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 Hegglund, City Attorney
Marie Balthrop, City Clerk

Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held At The MPEC, 1000 Fifth Street, Seminar Room, Pre-Budget Workshop Rooms 8-10, Tuesday, June 18, 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)**
4. **Item # 11 Pre-Budget Workshop for Fiscal Year 2024-2025 will be held in Rooms 8-10 and can be viewed at the following location:**
    - **A livestream will be shown on the City's Facebook page (City of Wichita Falls, Texas Government) (https://www.facebook.com/cityofwichitafalls)**

Item #

1. Call to Order

2. (a) Invocation: Reverend David Sapata
   DAV TX Chapter 41

   (b) Pledge of Allegiance

3. 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

4. Approval of minutes of the Mayor and City Council.

   (a) June 4, 2024 Regular Meeting

   (b) June 7, 2024 Special Meeting

5. Resolutions

   (a) Resolution authorizing award of 25 chemical bids and 1 bid extension, and rejecting 1 bid to various vendors for the City's annual supply of bulk chemicals for water and wastewater treatment

   (b) Resolution authorizing the City Manager to award bid and contract for the 2024 Concrete Street Rehabilitation Project to Scales Concrete Construction Co., Inc. in the amount of $1,470,035

6. Receive Minutes

   (a) Landmark Commission - March 26, 2024

REGULAR AGENDA

7. Ordinances

   (a) Ordinance making an appropriation to the Special Revenue Fund for the Tuberculosis Prevention and Control Program in the amount of $58,498; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same

   (b) Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of $78,000 received from the Texas Health and Human Services Commission (HHSC), and authorizing the City Manager to execute contract accepting same

   (c) Ordinance amending the code of ordinances Chapter 50, Article II, Section 34 to increase the number of Fire Captains from 15 to 16 for the purposes of adding a Deputy Fire Marshal position to assist with fire code enforcement and fire investigation (City Council requested item)

   (d) Ordinance amending the code of ordinances Chapter 50, Article II, Section 34 to increase the number of Fire Lieutenants from 27 to 28 for the purposes of adding

a position to coordinate emergency medical training operations within the Fire Department (City Council requested item)

8. Public Hearings & Resolutions

   (a) Public hearing and resolution of no objection from the City of Wichita Falls for an application from OPG Sun Valley Apartments, LP. to the Texas Department of Housing and Community Affairs for 2024 Housing Tax Credits at 1315 E. Central Fwy., Wichita Falls for acquisition/redevelopment of property by developer Overland Property Group and NORTEX Housing Finance Corporation; and authorizing approval of a Payment in Lieu of Taxes (PILOT) agreement; providing effective date

   (b) Resolution establishing an advisory Citizen Committee for Public Safety facility needs

   (c) Resolution announcing the termination of Stage 1 Drought Watch water restrictions and the resumption of the regular water conservation measures described in Section 106-186(a) of the Code of Ordinances of the City of Wichita Falls (Mayor requested item)

   (d) Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the fiscal 2024 budget to increase funding for the Downtown Improvement Grant Program

   (e) 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 $210,000 to River Bend Nature Center to support a forthcoming renovation of their current facility in Wichita Falls

   (f) 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 $835,000 to the City of Wichita Falls for the acquisition of a 12.7± acre tract of land otherwise known as 100 Central East Freeway

9. Other Council Matters

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

10. Executive Sessions

   (a) Executive Session in accordance with Texas Government Code §551.071, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly

conflicts with the Texas Open Meetings Act (including, but not limited to, legal issues related to *City of Wichita Falls v. Wichita Falls Hospitality, Inc.*).

(b) Executive Session in accordance with Texas Government Code § 551.087, to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the City and/or economic development corporations created by the City are conducting economic development negotiations (including, but not limited to, River Bend Nature Center and the purchase of 100 Central East Freeway).

11. Pre-Budget Workshop for Fiscal Year 2024-2025 to be held at the MPEC Rooms 8-10

12. Adjourn

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

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

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at the Wichita Falls Public Library, Wichita Falls, Texas on the 12th day of June, 2024 at 3:45 o'clock p.m.

Marie Balthrop

City Clerk

City of Wichita Falls
City Council Meeting
Minutes
June 4, 2024

Item 1 - Call to Order

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

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

Absent: Mike Battaglino, Councilor District 4.

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

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Item 2a – Invocation

Minister Ken Holsberry, 10th & Broad Church of Christ, 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 – Employee of the Month– Jhon Reynolds, MPEC/CVB
8:32 a.m.

Mayor Short recognized Jhon Reynolds as Employee of the Month for June 2024 and shared a brief video. He congratulated Mr. Reynolds and presented him with a plaque, letter of appreciation, dinner for two, and a check and thanked him for his service.

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Item 4 – Comments from Citizens
8:35 a.m.

David Gray, 1050 Jan Lee Dr., Burkburnett, TX, stated that people are looking for clarification regarding lobbyists in Austin per information found online at USA Transparency. He asked for clarification on what they were there for, if it was approved by the Council and the expense. He expressed concerns regarding the collective bargaining agreement being requested by the firefighters and discussed how much the city spends on the Fire Department for new trucks and equipment. He expressed his concerns about the optics after the Fire PAC spent $62,000 backing four members of the Council during the last election. Mr. Gray asked if the Council was going to take action on drought restrictions since the combined lake levels are up to 78.4%.

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Item 5-7 – Consent Items
8:38 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.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

Item 5 – Approval of Minutes of the May 21, 2024, Regular Meeting of the Mayor and City Council

Item 6a – Resolution 55-2024

Resolution authorizing the purchase of a 6105E John Deere tractor with a John Deere FC15R Flex Wing mower for the Parks Maintenance Division through the BuyBoard Purchasing Cooperative from Deere & Company in the amount of $111,120.24.

Item 6b – Resolution 56-2024

Resolution reducing the rental fee of the Mobile Stage for the Founders Lions Club for the T-O Fair on September 17-21, 2024.

Item 7 – Receive Minutes

(a) Wichita Falls Park Board, January 25, 2024

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

(c) Wichita Falls Park Board, April 24, 2024

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Item 8a(i) – Public hearing on an ordinance to move Chapter 26 - Business Regulations, Article VI – Food Establishment Rules to Chapter 58 – Health, Article VI; amending in its entirety; and providing for codification
8:39 a.m.

Mayor Short opened the public hearing at 8:40 a.m.

Amy Fagan, Director of Health, shared a presentation and provided an overview of the proposed amendments to the ordinance regarding Food Establishment Rules and expressed the importance of keeping the Ordinance up to date with current rules and code. She discussed notifications sent out to stakeholders, transparency efforts, the timeline, and the education efforts. Mrs. Fagan stated the Board of Health voted unanimously to bring the proposed changes to the Council, and she shared a video created to explain to the public why we have ordinances, and the process of drafting and approving them.

Samantha Blair, Environmental Health Coordinator, discussed the new layout and proposed changes and explained why they are recommended. Mrs. Blair also discussed public input efforts, including meetings, online surveys, emails, and mailings. The proposed changes are in line with those of other comparable cities.

Councilor Browning discussed how changes were made based on stakeholder input, and Mrs. Fagan stated that several concessions were made after their input was provided.

Councilor Smith stated he was the Council's liaison to the Health District Board and expressed his appreciation for the staff and committee.

David Gray, 1050 Jan Lee Drive, Burkburnett, agreed with the presentation and stated he was previously in the food business and that there is nothing more important than food safety. He feels every employee should have a food handlers' card, as no one wants a food-borne illness traced to their establishment, as it can ruin your business. He feels they should review fees and possibly reward food establishments that do a good job. He appreciates the food inspectors and noted that certified manager and food handler permits follow the holder.

Megan McGowan, Nutrition Services Director for the Wichita Falls Area Food Bank, expressed her support for the changes to the ordinance and discussed the importance of food safety. The Food Bank recently launched a new mobile kitchen to inform the public about food safety and preparation. Ms. McGowan is a Certified Food Safety Manager and stated that she agrees with all of the changes.

Dr. Keith Williamson, 1 Charing Ct., addressed the Council on behalf of the Board of Health, as he serves on the board as the physician and Chair. He stated that citizens expect food to be safe, and the city provides that assurance. The committee looked at many issues, considered the views of stakeholders, held lengthy discussions, and voted unanimously to approve the changes.

Deidra Stewart, Wichita Falls, owner of Chica D's Coffee, stated she has two food trailers and has been open for five years. Before that, she taught culinary arts, food handlers, and food management classes for fifteen years. She addressed concerns some stakeholders have expressed about the costs and noted that the Texas Certified Food Manager licensing costs are minimal and it is more accommodating to individuals with disabilities than other nationally recognized certifications. She discussed her food certification systems, the necessity to have a Certified Food Manager on duty, and how they have saved money and increased efficiency by doing this.

Mayor Short closed the public hearing at 9:13 a.m.

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Item 8a(ii) – Ordinance 18-2024
9:13 a.m.

Ordinance to move Chapter 26 - Business Regulations, Article VI – Food Establishment Rules to Chapter 58 – Health, Article VI; amending in its entirety; and providing for codification.

Moved by Councilor Taylor to approve Ordinance 18-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 8b – Ordinance 19-2024
9:14 a.m.

Ordinance amending Ordinance No. 52-2023, the fee schedule Section 6. Health, 6b. Environmental; providing for severability; providing that such ordinance shall not be codified; and providing an effective date.

Moved by Councilor Browning to approve Ordinance 19-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 8c – Ordinance 20-2024
9:17 a.m.

Ordinance making an appropriation to the Special Revenue Fund for the Public Health Education Account in an amount up to $3,000 received from Superior Health Plan to support the Healthy Cooking Classes Initiative and authorizing the City Manager to execute contract accepting same.

Moved by Councilor Browning to approve Ordinance 20-2024.

The motion was seconded by Councilor Nelson and carried by the following vote:

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

Nays: None

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Item 8d(i) – Public hearing on an ordinance amending the Vitek Planned Unit Development District regulations to add "services" as a permitted use to the Planned Unit Development District; determining that the meeting at which this ordinance was passed was open to the public as required by law.
9:19 a.m.

Mayor Short opened the public hearing at 9:19 a.m.

Terry Floyd, Director of Development Services, discussed the proposed amendments to the Vitek Planned United Development District to allow an event space. The Planning and Zoning Commission unanimously approved this recommendation, and staff recommends approval.

James Blake, Fort Worth, and member of the L.L.C. that owns the property, stated that they believe there is a need for this service and asked for the council's support.

Mayor Short closed the public hearing at 9:25 a.m.

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Item 8d(ii) – Ordinance 21-2024
9:25 a.m.

Ordinance amending the Vitek Planned Unit Development District regulations to add "services" as a permitted use to the Planned Unit Development District; determining that the meeting at which this ordinance was passed was open to the public as required by law.

Moved by Councilor Browning to approve Ordinance 21-2024.

The motion was seconded by Councilor Nelson and carried by the following vote:

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

Nays: None

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Item 8e – Ordinance 22-2024
9:26 a.m.

Ordinance appropriating $13,977.62 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation

Selective Traffic Enforcement Program ("Operation SlowDown") Wave Grant for Fiscal Year 2024 and authorizing the City Manager to accept said funds.

Moved by Councilor Browning to approve Ordinance 22-2024.

The motion was seconded by Councilor Taylor and carried by the following vote:

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

Nays: None

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Item 8f – Ordinance 23-2024
9:28 a.m.

Ordinance applying for and accepting up to $4,128,000 from the Federal Highway Administration through the Active Transportation Infrastructure Investment Program for the section of Circle Trail along Lake Wichita.

Moved by Councilor Browning to approve Ordinance 23-2024.

The motion was seconded by Councilor Nelson.

John Burrus, Director of Aviation, Traffic, and Transportation, apologized to Councilor Battaglino and stated that he asked for this item to be moved as he felt it reflected poorly on his representation of his district if he was not in attendance. He apologized to Councilor Battaglino for failing to communicate better regarding moving this item to a meeting that he would be able to attend. Mr. Burrus discussed the grant application to complete the last section of the Circle Trail along the North side of Lake Wichita and that he feels our chances of receiving the grant are low as these are competitive grants with limited funding. Mr. Burrus addressed suggestions to move the trail to the street or build a causeway and stated we would not get state or federal support for those options. He noted that if we are successful in receiving the grant, the Council will have the option to decide if they would like to move forward.

Steve Garner, 2806 S. Shepherds Gln, stated he is a fan of the Circle Trail and is in favor of submitting this application so we can move forward with the last section. He discussed how friends and family members have enjoyed the trail, and the diversity of scenery enjoyed. The last section will complete the loop around Wichita Falls, and he encouraged the Council to vote in favor of this item.

Dianna Snow, 4811 Marsha Dr., said she and her niece use the trail regularly to destress, and she encouraged all Councilors to walk half a mile on it. She discussed the nature and

wildlife she has experienced along the trail and encouraged everyone to visit the trail and take pictures to post on social media.

David Coleman, 3719 Cedar Elm, is a regular user of the trail and has ridden over 1700 miles along it this year. The trail needs to be finished, and he supports the grant application. He discussed the importance of hearing the public's concerns to protect their safety and business operations and suggested installing bollards along the trail. He suggested that the Council consider citizen concerns during the design process and build the trail as far away from homes as possible to respect their privacy.

Judy Whittington, 5205 Lakeshore Dr., thanked Mr. Coleman for his comments and stated she uses the trail and is in favor of the project but has concerns about this section. She asked when the grant application would be finalized so she could get a copy. Mr. Burrus stated the deadline is June 17th. She asked about the funding and how the matching component will be funded, and Mr. Burrus stated they would ask the 4B Board for support as they have a history of supporting the trail project.

Thomas Murray, 3019 Whitehall Lane, stated he rides approximately 300 miles a month on the trail and teaches Couch-to-50 class. Due to safety concerns, they moved the class to the trail. He loves the trail, but there are problem areas, such as cleanliness, and he suggested blowing off the trail, especially after mowing. He discussed previous concerns with disturbing veterans and stated that he is a retired veteran who finds relaxation on the trail and supports completing the trail.

Jim Heiman, 1805 Club View, Chair of the Parks Board, discussed the current Parks Master Plan being completed, which includes the completion of the Circle Trail. It is a huge project that needs to be completed.

The motion carried by the following vote:

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

Nays: None

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Item 9a(i) – Public hearing to receive citizen comments and take action on a resolution for the proposed 2024-2028 Five Year Public Housing Agency (PHA) Plan and the first year of the Annual Action Plan
9:44 a.m.

Mayor Short opened the public hearing at 9:44 a.m.

Mr. Floyd discussed the proposed Five PHA Plan, the first-year Annual Action Plan, and stated the public hearing is required by the Department of Housing and Urban Development (HUD). Mr. Floyd discussed the changes and modifications required by HUD and the current Housing Choice Voucher Program, requirements, preferences given, the number of participants, and the number of citizens waiting for available units.

Mayor Short asked about waiting time, and Mr. Floyd stated it was largely due to the number of available units.

Councilor Smith asked if this was federally funded, and Mr. Floyd stated it was, and the allocation changes from year to year. Councilor Smith asked about income requirements and preferences, and asked if they have to meet all three. Mr. Floyd stated they only have to meet the income requirements and one preference. Councilor Smith asked what we could do about individuals on the waiting list. Mr. Floyd suggested writing letters to Congress to ask for additional funding as they maximize the funding received as much as possible. He also discussed a new development that will be brought to the Council in the future that will add additional available units for those on the waiting list.

Councilor Taylor asked for an explanation of the 90-day employment requirement. Mr. Floyd stated that individuals must show proof of being employed for 90 days prior to receiving assistance.

Councilor Nelson asked if this funding includes first-time home buyers, and Mr. Floyd stated that is a different program funded with CDBG funds.

Mayor Short closed the public hearing at 9:53 a.m.

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Item 9a(ii) – Resolution 57-2024
9:53 a.m.

Resolution for the proposed 2024-2028 Five Year Public Housing Agency (PHA) Plan and the first year of the Annual Action Plan.

Moved by Councilor Browning to approve Resolution 57-2024.

The motion was seconded by Councilor Nelson and carried by the following vote:

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

Nays: None

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Item 9b – Resolution 58-2024
9:53 a.m.

Resolution authorizing the City Manager to execute all documents necessary to purchase the Falcon Complete Endpoint Detection and Response solution from CDW Government LLC in the amount of $196,822.

Moved by Councilor Browning to approve Resolution 58-2024.

The motion was seconded by Councilor Taylor.

Blake Jurecek, Assistant City Manager, discussed the increase in security this would provide and stated the first four months of the contract will be paid for out of this year's budget, and the remainder will be included in the 2024-2025 budget. There was a brief discussion regarding threats to our SCADA system and what staff is doing to protect it. It was noted that the 16-year contract aligned with our fiscal year and locked in pricing.

The motion carried by the following vote:

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

Nays: None

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Item 9c – Resolution 59-2024
9:57 a.m.

Resolution authorizing the City Manager to award a contract for the 2024 Sanitation Dumpster Maintenance to Gloria Villarreal Welding.

Moved by Councilor Browning to approve Resolution 59-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 9d – Resolution 60-2024
9:59 a.m.

Resolution authorizing award of bid for the City's estimated annual requirement of Ready-Mix Concrete and Flowable Fill to Falls Concrete, LLC.

Moved by Councilor Browning to approve Ordinance 60-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 9e – Resolution 61-2024
10:01 a.m.

Resolution requesting permission to declare excess property and advertise for sale the City-owned property located at 3601 Armstrong Drive, more specifically described as a 0.344-acre tract of land out of William Anglin Survey, A-2, Wichita County, Texas, as required by Section 272.001 of the Texas Local Government Code.

Moved by Councilor Browning to approve Resolution 61-2024.

The motion was seconded by Councilor Taylor and carried by the following vote:

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

Nays: None

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Item 9f – Resolution 62-2024
10:04 a.m.

Resolution authorizing the City Manager to enter into an agreement with Rock Island Construction for Design-Build Services related to the Kickapoo Downtown Airport Hangar Project and authorizing the payment of up to $67,840 in Preconstruction and Design Fees.

Moved by Councilor Browning to approve Resolution 62-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 9g – Resolution 63-2024
10:06 a.m.

Resolution authorizing the City Manager to execute a Professional Services Agreement with Kimley Horn for traffic engineering services in an estimated amount of $187,000.00.

Moved by Councilor Browning to approve Resolution 63-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 9h – Resolution 64-2024
10:10 a.m.

Resolution authorizing the purchase of a Ford Transit Cargo Van for the Wichita Falls Public Library through the BuyBoard Purchasing Cooperative from Caldwell Country Ford, LLC dba Rockdale Country Ford in the amount of $58,500.00.

Moved by Councilor Nelson to approve Ordinance 64-2024.

The motion was seconded by Councilor Taylor.

It was noted that this item will be funded by a grant from the Priddy Foundation.

The motion carried by the following vote:

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

Nays: None

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Item 9i – Resolution 65-2024
10:15 a.m.

Resolution of the City Council of the City of Wichita Falls, Texas, appointing/reappointing directors to the Wichita County/City of Wichita Falls, Texas, Hospital Board; and designating term of office.

Moved by Councilor Browning to approve Resolution 65-2024.

The motion was seconded by Councilor Smith and carried by the following vote:

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

Nays: None

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Item 10a – Staff report – Update on Drought Restrictions, Russell Schreiber
10:17 a.m.

Russell Schreiber, Director of Public Works, gave a presentation and update on drought restrictions and lake levels. The current combined lake level is 79.4%, and Lake Kemp is at 100%. Mr. Schreiber discussed the US Drought Monitor Outlook and the El Niño Advisory, which shows that there is a transition to neutral, which means warmer and dryer conditions. He discussed projected lake levels based on a 6-year average and how, even under the worst conditions, it is unlikely we would go back into stage 1 restrictions throughout the summer. This information was presented to the Water Resources Commission, and they recommended removing water restrictions when lake levels are 78% or higher. There was a brief discussion regarding water usage during the highest usage periods, how many gallons are put back into the system from our water reuse program, and how water from Lake Kemp could be used if needed.

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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.
10:24 a.m.

Councilor Taylor discussed how the cost of doing business is increasing, and he asked for understanding from the citizens. He noted that the Council will be good stewards of taxpayer dollars and that decisions are made for the common good, with serious consideration given to every item. Citizens may not always appreciate the decisions made, and he asked for their consideration and understanding.

Councilor Whiteley congratulated the employee of the month and Jana and the library staff for their work. He thanked everyone who showed up to support the Circle Trail, and he appreciated their positive point of view.

Councilor Browning asked everyone to still be mindful of water usage.

Councilor Smith stated that today is National Hug Your Cat Day, and if you don't have a cat, you can get one at Animal Services.

Councilor Nelson discussed his awareness program and upcoming new businesses. He expressed his appreciation to Amy Fagan for her work with the Food Ordinance.

