, apron, etc.)
    - Pavement age (if record data is available)
    - Pavement structure (if record data is available)
  - Condition Information
    - Pavement Condition Index (PCI)
    - Distress Index
    - Inspection Photographs
- Work History Data
  - Limited to data provided to Garver by airport prior to draft project deliverables
- Extrapolated Distress Data:
  - Performance Models
  - Forecasted PCI
- Capital Planning (Limited to SPS Civilian Use Pavements)
  - Work Types and Typical Sections
  - Unit Costs
  - Unconstrained Project List
  - Budget Scenarios

#### A.2.2 Summary Report

Garver will develop a Summary Report including overall pavement conditional values at the Branch level. For all SPS Civilian Use Pavements, the Summary Report will document work types evaluated in maintenance planning scenarios, estimated unit costs and inflation parameters for future projects, and PAVER budget scenario summaries (no budget and constrained budget). The Summary Report will outline up to five (5) major pavement projects recommended to be included within the airport CIP.

### A.3 **Project Deliverables**

The following deliverables will be submitted to the Client. Unless otherwise noted below, all deliverables shall be electronic.

- PowerPM Pavement Management Tool via online access
  - Airport will be provided Username and Password Credentials

Exhibit A – Scope of Services  
SPS Airside Pavement Management Program

Garver Project No. A11-2302333



- Summary Report via electronic PDF file

#### **A.4 Additional Services**

The following items are not included under this agreement but will be considered as additional services to be added under Amendment if requested by the Owner.

1. Submittals or deliverables beyond those listed herein.
2. Landside pavement evaluation.
3. Evaluation of pavement marking condition.
4. Subsurface exploration to determine existing pavement sections.
5. Structural evaluation of existing pavements.
6. Pavement Classification Rating (PCR) or PCR determination.
7. Project Recommendations or Capital Planning for pavements not identified as SPS civilian use.
8. Engineering, architectural, or other professional services beyond those listed herein.
9. Bid documents, specifications, or details for performing pavement maintenance.
10. Project Work History updates based on future construction and rehabilitation.
11. Future PCI updates or Additional PCI Surveys.

#### **A.5 Schedule**

Garver shall begin work under this Agreement within ten (10) days of execution of this Agreement and shall complete the work within a mutually agreeable schedule.

**Exhibit B**

**Wichita Falls Regional Airport  
Pavement Management Program Update**

**FEE SUMMARY**

	<b>Title I Service</b>	<b>Estimated Fees</b>
Lump Sum	Part 1 - Inspection Services	\$ 185,000.00
Lump Sum	Part 2 - PowerPM and Executive Summary	\$ 82,000.00
	<b>Subtotal for Title I Service</b>	<b>\$ 267,000.00</b>
<b>Fee Type</b>		

**Exhibit B****Wichita Falls Regional Airport  
Pavement Management Program Update****Part 1 - Inspection Services**

WORK TASK DESCRIPTION	E-5	E-4	E-2	E-1	D-2	C-1
	hr	hr	hr	hr	hr	hr
<b>1. Preliminary Inspection Services</b>						
Existing Data Compilation and Record Document Review		16		20	8	
Section/Inspection Area Layout		8			80	
PAVER Database and Map Updates		2			38	
<b>Subtotal - Preliminary Inspection Services</b>	<b>0</b>	<b>26</b>	<b>0</b>	<b>20</b>	<b>126</b>	<b>0</b>
<b>2. Site Inspection</b>						
2.1 Inspection Coordination and Enabling						
Develop Inspection Plan and Sequence		10			4	
Kickoff Meeting	2	4		2	2	
Badging/Driver Training (1 Inspector / 1 Crew Lead)				20	20	
Progress Updates		12		12		
2.2 Phase 1 Inspections - Daytime						
Phase 1 Coordination Meeting	1	2			1	
On-site PCI Survey					110	110
2.3 Phase 2 Inspections - Night						
Phase 2 Coordination Meeting	1	2		1	1	
On-site PCI Survey				140	140	140
<b>Subtotal - Site Inspection</b>	<b>4</b>	<b>30</b>	<b>0</b>	<b>175</b>	<b>278</b>	<b>250</b>
<b>3. Site Inspection QC Review</b>						
QC Review		12	30			
PAVER Exports for Analysis		3	8		24	
<b>Subtotal - Site Inspection QC Review</b>	<b>0</b>	<b>15</b>	<b>38</b>	<b>0</b>	<b>24</b>	<b>0</b>

<b>Hours</b>	<b>4</b>	<b>71</b>	<b>38</b>	<b>195</b>	<b>428</b>	<b>250</b>
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<b>Salary Costs</b>	<b>\$1,316.00</b>	<b>\$19,241.00</b>	<b>\$7,334.00</b>	<b>\$32,175.00</b>	<b>\$71,904.00</b>	<b>\$35,000.00</b>
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<b>SUBTOTAL - SALARIES:</b>	<b>\$166,970.00</b>
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**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$93.00
Light Plant Rental (3 weeks)	\$1,200.00
Lodging (74 nights @\$130/night)	\$9,620.00
Meals and Incidentals (74 days @ \$59/day)	\$4,366.00
Travel Costs (\$0.655/mile x 4200 miles)	\$2,751.00

<b>SUBTOTAL - DIRECT NON-LABOR EXPENSES:</b>	<b>\$18,030.00</b>
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Hc

<b>SUBTOTAL:</b>	<b>\$185,000.00</b>
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<b>SUBCONSULTANTS FEE:</b>	<b>\$0.00</b>
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<b>TOTAL FEE:</b>	<b>\$185,000.00</b>
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**Exhibit B****Wichita Falls Regional Airport  
Pavement Management Program Update****Part 2 - PowerPM and Executive Summary**

WORK TASK DESCRIPTION	E-5	E-4	E-2	D-2	AM-4
	hr	hr	hr	hr	hr
<b>1. Analysis and PowerPM Development</b>					
1.1 Pavement Inventory					
Branch and Section					8
Work History		2	2	8	8
Pavement Age				2	
Pavement Structure		4	4	8	8
1.2 Pavement Conditions					
PCI Index	PCI Index	8	4	10	8
Inspection Photos				12	8
Distress Index					8
1.3 Performance Models and Forecasted PCI		4	4		16
1.4 Capital Planning (Limited to SPS Civilian Areas)					
Work Types		8	8		8
Unit Costs		8	10		8
Typical Pavement Sections			8		4
Unconstrained Project List		4	8		8
PAVER Budget Scenarios		4	8		8
<b>Subtotal - Analysis and PowerPM Development</b>	<b>0</b>	<b>42</b>	<b>56</b>	<b>40</b>	<b>100</b>
<b>2. Executive Summary</b>					
2.1 Project Recommendations (Limited to SPS Civilian Areas)					
Rehabilitation Strategy and Project Prioritization	5	16			
Project Cost Estimates (CIP Level)	5	8	20		
2.2 Summary Report					
Report Preparation		20	40		
QC Review	5	6			
<b>Subtotal - Executive Summary</b>	<b>15</b>	<b>50</b>	<b>60</b>	<b>0</b>	<b>0</b>

Hours	15	92	116	40	100
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<b>SUBTOTAL - SALARIES:</b>	<b>\$81,975.00</b>
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**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$25.00
Postage/Freight/Courier	\$0.00
Travel Costs	\$0.00

<b>SUBTOTAL - DIRECT NON-LABOR EXPENSES:</b>	<b>\$25.00</b>
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<b>SUBTOTAL:</b>	<b>\$82,000.00</b>
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<b>SUBCONSULTANTS FEE:</b>	<b>\$0.00</b>
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<b>TOTAL FEE:</b>	<b>\$82,000.00</b>
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**CITY COUNCIL AGENDA**  
**March 5, 2024**

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**ITEM/SUBJECT:** Resolution authorizing the City Manager, or his designee, to make application to FEMA for the FY 2023 Assistance to Firefighters Grant to support emergency medical training at a cost of \$577,200.00.

**INITIATING DEPT:** Fire

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**STRATEGIC GOAL:** Efficiently Deliver City Services

**STRATEGIC OBJECTIVE:** Practice Efficient Governance

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**COMMENTARY:** The fire department would like to make application through FEMA for the FY 2023 Assistance to Firefighters Grant. The Assistance to Firefighters Grant (AFG) is funded through federal legislation on an annual or semi-annual basis. The grant application process is a competitive process, that requires, if the grant is awarded, a 10% match. The purpose of this grant is to have 24 members obtain their EMT-Paramedic Certification. The anticipated performance period for the grant is two years, therefore we would anticipate developing a plan for meeting the 10% match as a part of our FY 2025 budget.

Staff recommends approval of the resolution.

☒ **Fire Chief**

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**ASSOCIATED INFORMATION:** Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution authorizing the submittal of grant applications to FEMA for the FY 2023 Assistance to Firefighters Grant**

WHEREAS, The City Council finds it in the best interest of the citizens of Wichita Falls that the Assistance to Firefighters Grant (AFG) be applied for in the FY 2023, through FEMA.