Mayor Short congratulated John Burrus and his wife on their anniversary. He discussed why Councilor Battaglino has missed a few meetings while he participates in the Department of Defense Executive Leadership Program, which challenges participants physically and intellectually to grow their leadership skills. It is a 10-month program where Councilor Battaglino visited various military installations and learned how the Department of Defense operates worldwide and the importance of Sheppard Air Force Base (SAFB) to our national security. The program will be completed this week after a final team presentation, a visit to the White House, and graduation at the Pentagon. Councilor Battaglino expressed to Mayor Short how challenging the program has been, and he will be the first person from SAFB to ever graduate from this program. Mayor Short said he, SAFB, and District 4 are very proud of him.

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Item 11 – Executive Sessions

City Council adjourned into Executive Session at 10:32 a.m. in accordance with Texas Government Code §551.071(2) and §551.071(1).

City Council reconvened at 1:28 p.m.

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

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Item 12 – Adjourn

Mayor Short adjourned the meeting at 1:29 p.m.

PASSED AND APPROVED this 18th day of June 2024.

_____
Tim Short, Mayor

ATTEST:

_____
Marie Balthrop, TRMC, MMC
City Clerk

City of Wichita Falls
City Council Meeting
Minutes
June 7, 2024

Item 1 - Call to Order

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

Tim Short	-	Mayor
Jeff Browning	-	Councilors
Larry Nelson	-	
Michael Smith	-	
Tom Taylor	-	
Darron Leiker	-	City Manager
Kinley Hegglund	-	City Attorney
Marie Balthrop	-	City Clerk

Absent: Bobby Whiteley – Councilor At-Large/Mayor Pro-Tem, and Mike Battaglino – Councilor District 4.

- - - - - - - -

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

- - - - - - - -

Item 2a – Invocation

Mayor Short gave the invocation.

- - - - - - - -

Item 2b – Pledge of Allegiance

Mayor Short led the Pledge of Allegiance.

- - - - - - -

Item 3a – Resolution 66-2024
11:32 a.m.

Resolution announcing the termination of Stage 1 Drought Watch water restrictions and the resumption of the regular water conservation measures described in Section 106-186(a) of the Code of Ordinances of the City of Wichita Falls.

Moved by Councilor Browning to approve Resolution 66-2024.

The motion was seconded by Councilor Nelson.

Mark Southard, Utilities Operations Manager, stated that the current combined lake level is 79.4% and that although it takes Council action to come out of drought restrictions, restrictions are automatic at 65% combined lake levels.

There was a brief discussion regarding concerns with lifting the restrictions, how lake levels drop approximately 1% per week from the middle of July through August, how, in the worst-case scenario, we would most likely not drop below 65%, and how water conservation is ingrained in our citizens.

The motion failed by the following vote:

Ayes: Mayor Short, Councilors Browning, and Smith

Nays: Councilors Nelson and Taylor

- - - - - - -

Item 4 – Adjourn

Mayor Short adjourned the meeting at 11:39 a.m.

PASSED AND APPROVED this 18th day of June 2024.

_____
Tim Short, Mayor

ATTEST:

_____
Marie Balthrop, TRMC, MMC
City Clerk

CITY COUNCIL AGENDA
JUNE 18, 2024

ITEM/SUBJECT: Resolution authorizing award of 25 chemical bids and 1 bid extension, and rejecting 1 bid to various vendors for the City's annual supply of bulk chemicals for water and wastewater treatment.

INITIATING DEPT: Public Works and Finance/Purchasing

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Bids were opened May 22, 2024 for the purchase of the City's estimated annual requirement of bulk chemicals used for the treatment of water and wastewater. The term of the contract is for one (1) year, with a one (1) year renewal option.

Bids were requested for the estimated annual requirements of twenty-seven (27) chemicals. Attached is a summary of the chemicals and the bid tabulations. The total budgeted cost for these products is $4,173,445.28. The cost summary of 2023 is included for Council information and as indicated there is a decrease of $131,790.55 from last year's costs.

Bid submissions contain vendors' agreement to supply more or less of the estimated quantities at the prices quoted and the chemicals are ordered on an "as needed" basis.

Staff recommends award of 25 of the chemical bids, 1 bid extension (Liquid Oxygen), and rejection of 1 bid (Lime Slurry) for water and wastewater treatment chemicals as detailed in the attached resolution. Approval will allow for the continued treatment of potable water and wastewater within the treatment plants of the city.

☒ **Purchasing** ☒ **Director of Public Works**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing award of 25 chemical bids and 1 bid extension, and rejecting 1 bid to various vendors for the City's annual supply of bulk chemicals for water and wastewater treatment

WHEREAS, the City of Wichita Falls advertised and requested bids for the purchase of the annual supply of chemicals for water and wastewater treatment; and,

WHEREAS, bids were received and publicly opened on May 22, 2024; and,

WHEREAS, the City Council desires to purchase chemicals for the City's water and wastewater treatment operations.

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

Authorization is granted to award 25 bids and 1 extension, and 1 rejection for the purchase of bulk water and wastewater treatment for each chemical as follows:

- Anhydrous Ammonia to Airgas Specialty Products, Inc. in the amount of $106,400.00.
- Aquamag to Chemrite, Inc. in the amount of $8,410.00.
- Calcium Oxide (Pebble Quicklime) to Texas Lime Company in the amount of $865,470.00.
- Copper Sulfate to Vineera Chemicals, LLC in the amount of $17,440.00.
- Liquid Ferric Chloride to PVS Technologies, Inc. in the amount of $733,200.00.
- Citric Acid (Food Grade) to Water Tech, Inc. in the amount of $5,000.00.
- Hydrofluosilicic Acid (Fluoride) to Univar Solutions USA, LLC in the amount of $40,600.00.
- Liquid Ammonium Sulfate to Water Tech, Inc. in the amount of $67,200.00.
- Liquid Carbon Dioxide to Linde, Inc. in the amount of $199,375.00.
- Bulk Liquid Chlorine to PVS DX Inc. in the amount of $540,250.00; Liquid Chlorine Cylinders to PVS DX Inc. in the amount of $302,540.00. (Total price in the amount of $842,790.00)
- Liquid Citric Acid to Chemrite, Inc. in the amount of $60,282.20.
- Aqualum Polymer to Polydyne Inc. in the amount of $9,288.00.
- Liquid Ferric Sulfate to Chemtrade Chemicals US LLC in the amount of $515,685.60.
- Liquid Hydrochloric Acid to Water Tech, Inc. in the amount of $24,750.00.
- Liquid Sodium Bisulfite to Univar Solutions USA LLC, in the amount of $78,975.00.
- Liquid Sodium Chlorite to Evoqua Water Technologies, LLC in the amount of $155,150.00.

- Liquid Sodium Hydroxide (Caustic Soda) to Univar Solutions USA LLC in the amount of $19,901.25.
- Liquid Sodium Hypochlorite to PVS Minibulk, Inc. in the amount of $65,128.05.
- Sulfur Dioxide to PVS DX Inc. in the amount of $172,880.00.
- Liquid Sulfuric Acid to Univar Solutions USA LLC in the amount of $43,882.80.
- Potassium Permanganate to Chemrite, Inc. in the amount of $9,483.00.
- Powdered Activated Carbon to Arq Purifications, Inc. in the amount of $46,200.00.
- Scale Inhibitor/Antiscalant to Avista Technologies, Inc. in the amount of $11,505.38.
- Wacker Silfoam to Univar Solutions USA LLC in the amount of $24,549.00.
- Belt Press Polymer to Polydyne Inc. in the amount of $25,600.00.
- Liquid Oxygen to Matheson Tri-Gas, Inc. in the amount of $24,300.00. (Extension)
- Lime Slurry – Rejection of bid due to unreasonable increase in unit cost.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

BULK CHEMICAL COST ANALYSIS
2023 VS 2024

BID	QTY	UOM	DESCRIPTION	TOTAL 2023	TOTAL 2024
24-14	40,000	GAL	AMMONIUM SULFATE	$ 101,200.00	$ 67,200.00
24-15	56	TONS	ANHYDROUS AMMONIA	$ 134,400.00	$ 106,400.00
24-16	7,250	LBS	AQUA MAG	$ 10,077.50	$ 8,410.00
24-17	1,500	GAL	AQUALUM POLYMER	$ 9,546.00	$ 9,288.00
24-18	10,000	LBS	BELT PRESS POLYMER	$ 27,900.00	$ 25,600.00
24-19	3,000	TONS	CALCIUM OXIDE (PEBBLE QUICKLIME)	$ 829,050.00	$ 865,470.00
24-20	725	TONS	CARBON DIOXIDE	$ 199,375.00	$ 199,375.00
24-21	250	TONS	CHLORINE (BULK)	$ 530,250.00	$ 540,250.00
	140	TONS	CHLORINE (1-TON CYLINDERS)	$ 296,940.00	$ 302,540.00
24-22	5,830	GAL	CITRIC ACID	$ 113,335.20	$ 60,282.20
24-23	4,000	LBS	CITRIC ACID (FOOD GRADE)	$ 15,960.00	$ 5,000.00
24-24	8,000	LBS	COPPER SULFATE	$ 18,560.00	$ 17,440.00
24-25	260,000	GAL	FERRIC CHLORIDE	$ 754,000.00	$ 733,200.00
24-26	241,200	GAL	FERRIC SULFATE	$ 532,449.00	$ 515,685.60
24-27	5,000	GAL	HYDROCHLORIC ACID	$ 13,900.00	$ 24,750.00
24-28	14,500	GAL	HYDROFLUOSILICIC ACID (FLUORIDE)	$ 37,700.00	$ 40,600.00
24-30	27,000	GAL	LIQUID OXYGEN	$ 24,300.00	$ 24,300.00
24-31	4,350	LBS	POTASSIUM PERMANGANATE	$ 11,571.00	$ 9,483.00
24-32	30	TONS	POWDERED ACTIVATED CARBON	$ 48,000.00	$ 46,200.00
24-33	17,200	GAL	SCALE INHIBITOR / ANTISCALANT	$ 13,978.99	$ 11,505.38
24-34	75	TOTE	SODIUM BISULFITE 38%	$ 81,000.00	$ 78,975.00
24-35	290,000	WET LBS	SODIUM CHLORITE 25%	$ 168,200.00	$ 155,150.00
24-36	14,500	GAL	SODIUM HYDROXIDE (CAUSTIC)	$ 22,315.50	$ 19,901.25
24-37	16,081	GAL	SODIUM HYPOCHLORITE 12.5%	$ 38,594.40	$ 65,128.05
24-38	80	TONS	SULFUR DIOXIDE	$ 169,680.00	$ 172,880.00
24-39	15,080	GAL	SULFURIC ACID 93%	$ 78,416.00	$ 43,882.80
24-40	21	DRM	WACKER SILFOAM	$ 24,537.24	$ 24,549.00
				$ 4,305,235.83	**$ 4,173,445.28**

Difference **$ (131,790.56)**

2024 BULK CHEMICALS - TABULATIONS

BID: 24-14
CHEMICAL: AMMONIUM SULFATE
PURPOSE: Generation of Chloramine disinfectants for water treatment.
AMOUNT: 40,000 GAL **2023 RENEWAL COST: $2.53/GAL**

VENDOR	UNIT COST	EXTENDED COST
BAKER SERVICES, INC	$ 1.85	$ 74,000
CHAMELEON INDUSTRIES INC.	$ 1.71	$ 68,400
CHEMTRADE CHEMICALS US LLC	$ 1.73	$ 69,200
UNIVAR SOLUTIONS USA LLC	$ 2.25	$ 90,000
WATER TECH, INC.	**$ 1.68**	**$ 67,200**

STAFF RECOMMENDATION:

Award of bid to Water Tech, inc. in the amount of $67,200.

BID: 24-15
CHEMICAL: ANHYDROUS AMMONIA
PURPOSE: Form chloramines for disinfection
AMOUNT: 56 TONS **2023 RENEWAL COST: $2400/TON**

VENDOR	UNIT COST	EXTENDED COST
AIRGAS SPECIALTY PRODUCTS INC.	**$ 1,900.00**	**$ 106,400**

STAFF RECOMMENDATION:

Award of bid to Airgas Specialty Products, Inc., in the amount of $106,400.00.

BID: 24-16
CHEMICAL: AQUA MAG
PURPOSE: To enhance coagulation
AMOUNT: 7,250 LBS **2023 RENEWAL COST: $0.1.39/LB**

VENDOR	UNIT COST	EXTENDED COST
CHEMTRITE, INC.	**$ 1.16**	**$ 8,410**
SHANNON CHEMICAL CORPORTATION	$ 1.21	$ 8,772.50

STAFF RECOMMENDATION:

Award of bid to Chemrite, Inc. , in the amount of $8,410.00.

2024 BULK CHEMICALS - TABULATIONS

BID: 24-17
CHEMICAL: AQUALUM POLYMER
PURPOSE: Treatment of potable drinking water
AMOUNT: 1,500 GAL **2023 RENEWAL COST: $6.364/GAL**

VENDOR	UNIT COST	EXTENDED COST
POLYDYNE, INC.	**$ 6.192**	**$ 9,288**

STAFF RECOMMENDATION:

Award of bid to Polydyne Inc. in the amount of $9,288.00.

BID: 24-18
CHEMICAL: BELT PRESS POLYMER
PURPOSE: Treatment of potable water
AMOUNT: 10,000 LBS **2023 RENEWAL COST: $2.79/LB**

VENDOR	UNIT COST	EXTENDED COST
POLYDYNE, INC.	**$ 2.56**	**$ 25,600**

STAFF RECOMMENDATION:

Award of bid to Polydyne Inc. in the amount of $25,600.00.

BID: 24-19
CHEMICAL: CALCIUM OXIDE (PEBBLE QUICKLIME)
PURPOSE: Softening
AMOUNT: 3,000 TON **2023 RENEWAL COST: $276.35/TON**

VENDOR	UNIT COST	EXTENDED COST
TEXAS LIME COMPANY	**$ 288.49**	**$ 865,470**

STAFF RECOMMENDATION:

Award of bid to Texas Lime Company, in the amount of $865,470.00.

2024 BULK CHEMICALS - TABULATIONS

BID: 24-20
CHEMICAL: CARBON DIOXIDE
PURPOSE: Stabilization
AMOUNT: 725 TONS **2023 RENEWAL COST: $275/TON**

VENDOR	UNIT COST	EXTENDED COST
LINDE, INC.	**$ 275**	**$ 199,375**

STAFF RECOMMENDATION:

Award of bid to Linde, Inc. in the amount of $199,375.00.

BID: 24-21
CHEMICAL: LIQUID CHLORINE
PURPOSE: Disinfection in water and wastewater plants
AMOUNT: BULK - 250 TONS **2023 RENEWAL COST: $2,121/TON BULK**
1-TON CYLINDERS - 140 TONS **$2,121/TON CYLINDERS**

VENDOR	BULK COST		1- TON CYLINDERS	
	UNIT	EXT	UNIT	EXT
PVS DX INC	**$ 2,161**	**$ 540,250**	**$ 2,161**	**$ 302,540**

STAFF RECOMMENDATION:

Award of bid for Bulk & Cylinder Chlorine to PVS DX Inc. in the amount of $842,790.00

BID: 24-22
CHEMICAL: CITRIC ACID 50%
PURPOSE: Cleaning compound for micro-filter elements
AMOUNT: 5,830 GAL **2023 RENEWAL COST: $19.44/GAL**

VENDOR	UNIT COST	EXTENDED COST
CHEMRITE, INC.	**$ 10.34**	**$ 60,282.20**
SHANNON CHEMICAL CORPORATION	$ 14.37	$ 83,777.10
WATER TECH, INC.	$ 16.84	$ 98,177.20

STAFF RECOMMENDATION:

Award of bid to Chemrite, Inc. in the amount of $60,282.20.

2024 BULK CHEMICALS - TABULATIONS

BID: 24-23
CHEMICAL: CITRIC ACID (FOOD GRADE)
PURPOSE: Treatment of drinking water
AMOUNT: 4,000 LBS **2023 RENEWAL COST: $3.99/LB**

VENDOR	UNIT COST	EXTENDED COST
CHEMRITE, INC.	$ 1.55	$ 6,200
DAKOTA/MAVERICK	$ 1.40	$ 5,600
WATER TECH, INC.	**$ 1.25**	**$ 5,000**

STAFF RECOMMENDATION:

Award of bid to Water Tech, Inc. in the amount of $5,000.00.

BID: 24-24
CHEMICAL: COPPER SULFATE
PURPOSE: Control of algae
AMOUNT: 8,000 LBS **2023 RENEWAL COST: $2.32/LB**

VENDOR	UNIT COST	EXTENDED COST
CHEMRITE, INC.	$ 2.54	$ 20,320
VINEERA CHEMICALS, LLC	**$ 2.18**	**$ 17,440**
WATER TECH, INC.	$ 2.44	$ 19,520

STAFF RECOMMENDATION:

Award of bid to Vineera Chemicals, LLC in the amount of $17,440.00.

BID: 24-25
CHEMICAL: FERRIC CHLORIDE
PURPOSE: Treatment of Wastewater
AMOUNT: 260,000 GAL **2023 RENEWAL COST: $2.90/GAL**

VENDOR	UNIT COST	EXTENDED COST
PENCCO, INC.	$ 2.04	$ 530,400
PVS TECHNOLOGIES, INC	**$ 2.82**	**$ 733,200**

STAFF RECOMMENDATION:

Due to past customer service issues with the low bidder and their inability to correct said issues, staff recommends the award of bid to PVS Technologies in the amount of $733,200.00

2024 BULK CHEMICALS - TABULATIONS

BID: 24-26
CHEMICAL: FERRIC SULFATE
PURPOSE: Coagulation
AMOUNT: 241,200 GAL **2023 RENEWAL COST: $2.2075/GAL**

VENDOR	UNIT COST	EXTENDED COST
CHEMTRADE CHEMICALS US LLC	**$ 2.138**	**$ 515,685.60**
PENCCO, INC.	$ 2.19	$ 528,228.00

STAFF RECOMMENDATION:

Award of bid to Chemtrade Chemicals US LLC, in the amount of $515,685.60.

BID: 24-27
CHEMICAL: HYDROCHLORIC ACID
PURPOSE: Treatment of drinking water
AMOUNT: 5,000 GAL **2023 RENEWAL COST: $2.78/GAL**

VENDOR	UNIT COST	EXTENDED COST
WATER TECH, INC.	**$ 4.95**	**$ 24,750**

STAFF RECOMMENDATION:

Award of bid to Water Tech, Inc. in the amount of $24,750.00.

BID: 24-28
CHEMICAL: HYDROFLUOSILICIC ACID (FLUORIDE)
PURPOSE: Fluoridation
AMOUNT: 14,500 GAL **2023 RENEWAL COST: $2.78/GAL**

VENDOR	UNIT COST	EXTENDED COST
PENCCO, INC.	$ 3.05	$ 44,225
UNIVAR SOLUTIONS USA, LLC	**$ 2.80**	**$ 40,600**

STAFF RECOMMENDATION:

Award of bid to Univar Solutions USA, LLC , in the amount of $40,600.00.

2024 BULK CHEMICALS - TABULATIONS

BID: 24-29
CHEMICAL: LIME SLURRY
PURPOSE: Treatment of Wastewater
AMOUNT: 440,000 GAL **2023 RENEWAL COST: $0.7307/GAL**

VENDOR	UNIT COST	EXTENDED COST
TR INTERNATIONAL TRADING COMPANY DBA CATALYNT SOLUTIONS	$ 2.27	$ 998,800

STAFF RECOMMENDATION:

Staff recommends rejection of bids due to increase in unit cost. Staff will rebid chemical with the anticipation of more bidders and a lower price.

BID: 24-30
CHEMICAL: LIQUID OXYGEN
PURPOSE: Treatment of Wastewater
AMOUNT: 27,000 GAL **2023 RENEWAL COST: $0.90/GAL**

VENDOR	UNIT COST	EXTENDED COST
NO BIDS RECEIVED		

STAFF RECOMMENDATION:

Since no bids were received for the annual supply of this product, Staff have made arrangements to purchase the chemical from their current supplier, Matheson Tri-Gas, Inc.

BID: 24-31
CHEMICAL: POTASSIUM PERMANGANATE
PURPOSE: Taste and odor
AMOUNT: 4,350 LBS **2023 RENEWAL COST: $2.66/LB**

VENDOR	UNIT COST	EXTENDED COST	
CHEMRITE, INC.	**$ 2.18**	**$ 9,483**	
SHANNON CHEMICAL CORPORATION	$ 2.27	$ 9,874.50	
UNIVAR SOLUTIONS USA LLC	$ 2.58	$ 11,223	
WATER TECH, INC.	$ 3.17	$ 13,789.50	CAROX
	$ 2.90	$ 12,615	IMPORTS

STAFF RECOMMENDATION:

Award of bid to Chemrite, Inc., in the amount of $9,483.00.

2024 BULK CHEMICALS - TABULATIONS

BID: 24-32
CHEMICAL: POWDERED ACTIVATED CARBON
PURPOSE: Taste and odor
AMOUNT: 30 TONS **2023 RENEWAL COST: $1,600/TON**

VENDOR	UNIT COST	EXTENDED COST
ARQ PURIFICATIONS, INC.	**$ 1,540**	**$ 46,200**
CARBON ACTIVATED CORPORATION		$ 64,800
CHEMRITE, INC	$ 2,760	$ 82,800
NORIT AMERICAS INC.	$ 1,560	$ 46,800
PENCCO, INC.	NO BID	

STAFF RECOMMENDATION:

Award of bid to Arq Purifications, Inc., in the amount of $46,200.00.

BID: 24-33
CHEMICAL: SCALE INHIBITOR / ANTISCALANT
PURPOSE: Control of Scale in RO Plant
AMOUNT: 17,200 GAL **2023 RENEWAL COST: $13.2628/GAL**

VENDOR	PPM	GALLONS	UNIT COST	EXTENDED COST
AVISTA TECHNOLOGIES, INC.	**1.0**	**875**	**$ 13.149**	**$ 11,505.38**

STAFF RECOMMENDATION:

Award of bid to Avista Technologies, Inc. in the amount of $11,505.38.

BID: 24-34
CHEMICAL: SODIUM BISULFITE 38%
PURPOSE: Chlorine Neutralizer
AMOUNT: 75 EA 330 GAL TOTE **2023 RENEWAL COST: $1,080/TOTE**

VENDOR	UNIT COST	EXTENDED COST
DAKOTA/MAVERICK	$0.29/LB	$ 79,387.50
UNIVAR SOLUTIONS USA LLC	**$ 1,053**	**$ 78,975**

STAFF RECOMMENDATION:

Award of bid to Univar Solutions USA, LLC in the amount of $78,975.00.

2024 BULK CHEMICALS - TABULATIONS

BID: 24-35
CHEMICAL: SODIUM CHLORITE 25%
PURPOSE: Disinfectant to meet Federal Surface Water Treatment Rule
AMOUNT: 290,000 WET LBS **2023 RENEWAL COST: $0.58/WET LB**

VENDOR	UNIT COST	EXTENDED COST
EVOQUA WATER TECHNOLOGIES, LLC	**$ 0.535**	**$ 155,150**
INTERNATIONAL DIOXIDE INC	$ 0.587	$ 170,230

STAFF RECOMMENDATION:

Award of bid to Evoqua Water Technologies, LLC, in the amount of $155,150.00.

BID: 24-36
CHEMICAL: LIQUID SODIUM HYDROXIDE (CAUSTIC SODA)
PURPOSE: PH Adjustment
AMOUNT: 14,500 GAL **2023 RENEWAL COST: $1.539/GAL**

VENDOR	UNIT COST	EXTENDED COST
PVS MINIBULK, INC	$ 1.95	$ 28,275
PENCCO, INC	NO BID	
UNIVAR SOLUTIONS USA LLC	**$ 1.3725**	**$ 19,901.25**
VINEERA CHEMICALS, LLC	$ 1.76	$ 25,520
WATER TECH, INC.	$ 1.46	$ 21,170

STAFF RECOMMENDATION:

Award of bid to Univar Solutions USA LLC in the amount of $19,901.25.00

BID: 24-37
CHEMICAL: LIQUID SODIUM HYPOCHLORITE 12.5%
PURPOSE: Chlorinating Agent for RO Plant
AMOUNT: 16,081 GAL **2023 RENEWAL COST: $2.40/GAL**

VENDOR	UNIT COST	EXTENDED COST
PVS MINIBULK, INC.	**$ 4.05**	**$ 65,128.05**
UNIVAR SOLUTIONS USA LLC	$ 5.69	$ 91,500.89

STAFF RECOMMENDATION:

Award of bid to PVS Minibulk, Inc., in the amount of $65,128.05

2024 BULK CHEMICALS - TABULATIONS

BID: 24-38
CHEMICAL: SULFUR DIOXIDE
PURPOSE: Dechlorination of Wastewater Effluent
AMOUNT: 80 TONS **2023 RENEWAL COST: $2,121/TON**

VENDOR	UNIT COST	EXTENDED COST
PVS DX INC	**$ 2,161**	**$ 172,880**
PENCCO, INC.	NO BID	

STAFF RECOMMENDATION:

Award of bid to PVS DX Inc., in the amount of $172,880.00.

BID: 24-39
CHEMICAL: SULFURIC ACID 93%
PURPOSE: PH Adjustment for RO membrane
AMOUNT: 15,080 GAL **2023 RENEWAL COST: $5.20/GAL**

VENDOR	UNIT COST	EXTENDED COST
PENCCO, INC.	NO BID	
UNIVAR SOLUTIONS USA LLC	**$ 2.91**	**$ 43,882.80**

STAFF RECOMMENDATION:

Award of bid to Univar Solutions USA LLC. in the amount of $43,882.80.

BID: 24-40
CHEMICAL: WACKER SILFOAM
PURPOSE: De-foaming agent for RO Plant
AMOUNT: 21 DRUMS (55 GAL DRUM) **2023 RENEWAL COST: $1,168.44/DRM**

VENDOR	UNIT COST	EXTENDED COST
UNIVAR SOLUTIONS USA LLC	**$ 1,169**	**$ 24,549**

STAFF RECOMMENDATION:

Award of bid to Univar Solutions USA LLC. in the amount of $24,549.00.

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2024 Concrete Street Rehabilitation Project to Scales Concrete Construction Co., Inc. in the amount of $1,470,035.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Public Improvements Projects

COMMENTARY: On June 5, 2024, bids were opened for the 2024 Concrete Street Rehabilitation Project. This project is generally described as the rehabilitation of various City concrete streets and associated work. The budget for this project is $1,500,000.

The bids received for this project, for which the amount shown includes the Base Bid and Add/Alt No. 1, are as follows:

COMPANY		AMOUNT
Scales Concrete Construction Co., Inc.	— Wichita Falls, TX	$1,470,035
Freeman Paving, LLC	— Vernon, TX	$1,551,770
K. Tillman Construction, LLC	— Dallas, TX	$2,318,660

Construction of this project should require approximately 162 consecutive days to complete.

Scales Concrete Construction Co., Inc. is a local contractor that has successfully completed similar projects for the City in the past and therefore, staff recommends award of the contract to Scales Concrete Construction Co., Inc. in the amount of $1,470,035, which includes the Base Bid and Add/Alt No. 1, based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2024 Concrete Street Rehabilitation Project to Scales Concrete Construction Co., Inc. in the amount of $1,470,035.00

WHEREAS, the City of Wichita Falls has advertised for bids for the 2024 Concrete Street Rehabilitation Project; and,

WHEREAS, it is found that the lowest responsible bidder is Scales Concrete Construction Co., Inc. who made a unit price bid with an estimated total of $1,470,035.00.

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

The unit price bid for the 2024 Concrete Street Rehabilitation Project is awarded to Scales Concrete Construction Co., Inc. in an estimated total amount of $1,470,035.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

2024 Concrete Street Rehabilitation Project
CWF24-100-07
Bid Date: June 5, 2024

BASE BID ** ORDER OF BIDS FROM LOWEST TO HIGHEST **				Scales Concrete Construction Co., Inc. Wichita Falls, TX		Freeman Paving, LLC Vernon, TX		K. Tillman Construction, LLC Dallas, TX	
Pay Item	**Description**	**Unit**	**Project Totals**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
200.1	SITE PREPARATION & MOBILIZATION (NOT TO EXCEED 5%)	LS	1	$45,000.00	$45,000.00	$30,000.00	$30,000.00	$100,000.00	$100,000.00
203.3-P	REMOVE EXISTING PAVEMENT	SY	9,215	$20.00	$184,300.00	$12.00	$110,580.00	$39.00	$359,385.00
301.5	6" BASE REPAIR	SY	450	$20.00	$9,000.00	$30.00	$13,500.00	$20.00	$9,000.00
303-6	6" REINFORCED CONCRETE PAVEMENT	SY	9,010	$82.00	$738,820.00	$90.50	$815,405.00	$120.00	$1,081,200.00
303-8	8" REINFORCED CONCRETE PAVEMENT	SY	205	$87.00	$17,835.00	$105.00	$21,525.00	$122.00	$25,010.00
303-TA	TERMINAL ANCHOR	EA	1	$1,800.00	$1,800.00	$4,500.00	$4,500.00	$3,000.00	$3,000.00
305.1	MONOLITHIC CURB	LF	4,250	$15.00	$63,750.00	$25.00	$106,250.00	$22.00	$93,500.00
801	TEMPORARY TRAFFIC CONTROL	LS	1	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$35,000.00	$35,000.00
804-4YS	4" YELLOW SOLID STRIPING - 100 MIL THICK	LF	60	$150.00	$9,000.00	$6.00	$360.00	$18.00	$1,080.00
804-DTA	DOUBLE TURN ARROW - PREFAB TYPE C	EA	1	$1,500.00	$1,500.00	$1,000.00	$1,000.00	$3,800.00	$3,800.00
				Total Base Bid	**$1,081,005.00**	**Total Base Bid**	**$1,113,120.00**	**Total Base Bid**	**$1,710,975.00**

ADDITIVE / ALTERNATE NO. 1 - MONROE ST				Scales Concrete Construction Co., Inc. Wichita Falls, TX		Freeman Paving, LLC Vernon, TX		K. Tillman Construction, LLC Dallas, TX	
Pay Item	**Description**	**Unit**	**Project Totals**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
203.3-P-ALT1	REMOVE EXISTING PAVEMENT	SY	3,515	$20.00	$70,300.00	$15.00	$52,725.00	$39.00	$137,085.00
301.5-ALT1	6" BASE REPAIR	SY	200	$20.00	$4,000.00	$30.00	$6,000.00	$20.00	$4,000.00
303-6-ALT1	6" REINFORCED CONCRETE PAVEMENT	SY	3,515	$82.00	$288,230.00	$95.00	$333,925.00	$120.00	$421,800.00
305.1-ALT1	MONOLITHIC CURB	LF	1,400	$15.00	$21,000.00	$25.00	$35,000.00	$22.00	$30,800.00
305.2-PR-ALT1	PEDESTRIAN RAMPS	EA	2	$2,000.00	$4,000.00	$4,500.00	$9,000.00	$6,400.00	$12,800.00
305.2-SW-ALT1	REMOVE & REPLACE 4" CONCRETE SIDEWALK	SY	10	$150.00	$1,500.00	$200.00	$2,000.00	$120.00	$1,200.00
				Total Add/Alt No. 1	**$389,030.00**	**Total Add/Alt No. 1**	**$438,650.00**	**Total Add/Alt No. 1**	**$607,685.00**

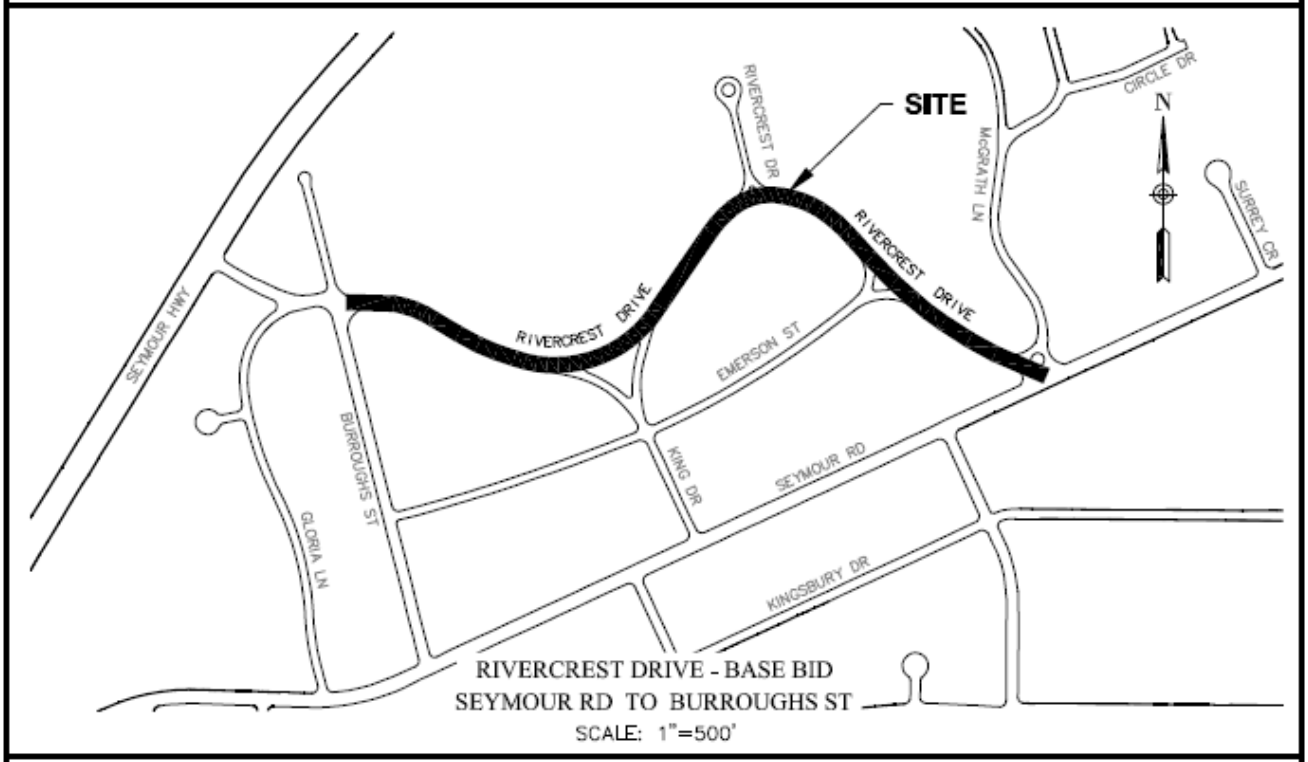
AWARD TOTAL **Base Bid + Add/Alt No. 1**	**$1,470,035.00**

ADDITIVE / ALTERNATE NO. 2 - TRAVIS ST				Scales Concrete Construction Co., Inc. Wichita Falls, TX		Freeman Paving, LLC Vernon, TX		K. Tillman Construction, LLC Dallas, TX	
Pay Item	**Description**	**Unit**	**Project Totals**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
203.3-P-ALT2	REMOVE EXISTING PAVEMENT	SY	4,345	$20.00	$86,900.00	$15.00	$65,175.00	$39.00	$169,455.00
301.5-ALT2	6" BASE REPAIR	SY	200	$20.00	$4,000.00	$30.00	$6,000.00	$20.00	$4,000.00
303-6-ALT2	6" REINFORCED CONCRETE PAVEMENT	SY	4,345	$82.00	$356,290.00	$95.00	$412,775.00	$120.00	$521,400.00
305.1-ALT2	MONOLITHIC CURB	LF	1,375	$15.00	$20,625.00	$25.00	$34,375.00	$22.00	$30,250.00
305.2-PR-ALT2	PEDESTRIAN RAMPS	EA	2	$2,000.00	$4,000.00	$4,500.00	$9,000.00	$6,400.00	$12,800.00
305.2-RC-ALT2	RAISED CURB	LF	44	$50.00	$2,200.00	$75.00	$3,300.00	$70.00	$3,080.00
305.2-SW-ALT2	REMOVE & REPLACE 4" CONCRETE SIDEWALK	SY	35	$150.00	$5,250.00	$200.00	$7,000.00	$120.00	$4,200.00
804-4YD-ALT2	4" YELLOW DASH STRIPING - 100 MIL THICK	LF	290	$15.00	$4,350.00	$6.00	$1,740.00	$18.00	$5,220.00
				Total Add/Alt No. 2	**$483,615.00**	**Total Add/Alt No. 2**	**$539,365.00**	**Total Add/Alt No. 2**	**$750,405.00**

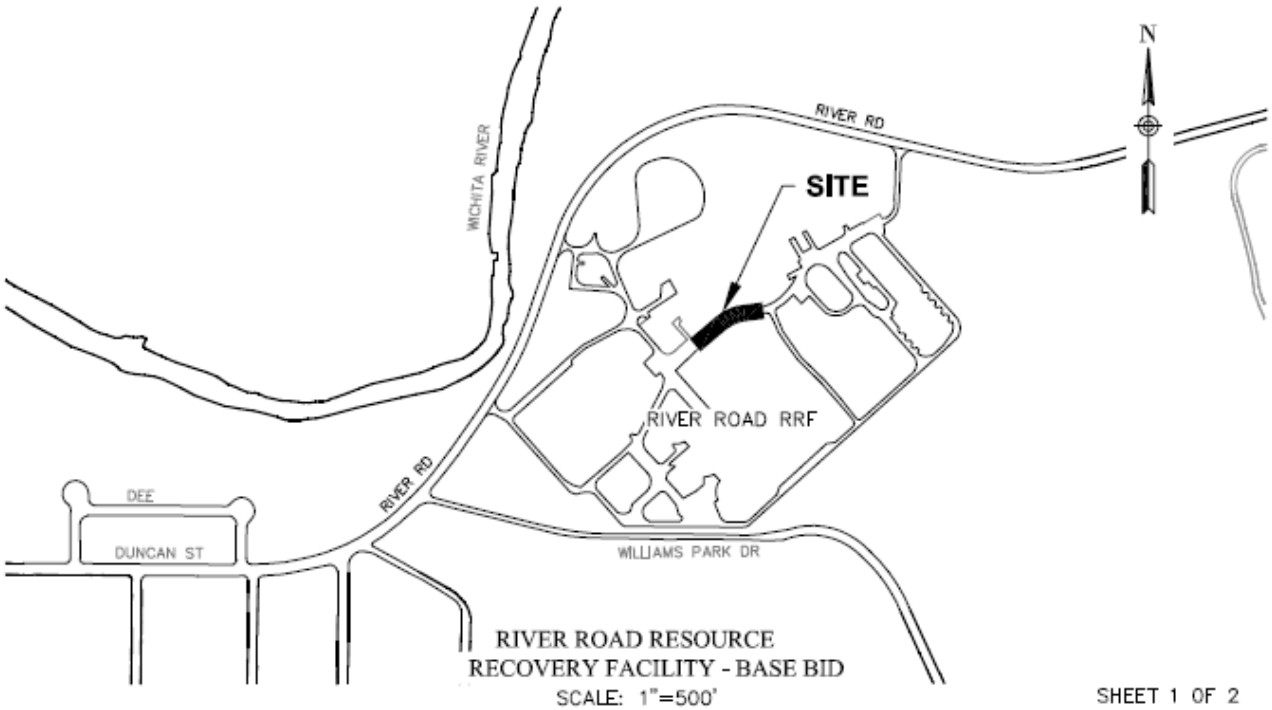
ADDITIVE / ALTERNATE NO. 3 - LUCKY LN				Scales Concrete Construction Co., Inc. Wichita Falls, TX		Freeman Paving, LLC Vernon, TX		K. Tillman Construction, LLC Dallas, TX	
Pay Item	**Description**	**Unit**	**Project Totals**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
203.3-P-ALT3	REMOVE EXISTING PAVEMENT	SY	1,580	$20.00	$31,600.00	$15.00	$23,700.00	$39.00	$61,620.00
301.5-ALT3	6" BASE REPAIR	SY	100	$20.00	$2,000.00	$30.00	$3,000.00	$20.00	$2,000.00
303-6-ALT3	6" REINFORCED CONCRETE PAVEMENT	SY	1,580	$82.00	$129,560.00	$95.00	$150,100.00	$120.00	$189,600.00
305.1-ALT3	MONOLITHIC CURB	LF	630	$15.00	$9,450.00	$25.00	$15,750.00	$22.00	$13,860.00
				Total Add/Alt No. 3	**$172,610.00**	**Total Add/Alt No. 3**	**$192,550.00**	**Total Add/Alt No. 3**	**$267,080.00**

2024 CONCRETE STREET REHABILITATION PROJECT

CWF24-100-07



RIVERCREST DRIVE - BASE BID
SEYMOUR RD TO BURROUGHS ST
SCALE: 1"=500'



RIVER ROAD RESOURCE
RECOVERY FACILITY - BASE BID
SCALE: 1"=500'

SHEET 1 OF 2

2024 CONCRETE STREET REHABILITATION PROJECT

CWF24-100-07



MONROE STREET - ADD / ALT #1
AVENUE K TO AVENUE H
SCALE: 1"=500'

SHEET 2 OF 2

LANDMARK COMMISSION
MINUTES

March 26, 2024

MEMBERS PRESENT:

Michele Derr	■ Member
Christy Graham	■ Vice-Chair
Andy Lee	■ Member
Marcela Medellin	■ Chairperson
Janel Ponder Smith	■ Member
John Dickinson	■ Member
Michael Smith	■ Council Liaison
Monica Aguon, Assistant City Attorney	■ City Staff
Terry Floyd, Development Services Director	■ City Staff
Karen Montgomery-Gagné, Principal Planner/HPO	■ City Staff

ABSENT:

Joel Hartmangruber	■ Member
Noros Martin	■ P&Z Liaison

GUESTS:

Devin and Lindsey Tabor	■ 1600 Tilden St.
Alejandro Rico	■ 2908 10th St.
Robert (Barry) Hanks	■ 1615 Tilden St.