WHEREAS, The AFG is a competitive process, the City Council agrees that it is in the best interest of the citizens to apply for various departmental needs.

WHEREAS, if awarded, the City must, during the performance period, provide matching funds in the amount of 10% of the grant.

WHEREAS, The City Council agrees that in the event of loss or misuse of the Assistance to Firefighters Grant funds, the City Council assures that the funds will be returned to FEMA in full.

WHEREAS, The City Council authorizes the City Manager to apply for the Assistance to Firefighters 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 Council approves submission of the grant applications for the FY 2023 FEMA Assistance to Firefighters Grant to support emergency medical training at a cost of \$577,200.00.

PASSED AND APPROVED this the 5th day of March, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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**CITY COUNCIL AGENDA**  
**March 5, 2024**

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**ITEM/SUBJECT:** Resolution setting the rates at Lake Arrowhead and Lake Kickapoo for leases of City-owned property.

**INITIATING DEPT:** Property-Lake Lot Administration

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**STRATEGIC GOAL:** Effectively Deliver City Services

**STRATEGIC OBJECTIVE:**

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**COMMENTARY:**

The City has for decades leased property, mainly for residential development, at both Lake Arrowhead and Lake Kickapoo. The newer generation of leases provide for the City to adjust the annual lease rates based on market value, but no more than an increase of 30% compared to the previous 5-year's rate. The Council last reviewed and approved rate increases at both lakes in 2019. As always, and before recommending a lease increase, the City hires an independent appraiser to do a market analysis and appraise the property. This appraisal was completed by Henderson Appraisals and Consultants on February 9, 2024. In short, the appraisals indicate the full 30% increase is appropriate at Lake Arrowhead, and a 10% increase for the lots at Lake Kickapoo.

**Lake Arrowhead**

In general, lots at Lake Arrowhead lease for \$1,000 each/year, which was set by the City Council in 2019 reflective of a 20% increase. Most of these lots are between 3/4-acre to 1 acre. The recent appraisal indicates these lots should be leasing for between \$1,500 - \$2,000 each (50% - 100% increase); however, the lease agreements cap any increase at 30%. Such is staff's recommendation. Annual revenue at Lake Arrowhead is currently ~\$440,000.

**Lake Kickapoo**

In general, lots at Lake Kickapoo lease for \$1,000 each/year, which was set by the City Council in 2019 reflective of a 20% increase. Most of these lots are about 1/4 acre. The recent appraisal indicates these lots should be leasing for between \$1,100 - \$1,200 each (10%-20% increase). As such, staff recommends at 10% increase. Annual revenue at Lake Kickapoo is currently ~\$195,000.

**Staff Recommendation**

Based on the terms of the leases, the appraised values, and the City's desire to bring the lots to market value, staff recommends approval of the resolution increasing the lease rates at Lake Arrowhead by 30% and Lake Kickapoo by 10%.

☒ **Assistant City Manager**

☒ **Property Administrator**

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**ASSOCIATED INFORMATION:** Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

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

**Resolution setting the rates at Lake Arrowhead and Lake Kickapoo for leases of City-owned property**

WHEREAS, Resolution 77-2001 and Resolution 73a-94 established policies for re-leasing Lake Arrowhead and Lake Kickapoo lots, respectively, with the lease agreements designating a five-year review and adjustment of the annual lease rate; and,

WHEREAS, it has been determined that the current leases are still lower than the fair market value and need to continue to be raised to better reflect the market rate.

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

1. The annual lease rate for lease lots at Lake Arrowhead with review dates in 2024, which are currently leased for \$1,000.00, \$2,000.00, \$2,800.00 and \$3,000.00, shall increase by 30% to \$1,300.00, \$2,600.00, \$3,640 and \$3,900.00 per year for the next five-year period beginning June 1, 2024 and September 30, 2024.
2. The annual lease rate for lease lots at Lake Kickapoo with review dates in 2024, which are currently leased for \$1,000.00, \$1,500.00, \$1,584.00, \$1,666.00, \$2,000.00, \$2,045.00 and \$2,058.00, shall increase to \$1,100.00, \$1,650.00, \$1,742.00, \$1,833.00, \$2,200.00, \$2,250.00 and \$2,264.00 per year for the next five-year period beginning September 30, 2024.
3. The annual payment will remain due as indicated on the lease agreements.
4. The City Manager is authorized to execute any and all documents incorporating the aforementioned changes, in a form to be approved by the City Attorney.

PASSED AND APPROVED this the 5th day of March, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

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