I. Call to Order, Introductions and Welcome

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

II. Review & Approval of Minutes from: March 5th, 2024

Chairperson Medellin called for review and approval of the March 5, 2024 Landmark Commission meeting minutes. Ms. Christy Graham made a motion to approve the minutes as presented, Mr. John Dickinson seconded the motion. Minutes were unanimously approved 6-0.

Regular Agenda

III. Action Item: Design Review – 1600 Tilden

Replacement Roofing Using Alternate Materials:

- Original Ludowici tile roof removed – no permits or design review authorization
- Decra stone coated metal tile panels installed

Chairperson Medellin introduced the case. Ms. Montgomery-Gagné provided a design review history dating back to 2020 when an initial request regarding either full or partial replacement tile roof was processed. At that time, the Commission approved the original roof replacement in kind with smaller, mass produced Ludowici clay roofing tile for the entire roof surface. During the interim, staff checked with the owner regarding the roofing project and noted the design review approval would expire in August 2021.

By January 31, 2024, staff were notified Building Inspection had denied a roofing permit for alternate materials as no design approval on file. During this time frame, staff emailed the owner inquiring about potential roofing work after the Building Inspection notification. Staff explained to the owner a new design review application would be triggered and must be submitted and reviewed by the Commission before an alternate roof could be installed. Owner provided information on February 13, 2024 from a Decra Metal Roofing advisor obtained Aug. 16, 2023 regarding national register projects utilizing Decra stone-coated metal tiles. By February 29th owner submitted design review application for processing at the March meeting. Staff discovered the roof was previously installed during email/ phone conversations with owner in late February. The roofing contractor (same since 2019 initial roof assessment; knew of historic district procedures) proceeded to install alternate roof materials void of permits and design authorization February 7-9.

Staff also provided a photo timeline of changes to the roof for comparison to better visualize the difference in materials and determine if the alternate material was appropriate when considering local and national standards (profile, design, texture, etc.) Ms. Montgomery-Gagné researched national register cases, particularly in Texas where the Decra materials were being utilized to replace clay/terracotta tiles. The Dr. Pepper Museum in 2022/23 received a National Endowment for the Arts grant to replace the 1990's composite roof as the original terra cotta tile roof was destroyed by a 1953 tornado. Texas Historical Commission (THC) State Historic Preservation Officer (SHPO) indicated 'no adverse effects' for the proposed placement of Decra stone-coated metal tile on the museum's roof with the goal of honoring the original style of terra cotta roof from the early 1900s. Staff commented, for this case at 1600 Tilden, partially based on precedent in Texas and THC prior approval in a similar scenario, the replacement roof material (Decra metal tiles) appeared sufficiently similar in design, color, texture and visual qualities that it may be considered to meet the CWF Design Guidelines and be in keeping with the Sec. of the Interior's Standards for Rehabilitation. However, it was clearly noted that the process by which the substitute roofing material was installed was deemed inappropriate by staff based on both the owner and roofing company having prior experience in 2020 with the City's design review process.

Discussion:

Owner, Mr. Taber, brought a sample of the Decra stone-coated metal tile panel used for the roof replacement for staff and Commission review. He noted the original estimate received from Precision Roofing was $450,000 to replace the original tile roof with Ludowici handmade tiles. However, the home's value is approximately $290,000. It would have cost $200,000 to replace with Ludowici mass produced tile. Mr. & Mrs. Taber noted this has been a 3.5-4-year long battle with their insurance company to obtain approval and they finally settled for $100,000 to replace the entire roof. Previous owners had

replaced some sections of tile with Ludowici mass produced tile and there were issues with water intrusion. They had also repainted the whole roof a different color than the original tile to reduce the unsightly appearance of the mix of replacement tiles.

Mr. Taber contacted representatives from the roofing company (Precision Roofing & Construction – North Richland Hills) and had worked with the same roofing company rep since 2019 through the original design review request for Ludowici replacement tile. The owner noted the roofing company said all approvals were in order so was very upset to discover they did not obtain any required approvals before starting the process of installation. He was also surprised that the permit had been denied.

The roof has since been installed as of Feb. 7-9 and it was not the exact same texture, and appearance. However, the owners tried to utilize alternate materials that were similar in order to replicate the tile and prevent continued water leaks into their house. Since installation there have been heavy rains in the area and Mr. Taber reported they no longer experience leaks in his home.

Ms. Ponder Smith asked if it would be easier to replace tiles with the Decra material and Mr. Taber confirmed that they were easier and less costly to replace and the roofing metal tiles are formed in sections that are now attached to the roof whereas before the terracotta tiles were all free floated.

Ms. Medellin asked how the situation resulted in the roof already being installed. Discussion ensued and Mr. Taber stated he was told all approvals were in place until he spoke with staff and discovered no permits and no inspections were obtained. Ms. Derr said it looked good and had been approved by THC in other areas of historical significance. It was important that the roof function properly to protect the historic house and its investment. She stated no issues with the alternate material. Chairperson Medellin commented that the alternate material (stone coated metal tile panels) appears to meet the intent of the standards but had concerns about setting a precedent with future applicants replacing a roof without seeking proper approvals. Ms. Graham commented that if THC had previously approved use of the same material on a national register property as an alternate to replicate the appearance of terra cotta tile it should be acceptable for a residential situation.

Public Comment: No one from the public requested to speak on this item.

Ms. Ponder Smith outlined concerns about how approval would be viewed with this situation as the public may have the impression it is okay not to seek approval prior to initiating roof replacement, particularly if alternate materials are involved. Legal liaison, Ms. Aguon, pointed out there were multiple issues associated with this case from civil (potential breach of contract) to code/policy violations linked to the Building Code and Historic Preservation Ordinance for work void of permits, no inspections to ensure proper installation to disregard of standard process for permitting and design review. Additional discussion among staff, Commissioners and the applicant until the Chairperson called for consideration of a motion.

Ms. Derr introduced a motion regarding the Decra stone coated metal tile roof, previously installed without prior authorization, as a substitute roofing material in place of the Ludowici terracotta tiles, noting it was considered sufficiently similar in design, color, texture and visual qualities that it may be considered to meet the local and national standards. The existing Decra stone coated metal tile roof can remain on the house at 1600 Tilden. Mr. Lee seconded. Motion passed unanimously in a vote of 6-0.
Staff indicated follow-up was required with the Building Inspection Department and citations may be pending.

IV. Action Item: Design Review – 2908 10th

Lapsed Design Review Case; Consider Extension:

- Metal/Wood Carport; Partially Constructed; No Building Permits
- Design Review Expired November 23, 2023

Chairperson Medellin introduced the case. Staff provided an overview noting the owner was unable to complete work on the carport due to family and financial circumstances. However, when the owner did initiate work, it was beyond the design review approval period (1 year) and without any building permits. A stop work order was issued by Building Inspection staff on March 4/24. Staff indicated the situation needed to be resolved by working with the owner to avoid continued complaints and reduce negative impacts to the district's architectural character. Staff outlined three options to potentially address the situation:

1. Require new design review application – start process over from beginning; carport may *or* may not be approved.
2. Consider case circumstances and owner request for an extension of the lapsed design review approval (4 months) in an effort to work with owner to address problem of unfinished accessory structure which sets a precedent and impacts the northern section of the district.
3. Commission opts to do nothing as allotted window of time/approvals have expired. Carport in violation as not completed, no building permit can be issued when out of compliance with CWF Design Review Guidelines. Citations may accrue and long-term result - carport removal.

Staff had considered Option #2 for an extension. However, legal interpretation of the Code of Ordinances Chapter 62 (Historic Preservation Ord.) did not provide an option for extension beyond 30-days of expiration.

The owner was present and provided additional background while answering questions from Commissioners. Mr. Lee asked if the front of the carport would still resemble the historic house above the fence line. Mr. Rico said the carport would still look like the house with metal framework under wood. The owner commented he was previously told a sheet metal roof was not allowed so he intended to use asphalt shingles instead and to try to make it look nice. Mr. Rico indicated the front of the carport facing 10th St. would look similar to the front façade of his house having wood panels, wood covered metal framework, and roof to match. The owner is trying to improve the property and would like to finish construction on the carport.

Legal department indicated too much time had lapsed since the design review expiration. The Commission could consider authorizing a new design review application to address the existing carport. Discussion ensued and there were concerns with addressing the partially constructed carport in a timely manner. Staff developed a draft resolution for Commission consideration setting a 30-day deadline for the owner to act with submitting a new design review application (Option #1). Ms. Aguon provided a legal point of order, noting a 30-day submission timeline avoids the owner accruing additional citations which could be accrued daily. This option essentially provides a set time line and a grace period for the owner to address outstanding issues. Ms. Derr asked if the Commission can adopt the draft resolution. Staff indicated, yes, if that's the Commission's preference.

Chairperson Medellin called for public comments; there were none.

Ms. Graham introduced a motion for a Resolution providing for a 30-day deadline (April 26, 2024) for the owner (Mr. Alejandro Rico) of 2908 10th Street to submit a new design review application for major alteration to the exterior of the property, namely, the construction of a carport that will be considered by the Landmark Commission. Ms. Derr seconded the motion. Motion and Resolution (Attachment 'A') passed unanimously in a vote of 6-0.

V. Action Item: Design Review – 1615 Tilden

Install New Wood Screen Door at Main Entry on Tilden Façade:

- Custom-made, period oak stained door
- Evidence of prior outer entry door

Chairperson Medellin introduced the case. Ms. Montgomery-Gagné explained the owner was seeking installation of a new custom wood (oak stained) screened door at the front entry to fit the existing opening (approximately 84¾"x40"). Photo evidence provided of prior screen door based on cut-outs for hinges in the framework and a removed strike plate. Staff recommended the proposal as it was in keeping with the CWF Design Review Guidelines; no original components would be altered or removed and it was returning a missing element from prior decades as closely as possible to fit the colonial style of the house.

The owner, Barry Hanks, was present and provided a detailed overview and reasoning for the request at his home on 1615 Tilden St. He moved into the home in 2000 and over the years found with the entry on the west façade the sun faded and aged the front door. He had searched for years for an appropriate replacement screen door that would protect the integrity of the original entry door. His neighbor had mentioned that Greg York who resides in the historic district could make a custom screen door. Mr. Hanks researched existing screen doors in the West Floral Heights historic district that were colonial, prairie and tudor styles and came up with three options (photos in meeting packet). Mr. Hanks discussed the concept with Mr. York who was confident he could build a screen door to suit his and the Commission's design requirements.

Ms. Ponder Smith inquired about the style and Mr. Hanks indicated the door would be similar to 1600 Grant (Tudor style) with large 1" grate screen on the bottom half along with a 14" wood kickboard. Ms. Derr asked if the kickboard would address the fading issue with the main door? Mr. Hanks indicated it would help plus the screen door would have auto closures so the wind wouldn't catch it.

Councilor Smith was curious about the estimated cost only being $200-$300. Mr. Hanks explained he'd only be paying for primary wood costs as he was gifting his unused wood-working tools as partial payment to his friend Mr. York. Mr. Hanks stated he no longer utilized the saws/equipment and it could be better served by someone else.

Ms. Graham introduced a motion to approve the installation of a new custom-made period oak (red-oak stained; polyurethane coated) screen door to the front entry of the house at 1615 Tilden Ave. Mr. Lee seconded the motion. Motion passed unanimously in a vote of 6-0.

VI. Other Business:

a) **Monthly Report:**
Depot Square Historic District: No report from Ms. Derr
West Floral Heights Historic District:
Ms. Ponder Smith noted the Association was having more productive meetings and people were inquiring about window repair workshops.

b) Updates: Staff indicated the Texas Historical Commission's Real Places conference and workshop would be April 3-5; discussed possible ideas for preservation month in May seeking input/suggestions from Commissioners.

c) Resources/Webinars: Recap – NAPC Webinar – NPS Substitute Materials – Updated Tech Brief #16; copies provided in packets for Commissioners to better understand appropriate/non-appropriate alternate materials.

d) Design Review – Staff Authorized:
- 1408 Buchanan (WFH HD) – sewer repair/replacement to residence
- 1605 Tilden (WFH HD) – replace roof – same materials
- 1608 Tilden (WFH HD) – foundation repair; install concrete piers
- 1608 Hayes (WFH HD) – replace roof – same materials
- 300 Morningside (NRHP District) - *Informational purposes only* replace cedar shake roof/decking

VII. Adjourn:

Next regularly scheduled meeting April 30, 2024 – 12 p.m.
Meeting adjourned at 1:32 p.m.

Marcela P Medellin
Ms. Marcela Medellin, Chairperson

May 21, 2024
Date

Attachment 'A'

Landmark Commission Resolution

Resolution providing for a 30-day deadline for the property owner at 2908 10th Street, Wichita Falls, Texas 76309, to submit an application for major alteration to the exterior of the property, namely, construction of a carport;

WHEREAS, the property owner at 2908 10th Street, Wichita Falls, Texas 76309, previously submitted an application for major alteration of the exterior of 2908 10th Street, which would constitute new construction or placement on the historic property;

WHEREAS, the design review application of the property owner at 2908 10th Street, Wichita Falls, Texas 76309, was approved in writing on November 22, 2022;

WHEREAS, the design review application approved on November 22, 2022, expired within twelve (12) months from the issuance of the certificate of appropriateness, and the property owner at 2908 10th Street, Wichita Falls, Texas 76309, did not apply for renewal of the application within thirty (30) days of its expiration;

WHEREAS, the materials installed and/or in the process of being installed for the carport at 2908 10th Street, Wichita Falls, Texas 76309, have not been deemed to conform to the City of Wichita Falls Design Review Guidelines and the Secretary of the Interior Standards for Rehabilitation and approved by the Landmark Commission;

WHEREAS, Landmark Commission wishes to pursue compliance with the City of Wichita Falls Design Review Guidelines and Secretary of the Interior Standards for Rehabilitation; and or

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

The Landmark Commission hereby requires the property owner at 2908 10th Street, Wichita Falls, Texas 76309, submit a new design review application, in compliance with the City of Wichita Falls Design Review Guidelines and Secretary of the Interior Standards for Rehabilitation on or before thirty (30) days from the date of this resolution, and this case is to be returned to the Landmark Commission for review thereafter.

PASSED AND APPROVED this, the 26 day of March, 2024.

CHAIRPERSON

ATTEST:

Karen Montgomery-Gagné
City of Wichita Falls Landmark Commission Liaison

PAGE 1 OF 1 PAGES
AGENDA ITEM NO. IV

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for the Tuberculosis Prevention and Control Program in the amount of $58,498; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Department of State Health Services (DSHS) is issuing a contract for the Tuberculosis (TB) Prevention and Control Program with the DSHS funded share in the amount of $58,498 for state Fiscal Year 2025. There continues to be a required match of 20% or $11,698, which makes the entire contract amount $70,196. The match requirement is met by in-kind services from the City of Wichita Falls. A portion of TB Registered Nurse (RN) and Certified Medical Assistant (CMA) positions are covered by this grant. The primary job duties of the staff are to conduct contact investigations, coordinate and document care of TB patients, and provide education to the public regarding TB prevention and control. This contract includes both state and federal funding, which were separate contracts in prior years. The contract period for this grant is September 01, 2024 to August 31, 2025.

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for the Tuberculosis Prevention and Control Program in the amount of $58,498; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same

WHEREAS, the Health District and the Department of State Health Services desire to enter into a contract for continued Tuberculosis prevention and control; and

WHEREAS, approval of these funds could not have been anticipated prior to the adoption of the 2023 - 2024 budget.

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

There is hereby appropriated in the Special Revenue Fund $58,498 for the Tuberculosis Program and the City Manager is authorized to enter into a contract with the Department of State Health Services for the Wichita Falls-Wichita County Public Health District.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of $78,000 received from the Texas Health and Human Services Commission (HHSC), and authorizing the City Manager to execute contract accepting same.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Texas Health and Human Services Commission (HHSC) has provided the local Women, Infants, and Children (WIC) Program of the Health Department additional funding in the amount of $78,000. This amount is based on the number of participants seen in the local WIC clinic, and also funds services such as outreach and education regarding breastfeeding and nutrition.

This increase in funding will bring the total Health Department WIC contract with HHSC to $1,086,132 for Fiscal Year 2024.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance making an appropriation to the Special Revenue Fund for the Women, Infants, and Children (WIC) Grant Program in the amount of $78,000 received from the Texas Health and Human Services Commission (HHSC), and authorizing the City Manager to execute contract accepting same

WHEREAS, the Texas Health and Human Services Commission has identified additional funding for our local WIC agency; and,

WHEREAS, the approval of these funds could not have been anticipated prior to the adoption of the 2023 –2024 budget.

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

There is hereby appropriated in the Special Revenue Fund $78,000 for the Women, Infants, and Children (WIC) Program.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Ordinance amending the code of ordinances Chapter 50, Article II, Section 34 to increase the number of Fire Captains from 15 to 16 for the purposes of adding a Deputy Fire Marshal position to assist with fire code enforcement and fire investigation.

INITIATING DEPT: City Council

STRATEGIC GOAL: n/a

STRATEGIC OBJECTIVE: n/a

COMMENTARY:
This is a Council-requested item to increase the number of Fire Captains within the City of Wichita Falls Department. If approved, this newly created Captain position will coordinate fire investigations, fire code compliance, and complete work as assigned under the direction of the Fire Department Fire Marshal.

The annual cost of adding the Fire Captain position to serve as the Deputy Fire Marshal would be $135,504 which includes a base salary of $94,826 and estimated benefits of $40,678. If this item were to be approved and the position were to be added mid-year (July 18), the cost for the remainder of FY 2024 would be approximately $33,783. Funds would be reallocated from the current Fire Department personnel budget that are anticipated to go unspent based on vacancies through this fiscal year. Further, approval would assume direction to staff to add the full annual value of this position to the proposed FY 2025 budget and each subsequent budget as an increase in spending going forward.

☒ **Fire Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☐ **City Manager Approval**

Ordinance No. _____

Ordinance amending the code of ordinances Chapter 50, Article II, Section 34 to increase the number of Fire Captains from 15 to 16 for the purposes of adding a Deputy Fire Marshal position to assist with fire code enforcement and fire investigation

WHEREAS, the City of Wichita Fire Department finds it necessary to increase the number of Captains to allow for more thorough code enforcement evaluation, fire investigation, and increased command structure; and,

WHEREAS, the City of Wichita Falls Code of Ordinances Chapter 50-34 limits the number of civil service positions within the Fire Department; and,

WHEREAS, the City of Wichita Falls City Council wishes to increase the number of Captains for the City of Wichita Falls Fire Department by amending Chapter 50-34.

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

1. Chapter 50, Article II, Section 34 is hereby amended to increase the number of Fire Captains from 15 to 16 for the purpose of adding a Deputy Fire Marshal position to assist with fire code enforcement and fire investigation.

2. This ordinance amending Chapter 50 shall go into effect on July 18, 2024

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Ordinance amending the code of ordinances Chapter 50, Article II, Section 34 to increase the number of Fire Lieutenants from 27 to 28 for the purposes of adding a position to coordinate emergency medical training operations within the Fire Department.

INITIATING DEPT: City Council

STRATEGIC GOAL: n/a

STRATEGIC OBJECTIVE: n/a

COMMENTARY:
This is a Council-requested item to increase the number of Fire Lieutenants within the City of Wichita Falls Department. If approved, this newly created lieutenant will coordinate emergency medical training operations within the Fire Department under the direction of the Fire Department Training Battalion Chief.

The annual cost of adding the Fire Lieutenant position to serve as the EMS Training Coordinator would be $127,263 which includes a base salary of $88,199 and estimated benefits of $39,064. If this item were to be approved and the position were to be added mid-year (July 18), the cost for the remainder of FY 2024 would be $31,729. Funds would be reallocated from the current Fire Department personnel budget that are anticipated to go unspent based on vacancies through this fiscal year. Further, approval would assume direction to staff to add the full annual value of this position to the proposed FY 2025 budget and each subsequent budget as an increase in spending going forward.

☒ **Fire Chief**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☐ **City Manager Approval**

Ordinance No. _____

Ordinance amending the code of ordinances Chapter 50, Article II, Section 34 to increase the number of Fire Lieutenants from 27 to 28 for the purposes of adding a position to coordinate emergency medical training operations within the Fire Department

WHEREAS, the City of Wichita Falls Fire Department finds it necessary to increase the number of Lieutenants to help coordinate emergency management training to provide for increased levels of service to the community; and,

WHEREAS, the City of Wichita Falls Code of Ordinances Chapter 50-34 limits the number of civil service positions within the Fire Department; and,

WHEREAS, the City of Wichita Falls City Council wishes to increase the number of Lieutenants for the City of Wichita Falls Fire Department by amending Chapter 50-34.

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

1. Chapter 50, Article II, Section 34 is hereby amended to increase the number of Lieutenants from 27 to 28 for the purpose of adding a position to coordinate emergency medical training operations within the Fire Department.

2. This ordinance amending Chapter 50 shall go into effect on July 18, 2024.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Public hearing and resolution of no objection from the City of Wichita Falls for an application from OPG Sun Valley Apartments, LP. to the Texas Department of Housing and Community Affairs for 2024 Housing Tax Credits at 1315 E. Central Fwy., Wichita Falls for acquisition/redevelopment of property by developer Overland Property Group and NORTEX Housing Finance Corporation; and authorizing City Manager to enter into a Payment in Lieu of Taxes (PILOT) agreement.

INITIATING DEPT: Development Services/Planning

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Identify and Expand Economic Development Opportunities

COMMENTARY: Approval of the following Resolution and Payment in Lieu of Taxes (PILOT) agreement will assist in facilitating a $23.5 million renovation to the Sun Valley Apartments (1315 E. Central Fwy). This private reinvestment this property equates to approximately $50,000 per unit in improvements.

OPG is committed to make the following exterior improvements/renovations at Sun Valley Apartments, LP:

- provide playground equipment,
- addition of a camera/surveillance system,
- asphalt repair,
- new signage,
- window replacement,
- improved exterior lighting, and
- new exterior siding

Other amenities include:

- upgrading the commons building with an activity area to serve as an after-school homework/tutoring location,
- updated landscaping and improved perimeter fencing

Critical renovations for each unit:

- full replacement of kitchens,
- bathroom upgrade,
- incorporate Energy Star lighting & appliances,
- drywall, and paint

On January 12, 2024, the City received a request from Overland Property Group (OPG - based in Kansas) indicating they were making application for non-competitive housing tax credits with TDHCA (Texas Department of Housing and Community Affairs). This Housing Tax Credit Program provides relief from federal tax liability for the development of affordable housing. OPG's redevelopment strategy is to acquire and rehabilitate the Sun Valley Apartments (1315 E. Central Fwy.) utilizing a FHA 221(d)4 HUD insured loan, bonds and the 4% tax credits issued by TDHCA.

OPG is partnering with Nortex HFC who is issuing tax-exempt housing finance bonds in order to assist in making a substantial rehabilitation to the Sun Valley apartments economically feasible. Nortex HFC will retain ownership of both the land and improvements (buildings) as the general partner who is a tax-exempt entity under the Texas Local Government Code (Sec. 394.905). They will enter into a long-term lease with the secondary partner being OPG who will commit to the renovations and management of the complex.

OPG was formed in 2003 with a relationship-driven approach to consistently deliver quality multi-family residential rental properties utilizing various rental or other subsidies under the National Housing Act, along with state low-income housing tax credit utilizing 4% and 9% programs. OPG has over a decade of experience in Wichita Falls having constructed three affordable housing projects, partnered with the city on expansion of Maplewood Drive and successfully completed a residential historic-rehab in downtown.

Built in 1971, the 132-unit complex contains 16 buildings; all units receive housing choice assistance through HUD. This proposal is for substantial renovation and recapitalization in order to preserve the quality and minimum standards of the affordable housing units. As of June 2024, the property was operating at 100% occupancy. The Wichita Co. Appraisal District records show the property/buildings with a 2024 assessed value of $2.85 million.

Based on OPG's proposed development schedule, the facility acquisition is anticipated in August of this year, and project construction will commence in September, with rehab anticipated over a 12-14-month period. The project is projected to be completed in early 2025. The tenants will remain at the complex during the renovation, and prior to re-occupying renovated units, tenants will be required to pass background screening.

By supporting this project, no local taxing entity would receive future property tax revenues from Sun Valley over the next 20 years during the tax credit period. According to 2024 tax appraisal data, the complex contributed $19,366.40 in city taxes with total annual taxes of $67,350.04. Nortex HFC, founded 1995, provides a means to finance the cost of residential ownership and development that will provide decent, safe and sanitary housing at affordable prices. Nortex HFC has issued multi-family bonds/loans for acquisition and rehabilitation of other local multi-family affordable apartment complexes: Woodview (320 units), Washington Village (96 units), and Parkstone Phase II (64 units).

Staff recommends approval of this resolution of no objection and authorize entering into a 20-year PILOT agreement (refer to Exhibit F) for the substantial redevelopment project

based on level of reinvestment (hard construction/soft costs) in the range of $24 million coupled with a need for quality, affordable housing options. The owners agree to make 20 annual payments to City based on the payment amounts outlined in the agreement at a 3% annual increase. This would be just over $500,000 in payment totals over the 20-year period. In the event that the owners continue to own the property for more than 20 years, they will continue to make annual PILOT payments to City based upon a continuation of the 3% annual increase.

These reinvestment projects would not happen without the tax exemption off-set under the ownership structure of Nortex HFC making them financially feasible. The resolution does not include any additional commitments from City of Wichita Falls.

☒ **Principal Planner**

☒ **Development Services Director**

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution, Exhibit A - Location Map; Exhibit B - Aerial Site Plan; Exhibit C – Photos/Site Plan Existing Complex; Exhibit D – Sample Photo/Floor Plan Renovated Complex; Exhibit E – NORTEX HFC Overview; Exhibit F - Payment-in-Lieu-of-Tax Agreement

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Resolution No. _____

Public hearing and resolution of no objection from the City of Wichita Falls for an application from OPG Sun Valley Apartments, LP. to the Texas Department of Housing and Community Affairs for 2024 Housing Tax Credits at 1315 E. Central Fwy., Wichita Falls for acquisition/redevelopment of property by developer Overland Property Group and NORTEX Housing Finance Corporation; and authorizing City Manager to enter into a Payment in Lieu of Taxes (PILOT) agreement.

WHEREAS, the multi-family housing project, currently known as Sun Valley Apartments, located at 1315 E. Central Freeway in Wichita Falls, will be acquired by OPG Sun Valley Apartments, LP; and,

WHEREAS, OPG Sun Valley Apartments, LP. has proposed a development for affordable rental housing of 132 units that will be located at 1315 E. Central Freeway in City of Wichita Falls, Wichita County, Texas; and,

WHEREAS, OPG Sun Valley Apartments, LP. has briefed the City Council of the City of Wichita Falls on its plan for the acquisition and redevelopment of the Sun Valley Apartments in the City of Wichita Falls, Wichita County, Texas; and,

WHEREAS, OPG Sun Valley Apartments, LP. has advised the City Council for the City of Wichita Falls that it has submitted an application to the Texas Department of Housing and Community Affairs for 2024 4% Housing Tax Credits for said complex, currently known as Sun Valley Apartments; and,

WHEREAS, the City Council of the City of Wichita Falls is not objecting to the application of OPG Sun Valley Apartments, LP. to the Texas Department of Housing and Community Affairs for such Tax Credits.

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

1. The Governing Body of the City of Wichita Falls supports economic reinvestment to help ensure continued, high quality affordable housing for its' residents; and

2. Notice was provided to the Governing Body of the City of Wichita Falls in accordance with Texas Gov't Code, §2306.67071(a); and

3. The Governing Body of the City of Wichita Falls has had sufficient opportunity to obtain a response from the OPG Sun Valley Apartments, LP. regarding any questions or concerns about the proposed Development; and

4. The Governing Body of the City of Wichita Falls has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code, §2306.67071(b); and

5. The findings and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes; and

6. After due consideration of the information provided by the OPG Sun Valley Apartments, LP. and public comment, the Governing Body of the City of Wichita Falls does not object to the proposed TDHCA Application, and that this formal Resolution is recorded in the minutes of the City of Wichita Falls on file with its City Clerk's Office; and

7. The Governing Body of the City of Wichita Falls further directs the City Clerk to send a certified and true copy of this Resolution to the TDHCA - Texas Department of Housing and Community Affairs.

8. The Governing Body of the City of Wichita Falls further authorizes the City Manager to enter into a Payment in Lieu of Taxes (PILOT) agreement with OPG Sun Valley Apartments, LP. And NORTEX Housing Finance Corporation upon acquisition of 1315 E. Central Freeway attached hereto, which may be amended by the City Attorney.

9. This ordinance shall take effect July 18, 2024.

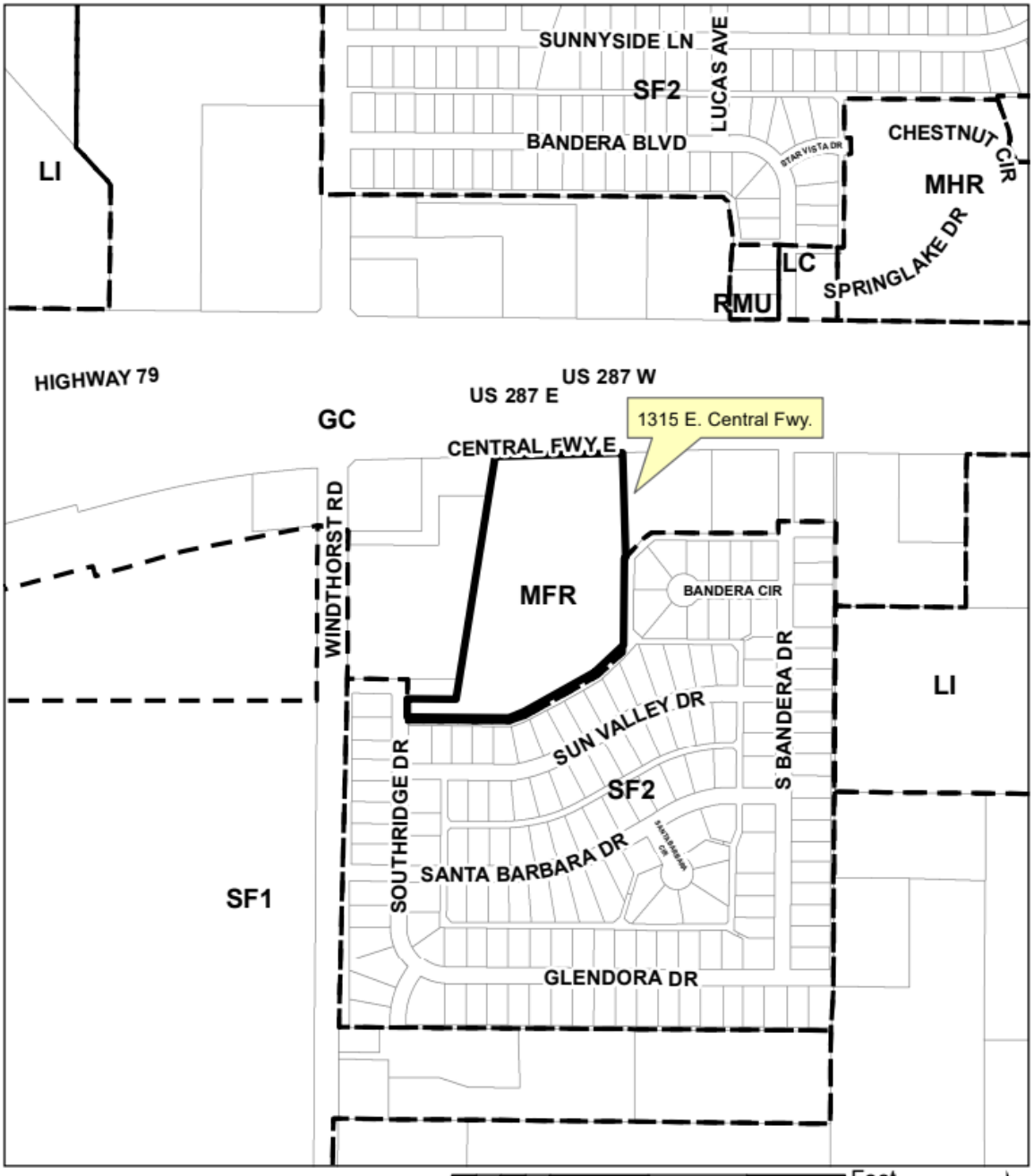
PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

Exhibit A - Location Map
OPG Sun Valley Apartments, LP.



1315 E. Central Fwy.
OPG Sun Valley Apartments, LP.
Location Map

Legend

Subject Property

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

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: June 2024

Exhibit B - Aerial Site Plan
OPG Sun Valley Apartments, LP.



1315 E. Central Fwy.
OPG Sun Valley Apartments, LP.
Aerial Map

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

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: June 2024
IMAGERY NOTE: Pictometry JAN2022

Exhibit C – Photos/Site Plan Existing Sun Valley Apartments





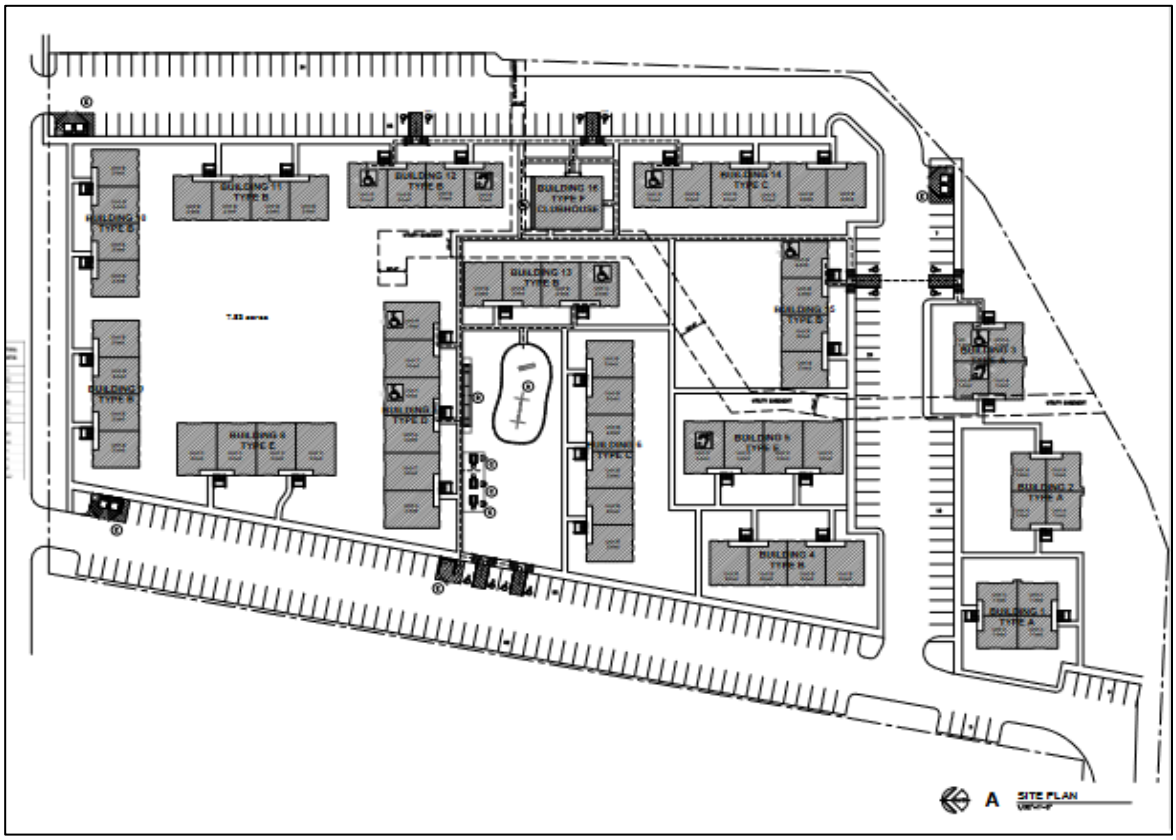
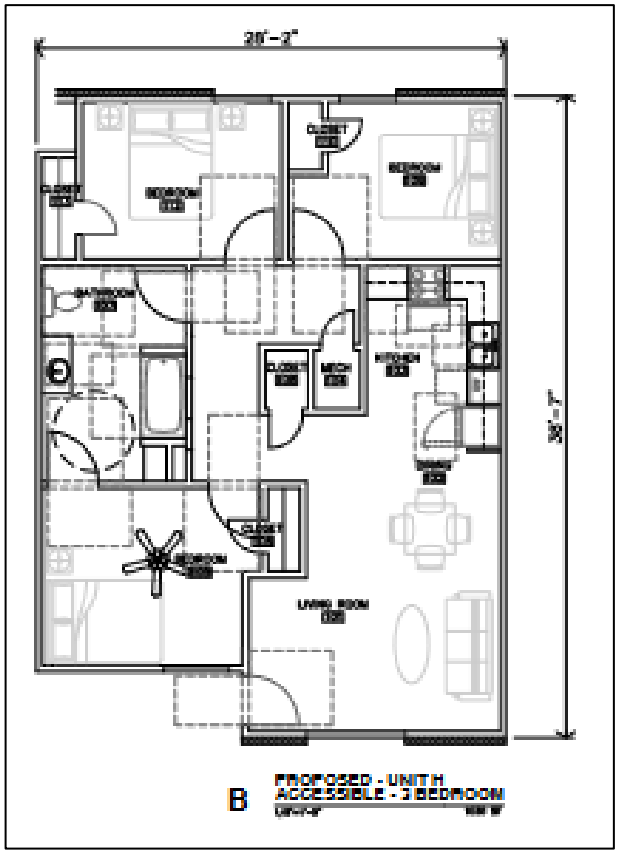


Exhibit D – Sample Photo/Floor Plan
OPG Sun Valley Apartments, LP.





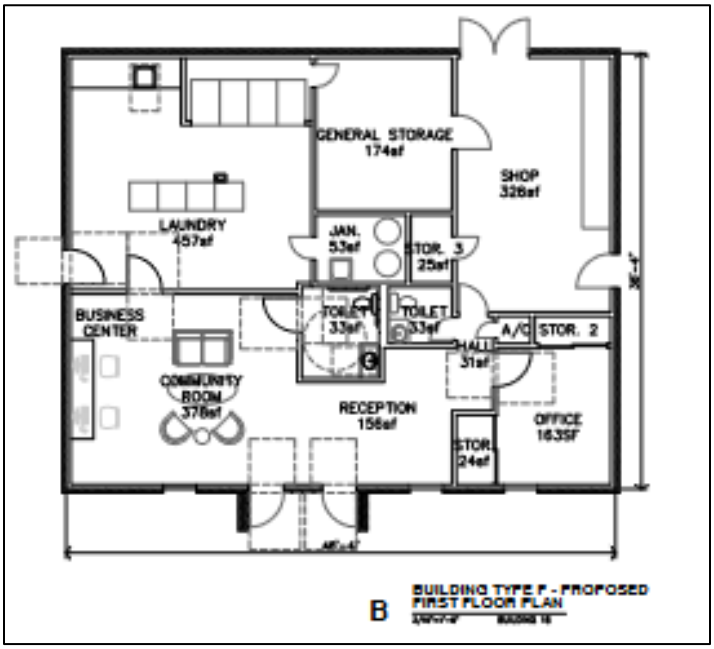


Exhibit E

NORTEX HOUSING FINANCE CORPORATION OVERVIEW

PURPOSE

Founded in 1995, the NORTEX Housing Finance Corporation (HFC) is a Texas non-profit corporation, formed by counties in the NORTEX Regional Planning area. An HFC is authorized by the Texas Local Government Code, Chapter 394, "to provide a means to finance the cost of residential ownership and development that will provide decent, safe, and sanitary housing at affordable prices for residents of local governments". Actions have included issuing single family mortgage revenue bonds, special down payment assistance finance, multifamily housing bonds, and loans for the development of multifamily units. ***To date, several thousand home owner families and apartment dwellers in the local region have been assisted by the actions of the NORTEX HFC.***

Mortgage revenue bond loans that operated several years ago were fixed rate 30-year loans that required financial qualification by the homebuyers. Eligible homebuyers could then have family incomes up to $65,000, depending on family size, essentially a moderate-income program.

NORTEX programs are available to eleven counties – Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, and Young. This includes the citizens of the City of Wichita Falls and Vernon. ***These governmental units have no financial liability for the HFC programs.*** The counties' responsibilities include the confirmation of Board appointments and the approval of bond issues. The HFC is considered to be an instrumentality of local government.

BOARD OF DIRECTORS

Paul Wylie, Jr., President; Archer County
Greg Ross, Vice President; Attorney, Wichita County
Dennis Wilde, Secretary /Treasurer, Executive Director, NORTEX Regional Planning Commission
Michael Smith, Councilman; City of Wichita Falls
Tammy Martinez, Hardeman County

EXECUTIVE DIRECTOR

Dave Clark Office: 940 691-6857 Cell: 940 235-0119

PROFESSIONAL SUPPORT

Bond development and other affordable housing operations are accomplished with the assistance of field professionals that include bond counsel, financial advisors (underwriters, placement agents), trustees, and servicers. Program "team" members and the location of their participating offices have included:

Bond Counsel:	Chapman & Cutler LLP, Chicago, IL
Trustees:	TX Bank of New York Mellon Trust Co., Dallas, TX
	Bank of Texas, Ft. Worth, TX
Financial Advisor & Placement Agents:	Raymond James, Memphis, TN, Dallas TX
	George K. Baum & Company (Stifel), Denver, CO
Municipal Advisor:	Hilltop Securities, Dallas, Austin TX
Servicers:	U.S. Bank Home Mortgage, Cleveland, OH; Bank of America, TX, CA
Lender Training:	E Housing Plus, Cooper City, FL

Exhibit E - Cont'd

NORTEX HFC PROGRAM HISTORY 5/2024

MORTGAGE REVENUE BONDS (MRB)

These bonds facilitate lower than market rate home mortgages in an 11-county region primarily to first time homebuyers. NORTEX Housing Finance Corporation has issued:

Mortgage Revenue Bonds **$82,805,000 (Tax Exempt Total)**

1996	**$13,750,000**
1998	**$4,235,000**
1999A	**$15,000,000**
2002	**$10,000,000**
2006	**$15,370,000**
2009	**$24,450,000**

Taxable Mortgage Revenue Bonds (2000) **$10,000,000**
Recycling Bonds (2001) **$30,000,000**

Operation for mortgage loans is ultimately dependent on the participation of local mortgage lending institutions. Participants have included:

American National Bank ▪ First Bank ▪ First National Bank. First United Bank
Herring National Bank ▪ Prime West Mortgage ▪ Security National - Wells Fargo

MULTI-FAMILY

NORTEX HFC has issued multi-family bonds for the acquisition and rehabilitation of affordable apartment units. It has also provided a loan as part of the general financing for the construction of a new complex. This has facilitated the development of **628** units.

Multi-family Bonds	**$9,352,000** American Housing Foundation, 320 units
Development Loan	**$15,000** Woodview Apartments, 104 units
Development Loan	**$155,000** Chisholm Trail Crossing Apts., Vernon TX, 44 units
***Development Loan**	**$495,000** Washington Village Apts., Wichita Falls, 96 units
***Development Loan**	**$300,000** Parkstone II, Wichita Falls, 64-unit addition

*In cooperation with Southeast Texas HFC

BOND RATINGS

The complete total of bonds issued has been **$132,157,000**. All of the senior bonds have been AAA rated and purchased by the Federal National Mortgage Association (Fannie Mae) or the Transamerica Life Insurance Company.

CURRENT PROGRAMS

NORTEX presently offers the Housing Across Texas (HAT) and the 5 Star Texas Advantage programs allowing up to 5% down payment assistance. The program is operated through 5 mortgage providers.
The HFC owns Leslie Manor, an affordable senior citizen complex in Quanah, Texas.
Projects are being developed that may include the issuance of Multifamily Bonds and Partnership for the Acquisition/Rehabilitation of a 132-unit apartment complex.

Exhibit F

PAYMENT-IN-LIEU-OF-TAX AGREEMENT

This Payment-In-Lieu-Of-Tax Agreement (this "Agreement") dated as of _____ _____, 2024 is entered into by and among the City of Wichita Falls, Texas ("City"), OPG Sun Valley Apartments, LP, a Texas limited partnership (as the "Owners") and Nortex Housing Finance Corporation ("Nortex"), a Texas public, nonprofit housing finance corporation, upon terms and conditions set forth herein.

RECITALS

WHEREAS, the Owners are seeking to rehabilitate existing low-income housing in Wichita Falls, Texas by acquiring leasehold ownership of Sun Valley Apartments, more fully described on **Exhibit A** (such apartment complex and land on which it is situated hereinafter referred to as the "Property"); and,

WHEREAS, Nortex will partner with the Owners to provide certain financial incentives for the Property, and to participate in the ownership structure for the Property via Nortex subsidiaries acting as general partner of the Owners and as fee title owner and ground lessor of the land on which the Sun Valley Apartments development is situated; and,

WHEREAS, the participation of Nortex with the Owners is anticipated to generate a property tax exemption for the Property; and,

WHEREAS, the resolution of no objection of City to Nortex's application to the Texas Department of Housing and Community Affairs is critical for the Owners to obtain 2024 Housing Tax Credits; and,

WHEREAS, the Owners wish to make a tax-equivalent payment in support of City's mission, goals, and objectives; and,

WHEREAS, City finds that this Agreement serves the public purpose of promoting economic growth.

NOW, THEREFORE, it is agreed by the parties hereto that:

1. For such time as the Property qualifies for exemption from property taxes, the parties hereto approve the PILOT payment schedule as shown on **Exhibit B**, and the Owners agree to make 20 annual payments to City based on the payment amounts shown therein. In the event that the Owners continue to own the Property for more than 20 years, and subject to the terms and conditions hereof, the Owners agree to continue to make annual PILOT payments to City based upon a continuation of the 3% annual increase shown in **Exhibit B** for every subsequent year the Owners own the Property and the Property receives an exemption from taxes.

2. The first PILOT payment is due from the Owners to City on or before the later of October 1, 2025 or the date Owner acquires leasehold ownership of the Property.

Annual PILOT payments will be due on or before October 1 each following year for which payment is being made. If the Owners fail to pay the PILOT payment to the City within such time, and such failure continues for ten days after written notice of such default to the Owners by the City, the City shall have the right to exercise any and all legal remedies available to it to obtain such payment. The Owners agree to pay the statutory amounts for penalties, interest, attorney's fees, and costs of collection applicable to suits to recover delinquent ad valorem taxes under Texas Tax Code Chapter 33 for failure to remit timely PILOT payments to City as a contractual obligation even though the Property will be exempt from local ad valorem taxation.

3. All payments shall be made payable to City of Wichita Falls and shall be sent to the Director of Finance, City of Wichita Falls, Wichita Tower, 705 8th Street, Wichita Falls, Texas 76301.

4. Severability. To the extent permitted by law, a holding by any court that any part or any provision in this Agreement is invalid, illegal or unenforceable in any respect shall not affect any other provision, and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been a part of the Agreement.

5. Non-Waiver of Rights. This Agreement may not be amended except in a writing specifically referring to this Agreement and signed by the parties hereto. Any right created under this Agreement may not be waived, except in a writing specifically referring to this Agreement and signed by the party waiving the right. Provided, however, termination of this Agreement shall not relieve the Owners, or its successors, from any payments due City prior to such termination.

6. Liquidated Damages; No Lien. If for any reason the Owners should fail to make the PILOT payment in accordance with paragraph 3, the parties agree that (i) the amount of taxes that would have been imposed upon the Property plus (ii) the amount of any interest calculated in accordance with paragraph 2; plus (iii) City's reasonable attorney's fees and costs of collection should any action be required in order to compel payment of all such amounts shall serve as liquidated damages from the Owners to City. Nothing in this Agreement shall be construed as creating a lien against the Property, nor shall the City be entitled to place a lien on the Property for any unpaid portion of the PILOT payment or any related expenses and payables.

7. Notices. Any notice provided or permitted to be given pursuant to this Agreement must be in writing and may be served by depositing same in the United States mail, addressed to the party to be notified, postage prepaid, certified mail, with return receipt requested, by fax (with confirmation of receipt), by personal delivery service or nationally recognized air courier service. For purposes of notice, the addresses of the parties shall be as set forth below:

Director of Finance
City of Wichita Falls
c/o Wichita Tower

705 8th Street
Wichita Falls, Texas 76301

Nortex Housing Finance Corporation
2112 Indian Heights Boulevard
Wichita Falls, Texas 76302

OPG Sun Valley Apartments, LP
c/o Overland Property Group (OPG)
254 North Santa Fe Avenue, Suite A
Salina, Kansas 67401

8. Governing Law and Venue. This agreement shall be governed by the laws of the State of Texas. Venue for any action concerning this Agreement shall be in the District Courts of Wichita County, Texas.

9. Assignment. The Owners may not assign, transfer or otherwise convey any of its rights or obligations under this Agreement to any other person or entity without the prior consent of City, which consent shall not be unreasonably withheld, conditioned on (i) the prior approval of the assignee or successor and a finding by City that the proposed assignee or successor is financially capable of meeting the terms and conditions of this Agreement and (ii) prior execution by the proposed assignee or successor of a written agreement with City under which the proposed assignee or successor agrees to assume and be bound by all covenants and obligations of the Owners under this Agreement. Any attempted assignment without City's prior consent shall constitute grounds for termination of this Agreement and following ten (10) calendar days of receipt of written notice from City to the Owners and Nortex.

10. Entire Agreement. This Agreement constitutes the entire understanding between the parties and supersedes any prior negotiations, discussions, agreements, and understandings between the parties with respect to the subject matter of this Agreement.

11. Termination. This Agreement shall continue for a term concurrent with the exemption of the Property. Notwithstanding anything herein to the contrary, at such time as the Property no longer receives an exemption from ad valorem taxes, this Agreement shall automatically terminate, and be of no further force and effect.

12. No Continuation by Nortex. In the event that an affiliate of Overland Property Group no longer participates in the ownership of the Owners: (i) Nortex shall promptly notify the City; and (ii) Nortex and the Owners shall not continue to seek and/or receive an exemption for the Property without the express consent of the City.

13. Role of Nortex. Nortex is entering into this Agreement for the limited purposes set forth herein. The parties hereto agree that the PILOT payments are the sole obligations of the Owners and that neither Nortex nor any affiliates or subsidiaries of

Nortex (including such entities serving as general partner of the Owners and as fee title owner and ground lessor of the land on which the Sun Valley Apartments development is situated) shall have any obligation to make such PILOT payments.

Executed to be effective as of the date set forth above.

CITY OF WICHITA FALLS, TEXAS

By: _____
Darron Leiker, City Manager

Attest:

_____
City Clerk

Approved as to form:

_____
Kinley Hegglund, City Attorney

NORTEX HOUSING FINANCE CORPORATION

By: _____
David A. Clark, Executive Director

Attest:

_____

OPG SUN VALLEY APARTMENTS, LP,
a Texas limited partnership
By: OPG Sun Valley Managers, LLC,
a Texas limited liability company
Its: General Partner

By: Overland Communities Group, LLC,
a Delaware limited liability company
Its: Sole Member

By: Overland Property Group, LLC
a Delaware limited liability company
Its: Manager

By: Overland Property Group, LLC
a Kansas limited liability company
Its: Manager

By: _____
Matthew Gillam
Its: Manager

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

A part of Block No. Three (3), of the Amended Final Plat of SUN VALLEY, SECTION THREE (3), an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat recorded in Volume 18, Pages 30 & 31, Wichita County Plat Records, further described by metes and bounds as follows:

FIELD NOTES OF 7.80 ACRES BEING ALL OF BLOCK 3, SECTION THREE (3), AMENDED FINAL PLAT OF SUN VALLEY, AN ADDITION TO THE CITY OF WICHITA FALLS, TEXAS AS RECORDED IN VOLUME 18, PAGES 30 AND 31, WICHITA COUNTY PLAT RECORDS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the Northeast corner of Block 3, Section 3, Sun Valley as recorded in Volume 18, Pages 30 and 31, Wichita County Plat Records, said rod is in the South line of Central Freeway East and is also the Northwest corner of Lot 1, Block 4, Sun Valley, Section Four as recorded in Volume 23, Page 148, Wichita County Plat Records, for the Northeast corner of this tract;

THENCE S 01° 20' 04" E, with the East line of said Block 3, and the West line of said Lot 1, a distance of 317.75 feet to an iron rod set in the Northwest line of a 25.0 foot alley, for an angle corner of this tract;

THENCE with the Northwest, West, and North lines of said alley as follows: S 45° 55' 00" W a distance of 6.69 feet to an iron rod set for an angle corner of this tract; S 00° 55' 00" W a distance of 262.86 feet to an iron rod set for the Southeast corner of this tract; S 47° 13' 00" W a distance of 122.25 feet to an iron rod set for an angle corner of this tract; S 61° 11' 00" W a distance of 245.34 feet to an iron rod set for an angle corner of this tract; S 69° 06' 00" W a distance of 51.08 feet to an iron rod set for an angle corner of this tract; and N 89° 01' 00" W a distance of 309.33 feet to an iron rod set at the intersection of the North line of said alley and the East line of Southridge Drive, for the Southwest corner of this tract;

THENCE N 00° 59' 00" E, with the East line of Southridge Drive, a distance of 55.00 feet to an iron rod set at the Southwest corner of Lot 3, Block 2, amended final plat of Sun Valley–Section Three as recorded in Volume 26, Page 734, Wichita County Plat Records, for an ell corner of this tract;

THENCE S 88° 03' 26" E, with the South line of said Lot 3, a distance of 149.57 feet to an iron rod found at the Southeast corner of said Lot 3, for an angle corner of this tract;

THENCE N 09° 28' 46" E, with the East line of said Lot 3, the East line of Lot 2, Block 2, Sun Valley, Section Three as recorded in Volume 27, Pages 550 and 551, Wichita County Plat Records, and the East line of Lot 1, Block 2, Sun Valley, Section Three, as recorded in Volume 19, Pages 15 and 16, Wichita County Plat Records, a distance of 750.61 feet to an iron rod found at the Northeast corner of said Lot 1, said rod being in the South line of Central Freeway East, for the Northwest corner of this tract;

THENCE N 88° 39' 56" E, with the South line of Central Freeway East, a distance of 389.35 feet to the PLACE of BEGINNING and containing 7.80 acres of land.

EXHIBIT B

PILOT PAYMENT SCHEDULE

PILOT Payment Schedule: Sun Valley Apartments, LP.
City of Wichita Falls - Payment in Lieu of Taxes

	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	Yr 12	Yr 13	Yr 14	Yr 15
Sun Valley Apartments, LP	$19,366.40	$19,947.39	$20,545.81	$21,162.19	$21,797.05	$22,450.97	$23,124.49	$23,818.23	$24,532.78	$25,268.76	$26,026.82	$26,807.63	$27,611.86	$28,440.21	$29,293.42
	Yr 16	Yr 17	Yr 18	Yr 19	Yr 20										
	$30,172.22	$31,077.39	$32,009.71	$32,970.00	$33,959.10				3% Annual increase after first year						
									20-year timeframe						

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Resolution establishing an advisory Citizen Committee for Public Safety Facility Needs.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Establish a Citizens Committee for Public Safety Facility Needs

COMMENTARY: At its meeting held on April 2, 2024, the Council adopted a resolution for the 2024 Strategic Plan. Part of the Strategic Plan included the goal to Provide Quality Infrastructure and a strategy of Establishing a Citizen Committee for Public Safety facility needs. This resolution establishes the Committee as well as its charge. Staff has solicited feedback from the Council, and the following recommendation is based on such feedback.

The Citizen Committee ("Committee") is an advisory committee and shall be composed of 15 voting members hereby appointed by the City Council:

1. Councilor Whiteley
2. Councilor Battaglino
3. Councilor Smith
4. ACM Blake Jurecek
5. IT/Facilities Manager, Derek Brown
6. Chief Borrego
7. Chief Hughes
8. Reno Gustafson
9. Tyler Methvin
10. Tanner Wachsman
11. Carol Murray
12. Dave Clark
13. WFPD Representative
14. WFFD Representative
15. _____

The Committee shall be charged to perform the following action plan:

1. Review BYSP and BSW's Public Safety Needs Assessment.
2. Tour facilities and analyze facility assessment information.
3. Evaluate immediate, emerging, future infrastructure, building systems, and public safety needs.
4. Prioritize the PS facility needs for the next ten years.
5. Evaluate proposed options, renovations, and upgrades.
6. Recommend a solution that is cost-effective and realistic for our community.
7. Serve as information providers and key communicators to the community throughout the process.
8. The committee will recommend to the City Council the timing, funding, and priority of facility needs for the next ten years.
9. Sunset December 31, 2026.

A couple of items need to be discussed for this resolution. The first is assigning a Committee Chair, which staff recommends a council member. One member is still not assigned. The resolution has a provision that allows the Committee Chair to assign members as necessary to maintain 15 members so that the last member could be assigned later.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution establishing an advisory Citizen Committee for Public Safety facility needs

WHEREAS, one of the strategic goals of the City Council is to provide quality infrastructure; and,

WHEREAS, the strategy to accomplish this goal is to establish a Citizen Committee for Public Safety facility needs; and,

WHEREAS, to achieve this goal, the City Council desires to establish a Citizen Committee for Public Safety facility needs.

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

The Citizen Committee ("Committee") is an advisory committee and shall be composed of 15 voting members hereby appointed by the City Council:

1. Councilor Whiteley
2. Councilor Battaglino
3. Councilor Smith
4. ACM Blake Jurecek
5. IT/Facilities Manager, Derek Brown
6. Chief Borrego
7. Chief Hughes
8. Reno Gustafson
9. Tyler Methvin
10. Tanner Wachsman
11. Carol Murray
12. Dave Clark
13. WFPD Representative
14. WFFD Representative
15. _____

A quorum of the Committee consists of eight members. The Chairperson of the Committee will be _____. The Chairperson will be responsible for running the meetings, setting agendas, appointing members (max 15), and calling for votes on agenda items. The members shall elect from its membership a Vice Chairperson of the Committee. The Vice-Chair will perform these duties in the absence of the Chairperson. In the absence of both the Chairperson and Vice Chairperson, the Board shall elect a temporary Chair, who shall preside. The members shall elect from their membership a secretary to take minutes for each meeting. An affirmative vote of eight members is necessary to take any official action on behalf of the Committee. The ACM shall advise and be the primary staff liaison, who will be responsible for coordinating meetings and

preparing materials for the membership. The City Clerk shall advise membership, post meeting notices, and ensure minutes of the meetings are kept. The Fire and Police Chiefs are responsible for assigning their respective representatives.

The Committee shall be charged to perform the following action plan:

1. Review BYSP and BSW's Public Safety Needs Assessment.
2. Tour facilities and analyze facility assessment information.
3. Evaluate immediate, emerging, future infrastructure, building systems, and public safety needs.
4. Prioritize the PS facility needs for the next ten years
5. Evaluate proposed options, renovations, and upgrades.
6. Recommend a solution that is cost-effective and realistic for our community.
7. Serve as information providers and key communicators to the community throughout the process.
8. The committed will make recommendations to the City Council concerning the timing, funding, and priority of facility needs for the next ten years.
9. Sunset December 31, 2026.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Resolution announcing the termination of Stage 1 Drought Watch water restrictions and the resumption of the regular water conservation measures described in Section 106-186(a) of the Code of Ordinances of the City of Wichita Falls.

INITIATING DEPT: Mayor

COMMENTARY: The watersheds of all water supply reservoirs received significant rain fall during the month of May. Precipitation amounts varied across the watersheds; however, enough runoff was generated to increase the combined capacities of Lakes Arrowhead and Kickapoo by nearly 25%, to 79.1% as of Monday, June 10th. This combined capacity would place the City above Stage 1 (65%) of the City's water conservation ordinance.

The City has been under Stage 1 water conservation measures since January of 2023. With the recent rain events and the increase in reservoir capacities, it would seem appropriate to consider removal of the Stage 1 water restrictions currently in place.

City staff has had internal discussion regarding this issue and has also sought the input of the Water Resources Commission. The general consensus was to terminate Stage 1 water restrictions when the combined lake levels were at, or above 78% combined capacity.

The water conservation ordinance requires the vote of the council to terminate each stage of the water conservation ordinance. A resolution for your consideration is attached to end Stage 1 water restrictions of the City's water conservation plan.

☒ **Public Works Director**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution announcing the termination of Stage 1 Drought Watch water restrictions and the resumption of the regular water conservation measures described in Section 106-186(a) of the Code of Ordinances of the City of Wichita Falls

WHEREAS, pursuant to Section 106-186(i) of the Code of Ordinances of the City of Wichita Falls, the Director of Public Works shall declare that each water restriction trigger level has been reached and that the water use restrictions for each respective stage are in effect. The restrictions will remain in effect until the lakes rise to a level that, when combined with the long-term forecast, assures the City an adequate supply of water; and,

WHEREAS, the City Council, by majority vote, and after consultation with the Director of Public Works, shall announce the termination of each respective stage of restrictions that are triggered by lake levels; and,

WHEREAS, due to recent rains, the combined totals of Lakes Arrowhead and Kickapoo have risen to a level that, when combined with a long-term forecast, assures the City an adequate supply of water to allow for the lessening of water restrictions.

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

The City Council hereby announces the termination of Stage 1 water restrictions and resumes regular water conservation measures listed in Section 106-186 (a) of the Code of Ordinances until further official notice.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the fiscal 2024 budget to increase funding for the Downtown Improvement Grant Program.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Pursue Public-Private Partnerships

COMMENTARY: TEXAS LOCAL GOVERNMENT CODE § 501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation."

At its June 7, 2024 meeting, the corporation's Board conducted a public hearing and approved increasing the current year's FY 2024 funding for the corporation's long-standing Downtown Improvement Grant Program from $100,000 to $250,000. The Board also directed that the future FY 2025 budget include no less than $250,000 for the program.

The agenda item from the Board meeting is attached which includes information on the successful program, the corporation's current financial statement, as well as the grant program's guidelines. Also included is a list of approved projects that have been funded, are awaiting reimbursement pending approval of the budget amendment, or are anticipated to be funded in the current fiscal year (prior to October 1, 2024).

Staff recommends approval of the resolution.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Wichita Falls Type B Sales Tax Corporation
June 7, 2024

ITEM/SUBJECT: Consider a take action to amend the corporation's fiscal 2024 annual budget related to the Downtown Improvement Grant Program.

ATTACHMENTS:
1. 2024 Financial Report
2. List of approved/pending projects/payments in FY 2024
2. Current Downtown Improvement Grant Guidelines

Staff Summary:
For a number of years, the Corporation has included in its budget up to $100,000 to assist in historic preservation and the renovation of the older buildings and property in the downtown core (i.e. "4B Eligible Area"). Eligible projects can receive up to a 50% match, not to exceed $12,500. Eligible projects include, but are not limited to, facades (roof, foundation, windows, paint, etc), signage, landscaping, interior wiring and plumbing, sidewalk replacement, and ADA improvements. Payment is made only after the project is complete and costs have been "proved up." These projects have historically been managed by City staff, administratively approved, and, more recently, ratified by the Board (consent agenda) and City Council (approval of minutes).

In October 2022, the Board approved increasing the maximum grant amount from $5,000 per address per year to $12,500. As of May 2024, payments for eligible project in the current fiscal year have exceeded the budgeted amount of $100,000, and there is the possibility of another $125,000 in eligible reimbursements yet to be made (see attached report). As such, the request is to amend the budget to increase the line item for the current fiscal year from $100,000 to $250,000.

Staff recommends approval. If approved by the Board, the City Council will consider the same on June 18.

City of Wichita Falls, TX
4B Sales Tax Corporation
Financial Summary

Current as of May 30, 2024		FY 2023		FY 2024	
		Revised Budget	YTD Actual	Revised Budget	YTD Actual
Beginning Fund Balance (10/1)		**$ 9,511,344**	**$ 10,643,251**	**$ 9,511,344**	**$ 13,559,221**
REVENUES					
Sales Taxes		$ 5,110,000	$ 5,164,778	$ 5,284,050	$ 2,539,622
Interest		208,000	654,257	471,200	566,332
Reimbursement (TIF #2)		358,832	358,735	359,707	-
Reimbursement Prior Year (Trails)		-	43,633	-	-
Parking Garage Lease		-	1,200	-	1,500
Total Revenues		**5,676,832**	**6,222,603**	**6,114,957**	**3,107,454**
EXPENDITURES					
Annual Programs					
Debt Service - Projects					
Trail/Land/Firing Range (Ref. 2018-2029) Series 2018B		452,900	454,200	454,900	-
Castaway Cove Water Pk (2010-2025) Series 2021 Taxable		231,750	102,087	101,762	-
TIF #2 / Rhea Road (2011-2031) Series 2021 Tax Exempt		210,300	208,735	208,781	235,679
WF Municipal Airport (2013-2033)		140,000	140,000	140,000	-
TIF #2 Maplewood (2015-2026) Series 2015A		208,735	208,735	209,707	-
Golf Renovation (2015-2026) Series 2015B		323,230	323,230	324,936	-
MPEC Conference Center (2022-2050)		948,468	948,468	946,359	-
Downtown Improvement Grants		100,000	109,252	100,000	101,927
CVB Incentive Funding		35,000	35,000	35,000	35,000
Professional Fees & Advertising		4,000	6,600	4,000	4,212
Directors & Officers Insurance		5,000	4,967	5,000	-
Capital Equipment Maintenance		175,000	175,000	-	-
Administration Charges		30,000	30,000	30,000	-
Parking Garage - Annual Program		25,000	21,020	25,000	-
Annual Programs Total		**2,889,383**	**2,767,294**	**2,585,445**	**376,817**
Open Projects	**Original Award**				
713 Indiana LLC	250,000	250,000	83,333	166,667	83,333
Bicycle Lanes	100,000	117,088	4,438	112,650	88,950
District 5 Park Improvements	318,000	26,005	-	26,005	-
MPEC Hotel Developer	2,000,000	2,000,000	-	2,000,000	2,000,000
The Kate/Petroleum Building	1,017,192	1,017,192	-	1,017,192	1,017,000
Restoring the Past (604 7th)	22,350	22,350	-	22,350	-
Restoring the Past (608 7th)	49,000	49,000	-	49,000	-
S&A LLC 816 Indiana	69,556	69,556	-	69,556	69,556
Chelsea Plaza (804 Lamar)	138,991	138,991	-	138,991	-
SAFB Consultant (2026)	219,000	219,000	-	219,000	72,000
Sports Complex Improvements	197,000	197,000	-	197,000	57,051
Circle Trail Match (Camp Fire to Lucy Park)	760,688	-	-	760,688	
Open Project Total	**5,141,777**	**4,106,182**	**87,771**	**4,779,099**	**3,387,890**

City of Wichita Falls, TX
4B Sales Tax Corporation
Financial Summary

Current as of May 30, 2024		FY 2023		FY 2024	
		Revised Budget	YTD Actual	Revised Budget	YTD Actual
Beginning Fund Balance (10/1)		**$ 9,511,344**	**$ 10,643,251**	**$ 9,511,344**	**$ 13,559,221**
Closed Projects					
Pickers Universe	133,000	133,000	133,000	-	-
Wichita Co Heritage (Kell House)	100,000	100,000	100,000	-	-
Backdoor Theatre	104,632	104,632	104,632	-	-
Land Purchase - 1500 Scotland		62,443	62,250	-	-
Arts Alliance Mural	10,000	5,000	5,000	-	-
TAP Grant Match (Circle Trails)	2,391,923	599,781	-	-	-
MPEC Conf. Center (Architect)	456,477	106,521	46,685	-	2,646
Closed Projects Total	**3,196,032**	**1,111,377**	**451,567**	**-**	**2,646**
Total Expenditures		**8,106,942**	**3,306,633**	**7,364,544**	**3,767,354**
Revenues Less Expenditures		(2,430,110)	2,915,970	(1,249,587)	(659,900)
Less Open Projects			4,018,411		1,391,209
Less Budgeted Annual Programs (not yet spent)			-		2,208,628
Unrestricted Fund Balance		**$ 7,081,234**	**$ 9,540,810**	**$8,261,757**	**$ 9,299,485**

4B STC DOWNTOWN IMPROVEMENT GRANTS

The incentive grant program's primary consideration is to encourage economic development through historic preservation and renovation of buildings and property. The 4B STC goal is to create, restore, and inspire quality growth of historic downtown Wichita Falls.

Project requests meeting these guidelines may be approved by the City Manager or his designee. The 4B STC Board of Directors may authorize grants for projects that do not meet these guidelines, or may be outside the eligible area. These projects may be considered on a case by case basis, with staff recommendations to the Board.

Downtown Area:

For purposes of this grant, the "Downtown" area shall be defined as any commercial property that is zoned as Central Business District (CBD), generally being the area from 5th Street to 14th/12th/11th Streets and Austin to LaSalle.

Projects within this area will be considered for grant incentives based on the following criteria.

Eligible Projects:

Eligible projects may include:

- Façade improvements, such as replacing roofing, flashing, foundation stabilization, windows, paint, wall repairs, brick re-pointing, replacing and exposing transom windows, replacing drain spouts, rusting or twisted metal awning or torn cloth awning, replacing roof shingled residential style awning with one more historically appropriate.
- Signage improvements.
- Interior improvements such as replacing wiring, plumbing, or addressing other city and state codes. Removal of false ceilings also constitutes an acceptable interior improvement project.
- Landscaping improvements, including xeriscaping, irrigation improvements, plants and materials.
- Hardscape improvements, including decorative fencing, sidewalks, ADA-compliant ramps, curb and gutter improvements.

Grant:

The 4B STC will match up to 50% of the cost of the project not to exceed $12,500 grant . Only one grant will be authorized per address per fiscal year. All applications for grant incentives shall be accompanied by construction quotes, bids or estimates. Reimbursement of eligible expenses must be accompanied by proof of payment and appropriate invoices.

Additional Guidelines:

1. The fiscal year is Oct. 1 to Sept. 30 to coincide with the City of Wichita Falls' fiscal year.

2. 4B grant funds may not be matched by other public funds (e.g., TIF funds, abatements, historic preservation grants, etc.); however, the project may utilize other public funds in addition to 4B grant funds and the private matched funds.

3. Façade is defined as the front exterior of a building and other exterior sides when they are emphasized.

4. Any exterior alterations to historic designated landmarks or buildings in designated historic preservation districts (e.g. Depot Square Historic District), including signage, fencing, façade, paint, or awnings, must obtain appropriate prior design review approval through the City's Landmark Commission and/or Texas Historical Commission, if applicable.

5. The application may come from the property owner or the tenant. If the application comes from the tenant, the tenant must include a letter from the property owner supporting the application and agreeing to the conditions of the grant. The tenant must produce a lease or other documentation showing the term of the lease.

6. The applicant must show itemized invoices and proof of payment (canceled checks, credit card statements, etc.) as documentation of the completed work with the request for payment.

7. The applicant shall be required to furnish photographs of the building's exterior, roof and foundation as part of the application request and also after the construction is completed, as a condition of final grant reimbursement (before and after photos).

8. Reimbursements will be made when the entire project is complete. The Assistant City Manager must approve all reimbursements.

9. Applicants receiving approval by the City shall commence construction described within the Application within sixty (60) days from the date the grant is awarded by the City. All Applicants must complete the construction described in the Application

within six (6) months from the date the grant is approved by the City and within the same fiscal budget year. If the Applicant is unable to commence construction within sixty (60) days from the date the grant is approved or complete construction within six (6) months from the date the grant is approved, the Applicant may submit a written request for an extension for the commencement date or completion date provided the extension request is made prior to the sixty (60) day or six (6) month time limit. The City shall not be obligated to allow extensions but may do so for good cause determined solely by the City. The extensions, if granted, shall be for the term and for the conditions determined exclusively by the City. An extension denial cannot be appealed and shall be final with the City.

10. No grant will be awarded for work that has already been initiated or completed. Building or business owners must apply for the grant before work has begun.

11. The applicant must not be involved in any litigation, owe taxes, or have liens filed that would affect the property for which the grant is intended.

12. The project must conform to City of Wichita Falls codes, ordinances and comprehensive plans. All applicable building permits must be obtained.

13. The applicant must notify the City in writing if the applicant makes any changes in the plans submitted to the committee with the original application. The 4B reserves the right to reconsider the application based on the changes to the original plan.

14. A five-year preservation period will be in effect after completion. During this period, alterations to the awarded project that are not approved by the 4B STC may result in reimbursement to the City of the awarded funds in accordance with the performance agreement for incentives

15. The 4B STC reserves the right to review and accept or reject all applications.

16. A letter will be sent to the applicant and it will act as a contract document providing notification of grant approval, specifying the terms and conditions of the grant. The letter will refer back to the project design and specifications that were approved and will be funded.
17. Projects for which the potential grant amount is $5,000 or above shall require the submittal of multiple bids for each applicable trade/sub-trade including, but not limited to, fire suppression, mechanical, electrical, plumbing, roofing, etc.
18. Upon completion of the project and as part of the applicant's request for payment, appropriate financial forms including, but not limited to, W-9 and Electronic Fund Transfer (EFT) shall be submitted.

Grant applications will be reviewed based on the following criteria:

1. Will the project reasonably add to the vitality of the business?
2. Does the project rehabilitate a historic building?
3. What will be the overall improvement of the building?
4. What is the general condition of the building? That is, how much of an improvement will the façade grant make to the building?
5. Is the project in the designated downtown area?
6. What contribution will the project make to the historic character or aesthetics of the downtown area?
7. Are the lighting, placement and design of the proposed signs appropriate to the location?
8. Does the plan exhibit professionalism of design?
9. If the applicant does not own the building, can the tenant show documentation of a lease and a letter of support for the project from the building owner?
10. What is the overall impact on the public, such as public access or visual impacts and the effect on the gateways to the downtown area?

APPLICATION FOR
4B STC DOWNTOWN IMPROVEMENT GRANT

Please return completed form with necessary attachments and signature to City of Wichita Falls, 1300 7th Street, Room 105. If you have any application questions, please contact City Hall at 940-761-7404. Application approval must be granted prior to construction and permanent signage. Grants awarded as budgeted funds are available.

APPLICANT *(Note: If you are not the building owner, the building owner must sign the application or submit a notarized letter of authorization)*

Name _____ Date: _____
Address _____
City _____ State _____ Zip _____
Telephone (Work) _____ (Home/Cell) _____
Email Address _____

BUILDING

Building Name _____
Building Address (including legal description) _____
_____
_____
Building Owner (if different than Applicant) _____
_____
Owner Address _____

DESCRIPTION OF WORK PROPOSED BELOW (attach drawings/pictures of proposed project)

_____
_____
_____
_____

Project Architect _____
Project Contractor _____
Total Project Estimated Cost $ _____

Construction Bids and Estimates must be submitted prior to approval. Bids should be itemized in a manner that allows the Board to determine the bid components and authenticity of the bid.

When do you expect to begin: _____
Expected Completion Date: _____

_____
Applicant's Signature ***Date***

_____
Building Owner's Signature ***Date***

FY 2023-24 4B Downtown Improvement Grant Program
Case Status – June 2024

Anticipated 4B Funding Needed Through September 2024: $139,121.00

Table 1 – Downtown Matching Grant Projects Approved and/or Reimbursed FY23/24

	Address	Project	Actual Project Cost	Match	Reimbursement Submission Date	Project Status:
1.	813 8th St	Oil & Gas Bldg.- HVAC; FY22/23	$20,372.65	$10,186.33	Sept 22-23 (processed Oct)	Closed
2.	600 8th St	Holt Hotel – site improvements/security panel upgrade	$27,883.17	$12,500.00	Sept 25-23 (processed Oct)	Closed
3.	1115 Lamar	Fashion Garage- electrical upgrade	$6,400.00	$3,200.00	Oct 5-23	Closed
4.	710 Lamar	Energy Center Bldg. – Phase I roof repair; applied Aug 23 FY22/23	$36,695.67	$12,500.00	Oct 12-23	Closed
5.	713 Indiana	Will Kelty Bldg. - windows	$31,338.38	$12,500.00	Oct 26-23	Closed
6.	522 Ohio	H C Lueke Bldg.- façade rehab	$9,747.87	$4,873.94	Oct 27-23	Closed
7.	710 Lamar	Energy Center Bldg. – Phase II roof repair; applied Oct 23 FY23/24	$36,695.67	$12,500.00	Dec 4-23	Closed
8.	701 Indiana	The Hub/Brewery – new access door to outdoor patio	$10,804.45	$5,402.22	Dec 28-23	Closed
9.	814 Indiana	Allure Nightclub – install fire suppression	$123,081.02	$12,500.00	Jan 11-24	Closed
10.	816 Indiana	Yucca House – convert storage to apt.	$25,451.63	$12,500.00	Jan 18-24	Closed
11.	600 6th St	Jones Bldg./6th St Winery – signage	$2,722.54	$1,361.27	Feb 5-24	Closed
12.	806 Travis	Travis Park Venue – electric service	$24,178.33	$12,089.17	April 2-24	Closed
		Total Project Investment FY23/24:	$355,371.38			
		Total 4B Investment FY23/24:		$112,112.93		

Table 2 - Downtown Matching Grant Projects Approved, Completed and Pending Reimbursement FY23/24

	Address	Project	Actual Project Cost	Match	Reimbursement Submission Date	Project Status:
1.	617 7th St	Beer Garden Patio – develop vacant lot	$50,866.87	$12,500.00	May 14-24	*Payment Hold – no funding*
2.	900 8th St	Hamilton Bldg. sidewalk/curb/gutter	$33,990.50	$12,500.00	Processing – May/June	*Payment Hold – no funding*
3.	912 8th St	Hamilton Bldg. Parking Lot sidewalk/curb/gutter	$39,820.00	$12,500.00	Processing – May/June	*Payment Hold – no funding*
4.	726 Scott	The Kate – replace 6th fl. windows	$14,642.35	$5,000.00[1]	Processing – June	*Payment Hold – no funding*
5.	813 8th St	Oil & Gas Bldg. – new fire panel FY23/24	$18,240.13	$9,120.06	Processing – June	*Payment Hold – no funding*
		Total 4B Funds Required:		***$51,620.06***		

[1] Project held by CWF CBO until Building/Fire Code issues resolved; project would have been funded FY21-22

Table 3 - Downtown Matching Grant Projects Approved to Proceed; Project Under Development; Reimbursement Anticipated FY23/24

	Address	Project	Estimated Project Cost	Match	Project Status / Completion Timeframe:
1.	719 Scott	Big Blue – replace marquee sign tiles	$28,450.00	$12,500.00	Under contract; anticipate complete July
2.	804 Lamar	Chelsea Plaza Warehouse – install wet sprinkler system	$25,017.00	$12,500.00	Under construction; anticipate complete August
3.	800 Indiana	Wichita Tower – redesign rear bldg. entry/ADA/code compliance	$27,235.00	$12,500.00	Under construction; anticipate complete July
4.	804 Indiana	Parking Lot – replace exterior stairs/landing/ADA compliance	$36,270.00	$12,500.00	Under contract; anticipate complete July
5.	908 Indiana	Olympia Theatre Bldg. – restore historic façade; floor/electrical upgrades	$25,850.70	$12,500.00	Pending THC coordination (historic tax credits); anticipate completion by September
		Total 4B Funds Anticipated:		***$62,500.00***	

Table 4 - Downtown Matching Grant Project Inquiries – Applications Anticipated Summer 2024

	Address	Proposed Project	Estimated Project Cost	Match	Project Status:
1.	800 Travis	Wichita Falls Baptist Church – site improvements: replacement damaged sidewalks/expand tree wells, etc.	TBD	$12,500.00	*Pending Submittal*
2.	914 Scott	Great Scott Bldg. – party wall structural stabilization	TBD	$12,500.00	*Pending Submittal*
		Total 4B Funds Potentially Required:		***$25,000.00***	

Resolution No. _____

Resolution approving the programs and expenditures of the Wichita Falls Type B Sales Tax Corporation Board of Directors and amending the fiscal 2024 budget to increase funding for the Downtown Improvement Grant Program

WHEREAS, Texas Local Gov't. Code § 501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation;" and,

WHEREAS, on August 10, 2023, the Wichita Falls Type B Sales Tax Corporation's Board of Directors approved their fiscal year 2023-24 budget; and

WHEREAS, on September 5, 2023, the Wichita Falls City Council approved the Corporation's fiscal year 2023-24 budget; and

WHEREAS, on June 7, 2024, the Wichita Falls Type B Sales Tax Corporation approved amending their fiscal year 2023-24 budget related to the Downtown Improvement Grant program;

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

The Wichita Falls Type B Sales Tax Corporation's fiscal year 2023-24 budget amendment to increase funding for the Downtown Improvement Grant Program from $100,000 to $250,000 is hereby approved.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: 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 $210,000 to River Bend Nature Center to support a forthcoming renovation of their current facility in Wichita Falls.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Actively Engage and Inform the Public

STRATEGIC OBJECTIVE: Continue Partnerships with Local Non-profits

COMMENTARY: TEXAS LOCAL GOVERNMENT CODE § 501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation."

At its June 7, 2024 meeting, the corporation's Board conducted a public hearing and approved a $210,000 funding request to support the overall $2.1M renovation project (see attached from the meeting) which is anticipated to start this calendar year. Jennica Lambert, RBNC Executive Director, will be available at the meeting for any questions.

Also attached is the presentation given to the Board at the meeting by Mrs. Lambert.

☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Wichita Falls Type B Sales Tax Corporation
June 7, 2024

ITEM/SUBJECT: Public hearing regarding a funding request from River Bend Nature Center to support a forthcoming renovation of their current facility in Wichita Falls.

ATTACHMENTS: Letter of request

STRATEGIC GOAL: Actively Engage and Inform the Public

STRATEGIC OBJECTIVE: Supportive Partnerships with Local Non-Profits

Staff Summary:

Timeline

- March 11, 2024 – Funding request received;
- **June 7, 2024** – Corporation Board to consider funding request;
- June 18, 2024 – If request approved by Board, City Council to consider ratifying budget amendment facilitating project.

The applicant requests $210,000 in funding as part of a larger and ongoing $2.1M capital campaign to renovate and upgrade the facility and its programs (see attached). RBNC is located on property leased from the City of Wichita Falls adjacent to Lucy Park along the Wichita River. The corporation has a history of supporting the facility.

RBNC's new executive director, Jennica Lambert, will be at the meeting to present the request and answer any questions the Board may have. Additionally, Board president Dr. Jeff Blacklock will be in attendance for the same. The construction project is expected to start later this calendar year.

City staff recommends the Board open the public hearing and consider the request.

Additional information about the organization and facility can be found at https://riverbendnaturecenter.org/

RIVER BEND NATURE CENTER

RBNC

Connecting People to Nature

March 11, 2024

4B Sales Tax Corporation
ATTN: Tony Fidelie, Jr.
PO Box 1431
Wichita Falls, TX 76307

Dear Mr. Fidelie,

As River Bend approaches its 30th anniversary our facilities are revealing signs of aging, necessitating immediate attention. Our primary concern lies in the rejuvenation and maintenance of the Ruby N. Priddy Butterfly and Nature Conservatory and the J.S. Bridwell Terrace. I am writing to formally submit our proposal for review by the 4B Sales Tax Corporation Board of Directors and the City Council of Wichita Falls for their consideration and approval. Our proposal pertains to the Conservatory Reroof and Terrace Renovation Project, with a total estimated cost of $2,155,397.

The Terrace renovation focuses on incorporating new STEAM-centered hands-on exhibits designed to enrich the experience of our guests. Additionally, it will improve terrace and trail accessibility, mitigate erosion, improve lighting, and install shading. The goal is to transform the terrace into a more interactive and exciting space for visitors and educational programming.

The Conservatory renovations will incorporate new hands-on exhibits inspired by science and nature, as well as tackle mechanical, electrical, and plumbing issues including but not limited to leaks, insulation, air circulation, and accessibility. These initiatives will make the Conservatory more resilient against natural elements, ultimately reducing insurance and utilities costs as well as providing unique and engaging exhibits for visitors and educational programming.

Currently the project is split into three phases. They are as follows:

Phase 1A - J.S. Bridwell Terrace Drainage - Project Scope

- Remove all existing crushed granite, replace with concrete
- Replace trench drains
- Repair drainage at retaining wall by adding two new drainage pipes and rip rap
- Add fence to separate public from maintenance areas

Phase 1B - Ruby N. Priddy Conservatory - Project Scope

- Remove all existing roof glazing panels and the supporting aluminum framing system

- Add new standing seam metal roof with rigid insulation on metal roof deck
- Add new gutters and tie into existing drainage
- Clean both the inside and outside glass and steel structure
- Install new ceiling fans
- Find and repair plumbing leak
- Remove existing resinous soil pathway and replace with new surface
- Replace existing tube lighting
- Replace existing condensing unit
- Pave two existing beds to allow for new hands-on exhibits

Phase 2 - J.S. Bridwell Terrace Play Area

- Remove retaining wall sections to increase footprint
- Add new site pavement to these exposed sites
- Add new retaining wall where required
- Add structural foundations for equipment and shade devices
- Provide exterior lighting
- Restore water connections to terrace beds
- Add new poured in place rubber playground flooring

Since our inception in 1995, River Bend Nature Center has connected hundreds of thousands of visitors and participants of all ages to discover the natural history and ecology of the Rolling Plains. In 2023, we reached 37,753 visitors, 18,000 of whom were children. Approximately 56% of our patrons were visitors from outside Wichita Falls, which showcases River Bend's broad appeal and continued role as a resource and attraction to our community. The total 2023 estimated economic impact for Wichita Falls from general admission (out-of-town guests), special events, programs, and rentals was $3,737,722 according to the Wichita Falls Convention & Visitors Bureau.

To date, we have received the following: verbal confirmation of $1,000,000 from private foundations (written confirmation anticipated in May 2024), pledges totaling $8,250, and $36,000 committed funds through gifts, grants, and other funding opportunities. We are seeking $210,000 from 4B Sales Tax Corporation. Our current estimated project start date is June 30, 2024, and it will take 18 to 24 months for completion of the project.

In conclusion, River Bend Nature Center stands as a beacon of environmental education and conservation in North Texas. Our commitment to fostering a deep connection between people and the natural world has been unwavering since our inception. With your support, we will continue this journey towards renewal and innovation. Together, we will not only be able to preserve the legacy of RBNC and continue our mission of connecting people to nature, but also pave the way for a brighter, more sustainable future for our community and beyond.

Sincerely,

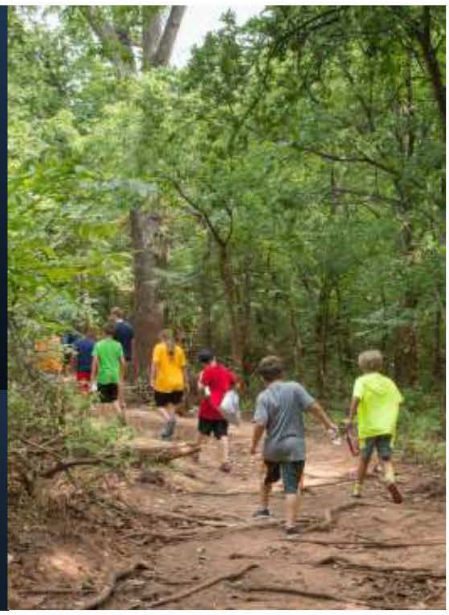
Jennica Lambert
RBNC Executive Director

Dr. Jeff Blacklock
RBNC President

RIVER BEND NATURE CENTER

RBNC

Connecting people to the natural environment of Texas



River Bend Nature Center

History

- 1991 - Joint venture between the City of Wichita Falls and the WF Junior League
- 1995 - River Bend Nature Works incorporated
- 1995 - The Elizabeth Prothro Pavilion constructed
- 2007 - The Ruby N. Priddy Butterfly and Nature Conservatory constructed
- 2008 - The Bryant Edwards Learning Center and J.S. Bridwell Terrace constructed
- 1995 - 2024 connected hundreds of thousands of visitors and participants of all ages to discover the natural history and ecology of the Rolling Plains

RBNC

River Bend Nature Center

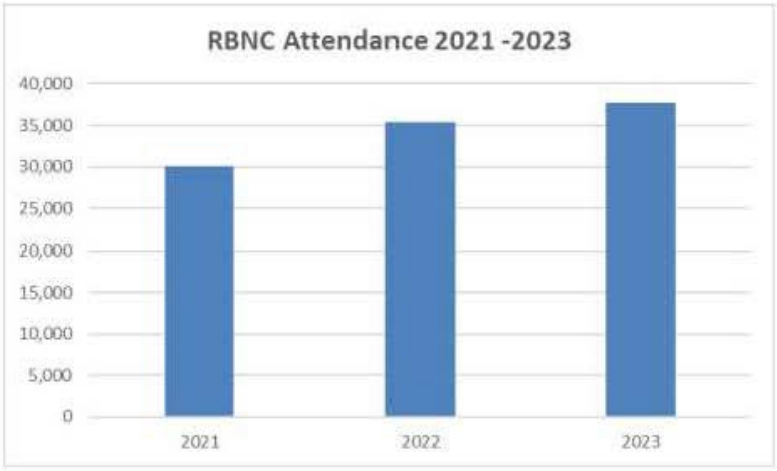
Board of Directors

Dr. Jeff Blacklock – President
Jeremy Dorzab
Allyson Flack – Secretary
Paul Menzies – Treasurer
Tyler Sales
Jeani Secord
Ray Taylor – Vice President
Clint Wood

Board Advisors – Jill Avis, Carl Brown, John Buckley, and Randy Martin

River Bend Nature Center
Visitation / Tourism

- #1 Attraction in Wichita Falls – Various Websites Including Trip Advisor
- Economic Impact in 2023 for Wichita Falls - $3.79MM
- Over 37,000 visitors in 2023
- Approximately 56% of our patrons were visitors from outside Wichita Falls
- Visitors from all 50 states and over 40 countries

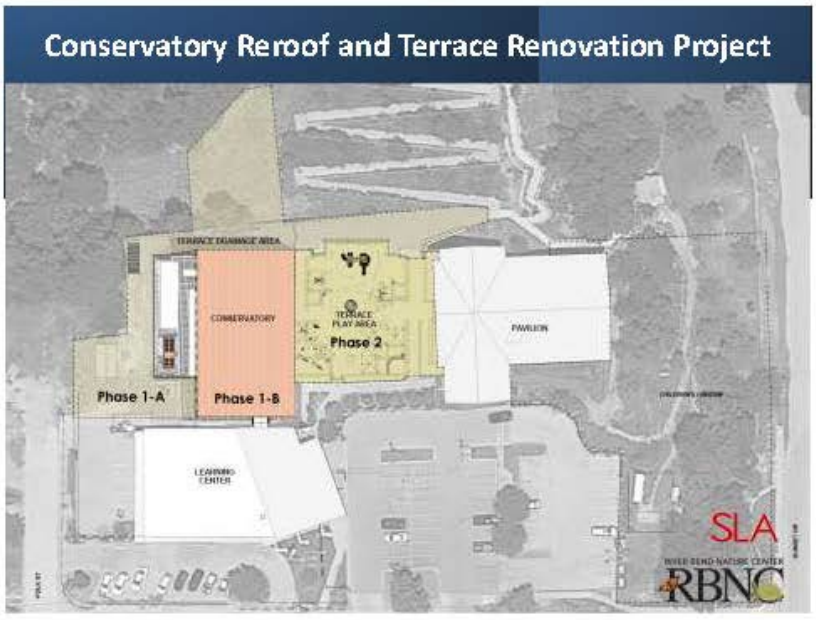


River Bend Nature Center
Current Needs

- Increase Visitation and Programming
- Rejuvenation
- Relevancy
- Sustainability
- Maintenance

RBNC

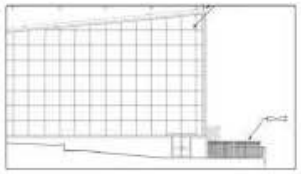



Conservatory Reroof and Terrace Renovation Project
TERRACE DRAINAGE AREA
CONSERVATORY
TERRACE PLAY AREA
Phase 2
PAVILION
Phase 1-A
Phase 1-B
LEARNING CENTER
SLA
RBNC



Phase 1A - J.S. Bridwell Terrace Drainage

- Remove all existing crushed granite, replace with concrete
- Replace trench drains
- Repair drainage at retaining wall by adding two new drainage pipes and rip rap
- Add fence to separate public from maintenance areas



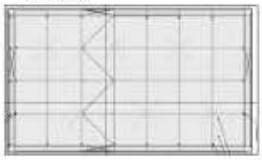
SLA ARCHITECTS

RIVER BEND NATURE CENTER RBNC



Phase 1B - Ruby N. Priddy Conservatory

- Remove all existing roof glazing panels and the supporting aluminum framing system
- Add new standing seam metal roof with rigid insulation on metal roof deck
- Add new gutters and tie into existing drainage
- Clean both the inside and outside glass and steel structure
- Install new ceiling fans
- Find and repair plumbing leak
- Remove existing resinous soil pathway and replace with new surface
- Replace existing tube lighting
- Replace existing condensing unit
- Pave two existing beds to allow for new hands-on exhibits



SLA ARCHITECTS

RIVER BEND NATURE CENTER RBNC



Place Space Concept Image

Phase 2 - J.S. Bridwell Terrace Play Area

- Remove retaining wall sections to increase footprint
- Add new site pavement to exposed sites
- Add new retaining wall where required
- Add structural foundations for play equipment and shade devices
- Add native vegetation to designated areas
- Provide exterior lighting
- Restore water connections to terrace beds
- Add new poured in place rubber playground flooring



SLA ARCHITECTS

RIVER BEND NATURE CENTER RBNC

Conservatory Reroof and Terrace Renovation Project
Summary

- **Estimated total project cost: $2,155,397**
- **CMAR – Cunningham Clark: in the bidding process**
- **Construction start date for phase 1A/1B: 6/30/2024**
- **Estimated completion for all phases: 18 to 24 months**
- **Funds raised to date: $96,000**
- **Pledges: $8,250**
- **Verbal confirmation: $1,000,000 from private foundations**

RBNC



Resolution No. _____

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 $210,000 to River Bend Nature Center to support a forthcoming renovation of their current facility in Wichita Falls

WHEREAS, Texas Local Gov't. Code § 501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation;" and,

WHEREAS, on June 7, 2024, the Wichita Falls Type B Sales Tax Corporation approved the project listed below and as stated in its agenda.

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

1. The Wichita Falls Type B Sales Tax Corporation's approval and funding of the following programs and expenditures, in a total amount not to exceed **$210,000** as described below and in said corporation's agenda, is approved:

$210,000 to River Bend Nature Center to support a forthcoming renovation of their current facility in Wichita Falls.

2. The current fiscal year budget of the Type B Sales Tax Corporation is amended to provide for the aforementioned expenditures and changes thereto.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
June 18, 2024

ITEM/SUBJECT: 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 $835,000 to the City of Wichita Falls for the acquisition of a 12.7± acre tract of land otherwise known as 100 Central East Freeway.

INITIATING DEPT: City Manager's Office

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: Continue to Improve Recreational Amenities

COMMENTARY:

- July 2023 - After several attempts to purchase the privately owned property, the City Council approved the use of eminent domain authority to acquire the tract;
- November 2023 - After further attempts to negotiate the purchase, the City filed the eminent domain suit;
- June 7, 2024 - The Corporation Board (4B) amended their budget, approving an expenditure of up to $835,000 to the City of Wichita Falls related to the acquisition of the subject tract for a public park;
- **June 18, 2024** – The City Council to consider approving 4B budget amendment.

The scope of the proposed City project would be to acquire the subject property (see attached), which currently includes the long-derelict structure that contains a now defunct hotel, for the purpose of developing a public park for public use. The City of Wichita Falls currently owns and operates an RV Park on public property just to the northwest of the subject tract, and last year acquired the 14.7-acre tract between the RV Park and the subject tract, also for public use.

At the Council's leisure, staff and the City Attorney are available to provide an update on the project and current legal process in executive session.

Staff recommends approval of the resolution.

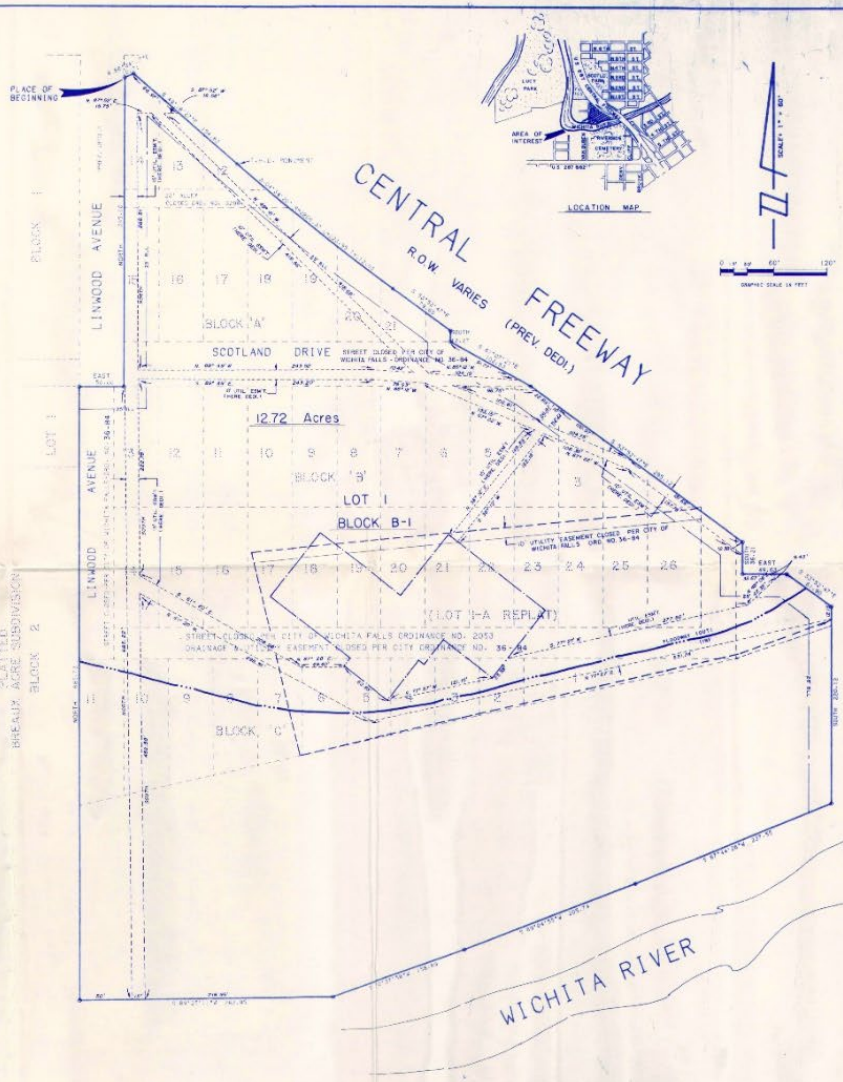
☒ **Assistant City Manager**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**



BLANKET ESMT. CLOSURE ORD. NO. 117-86C

AMENDED

FINAL PLAT
SCOTLAND GARDENS ADDITION

LOT 1, BLOCK B-1

(A REPLAT OF LOTS 11 THRU 22, BLOCK A, LOTS 1 THRU 26, BLOCK B, LOTS 1 THRU 11, BLOCK C, SCOTLAND GARDENS ADDITION, AND UNPLATTED ACREAGE OF THE J.A. SCOTT SURVEY NO. 18)

(AMENDED FINAL PLAT TO SHOW SPECIFIC UTILITY EASEMENTS)

OWNER-DEVELOPER:
HOTEL ASSOC. OF WICHITA FALLS, LTD.
301 SOUTH DUCK, SUITE 2
STILLWATER, OKLAHOMA 74074
(405) 372-6556

ENGINEER:
BIGGS & MATHEWS, INC.
2500 BROOK STREET
WICHITA FALLS, TEXAS 76301
(817) 766-0156

SEPTEMBER 26, 1985
SCALE: 1" = 60'

STATE OF TEXAS
COUNTY OF WICHITA

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT HEREBY DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

STATE OF TEXAS
COUNTY OF WICHITA

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ... KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ... DAY OF ... 1985.

NOTARY PUBLIC IN AND FOR WICHITA COUNTY

THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF WICHITA FALLS, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS AS TO WHICH HIS APPROVAL IS REQUIRED.

DIRECTOR OF PUBLIC WORKS

THIS PLAT, SCOTLAND GARDENS ADDITION LOT 1 BLOCK B-1, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING BOARD OF THE CITY OF WICHITA FALLS, TEXAS, AND IS HEREBY APPROVED BY SUCH BOARD.

DATED THIS ... DAY OF ... 1985.

BY: ...
CHAIRMAN

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND UNDER MY PERSONAL SUPERVISION IN SEPTEMBER ... 1985, AND THAT ALL INFORMATION SHOWN IS TRUE AND CORRECT; AND THAT ALL MONUMENTS SHOWN THEREON ARE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF WICHITA FALLS, TEXAS.

ROBERT E. MATHEWS, REGISTERED PUBLIC SURVEYOR NO. 1915

ROBERT E. MATHEWS 1915 REGISTERED PUBLIC SURVEYOR

1516

MICRO-LIMED WF-1930-A (FP)

NOTE: ENTIRE TRACT WITHIN THE 100 YEAR FLOOD PLAIN.

Resolution No. _____

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 $835,000 to the City of Wichita Falls for the acquisition of a 12.7± acre tract of land otherwise known as 100 Central East Freeway for a public park

WHEREAS, Texas Local Gov't. Code § 501.073(a) provides "The corporation's authorizing unit will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation;" and,

WHEREAS, on June 7, 2024, the Wichita Falls Type B Sales Tax Corporation approved the project listed below and as stated in its agenda.

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

1. The Wichita Falls Type B Sales Tax Corporation's approval and funding of the following programs and expenditures, in a total amount not to exceed **$835,000** as described below and in said corporation's agenda, is approved:

An amount up to $835,000 to the City of Wichita Falls for the acquisition of a 12.7± acre tract of land otherwise known as 100 Central East Freeway.

2. The current fiscal year budget of the Type B Sales Tax Corporation is amended to provide for the aforementioned expenditures and changes thereto.

PASSED AND APPROVED this the 18th day of June, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk