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

Amended 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, Tuesday, August 20, 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)**

Item #

1. Call to Order

2. (a) Invocation: Pastor Tim Puckett
   Heritage Church

   (b) Pledge of Allegiance

3. Presentations

   (a) Proclamation – Wichita Falls for P.E.T.S. Day, P.E.T.S. Clinic

   (b) Proclamation – Women's Equality Day, League of Women Voters

4. Comments from the public to members of the city council concerning items that are not on the city council agenda. People wishing to address the council should sign up prior to the start of the meeting. A three-minute time frame will be adhered to for those addressing their concerns. Since comments from citizens are not posted agenda items, the City Council is prohibited from deliberating or taking any action, other than

a proposal to place the item on a future agenda. Staff may provide factual statements in response to inquiries or recite existing policy.

CONSENT AGENDA

5. Approval of minutes of the August 6, 2024 Regular Meeting of the Mayor and City Council.

6. Receive Minutes

   (a) Wichita Falls Park Board, June 22, 2023

   (b) Wichita Falls Park Board, October 26, 2023

   (c) Wichita Falls Park Board, December 7, 2023

   (d) MPO TAC, April 11, 2024

   (e) MPO TPC, April 24, 2024

   (f) Lake Wichita Revitalization Committee, July 9, 2024

   (g) Planning & Zoning Commission. July 10, 2024

   (h) Central Wichita Falls Neighborhood Revitalization Committee, July 23, 2024

REGULAR AGENDA

7. Public Hearing and Ordinances

   (a) Ordinance reappointing Judge Diane Dockery, Municipal Court Judge for a term of two years to begin on August 20, 2024

   (b) Ordinance reappointing Mike Whalen as a Substitute Judge of the Municipal Court for a term of two years

   (c) Conduct a public hearing and take action on an ordinance amending the Canyon Trails Planned Unit Development (Ord 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to single family detached lot use and increase the maximum number of single family lots permitted on the master Plan by the proposed three lots
      i. Public Hearing
      ii. Take Action

(d) Ordinance amending Chapter 90 Solid Waste setting an effective date, and providing codification

(e) Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept up to $1,442,396 in 2024 Federal Aviation Administration Entitlement grants at Wichita Falls Regional Airport

(f) Ordinance providing for a 100% Tax Exemption for Tax Year 2024 and each year thereafter on qualifying Child-Care Facilities; containing findings and other provisions relating to the foregoing subject; providing for an effective date

(g) 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

8. Public Hearing & Resolutions

(a) Public Hearing on the Fiscal Year 2025 Proposed Operating Budget and Resolution Setting a Date for Adoption of the FY 2025 Budget
   i. Public Hearing
   ii. Take Action

(b) Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax in accordance with the Texas Property Tax Reform and Transparency Act of 2019; scheduling one public tax rate hearing, and establishing the date to vote on same

(c) Resolution authorizing award of bid for the City's Estimated Annual Supply of Unleaded Gasoline and Low Sulfur Diesel Fuel to Haigood & Campbell, LLC

(d) Resolution re-appointing Gregory Ross to the Nortex Housing Finance Corporation

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 a separation agreement).

(b) Executive Session in accordance with Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of a public officer or employee (including, but not limited to, the Nortex Housing Finance Corporation, 4A WF Economic Development Corporation, 4B Sales Tax Corporation, Housing Authority Board, TIF #3, Acting City Manager, Presiding Municipal Court Judge, Associate Court Judge, and Zoning Board of Adjustment).

11. Appointments and Actions regarding Boards and Commissions
    - 4A WF Economic Development Corporation
    - 4B Sales Tax Corporation
    - Housing Authority Board
    - Lake Wichita Revitalization Committee
    - Library Advisory Board
    - TIF #3
    - Water Resources Commission
    - Zoning Board of Adjustment

12. Resolution of the City Council of the City of Wichita Falls, Texas, Authorizing the Execution of a Separation Agreement with City Manager Darron Leiker; Finding and Determining that the Meeting at which this Resolution was Passed was Open to the Public as Required by Law

13. Resolution appointing an Acting City Manager for the City of Wichita Falls and authorizing the Mayor to execute a Professional Services Agreement with the Appointee

14. 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 16th day of August, 2024 at 5:00 o'clock p.m.

Marie Balthrop
City Clerk

City of Wichita Falls
City Council Meeting
Minutes
August 6, 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
Mike Battaglino	-	Councilors
Jeff Browning	-	
Larry Nelson	-	
Michael Smith	-	
Tom Taylor	-	
Darron Leiker	-	City Manager
Kinley Hegglund	-	City Attorney
Marie Balthrop	-	City Clerk

- - - - - - - -

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

- - - - - - - -

Item 2a – Invocation

Michael Smith, Councilor District 1, gave the invocation.

- - - - - - - -

Item 2b – Pledge of Allegiance

Mayor Short led the Pledge of Allegiance.

- - - - - - -

Item 3a – Employee of the Month – Rebecca Zucker, Police Department
8:32 a.m.

Mayor Short recognized Rebecca Zucker as Employee of the Month for August 2024 and shared a brief video. He congratulated Ms. Zucker and presented her with a plaque, letter of appreciation, dinner for two, and a check and thanked her for her service.

- - - - - - -

Item 3b – Proclamation – National Health Center Week, Community Health Care Center
8:35 a.m.

Mayor Short read a proclamation proclaiming August 4-10, 2024, as National Health Center Week.

- - - - - - -

Item 3c – Farmers Market Week 2024, Downtown Wichita Falls Development
8:37 a.m.

Mayor Short read a proclamation proclaiming August 4-10, 2024, as Farmer's Market Week in Wichita Falls.

- - - - - - -

Item 3d – Safe Digging Awareness Week and National 811 Day, Pam Hughes Pak/ Atmos Energy
8:39 a.m.

Mayor short read a proclamation proclaiming August 11-17, 2024, as Safe Digging Awareness Week, and August 11, 2024, as National 811 Day.

- - - - - - -

Item 3e – Atmos Fueling Energy Report and Annual Rate Review, Pam Hughes Pak/ Atmos Energy
8:40 a.m.

Pam Hughes Pak, Atmos Energy, provided the Council with handouts and discussed the Fueling Energy Report and Annual Rate Review information.

- - - - - - -

Item 4 – Comments from Citizens
8:45 a.m.

Al Vitolo, 5408 Blazing Star, President of the Wichita Falls Professional Fire Fighters Association, discussed the upcoming agenda item regarding the Special Elections, thanked the Mayor and Council, thanked the City Clerk's office for their work validating the petition, and thanked the citizens that signed the petition.

David Gray, 1050 Jan Lee Dr., Burkburnett, discussed his previous statement and conversation with Daniel Nix regarding the Water Conservation Plan and concerns with the water loss reported in 2023 and overbilling of water sales, which he does not believe is accurate. He discussed his understanding of how water loss is calculated and the goal set for future water loss.

- - - - - - -

Item 5-6 – Consent Items
8:50 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 Battaglino, Browning, Nelson, Smith, Taylor, and Whiteley.

Nays: None

Item 5 – Approval of Minutes of the July 16, 2024, Regular Meeting of the Mayor and City Council

Item 6 – Receive Minutes

(a) Wichita Falls 4B Sales Tax Corporation (WF4BSTC), June 1, 2023

(b) Wichita Falls Economic Development Corporation, June 15, 2023

(c) Wichita Falls 4B Sales Tax Corporation (WF4BSTC), August 10, 2023

(d) Wichita Falls Economic Development Corporation, August 17, 2023

(e) Wichita Falls Economic Development Corporation, October 19, 2023

(f) Wichita Falls Economic Development Corporation, November 16, 2023

(g) Wichita Falls 4B Sales Tax Corporation (WF4BSTC), February 13, 2024

(h) Wichita Falls Economic Development Corporation, February 15, 2024

(i) Wichita Falls Economic Development Corporation, April 18, 2024

(j) Wichita Falls Economic Development Corporation, May 16, 2024.

(k) Wichita Falls Park Board, May 23, 2024

(l) Central Wichita Falls Neighborhood Revitalization Committee, June 25, 2024

(m) Central Wichita Falls Neighborhood Revitalization Committee, July 9, 2024

- - - - - - -

Item 7a(i) – Public Hearing for amendment to amend the Code of Ordinances, Appendix A: Subdivision and Development Regulations revising and updating sections addressing: Standards and specifications relating to: utility lines, modification of subdivision regulations (appeal procedure), and providing for modification requirements related to Stormwater Design Manual and the Pavement Design Manual; providing a repealer clause; providing for inclusion.
8:51 a.m.

Mayor Short opened the public hearing at 8:51 a.m.

Russell Schreiber, Director of Public Works, discussed the recommended amendments to the Code of Ordinances, Appendix A: Subdivision and Development Regulations, Stormwater Design Manual, and Pavement Design Manual. Mr. Schreiber discussed the 60-day comment period, stakeholder meetings, and Planning and Zoning Commission (P&Z) meetings held to obtain stakeholder input since January and the flexibility built into the Ordinance.

Councilor Taylor asked about the city's option to purchase dedicated parks in subdivisions built by developers in areas identified in the Park Master Plan, and Councilor Battaglino asked to change “Paul Menzies” to “the City Manager or his designee” in the Stormwater Design Manual.

Mr. Schreiber discussed the possible paving standard change from 6” to 5” concrete for streets, deterioration issues with current 5” concrete, engineer recommendations for 6” concrete, and minimum standards in other cities that are higher than 5”. He stated that staff feels the current standard of 6” concrete is best.

Tyson Traw, Assistant Director of Public Works, discussed the pavement standard recommendations, industry standards, and the change in standards that occurred around 2010. He discussed the need for a thicker cover over the rebar and stated that the Metropolitan Planning Organization Technical Advisory Committee does not recommend changing to 5” concrete. The Planning and Zoning Commission approved these recommendations, and staff recommends approval of all recommendations, except for the change to the concrete paving detail.

There was a brief discussion regarding which streets would be affected by the change, and it was stated that it would only affect residential streets. The council applauded the Planning and Zoning Commission for their work on this issue and suggested we hear from the public before further discussion.

Devin Smith, Corlett Probst and Boyd Civil Engineers, 4605 Jacksboro Highway, expressed his appreciation to Russell for allowing them to be involved in the design process. He stated it would be approximately a 10% cost increase on the front end, but the expense to rehab a failed street is much greater. Mr. Smith recommends the 6” concrete and additional steel, as the additional inch of concrete and additional steel doubles the road strength for a single axle load. It was noted that we are not increasing the requirement, as the current minimum standard is 6” concrete, and Mr. Smith recommends staying with the current standard.

There was a brief discussion regarding the change in the concrete's psi from 30,000 to 36,000, the difference in strength provided, how geotechnical work over the past ten years for commercial work has recommended 6” concrete streets, costs to repair failed streets, and that, currently, there is no new technology to further strengthen concrete.

Wayne Pharries, 7 Mayfair Terrace, member of the P&Z and commercial lender, discussed the lack of examples provided to the P&Z of failed 5” concrete streets, various 5” concrete streets across town that have not failed and the cost-benefit analysis that needs to be done. He feels that anything we can do to reduce the cost of development will benefit the City. P&Z felt that 5” concrete streets are doing well, and they should return to that minimum standard.

There was a brief discussion regarding various 5” streets that have failed, how the P&Z was not provided photos of the failed streets, and how they need to review these photos in order to provide advice based on all of the available information.

David Cook, 5009 Whisperwind, Chair of P&Z, thanked everyone who has participated in this process. He stated that the P&Z was blindsided in January when they were asked to vote without stakeholder input. He discussed emails exchanged beginning in January of this year pertaining to changes to 5” concrete, increased costs to developers and homeowners, the lack of examples of 5” streets that are failing, and the desire to review those examples. He noted that the engineers who spoke today were not involved in the P&Z meeting, and he is unsure if the information they provided today would have changed their recommendation. Mr. Cook discussed the need to know which failing streets are feeders and which are arterial and said the current regulation passed in 2018 was adopted by the recommendation of staff only, without input from an engineer. Mr. Cook asked that this item be sent back to P&Z rather than being approved today.

Mr. Leiker addressed the comment that no engineers were involved in the change in 2018 and stated that certified engineers on staff made the recommendation and that outside engineers attended the last P&Z meeting.

Kerry Maroney, President of Biggs and Mathews, discussed pictures of failed streets, and photos of failed 5” concrete streets under 40 years old in various subdivisions were shown. He said consulting engineers have been involved throughout this process and that the standard for stabilization is the same now as it was for the streets shown. Mr. Maroney said the common mode of failure is a result of the thickness of concrete and the placement of the reinforcing steel, with some deterioration happening within 10-15 years. Ideally, there should be 2” of concrete over the top of the steel and 3” below, and when the steel crosses, it is impossible to meet this standard with 5” concrete. The lack of adequate concrete coverage causes spalling, which allows moisture to seep in and cause additional damage. Adding 1” of additional concrete doubles the life of these streets, and he feels the recommendation from P&Z will not be good for the City or the taxpayers who will have to pay to repair and maintain these streets. He feels the 6” concrete works and will be better for everyone.

Annie Jackson, 1002 Crescent, asked about the different grades and quality of materials being used, as this also affects the outcome.

Mr. Schreiber discussed the compressive strength and flexural strength of concrete, how those factors work together, and that flexural strength is more important regarding slow cracking. The changes in 2018 increased those strengths. Tyson Traw discussed the change from a 3,000 psi flexural strength of 500 to 3,600, which increases flexural strength to 600, but going higher than that has diminishing returns.

Tanner Wachsman, 5689 Blackstone Drive, expressed his appreciation to City Staff, and P&Z. He said changes in the past were able to be made without any oversight, and he appreciates the process that allows public and stakeholder input. He feels concrete today is of better quality than it was several years ago, and discussed incremental improvements made that developers will support. He discussed subgrade with lime

stabilization, which improves the strength of the concrete, and allows lower total concrete thickness. He said the increase in concrete requirements made will not help with development in Wichita Falls, that no outside developers are working in Wichita Falls, and feels the examples provided are streets that are near the end of their life. He would like to reduce costs to encourage development and stated that everything loses its life, and the bigger is better mentality does not hold up to the science. He would like to see this go back to P&Z.

Mayor Short asked where the outside developers are going since other cities have the same or higher standards. Mr. Wachsman said they are going to areas where there is growth, and they are more incentivized by better economic outlooks.

R.J. Wachsman, R.J. Wachsman's Homes, said that he has a different definition of failure, as he did not see a picture of a street that you could not drive down, and many of the streets shown are almost 40 years old and have not had any maintenance. He feels that just because a street is not pretty does not mean it is not doing its job and they are not costing taxpayers money. He discussed housing affordability and how it is the worst it has been, that concrete costs have doubled over the 6 years, lime stabilization has increased, and steel has increased. He discussed rebar failure previously being an issue due to a lack of plastic chairs, which are now being used, and using 5” concrete, 30-pound lime stabilization and chairs will fix the issues shown in the examples provided. Mr. Wachsman said we need to make housing affordable, acknowledged that 6” concrete is probably better, but there are plenty of examples of 5” concrete streets that are not failing.

Mr. Schreiber said that you cannot get the cover needed with 5” concrete and ½” rebar, especially when using chairs.

Mr. Traw discussed the cost analysis per lot based on bids received on similar projects. With current standards, a street for a lot is approximately $18,600. If you reduce the concrete thickness and steel, it is a savings of $1000 per lot, which is about $0.37 per square foot, with an average home size of 2700 square feet. He stated that you could not patch concrete streets with asphalt and you must do a full-depth repair and replace the failed concrete. The tax revenue on a $400,000 home is $2,700 in City taxes, most of which is earmarked for street repair, and it would take saving that money for 72 years to replace a street that has failed in 15-20 years. Mr. Traw discussed how streets are the primary drainage since we have no stormwater requirements, and that accelerates failure. Staff is in favor of a solution that is cheaper in the long term.

Mr. Schreiber clarified that we are setting a minimum standard, but if design studies show a 5” concrete street is sufficient, it can be done. He feels that making the minimum standard 6” will stop some of the failures we have seen.

There was a brief discussion about the cost of replacing a concrete street being comparable to the initial construction cost plus demolition costs, appreciation for P&Z

members, appreciation for public input, the need for the P&Z to have all of the information before making a recommendation, and appreciation for professionals who provided input. It was recommended that the public hearing be closed and this issue be sent back to the P&Z to consider the new information.

Mayor Short closed the public hearing at 10:19 a.m.

- - - - - - -

Item 7a(ii) – Ordinance 29-2024
10:19 a.m.

Ordinance amending the Code of Ordinances, Appendix A: Subdivision and Development Regulations revising and updating sections addressing: Standards and specifications relating to: utility lines, modification of subdivision regulations (appeal procedure), and providing for modification requirements related to Stormwater Design Manual and the Pavement Design Manual; providing a repealer clause; providing for inclusion.

Moved by Councilor Battaglino to accept the proposed changes to the Subdivision Ordinance and Stormwater Manual, and staff is directed to send the Pavement Manual, including detail 200-5, 5" pavement, back to the Planning & Zoning Commission for further review to be brought back to Council in September, further, the Detention Facility signature block be changed to remove the name Paul Menzies and replace it with City Manager or their designee.

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

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

Nays: None

- - - - - - -

Item 7b – Ordinance 30-2024
10:20 a.m.

Ordinance making an appropriation to the Special Revenue Fund for the FEMA 2023 Assistance to Firefighters Grant Program in the amount of $524,727.27 received from the U.S. Department of Homeland Security, authorizing a contribution of $52,472.23 in matching funds, and authorizing the City Manager to execute all forms and contracts accepting same.

Moved by Councilor Nelson to approve Ordinance 30-2024.

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

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

Nays: None

- - - - - - -

Item 7c – Ordinance 31-2024
10:23 a.m.

Ordinance making an appropriation to the Special Revenue Fund for the Epidemiology Expansion Program in the amount of $72,247; received from the Department of State Health Services; authorizing the City Manager to execute contract accepting same.

Moved by Councilor Nelson to approve Ordinance 31-2024.

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

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

Nays: None

- - - - - - -

Item 7d – Ordinance 32-2024
10:25 a.m.

Ordinance appropriating $114,417 of grant funds pursuant to the Texas Motor Vehicle Crime Prevention Authority (MVCPA), FY 2024, SB 224 Catalytic Converter Grant Program, appropriating said funds to the Special Revenue Fund, and authorizing the City Manager to execute all documents necessary to accept and share said funds.

Moved by Councilor Browning to approve Ordinance 32-2024.

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

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

Nays: None

- - - - - - -

Item 7e – Ordinance 33-2024

10:28 a.m.

Ordinance appropriating up to $192,126 to the Special Revenue Fund for personnel and equipment funding through a local partnership agreement with the Helen Farabee Center for the Wichita Falls Multidisciplinary Behavioral Health Response Team for Years 2024 and 2025 and authorizing the City Manager to accept said funds.

Moved by Councilor Nelson to approve Ordinance 33-2024.

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

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

Nays: None

- - - - - - -

Item 7f – Ordinance 34-2024
10:40 a.m.

Ordinance appropriating up to $64,000 to the Special Revenue Fund for the purchase of a Ford Expedition and additional vehicle equipment from the McCoy Foundation Grant Agreement for the Wichita Falls Multidisciplinary Behavioral Health Response Team and authorizing the City Manager to accept said funds.

Moved by Councilor Nelson to approve Ordinance 34-2024.

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

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

Nays: None

- - - - - - -

Item 7g – Ordinance 35-2024
10:43 a.m.

Ordinance amending Section 102-108b Altered Prima Facie Speed Limits of the Code of Ordinances of the City of Wichita Falls, to Codify speed zones changes.

Moved by Councilor Nelson to approve Ordinance 35-2024.

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

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

Nays: None

- - - - - - -

Item 7h – Ordinance 36-2024
10:48 a.m.

Ordinance calling a General Election by the qualified voters of the City of Wichita Falls to be held on Tuesday, November 5, 2024, to elect a Councilor at large, Councilor District 1, and Councilor District 2 and authorizing a contract with Wichita County to furnish election services and equipment.

Moved by Councilor Nelson to approve Ordinance 36-2024.

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

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

Nays: None

- - - - - - -

Item 7i – Ordinance 37-2024
10:49 a.m.

Ordinance authorizing a Special Election to be held on November 5, 2024, to submit the question of whether Chapter 174 of the Texas Local Government Code should be adopted and propose an amendment to the City Charter to add Section 155 Collective Bargaining Impasse, be submitted to the voters during the said election, setting forth the proposed amendments and prescribing the form of the propositions.

Moved by Councilor Nelson to approve Ordinance 37-2024.

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

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

Nays: None

- - - - - - -

Item 7j – Ordinance 38-2024

10:51 a.m.

Ordinance approving the submission of additional proposed City Charter amendments to the voters during the general-special election of November 5, 2024; further, setting forth the additional proposed amendments and prescribing the form of the propositions.

Moved by Councilor Browning including changes to approve Ordinance 38-2024.

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

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

Nays: None

- - - - - - -

Mayor Short recessed the meeting at 10:56 a.m.

- - - - - - -

Mayor Short reconvened the meeting at 11:09 a.m.

- - - - - - -

Item 8a – Resolution 81-2024
11:09 a.m.

Resolution authorizing the City Manager to enter into an agreement with Edgin, Parkman, Fleming & Fleming, PC for Financial Audit Services for the Fiscal Year Ended September 30, 2024, with an option to renew for four additional one-year periods.

Moved by Councilor Nelson to approve Resolution 81-2024.

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

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

Nays: None

- - - - - - -

Item 8b– Resolution 82-2024
11:11 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (4A) and amending the budget to include funding up to $1,000,000 to Midwestern State University (MSU) to support the proposed Student Success and Military Education Center at MSU's existing main campus in Wichita Falls.

Moved by Councilor Browning to approve Resolution 82-2024.

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

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

Nays: None

- - - - - - -

Item 8c – Resolution 83-2024
11:21 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Type B (4B) Sales Tax Corporation Board of Directors and amending the budget to include funding up to $1,000,000 to Midwestern State University (MSU) to support the proposed Student Success and Military Education Center at MSU's existing main campus in Wichita Falls.

Moved by Councilor Nelson to approve Resolution 83-2024.

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

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

Nays: None

- - - - - - -

Item 8d – Resolution 84-2024
11:23 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Type B (4B) Sales Tax Corporation Board of Directors and amending the budget to include funding to the YMCA of Wichita Falls to support the construction of a new indoor aquatics facility at the existing Bill Bartley YMCA branch in Wichita Falls.

Moved by Councilor Browning to approve Resolution 84-2024.

The motion was seconded by Councilor Smith.

There was a brief presentation and discussion regarding the proposed facilities, additional programs that will be available, and benefits to the community, including open swim community days for all citizens.

Tonya Genewick expressed her support of this project, the benefits of participation on a swim team, the lack of facilities for swimmers at the new schools, and the lack of support swimmers receive in general. Despite these challenges, swimmers from Wichita Falls qualified for state multiple years, and these new facilities will allow more to excel. She asked that the Council support this project.

Councilor Browning moved to amend the motion to include a cost of $1.36 million.

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

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

Nays: None

The motion as amended carried by the following vote:

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

Nays: None

- - - - - - -

Item 8e – Resolution 85-2024
11:37 a.m.

Resolution authorizing the City Manager to enter into a non-annexation agreement with Panda High Plains Hemp Gin, LLC guaranteeing the company immunity from annexation for a certain term.

Moved by Councilor Nelson to approve Resolution 85-2024.

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

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

Nays: None

- - - - - - -

Item 8f – Resolution 86-2024

11:41 a.m.

Resolution approving the substantial amendment to the PY 2019 Annual Action Plan to reallocate $207,354.80 and continue certain previously awarded funding through the Community Development Block Grant – Coronavirus (CDBG-CV) program.

Moved by Councilor Browning to approve Resolution 86-2024.

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

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

Nays: None

- - - - - - -

Item 8g – Resolution 87-2024
11:46 a.m.

Resolution approving the PY 2024 Annual Action Plan to allocate Community Development Block Grant (CDBG) funds in the amount of $1,202,286 and HOME funds in the amount of $349,481, and reallocating $200,000 in prior year CDBG funds; authorizing the City Manager and Assistant City Manager to execute all HUD documents.

Moved by Councilor Nelson to approve Resolution 87-2024.

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

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

Nays: None

- - - - - - -

Item 8h – Resolution 88-2024
11:50 a.m.

Resolution authorizing the City Manager to execute an Advance Funding Agreement (AFA) with Texas Department of Transportation for the construction of a Hike & Bike Trail Camp Fire Property to Lucy Park in the amount of $83,512.

Mr. Leiker stated that this item is being pulled from the agenda due to a last-minute request from TxDOT and will be brought back to Council on a future agenda.

- - - - - - -

Item 8i – Resolution 89-2024
11:50 a.m.

Resolution authorizing the City Manager to execute all documents necessary to purchase the Fleet Management Software through the GSA Contract from AssetWorks Inc. in the amount of $62,787.66.

Moved by Councilor Nelson to approve Resolution 89-2024.

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

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

Nays: None

- - - - - - -

Item 8j – Resolution 90-2024
11:53 a.m.

Resolution allowing the City Manager to execute an Airport Facilities Lease and Rental Car Concession Agreement at the Wichita Falls Regional Airport with EAN Holdings, LLC (dba Enterprise Rent-A-Car).

Moved by Councilor Nelson to approve Resolution 90-2024.

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

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

Nays: None

- - - - - - -

Item 8k – Resolution 91-2024
11:55 a.m.

Resolution authorizing the purchase of two ¾-ton pickups for the Landfill and Water Purification Divisions through the BuyBoard Purchasing Cooperative from Caldwell Country Chevrolet II, LLC in the amount of $100,150.

Moved by Councilor Nelson to approve Resolution 91-2024.

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

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

Nays: None

- - - - - - -

Item 8l – Resolution 92-2024
11:56 a.m.

Resolution approving a mediation settlement agreement between the City of Wichita Falls and Wichita Falls Hospitality, Inc (Cause No. DC30-CV2023-2212).

Moved by Councilor Nelson to approve Resolution 92-2024.

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

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

Nays: None

- - - - - - -

Item 9a - Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.
12:02 p.m.

Councilor Taylor wished Kinley Hegglund a Happy Birthday. He reminded everyone that it is wildfire season and asked that citizens remove combustible items and consider making a fire break on their property if they are adjacent to undeveloped property.

Councilor Whiteley congratulated the Employee of the Month and thanked her peers for attending to support her. He discussed the over $1M grant funds approved today and thanked staff for their work. He said Wichita Falls is very lucky to have multiple foundations that support the City and thanked everyone involved with the foundations.

Councilor Browning thanked the Mayor and staff for keeping the meeting moving with a long agenda. He applauded everyone involved in the hotel agreement, as this has been a long-term project.

Councilor Smith discussed the need for community support of the Animal Control facility due to the increase in animal intake. There will be a Clear the Shelters adoption event

this Saturday, August 10th, with multiple vendors, and adoption fees will be waived for all animals.

Councilor Battaglino stated that over 50,000 guests have visited Castaway Cove, and Pirate's Plunge is back open. He congratulated Mrs. Zucker, noted that she is a military spouse, and encouraged the support of military spouses in our community as they are amazing employees.

Councilor Nelson stated that the Sports Complex is doing well, and 60% of the people using it come from out of town. If we had the other field completed, those numbers would rise. He is also working with the railroad museum since people who visit need entertainment.

Mayor Short stated that Hotter 'N Hell is coming up, and he will participate in the 25-mile ride. He wished Kinley a Happy Birthday and asked that God continue blessing our City.

- - - - - - -

Item 10 – Executive Sessions

City Council adjourned into Executive Session at 12:10 p.m. in accordance with Texas Government Code §551.071, §551.087 and §551.074.

Mayor Short reconvened the meeting in open session at 5:55 p.m. and announced that no votes or polls were taken.

- - - - - - -

Item 11 – Adjourn

Mayor Short adjourned the meeting at 5:55 p.m.

PASSED AND APPROVED this 20th day of August 2024.

_____
Tim Short, Mayor

ATTEST:

_____
Marie Balthrop, TRMC, MMC
City Clerk

Wichita Falls Park Board Meeting
June 22, 2023

W.F. Recreation Center
600 11th St. Room 205
Time: 1:30pm

Presiding:	**Jim Heiman**
Members Present:	**Jessica Traw, Josh Phillips, Larri Jean Jacoby, Alan Donaldson, Michael Battaglino, Dorcas Chasteen, Tom Taylor, Sandy Fleming, Patrick Hearn**
Members Absent:	**Simeon Hendrix**
City Council Representative:	**Absent**
Other:	**Scott McGee, Terry Points, Blake Jurecek**

CALL TO ORDER:

Jim Heiman called the meeting to order at 1:30 p.m.

1 APPROVAL OF MINUTES:

The minutes from May 25, 2023 were put before the Board for approval. Alan Donaldson made the motion to approve the minutes and Dorcas Chasteen second the motion.

3. DEPARTMENTAL REPORT:

A. Recreation: Scott McGee
- **See Attached Recreation Report**

B. Parks: Terry Points
- **See Attached Parks Report**

C. Lake Wichita Revitalization Committee:
- **Memo going on information for people ordering bricks.**

D. Circle Trail Update:
- **No update**

E. Parks Review Update:
- **No update attached**

F. Other Business, Announcements, Comments:
- **Park Board meetings schedule for July and August are canceled and will pick back up in September.**
- **A request was made to email updates during the 2 months meeting where adjourned.**

Meeting was adjourned at 2:30pm

Signature: James Peter Keiman

Park Maintenance

Hamilton WCMA Picnic Shelter being installed.



Rotary ZipKrooz being installed.



Doing finish work on the Veterans Memorial.



Neon City Art project being installed.

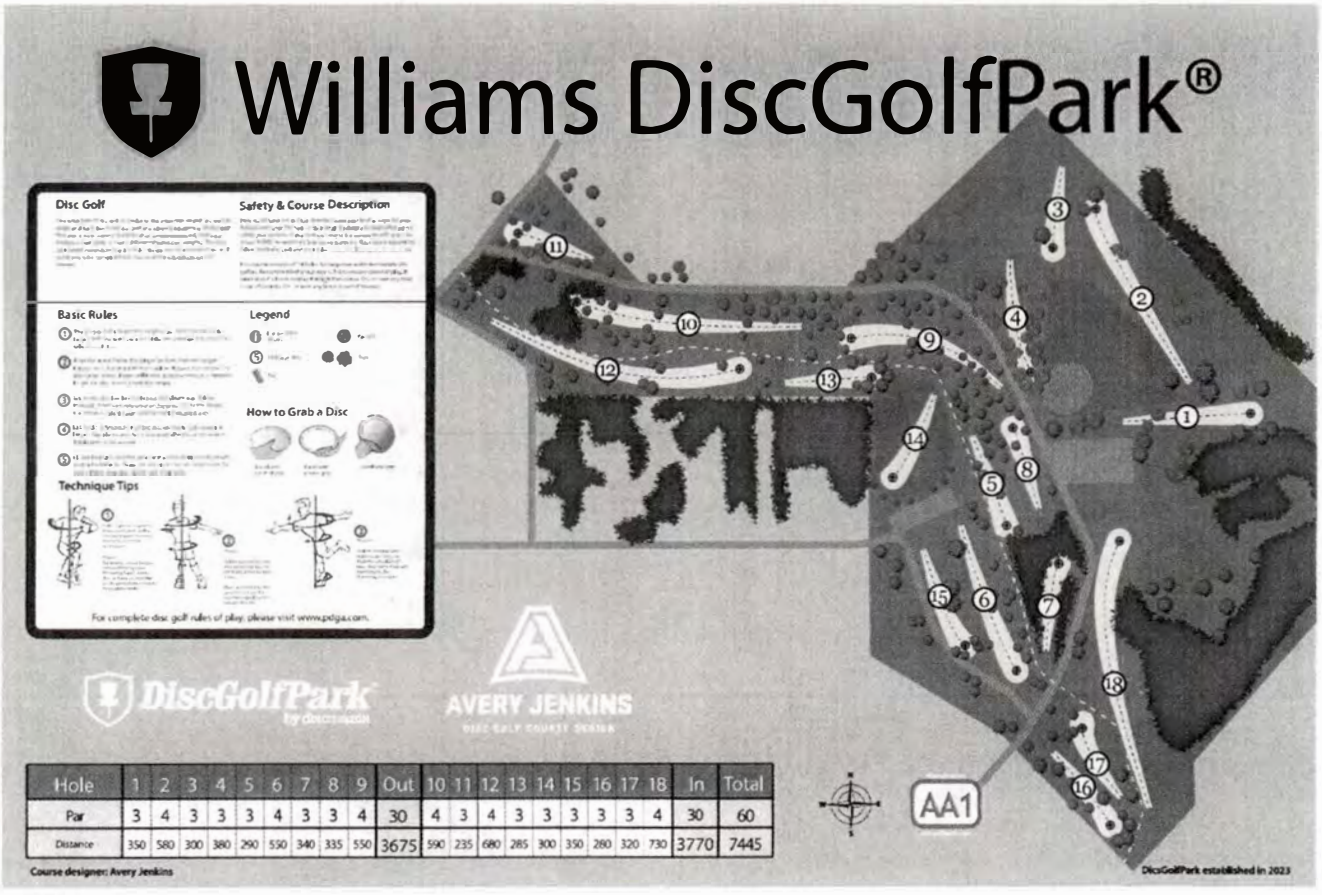


Installed the ADA Kayak Dock/Launch





Williams Park Disc Golf Course . Baskets installed, working on graphics and t-pad size. $5000 being raised by WFDGA for pads.



Hole	1	2	3	4	5	6	7	8	9	Out	10	11	12	13	14	15	16	17	18	In	Total
Par	3	4	3	3	3	4	3	3	4	30	4	3	4	3	3	3	3	3	4	30	60
Distance	350	580	300	380	290	550	340	335	550	3675	590	235	680	285	300	350	280	320	730	3770	7445

Scotland north shelter electrical underway.

Scotland berm shelter was delivered. TBD

Drainage Project on Holiday Creek Trail under construction

2100’ Safety Rail on Holiday Creek Trail construction 06-26-23

Recreation report 6/22/2023

50 Plus Zone daily attendance 229
50 Plus Zone celebrates 25 years the whole month of June with special events
New Fitness and Nutrition Class through the Texas A & M Extension Services runs each Monday June -July.

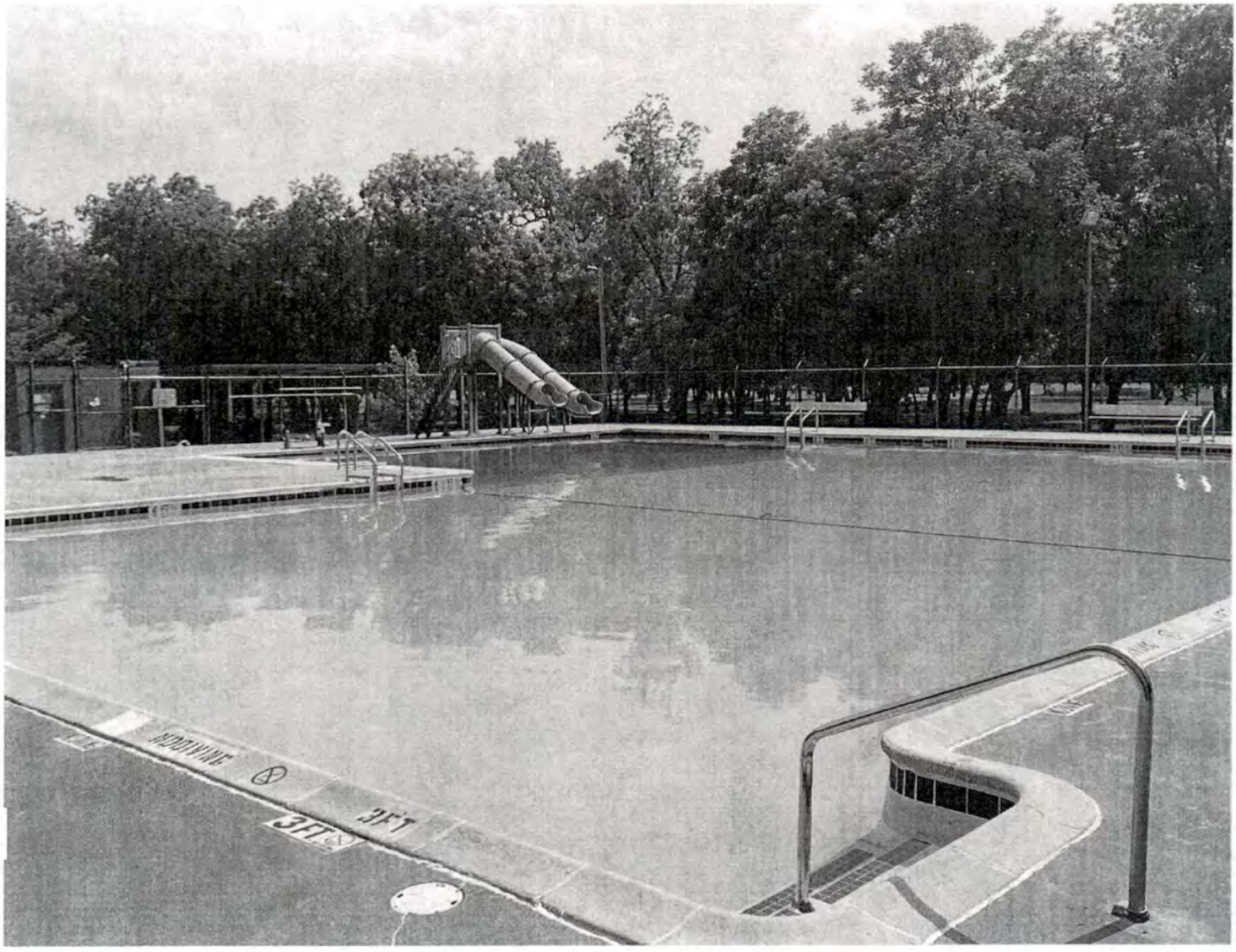
Last night was the last concert for the spring and had over 200 people attend despite the heat.
Summer Camps Summer Fun (Scotland) is at 60%
Lots A Fun (Jefferson) is at 93%
Swim Classes are full for the rest of the summer.
Summer Class enrollment at 51 for June.

Last weekends tournament was our biggest of the year with 31 teams and 22 from out of town. Economic impact for the weekend was 305,250 and total for the year so far is $1,373,625 This weekends tournament was a local Adult softball and it has been canceled due to heat most of the teams have pulled out. There are three tournaments scheduled for July. Recreation staff has done an incredible job maintaining the facilities, supplies and serving the players, coaches and fans!

Tennis/Pickleball summer camps and programs underway include new youth Pickleball camps and play. Annual City Tennis Championships scheduled in July.

Pool is up but new required Chlorinator system is having a hard time keeping up with the heat and load.
Unable to get any local companies to repair leak in the pool system Ferguson Veresh is still trying to find time so hopefully soon. That repair should help with the chlorinator?

Recreation only has one full time crew member in the field as of last Friday. We have received 5 applications and are trying to get them in as soon as we can.


NO DIVING
3FT
3FT

Wichita Falls Park Board Meeting
October 26, 2023

W.F. Recreation Center
600 11th St. Room 205
Time: 1:30pm

Presiding:	**Jim Heiman**
Members Present:	**Jessica Traw, Larri Jean Jacoby, Alan Donaldson, Dorcas Chasteen, Tom Taylor, Sandy Fleming,**
Members Absent:	**Josh Phillips, Michael Battaglino, Patrick Hearn**
City Council Representative:	**Absent Steve Jackson**
Other:	**Scott McGee, Terry Points, Blake Jurecek**

CALL TO ORDER:

Jim Heiman called the meeting to order at 1:30 p.m.

1 APPROVAL OF MINUTES:

The minutes from September 28, 2023 were put before the Board for approval. Dorcas Chasteen made the motion to approve the minutes and Tom Taylor second the motion.

3. DEPARTMENTAL REPORT:

A. Recreation: Scott McGee
- **See Attached Recreation Report**

B. Parks: Terry Points
- **See Attached Parks Report**

C. Lake Wichita Revitalization Committee:
- **No update**

D. Circle Trail Update:
- **Grant approved, still in waiting period.**

F. Other Business, Announcements, Comments:
- **Master plan contract is finished and will be meeting in late November**
- **Terms will be ending for board members, & will go over new applicants in next meeting after city elections**
- **Next meeting will be a combine November/December due to holidays**

Meeting was adjourned at 2:30pm.

Signature: Jim Heiman

Recreation Report 10/26/2023

50 Plus Zone daily attendance 272.

Halloween in the Park brought in over 3000 visitors. Big thanks to Sheppard AFB sending 40 volunteers and Kiwanis Key Club another 40. Sponsors included...
Raising Cane's Chicken, United Supermarkets, Walmart, Crumbl Cookies, First Bank, Nothing Bundt Cakes, Postel CU, Union Square, Firo Pizza and The Flamingo Bakery. This years MC Lauren Linville from KFDX and Costume Judges Councilman Michael Smith, Tsgt Justin Allmacher (SAFB) and Jesus Watford (Superior Health)

Rec class enrollment at 58 for the month of October.
Fall Concert series ended in October with some great bands, weather and crowds. Spring Series begins in April.

Softball Leagues will be wrapping up in the next two weeks along with Fall Volleyball Winter Volleyball and Basketball league registration is underway.
Crew will have stage at MSU on Friday night and at Los Muertes all day Saturday.
Some smaller projects funded by the 4B Board for improvements to the Sports Complex are underway now. Larger projects should begin once the Fall season is done.

Pickleball Fall Social is this Friday 10/27 at Falls Town Courts at Weeks Park
new Pickleball Leagues begin in November.
At Falls Town Courts at Hamilton Park Halloween Social is this Friday 10/27

For the past year 2022-23 the Recreation Division increased revenue by $119,152 a 54% increase over the previous year. Large revenue increases from the Sports Complex and new management agreement for tennis and pickleball at Hamilton and Weeks Park.

OCTOBER 26, PARK BOARD 2023

Freeman Construction has started on Lake Wichita Parking Lot. Parks pulled all bollards and moved boulders back. Moved and capped off water to three trees that will be removed due to construction.

Pulled and planting about 45,000 flowers for color change. We usually do it in four days, but the rain slowed things down.

We have had six funerals this month. Seventy for the year.

We are getting our Circle Trail Crew together.

Morningside Park/Playground is under construction. We have removed several trees, working on grinding stumps, removed old playground and painted swing frame, leveling park, We have the playground, swings, border and mulch. This should wrap up in November. CDBG

Loch Lomond Playground has been delivered. Construction November/December

Bridwell Fountain and Drain still under review. CDBG

Bridwell Multi-Purpose Courts Architect working on specs/drawings December?? CDBG

Bridwell Baseball Diamond December?? CDBG

10 th St. Pocket Park Benches November/December CDBG

Lions Park playground and sidewalks. CDBG

Lamar Park playground. CDBG

Williams Park playground on hold due to floodway issue CDBG

I am in discussion with Community Development on this one.

Wichita Falls Park Board Meeting
December 7, 2023

W.F. Recreation Center
600 11th St. Room 205
Time: 1:30pm

Presiding:	**Alan Donaldson**
Members Present:	**Jessica Traw, Larri Jean Jacoby, Alan Donaldson, Dorcas Chasteen, Tom Taylor, Patrick Hearn, Josh Phillips**
Members Absent:	**Sandy Fleming, Michael Battaglino, Jim Heiman**
City Council Representative:	
Other:	**Scott McGee, Terry Points**

CALL TO ORDER:

Alan Donaldson called the meeting to order at 1:30 p.m.

1 APPROVAL OF MINUTES:

The minutes from October 26, 2023 were put before the Board for approval. Jessica Traw made the motion to approve the minutes and Dorcas Chasteen second the motion.

3. DEPARTMENTAL REPORT:

A. Recreation: Scott McGee

- **See Attached Recreation Report**
- **Presented certificate to board members, who term has ended with Parks Board**

B. Parks: Terry Points

- **See Attached Parks Report**
- **Hursh Park getting a new playground**

C. Lake Wichita Revitalization Committee:

- **No update**

D. Circle Trail Update:

- **Grant approved, still in waiting period.**

F. Other Business, Announcements, Comments:

- **Master plan contract is finished and will be meeting in late November to put together steering committee.**
- **January board will elect new officers.**

Meeting was adjourned at 2:30pm.

Signature: _____

Park Board Recreation Report December 2023

50 Plus Zone daily average currently at 247

50 Plus Zone Thanksgiving Lunch with the Ken Nelson Jazz Band was held in November with 140 people attending.

Christmas with Elvis Lunch is Decmber 14th.

Recreation Class enrollment for November was 51. So far, December enrollment is at 44.

Christmas in the Park was held Saturday 12/2 with over 600 people enjoying the Candy Cane Scramble, visits with Santa and Mrs. Clause, games, balloon animals, crafts and train rides.

Trolley Tours are scheduled for 12/12 & 14. The 200 spots available were sold out in the first three days it was offered.

The Parks & Rec. stage and train will be a part of the Downtown Christmas Parade on Dec. 16th.

Fall Softball and Volleyball leagues ended in November. Registration for Winter Basketball and Volleyball are still ongoing.

In cooperation with the CVB the USA Youth Softball National Tournament for June of 2025 has been awarded to the city. The tournament is a week long event with more then 80 teams.

Dugout roofs at the Sports complex have been replaced, a new concession stand window should be installed within the month, new bleacher boards have been ordered, a third bid for restroom renovations and new Ac/Heat for concession should be in soon, and bids are in on new portable fence system. Hopefully, all of these items can be installed by the first tournament in February.

Falls Town Courts at Hamilton Park hosted a youth Thanksgiving tournament with 22 entries and a Pro Am tournament with the MSU tennis Team.

In December the center will host Holiday tennis Camos for youth during the Christmas break and a Ugly Sweater Tournament for adults.

Over at Falls Town Courts at Weeks Park the center hosted Veterans Appreciation Day and a Thanksgiving social in November.

In December the center will host an Ugly Sweater Social and two Doubles Play mixers.

Morningside Park makeover is near completion. They got a new playground, rehabbed swings, two recycled disc golf baskets, three slabs for picnic tables and litter receptacles (TBI next week when concrete cures).



We will start a new playground at Hursh Park in the next week or two. Old equipment is being removed and dirt work is currently being done.

Tree removal and stump grinding all over town. This will be an all winter project.

Lake Wichita Park road and parking lot coming along slowly.



Ordered drawings for the new Futsal and Basketball courts at Bridwell Park. We will go out for bid when we get them back.

Working on getting quotes for new playgrounds at Lions and Lamar.

Making plans with WFFD to assist in a controlled burn of the large brush pile in Lucy Park. Public notice should go out today and we plan to burn on Monday.

The new tree spade has arrived and the Case new track loader was approved at Tuesdays council meeting. Should be ordered this week.

WICHITA FALLS METROPOLITAN PLANNING ORGANIZATION

Technical Advisory Committee

Minutes

Thursday, April 11, 2024

Voting Members Present:
Lin Barnett, Wichita Falls MPO, MPO Director, TAC Chairperson
Cody Bates, Proxy for Callan Coltharp
Karen Montgomery-Gagne, City of Wichita Falls, Planning Administrator
Monty Brown, TxDOT, Director of Construction
Shanice Robinson, City of Wichita Falls, Interim City Engineer
Shaun Barnes, TxDOT, Proxy for Scot Reaves

MPO Staff:
Jaimie Lee, Wichita Falls MPO, Senior Transportation Planner

Absent:
David Rohmer, TxDOT, Director of Operations
Doug Wooster, City of Wichita Falls, Traffic Superintendent
Terry Floyd, Director of Development Services

Visitors:
Mark McBurnett, SAFB
Richard Milhollon, SAFB

I. Welcome & Introduction

Mr. Barnett, TAC chairperson, called the meeting to order at 9:33 a.m. and welcomed everyone in attendance.

II. Public Comment on Agenda and Non-Agenda Items

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

III. Review and Approval of the January 11, 2024 Technical Advisory Committee's (TAC) Meeting Minutes

Ms. Lee asked for any comments or corrections to the January 11, 2024 TAC meeting minutes. Receiving none, she asked for a motion to approve the minutes. Ms. Gagne made the motion to approve. Mr. Brown seconded the motion, which passed unanimously.

IV. Review and Comment Regarding the January 24, 2024 Transportation Policy Committee's (TPC's) Meeting Minutes – No Action Required

Ms. Lee asked for comments on the January 24, 2024 TPC meeting minutes. Receiving none, the committee moved on to the next agenda item.

V. Review and Recommend to the Policy Board to Approve the 2023-2026 TIP Amendment: Install 5 Direct Current Fast Charge Ports Within One Mile of the Electric Alternative Fuel Corridors (IH 44-CSJ 5000-00-203)

Ms. Lee directed the committee's attention to the enclosed TIP Amendment. Mr. Barnett informed the committee this amendment programs $413,796 towards building an Electric Vehicle charging station at 1526 Old Iowa Park Road in Wichita Falls. Mr. Barnett stated this project will install 5 Direct Current Fast Charge Ports within one mile of the Electric Alternative Fuel Corridors (IH 44). He stated no line of construction has been released yet. Mr. Barnett asked for any questions regarding the TIP amendment. Receiving none, Ms. Lee asked for a motion to forward the amendment to the Policy Board for review and approval. Ms. Gagne made the motion to approve. Mr. Barnes seconded the motion, which passed unanimously.

VI. Review and Recommend to the Policy Board to Approve the 2025-2028 Transportation Improvement Program (TIP)

Ms. Lee directed the committee's attention to the TIP insert located inside the meeting packet. Ms. Lee informed the committee this is the new 2025-2028 TIP, and once approved by the Policy Board, will supersede the current 2023-2026 TIP. Ms. Lee discussed updates to the new TIP. She stated MPO staff conducted a one-hour, come-and-go public meeting on March 28th from 5:00 PM to 6:00 PM at the Downtown travel center. Ms. Lee asked for a motion to forward the 2025-2028 TIP to the Policy Board for review and approval. Mr. Brown made the motion to approve. Mr. Barnes seconded the motion, which passed unanimously.

VII. 2025-2050 Metropolitan Transportation Plan (MTP) Update: Progress Report.

Mr. Barnett informed the committee of the current progress regarding the 2025-2050 MTP update. He stated MPO staff meets monthly with Alliance Transportation Group for progress reports. Mr. Barnett stated ATG has the Travel Demand Model and tested it for the new MTP. He stated the safety analysis is almost complete. The team discussed project stakeholders and affordable housing stakeholders. Mr. Barnett asked for any comments or questions regarding the MTP progress report. Receiving none, the committee moved on to the next agenda item.

VIII. U.S. 82 Corridor Study Workgroup: Progress Report

Mr. Barnett discussed TxDOT's ongoing U.S. 82 Corridor Study. He stated the WFMPO Executive Director was invited by TxDOT to participate in four rounds of online discussion, comment, and project ranking participation. Mr. Barnett stated other participants from our region included the Wichita County Judge, The Wichita Falls District Engineer, and other interested stakeholders. He stated the fifth and final round, scheduled for this summer, will wrap up the study and present a summary report. Mr. Barnett stated there were four projects located inside the MPO area along the U.S. 82 Corridor. Mr. Barnett asked for any comments or questions regarding the U.S. 82 Corridor Study progress report. Receiving none, the committee moved on to the next agenda item.

IX. Other Business:

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

City: Ms. Robinson stated there were no updates to the Hike and Bike Trail from west of Camp Fire girl's property. She reported on a Kemp Rehabilitation project that will begin this summer and a rehabilitation project from Callfied to Quail street.

TxDOT: Mr. Bates reported on the current construction projects: BU 287J widen roadway, three pavement repair projects located at FM 2380 from FM 369 to SH 79, SL 79 from Professional Drive to FM 1954, and SL 473 from BU 287J to US 82, a district-wide seal coat from US 82 at Windthorst Road to Fisher Road, and two bridge and approach rail projects located at US 82 EB/WB to Kemp and Taft, and BU 277A to BNSF RR.

b. **MPO Quarterly Financial Report (1st Quarter – October, November, December)**
Ms. Lee reported on the 1st quarter expenses for the MPO. She stated that the MPO had spent 18% of its total allocation for FY 2024. Ms. Lee asked for any comments or questions on the first quarter financial report. She received none.

c. **Other Items**
No items to report

X. Meeting Adjournment

The meeting adjourned at 10:16 a.m.

Lin Barnett

Irvan F. "Lin" Barnett Jr.
~~MPO Transportation Planning~~ Director
Wichita Falls MPO

WICHITA FALLS METROPOLITAN PLANNING ORGANIZATION

Transportation Policy Committee

Minutes

Wednesday, April 24, 2024

Voting Members Present:
Tim Short, Chairperson, Wichita Falls Mayor
Bobby Whiteley, City Council
Adam Steed, Proxy for Dennis Wilde, North Texas Regional Planning Commission
Van Dotson, Proxy for Judge Jim Johnson, County Judge, Wichita County
Shanice Robinson, Proxy for Russell Schreiber, City Public Works
Mike Beaver, District Engineer

MPO Staff:
Jaimie Lee, WFMPO, Senior Transportation Planner
Lin Barnett, WFMPO, Transportation Planning Director

Absent:
Cory Glassburn, Mayor, Lakeside City
Jeff Watts, City of Pleasant Valley, Representative
Larry Nelson, City of Wichita Falls, City Council

Visitors:
Callan Coltharp, TxDOT

I. Welcome & Introduction
Mayor Short, the TPC chairperson, called the meeting to order at 8:30 a.m. and welcomed everyone in attendance.

II. Public Comment on Agenda and Non-Agenda Items
Mayor Short asked for any public comments on agenda and non-agenda items. Receiving none, the committee moved on to the next agenda item.

III. Review and Approval of the January 24, 2024 Transportation Policy Committee's (TPC) Meeting Minutes
Mayor Short asked for any comments or corrections to the January 24, 2024 TPC meeting minutes. Receiving none, he asked for a motion to approve the minutes. Mr. Beaver made the motion to approve. Mr. Whiteley seconded the motion, which passed unanimously.

IV. Review and Comment Regarding the April 11, 2024 Technical Advisory Committee (TAC) Meeting Minutes – No Action Required
Mayor Short asked for any comments or corrections to the April 11, 2024 TAC meeting minutes. Receiving none, the committee moved on to the next agenda item.

V. Review and Approval of the 2023-2026 TIP Amendment: Install 5 Direct Current Fast Charge Ports Within One Mile of the Electric Alternative Fuel Corridors (IH 44- CSJ 5000-00-203)

Mr. Barnett directed the committee's attention to the enclosed TIP Amendment. Mr. Barnett informed the committee this amendment programs $413,796 towards building an Electric Vehicle charging station at 1526 Old Iowa Park Road in Wichita Falls. Mr. Barnett stated this project will install five (5) Direct Current Fast Charge Ports within one mile of the Electric Alternative Fuel Corridor (IH 44) and that funding will come from Federal and State dollars at an 80/20 percent match. He stated that TxDOT had not released a time line for construction yet, but the expectation is sometime in 2025. Mr. Barnett asked for any questions regarding the TIP amendment.

Receiving none, Mayor Short asked for a motion to approve the amendment. Mr. Whiteley made the motion to approve. Mr. Beaver seconded the motion, which passed unanimously.

VI. Review and Approval of the 2025-2028 Transportation Improvement Program (TIP)

Mayor Short directed the committee's attention to the enclosed TIP located inside the meeting packet. Mr. Barnett informed the committee this is the new 2025-2028 TIP, and once approved by the Policy Board, will supersede the current 2023-2026 TIP. Mr. Barnett commented that Ms. Lee produced the new TIP from start to finish with very little assistance from himself. Mr. Barnett discussed updates to the new TIP and asked for any comments or questions. Receiving none, Mayor Short asked for a motion to approve the 2025-2028 Transportation Improvement Program. Mr. Beaver made the motion to approve. Mr. Whiteley seconded the motion, which passed unanimously.

VII. 2025-2050 Metropolitan Transportation Plan (MTP) Update: Progress Report.

Mr. Barnett informed the committee of the current progress regarding the 2025-2050 MTP update. He stated MPO staff meets monthly with Alliance Transportation Group (ATG) for progress reports. Mr. Barnett stated that ATG has reviewed the TxDOT Travel Demand Model for the WFMPO area and has tested it for use in developing the new MTP and found it to be satisfactory. He stated the safety analysis is almost complete. The team discussed project stakeholders and affordable housing stakeholders. Mr. Barnett asked for any comments or questions regarding the MTP progress report. Receiving none, the committee moved on to the next agenda item.

VIII. WFMPO By-Laws Amendment: Increase the TAC Committee Board Membership

Mr. Barnett stated our colleagues at the Wichita Falls TxDOT District Office have requested adding a new board member to the WFMPO Technical Advisory Committee. He stated the title of this new position is "Director of Transportation Operations." Mr. Barnett stated the TxDOT Transportation Planning and Development Director, Scot Reaves, presented the request to the MPO and stated Mr. Shaun Barnes was promoted to the position. Mr. Beaver made a correction to the By-Laws stating the TxDOT Director of Operations title has now been changed to TxDOT Director of Maintenance. Mr. Barnett stated all changes to the makeup of the committees within the WFMPO By-Laws requires approval by the Policy Board. Mayor Short asked for a motion to approve the WFMPO By-Laws. Mr. Steed made the motion to approve. Mr. Whiteley seconded the motion, which passed unanimously.

IX. Other Business:

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

City: Ms. Robinson reported on the Business Park project stating it was 68% complete; the 2023 Concrete Street Rehab project stating it was 89% complete. The Lake Wichita Parking Lot was 99% complete. The Hike and Bike Trail from Campfire to Lucy Park will begin construction in early 2025.

TxDOT: Mr. Coltharp reported on the current construction projects: BU 287J widen roadway, three pavement repair projects located at FM 2380 from FM 369 to SH 79, SL 79 from Professional Drive to FM 1954, and SL 473 from BU 287J to US 82, a district-wide seal coat from US 82 at Windthorst Road to Fisher Road, and two bridge and approach rail projects located at US 82 EB/WB to Kemp and Taft, and BU 277A to BNSF RR.

b. MPO Quarterly Financial Report (1st Quarter – October, November, December)
Mr. Barnett reported on the 1st quarter expenses for the MPO. He stated that the MPO had spent 18% of its total allocation for FY 2024. He stated WFMPO is on schedule to spend the required amount of their budget. Mr. Barnett asked for any comments or questions on the first quarter financial report. He received none.

c. Other Items
Mr. Barnett discussed TxDOT's ongoing U.S. 82 Corridor Study. He stated the WFMPO Executive Director was invited by TxDOT to participate in four rounds of online discussion, comment, and project ranking participation. Mr. Barnett stated other participants from our region included the Wichita County Judge, The Wichita Falls TxDOT District Engineer, and other interested stakeholders. He stated the fifth and final round, scheduled for this summer, will wrap up the study and present a summary report. Mr. Barnett stated there were four projects located inside the MPO area along the U.S. 82 Corridor. Mr. Barnett asked for any comments or questions regarding the U.S. 82 Corridor Study progress report. He received none.

Mr. Barnett informed the new TPC Board Members of the 2016 requirement to fill out and submit the WFMPO Ethical Standards Policy Affidavit in compliance with the MPO's Internal Ethics and Compliance Program established by the Policy Board on January 27, 2016. The majority of the Board Members had completed their affidavits in previous years. Mayor Tim Short and Councilor Bobby Whiteley completed their affidavits after the meeting adjourned. Mr. Dotson will have Judge Jim Johnson complete his. In addition, Mr. Barnett will contact Councilor Nelson and have him complete his affidavit. There were no other items to discuss.

X. Meeting Adjournment
The meeting adjourned at 9:35 a.m.

Honorable Tim Short
Mayor Wichita Falls

MINUTES

LAKE WICHITA REVITALIZATION COMMITTEE

July 9, 2024

PRESENT:

Austin Cobb, Chair
Steve Garner, Vice Chair
Mike Battaglino, City Council Rep
David Coleman, Secretary
John Pezzano
Jack Roe
Adam Arruda
Josh Whittiker
David Bender
Matt Marrs

■ Members

Terry Points, Parks Administrator
Blake Jurecek, Asst City Manager
Tyson Traw, Deputy PW Director

■ Staff

■ Guests

ABSENT: Sharon Roach, Alicia Castillo

---

1. **Call to Order**: Austin called the meeting to order at 11:30.

2. **Approval of Minutes:** May meeting minutes were approved unanimously. Note that the June meeting was canceled.

3. **Project Updates:**

3.a. Veteran's Plaza Project:

David C stated that the brick engraving is complete, except for 4 bricks that needed the templates re-made. These should be completed this month, when the engraver returns from vacation. The group voted unanimously to install a sign that instructs visitors how to order a brick to be engraved, and Terry Points will get wording to David for the sign. Up to $500 for the sign was approved unanimously.

David also stated that the Thomas Fowler MOH monument is complete and looks beautiful. The extra $500 for a concrete apron around the monument is now paid to Marrs Patriot Construction.

3.b. Lake Deepening:

Steve contacted Dr. Clyde, USACE, who stated that our dredging project is still in the Continuing Authorities program for FY-25, and when funds are available the Corps will begin the process to create the Determination of Federal Interest.

3.c. **Parks Master Plan:** Blake stated the City got a very good return rate for the surveys, both on-line and mailed. The consultant will formulate 5 strategies for recommendations, which will be complete by the end of the year.

4. **Discussion of Brick Sales and Fundraising Initiatives:**

David stated we are waiting for an invoice from Austin Stone & Monument for $2,645 for the brick engraving.

David stated the Wells Fargo checking account balance is $82,154 with one pending obligation of $2,645 for Brick Engraving.

5. **Other Business Matters**:

Austin suggested that John Pezzano be moved to the Lakeside City ex-officio seat, since he's now on the City Council of Lakeside City. This was approved unanimously, which creates a vacancy at Place 4 for a resident of Lakeside City.

Mike mentioned that American Legion Post 169 has assumed Flag raising duties at the Veterans Memorial Plaza, and they hold the key to the flagpole.

6. **Adjournment**: The meeting adjourned at 12:06 pm.

Austin Cobb, Chair

8-13-24
Date

July 9, 2024

MINUTES

PLANNING & ZONING COMMISSION

July 10, 2024

PRESENT:

David Cook	◆ Chairman
Michael Grassi	◆ Member
Mark McBurnett	◆ SAFB Liaison
Douglas McCulloch	◆ Member
Noros Martin	◆ Member
Wayne Pharries	◆ Member
Blake Haney	◆ Member
Steve Wood	◆ Member
Jeremy Woodward	◆ Member
Brady Enlow	◆ Alternate No. 1
Alan Sizemore	◆ Alternate No. 2
James McKechnie, Legal Department	◆ City Staff
Russell Schreiber, Director of Public Works	◆ City Staff
Terry Floyd, Director of Development Services	◆ City Staff
Fabian Medellin, Planning Manager	◆ City Staff
Christal Cates, Planner II	◆ City Staff
Cedric Hu, Planning Technician	◆ City Staff
Robin Marshall, Admin Assistant	◆ City Staff

ABSENT:

Matt Mars	◆ Member

I. CALL TO ORDER

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

II. PUBLIC COMMENTS

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

III. APPROVAL OF MINUTES

Commissioner Noros Martin, made a motion to adopt the amended, June 12, 2024, minutes.

Commissioner Jeremy Woodward seconded the motion. The motion was passed unanimously, 8-0.

IV. REGULAR AGENDA

1. Case C 24-18 – 3200 Kenesaw Avenue & 3205 Kessler Boulevard
Consider taking action on a conditional use at 3200 Kenesaw Avenue & 3205 Kessler to allow for expansion of a non-conforming cemetery in a Single Family2 zoning district.

Applicant: Dcn. David Bindel

Commissioner Steve Wood made a motion to approve the case. Commissioner Doug McCulloch seconded the motion.
Mr. Fabian Medellin presented the case to council and stated that Dcn. Bindel had met with staff regarding the lot, that the church has owned for a number of years, and they have been unable to expand or make this petition due to a deed restriction. That deed restriction expired two months ago, so the church is wanting an expansion of the use of the cemetery. The major thoroughfares near this property are Wenonah Blvd, Kessler Blvd., Seymour Road as well as Santa Fe. Mr. Meddelin showed aerial views of the property showing that the lot has an existing cemetery on the southern (Kenesaw) end of the property, with the vacant proposed site being located on the northern (Kessler) end of the property. The Site is within a Single Family 2 zoning district which does not allow a cemetery, but under Section 6100, if the property is located on the same lot, a petition can be made before the Commission to allow for that expansion. He stated, as a part of our process, we have notified all property owners within 200 feet, but we did not receive any responses back from. When we look at the staff's recommendation, we look at the impacts the cemetery would create if expanded. It would have services and visitors, but this would be conducted during daytime business hours. When looking at the proposed use and expansion, and looking at the layout, the 3205 Kessler touches the neighboring property (3209) but is very minimal. The majority of the expansion will be abutting the residential uses by right of way through Kessler and Santa Fe. Coupling that with the low use of visitation, staff does make the recommendation to approve the conditional use for the expansion for the non-conforming cemetery in the Single Family 2 zoning district with the two following conditions:

1) The lots, 3200 Kenesaw Avenue and 3205 Kessler Boulevard, be combined through the platting process. and
2) That any development shall comply with any applicable building codes.

Chairman Cook asks if the applicant is in the audience, and would like to speak. Dcn Bindel stepped forward to address the Commissioners. He thanked the Commissioners for their consideration of this motion, and Mr. Medellin for the work he has done for Sacred Heart and the cemetery, and would appreciate the Commission's approval.

Chairman Cook asks if there is anyone else that would like to speak. No one steps forward. Chairman Cook then asks if there is any discussion about the motion. Commissioner Norris Martin asks why they are voting to approve something that already is being used for a cemetery, because even though the 3205 Kessler section does not have any tombstones or markers, the 3200 Kenesaw section does. Mr. Medellin explains that the ordinance for that zoning district does not allow use for a cemetery, but the existing one is there so we continue to let it exist, perpetuity, until something changes on that land. The ordinance doesn't allow for expansions, except through this process, through the

conditioning experiment process. So, prior to them expanding on that, the secondary lot, the ordinance required that it only be expanded on the same existing property. So, a combining of the laws would be required, and then your approval also to be required, before they can expand on that piece of land.

Chairman Cook took the motion to a vote, and the motion passed 8-0 in favor.

2. **Case R 24-03 – 4307, 4309 & 4311 Canyon Trails Drive**
Public hearing to consider taking action on a proposed amendment, Canyon Trails Planned Unit Development (Ord. 07-2016), to allow for the conversion of 4307, 4309 & 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to single family lots permitted on the Master Plan by the proposed three lots.

Applicant: Esther Muratha

Chairman Cook notes that this is a public hearing, and opened it at 2:08pm. Mr. Medellin presented the case and stated that the three parcels, 4307, 4309 and 4311, are part of a master planned unit development that was established in 1992. Since then, there have been a couple revisions to that, one in 2004 and one in 2016. The applicant, Esther, purchased the three properties from a third-party vendor on behalf of a consortium of trustees in the City being one of them, the school district and the county. These properties were struck off, meaning the original developer and owner, Mr. Rhone, was unable to make payment of his property taxes, and because of such, the properties were seized. They weren't acquired by anyone, so they were struck off and became ownership under the trustee group. Ms. Muratha met with staff after she acquired the properties to begin discussions on what can be developed, and it was at that time she was informed of the PUD and the very unique development of that neighborhood. The three properties that Ms. Muratha purchased (pictures of the three properties are displayed for the Commissioners to see) were all designated as open space. As pointed out in the pictures in an overhead view of the entire early subdivision, and looking at the layout and the adjacent uses, for the most part it is all residential other than the open space directly to the southeast, northwest and the southwest as well. This planned unit development is incomplete. It hasn't been finished out. There are a couple other portions still left remaining to be developed. Canyon Trails, as part of the last layout, is proposed to extend and connect to Turtle Creek and then just north of that are two additional cul-de-sacs proposed that were approved as part of the 2004 amendment to the PUD. Mr. Medellin shows a more precise look at the zoning district and the adjacent uses and states that it is all single family and open space. Just outside of the PUD, portions of Tanglewood are Single Family 1 zoning district. Showing a view of the subject site, Mr. Medellin shows that a gazebo was built and installed by the original owner/developer early in the 2000's with a dedication ceremony, basically an unveiling of the gazebo for the neighborhood. That has remained there since. Showing other views of the properties and the surrounding uses, Mr. Medellin states they are primarily residential or open space and points out that those are east and west views along Canyon Trails Drive. When the owner met with the Planning and Development department, and learned of the PUD and the limitations of its uses, we suggested before moving forward that she should reach out to the neighborhood and do a door-to-door survey to really get some insight and opinions from the neighborhood. When she returned, she stated that she received mixed reviews, some in favor, some opposed, but no real clear line on if the neighborhood would support her efforts. We suggested she do a second survey, and we offered to host it or even participate in it. We couldn't mediate, but we could observe and take notes of the

interactions. Then after some time, due to personal reasons (Ms. Muratha had a baby) and after two years the applicant came back and wanted to move forward with the petition. She informed us that nothing had changed in regards to the surveying of the neighbors, and that it was still mixed reviews. The staff began to weigh what was going to be our recommendation, and this was not an easy decision. What we use are some of our previously guiding principles, we try to use equity and fairness as best as we can in the application of all of our laws, and that's the way they are written. And then the way we try to make recommendations, whether it be a duplex or a manufactured home, but we want to give housing options. And that is one reason we gave this recommendation.

The properties are platted right now. This is a unique set of circumstances for these properties. The layout changed in 2004, however, these properties were platted in 1997 in contradiction to that layout. In contradiction to the Master Plan Layout, and those were done by the original developer in 1997, so that lends staff to believe that would have been the developers path moving forward and his intention to build on those parcels. Why else plat them? This was another thing the staff considered. The second thing is, as a part of the development, the developer placed deed restrictions on the property. Really, that is a civil matter unrelated to land use regulations. However, in addition to those deed restrictions, we do have a very hefty developmental regulations, as you can see in the current adopted PUD plans for any new single-family home that do include things like square footage requirements, height requirements and so forth. Leading to a standard of a product that would be built. So, there are protections for products that would be built. In our estimation, it would be at least a $400,000 home that would be built. Now, that is just our opinion, and we are not in the building business, but there are protections today that will set those requirements of what can be built, and we are not asking to change those. All we are asking is to allow for those three lots to be changed from open space to new residential homes. As part of the requirement, we do send out notices. This is a little different from your typical conditional use permit, because we are changing the whole district. It's not just a lot or two lots, it's the whole planned unit development that we are changing. So, we had to notify everyone within the planned unit development, and 200 feet around that. So, 188 notices were sent out, and of that we received, actually received one just now just before the presentation. So as of now, we have 26 opposed, six in favor and four undecided responses. State law requires that once we hit a threshold of 20% or either lots, or land within the area being changed, or within the area of +200 feet, that a supermajority approval by the governing bodies is required. Now, that would be City Council and we are making the recommendation today that it go to City Council. Looking at some of those considerations, some of the history of the PUD, and some of our planning philosophies, and the one that weighs on me most is the housing density burdens. Every month we approve duplexes in Single Family 2 zoning districts in the most dense neighborhoods. So, Mr. Medellin states he feels it is not the responsibility of those, the typically disadvantaged communities, to bear the burden of housing densities. He believes there is an opportunity here to create more housing options now, whether if you want to live in a duplex apartment or a $400,000 home, that their property owner's prerogative. Right? You choose where you live.

The staff recommend that we make those changes to the planned unit development, to change those three properties, 4307,4309, and 4311 Canyon Trails, from open space to a Single-Family dwelling unit lot. And to increase the number of lots allowed within that planning and development by those three.

Chairman Cook asks if anyone would like to come up to the podium and speak, and informs all that there will be a three-minute time limit to present one's case.

Frank Jarrett comes to the podium, and states that his house is right across the street. He states that he did not respond to the notification letter, but says this is a bad development. He notes that there is a steep hill on a very sharp shallow lot, with narrow building boundaries. He objects to the proposed changes and says there are better places to build. He feels that whoever buys those lots to build will have a difficult time maintaining the hill due to land sliding. He says it has nothing to do with his sense of privacy or having people in the neighborhood.

Commissioner Doug McCulloch asks, if the hill wasn't there would you still object? Mr. Jarrett says that conceptually, in terms for housing, he has no problem. But the problem is those plat lines do not do justice to the terrain. That is an old gully. I think the hill is a bad place to build, basically.

Dan Gagne steps up to the podium to speak. He states that he lives down the street and across the road from the property. He is also adjacent to a major drainage easement there. He is opposed to changing the designation of the open area/park to residential. Adding these residential properties in Canyon Trails, as Fabian said, they will be $400,000 homes. It does not add to affordable housing in Wichita Falls. That's not what we are looking for. The Canyon Trails PUD is unique in that it combines urban living with wild scape. It's the only place like that in all of Wichita Falls. All the homeowners in the development, whether they know it or not, have paid some premium to have a hundred and some acres developed out of a 300-acre development. Leaving all that, Rhone Construction left a lot on the table. He could have popped homes in on top of each other and made a whole lot more money. Over the years there's been a lot of changes, as they mentioned, and you have talked about it already. But one thing remained consistent, that we preserve open space or wild scape. That's important. Dave Rhone built the gazebo in around 2002. Mr. Gagne stated he doesn't have notes on it or pictures, but he was at the picnic that he threw, the BBQ that dedicated that area to the homeowners. Why did he do that? Because, as Frank mentioned, the lots are unbuildable. He platted them out, or his architect platted them out, and then they found out that building there was not going to be a good idea. So, unfortunately Rhone Construction declared bankruptcy after Dave Rhone passed away, and the lots were seized by the city. They were sold through public auction and people bought them. Mr. Gagne looked at them, and thought of buying some, but didn't because it didn't make logical sense to him for his finances and for location. But other investors bought them, seeing the same thing he did, that these were nonresidential. They were to be kept open space. The designations were there and they were in the descriptions. One thing he didn't realize was when Mr. Gagne moved in, was how poor the drainage is in Canyon Trails. They built the drainage for the one hundred and some houses that were planned there. Just barely, that area drains by a 48-inch culvert. Beside my house is a four foot by five-foot square culvert that passes under Canyon Trails Road, that thing fills to the brim. (Alarm sounds that his time is up)

Chairman Cook says that Mr. Gagne can give a closing statement. Mr. Gagne continues that the 20-foot square cross section is full. It gets down to the four-foot diameter, 12 ½ half square foot cross section, and it backs up all the way into our yard and our neighbor's yard. That's how much water is coming through this development. He feels that approving this amendment makes it a dangerous precedent, and say there are other people that bought some of those lots that want to develop as well. So, how do you tell this developer, yes, and the next person that comes down the road, no? How do you tell classic builders that purchased the leftover of the development from Dave Rhone Construction that you had room for 117 houses in here, but we just gave three of them away to this guy, and we gave one to that guy…and we, you know, that sort of stuff? So, if we are going to maintain the 117 homes in the planned urban development, we need to do that starting now. So, I'm asking you to please stick to the development, the master plan, with all its changes. Do not allow our open areas to be taken away, because once that open area, the parks, the wildlife is gone, it will never come back.

Mr. Bob Hamblin approaches the podium to speak, and states that he lives directly across from the gazebo. Also, he lives next to a drainage ditch, that is concrete and 48 inches long. It's a good ditch, although it is not big enough. He has lived there for 15 years, and the water that comes down is red, most of it comes from the bluff across the street behind those lots at the far end. You have the corner lots, the middle lot and the other lot, and most of the dirt comes off that lot right next to the third one. It's eroded quite a lot. There's a sidewalk that runs in front of that, four inches below the red dirt, that's how much dirt has come off of that thing over the years, and it's coming down through that culvert and stacks up as soon as it runs out of concrete at the property line, out into the flood lake and creates a dam. Mosquitos, in the 15 years he has lived there it was only cleaned out once about four years ago. Mr. Hamblin used to be a builder, and the plats in here, the previous builder built on the desirable lots. The three lots, he feels as a previous builder, that those lots are not desirable for putting up a spec house and looking for someone to build it. If he were building that on there, he would try to put the cheapest house he could on it. Even if you build a square house on there, you might have 18 feet in the back of the house before you are up against the bluff, for a backyard. If you build a rectangle house in there, you might get up to 24 feet for a backyard. He says, so you can see why it would be undesirable for most people with children or whatever. He is also concerned that they would not want to build a house that would be comparable in amenities because of the cost of building it. At the cost of $125 a square foot, which would be cheap in today's market, those houses would cost about $320,000 to build, and then you would have to make a profit on top of that. "My house across the street, I could probably sell that thing for maybe $350,000. But the insurance company that insures it insists they insured the full replacement value, which is $400,000. So, you can see my concern what they might have to build across the street from me. Thank you"

Commissioner McCulloch asks Mr. Hamblin what size house does he own, and Mr. Hamblin states his house is 2170 square feet.

Mrs. Judy Wade steps to the podium and says she lives in the house on the very corner at the juncture of Canyon Trails and the big hill for 14 years. She says she has watched cars speed down the hill, with that turn, and then speed down Canyon Trails. She stated there are children in the neighborhood, and it's a pretty safe neighborhood, but the traffic is unreliably fast at times. The kids need to be on their bikes, they need to be walking. She said they have adult runners, bikers using the aerobic opportunity of the hill. A neighbor or hers was rear ended as he pulled out of his driveway from someone coming down the hill too fast. She continued, if the gazebo is torn down and they put a large $400,000 brick and mortar home, that the view will then be almost totally obstructed of the traffic coming down the hill. She said the kids will no longer be safe. Pulling out of our driveways will not be safe, because the traffic coming down the hill won't see them, and vice versa. She continues, if you allow a home to be built on the corner, you have to assume they are going to want a privacy fence, up the hill so the traffic won't look into their backyards. That's going to obstruct the view even more, and maybe even cut off a little bit of the sound of the cars coming down, so walkers and bikers won't even know anyone is coming down. And, in the winter, it gets icy. Now, she says, if you build a home, you have to assume they will park their cars in front of their home, or their visitors will be there. Now, besides just the brick-and-mortar home obstructing the corner view, now you've got cars possibly on both sides. You add that to people racing down the hill, and that creates a very dangerous situation. She strongly opposes the approval of changing the lots to residential. She asks to please keep it for their wildlife. They do see deer and bobcats crossing that area in front of the gazebo and no one objects to that.

Chairman Cook asks if anyone else would like to speak, and no one responds. Then he asks if the applicant, Esther Muratha, would like to make a presentation. Ms. Muratha and her husband step to the podium. She states that her husband and her are the owners of those three lots, and they bought them from the Texas Community Group and that they were not told that the land was open space. Since they purchased the lots, they have maintained the properties including taxes and mowing. She stated that she understands that the worry is based on the terrain of the land, and feels that an architect could help with the concern of the water coming up the hill. She also says they intend to build houses that will match the value of the neighborhood, trying to brin less affordable houses. And she understands that while a $500 home may not be affordable for someone else, it is affordable to some. She said, "so just because the value of a home is high that it doesn't add to any value. She says she would appreciate the vote of the commission."
Her husband stated his appreciation as well.

Commissioner Wood asked when they were looking at the lots, did they do any research to determine how large of a footprint that they could potentially put on each of the lots? And asked if they looked at what kind of retaining wall, or what kind of method they might use to try to expand that or increase the usable footage of each of the lots? Ms. Muratha says that the restrictions for the city is about 2000 square feet for a single family. And stated that during the initial meeting with the city it was acknowledged that there would be a little bit of a challenge with the drainage, but they said it was doable. Her husband added that it would be done with an architect's expertise and they will definitely heed their word and do what they say is best.

Chairman Cook asked if there is any additional discussion from the audience, and there is none. Chairman Cook then closes the public hearing at 2:37pm.
Chairman Cook asked if there is a motion to approve the case, stating that this is just approving the case for the discussion here. That they are not voting on the actual change yet. Commissioner Michael Grassi made the motion and Commissioner Wayne Pharries seconded the motion. Chairman Cook states that the case is now closed for public discussion and will now start discussions by the Commission.

Mr. Wood asked Mr. Medellin to give more information about the plat from 1997, when Mr. Rhone had those lots platted, and wanted to know as they were researching if there was any discussion about those lots being set aside as open space? He asks, "was that changed? Was there any discussion there that, you know that planning process that would basically change the designation from open space to residential lots?" Mr. Medellin replies, "So, looking through our records, that's 25 plus years ago, not a whole lot of documentation from any kind of meetings that were held during this planning portion, because, as part of our PUD processes, the plan has kind of functioned more of the master plan. So now the plans were submitted, but particularly never proven and that meant, your infrastructure, your water, your roads or streets. But in those planning kind of discussions, when that plat came through with those new lot lines, we didn't have any kind of record of where they came from. It was turned in by a surveyor on behalf of the via developer."
Mr. Grassi asks how long has it been declared open space, and Mr. Medellin said since 1992.

Mr. McCulloch wants to clarify, that they were open space in 1992, then in 1997 the lots were given separate platting? Mr. Medellin stated they were given lot lines that divided the open space. Mr. McCulloch asks if there is any idea why someone would put separate lot lines in an open space? Mr. Medellin says, in his profession, if someone is adding lot lines they are looking to buy and build. Mr. Grassi asked, but they never changed the designation? Mr. Medellin said," they never did."

Mr. Pharries stated, looking at the pictures and the drawings of the development, it looks like the original stuff that was included with the packet, in the appendix, all show that it is lots and not open space. On pages 110, 111 and 108 they all show those as houses. He speaks about one of the prior residents that spoke about when the gazebo was dedicated. It was dedicated in 2002, and the lot lines were added in 1997. Mr. Medellin says that the other limitation of those open spaces is only to be used for passive recreation. So, trails, sidewalks and the gazebo. That's the only use in the open space. Mr. Pharries stated that Mr. Gannon made a comment that designating these three lots as buildable might have some effect on other developers who have property. Mr. Medellin says that is correct, and adds that between the changes in layout from 1992-2004, there was whole other cul-de-sac added, but the total number of homes allowed within that residential planning development was never increased by that number of homes by the cul-de-sac. So, they amended the layout and showed more homes than what the development regulations allow. He added, that there is going to be a day that the 110 limit is going to be reached and these other homes in this layout will be denied. Mr. Medellin stated he didn't include that, because he didn't want that to be seen as the applicant making that position. But Mr. Medellin says he is in favor of making that change so that the total number of homes shown in the last layout, in the 2016 layout, be amended to include that last cul-de-sac. Adding, that it is the prerogative of the Commission, but Mr. Medellin wants to try to keep her petition and prior developmental regulations separate. Mr. Pharries says he feels they are setting a precedent here, and that it makes sense in a lot of ways to allow this. But asked, "at the same time, is that going to cause us a problem when someone comes back and wants to take some of the other that has never been designated as lots, and turn that into lots?" Mr. Medellin said that problem exists today.

Mr. Pharries said that he noticed in the request that is being made, is for the approval to change these from open space to residential lots, but it also says "and increase the maximum number of single family lots permitted in the master plan by a proposed three lots." He asks, "so that is part of what we would be presenting and recommending to Council, could be both, so in sense they'd still be in the same boat tomorrow... whenever... that they are today. So, I think here we have a chance to approve this and not affect future development, any more or less, than what's already in place, correct?" Commissioner McCulloch asks Mr. Medellin, "if we don't approve this, what happens?" Mr. Medellin states that the property owner gets to maintain an open space/property. Mr. McCulloch then states that the owner will get to maintain the open space until they stop maintaining the open space, and then they stop paying taxes, and it starts all over again. Mr. Medellin answered, yes. Mr. McCulloch then asked, there is no active homeowner association, is that correct? Mr. Medellin states that is correct.

Mr. Norris asks on open property such as this, are there any property taxes assessed on these open, and who pays those? Mr. Medellin says that land has a value, and yes there are taxes, and states that the applicant is paying those taxes for that land and that gazebo. Mr. Norris says as he understands, Mr. Rhone owned these properties at one time, and he declared bankruptcy and did not pay the property tax. He asked, who pays the back taxes and interest? Mr. Medellin replies that the applicant paid them when she purchased the properties.

Even though the public hearing part of this meeting has been closed, Mr. Hamblin would like to add something, and the Commission chooses to allow him to speak. He speaks about the stability of the hill, and that a contractor had come out and poured concrete down behind the house to keep it from falling down. That was about three to four years ago he states. Mr. Pharries asks Mr. Hamblin if at the time the lots were listed for sale, did the homeowners talk to each other about purchasing the properties so they could control it? Mr. Hamblin says no. Mr. Pharries suggested that they could do that now and it would

make everyone happy, trying to come up with a solution that would be in everyone's favor. Mr. Hamblin responded that those are not desirable lots.

Mr. Grassi asked City Attorney James McKechnie a question about the HOA that deed restrictions that are listed in the packet, and asks if the deed restrictions can be viable since the HOA was never set up? Atty. McKechnie stated deed restrictions in the master plan are a little bit different than the deed restrictions actually on file. They can be viable again, but that would have to be a private lawsuit against neighbor-to-neighbor type of thing. How that would play out would be difficult especially since there is not an HOA. Not saying the deed restrictions aren't enforceable, and that's why he thinks some of the deed restrictions are reflected in the PUD ordinance itself...minimum size, house size and different layout designs, because those are more enforceable than private on private deed restrictions. Mr. Grassi asks if what they are voting on today would put a restriction that would require a 2000 square foot living area home. Atty. McKechnie said that is correct. Chairman Cook clarified that what the Commission will be voting on is not should they build or should they not build. It's adopting the language presented by staff in order to meet city ordinances, planning and developing strategies and to allow this to potentially to go to City Council for final approval. The Commission's vote does not dictate yes or no, that's being built. It's just giving them the opportunity, if they so choose, to build based upon city ordinances dictating how a structure is supposed to be built on those lots. The Commission's responsibility is to interpret what city ordinances allow and doesn't allow.

Mr. Grassi asks Mr. Medellin about traffic concerns that the residents brought up, and how does the potential connection of Canyon Trail to Turtle Creek for a thoroughfare plan, how does that all play into this? Mr. Medellin responds that it only adds connectivity. That adds another means for vehicles to leave Canyon Trails. As part of our subdivision regulations, it's a requirement, once you get 85 lots in the subdivision, you're required to have connections to major thoroughfares. So, that way emergency services, evacuations and just preparedness, will be able to get in and out of the neighborhood efficiently. By adding that in, it's only going to increase mobility. Mr. Grassi asks if it is the intent of staff to enforce connectivity? Mr. Medellin responds, that yes, whenever that portion is developed, that is a part of our thoroughfare plan, that is a requirement of that thoroughfare plan that that be included in that subdivision. Mr. Medellin also states there are three regulating authorities; one regulates subdivision, one regulates thoroughfare and one regulates land use, and they all work in conjunction together. As a part of the subdivision regs, laying out the lots, the subdivision dictated that it needs that second connection. As a part of our recommendation, when we said yes, we recommend this, we said it needs another connection. Mr. Grassi noted that if homes are built or added that it will take away from the 85-lot requirement and could potentially have a negative impact on a future development.

Mr. Wood asked, so our recommendation is to convert this from open space to residential lots and to increase the maximum number of lots by three. That this is a recommendation from this Commission to Council, that all we are doing is a recommendation to Council? Mr. Medellin says that is correct.

Mr. Pharries asked if there are any additional three lots available for purchase, that are not currently designated as open space? Mr. Medellin stated, to his knowledge that all available lots have been developed. They have been platted and are available to be developed. Any other lots would have to go through the platting process to develop. Tract B has 7 lots there available.

Chairman Cook asks if there has been any discussion to form an HOA? Someone in the audience says it was once discussed but nothing done on it. And has not been brought up again since 1992.

Mr. Norris Martin calls for a vote. Chairman Cook took the motion to vote.

Votes to oppose: Chairman Cook
Mr. Norris Martin
Mr. Michael Grassi
Mr. Blake Haney

Votes for: Mr. Steve Wood
Mr. Doug McCulloch
Mr. Wayne Pharries
Mr. Jeremy Wood

Chairman Cook states: The case was not approved by Planning and Zoning.
Mr. Medellin says this will be presented to City Council on Aug 20th.

3. Case TA 24-01 – Subdivision and Development Regulations Amendment
Consider taking action regarding a recommendation to City Council for proposed amendments to Appendix A – Subdivision Ordinance; Stormwater Design Manual; Pavement Design Manual and additional text amendments

Chairman Cook opens public hearing at 2:59pm.
Mr. Russell Schreiber presented the case. He discussed revisions to the subdivision ordinances, from previous recommendations.

There was a motion to amend Section 3.6C to include the same language as in Section 3.5C. Mr. McCulloch made the motion and Mr. Grassi seconded it. It passed unanimously 8-0.

After Mr. Schreiber presented the case, he stated that staff recommends for the Commission to approve that these items be moved to the City Council for ultimate approval, so these changes can all be put into effect.

Chairman Cook asked if anyone would like to speak. No one comes to the podium.
Chairman Cook closes the public hearing at 3:17pm.
Chairman Cook asked if there is a motion to approve the case. Commissioner Steve Wood makes the motion to approve the case, Commissioner Jeremy Woodward seconded the motion.

Mr. McCulloch refers to Section 3.1 regarding parks, and that the city can identify, reserve and have an option to obtain future land for parks, and spoke about his concern of the 50% homes completed threshold, and thinks it is unacceptable. He suggested instead of the 50% threshold, that it be changed to 10%. If a developer gets 10% completed, the City will have to decide if they will buy it or not to put a park on the land. If a park isn't put on the land in three years, then the developer has the option to buy it back at the same price the City Paid for it. Atty. McKechnie explains that there is a state law protection that once a property is taken for a park it is essentially a park forever. Mr. McCulloch is frustrated that the City doesn't have more parks and more for the youths to do in our area that the City owns. Director Terry Floyd stated that the Ordinance for the Park passed in 2003, and stated that any amendments that the Commission would like to make today, we can make the recommendation, and carry this part of the recommendation to Council. Mr. Medellin suggested that since the master plan is being developed now, why not have the Planning and Zoning Commission Board partner with the Parks Board in the development of the Master Plan as well as the subdivision ordinance amendment.

Chairman Cook recognized the motion on the floor from Mr. McCulloch and Mr. Grassi seconded it. The motion passed 8-0.
The Commission begins discussion about the cement depth and rebar changes that were made in early 2024. Mr. Schreiber stated that the change of the concrete depth from 5in to 6 inches is to increase the longevity of our overall concrete pavement. He noted failures throughout the city, and noted that local engineers suggest that 6in streets should be the minimum. Concrete streets last based on the subgrade that is under them, the rebar that is placed in them (correctly placed as designed), and the thickness of the concrete in them. A six-inch street will last between 25-30 years. Different factors were discussed, including the PSI for the concrete, and it was stated that the concrete becomes more brittle and the engineers don't believe you gain much more longevity by increasing the cement content in the concrete. Mr. Grassi questioned if there isn't any benefit provided in increasing the PSI, then why did the city go from 3000 to 3600 PSI during the four-year time frame that was referenced.
Mr. Grassi makes a motion to change the residential street level to five-inch thickness, and to allow for #4 bars on 24-inch centers, for #3 bars on 18-inch centers. Mr. Pharries seconded the motion. The motion passed 7-1

In favor votes: Doug McCulloch
Blake Haney
Wayne Pharries
Norros Martin
Jeremy Woodward
Michael Grassi
David Cook
Opposed votes: Steven Wood

Mr. Kerry Maroney, a local engineer and consultant spoke about the benefits to longevity with a 6 in depth of concrete for the construction of streets. He is opposed to non-professional engineers making decisions that should be left in the hands of the consultants and/or professional engineers.

RJ Walksman states that he disagrees with Mr. Maroney, and cites areas that he had personally worked on.

Devin Smith from CPB stated that he agrees with Mr. Maroney, stating with his experience he sees a benefit to the 6-inch depth of streets for longevity.

Chairman Cook called for a motion. Mr. Steve Wood made the motion to have the Commission make a recommendation to, and approve to go before the City Council. Mr. Jeremy Woodward seconded the motion. Before the motion could be called for a vote further suggested amendments were discussed. Mr. Michael Grassi made a motion to approve the Appendix A – Subdivision Ordinance; Stormwater Design Manual; Pavement Design Manual with the following; 1) Amend Section 3.6C to reflect the same language in section 3.5C about sewer and water size; 2) Amend Section 3.15 Parks – To reduce it from a 50% threshold to a 10% threshold; and 3) Amend Section 3.16 The design on residential streets, down to 5 inches of concrete with #3 rebar on 18 in, or #4 on 24 inch. along with additional text amendments. Mr. Wayne Pharries seconded the motion. The vote was unanimous 8-0 in favor to recommend approval of the amended Subdivision Ordinance; Stormwater Design Manual; Pavement Design Manual.

The motion was clarified by Atty. James McKechnie as:
Part of those are three amendments:

1) 3.6C to reflect the same language in 3.5C about sewer and water size.

2) 3.15 Parks – To reduce it from a 50% threshold to a 10% threshold.

3) 3.16 The design on residential streets down to 5 inches of concrete with #3 rebar on 18 in, or #4 on 24 inch.

Along with the final three documents as amended.

V. ADJOURN

Chairman Cook adjourned the meeting at 4:09pm.

David Cook, Chairman — Date: 8/14/2024

Terry Floyd, Director of Development — Date: 8/14/24

MINUTES

Central Wichita Falls Neighborhood Revitalization Committee

July 23, 2024

PRESENT:	
Wendy Browder	◆ Vice Chair
Larry Fox	◆ Member
Jose Garcia	◆ Member
Nadia Menchaca	◆ WFAAC Liaison
Mike Mitchell	◆ Chairman
Councilor Larry Nelson	◆ Member
Councilor Michael Smith	◆ Member
Fabian Medellin, Planning Manager	◆ City Staff
Christal Cates, Neighborhood Revitalization Coordinator	◆ City Staff
Alex Borrego, Code Enforcement Supervisor	◆ City Staff
ABSENT:	
Ann Arnold-Ogden	◆ Member
Andrea Robles	◆ Member
GUEST:	
Nanette Philip	◆ Guest
Debi Johnson	◆ Guest

I. CALL TO ORDER

The meeting was called to order by Vice-Chairwoman Wendy Browder, at 4:07 p.m. and introductions of all attendees made. Chairman Mike Mitchell was running late.

III. PUBLIC COMMENTS

Vice-Chair Browder asked if there were any members of the public that wished to speak. No comments from the public.

VII. ADOPTION OF THE MINUTES

Vice-Chair Browder went over the minutes from the last meeting and asked for a motion to approve the minutes from July 9th, 2024. Councilor Larry Nelson made a motion to approve with Mr. Jose Garcia seconding. The motion passed unanimously with a vote of 6-0.

VIII. REGULAR AGENDA

1. Neighborhood Property Maintenance Code Discussions

Copies of the Proposed Property Maintenance Code Draft were distributed to the Committee Members and guests for markups and notes. Mrs. Cates continued discussions of property maintenance in the Revitalization Area and began to go over the code.

Mrs. Cates went over all sections of each chapter and advised the Committee that staff had struck-through sections and chapters that either were already City Ordinances for, or did not pertain to the vision the Committee had for the neighborhood. Staff encouraged the Committee to read through the codes later and make notes in what they wanted and did not want to see in the proposed code. Mrs. Cates advised the Committee this was only a base-line to start a property maintenance code, that they as a committee could add, take away or even write their own proposals for the Committee to review.

Discussions continued among staff, the Committee, and guests as staff went through the proposed codes. Questions and answers were presented as well as ideas on the code and implementation procedures. It was determined this would be an on-going discussion and would need to be continued at a longer meeting.

2. Vacant Structures Discussion

Staff began discussions on the vacant structures in the Central WF Neighborhood Revitalization area. Mr. Medellin advised the Committee that staff had used multiple reports from the Utilities Department at the City of Wichita Falls to gather information on what properties had active and in-active water accounts as well as properties with no water meter to determine what properties were vacant. Mr. Medellin stated the total number of those researched came to 245 properties. Of those 245 properties, 157 were single-family residential properties, 39 were duplexes, and 49 were categorized as commercial. Mr. Medellin advised the Committee, there was still more research to be done to verify the structures were indeed vacant and that would be done the following week and be ready for future discussions.

IX. OTHER BUSINESS

1. Bridwell Park/Futsal Court Unveiling Update

Mrs. Cates gave a brief update regarding the pending construction of the multi-purpose Futsal counts in Bridwell Park. Photos were handed out that showed the new, replacement water fountain that had been installed at Bridwell Park the week before.

Discussion among staff and Committee regarding holding another sub-committee meeting for park party planning. It was decided a sub-committee meeting would be held, Thursday, July 25th at 4 p.m. at the City Planning Conference Room. Mrs.

VII. ADJOURN

Vice-Chair Browder advised the next meeting was scheduled for Tuesday, August 6th at 4 p.m. to be held at the Arts Alliance conference room. After discussions with staff and the Committee it was determined that would need to be a longer meeting to discuss the proposed Property Maintenance Code. The meeting would still begin at 4 p.m. but would last until 6 p.m.

Vice-Chair Browder adjourned the meeting at 5:12 p.m.

Mike Mitchell, Chairman — Date 8/6/24

Fabian Medellin, Planning Manager — Date 8-6-24

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Ordinance reappointing Judge Diane Dockery, Municipal Court Judge for a term of two years to begin on August 20, 2024.

INITIATING DEPT: Legal

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Judge Dockery was appointed two years ago and is up for reappointment and wishes to be reappointed. Section 30.00006 of the TEXAS GOVERNMENT CODE authorizes the appointment of a qualified person to serve as Municipal Judge. State law requires that the governing body shall provide by ordinance for the term of office of its municipal judge. The tenure must be for a definite term of two years.

☒ **City Attorney**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance reappointing Judge Diane Dockery, Municipal Court Judge for a term of two years to begin on August 20, 2024

WHEREAS, Texas Government Code § 30.00006(a) – (d) provides:

(a) A municipal court of record is presided over by one or more municipal judges.

(b) The governing body shall by ordinance appoint its municipal judges.

(c) A municipal judge must:

(1) be a resident of this state;

(2) be a citizen of the United States;

(3) be a licensed attorney in good standing; and

(4) have two or more years of experience in the practice of law in this state.

(d) The governing body shall provide by ordinance for the term of office of its municipal judges the term must be for a definite term of two or four years; and,

WHEREAS, Judge Dockery wishes to be reappointed for a term of two years. *See* attached letter.

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

1. The City Council hereby reappoints Judge Diane Dockery as Wichita Falls Municipal Judge for a term of two years, beginning August 20, 2024.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

611 BLUFF STREET
WICHITA FALLS, TEXAS 76301
WWW.WICHITAFALLSTX.GOV
(940) 761-7880

August 12, 2024

To: Mayor Tim Short
Councilor Mike Battaglino
Councilor Jeff Browning
Councilor Larry Nelson
Councilor Michael Smith
Councilor Tom Taylor
Councilor Bobby Whiteley

Re: ***Reappointment: Michael J. Whalen***
Substitute (Associate) Judge, Municipal Court

Reappointment: Diane Dockery
Judge, Municipal Court

Dear Mayor Short and Members of the City Council,

Please consider this my recommendation and request that Michael J. Whalen continue, by reappointment, to serve as Substitute (Associate) Judge for another two-year term commencing October 1, 2024. Judge (Mike) Whalen has been serving in this capacity since 1994 and has performed all duties expected of this position with excellence.

In addition, please consider this my request to be reappointed to serve another two (2) year term as Judge of the Wichita Falls Municipal Court. As you know, I was appointed by the City Council on July 19, 2022 to serve in this position, and my employment with the City began on August 1, 2022. In accordance with Texas law, I am continuing to serve as Municipal Court Judge until further action is taken.

Since my appointment to the bench, I have professionally performed all duties required of the judiciary. I have done so with a commitment to preserving fairness for all citizens who have found themselves in Municipal Court, while upholding the dignity and respect deserving of our legal system. I have made every effort to well-represent Municipal Court and the City of Wichita Falls in all that I do, both in the community and as Judge, and it would remain an honor and privilege to continue serving in this position. For these reasons, I am requesting that I be reappointed to serve another two-year term.

If you require further information, please do not hesitate to contact me.

Sincerely,

Diane Dockery

Diane Dockery, Judge
Wichita Falls Municipal Court

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Ordinance reappointing Mike Whalen as a Substitute Judge of the Municipal Court for a term of two years.

INITIATING DEPT: Legal

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Judge Whalen was appointed two years ago and is up for reappointment and wishes to be reappointed. Section 30.00007 of the TEXAS GOVERNMENT CODE authorizes the appointment of a qualified person to serve as a substitute Municipal Judge.

☒ **City Attorney**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance reappointing Mike Whalen as a Substitute Judge of the Municipal Court for a term of two years

WHEREAS, Mike Whalen has served as substitute judge of the Municipal Court beginning in 1994 and his current term expires September 30, 2024; and,

WHEREAS, Mike Whalen has agreed to serve an additional two-year term as a substitute Municipal Court Judge, to act in the place and stead of the Municipal Judge during any period in which she is temporarily unable to act for any reason. *See* attached letter.

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

Mike Whalen is hereby reappointed as a substitute judge of the Municipal Court for a term of two years beginning October 1, 2024.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

611 BLUFF STREET
WICHITA FALLS, TEXAS 76301
WWW.WICHITAFALLSTX.GOV
(940) 761-7880

August 12, 2024

To: Mayor Tim Short
Councilor Mike Battaglino
Councilor Jeff Browning
Councilor Larry Nelson
Councilor Michael Smith
Councilor Tom Taylor
Councilor Bobby Whiteley

Re: ***Reappointment: Michael J. Whalen***
Substitute (Associate) Judge, Municipal Court

Reappointment: Diane Dockery
Judge, Municipal Court

Dear Mayor Short and Members of the City Council,

Please consider this my recommendation and request that Michael J. Whalen continue, by reappointment, to serve as Substitute (Associate) Judge for another two-year term commencing October 1, 2024. Judge (Mike) Whalen has been serving in this capacity since 1994 and has performed all duties expected of this position with excellence.

In addition, please consider this my request to be reappointed to serve another two (2) year term as Judge of the Wichita Falls Municipal Court. As you know, I was appointed by the City Council on July 19, 2022 to serve in this position, and my employment with the City began on August 1, 2022. In accordance with Texas law, I am continuing to serve as Municipal Court Judge until further action is taken.

Since my appointment to the bench, I have professionally performed all duties required of the judiciary. I have done so with a commitment to preserving fairness for all citizens who have found themselves in Municipal Court, while upholding the dignity and respect deserving of our legal system. I have made every effort to well-represent Municipal Court and the City of Wichita Falls in all that I do, both in the community and as Judge, and it would remain an honor and privilege to continue serving in this position. For these reasons, I am requesting that I be reappointed to serve another two-year term.

If you require further information, please do not hesitate to contact me.

Sincerely,

Diane Dockery

Diane Dockery, Judge
Wichita Falls Municipal Court

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Conduct a public hearing and take action on an ordinance amending the Canyon Trails Planned Unit Development (Ord 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to single family detached lot use and increase the maximum number of single family lots permitted on the master Plan by the proposed three lots.

INITIATING DEPT: Development Services/ Planning

STRATEGIC GOAL: Actively Engage and Inform the Public

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

- August 19, 2022 – Staff met with applicant/owner, Esther Muratha; Teresta Investment Group LLC/Skille & Value LLC, to discuss amending the Canyon Trails Planned Unit Development (PUD) to allow for the conversion of three properties from open space to single detached lot use, and increase the maximum number of residential on the master Plan by the proposed three lots. The owner, soon thereafter, submitted an application. The case was postponed to allow for neighborhood surveying by the owner. The owner reached back out to staff and requested the application moved forward at the July 10, 2024 Planning & Zoning Commission meeting.
- June 21, 2024 - Planning staff mailed notifications of the proposed amendment to property owners within 200 feet of the PUD.
- **July 10, 2024** – P&Z conducts public hearing and recommends denial of the request by 4-4 vote.
- July 16, 2024 - Notice of August 20, 2024 City Council public hearing mailed to all property owners within 200 feet of the subject property. Posted PUD Amendment signage revised to list city council public hearing date.
- July 21, 2024 - Notice of August 20, 2024 City Council public hearing published in TRN.
- **August 20, 2024** – City Council scheduled to conduct public hearing and consider ordinance amending the Planned Unit Development.

Approval of the ordinance would effectively rezone the three (3) privately-owned lots from “open space” to “single-family residential” allowing for the potential construction of three (3) homes in the Canyon Trails Planned Unit Development (PUD). The amendment would also increase the total number of lots allowed for in the PUD by three (3) to accommodate the construction.

The Staff met with applicant/owner, Esther Muratha; Teresta Investment Group LLC/Skille & Value LLC, to discuss amending the Canyon Trails Planned Unit Development to allow for the conversion of her three properties inside the Planned Unit Development from dedicated open space to single detached lot use, and increase the maximum number of single family lots permitted on the master Plan by the proposed three lots. Staff advised of the option to amend the PUD to allow for the conversion of the three properties from open space to single family lots, and amend the PUD to allow for an increase the maximum number of single family lots permitted on the master Plan by the proposed three lots. The applicant then submitted a rezone application, which was heard at the July 10, 2024 Planning and Zoning Commission meeting. The motion to recommend approval failed with a 4-4 vote by Commission.

Evaluation

In 1992, developer Dave Rhone petitioned the City to allow the conversion of 138 acres from Single Family -1 and Limited Commercial zoning classifications to the Canyon Trails PUD (Ord. 24-92). The original land use plan and layout of the PUD included a maximum of 110 single-family detached lots, congregate living (a multi-family use) for up to 100 dwelling units, an estate parcel allowing up to two dwelling units, commercial uses (retail, restaurants, offices, medical offices, banks, and services), and open space. The original proposal projected 105 single-family homes (2.17 dwelling units per acre), a 75-unit congregate center (9.15 dwelling units per acre), and one estate parcel for 181 units covering 63 acres of the PUD. In contrast, the remaining acreage consist of 9 acres for commercial development, 55 acres of open space, and 9 acres of right-of-way dedication for streets throughout the development. In 1997, the developer petitioned and submitted a plat dividing the subject properties with Section 5, Canyon Trails into the three lots existing today. In November 2004, the original developer amended the layout of the PUD and included an additional 26 residential lots not included in the original plan. Due to the Recession of 2009, the developer filed for bankruptcy.

In 2016, Gary Mehan, the owner of two large tracts along Seymour Highway, petitioned to amend the layout to divide further the two tracts, called “Tract B.” This amendment created seven new residential lots. In addition to the proposed new lots, the developer proposed amendments to remove all commercial uses and added the option of zero lot lines and single-family homes with specific design elements for the new lots.

Currently, the subdivision is incomplete, and only 77 single-family homes exist. The current developmental guidelines allow for a total of 117 residential lots. The proposed amendment would add three new lots to the single-family lot totals, which is below the density calculations of the original proposal.

As part of the amendment process, the Canyon Trails PUD property owners were notified of the proposed changes, and staff received responses with two primary concerns: increased runoff and removal of the open space as an amenity for the development. In working across city departments, Planning staff consulted with Public Works to address any concerns about increased runoff. After a review of the detention and stormwater

flows, Public Works determined the proposed additions of three residential lots would have a de minimis impact on the stormwater system for the following reasons:

- The lot drains immediately into an existing detention pond.
- The detention ponds drainage basin (105 acres) is larger than the development of the three lots (1acre total)
- The three lots have a higher-than-normal coefficient due to the clay soil and steep slope.

Recommendation
The Planning and Zoning Commission recommends denial of the request by 4-4 vote.

Due to the number of responses received by the City in opposition to the request from property owners within the Canyon Trails development and within 200-feet of the development, and in accordance with Texas Local Government Code 211, a super majority vote (6 “yes” votes) of the City Council will be required to approve the applicant’s request.

☒ **Assistant City Manager** ☒ **Development Services Director**

ASSOCIATED INFORMATION: Exhibit A – Aerial Map; Exhibit B – Photos of Subject Property & Area; Exhibit C – Zoning & Land Use Map; Exhibit D – Planning & Zoning Commission – July 2024 Minutes Excerpt; Exhibit E – Notification Response Map, Response Table and Responses; Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Exhibit A – Aerial Location Map



R 24-03
4307, 4309, & 4311 Canyon Trails Drive
Aerial Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 21 June 2024

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

Legend

- Subject Properties
- Canyon Trails PUD
- Parcels

EXHIBIT B – Amendment Request – 4307, 4309 & 4311 Canyon Trails Dr.

Photo 1 – View of Subject Property from Canyon Trails Dr.



Photo 2 – View north from the subject property along Canyon Trails Dr.



EXHIBIT B Cont. - Amendment Request – 4307, 4309 & 4311 Canyon Trails Dr.

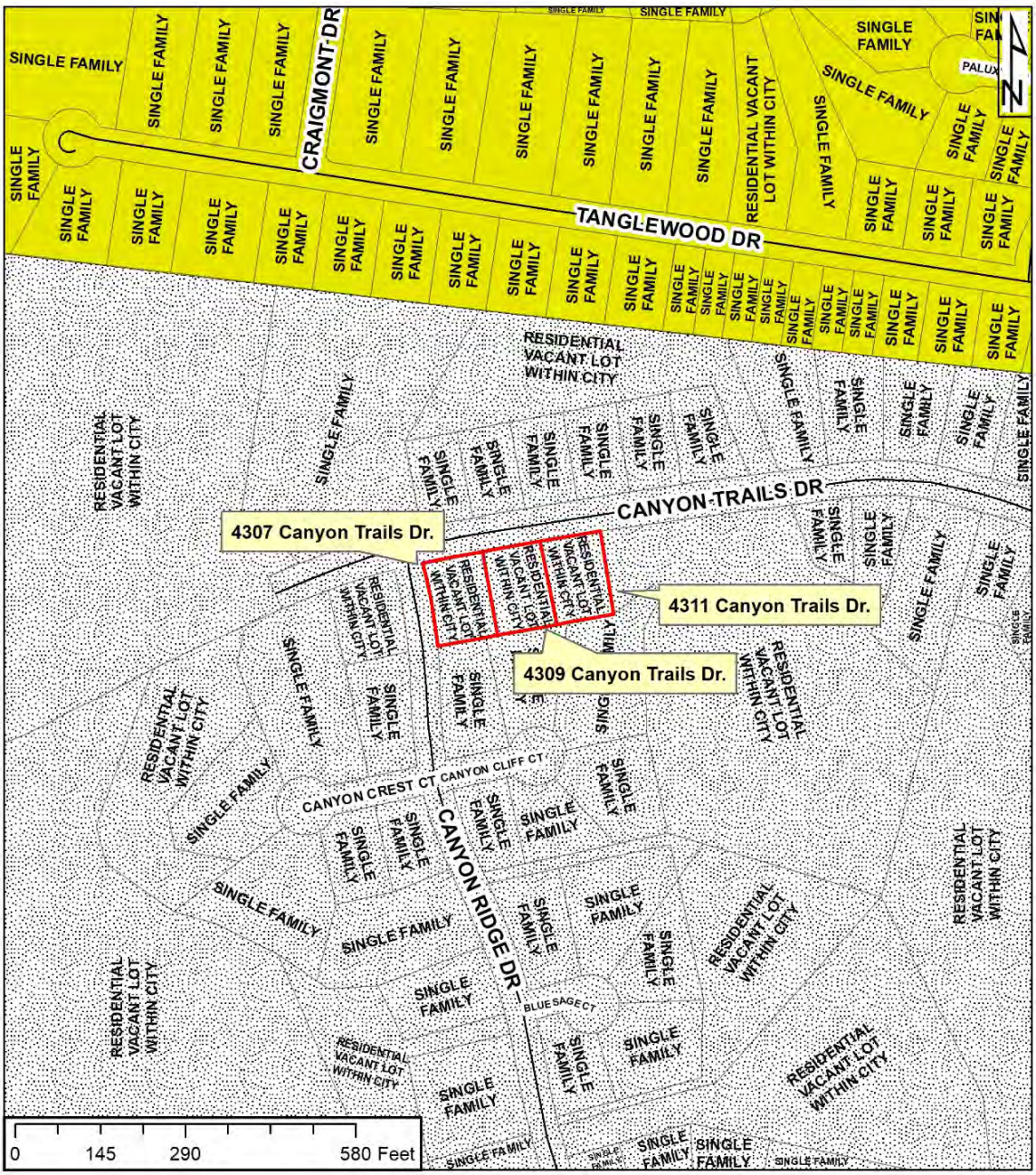
Photo 3 – West view from Subject Property along Canyon Trails Dr.



Photo 4– East view from the subject property along Canyon Trails Dr.



Exhibit C – Zoning & Land Use Map



R 24-03
4307, 4309, & 4311 Canyon Trails Drive
Zoning and Land Use Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 21 June 2024

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

Legend

Subject Properties
Parcels

Zoning

Single Family 1
Planned Unit Development

Exhibit D

M I N U T E S – E X C E R P T

PLANNING & ZONING COMMISSION

July 10, 2024

PRESENT:

David Cook	◆ Chairman
Michael Grassi	◆ Member
Mark McBurnett	◆ SAFB Liaison
Douglas McCulloch	◆ Member
Noros Martin	◆ Member
Wayne Pharries	◆ Member
Blake Haney	◆ Member
Steve Wood	◆ Member
Jeremy Woodward	◆ Member
James McKechnie, Legal Department	◆ City Staff
Russell Schreiber, Director of Public Works	◆ City Staff
Terry Floyd, Director of Development Services	◆ City Staff
Fabian Medellin, Planning Manager	◆ City Staff
Cedric Hu, Planning Technician	◆ City Staff
Robin Marshall, Admin Assistant	◆ City Staff

ABSENT:

Brady Enlow (present as general public)	◆ Alternate No. 1
Matt Mars	◆ Member
Alan Sizemore (present as general public)	◆ Alternate No. 2

Case 24-03 – 4307, 4309 & 4311 Canyon Trails Drive

Public hearing to consider taking action on a proposed amendment, Canyon Trails Planned Unit Development (Ord. 07-2016), to allow for the conversion of 4307, 4309 & 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to single family lots permitted on the Master Plan by the proposed three lots.

a) Public Hearing
b) Take Action

Applicant: Esther Muratha

Chairman Cook notes that this is a public hearing, and opened it at 2:08pm. Mr. Medellin presented the case and stated that the three parcels, 4307, 4309 and 4311, are part of a master planned unit development that was established in 1992. Since then, there have

been a couple revisions to that, one in 2004 and one in 2016. The applicant, Esther, purchased the three properties from a third-party vendor on behalf of a consortium of trustees in the City being one of them, the school district and the county. These properties were struck off, meaning the original developer and owner, Mr. Rhone, was unable to make payment of his property taxes, and because of such, the properties were seized. They weren't acquired by anyone, so they were struck off and became ownership under the trustee group. Ms. Muratha met with staff after she acquired the properties to begin discussions on what can be developed, and it was at that time she was informed of the PUD and the very unique development of that neighborhood. The three properties that Ms. Muratha purchased (pictures of the three properties are displayed for the Commissioners to see) were all designated as open space. As pointed out in the pictures in an overhead view of the entire early subdivision, and looking at the layout and the adjacent uses, for the most part it is all residential other than the open space directly to the southeast, northwest and the southwest as well. This planned unit development is incomplete. It hasn't been finished out. There are a couple other portions still left remaining to be developed. Canyon Trails, as part of the last layout, is proposed to extend and connect to Turtle Creek and then just north of that are two additional cul-de-sacs proposed that were approved as part of the 2004 amendment to the PUD. Mr. Medellin shows a more precise look at the zoning district and the adjacent uses and states that it is all single family and open space. Just outside of the PUD, portions of Tanglewood are Single Family 1 zoning district. Showing a view of the subject site, Mr. Medellin shows that a gazebo was built and installed by the original owner/developer early in the 2000's with a dedication ceremony, basically an unveiling of the gazebo for the neighborhood. That has remained there since. Showing other views of the properties and the surrounding uses, Mr. Medellin states they are primarily residential or open space and points out that those are east and west views along Canyon Trails Drive. When the owner met with the Planning and Development department, and learned of the PUD and the limitations of its uses, we suggested before moving forward that she should reach out to the neighborhood and do a door-to-door survey to really get some insight and opinions from the neighborhood. When she returned, she stated that she received mixed reviews, some in favor, some opposed, but no real clear line on if the neighborhood would support her efforts. We suggested she do a second survey, and we offered to host it or even participate in it. We couldn't mediate, but we could observe and take notes of the interactions. Then after some time, due to personal reasons (Ms. Muratha had a baby) and after two years the applicant came back and wanted to move forward with the petition. She informed us that nothing had changed in regards to the surveying of the neighbors, and that it was still mixed reviews. The staff began to weigh what was going to be our recommendation, and this was not an easy decision. What we use are some of our previously guiding principles, we try to use equity and fairness as best as we can in the application of all of our laws, and that's the way they are written. And then the way we try to make recommendations, whether it be a duplex or a manufactured home, but we want to give housing options. And that is one reason we gave this recommendation.

The properties are platted right now. This is a unique set of circumstances for these properties. The layout changed in 2004, however, these properties were platted in 1997 in contradiction to that layout. In contradiction to the Master Plan Layout, and those were done by the original developer in 1997, so that lends staff to believe that would have been the developers path moving forward and his intention to build on those parcels. Why else plat them? This was another thing the staff considered. The second thing is, as a part of the development, the developer placed deed restrictions on the property. Really, that is a civil matter unrelated to land use regulations. However, in addition to those deed restrictions, we do have a very hefty developmental regulations, as you can see in the current adopted PUD plans for any new single-family home that do include things like square footage requirements, height requirements and so forth. Leading to a standard of

a product that would be built. So, there are protections for products that would be built. In our estimation, it would be at least a $400,000 home that would be built. Now, that is just our opinion, and we are not in the building business, but there are protections today that will set those requirements of what can be built, and we are not asking to change those. All we are asking is to allow for those three lots to be changed from open space to new residential homes. As part of the requirement, we do send out notices. This is a little different from your typical conditional use permit, because we are changing the whole district. It's not just a lot or two lots, it's the whole planned unit development that we are changing. So, we had to notify everyone within the planned unit development, and 200 feet around that. So, 188 notices were sent out, and of that we received, actually received one just now just before the presentation. So as of now, we have 26 opposed, six in favor and four undecided responses. State law requires that once we hit a threshold of 20% or either lots, or land within the area being changed, or within the area of +200 feet, that a supermajority approval by the governing bodies is required. Now, that would be City Council and we are making the recommendation today that it go to City Council. Looking at some of those considerations, some of the history of the PUD, and some of our planning philosophies, and the one that weighs on me most is the housing density burdens. Every month we approve duplexes in Single Family 2 zoning districts in the most dense neighborhoods. So, Mr. Medellin states he feels it is not the responsibility of those, the typically disadvantaged communities, to bear the burden of housing densities. He believes there is an opportunity here to create more housing options now, whether if you want to live in a duplex apartment or a $400,000 home, that their property owner's prerogative. Right? You choose where you live.

The staff recommend that we make those changes to the planned unit development, to change those three properties, 4307,4309, and 4311 Canyon Trails, from open space to a Single-Family dwelling unit lot. And to increase the number of lots allowed within that planning and development by those three.

Chairman Cook asks if anyone would like to come up to the podium and speak, and informs all that there will be a three-minute time limit to present one's case.

Frank Jarrett comes to the podium, and states that his house is right across the street. He states that he did not respond to the notification letter, but says this is a bad development. He notes that there is a steep hill on a very sharp shallow lot, with narrow building boundaries. He objects to the proposed changes and says there are better places to build. He feels that whoever buys those lots to build will have a difficult time maintaining the hill due to land sliding. He says it has nothing to do with his sense of privacy or having people in the neighborhood.

Commissioner Doug McCulloch asks, if the hill wasn't there would you still object? Mr. Jarrett says that conceptually, in terms for housing, he has no problem. But the problem is those plat lines do not do justice to the terrain. That is an old gully. I think the hill is a bad place to build, basically.

Dan Gagne steps up to the podium to speak. He states that he lives down the street and across the road from the property. He is also adjacent to a major drainage easement there. He is opposed to changing the designation of the open area/park to residential. Adding these residential properties in Canyon Trails, as Fabian said, they will be $400,000 homes. It does not add to affordable housing in Wichita Falls. That's not what we are looking for. The Canyon Trails PUD is unique in that it combines urban living with wild scape. It's the only place like that in all of Wichita Falls. All the homeowners in the development, whether they know it or not, have paid some premium to have a hundred and some acres developed out of a 300-acre development. Leaving all that, Rhone Construction left a lot on the table. He could have popped homes in on top of each other

and made a whole lot more money. Over the years there's been a lot of changes, as they mentioned, and you have talked about it already. But one thing remained consistent, that we preserve open space or wild scape. That's important. Dave Rhone built the gazebo in around 2002. Mr. Gagne stated he doesn't have notes on it or pictures, but he was at the picnic that he threw, the BBQ that dedicated that area to the homeowners. Why did he do that? Because, as Frank mentioned, the lots are unbuildable. He platted them out, or his architect platted them out, and then they found out that building there was not going to be a good idea. So, unfortunately Rhone Construction declared bankruptcy after Dave Rhone passed away, and the lots were seized by the city. They were sold through public auction and people bought them. Mr. Gagne looked at them, and thought of buying some, but didn't because it didn't make logical sense to him for his finances and for location. But other investors bought them, seeing the same thing he did, that these were nonresidential. They were to be kept open space. The designations were there and they were in the descriptions. One thing he didn't realize was when Mr. Gagne moved in, was how poor the drainage is in Canyon Trails. They built the drainage for the one hundred and some houses that were planned there. Just barely, that area drains by a 48-inch culvert. Beside my house is a four foot by five-foot square culvert that passes under Canyon Trails Road, that thing fills to the brim. (Alarm sounds that his time is up)

Chairman Cook says that Mr. Gagne can give a closing statement. Mr. Gagne continues that the 20-foot square cross section is full. It gets down to the four-foot diameter, 12 ½ half square foot cross section, and it backs up all the way into our yard and our neighbor's yard. That's how much water is coming through this development. He feels that approving this amendment makes it a dangerous precedent, and say there are other people that bought some of those lots that want to develop as well. So, how do you tell this developer, yes, and the next person that comes down the road, no? How do you tell classic builders that purchased the leftover of the development from Dave Rhone Construction that you had room for 117 houses in here, but we just gave three of them away to this guy, and we gave one to that guy…and we, you know, that sort of stuff? So, if we are going to maintain the 117 homes in the planned urban development, we need to do that starting now. So, I'm asking you to please stick to the development, the master plan, with all its changes. Do not allow our open areas to be taken away, because once that open area, the parks, the wildlife is gone, it will never come back.

Mr. Bob Hamblin approaches the podium to speak, and states that he lives directly across from the gazebo. Also, he lives next to a drainage ditch, that is concrete and 48 inches long. It's a good ditch, although it is not big enough. He has lived there for 15 years, and the water that comes down is red, most of it comes from the bluff across the street behind those lots at the far end. You have the corner lots, the middle lot and the other lot, and most of the dirt comes off that lot right next to the third one. It's eroded quite a lot. There's a sidewalk that runs in front of that, four inches below the red dirt, that's how much dirt has come off of that thing over the years, and it's coming down through that culvert and stacks up as soon as it runs out of concrete at the property line, out into the flood lake and creates a dam. Mosquitos, in the 15 years he has lived there it was only cleaned out once about four years ago. Mr. Hamblin used to be a builder, and the plats in here, the previous builder built on the desirable lots. The three lots, he feels as a previous builder, that those lots are not desirable for putting up a spec house and looking for someone to build it. If he were building that on there, he would try to put the cheapest house he could on it. Even if you build a square house on there, you might have 18 feet in the back of the house before you are up against the bluff, for a backyard. If you build a rectangle house in there, you might get up to 24 feet for a backyard. He says, so you can see why it would be undesirable for most people with children or whatever. He is also concerned that they would not want to build a house that would be comparable in amenities because of the cost of building it. At the cost of $125 a square foot, which would be cheap in today's market, those houses would cost about $320,000 to build, and then you would have to

make a profit on top of that. “My house across the street, I could probably sell that thing for maybe $350,000. But the insurance company that insures it insists they insured the full replacement value, which is $400,000. So, you can see my concern what they might have to build across the street from me. Thank you”

Commissioner McCulloch asks Mr. Hamblin what size house does he own, and Mr. Hamblin states his house is 2170 square feet.

Mrs. Judy Wade steps to the podium and says she lives in the house on the very corner at the juncture of Canyon Trails and the big hill for 14 years. She says she has watched cars speed down the hill, with that turn, and then speed down Canyon Trails. She stated there are children in the neighborhood, and it’s a pretty safe neighborhood, but the traffic is unreliably fast at times. The kids need to be on their bikes, they need to be walking. She said they have adult runners, bikers using the aerobic opportunity of the hill. A neighbor or hers was rear ended as he pulled out of his driveway from someone coming down the hill too fast. She continued, if the gazebo is torn down and they put a large $400,000 brick and mortar home, that the view will then be almost totally obstructed of the traffic coming down the hill. She said the kids will no longer be safe. Pulling out of our driveways will not be safe, because the traffic coming down the hill won’t see them, and vice versa. She continues, if you allow a home to be built on the corner, you have to assume they are going to want a privacy fence, up the hill so the traffic won’t look into their backyards. That’s going to obstruct the view even more, and maybe even cut off a little bit of the sound of the cars coming down, so walkers and bikers won’t even know anyone is coming down. And, in the winter, it gets icy. Now, she says, if you build a home, you have to assume they will park their cars in front of their home, or their visitors will be there. Now, besides just the brick-and-mortar home obstructing the corner view, now you’ve got cars possibly on both sides. You add that to people racing down the hill, and that creates a very dangerous situation. She strongly opposes the approval of changing the lots to residential. She asks to please keep it for their wildlife. They do see deer and bobcats crossing that area in front of the gazebo and no one objects to that.

Chairman Cook asks if anyone else would like to speak, and no one responds. Then he asks if the applicant, Esther Muratha, would like to make a presentation. Ms. Muratha and her husband step to the podium. She states that her husband and her are the owners of those three lots, and they bought them from the Texas Community Group and that they were not told that the land was open space. Since they purchased the lots, they have maintained the properties including taxes and mowing. She stated that she understands that the worry is based on the terrain of the land, and feels that an architect could help with the concern of the water coming up the hill. She also says they intend to build houses that will match the value of the neighborhood, trying to brin less affordable houses. And she understands that while a $500 home may not be affordable for someone else, it is affordable to some. She said, “so just because the value of a home is high that it doesn’t add to any value. She says she would appreciate the vote of the commission.”
Her husband stated his appreciation as well.

Commissioner Wood asked when they were looking at the lots, did they do any research to determine how large of a footprint that they could potentially put on each of the lots? And asked if they looked at what kind of retaining wall, or what kind of method they might use to try to expand that or increase the usable footage of each of the lots? Ms. Muratha says that the restrictions for the city is about 2000 square feet for a single family. And stated that during the initial meeting with the city it was acknowledged that there would be a little bit of a challenge with the drainage, but they said it was doable. Her husband added that it would be done with an architect’s expertise and they will definitely heed their word and do what they say is best.

Chairman Cook asked if there is any additional discussion from the audience, and there is none. Chairman Cook then closes the public hearing at 2:37pm.

Chairman Cook asked if there is a motion to approve the case, stating that this is just approving the case for the discussion here. That they are not voting on the actual change yet. Commissioner Michael Grassi made the motion and Commissioner Wayne Pharries seconded the motion. Chairman Cook states that the case is now closed for public discussion and will now start discussions by the Commission.

Mr. Wood asked Mr. Medellin to give more information about the plat from 1997, when Mr. Rhone had those lots platted, and wanted to know as they were researching if there was any discussion about those lots being set aside as open space? He asks, "was that changed? Was there any discussion there that, you know that planning process that would basically change the designation from open space to residential lots?" Mr. Medellin replies, "So, looking through our records, that's 25 plus years ago, not a whole lot of documentation from any kind of meetings that were held during this planning portion, because, as part of our PUD processes, the plan has kind of functioned more of the master plan. So now the plans were submitted, but particularly never proven and that meant, your infrastructure, your water, your roads or streets. But in those planning kind of discussions, when that plat came through with those new lot lines, we didn't have any kind of record of where they came from. It was turned in by a surveyor on behalf of the via developer."
Mr. Grassi asks how long has it been declared open space, and Mr. Medellin said since 1992.

Mr. McCulloch wants to clarify, that they were open space in 1992, then in 1997 the lots were given separate platting? Mr. Medellin stated they were given lot lines that divided the open space. Mr. McCulloch asks if there is any idea why someone would put separate lot lines in an open space? Mr. Medellin says, in his profession, if someone is adding lot lines they are looking to buy and build. Mr. Grassi asked, but they never changed the designation? Mr. Medellin said," they never did."
Mr. Pharries stated, looking at the pictures and the drawings of the development, it looks like the original stuff that was included with the packet, in the appendix, all show that it is lots and not open space. On pages 110, 111 and 108 they all show those as houses. He speaks about one of the prior residents that spoke about when the gazebo was dedicated. It was dedicated in 2002, and the lot lines were added in 1997. Mr. Medellin says that the other limitation of those open spaces is only to be used for passive recreation. So, trails, sidewalks and the gazebo. That's the only use in the open space. Mr. Pharries stated that Mr. Gannon made a comment that designating these three lots as buildable might have some effect on other developers who have property. Mr. Medellin says that is correct, and adds that between the changes in layout from 1992-2004, there was whole other cul-de-sac added, but the total number of homes allowed within that residential planning development was never increased by that number of homes by the cul-de-sac. So, they amended the layout and showed more homes than what the development regulations allow. He added, that there is going to be a day that the 110 limit is going to be reached and these other homes in this layout will be denied. Mr. Medellin stated he didn't include that, because he didn't want that to be seen as the applicant making that position. But Mr. Medellin says he is in favor of making that change so that the total number of homes shown in the last layout, in the 2016 layout, be amended to include that last cul-de-sac. Adding, that it is the prerogative of the Commission, but Mr. Medellin wants to try to keep her petition and prior developmental regulations separate. Mr. Pharries says he feels they are setting a precedent here, and that it makes sense in a lot of ways to allow this. But asked, "at the same time, is that going to cause us a problem when someone comes back

and wants to take some of the other that has never been designated as lots, and turn that into lots?" Mr. Medellin said that problem exists today.

Mr. Pharries said that he noticed in the request that is being made, is for the approval to change these from open space to residential lots, but it also says "and increase the maximum number of single family lots permitted in the master plan by a proposed three lots." He asks, "so that is part of what we would be presenting and recommending to Council, could be both, so in sense they'd still be in the same boat tomorrow… whenever… that they are today. So, I think here we have a chance to approve this and not affect future development, any more or less, than what's already in place, correct?" Commissioner McCulloch asks Mr. Medellin, "if we don't approve this, what happens?" Mr. Medellin states that the property owner gets to maintain an open space/property. Mr. McCulloch then states that the owner will get to maintain the open space until they stop maintaining the open space, and then they stop paying taxes, and it starts all over again. Mr. Medellin answered, yes. Mr. McCulloch then asked, there is no active homeowner association, is that correct? Mr. Medellin states that is correct.

Mr. Norris asks on open property such as this, are there any property taxes assessed on these open, and who pays those? Mr. Medellin says that land has a value, and yes there are taxes, and states that the applicant is paying those taxes for that land and that gazebo. Mr. Norris says as he understands, Mr. Rhone owned these properties at one time, and he declared bankruptcy and did not pay the property tax. He asked, who pays the back taxes and interest? Mr. Medellin replies that the applicant paid them when she purchased the properties.

Even though the public hearing part of this meeting has been closed, Mr. Hamblin would like to add something, and the Commission chooses to allow him to speak. He speaks about the stability of the hill, and that a contractor had come out and poured concrete down behind the house to keep it from falling down. That was about three to four years ago he states. Mr. Pharries asks Mr. Hamblin if at the time the lots were listed for sale, did the homeowners talk to each other about purchasing the properties so they could control it? Mr. Hamblin says no. Mr. Pharries suggested that they could do that now and it would make everyone happy, trying to come up with a solution that would be in everyone's favor. Mr. Hamblin responded that those are not desirable lots.

Mr. Grassi asked City Attorney James McKechnie a question about the HOA that deed restrictions that are listed in the packet, and asks if the deed restrictions can be viable since the HOA was never set up? Atty. McKechnie stated deed restrictions in the master plan are a little bit different than the deed restrictions actually on file. They can be viable again, but that would have to be a private lawsuit against neighbor-to-neighbor type of thing. How that would play out would be difficult especially since there is not an HOA. Not saying the deed restrictions aren't enforceable, and that's why he thinks some of the deed restrictions are reflected in the PUD ordinance itself…minimum size, house size and different layout designs, because those are more enforceable than private on private deed restrictions. Mr. Grassi asks if what they are voting on today would put a restriction that would require a 2000 square foot living area home. Atty. McKechnie said that is correct. Chairman Cook clarified that what the Commission will be voting on is not should they build or should they not build. It's adopting the language presented by staff in order to meet city ordinances, planning and developing strategies and to allow this to potentially to go to City Council for final approval. The Commission's vote does not dictate yes or no, that's being built. It's just giving them the opportunity, if they so choose, to build based upon city ordinances dictating how a structure is supposed to be built on those lots. The Commission's responsibility is to interpret what city ordinances allow and doesn't allow.

Mr. Grassi asks Mr. Medellin about traffic concerns that the residents brought up, and how does the potential connection of Canyon Trail to Turtle Creek for a thoroughfare plan, how

does that all play into this? Mr. Medellin responds that it only adds connectivity. That adds another means for vehicles to leave Canyon Trails. As part of our subdivision regulations, it's a requirement, once you get 85 lots in the subdivision, you're required to have connections to major thoroughfares. So, that way emergency services, evacuations and just preparedness, will be able to get in and out of the neighborhood efficiently. By adding that in, it's only going to increase mobility. Mr. Grassi asks if it is the intent of staff to enforce connectivity? Mr. Medellin responds, that yes, whenever that portion is developed, that is a part of our thoroughfare plan, that is a requirement of that thoroughfare plan that that be included in that subdivision. Mr. Medellin also states there are three regulating authorities; one regulates subdivision, one regulates thoroughfare and one regulates land use, and they all work in conjunction together. As a part of the subdivision regs, laying out the lots, the subdivision dictated that it needs that second connection. As a part of our recommendation, when we said yes, we recommend this, we said it needs another connection. Mr. Grassi noted that if homes are built or added that it will take away from the 85-lot requirement and could potentially have a negative impact on a future development.

Mr. Wood asked, so our recommendation is to convert this from open space to residential lots and to increase the maximum number of lots by three. That this is a recommendation from this Commission to Council, that all we are doing is a recommendation to Council? Mr. Medellin says that is correct.

Mr. Pharries asked if there are any additional three lots available for purchase, that are not currently designated as open space? Mr. Medellin stated, to his knowledge that all available lots have been developed. They have been platted and are available to be developed. Any other lots would have to go through the platting process to develop. Tract B has 7 lots there available.

Chairman Cook asks if there has been any discussion to form an HOA? Someone in the audience says it was once discussed but nothing done on it. And has not been brought up again since 1992.

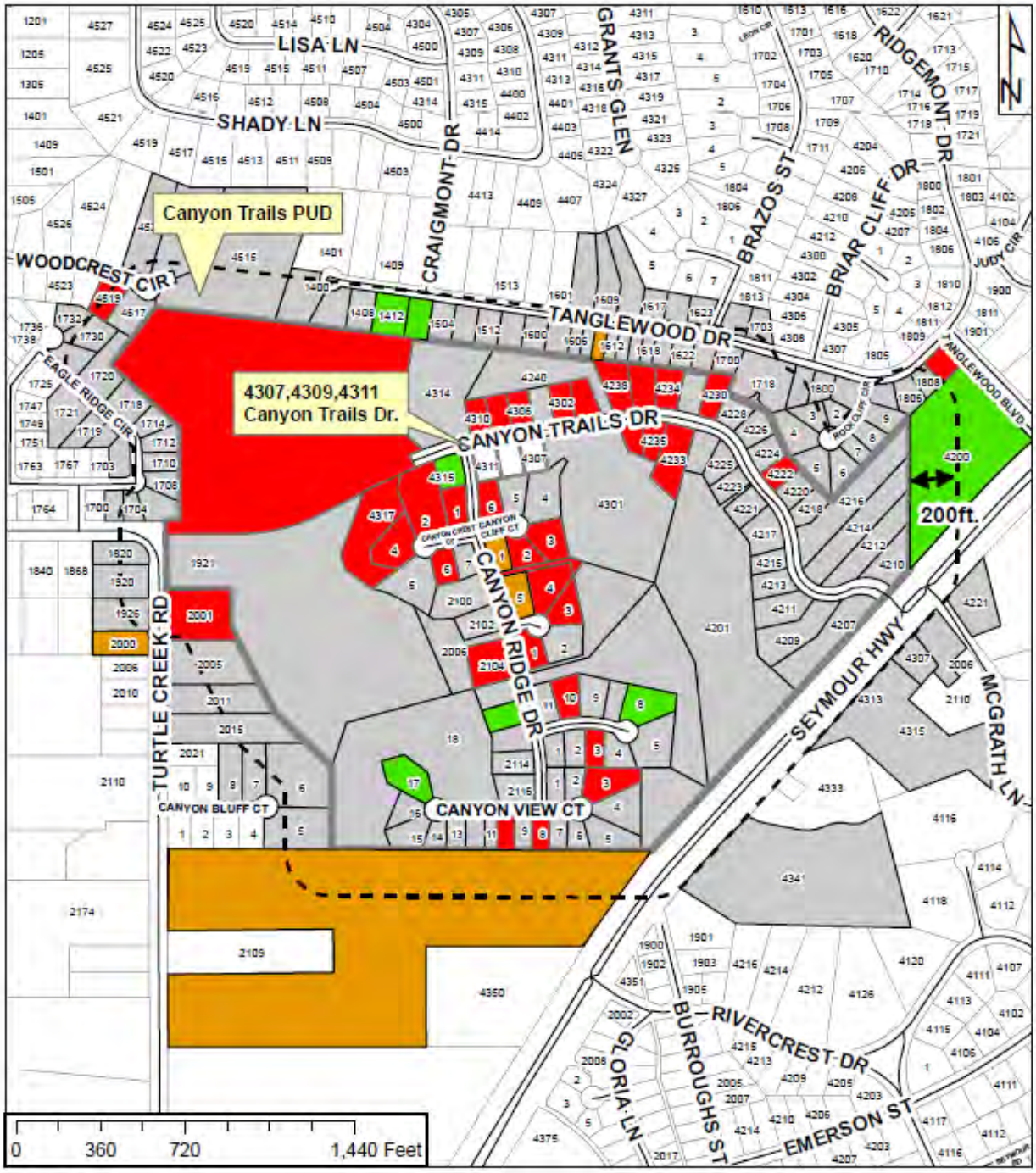
Mr. Norris Martin calls for a vote. Chairman Cook took the motion to vote.

Votes to oppose: Chairman Cook
Mr. Norris Martin
Mr. Michael Grassi
Mr. Blake Haney

Votes for: Mr. Steve Wood
Mr. Doug McCulloch
Mr. Wayne Pharries
Mr. Jeremy Wood

Chairman Cook states: The case was not approved by Planning and Zoning.
Mr. Medellin says this will be presented to City Council on Aug 20th.

Exhibit E – Notification Map



R 24-03

4307, 4309 & 4311 Canyon Trails Drive

Notification Response Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 12 August 2024

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

Legend

- Notification Buffer
- No Opinion
- Opposed
- In Favor
- Canyon Trails PUD
- Subject Properties
- Notified Properties
- Parcels

Case R 24-03

Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

4307, 4309 & 4311 Canyon Trails Drive

PROPERTY TAX ACCT #	√ IN FAVOR	X OPPOSED	U * DECIDED/OTI	TOTAL # OF RCELS NOTIFIED
(0422-011)		1		188
(096-01)		1		
(0422-015)		1		
(0422-126)		1		
(0422-133)		1		
(0422-010)		1		
(0422-012)		1		
(3640-001)		1		
(0422-044)		1		
(0422-135)		1		
0422-017)		1		
(0422-016)		1		
(0422-076)		1		
(0422-060)		1		
(0422-013)		1		
(4310-051)	1			
(0422-089)			1	
(3645-039)		1		
(0422-091)		1		
(0422-094)		1		
(094-03)		1		
(0422-127)		1		
(079-03)		1		
(0422-082)		1		
(0422-007)		1		
(0422-096)		1		
(0422-123)		1		
(0422-130)		1		
(0422-132)		1		
(044-03)		1		
(0422-074)		1		
(0422-093)		1		
(0422-009)		1		
(0422-003)		1		

(094-01)		1		
(0422-062)	1			
(0422-067)	1			
(3646-256)	1			
(3646-241)	1			
(0422-086)	1			
(0422-136)	1			
(0422-128)			1	
(061-02)			1	
(3646-230)			1	
(4310-075)			1	
(0422-097)		1		
(044-11)		1		
	3.72%	18.62%	2.66%	
Total	In Favor	Opposed	decided/Ot	Total # of
Response Rate				Responses
	7	35	5	
Total Responses				47

Case R 24-03 Opposition Breakdown

Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

4307, 4309 & 4311 Canyon Trails Drive

As per Texas Local Government Code 211.0006

Opposed Responses Within Subject Site

	Total	Opposed	Percent
LOTS	102	32	31%
ACREAGE	4994716.79169 sf	662208.560818 sf	13%

Opposed Responses including Notification Area

	Total	Opposed	Percent
LOTS	188	35	19%
ACREAGE	8942027.371579 sf	750887.605276 sf	8%

Planning & Zoning Responses

Wichita Falls TEXAS

RECEIVED
JUL 10 2024
BY:

Robin Marshall <robin.marshall@wichitafallstx.gov>

RECEIVED
JUL 10 2024
BY: R. Marshall

Canyon Trails rezoning

1 message

Joellen Greenlaw <joey.greenlaw@gmail.com> Mon, Jul 8, 2024 at 4:11 PM
To: "robin.marshall@wichitafallstx.gov" <robin.marshall@wichitafallstx.gov>

I am having a difficult time attaching the form I filled out on line about the above rezoning. My name and address are as follows:

Joellen Miller Greenlaw
5 Blue Sage Ct.\
Wichita Falls TX 76309
Phone: (940)781-1353

(094-01)

I would be in favor of the rezoning on the three lots mentioned as long as the required minimum size of the home and the specific pitch of the roof are maintained so that the new houses match all the already existing homes.

Thank you

RECEIVED
JUL 05 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies, Golden Opportunities

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[✓] **In Favor** [ ] **Opposed** [ ] **No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative) Date 7/1/24

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-086)
TOBY MARK A ETUX CONNIE J
PO BOX 8012
WICHITA FALLS, TX 76307

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

RECEIVED
JUN 2 7 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[✓] **In Favor** [ ] **Opposed** [ ] **No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Micky Marlow
Signature (owner or authorized representative)

6-27-2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(3646-256)
MARLOW MICKEY L ETUX TAMERA H
1412 TANGLEWOOD DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

RECEIVED
JUN 2 7 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[✓] In Favor [ ] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Retaining wall needed to prevent erosion

Signature (owner or authorized representative)

6/24/24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-067)
TERASAKI JORDAN MATTHEW ETUX ORELIA RAMIREZ
17 CANYON VIEW CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 05 2024
BY: R. Marshall

RECEIVED
JUL 08 2024
BY: R. Marshall
7-5-24 RM

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies, Golden Opportunities

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[X] **In Favor** [ ] **Opposed** [ ] **No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Robert A Wilson
Signature (owner or authorized representative)

7/1/2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(3646-241)
WILSON ROBERT A & JOANNE WILSON
1500 TANGLEWOOD DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

LOT SO THAT I CAN BUILD MY HOUSE. THANK YOU ALL SO MUCH!

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

RECEIVED
JUL 0 8 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[✓] **In Favor** [ ] **Opposed** [ ] **No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

I would like to do the same lot conversion on my lot #4315 CANYON TRAILS DRIVE from open space to a single family detached lot so that I can build a house. Thank you ALL

Lowell Salang
Signature (owner or authorized representative)

JULY 7, 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-136)
SALANG LOWELL
1305 W OAK ST
OLNEY, TX 76374

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 2 6 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[X] **In Favor** [ ] **Opposed** [ ] **No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

They need to clean up the street now & clear existing sidewalk.

Michael Rose
Signature (owner or authorized representative)

24 June 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-062)
ROSE MICHAEL ETUX TERESA
2110 CANYON RIDGE DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 0 8 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[✓] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Kids in the neighborhood like to play in the open space and use the gazebo. Additionally, I worry that building houses there could impact the street behind the area due to the steep elevation and erosion.

Signature (owner or authorized representative) — 7/4/2024 Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-127)
SUPPES NICHOLAS M & AMANDA SUPPES
2 CANYON CLIFF CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 0 8 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☒ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

My understanding when I was looking to purchase my house was that the spot at the bottom of the hill (Lots 4307, 4309, 4311 on the provided map) was always supposed to be open and for family / residents to use at their leisure. There are also noticable issues with drainage in that area. How much worse will it get with 3 more houses in that location? I think that this is a bad idea and my family and myself are opposed.

BM — 7-3-2024

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email: _____

Please Print Name and Address

Bobby Trojacek
3 Blue Sage Court
Wichita Falls, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 05 2024
BY: R. Marshall

RECEIVED
JUL 07 2024
BY: Robin Marshall

7-5-24
RM

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

The area in question is the last open space in this PUD community that was assured by the developer to always be open space. The lots in question would require substantial + costly grading + retention walls and most likely create drainage problems for these + surrounding areas. No developer would chose to build on such terrain. Please honor the PUD documents + current residents by preserving the intended purpose + character of this area.

Brady Beshear — 7/3/2024

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(044-03)
BESHEAR BRADY
4 CANYON CREST CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 05 2024
BY: R. Marshall

RECEIVED
JUL 07 2024
BY: R. Marshall

7-5-24 RM

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

The area in question is the last open space in this PUD Community that was assured by the developer to always be open space. When we purchased our home one of the reasons was because of the unique open space areas. We enjoy this neighborhood because of that. Please honor the PUD documents, current residents by preserving the intended purposes & character of this area.

Karen Beshear — 7/3/2024
Signature (owner or authorized representative)* Date

Brady Beshear - 7/8/24

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-132)
BESHEAR BRADY S ETUX KAREN A
4 CANYON CREST CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 05 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Lots are very shallow and equivalent neighborhood homes could not be built in these locations. They will remain for sale for years instead of being welcome green areas that can be enjoyed.

D. Tillman 6-29-24

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-076)
TILLMAN DAVID L
8 CANYON VIEW CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
AUG 0 7 2024
BY: R. Marshall

Wichita Falls
TEXAS
Blue Skies, Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☑ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

The previous city council and Texas Wildlife Commission approved the current design as a lower housing density PUD, which homeowners pay a premium for this. The storm water system is already at capacity, backing up and flooding existing properties, which adding more homes will increase flooding issues. Allowing this change to the development sets a dangerous precedent. How can we approve this developers request yet deny other property owners who undoubtedly will follow with requests to develop open vacanies. Canyon Trails is a very quiet and safe community for families that doesn't need an expansion.

Signature (owner or authorized representative) 8-6-24 Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address

Derrick Brown , 4233 Canyon Trails Drive, Wichita Falls, TX 76305

(0422-097)

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 05 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Removing the natural habitat, change too much the water run off a potential issue. Currently his huge boulders and tree's to prevent erosion. Possibly build at base of 4311 and leave the natural habitat behind it. Respectfully, Jolinda

Jolinda Dick — July 3, 2024

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

jolindaddick61@gmail.com

(0422-123)
DICK JOLINDA D
6 CANYON CLIFF CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 0 9 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☑ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Donna V. Heaton
Signature (owner or authorized representative)

7/8/24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address

Donna V. Heaton (0422-013)
4302 Canyon Trails
Wichita Falls, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 10 2024
BY: R. Marshall 4:25 pm

Robin Marshall <robin.marshall@wichitafallstx.gov>

Adding addition lots to Canyon Trails PUD

1 message

Gary Broyles <gary@classicbuilderstx.com> Wed, Jul 10, 2024 at 9:36 AM
To: Robin Marshall <robin.marshall@wichitafallstx.gov>

My name is Gary Broyles and I own 20 acres at the western end of Canyon Trails Road . Property ID# 459, 131.000 (044-11). I am against adding 3 lots (4307,4309,4311 Canyon Trails Road) to the current PUD. I would ask the current Planning and Zoning Commission to vote against this request. Thanks Gary Broyles.
Sent from my iPhone

> On Jul 10, 2024, at 8:52 AM, Robin Marshall <robin.marshall@.gov> wrote:
>
>
> Mr Broyles,
> Here are the properties that will be voted on today at the Planning and Zoning Meeting: R24-03 4307, 4309, 4311 Canyon Trails Rd
> Please include your property ID number: 459,131.000 (044-11)
> Thank you,
>
> Robin Marshall
> Development Services Administrative Assistant
> (940) 761-7451

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

RECEIVED
JUL 2 7 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

#Absolutely opposed to this proposal. We dont need change to our master planned community!

Gennady Mushlin — 06-Jul-2024

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(096-01)
MUSHLIN GENNADY ETUX MARGARITA
4235 CANYON TRAILS DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 10 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

This was to stay a green belt to provide a place for residents to use and for water run off. This is next to the road to the houses above. This is the only exit to their homes on a poorly maintained road. The traffic at times is heavy. More cars in this area would cause more hazards. It could also cause more erosion problem than what's already there. There are other hazard beside these

Signature (owner or authorized representative) B Doria K Brooks

Date June 23, 2024

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-133)
BROOKS GLORIA K (L/E)
2 CANYON CREST CT
WICHITA FALLS, TX 76309

(0422-133)
phone 940 691 0345

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO: Scan + save to e mail
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 0 8 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

This form may be completed online at wichitafallstx.gov
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [X] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

We live in an exclusive neighborhood. There are no multi-family homes here for a reason. The higher traffic at the bottom of that intersection will increase tremendously. please don't allow any duplex, apartments or condos in our very exclusive neighborhood. We do not want that here

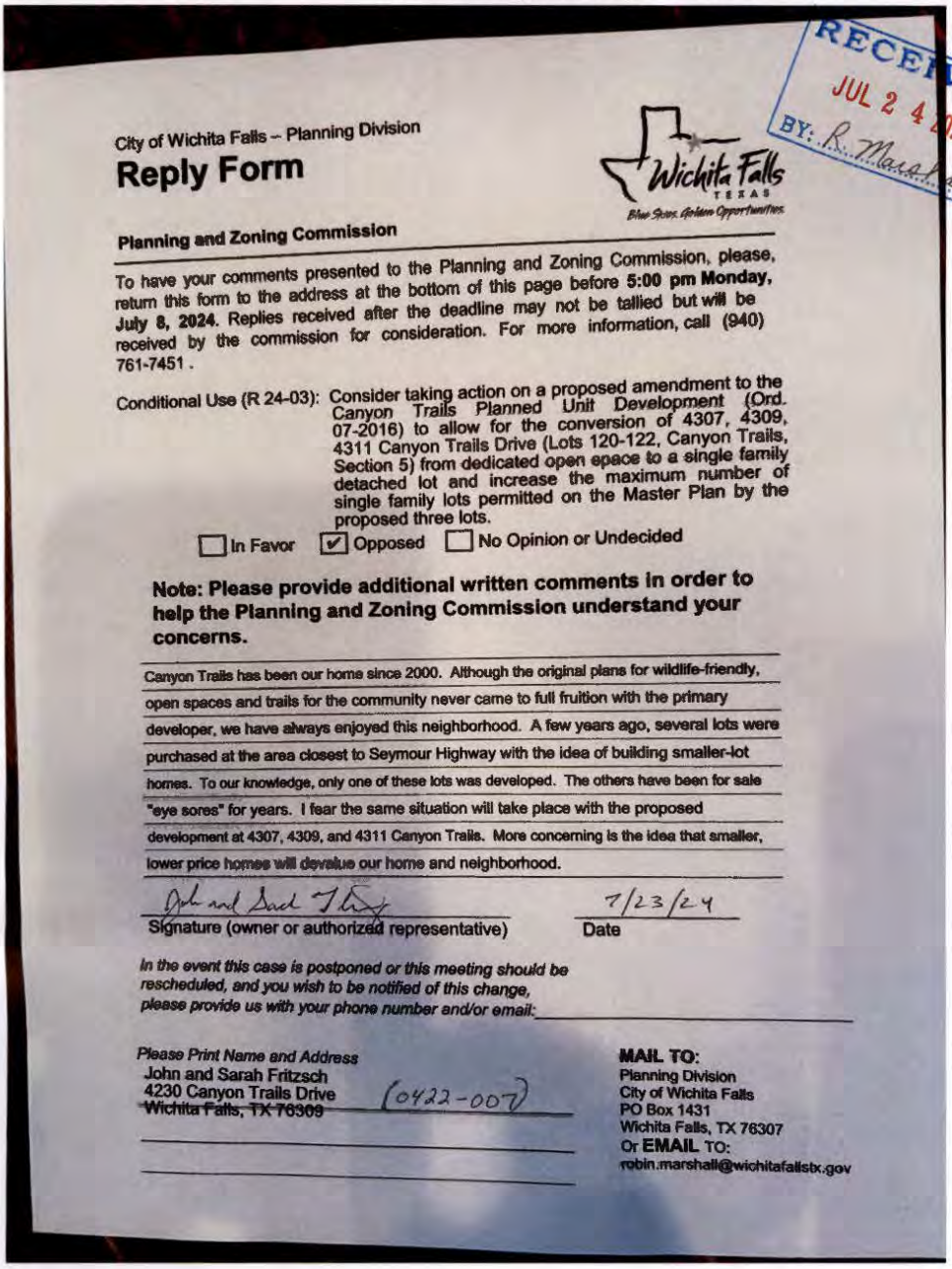
Jennifer Caldwell Coronado
Signature (owner or authorized representative)

07/03/24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(079-03)
CORONADO ERIK D & JENNIFER L CALDWELL CORONA
3 CANYON VIEW CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov



RECEIVED
JUL 24 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☑ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Canyon Trails has been our home since 2000. Although the original plans for wildlife-friendly, open spaces and trails for the community never came to full fruition with the primary developer, we have always enjoyed this neighborhood. A few years ago, several lots were purchased at the area closest to Seymour Highway with the idea of building smaller-lot homes. To our knowledge, only one of these lots was developed. The others have been for sale "eye sores" for years. I fear the same situation will take place with the proposed development at 4307, 4309, and 4311 Canyon Trails. More concerning is the idea that smaller, lower price homes will devalue our home and neighborhood.

John and Sarah Fritzsch — 7/23/24
Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address
John and Sarah Fritzsch
4230 Canyon Trails Drive
Wichita Falls, TX 76309
(0422-007)

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

Sent from AT&T Yahoo Mail for iPhone

RECEIVED
JUL 05 2024
BY: R. Marshall

RECEIVED
JUL 07 2024
BY: R. Marshall
7-5-24
RM

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [X] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Without building information of the house, and knowing weather it will conform to present deed restrictions, our vote will be, "No".

Signature (~~owner or~~ authorized representative) Date 7/2/24

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-130)
MORRIS KARL L ETUX CHIN O
6 CANYON CREST CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 26 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Canyon trails park Should remain dedicated open Space.
Owner Should gift to the City parks Department

Signature (owner or authorized representative)

June 24 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(094-03)
GORDON KATHY ELIZABETH
4 BLUE SAGE CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 26 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

lots should remain open space. If current owners do not wish to operate a neighborhood park; they should consider leeding it to city parks Department.

Signature (owner or authorized representative)

June 24 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-094)
GORDON KATHY ELIZABETH
4 BLUE SAGE CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 26 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [ ] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative)

6/24/2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-091)
KURANI MAHEMOOD
1 BLUE SAGE CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 0 9 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☒ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Linda K. Stell
Signature (owner or authorized representative)

7/8/2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email: _____

Please Print Name and Address

Linda K. Stell (0422-010)
4236 Canyon Trails Dr
Wichita Falls TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 0 8 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

The open space is nice and lots of kids ride their bikes and play safely there. It keeps them safe off the main road. The beauty of Canyon Trails is the natural landscape.

Linden Inman
Signature (owner or authorized representative)

6/26/2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-074)
INMAN ALEXANDER K & LINDEN INMAN
10 CANYON VIEW CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

~~Scott Gordon~~ AD Property search

~~940-631-9767 #4 Blue Sage~~

RECEIVED
JUL 0 1 2024
BY: L. Marshall

Wichita Falls
TEXAS
Blue Skies. Golden Opportunities.

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[✓] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

My concern is loosing the wilderness area to the wildlife. This was originally planned with that and walking trails through those areas.

We have lived in this area for 45 years - I don't see Deer - Bobcats - ~~possums~~ - turtles any more - mostly squirrel + Rabbits - I am opposing it until I see more plans -

Margaret June Holoubek
Signature (owner or authorized representative)

6-29-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940-692-6058
(3645-039)
HOLOUBEK MARGARET JUNE
4519 WOODCREST CIR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 0 9 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies, Golden Opportunities

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☒ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative)

8 July 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address

Michael Hill (0422-009)
4234 Canyon Trails Dr
Wichita Falls TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 0 9 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☒ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative)

9 July 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address

Michael Klein (0422-003)
4222 Canyon Trails Dr
Wichita Falls Tx 76307

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 10 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☑ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

There are half a dozen vacant lots still available, with at least four currently for sale.
If the subdivision were fully built out I would be willing to entertain the rezoning.
As it currently stands, the green space is more valuable than three additional lots for sale.

Signature (owner or authorized representative)

July 8, 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address
Paul Tittsworth
3 Desert Willow Ct
Wichita Falls, TX 76309
(0422-082)

(received via E-mail)

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 10 2024
BY: R. Marshall 4:25pm

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

The area has been a green area from the start of the neighborhood. The Gazebo is a very nice space. Any houses built there would have minimal backyards up against an unstable hill behind them.

Robert Hamblin — 7-10-2024

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-016)
HAMBLIN ROBERT L ETUX WINIFRED A
4308 CANYON TRLS
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 10 2024
BY: R. Marshall 4:25 pm

Robin Marshall <robin.marshall@wichitafallstx.gov:

Adding addition lots to Canyon Trails PUD

1 message

Gary Broyles <gary@classicbuilderstx.com> Wed, Jul 10, 2024 at 9:36 AM
To: Robin Marshall <robin.marshall@wichitafallstx.gov>

My name is Gary Broyles and I own 20 acres at the western end of Canyon Trails Road . Property ID# 459, 131.000 (044-11). I am against adding 3 lots (4307,4309,4311 Canyon Trails Road) to the current PUD. I would ask the current Planning and Zoning Commission to vote against this request. Thanks Gary Broyles.
Sent from my iPhone

> On Jul 10, 2024, at 8:52 AM, Robin Marshall <robin.marshall@.gov> wrote:
>
>
> Mr Broyles,
> Here are the properties that will be voted on today at the Planning and Zoning Meeting: R24-03 4307, 4309, 4311 Canyon Trails Rd
> Please include your property ID number: 459,131.000 (044-11)
> Thank you,
>
> Robin Marshall
> Development Services Administrative Assistant
> (940) 761-7451

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

RECEIVED
JUN 26 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

- NO OTHER OPEN SPACE NEARBY
- Very shallow lots BACKING up to a steep hill
- erosion
-

Robert L. Wade
Signature (owner or authorized representative)

June 25, 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:
940-867-9453

(0422-017)
WADE ROBERT L JR ETUX JUDY C
4310 CANYON TRAILS DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 26 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[✓] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

There are multiple R-2 zoned lots as you enter Canyon Trails Drive from Seymour Highway. None have been purchased or developed. These 3 lots will take further "open space" from the original neighborhood plan.

Sarah Fritzsch
Signature (owner or authorized representative)

6-24-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-007)
FRITZSCH JOHN RICHARD ETUX SARAH ANN
4230 CANYON TRAILS DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City of Wichita Falls – Planning Division

Reply Form

RECEIVED
JUL 2 4 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024**. Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451 .

Conditional Use (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

☐ In Favor ☑ Opposed ☐ No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

I have enjoyed using the gazebo that was built by Dave & Dorothy Rhone as part of the green area of our development. We have had numerous tea parties, lunches, & other events in the shade of the covered area. I have raised three kids in this development & would like to have some areas left untouched & undeveloped as the Rhone's planned.

Signature (owner or authorized representative)

07/24/24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email: 940-782-5045

Please Print Name and Address
Steve & Julie Henderson
4237 Canyon Trails Dr. (0422-096)
Wichita Falls, TX 76309-2711

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
Or **EMAIL** TO:
robin.marshall@wichitafallstx.gov

Robin Marshall <robin.marshall@wichitafallstx.gov>

Rezone (R 24-03) I attempted to find the link to complete the online reply form but only found current cases at the links suggested in the letter I received on Monday. I am opposed to this rezone request. My family uses the open space weekly & we do not want any houses built in the area the Rhone's selected for open space. Steve & Julie Henderson 4237 Canyon Trails Drive.

1 message

Steven Henderson <sbrenthenderson@gmail.com> Tue, Jun 25, 2024 at 8:45 PM
To: robin.marshall@wichitafallstx.gov

(0422-096)

RECEIVED
JUN 26 2024
BY: R. Marshall

RECEIVED
JUL 05 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies, Golden Opportunities

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[√] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

1. With only 1 entry and exit we do not need more residents in Canyon Trails. Safety hazard in emergencies.
2. When we purchased our home we were told we would have the "Wilderness" area that would not be developed. I would like this promise to be kept!

Sue Roy Winburn
Signature (owner or authorized representative)

7-02-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-135)
WINBURN SUE ROY
1 CANYON CREST CT
WICHITA FALLS, TX 76309
Phone: 940-6960909

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 0 5 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

"This form may be completed online at wichitafallstx.gov"
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [x] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

It was my understanding when we moved here that open spaces would remain open. I wish it to remain the same.

Teri Brownfield
Signature (owner or authorized representative)

7-5-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-012)
BROWNFIELD GREGORY B & TERI L BROWNFIELD
4300 CANYON TRAILS DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 0 8 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative)

7 July 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-011)
GAGNE A DANIEL
4238 CANYON TRAILS DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 0 8 2024
BY: R. Marshall

Dear Planning & Zoning Commission members, 7 July 2024

The investor requesting modification of the Canyon Trails Master Plan should not be permitted to move forward with removal of the dedicated open space lots which serve as parks for the Canyon Trails community. Owners in Canyon Trails purchased properties, and in many cases paid above market rates because of the designated open space amenity as defined in the plan. The investor group purchased these properties with full knowledge that they were designated open space – not residential and not commercial and with limited ability for any development beyond passive recreation.

Although the subdivision is currently incomplete with 77 single family homes existing vs. a design parameter allowing 117 proposed lots. A developer has purchased the remaining undeveloped land based on the knowledge that 40 additional lots can be platted according to the original master plan. The fact that the proposed amendment will maintain density calculation below the original plan is irrelevant. We must assume the developer that owns the remainder of the undeveloped land eventually will build out the capacity of the development. When the additional 40 lots are platted, drainage to Lake Tanglewood will likely be through the drainage ditch to the west of 4312 Canyon Trails Drive, not the allegedly undersize 48" concrete culvert where the easement between 4306 & 4308 Canyon Trails Drive drains.

The three proposed housing units will do nothing to improve housing affordability in Wichita Falls. If the project is approved, the homes would need to meet the minimum design requirements of 2000 square feet, which at the current cost of new homes will yield homes greater than $400,000 – definitely not affordable housing.

Although there is no HOA, homeowners in Canyon Trails have been maintaining the subject properties as open space since the original developer built a Gazebo and dedicated the space for use by homeowners in the Master-Planned community, circa early 2000s. First and second-generation legacy families use the area regularly. This park is within the development, adjacent to roads limited to 30 mph limited to local traffic only. Although residents are appreciative of the work the City is doing to expand the looped-parks trail system, it does NOT offset or provide a substitute for the dedicated open space in this Master-Planned development. The dedicated open space areas were in existence long before the public trail was installed and were intended for perpetuity. Residents of Canyon Trails cannot allow their children to play on the Trails system, only a few feet from a major arterial, Seymour Highway.

Three additional homes will add to the utility load – water, sewer and stormwater systems that were designed and installed to meet capacity of the Master Plan. The sewage system in the development has already been repaired at least once within the past five years.

Traffic will be increased causing a greater risk to the many children that live and play in Canyon Trails. Emergency services for the development is currently through a single access point; additional on-street parking will make it difficult to maneuver the T-intersection accessing the development's upper tier.

Based on a low absorption factor of 35% due to type of soil and slope of the land, the additional non-permeable area will increase flow to the drainage ditch and an already overwhelmed 48-inch culvert to Tanglewood lake by at least 3000 gal per inch of rainfall.

Drainage from a large majority of Canyon Trails and Seymour Hwy., west of the Canyon Trails development is achieved through the previously referenced 48-inch diameter concrete culvert. The culvert is installed with an approximate 2-degree slope draining out of Canyon Trails into Tanglewood lake. Prior to discharging through the 48-inch culvert, the stormwater passes under Canyon Trails Drive between 4238 and 4300 Canyon Trails. This rectangular 48-inch x 60-inch culvert (opening 20 sqft) is often near full during heavy rain. The upstream capacity based on simple culvert dimensions is 60% more than that of the 48-inch downstream culvert (opening ~12.6 sqft). During heavy rainfall events, the total flow through the culvert at 4238/4300 Canyon Trails and easement at 4306/4308 Canyon Trails exceeds the capacity of the single 48" outlet resulting in flooding the back of 4236 & 4238 Canyon Trails and other areas. These properties were not identified by FEMA as being in flood-prone areas. Excess stormwater runoff continues to and will be problematic as our climate warms. The science on climate warming states that weather extremes will become more often and more extreme.

Because of the steep slope of the lots grading/excavation will be require to build homes that meet the design parameters. Soil types in this area are susceptible to shifting, thus any excavation/grading will have an effect on the stability of the lots on the west side of Canyon Cliff Ct, directly above these lots.

The 2016 amendment to the master plan by Gary Mehan which changed frontage along Seymour Hwy. from a commercial area to residential was accepted by many residents because of reduced future traffic at the entrance and reduced expected run-off from residential vs. commercial developments

The developer was encouraged to talk to residents before proceeding but was never seen or heard from. No documentation or petitions were received from the investor.

Approving this amendment sets a dangerous precedent. During the tax sale several lots were purchased by various individuals/investors. Changing the master plan for this developer opens the door for other individuals/investors to change the designation on their open space. How can the city allow one developer to change the open space designation and restrict another? An unknown investor purchased the open space across from 4300 Canyon Trails. A portion of the lot is relatively flat and has direct street access – very similar to the property in question. It could easily be developed as one or more homes. What is the limit? Every change impacts the overall plan/character of what is supposed to be a master planned community in which we are all invested.

Is staff proposing that any long-standing master plan or planned community can be discarded if the original developer perishes, goes bankrupt, or sells interest in his business?

Open spaces and parks are for our children whether they are designated by a city or a developer. Approving this amendment steals our future and gives it to an out-of-town investor that either didn't read and/or planned to profit from the Canyon Trails community regardless of the restrictions on the property. Once a park is gone, it is gone forever.

Daniel Gagné
4238 Canyon Trails Drive

Opposed to the Amendment

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

RECEIVED
Jul 2 7 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[ ] Opposed** **[X] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Joan A. Levasseur
Signature (owner or authorized representative)

6/24/2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(3646-230)
LEVASSEUR JOAN A
1610 TANGLEWOOD DR
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 2 7 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [ ] Opposed [X] No Opinion or Undecided

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(061-02)
CANNEDY MAC WILMER JR ETUX CONNIE RAYE
2109 TURTLE CREEK RD
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUN 2 8 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[ ] Opposed** **[X] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Signature (owner or authorized representative)

6-25-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(0422-128)
NEWLUN ROBERT ETUX MARY
1 CANYON CLIFF CT
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

RECEIVED
JUL 05 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Planning and Zoning Commission

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

To have your comments presented to the Planning and Zoning Commission, please, return this form to the address at the bottom of this page before **5:00 pm Monday, July 8, 2024.** Replies received after the deadline may not be tallied but will be received by the commission for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****
Departments/ Development Services/ Planning/ Planning & Zoning Cases

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[ ] Opposed** **[✓] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the Planning and Zoning Commission understand your concerns.

Ronda Swadley
Signature (owner or authorized representative)

7-3-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

(4310-075)
SWADLEY STANLEY HOWARD ETUX RONDA K
2000 TURTLE CREEK RD
WICHITA FALLS, TX 76309

MAIL TO:
Planning Division
City of Wichita Falls
PO Box 1431
Wichita Falls, TX 76307
EMAIL TO:
robin.marshall@wichitafallstx.gov

City Council Responses

RECEIVED
AUG 0 1 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[✓] In Favor [ ] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Just vacant lots - not always "kept-up" very well. Does not appear to be used for any neighborhood purpose.

Dollie Wagoner
Signature (owner or authorized representative)

7-24-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Dollie Wagoner ~~(4316)~~ (4310-051)
4603 Del Rio Trail
Wichita Falls, TX 76310

RECEIVED
JUL 18 2024
BY: Robin Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Signature (owner or authorized representative) Date 17 July 2024

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940 733 9041

(0422-011) **Forms may be returned to:** Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Gagne, A. Daniel
4238 Canyon Trails Dr. 7.18.24
Wichita, Falls TX 76309

RECEIVED
AUG 07 2024
BY: K. Marshall

Comments - Opposed

Low Housing Density Approved by Past City Council

The Canyon Trails PUD is unique in that it combines urban living with Wild-Scape and is designed to have a lower housing density than other neighborhoods. City Council approved this plan/lower housing density in the 1990s and the development was Certified as a Texas Wild-Scape. Increasing the housing density destroys the work approved by the previous City Council.

Stormwater and Utilities

The stormwater system in this part of the development is limited by a 48" culvert draining to Lake Tanglewood. The 4 ft x 5 ft culvert at 4238/4300 Canyon Trails and the flow through the drainage easement at 4306/4308 CT have a significantly higher capacity causing stormwater to back up and flood the backyard of 4236/4238 and 4306/4308 Canyon Trails. See attached stormwater flow images.

Ground Stability

Though the lots in question were platted in the 1990s, even the original developer determined the lots are not suitable for construction. The developer built a Gazebo and "donated" the land to the homeowners. Prior to the tax sale, the land was maintained by Canyon Trails homeowner volunteers. Significant excavation required to make the lots buildable will likely lead to instability of the steep slope supporting homes on the north side of Canyon Cliff Ct .

Precedent

Approving this amendment sets a dangerous precedent. During the tax sale several investors purchased other open space lots in Canyon Trail, likely with the intent to build. How do we say Yes to this investor and No to the next? How does it affect the remaining homes designated in the PUD? Where does it stop?

Gone Means Gone Forever

Do not take away the open space that makes this PUD unique. Once the open space, parks and wildlife are gone, they are gone forever!

Stormwater Flow between 4238 & 4300 Canyon Trails Drive

Upstream



Downstream



Daniel Gagné
4238 Canyon Trails Drive

RECEIVED
AUG 07 2024
BY:

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

The proposed lots do not have adequate grade to build residential property. Any work to cut into the existing slop will destabilize the property of the adjacent homes and likey cause significant damage. The area should stay as a green space as it is not suitable for construction

Signature (owner or authorized representative) 8-4-24 Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

David Tillman (0422-076)
8 Canyon View Ct.
Wichita Falls, TX 76309

City of Wichita Falls – Planning Division

RECEIVED
JUL 25 2024
BY: R. Marshall

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Leave the space open!

Deborah Coleman
Signature (owner or authorized representative)

7-23-24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

(0422-126) Deborah Coleman
3 Canyon Cliff Ct
Wichita Falls, TX 76309

RECEIVED
AUG 07 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [X] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Donna V. Heaton
Signature (owner or authorized representative)

8/6/24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address (0422-013)

4302 Canyon Trails
Wichita Falls, TX 76309
Donna V. Heaton

Forms may be returned to:
Planning Division,
PO Box 1431,
Wichita Falls, TX 76307
or EMAIL To:
planning.review@wichitafallstx.gov

City of Wichita Falls – Planning Division

RECEIVED
JUL 25 2024
BY: R. Marshall

Wichita Falls
TEXAS
Blue Skies. Golden Opportunities.

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Frank W Jarratt 7/23/24

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

(0422-015) Frank Jarratt
P. O. Box 2370
Wichita Falls, Tx 76307

City of Wichita Falls – Planning Division

RECEIVED
JUL 25 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

We would to keep Nature in our Neighborhood.

Gennady Mushlin, 07/22/2024

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940-782-5922

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

(096-01) Gennady Mushlin
4235 Canyon Trails Drive
Wichita Falls, TX 76309

RECEIVED
AUG 0 1 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

This was to be a greenbelt area for water control and resident use. This area sees heavy traffic since we only have one entrance and exit. More housing will creat more cars in an already busy area. It would also allow erosion of existing hills. This could add 6 cars to the area

Gloria K Brooks — July 27, 2024
Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940 691 0379

(0422-133)
Gloria Brooks
2 Canyon Crest Ct.
Wichita Falls, TX
76309

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

I cannot attend the meeting as I do not drive and use a wheelchair. I hope this will speak for me.

RECEIVED
AUG 07 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

We like the open space.

John Wiedemann 8.6.24

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Please Print Name and Address (0422-060)

JOHN WIEDEMANN
2104 CANYON RIDGE TR
WICHITA FALLS, TX 76309

Forms may be returned to:
Planning Division,
PO Box 1431,
Wichita Falls, TX 76307
or EMAIL To:
planning.review@wichitafallstx.gov

RECEIVED
AUG 01 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Don't Want More development in this area.

Signature (owner or authorized representative)

7/23/24
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Lauri Willett (3640-001)
1810 Tanglewood
Wichita Falls, Tx 76301

City of Wichita Falls – Planning Division

RECEIVED
AUG 01 2024
BY: R Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Please don't allow our nice neighborhood to be spoiled by building more houses. We bought our home here to enjoy the country feel. I am very much opposed to these lots being changed from open space. Thank you.

Linda K. Stell
Signature (owner or authorized representative)

07/27/2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Linda Stell (C0422-010)
4236 Canyon Trails Dr.
Wichita Falls 76309

RECEIVED
AUG 0 5 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[√] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

See notes on attached page

Robert L. Wade Judy C. Wade — Aug 5, 2024

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940-867-9453

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Robert + Judy Wade (0422-017)
4310 Canyon Trails Drive
Wichita Falls, TX 76309

RECEIVED
AUG 05 2024
BY: R. Marshall

We are opposed to the rezoning to single family detached lots and the elimination of the currently zoned open space along Canyon Trails Drive for the following reasons.

We believe the available land in question does not adequately provide lot size for comparable homes currently found in this PUD.

The rear of the proposed lots back up to a steep hill, at the top of which are other homes on the upper level. The possibility of land mass movement during the construction of homes and into the future during heavy rainfall cannot be dismissed.

Before we purchased our home on Canyon Trails Drive, we visited the original developer, Mr. Dave Rhone, who told us he felt the space he left empty did not lend itself to construction of new homes; however, would provide safe movement for deer and other wildlife to reach the west side of the canyon where lies the lake. He therefore ceded the land to the city as "open space", installed a well- built permanent structure, the gazebo, for the use and enjoyment of the homeowners of Canyon Trails, and even held a dedication ceremony affirming his desire for its use. We have witnessed the gazebo being used for graduates' photos, family photos when the wildflowers bloom, roofers taking to the shade of the gazebo to have lunch, neighbors hanging Christmas wreaths during the holiday, and numerous other uses. There are currently no other open spaces, designated as such, for the use of the neighborhood and passers-by.

Secondly, just to the west of the gazebo lot is where Canyon Trails Drive meets the steep incline of Canyon Ridge Drive. Some drivers descending the hill, even with the current openness, often approach vehicles backing out of driveways at the bottom level with alarming speed. My neighbor has already been rear-ended in this way.

Now imagine, if a home of comparable size to this PUD is built on that L shape intersection, visibility would be dangerously reduced to the motor traffic moving up or down the hill. The neighbor children, walkers with pets, and bikers who frequent the hill for exercise would have less visibility and less time to react to traffic if a house with privacy fence and extra cars parked on the street were authorized by your Council members at that inclined junction at Canyon Trails Drive and Canyon Ridge Drive.

Please keep the safety for all, be it existing residents, wildlife, or visitors who use these intersecting streets in the forefront of your minds when making your decision.

We strongly oppose the conversion of 4307, 4309, and 4311 Canyon Trails Drive from dedicated open space to single family detached lots.

Robert & Judy Wade (0422-017)
4310 Canyon Trails Dr.
Wichita Falls, TX 76309

RECEIVED
AUG 05 2024
BY:

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[X] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Too small undesirable lots. Would be very hard to build comparible homes similer to the neighborhood
The hill behind the houses unstable witness the hill near the road. The sidewalk is under 4" of dirt and rocks that roll down

Robert Hamblin — 5 Aug '24

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940 636 7273

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Robert Hamblin (0422-016)
4308 Canyon Trails Drive
Wichita Falls, TX 76309

City of Wichita Falls – Planning Division

RECEIVED
AUG 0 2 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [X] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Signature (owner or authorized representative)

7-30-2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940-781-7016

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Stephen + Norma Priester (0422-044)
2001 Turtle Creek Road
Wichita Falls, TX 76309

RECEIVED
AUG 05 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [x] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the City Council understand your concerns. I will not be at the meeting as health condition prevents it. My concerns are 3 additional families will add to safety hazard in emergencies as we only have 1 entry and exit. Also we were promised our "wildscape" would last and all lots would not be occupied but stay as an open space. I would like the promise kept. I have lived in Canyon Trails since 2000.

Sue Roy Winburn — 7-30-24

Signature (owner or authorized representative) — Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

940 696-0909

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Sue Roy Winburn (0422-135)
1 Canyon Crest Ct
Wichita Falls, TX 76309

RECEIVED
AUG 01 2024
BY: R. Marshall

City of Wichita Falls – Planning Division

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor **[✓] Opposed** **[ ] No Opinion or Undecided**

Note: Please provide additional written comments in order to help the City Council understand your concerns.

When we purchased our home it was explained to us that the area you are discussing was dedicated open space and we see no need and have no desire for it to change into 3 single family lots.

Terri Brownfield — 7.27.24

Signature (owner or authorized representative) Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Terri Brownfield (0422-012)
4300 Canyon Trails Dr.
Wichita Falls, Tx 76309

City of Wichita Falls – Planning Division

RECEIVED
AUG 07 2024
BY: R. Marshall

Wichita Falls TEXAS
Blue Skies. Golden Opportunities.

Reply Form

Wichita Falls City Council

Please return this form (mail, in-person, or email) by 5:00 pm on **Wednesday August 7, 2024** to have your comments incorporated in the report to City Council. The reply forms received before **5:00 pm Monday, August 19, 2024** will be tallied for presentation to Council. However, replies received after this deadline will not be tallied but will be provided to Council for consideration. For more information, call (940) 761-7451

****This form may be completed online at wichitafallstx.gov****

Rezone (R 24-03): Consider taking action on a proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016) to allow for the conversion of 4307, 4309, 4311 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to a single family detached lot and increase the maximum number of single family lots permitted on the Master Plan by the proposed three lots.

[ ] In Favor [ ] Opposed [ ] No Opinion or Undecided

Note: Please provide additional written comments in order to help the City Council understand your concerns.

Please see enclosed letter

Maurine Grant
Signature (owner or authorized representative)

Aug. 4, 2024
Date

In the event this case is postponed or this meeting should be rescheduled, and you wish to be notified of this change, please provide us with your phone number and/or email:

Forms may be returned to: Planning Division, PO Box 1431, Wichita Falls, TX 76307 or planning.review@wichitafallstx.gov

Maurine Grant (0422-089)
10 Desert Willow Ct.
Wichita Falls, TX 76309

RECEIVED
AUG 07 2024
BY: R. Marshall

James & Maurine Grant
10 Desert Willow Court
Wichita Falls, TX 76309
james.grant.ss@gmail.com/maurne.grant@gmail.com

August 8, 2024

Planning and Zoning Department
PO Box 1431
Wichita Falls, TX 76307

Subject: Concerns Regarding Proposed Amendment to Canyon Trails Planned Unit Development (Ord. 07-2016)

Dear Planning and Zoning Department,

We are writing to express our concerns regarding the proposed amendment to the Canyon Trails Planned Unit Development (Ord. 07-2016). While we appreciate the efforts to enhance our community, we are concerned about the impact of constructing three homes at the designated corner, which may lead to increased congestion and affect the quality of life in our neighborhood.

The addition of three homes could lead to increased traffic congestion at the corner, which is already a busy area. This could result in safety issues for residents, particularly pedestrians and cyclists. The congestion might also lead to difficulties with parking and access for emergency vehicles, which is a significant concern for the safety and well-being of all residents.

However, we want to emphasize that we do not oppose development in principle. Our community would welcome the construction of two homes of comparable square footage and style, which would fit with the existing neighborhood layout and maintain the community's continuity.

We believe that this compromise would allow for development while addressing concerns about congestion and maintaining the character of our neighborhood. We respectfully request that the committee reconsider the proposal to allow for two homes instead of three at this location.

Thank you for considering our concerns. We look forward to your response and am hopeful that we can work together to find a solution that benefits our community.

Sincerely,
Maurine Grant + James Grant
James & Maurine Grant

Ordinance No. _____

Amending Ordinance No. 07-2016 Canyon Trails Planned Unit Development (PUD) (Ord 07-2016) to allow for the conversion of 4307, 4309, 43011 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to single family detached lot use and increase the maximum number of single family lots permitted on the master plan by the proposed three lots; Determining that the meeting at which this ordinance was passed was open to the public as required by law

WHEREAS, the Planning and Zoning Commission considered the proposed amendment request at its July 10, 2024 meeting, and failed to make a recommendation with a vote of 4-4; and,

WHEREAS, the City Council of the City of Wichita Falls, Texas, deems that the proposed amendment to this Planned Unit Development District is in accordance with the Comprehensive Land Use Plan and in the public interest.

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

1. Canyon Trails Planned Unit Development (PUD) Ord. 07-2016 is hereby to allow for the conversion of 4307, 4309, 43011 Canyon Trails Drive (Lots 120-122, Canyon Trails, Section 5) from dedicated open space to single family detached lot use and increase the maximum number of single family lots permitted on the master plan by the proposed three lots.

2. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

PASSED AND APPROVED this the 20th day of August 2024.

_____
M A Y O R

ATTEST:

_____

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Ordinance amending Chapter 90 Solid Waste setting an effective date, and providing codification.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: Since 2022 franchised solid waste haulers have been allowed to provide roll-off and compactor service to commercial and industrial sites as well as providing construction/demolition waste collection, recycling, and special waste inside the city. Potential revisions to the existing ordinance to allow franchised solid waste companies to expand their services further into the city of Wichita Falls were discussed at the August 6th council meeting. Since then, Staff has also received additional input for the council which resulted in the proposed modifications to the ordinance listed below.

In general, the proposed revisions will now:

- Enable the franchised companies to also provide roll-off service to the residential solid waste customers within the city in addition to the other customers already allowed under the current ordinance.
- Enable the franchised solid waste companies to utilize an alternate disposal site during city observed holidays.
- Make provisions for the roll-offs to be placed in the city ROW with placement of warning and other safety measures.
- Other minor changes include reducing the reporting requirements from the franchised companies as well as a reduction in some of the insurance requirements.

In addition to these general modifications, staff and the City's legal team also made some smaller housekeeping changes to the ordinance as well. The following are the specific changes to the Ordinance:

Sec 90-1 Definitions

- Addition of the TCEQ definition of Putrescible Waste (pg. 4)

Sec 90-2 Solid Waste Responsibility

- (c) Allowance for franchised companies to utilize other disposal facilities during city observed holidays (pg. 7)

Sec 90-10 Violations

- Relocated and reworded in Sec 90-75 (pg. 9)

Sec 90-25 Residential Roll-offs (city provided residential service)

- (b) Addition of refrigerators and air conditioners as prohibited waste within a roll-off container (pg. 11)

Sec 90-38 Commercial and Industrial roll-off containers (city provided commercial service)

- (b) Addition of refrigerators and air conditioners as prohibited waste within a roll-off container (pg. 14)

Sec 90-41 Violations

- (a-c) Section relocated Sec 90-75 for better congruency of the document (pg.16)

Sec 90-51 Unloading solid waste disposal facilities

- (e) Added words “disposal at” for clarity (pg. 17)
- (f) (1) Added for clarity the residents can use the landfill and transfer station at no charge as long as proof of residency, as described, is provided (pg. 17)

Sec 90-61 Franchise required

- Added the words “to haul waste” for clarity for the requirement for a franchise (pg. 17)
- (b-d) Added residential roll-off as an allowed service under a franchise (pg. 18)
- (e) (1) Allowance for roll-offs to be placed in public ROW with written permission from the Director of PW with placement of various caution devices (pg. 18)
- (e) (3) Requires a roll-off being placed by a franchised company at a residential site without a building permit to submit a notification form (pg. 18)
- (g) Added list of prohibited wastes within a roll-off container (pg.18&19)

Sec 90-62 Franchise application

- (c) (4) Deletion of several of the insurance requirements that staff felt were not needed (pg. 20&21)

Sec 90-66 Franchise revocation procedure renamed (pg. 22)

Sec 90-67 Records and reports

- (a) Deleted the requirement for the annual report submission (pg. 22)

- (d) Add a required designation of residential, construction/demolition sites on the monthly reports (pg. 23)

Sec 90-70 Disposal of waste

- Added the words “commercial, residential”, to the required waste to be delivered to the city landfill (pg.24)

Sec 90-74 Location sites and permits

- (e) (1) Removed the requirement for a site plan of the location of a commercial roll-off (pg.25)

- (e) (2) Allowance for roll-offs to be placed in public ROW with written permission from the Dir of PW with placement of various caution devices (pg. 25)

- (e) (3) Specifies roll-offs placed at a residential site are allowed to remain on site for 20 consecutive days. This limitation does not apply if a building permit is in place for that address (pg. 25)

Sec 90-75 Penalties

- (c-f) Violations section 90-41 relocated to this section (pg. 26)

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance amending Chapter 90 Solid Waste setting an effective date, and providing codification

WHEREAS, Texas Health and Safety Code 363.003 finds "the improper management of solid waste creates hazards to the public health, can cause air and water pollution, creates public nuisances, and causes a blight on the landscape" and "the control of solid waste collection and disposal should continue to be the responsibility of local governments and public agencies."; and,

WHEREAS, Texas Health and Safety Code 363.111 allows "a governing body …[to] adopt rules for regulating solid waste collection, handling, transportation, storage, processing, and disposal"; and,

WHEREAS, the City of Wichita Falls defines municipal solid waste as including garbage has a specific definition as "[s]olid waste consisting of putrescible animal and vegetable waste materials resulting from the handling, preparation, cooking, and consumption of food, including waste materials from markets, storage facilities, handling, and sale of produce and other food products"; and,

WHEREAS, currently the City of Wichita Falls is the only authorized entity to provide solid waste services within the City of Wichita Falls; and,

WHEREAS, it has been previously determined the collection, hauling, and disposal of solid waste is an activity that falls within the bounds of Texas Local Government Code 252.022[1]; and,

WHEREAS, this ordinance is further intended to preserve the appearance of the City and its property values to the benefit of public welfare.

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

[1] *Browning-Ferris, Inc. v. City of Leon Valley*, 590 S.W.2d 729 (Tex. Civ. App – San Antonino 1979, writ ref'd n.r.e.); Op. Att'y Gen. JM-908 (1988); Op. Att'y Gen. JC-0281 (2000)

Chapter 90
Solid Waste

ARTICLE I
IN GENERAL

§ 90-1 Definitions.
The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Asbestos waste. Any waste product containing either friable or nonfriable asbestos. Friable asbestos-containing material means any material containing more than 1.0% asbestos that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. Nonfriable asbestos-containing material means any material containing more than 1.0% asbestos that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Brush. Shrub limbs, tree limbs, untreated lumber, and tree waste.

Bulky waste. The following residential-type items: furniture, treated wood, construction materials generated by a service unit (and not by a commercial service provider) as a result of a residential project, mattresses and box springs, carpet, swing sets, plastic swimming pools, small and large toys, bicycles, fish aquariums, toilets, residential appliances and other similar items, white goods (CFC-free), provided such items do not contain hazardous waste or any waste which is not acceptable at the designated landfill.

Cart. A wheeled container provided by the City of Wichita Falls for solid waste or recyclable materials.

Carry-out service. Service provided to residential customers in which city employee brings the curbside cart to the curb for collection and then returns the cart for an additional fee.

City. The City of Wichita Falls.

City disposal facility. A facility designated by the city for the temporary storage or permanent disposal of solid waste, including the city landfill or transfer station.

Collection. The act of removing solid waste for transport for disposal and/or recycling.

Commercial. Pertaining to or engaging in commerce and may include industrial or institutional uses or pertaining to or engaging in commerce and may include stores, offices, restaurants, warehouses, institutions, apartment complexes, and other nonmanufacturing activities.

Compactor. A container that compresses municipal solid waste or recyclables.

DRAFT

Compost. The stabilized product of the decomposition process that is used or sold for use as a soil amendment, artificial topsoil, growing medium amendment, or other similar uses.

Construction and demolition waste. Waste generated from construction, renovation, repair, and/or demolition of houses, building structures, fences, swimming pools, driveways/sidewalks, roads, bridges, piers, dams, or other structures, including, but not limited to, paper, cartons, gypsum board, wood, excelsior, rubber, and plastics.

Construction site. A site where a building permit has been issued for the active construction of a residential, commercial, or industrial structure or use.

Container. A wheeled or non-wheeled receptacle with a capacity of up to 50 cubic yards typically provided to commercial and residential customers.

Curbside. The point at the edge of the street in front of the residence or business. Curbside shall always be located on the street named as the legal physical address unless authorized differently by the director.

Customer. Excluding usage in article V, a residential, commercial, industrial, or institutional entity purchasing a municipal solid waste service from the City of Wichita Falls.

Director. The director of public works or the director's authorized designee(s).

Disposal facility. Shall collectively mean the city landfill and/or the city transfer station.

DSHS. Department of State Health Services (Texas).

Franchise holder. Individuals or businesses that are primarily in the business of collecting, transporting, and disposing of construction and demolition waste, compactor, bulky waste, recyclable material, and special wastes that have obtained a valid franchise permit from the City of Wichita Falls, including individuals or businesses that demolish and dispose of structures not owned by the franchise holder.

Garbage. Putrescible animal and vegetable waste materials and/or residue from the handling, preparation, cooking, or consumption of food, including waste materials from markets, storage facilities, and the handling and sale of produce and other food products.

Gross vehicle weight (GVW). The total weight of a vehicle or vehicle and trailer combination, including its maximum allowable load or weighed load.

Hazardous waste. Any solid waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, 42 United States Code, §§6901 et seq., as amended.

Household waste. Any solid waste (including garbage, trash, and rubbish) derived from

DRAFT

households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas); does not include yard waste.

Industrial. Having to do with any process of industry, manufacturing, mining, or agricultural operation.

Industrial hazardous waste. Hazardous waste determined to be of industrial origin.

Industrial solid waste. Any waste resulting from or incidental to any process industry, manufacturing, mining, or agricultural operation, which may include hazardous waste.

Landfill. The City of Wichita Falls owned and operated landfill.

Medical waste. Waste Treated and untreated special waste from healthcare-related facilities that is comprised of animal waste, bulk blood, bulk human blood, bulk human body fluids, microbiological waste, pathological waste, and sharps as those terms are defined in 25 TAC §1.132 (relating to definitions) from the sources specified in 25 TAC §1.134 (relating to application), as well as regulated medical waste as defined in 49 Code of Federal Regulations §173.134(a)(5), except that the term does not include medical waste produced on a farm or ranch as defined in 34 TAC §3.296(f) (relating to agriculture, animal life, feed, seed, plants, and fertilizer), nor does the term include artificial, nonhuman materials removed from a patient and requested by the patient, including, but not limited to, orthopedic devices and breast implants. Healthcare-related facilities do not include:

(1) Single or multifamily dwellings; and

(2) Hotels, motels, or other establishments that provide lodging and related services for the public.

Municipal solid waste. Solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, and all other solid waste other than industrial solid waste.

Nonprofit organization. Any entity that has been declared as tax-exempt under rule 26, United States Code Annotated section 501c.

Occupied. Reasonably ready for immediate move-in or a structure on the property.

Person. Shall include the owner, partnership, corporation, lessee, occupant, individual/group, or person in control or possession of the property or premises in question.

Primary business. Offering of a service or the renting of roll-off container, or compactor for a fee and where such offering of a service or renting is not merely incidental. This definition shall apply to demolition businesses.

DRAFT

Putrescible waste. Organic wastes, such as garbage, wastewater treatment plant sludge, and grease trap waste, that are capable of being decomposed by microorganisms with sufficient rapidity as to cause odors or gases or are capable of providing food for or attracting birds, animals, and disease vectors.

Receptacle. A solid waste cart, container, roll-off container, or any other container for waste.

Recyclable materials. Materials that have been recovered or diverted from the non-hazardous waste stream for purposes of reuse, recycling, or reclamation, a substantial portion of which is consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials, including metal. Recyclable material is not solid waste. However, recyclable material may become solid waste at such time, if any, as it is abandoned or disposed of rather than recycled, whereupon it will be solid waste with respect only to the party actually abandoning or disposing of the material.

Recyclable materials collection service. The act of collecting and transporting recyclable materials from residential, commercial, municipal, institutional, recreational, industrial, and other community activities.

Recyclable organic material. Any waste that is biodegradable and comes from either a plant or an animal. Examples of organic material include yard waste, grass clippings, tree trimmings, food waste, paper goods such as junk mail, cardboard, newspaper, paper plates and cups, chipboard, and magazines.

Recycling. The process of collecting and turning used products into new products by reprocessing or remanufacturing them.

Recycling program. The organized collection of recyclable materials for the purpose of resource recovery and recycling in pursuit of the goals of the city.

Recycling site. A specific geographic site where one or more recycling containers may be placed.

Residential. Pertaining to properties zoned for use as residential dwellings including, but not limited to, the following: Single-family dwellings, duplexes, multiplex housing, and apartments where the individual units are each on a separate meter; or, in cases where two or more units are served by one meter, the units are full-time dwellings.

Residential collection services. Trash, yard waste, recycling, brush, and bulky waste collection services provided to residential property.

Refuse, rubbish or trash. Non-putrescible solid waste, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, glass, crockery, tin cans, aluminum, or similar materials collected from any premises within the city limits.

Rights-of-way. Shall include all public streets, highways, alleys, sidewalks, and other areas dedicated for use as such. It includes the entire width between property lines, which has been

DRAFT

dedicated for or is used as streets, alleys, and sidewalks, and those areas dedicated for that use but not in actual use as such.

Roll-off container. A large solid waste container that typically has a rated cubic yard capacity of between 10 and 50 cubic. Such container may be of an open or a closed, i.e., compactor unit, top design. It is also referred to as an open-top container.

Sanitation office. The city office responsible for collecting and disposing of refuse.

Sanitation superintendent. The individual in charge of daily operations of the sanitation department.

Scavenging. The uncontrolled and unauthorized removal of materials at any point in the solid waste management system.

Service unit. A residential dwelling unit and all occupants that set out their residential solid waste for collection by the city, or a commercial or industrial site that has city commercial waste removal service.

Solid waste. Garbage, rubbish, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities. The term does not include:

(1) Solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued under Texas Water Code, chapter 26;

(2) Soil, dirt, rock, sand, and other natural or manmade inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or

(3) Waste materials that result from activities associated with the exploration, development, or production of oil or gas or geothermal resources and other substances or material regulated by the Railroad Commission of Texas under Natural Resources Code, §91.101, unless the waste, substance, or material results from activities associated with gasoline plants, natural gas liquids processing plants, pressure maintenance plants, or repressurizing plants and is hazardous waste as defined by the Administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended (42 United States Code, §§6901 et seq.).

Special waste. Any solid waste or combination of solid wastes that, because of its quantity, concentration, physical or chemical characteristics, or biological properties, require special handling, transportation, and disposal to protect human health or the environment. If improperly handled, transported, stored, processed, and/or disposed of, or otherwise managed, it may pose a

DRAFT

present or potential danger to human health or the environment. Special waste, as defined by the TAC, may include but not limited to:

(1) Hazardous waste from conditionally exempt small-quantity generators that may be exempt from full controls under Chapter 335, Subchapter N of this title (relating to household materials that could be classified as hazardous wastes);

(2) Class 1 industrial non-hazardous waste;

(3) Untreated medical waste;

(4) Municipal wastewater treatment plant sludges, other types of domestic sewage treatment plant sludges, and water-supply treatment plant sludges;

(5) Septic tank pumpings;

(6) Grease and grit trap wastes;

(7) Wastes from commercial or industrial wastewater treatment plants; air pollution control facilities; and tanks, drums, or containers used for shipping or storing any material that has been listed as a hazardous constituent in 40 Code of Federal Regulations (CFR) part 261, appendix VIII but has not been listed as a commercial chemical product in 40 CFR §261.33(e) or (f);

(8) Slaughterhouse wastes;

(9) Dead animals;

(10) Drugs, contaminated foods, or contaminated beverages, other than those contained in normal household waste;

(11) Pesticide (insecticide, herbicide, fungicide, or rodenticide) containers other than household waste;

(12) Discarded materials containing asbestos;

(13) Incinerator ash;

(14) Soil contaminated by petroleum products, crude oils, or chemicals in concentrations of greater than 1,500 milligrams per kilogram total petroleum hydrocarbons; or contaminated by constituents of concern that exceed the concentrations listed in table 1 of §335.521(a)(1) of this title (relating to appendices);

(15) Used oil;

(16) Waste from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas when those wastes are to be processed, treated, or disposed of at a solid waste management facility authorized under this chapter;

DRAFT

(17) Waste generated outside the boundaries of the state that contains:

a. Any industrial waste;

b. Any waste associated with oil, gas, and geothermal exploration, production, or development activities; or

c. Any item listed as a special waste in this subsection;

(18) Lead-acid storage batteries; and

(19) Used oil filters from internal combustion engines.

TAC. Texas Administrative Code.

TCEQ. Texas Commission on Environmental Quality.

Transfer station. The City of Wichita Falls site where refuse is collected and sorted in preparation for processing to the landfill.

Trash. Garbage or rubbish as such are defined herein.

Type I landfill. The standard landfill for disposal of municipal solid waste.

Vector. An agent, such as an insect, snake, rodent, or animal capable of mechanically or biologically transferring a pathogen from one organism to another.

Yard waste. Grass, grass clippings, leaves, bushes, shrubs, clippings from bushes and shrubs, and small branches. This does not include stumps, roots, or shrubs with intact root balls.

Wichita Falls Organics reuse facility. The portion of the city landfill permitted and used for composting operations. ~~Wood [sic]~~

White goods. Discarded large household appliances such as refrigerators, stoves, washing machines, or dishwashers.

§ 90-2 Solid waste responsibility.

(a) The city shall have the primary responsibility to collect or dispose of all municipal solid waste or haul, transport, or convey said waste within the city.

(b) All municipal solid waste shall be delivered and disposed of at the city landfill, except for special waste.

(c) In the event of a city-observed holiday, a franchise holder may dispose of waste during said holiday at a location other than the city landfill.

DRAFT

§ 90-3 Duty to have solid waste collected.

(a) All residential, commercial, industrial, and institutional locations within the city limits shall have solid waste collection services. Every owner, occupant, or lessee of any residential, office, commercial, or industrial premises shall maintain regular supervision and surveillance over all waste collection carts and containers on the premises.

(b) All property owners and/or occupants shall be billed at the rates established by separate ordinance for municipal solid waste collection service as long as such premises are occupied. Homes and units that have not yet received a certificate of occupancy or have never been occupied are exempt from the obligation of this subsection to obtain and pay for city-provided municipal solid waste collection service.

(c) Multifamily units on one meter shall be billed at the rates established by separate ordinance for municipal solid waste collection service per unit, occupied or unoccupied. Apartment houses and complexes that receive automated curbside service shall be billed at the rates established by separate ordinance for municipal solid waste collection service per unit, occupied or unoccupied.

(d) A mobile/manufactured home park shall be billed based on occupied spaces not having separate city-owned water meters. The mobile/manufactured home park owner shall be required to report the number of occupied spaces to the Sanitation superintendent on a quarterly basis. A mobile/manufactured home park may be considered a commercial customer and be served with a minimum three cubic yard up to eight cubic yard container service only at the discretion of the director.

(e) RV parks shall be considered commercial customers and be served with a minimum three- to eight-cubic-yard container service only.

(f) Commercial and industrial properties that receive container service for the removal of municipal solid waste shall be regulated under the rates established by separate ordinance. The city shall furnish a container to be used in the collection and removal of municipal solid waste.

§ 90-4 Affidavit of no solid waste.

If any person shall file a sworn affidavit with the director stating that the service location is vacant, such person generates no solid waste, and that collection by the city is unnecessary, the director shall investigate the facts and circumstances of the affidavit. If the statement is found to be true, the director shall have the authority to delete and remove the collection charges. Any decision made by the director may be appealed to the city manager. The city manager's decision shall be final.

§ 90-5 Ownership of recyclable material.

Placing recyclable material in an authorized recycling container at a designated recycling location shall be deemed an abandonment of said recycling material, and title to the material shall vest in the city.

DRAFT

§ 90-6 Value.
It is hereby declared that recyclable material has value.

§ 90-7 Theft of recyclable material prohibited.
Any person other than an authorized city employee or law enforcement officer, in the discharge of his official duties, who collects, obtains, possesses, picks up, takes, or otherwise removes any recyclable material from an authorized recycling container or removes an authorized recycling container that has been placed at a designated recycling location or both, commits the offense of "theft" as defined in the Texas Penal Code.

§ 90-8 Recycling drop-off center.
(a) The city may operate one or more citizen drop-off sites for recyclable materials.

(b) Materials brought to a drop-off site shall be placed in the designated receptacle or as directed by a site attendant.

§ 90-9 Volunteer and neighborhood clean-up events.
(a) Volunteer organizations and neighborhood homeowner's associations may request four clean-up events per year for a specific event or neighborhood in which additional containers will be provided by the city, subject to availability. The event organizer shall request the event 30 days in advance through the sanitation superintendent, provide for a point of contact for before, during, and after the event, and designate a site not within city right-of-way to place requested containers.

(b) During a cleanup event, no additional charges will be levied for picking up properly bundled or bagged trash, municipal solid waste, or rubbish placed in approved containers provided by the city for the event. It shall be unlawful for the event volunteers to load or allow to be loaded anything that will extend above the height or beyond the side of the provided container or hauling equipment.

(c) Event volunteers will be allowed to dump at the city transfer station and landfill during the day of the event at no charge. All waste hauled to the transfer station and landfill must be hauled and secured in accordance with city ordinances.

~~**§ 90-10 Violation.**~~
~~Except as may be specifically provided in this chapter, a person commits an offense if he intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this chapter and be subject to penalty as set out by section 1-14.~~

§ 90-10~~1~~ Abatement.
Trash, yard waste, brush, recyclables, or bulky waste placed in violation of this chapter is hereby declared a public nuisance and may be abated, and a lien placed on the property.

DRAFT

§ 90-11 through § 90-20. (Reserved)

ARTICLE II
RESIDENTIAL COLLECTION BY CITY

§ 90-21 Collection services.

(a) All residential dwellings shall be required to use city residential collection services for household waste. Persons occupying such dwellings may remove and transport their own solid waste or recyclables but shall receive no credit on their accounts for doing so. Any such disposal shall take place at the city transfer station or city landfill.

(b) The director shall have the authority to:

(1) Establish the schedule for collection services; and

(2) Designate the location for collection, with consideration for such factors as: convenience for the collector; convenience for customers; hazardous conditions such as cables, utility poles, equipment clearance, animals; and collection costs.

§ 90-22 Preparation of residential trash for collection.

(a) Except as provided in subsection (b) below, each service unit (including single-family and duplex residential dwelling units but excluding other multifamily residential dwelling units) will be provided a cart for the collection of residential garbage (additional carts may be provided upon request at an additional fee). All municipal solid waste must be placed completely inside the container, and the lid tightly closed prior to collection. The sanitation superintendent shall determine those residences that continually exceed the single container volume (96 gallons) and make arrangements for them to receive a secondary container. Fees and charges are established by separate ordinance.

(b) Each owner, occupant, tenant, or lessee receiving alley collection refuse service shall place the household waste refuse within the three cubic yard container provided by the city. Each user of the system shall bag their trash and garbage to prevent blowing litter and endeavor to keep the container lid closed. It shall be unlawful for anyone to use an alley container unless such person is a resident in that city block backing onto the alley or an agent or employee of a person in the block. Residents in a city block receiving alley collection service are required to use the alley collection service.

(c) It shall be unlawful for a person to:

(1) Place trash for collection in violation of this chapter; or

(2) Allow trash placed on property under his or her control to remain on such property in violation of this chapter.

(d) It shall be unlawful for a person to remove or cause the removal of household waste or

DRAFT

garbage placed for collection.

(e) It is an exception to an enforcement action brought for a violation of subsection (d) above that the person was:

(1) A member of the service unit that placed the solid waste for collection;

(2) A sanitation worker employed by the city to collect residential trash; or

(3) A peace officer acting in his or her official capacity.

§ 90-23 Bulk waste and preparation of bulky waste for collection.

(a) Residential and commercial service units may request curbside bulky waste collection service from the sanitation office. Fees shall be assessed to the service unit that generated the waste materials. Fees are set by separate ordinance.

(b) All waste materials must be placed at the curb or at a location as approved by the sanitation superintendent and at least five feet from any horizontal obstruction as well as 13.5 feet from any vertical obstruction. Examples of waste material collected:

(1) Bulky waste.

(2) Home furnishing or furniture items such as chairs, tables, couches, and mattresses.

(3) White goods or appliances such as washers, dryers, and stoves.

a. White goods must be separated from other waste to allow pickup by a collection vehicle equipped with a mechanical boom and grapple. The vehicle must have safe clearance for its operation, both lateral and overhead clearance.

(4) Construction and demolition debris such as carpet, padding, dismantled fences, sinks, and commodes.

§ 90-24 Placement of garbage, yard waste, brush, and recyclables for curbside city residential collection service.

Containers for curbside collection service shall be placed at a point adjacent to the street on the side so designated by the sanitation division to facilitate cost-effective and efficient service. Containers shall be placed at the curb no earlier than 5:00 p.m. on the day before the scheduled collection day and no later than 7:00 a.m. on the scheduled day of collection. Every resident shall ensure the container is at least five feet from any horizontal obstruction as well as 13.5 feet from any vertical obstruction. Containers shall be removed from the curb no later than 11:59 p.m. on the day of collection.

§ 90-25 Residential roll-off containers.

(a) Residential customers may request a ten cubic yard roll-off container service from the city.

(b) The following type of waste may not be placed into a roll-off container: liquid paint, liquid wastes, pesticides, putrescible, herbicides, batteries, refrigerators, air conditioners, motor oil,

DRAFT

and tires;

(c) Roll-off containers must be placed:

(1) On a firm, stable surface of sufficient strength to support both the container and truck which accesses the container;

(2) At a location that is free from any obstructions and accessible by truck;

(3) On private property;

(4) Not in or on a public street, or public right-of-way (or easement) without prior written approval from the director; and

(5) In a location free from overhead obstructions including, but not limited to, trees and utility lines and wires.

(d) All material placed in the roll-off shall be fully contained within the roll-off to allow for covering and transportation.

(e) To obtain a container, customers must sign a temporary release of liability and arrange for billing at the sanitation office.

(f) Roll-off containers are the property of the city.

§ 90-26 Additional regulations for residential collection services.

(a) A person may only use carts assigned to the service unit which that person occupies.

(b) A person shall not place or stack any material around, on, adjacent to, or on top of any cart or alley container nor shall any person overfill any cart or alley container. All material placed for collection must be wholly contained within the city-provided cart or alley container designated for trash, yard waste, or recyclables with the lid closed.

(c) All trash must be placed in plastic trash bags and securely tied prior to placement into the trash cart.

(d) No person may remove, or cause to be removed, solid waste or recyclables placed for collection.

(1) It is an exception to an enforcement action brought for a violation of subsection (d) above that the person is:

a. An occupant of the residential service unit that placed the trash or recyclables for collection;

b. A sanitation worker employed by the collector who is engaged in city residential collection services; or

c. A peace officer acting in his or her official capacity is exempt from this

DRAFT

subsection.

(e) The city shall not be liable for loss or damage to property placed in or near any solid waste or recycle materials container.

(f) No person shall place in a residential container any construction and/or demolition debris.

(g) Self-haul options: Each residential service unit may self-haul municipal solid waste, except special waste, to the landfill or the transfer station during normal operating hours.

(1) The residential customer must show proof of residency with a valid ID, that shall match the name on the water account and address of said valid ID, and active account information. If the hauler is being compensated for the hauling, then the hauler will be considered a commercial hauler and a disposal fee shall be assessed. The Sanitation superintendent or disposal site supervisor shall have the authority to determine if a fee is to be assessed in situations not otherwise covered by city ordinance.

§ 90-27 through § 90-35. (Reserved)

DRAFT

ARTICLE III
COMMERCIAL AND INDUSTRIAL COLLECTION SERVICES BY CITY

§ 90-36 Solid waste collection service for commercial or industrial.

(a) All commercial and industrial service units are required to have city municipal waste service through a city container, namely a city container or an equivalent number of city carts approved by the sanitation superintendent.

(b) All commercial and industrial service units shall place all garbage in the city container and may place any other municipal solid waste in the city container, except for special waste.

(c) All commercial or industrial service units requesting container system service shall provide adequate access to the container site, as approved by the sanitation superintendent. Each user of the system shall bag their trash and garbage to prevent blowing litter and keep the container lid closed. Containers must be properly loaded with doors closed for pickup to occur. The customer shall be responsible for the cleanliness around the container or opened prior to the time of service. Collection personnel is not responsible for opening and closing enclosure gates.

(d) Municipal solid waste services rendered to commercial and industrial properties shall be collected as designated by the director. Any business operating in a private home shall be

placed in the commercial category.

§ 90-37 Commercial waste containers.

(a) The city provides commercial solid waste containers.

(b) Frequency of commercial solid waste collection shall be determined by customer need.

(c) Charges for both the commercial waste container and collection services shall be established in the fee schedule as approved by the city council.

(d) Commercial waste containers are property of the city.

(e) If at any time the requested container service level is determined to be inadequate to meet required service demands, the sanitation superintendent shall have the authority to increase the number of containers and/or frequency of collections.

§ 90-38 Commercial and industrial roll-off containers.

(a) Commercial and Industrial customers may request a ten cubic yard roll-off container service from the city.

(b) The following type of waste may not be placed into a roll-off container: putrescible waste, liquid paint, liquid wastes, pesticides, herbicides, batteries, refrigerators, air conditioners, motor oil, and tires;

(c) Roll-off containers must be placed:

(1) On a firm, stable surface of sufficient strength to support both the container and truck ~~which~~ that accesses the container;

(2) At a location that is free from any obstructions and accessible by truck;

(3) On private property;

(4) Not in or on a public street, public right-of-way, or easement without prior written approval from the director; and

(5) In a location free from overhead obstructions including, but not limited to, trees and utility lines and wires.

(d) All material placed in the roll-off shall be fully contained within the roll-off to allow for covering and transportation.

(e) To obtain a container, customers must sign a temporary release of liability and arrange for billing at the sanitation office.

(f) Roll-off containers are the property of the city.

DRAFT

§ 90-39 Maintenance and storage of commercial waste and roll-off containers.

(a) A roll-off container supplied to a person by the city for use remains the property of the city. It is assigned to a specific address and may be removed only by the director.

(b) The owner and/or person in control of the property where the commercial waste or roll-off container is requested shall be responsible for the materials placed within the container and for keeping clean all containers that have been supplied by the city.

(c) The city will be responsible for all other maintenance of the container(s).

§ 90-40 Additional regulations for commercial and industrial collections.

(a) Commercial customers shall utilize city-provided containers assigned to their service address.

(b) The following materials are prohibited materials and shall not be placed in a commercial waste or roll-off container for collection:

(1) Liquid paint;

(2) Liquid wastes;

(3) Pesticides;

(4) Batteries;

(5) Motor oil;

(6) Herbicides;

(7) Refrigerators;

(8) Air conditioners; and

(9) Tires.

(c) When disposing of solid waste in a container, a person shall place all solid waste in the container. A person shall not place or stack solid waste or any other items around such container or above the container so as to overfill the container.

(d) The city shall have the right to inspect all containers and may declare them unfit for use.

(e) All users of containers shall bag and securely tie all solid waste that is subject to the propagation of airborne waste or attracting vectors such as but not limited to, flies, other insects, and animals.

(f) No person shall tamper with or in any manner sort or rummage through any container.

(g) The city shall not be liable for loss or damage to property placed in or near any solid waste or recycle container.

DRAFT

(h) Only an owner, occupant, or lessee who has been assigned a container by the director and pays for collection of solid waste in a particular container may place solid waste in that container. No other person may place solid waste in a container unless that person has permission from the owner, occupant, or lessee to make use of that container. No person shall block, place, or stack around an industrial or commercial container, any construction and/or demolition debris, bulky waste, yard waste, or solid waste.

(i) Commercial businesses that generate and bail cardboard onsite shall be allowed to store and haul self-generated cardboard by the owner or contracted hauler to intrastate or interstate recycling sites other than the city landfill.

~~**§ 90-41 Violations.**~~

~~(a) It is unlawful for a person to remove or cause the removal of solid waste or recyclables from a city-owned commercial container placed for collection.~~

~~(b) It is an exception to an enforcement action brought for a violation of subsection (a) above that the person was:~~

~~(1) A sanitation worker employed by the collector who is engaged in city commercial collection service.~~

~~(2) A peace officer acting in his or her official capacity.~~

~~(c) It is unlawful for a person to:~~

~~(1) Place prohibited material in a roll-off container for collection in violation of this chapter, or~~

~~(2) Allow prohibited material placed in a commercial waste or roll-off container for collection in violation of this article to remain on property under his or her control.~~

§ 90-41 through § 90-50. (Reserved)

ARTICLE IV
DISPOSAL FACILITIES

§ 90-51 Unloading solid waste disposal facility.

(a) No person shall unload or dump any solid waste at the landfill or transfer station at any place other than a place designated by a facility worker and under his direction and supervision.

(b) The transporter shall be responsible for the payment of any administrative penalty. The imposition of an administrative penalty shall not prevent or affect the issuance of a citation or the filing of charges with the municipal court for violating this section or any other provision of this code.

(c) All junk and other material at the city landfill and transfer station is the city's property, and no person is allowed to separate and collect, carry off or dispose of such material except under

DRAFT

the direction of the designated officials of the sanitation division.

(d) Material that is hauled in a vehicle or vehicle and trailer combination with a gross vehicle weight of 14,000 pounds or higher and/or a trailer in excess of 16 feet shall be disposed of at the city landfill only.

(e) Rock, construction, roofing or remodeling debris shall not be accepted at the transfer station. This debris must be ~~hauled to~~ disposed at the city landfill.

(f) Individuals may use the landfill or transfer station to dispose of household and yard waste from their residences at no charge, subject to size restrictions, provided they show proof of residency.

(1) The individual resident must show proof of residency with a valid ID, that shall match the name on the water account and address of said valid ID, and active account information. If the hauler is being compensated for the hauling, then the hauler will be considered a commercial hauler and a disposal fee shall be assessed. The Sanitation superintendent or disposal site supervisor shall have the authority to determine if a fee is to be assessed in situations not otherwise covered by city ordinance.

§ 90-52 Surcharge for unsecured loads.

Vehicles and trailers carrying loads to the city's landfill or city transfer station will be checked to determine that they are properly secured as required by city ordinance and applicable state laws. Any vehicle or trailer carrying a load not properly secured will have loose materials fee assessed against it set by separate ordinance. The hauler and/or landfill permittee shall be responsible for payment of this surcharge fee. The imposition of this fee shall not in any way affect or prevent the issuance of a citation or filing of charges with the municipal court for hauling an unsecured load.

§ 90-53 through § 90-60. (Reserved)

ARTICLE V
FRANCHISED SERVICE

§ 90-61 Franchise required.

(a) No person within the city shall engage in the business of collecting, transporting, or disposing of construction, demolition, compactor, bulky waste, recyclable materials or special wastes produced in the city, as a primary business, without first receiving a nonexclusive franchise to haul waste from the city. The following types of waste and persons hauling waste are hereby exempted from this franchise requirement:

(1) Special waste from healthcare-related facilities that has not been treated in accordance with the provisions of 25 TAC 1.136(a);

(2) Other regulated medical waste that has not been treated in accordance with the provisions of 25 TAC 1.136(a);

(3) Asbestos wastes;

DRAFT

(4) Industrial hazardous wastes; or

(5) Industrial solid waste not approved for acceptance in the city disposal facility.

(6) The city, city employees, and persons contracting with the city engaged in the collection and transportation of solid waste and recyclable materials on behalf of the city.

(7) Landscapers who produce yard waste through their regular course of business.

(8) Individuals who produce and haul their own waste via personally or commercial owned roll-offs or trailers whose primary business is not to haul waste.

(9) Special waste haulers permitted by other local, state or federal agencies.

(b) Franchise holders shall only use ten cubic yard or larger roll-offs, or compactors for the collection, transporting, or disposing of waste from commercial or industrial service units and roll-off containers larger than ten (10) cubic yards for residential service units as allowed by law.

(c) Franchise holders shall only collect, transport, or dispose of construction, demolition, compactor, bulky waste, recyclable materials or special wastes from residential, commercial, or industrial service units.

(d) Franchise holders may place a roll-off or compactor on a residential, commercial or industrial service unit site in compliance with this article with a valid location site permit that was obtained by the property owner.

(e) Roll-off placement without location permit.

(1) Franchise holders are ~~only~~ permitted to place a roll-off or compactor on a construction site at any place determined by the general contractor for which there has not been issued a certificate of occupancy, except said receptacle, shall not be placed on the public right of way, easements, or public sidewalks unless allowed in writing by the director. If allowed, traffic cones, barricades, reflective tape, or similar caution devices will be required by the director~~.~~

(2) A construction site that receives service that is exempt from location site permitting shall be required to provide service information upon the request of the director. The information may include, but not limited to, service provider, invoices, dates of container serviced, and tonnages of disposed or recycled material.

(3) Roll-off placement on residential property without a location permit shall be allowed subject to a site notification form completed and provided to the director by the franchise holder prior to placement.

(f) Franchise holders may place a roll-off on a residential property with a valid city building permit for the sole purpose of collection and disposing of construction or demolition waste.

(g~~e~~) The following materials are prohibited materials and shall not be placed in a commercial

DRAFT

waste or roll-off container for collection:

(1) Liquid paint;

(2) Liquid wastes;

(3) Pesticides;

(4) Batteries;

(5) Motor oil;

(6) Herbicides;

(7) Refrigerators;

(8) Putrescible waste

(9~~8~~) Air conditioners; and

(10~~9~~) Tires.

§ 90-62 -Franchise application.

(a) Any person desiring a franchise under this article shall submit an application for a franchise with the city on a form approved by the director.

(b) At a minimum, the application shall include:

(1) Name, address, and telephone number of the applicant and individual who shall have care, custody, and control over containers;

(2) Trade name under which the applicant does business or proposes to do business;

(3) Texas taxpayer identification number;

(4) Class, size, and design of each vehicle;

(5) Make, model, year, and license plate number of all vehicles to operate under the franchise;

(6) Nature and character of the service the applicant proposes to render;

(7) The experience applicant has had in rendering such service;

(8) Complete records of all felony convictions against the applicant and every partner, officer, or director of the applicant;

(9) A list of all claims or judgments against applicant resulting from the negligent operation of a vehicle;

DRAFT

(10) Complete records of all convictions against the applicant and every partner, officer, or director of the applicant for violations of all laws, orders, and ordinances of a city, county, state, or federal government, related to the environment;

(11) A sworn statement from applicant that its collection and hauling methods comply with all federal and state environmental standards; and

(12) Insurance requirements:

a. A franchise holder shall procure and keep in full force and effect no less than the insurance coverage required by this section through a policy or policies written by an insurance company that:

1. Is authorized to do business in the state; and

2. Is acceptable to the city.

~~b. The insured provisions of the policy must name the city and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation as a franchise holder.~~

b~~e~~. A franchise holder shall maintain the following insurance coverages:

1. The commercial general liability insurance must provide single limits of liability for bodily injury (including death) and property damage of $1 million for each occurrence, with a $2 million annual aggregate.

2. Each vehicle of the franchise holder shall maintain business automotive liability insurance with a combined single limit for bodily injury (including death) and property damage of $500,000.00 per occurrence.

3. Employer's liability insurance with the following minimum limits for bodily injury by:

(i) Accident, $500,000.00 per each accident.

4. Insurance required under this section must include the following:

~~(i) A cancellation provision in which the insurance company is required to notify the director in writing no fewer than 30 days before canceling the insurance policy (for a reason other than non-payment) or before making a reduction in coverage;~~

~~(ii) A cancellation provision in which the insurance company is required to notify the director in writing not fewer than ten days before canceling for non-payment;~~

~~(iii) An endorsement to waive subrogation in favor of the city and its officers and employees for bodily injury (including death), property damage, or any other loss;~~

(i~~v~~) Cover all franchise holder vehicles during the times that the vehicles are deployed or operating in furtherance of the business;

(ii~~v~~) A provision requiring the insurance company to pay every covered claim on a first-dollar basis; and

~~(vi) Require notice to the director if the policy is canceled or if there is a reduction in coverage; and~~

(iii~~vii~~) Comply with all applicable federal, state, and local laws.

(13) Other information that may be relevant to the applicant's fitness to render such services as may be required by director.

§ 90-63 Granting of franchise.

(a) After receiving an application, the city may make such investigation as considered necessary to determine whether the applicant meets the requirements of law and of this ordinance, whether or not the public convenience and necessity require the granting of such franchise, and whether the applicant is qualified to conduct such business.

(b) As a condition of granting a franchise, franchisee agrees to carry insurance as set forth in the franchise application.

(c) After reviewing the franchise application and conducting the necessary investigation, the city may issue the franchise, issue the franchise with conditions, or may deny the issuance of the franchise. If the franchise is denied, the city shall set forth the reasons for the denial in writing.

(d) The franchisee may appeal the franchise condition or denial to the city manager. If the franchisee appeals to the city manager, the city manager, or his designee, may uphold, reverse, or modify the decision. The decision of the city manager or his designee is final.

§ 90-64 Appeal.

The applicant may appeal to the city manager the decision based on the request for information as set forth in section 90-62 or the franchise condition or denial set forth in section 90-63. If the applicant appeals the request for information to the city manager, the city manager or his designee may uphold, reverse, or modify the request. The decision of the city manager or his designee is final.

§ 90-65 Term and renewal.

(a) All franchises for commercial solid waste service shall be valid from the date executed by all parties and shall terminate on August 31 following the issuance of the franchise.

(b) Franchise holders will receive an application for renewal from the director at least 60 days prior to the expiration of a franchise. The renewal application shall update the information

DRAFT

provided by the initial application. Applications for renewal shall be processed in the same manner as an initial application. Failure to receive notice is immaterial to this section.

§ 90-66 ~~Penalties for franchise violations~~Franchise Revocation Procedure.

(a) If the city finds any requirement of the franchise holder to have been violated, the director may revoke the franchise, deny renewal of the franchise, suspend the franchise for a stated period of time, place the franchise holder on probation or place other conditions thereon as the director finds necessary. Notice of violation(s) shall be served on the franchise holder in person or by mail.

(1) Upon receiving notice of any violation(s), franchise holder shall have five business days to remedy the violation(s) or implement a plan, approved by the director, to correct such violation(s) prior to the institution of proceedings for revocation, denial of renewal, suspension, or probation. If the city manager determines that the remedy and/or the plan are sufficient, the director may decide not to proceed with revocation, denial of renewal, suspension, or probation proceedings, or may place other conditions on the franchise.

(b) If the director finds that false statements were made on any application, application for renewal, or any submittal required by this article by the franchise holder, agent, or employee of the franchise holder, the director may, after serving franchise holder with notice of the false statements, immediately suspend or revoke the franchise.

(c) If the director finds that a violation(s) of the franchise creates a threat to the health, safety, or welfare of the citizens of the city or this state, the director may, after serving franchise holder with notice of the violation(s), immediately suspend or revoke the franchise.

(d) The franchise holder may appeal any penalty imposed under this section to the city manager. If the franchise holder appeals to the city manager imposition of a penalty, the city manager or his designee may either uphold, reverse, or modify the penalty. The decision of the city manager or his designee is final.

§ 90-67 Records and reports.

(a) Reports. Franchise holder shall submit a monthly report to the city. The reports shall become due on the 15th of every month for the previous month of each franchise year. ~~The September 15 report shall be an annual report and shall contain information for the previous 12 months of the franchise.~~ Each report shall contain the following in a format designated by the director:

(1) Make, model, year, and license plate number of all vehicles operating under the franchise for the month;

(2) Name, address, and telephone number of each customer serviced pursuant to the franchise for the month;

(3) Numbers and location of all commercial, residential, construction, demolition-refuse containers;

(4) The type of service provided to each customer pursuant to the franchise for the month;

DRAFT

(5) Copies of all city landfill trip tickets; and

(6) The gross amount charged to all customers combined pursuant to the franchise for the month. The amount, in tons, hauled for each customer pursuant to the franchise for the month. Additionally, the franchise holder shall have available, at the franchise holder's local office for inspection by the city, the amount charged to each individual customer for service pursuant to the franchise for the month.

(b) Records.

(1) Franchise holder shall maintain at a single local location business records of its commercial solid waste service. Such records shall include but are not limited to:

a. Inventory of all vehicles;

b. Complete listing of all customers within the city, including names, addresses, and telephone numbers;

c. Numbers and locations of all roll-off containers and compactors owned by the franchise holder or franchise holder's customers;

d. Volumes, in tons, of construction or demolition, compactor, bulky waste, recyclable materials or special wastes collected for each individual customer within the city limits;

e. All current and previously submitted monthly and annual reports prepared pursuant to the franchise along with all supporting documentation;

f. The total amount charged to each individual customer for service pursuant to the franchise for the current and all previous reporting periods, along with all supporting documentation and

g. The total tonnages hauled for each individual customer for service pursuant to the franchise for the current and all previous reporting periods.

(2) A franchise holder shall make its records available for audit or inspection to the director during normal business hours within 15 days of receipt of written notice from the city for such audit or inspection.

§ 90-68 Requirements for commercial containers.

All commercial containers used pursuant to a franchise issued under this article shall:

(1) If applicable, be constructed according to state and department of transportation regulations;

(2) Be equipped with suitable covers to prevent blowing or scattering of refuse while being transported for disposal of their contents;

DRAFT

(3) Be cleaned and maintained regularly by franchise holder so as to be in good repair and of good appearance and free of such refuse residues as may cause odor or provide a breeding place for flies or harborage for rodents;

(4) Be clearly marked with the franchise holder's name and telephone numbers in letters not less than three inches in height; and

(5) Be serviced by franchise holder.

§ 90-69 Possession, inspection of franchise; number on vehicle.
In all cases where franchises have been issued for the collection, removal, and disposal of solid waste, a copy of the commercial roll-off operating franchise shall be in the possession of the person rendering such service and shall be subject to inspection at all times.

§ 90-70 Disposal of ~~construction or demolition~~ waste.
Franchise holders shall deliver to the city-owned landfill all commercial, residential, construction or demolition waste collected pursuant to their franchise agreement and this chapter.

§ 90-71 Per-ton cost for disposal of solid waste.
The city manager or designee is hereby authorized to enter into franchise agreements under the provisions of this article for the disposal of solid waste by a franchise holder at a city disposal facility. Charges assessed for each vehicle load of solid waste taken to a city disposal facility by a franchise holder shall be based upon the city council approved fee schedule.

§ 90-72 Payment of fees.
(a) Franchise hauler shall pay a nonexclusive franchise fee, set by separate ordinance, to operate under this chapter within the city.

(b) Annual payment by franchise hauler per vehicle shall be due at a fee set by separate ordinance.

(c) Payment of franchisee fee and vehicle fee shall be due at the time of application with vehicle fee due annually thereafter.

(d) Site location permit fee shall be billed monthly with the service unit's utility bill until the permit is canceled by the service unit. Fee set by separate ordinance.

§ 90-73 Franchises are nontransferable.
All franchises granted by the city for the private collection, removal, and disposal of solid waste shall be nontransferable unless authorized by the director.

§ 90-74 Location sites and permits.
(a) Any service unit wishing to utilize a franchise holder for roll-off, or compactor service shall first obtain a location site permit.

(b) Use of a franchise holder roll-off receptacle is limited to the disposal of construction and demolition waste, bulky waste, cardboard or pallets to be composted or disposed at the city landfill, or scrap metal for recycling by others and it shall be unlawful for the service unit to

DRAFT

place any other municipal solid waste in said receptacle.

(c) Use of a franchise holder's compactor receptacle is allowed for municipal solid waste service.

(d) Permit application.

(1) All commercial placements shall be permitted by the city prior to the delivery of a commercial roll-off or compactor by a franchise holder.

(2) The minimum the application for a permit shall include:

a. Name of business;

b. Number of roll-offs or compactors on the commercial site;

c. A statement of understanding that household garbage and putrescible waste are not allowed in any roll-off.

d. A statement of understanding that when the compactor is not in-service, the site shall immediately contact the city to provide municipal solid waste service.

e. The name of the individual who shall have care, custody, or control over all roll-offs, or compactors, and their contents on the location site.

(e) Location of roll-offs or compactors.

(1) All commercial placements of roll-offs shall be located on an improved surface in a front, side, or rear yard or an area recognized as the primary driveway serving a residence, but shall not be located in any part of a fire lane, maneuvering lane, public right-of-way, public sidewalks, visibility triangle, easements, or impair sight distance. ~~franchise holder shall provide a site plan showing the location of a commercial placement for the roll-offs.~~

(2) Residential placement~~, with a valid building permit,~~ shall be placed on the residential lot, and shall not be placed in public right-of-way, public sidewalks, visibility triangle, easements, or impair sight distance. These requirements may be waived with prior written approval from the d~~D~~irector. If allowed, traffic cones, barricades, reflective tape, or similar caution devices will be required by the director

(3) Residential roll-off containers located on residential properties are only allowed to remain on the property for no more than twenty (20) consecutive days unless property owner is using the roll-off in conjunction with an active building permit issued by the City.

(f) Service units shall be required to provide service information upon the request of the director. The information may include, but not limited to, service provider, invoices, dates of container serviced, and tonnages of disposed or recycled material.

(g) Service unit shall allow the city to inspect permitted locations and containers.

DRAFT

§ 90-75 Penalties ~~for location site violations~~.

(a) If the city finds any requirement of the location site to have been violated, the director may revoke the location site permit, deny renewal of the location site permit, suspend the location site permit for a stated period of time, place the location site permit on probation or place other conditions thereon as the director finds necessary. Notice of violation(s) shall be served on the location site permit holder in person or by mail.

(b~~a~~) Upon receiving notice of any violation(s), location site permit holder a violator shall have five business days to remedy the violation(s) or implement a plan, approved by the director, to correct such violation(s) prior to the institution of proceedings for revocation, denial of renewal, suspension, or probation. If the city manager determines that the remedy and/or the plan are sufficient, the director may decide not to proceed with revocation, denial of renewal, suspension, or probation proceedings, or may place other conditions on the ~~franchise~~ violator.

(c~~b~~) It is unlawful for a person to remove or cause the removal of solid waste or recyclables from a city-owned commercial container placed for collection.

(d~~c~~) It is an exception to an enforcement action brought for a violation of subsection (a) above that the person was:

(1) A sanitation worker employed by the collector who is engaged in city commercial collection service.

(2) A peace officer acting in his or her official capacity.

(e~~d~~) It is unlawful for a person to:

(1) Place prohibited material in a roll-off container for collection in violation of this chapter; or

(2) Allow prohibited material placed in a commercial waste or roll-off container for collection in violation of this article to remain on property under his or her control.

(f~~e~~) Any violation of any provision of this Chapter for each day or portion of a day during which the violation is committed, continued or permitted shall be considered a Class C misdemeanor, punishable by a fine. ~~A violation under this Chapter is a Class C misdemeanor, punishable by a fine. Each day upon which such violation occurs constitutes a separate violation. Penalty for a violation is a criminal citation~~.

(g~~f~~) If the director finds that a violation(s) of the location site creates a threat to the health, safety, or welfare of the citizens of the city or this state, the director may, after serving location site permit holder with notice of the violation(s), immediately suspend or revoke the location site permit.

(h~~g~~) The location site permit holder may appeal any penalty imposed under this section to the city manager. If the location site permit holder appeals to the city manager for imposition of a penalty, the city manager or his designee may either uphold, reverse, or modify the penalty. The decision of the city manager or his designee is final.

DRAFT

§ 90-76 through § 90-80. (Reserved)

ARTICLE VI
SPECIFIC AND SPECIAL WASTE

§ 90-81 Specific wastes.
All special wastes as defined in the regulations of the DSHS and/or TCEQ shall be disposed of in accordance with the regulations of the DSHS and/or TCEQ. No person shall mix special wastes with normal solid wastes or recyclables.

§ 90-82 Disposal of special wastes from healthcare-related facilities.
It shall be unlawful for any person to set out for collection, place within any city-owned container, transport to the city landfill for disposal, dispose of in the city landfill, or otherwise dispose of any special waste from a health care-related facility as that term is defined by the TCEQ unless such waste has been treated in accordance with applicable State and Federal regulations.

§ 90-83 Disposal of tires.

(a) It shall be unlawful for any person to put whole tires in any disposal container to include, but not limited to, automated curbside carts, alley containers, commercial containers, compactors, or roll-offs.

(b) Individuals collecting tires from businesses providing services in tire replacement, repair, removal, disposal, recycling, and/or processing. Businesses shall be in compliance with 30 TAC 328 subchapter F for the management and disposal of used or scrap tires.

(c) It shall be unlawful to deliver to the city landfill any tire unless split, quartered, or shredded. Whole passenger and semi-truck tires may be delivered to the city transfer station and disposed of for a fee set by separate ordinance. Residents with an active solid waste account shall be able to dispose of up to four passenger tires at no cost. Whole off-the-road tires intended for use on heavy equipment will not be accepted at the city transfer station or landfill.

§ 90-84 Lead-acid storage batteries.
It shall be unlawful for any person to set out for collection, place within any city-owned refuse container, transport to the city landfill for disposal, dispose of in the city landfill, or otherwise dispose of a lead-acid storage battery except by delivery to:

(1) The city transfer station;

(2) A battery retailer or wholesaler; or

(3) A collection or recycling facility authorized under the laws of this state or by the United States Environmental Protection Agency.

§ 90-85 Waste oil.

(a) It shall be unlawful for any person to set out for collection, place within any city-owned refuse container, transport to the city landfill for disposal, dispose of in the city landfill or otherwise dispose of any bulk or liquid waste oil or any used internal-combustion engine oil or any used

DRAFT

internal-combustion oil filters except by delivery to a collection or recycling facility authorized to accept waste oil or used internal combustion engine filters.

(b) It shall be unlawful for any person to:

(1) Intentionally discharge waste oil into a sewer, drainage system, septic tank, surface water or groundwater, watercourse, or marine water;

(2) Directly dispose of waste oil on land;

(3) Apply waste oil to roads or land for dust suppression, weed abatement, or other similar uses that introduce waste oil into the environment.

§ 90-86 Liquid waste.

(a) It shall be unlawful for any person to discard or otherwise dispose of any bulk or noncontainerized liquid waste except by delivery to a disposal facility authorized to accept bulk liquid waste unless the liquid waste is household waste other than septic waste.

(b) It shall be unlawful for any person to discard or otherwise dispose of any container holding liquid waste unless:

(1) The container is a small container similar in size to containers normally found discarded in household waste;

(2) The container is designed to hold liquids for a use other than storage; or

(3) The waste is household waste.

§ 90-87 Items containing chlorinated fluorocarbon (CFC).

It shall be unlawful for any person to discard or otherwise dispose of a refrigerator, freezer, air conditioner, or any other item containing chlorinated fluorocarbon (CFC) unless all the CFC contained in such item shall have been captured and sent to an approved CFC disposal site or recycling facility.

§ 90-88 Polychlorinated biphenyls (PCB) waste.

It shall be unlawful for any person to discard or otherwise dispose of any polychlorinated biphenyls (PCB) waste as that term is defined by the TCEQ, except by delivery to an authorized PCB disposal facility.

§ 90-89 Regulated hazardous waste.

It shall be unlawful for any person to discard or otherwise dispose of any regulated hazardous waste as that term is defined by the TCEQ except by delivery to an authorized hazardous waste disposal facility.

§ 90-90 through § 90-99. (Reserved)

ARTICLE VII

DRAFT

ORGANIC RECYCLING

§ 90-100 Organic recycling.

(a) Any residential owner, occupant, tenant or lessee may request curbside organic recycling carts, which will be supplied by the city refuse division. Commercial properties may request commercial organic recycling carts or containers. The organic recycling carts and containers will be serviced once per week. Organic recycling carts shall not be serviced during weeks with recognized city holidays. Fee established by separate ordinance. Organic recycling fee shall be established by separate ordinance.

(b) Persons served by an organic recycling container shall place yard waste and other organic materials, such as, kitchen food waste and paper products: junk mail, cardboard, newspaper, paper plates and cups and magazines completely within the container with the lid closed. The following items are not allowed in the organics recycling container: plastic bags, dirt, rocks, concrete, metal, coals, hot ash, styrofoam, rubber, metal, plastic, glass, aluminum cans, bottles, garden hoses, spray cans, paint, solvents, flammable liquids or oil.

(c) Only residential owners, occupants, tenants or lessees participating in the organics recycling program may receive free compost during distribution events. Each customer seeking free compost must provide a valid I.D. and their current water bill showing the recycling charge.

DRAFT

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept up to $1,442,396 in 2024 Federal Aviation Administration Entitlement grants at Wichita Falls Regional Airport.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Provide quality infrastructure

STRATEGIC OBJECTIVE: Seek opportunities for additional air service

The City of Wichita Falls has the opportunity to receive $1,442,396 in entitlement funds from the Federal Aviation Administration (FAA), and these funds will be used to conduct a pavement management program for Wichita Falls Regional Airport.

• Federal Aviation Administration	$260,100.00
• Wichita Falls Regional Airport	$28,900.00
Total Project Cost:	$289,000.00

The scope of work with Garver Engineering (Airport Consultant) was approved by City Council on March 5, 2024. The remaining $1,182,296 in funds will be reserved for future projects.

Therefore, Staff requests the support of City Council via this ordinance to pursue and apply for entitlement funding of $1,442,396.

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

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance authorizing the City Manager to execute all documents necessary to apply for and accept $1,442,396 in 2024 Federal Aviation Administration Entitlement grants at Wichita Falls Regional Airport

WHEREAS, the City of Wichita Falls has assumed responsibility from Sheppard Air Force Base in its lease agreement for the maintenance of leased property at Wichita Falls Regional Airport; and,

WHEREAS, the City has identified the need for using Federal Aviation Administration Entitlement funds for a Master Plan Update and other future projects for full use of its leased facilities; and,

WHEREAS, the City desires to apply for $1,442,396 million of Federal Aviation Administration Entitlement funds; and,

WHEREAS, the City anticipates using FAA Entitlement funds for the completion of a Pavement Management Program update and other projects at Wichita Falls Regional Airport.

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

The City Manager or designee is hereby authorized to execute all documents necessary to pursue, apply for, and accept the aforementioned Federal Aviation Administration grant for the use of Entitlement funds for future projects at Wichita Falls Regional Airport, and said funds are hereby appropriated to the FAA Airport Improvement Project Grant 2024 Fund.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Ordinance providing for a 100% Tax Exemption for Tax Year 2024 and each year thereafter on qualifying Child-Care Facilities; containing findings and other provisions relating to the foregoing subject; providing for an effective date.

INITIATING DEPT: Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Texas Proposition 2 was approved on November 7, 2023, and amended the Texas Constitution to allow the Legislature to authorize an exemption from taxation of at least 50% of the appraised value of qualifying child-care facilities. In the 88th legislative session, the Legislature passed and the Governor signed into law, Senate Bill 1145, which added a new section to Chapter 11 of the Tax Code and allowed the governing body of a municipality to exempt from ad valorem taxation all or part of, but not less than 50%, of the appraised value of real property a person owns and operates, or leases to a person who operates, as a qualifying child-care facility.

This ordinance would adopt a property tax exemption for qualifying child-care facilities, as defined by Chapter 11 of the Tax Code.

Staff recommends approval of the ordinance.

☒ **CFO**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance providing for a 100% Tax Exemption for Tax Year 2024 and each year thereafter on qualifying Child-Care Facilities; containing findings and other provisions relating to the foregoing subject; providing for an effective date

WHEREAS, during the 88th Legislative Session, the Texas Legislature passed Senate Bill (SB) 1145 and Senate Joint Resolution (SJR) 64 to amend Article VIII of the Texas Constitution to allow cities and counties the option to provide an exemption from ad valorem property taxation between 50 to 100 percent of the appraised value of all or a part of real property used to operate a child care facility, contingent on voter approval; and,

WHEREAS, on November 7, 2023, 64.8% of Texas voters approved the constitutional amendment (Proposition/Prop 2), which paved the way for SB 1145 and SJR 64 to officially become law on January 1, 2024; and,

WHEREAS, the City of Wichita Falls wishes to exempt qualifying child-care facilities from 100 percent of the ad valorem property taxation.

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

1. There is hereby exempted from all ad valorem taxes hereafter levied by the City a portion of the appraised value of qualifying child-care facilities, as defined under Chapter 11 of the Texas Tax Code, as periodically amended. Effective January 1, 2024, the amount of the aforesaid exemption shall be equal to 100 percent of the appraised value of qualifying child-care facilities for the tax year 2024 and for each year thereafter.

2. This shall be effective on September 21, 2024

PASSED AND APPROVED this the 20th day of August 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 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 item was tabled earlier this year in order to give time to see if the City would receive federal grant monies. At this time, the grant process is still ongoing, but we expect to receive a decision in the next month. Staff recommends that this item be tabled once more until September 17, 2024.

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 (September 20), there would be no cost for the remainder of FY 2024. The first pay would be issued in the FY 2025 budget. 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 September 19, 2024

PASSED AND APPROVED this the 20th day of August 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Public Hearing on the Fiscal Year 2025 Proposed Operating Budget and Resolution Setting a Date for Adoption of the FY 2025 Budget.

INITIATING DEPT: City Manager's Office/Finance

STRATEGIC GOAL: Actively Engage and Inform the Public

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

Timeline:

- March 2024 – Fiscal Year 2025 budget process initiated by City staff;
- May 2024 – Department Directors finalize budget requests; City Manager conducts individual budget meetings with Directors;
- June 18, 2024 – FY 2025 budget workshop: City staff presents to City Council initial overview of projected revenues and the major operating funds;
- July 19, 2024 – City Manager's proposed FY 2024 budget conveyed to City Council;
- August 5, 2024 – Proposed budget filed with the City Clerk, and posted on the City's website;
- August 7, 2024 – Notice of forthcoming August 20, 2024, public hearing on FY 2025 budget published in accordance with State law;
- August 13, 2024– City Council conducts a work session on the proposed FY 2025 budget;
- **August 20, 2024** – City Council scheduled to (1) conduct public hearing on FY 2025 budget, and (2) vote to forward a proposed property tax rate and to set a public hearing on such rate for September 3, 2024;
- August 26, 2024 – Pending action on August 20, 2024, City staff to publish notice of the September 3, 2024 public hearing on the proposed tax rate in accordance with State law;
- September 3, 2024 – Pending action on August 20, 2024 City Council scheduled to (1) consider ordinance adopting FY 2025 budget, and (2) conduct public hearing on proposed property tax rate related to FY 2025 budget, and (3) consider ordinance adopting related property tax rate;
- September 30, 2024 – FY 2024 ends;
- October 1, 2024 – FY 2025 begins.

Summary

This item is to seek public comment on the FY 2025 Proposed Operating Budget, which covers the fiscal period beginning October 1, 2024 and ending September 30, 2025. In

general, the City Manager proposes a balanced budget for FY 2025 totaling approximately $238.8M, which represents an increase of approximately $5.8M from the FY 2024 (current year) adopted budget. This is an increase of 2.50%. The City's General Fund, representing approximately 44% of the total budget, has proposed expenditures in FY 2025 of approximately $105.7M or an increase of approximately $2.3M from the current year. The proposed budget assumes a decrease in the current City of Wichita Falls property tax rate of $0.680000 to $0.677500 per $100 of assessed value. However, we are considering revising the tax rate up to .684800 which is just below the Voter Approval Tax Rate of .684907.

The proposed operating budget can be viewed in its entirety on the City's website at: https://www.wichitafallstx.gov/1668/Annual-Budgets.

Staff recommends the City Council open the public hearing to receive comments. No action is required. The City Council is scheduled to consider adoption of the FY 2025 budget on September 3, 2023.

☒ CFO & Director of Finance

ASSOCIATED INFORMATION:

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution setting a Date for Adoption of the FY 2025 Proposed Operating Budget

WHEREAS, state law prescribes specific procedures that local governments must follow when setting Public hearings related to the adoption of budgets for the ensuing year; and,

WHEREAS, the City Council has held the required public hearing on the proposed budget and now takes action thereafter.

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

1. The City Council of the City of Wichita Falls hereby expresses its intent to place an item on the City Council agenda of September 3, 2024, to consider adopting the FY 2025 budget.

PASSED AND APPROVED this the 20th day of August 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax in accordance with the Texas Property Tax Reform and Transparency Act of 2019; scheduling one public tax rate hearing, and establishing the date to vote on same.

INITIATING DEPT: Finance/CFO

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: State law provides the guidelines that local governments must follow when setting property tax rates for the ensuing tax year. Specifically, when a city considers adopting a tax rate that city must hold one public hearing and, post notice of the hearing for seven (7) consecutive days prior to the hearing on the City's website and on free access TV. Public Hearing notice must also be published in the newspaper indicating the date, time, and place of the public hearing at least five (5) days prior to the date the hearing is held. The city must then officially adopt the budget and tax rate prior to September 30, 2024.

The current property tax rate for the City of Wichita Falls is $0.680000 per $100 of assessed value, and the no-new-revenue tax rate is $0.644369. The no-new-revenue tax rate is essentially the rate that generates the same tax revenue as the prior year from properties that were on the tax roll in both tax years. The voter-approval rate is $0.684907. The voter-approval tax rate is the rate the City may adopt, but not exceed.

The current version of the proposed FY 2025 budget recommends a tax rate of $0.677500, which is 0.37% lower than the tax rate in FY 2024 (current year). However, we are considering revising the budget to include a tax rate up to $0.684800. This tax rate does not exceed the voter-approval tax rate.

The tax rates considered in this resolution were calculated and certified by the Wichita County Tax Assessor-Collector, Tommy Smyth.

This resolution has been prepared with a blank for the proposed tax rate in order to allow the City Council to conduct the budget hearing prior to deciding on a proposed tax rate. After completing the budget hearing, the City Council must take a record vote expressing its intent to adopt a tax rate that equals the tax rate in the Proposed Budget or expresses its intent to adopt a tax rate other than the rate in the Proposed Budget. Council may vote

to adopt a tax rate between the no-new-revenue tax rate of $0.644369 and the voter-approval tax rate of $0.684907.

Because the Proposed Tax Rate exceeds the no-new-revenue tax rate, but is below the voter-approval tax rate, a record vote of this Council is required. It should be noted, that the resolution must include a proposed tax rate.

Approval of this agenda item expresses the governing body's intent to hold a public hearing on the proposed tax rate on September 3, 2024, and its intent to vote to adopt a tax rate on September 3, 2024, at its regularly planned Council meeting.

Staff recommends the City Council, by record vote, approve the resolution proposing a property tax rate for FY 2025 to be considered at a public hearing on September 3, 2024.

☒ **CFO**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Resolution No. _____

Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax rate in accordance with the Texas Property Tax Reform and Transparency Act of 2019; scheduling one public tax rate hearing, and establishing the date to vote on same

WHEREAS, state law prescribes specific procedures that local governments must follow when setting property tax rates for the ensuing year; and,

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

1. The City Council of the City of Wichita Falls hereby expresses its intent to place an item on the City Council agenda of September 3, 2024, to consider adopting a property tax rate of $_____ per $100 of assessed property value.

2. The City Council furthermore expresses its intent to conduct a public hearing to discuss the property tax rate on September 3, 2024 at 8:30 a.m. to be held in the City MPEC facilities, 1000 Fifth Street, Seminar Room.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Resolution authorizing award of bid for the City's Estimated Annual Supply of Unleaded Gasoline and Low Sulfur Diesel Fuel to Haigood & Campbell, LLC.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: Bids were opened July 16, 2024, for the purchase of the City's estimated annual supply of unleaded gasoline and low sulfur diesel fuel. Two bid responses were received (bid tabulation attached). The term of the fuel contract is one (1) year with two one (1) year renewal options under the same terms and conditions.

Due to the fluctuating prices of fuel products, bidders were required to bid a dollar/cent mark-up per gallon of fuel. The City will pay the average of the four (4) lowest OPIS/CPC prices on the date of delivery, plus the dealer mark-up and applicable taxes.

	Proposed Contract	Previous Contract
Diesel Fuel Mark-Up	$0.0100	$0.0125 per gallon
Unleaded Fuel Mark-Up	$0.0100	$0.0125 per gallon

The total dealer markup will be calculated at $17,500 for the purchase of 1,750,000 estimated gallons of fuel at the various City of Wichita Falls fueling locations. In the FY 24-25 budget, the City is estimated to use 1,020,000 gallons of fuel budgeted at $3,807,600.

Staff recommends award of bid for the City's estimated annual requirement of fuel products to the low bidder Haigood & Campbell LLC.

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

ASSOCIATED INFORMATION: Resolution; Bid tabulation sheet

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

7/16/2024

BID TABULATION
BID 24-43 UNLEADED GASOLINE & DIESEL FUEL

CITY OF WICHITA FALLS

BIDDER	MARK-UP UNLEADED CENTRAL (500,000 GAL)	TOTAL UNLEADED CENTRAL	MARK-UP DIESEL CENTRAL (750,000 GAL)	TOTAL DIESEL CENTRAL	MARK-UP DIESEL LANDFILL (100,000 GAL)	TOTAL DIESEL LANDFILL	MARK-UP UNLEADED TRANSIT (100,000 GAL)	TOTAL UNLEADED TRANSIT	MARK-UP DIESEL TRANSIT (300,000 GAL)	TOTAL DIESEL TRANSIT	TOTAL DEALER MARKUP
HAIGOOD & CAMPBELL ARCHER CITY TX	$ 0.01	$ 5,000	$ 0.01	$ 7,500	$ 0.01	$ 1,000	$ 0.01	$ 1,000	$ 0.01	$ 3,000	$ 17,500
SUNOCO LLC DALLAS TX	$ 1.75	$ 875,000	$ 1.75	$ 1,312,500	$ 15.00	$ 1,500,000	$ 1.75	$ 175,000	$ 1.75	$ 525,000	$ 4,387,500.0000

NOTE: This bid tabulation has been calculated unsing the City's estimated usage for the last 12 months.

WICHITA COUNTY

BIDDER	BURKBURNETT 2 TANKS / 3 COMPARTMENTS		IOWA PARK 2 TANKS		ELECTRA 3 TANKS	
	UNLEADED (5,000 GAL)	DIESEL (10,000 GAL)	UNLEADED (8,000 GAL)	DIESEL (9,000 GAL)	UNLEADED (1,000 GAL)	DIESEL (2,000 GAL)
HAIGOOD & CAMPBELL ARCHER CITY TX	$ 0.15	$ 0.15	$ 0.15	$ 0.15	$ 0.15	$ 0.15
SUNOCO LLC DALLAS TX	$ 1.75	$ 1.75	$ 1.75	$ 1.75	$ 15.00	$ 15.00

Resolution No. _____

Resolution authorizing award of bid for the City's estimated annual supply of unleaded gasoline and low sulfur diesel fuel to Haigood & Campbell, LLC

WHEREAS, the City of Wichita Falls advertised and requested bids for its estimated annual requirement of unleaded gasoline and diesel fuel; and,

WHEREAS, bids were received and publicly opened on July 16, 2024; and,

WHEREAS, the City Council desires to purchase fuel for the City's fleet.

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

Authorization is granted to award the bid for the purchase of the City's estimated annual requirement of unleaded gasoline and diesel fuel to Haigood & Campbell, LLC.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Resolution re-appointing Gregory Ross to the Nortex Housing Finance Corporation.

INITIATING DEPT: City Clerk

STRATEGIC GOAL: Actively Engage and Inform the Public

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Gregory Ross has served on the Nortex Housing Finance Corporation since 2014 and his term ended August 1, 2024. The Nortex Housing Finance Corporation's Board has recommended that he be re-appointed to a new five-year term that will expire August 1, 2029.

☒ **City Clerk**

ASSOCIATED INFORMATION: Resolution and email from Nortex Regional Planning Commission.

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

July 26, 2024

To: County Judges, Mayor of Wichita Falls

From: Dennis Wilde, Executive Director

Subject: Reappointments - Nortex Housing Finance Corporation

This memorandum relates to addressing the reappointments to the Board of the Nortex Housing Finance Corporation (NHFC). The term of Greg Ross will end on August 1, 2024. At the last meeting of the Nortex Housing Finance Corporation, it was announced that his term was ending and it was the consensus of that Board that he be considered for reappointment. The decision on any appointments and/or reappointments is at the discretion of the governing entities which are the eleven Counties within the region and the City of Wichita Falls. As you are aware, Mr. Greg Ross has been on the Nortex Housing Finance Corporation for fifteen years and is willing to serve another five year term.

I have drafted a resolution to be passed by each Commissioner Court and the City of Wichita Falls to reappoint Mr. Greg Ross to serve on the Board of the Nortex Housing Finance Corporation. Attached is a copy of the resolution for your jurisdiction. In order for the reappointment to be approved, the resolution needs to be passed by a majority of the eleven Commissioner Courts and the City of Wichita Falls. I would appreciate it if you would send me an executed copy of the resolution once your entity takes action. If the consensus of the governing bodies is for another individual to be appointed please let me know as soon as possible so I can send it out for consideration.

Thanks for your consideration in this matter. If you need this resolution in a hard copy, please email Jan Bowerman at jabowerman@nortexrpc.org. If you have any questions, please feel free to contact me.

Jan Bowerman
Nortex Regional Planning Commission
P O Box 5144
Wichita Falls, Texas 76307
940/322-5281, Ext. 101

CITY OF WICHITA FALLS, TEXAS

Resolution _____

RESOLUTION OF CITY OF WICHITA FALLS AUTHORIZING AND APPROVING THE APPOINTMENT AND REAPPOINTMENT OF INDIVIDUALS TO THE BOARD OF DIRECTORS OF THE NORTEX HOUSING FINANCE CORPORATION.

WHEREAS, pursuant to the Texas Housing Finance Corporation Act, Chapter 394, Texas Local Government Code, as amended, the Texas counties of Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, and Young, Texas (collectively, the *"Sponsoring Entities"*) have formed a joint housing finance corporation named the Nortex Housing Finance Corporation (the *"Corporation"*) to provide a means of financing the cost of residential ownership and development that will provide decent, safe and sanitary housing for persons and families of low and moderate income; and

WHEREAS, the City of Wichita Falls is a member of the Corporation and has authorized the Corporation to act on its behalf and on behalf of the other Sponsoring Entities for the purposes set forth in the previous paragraph; and

WHEREAS, in accordance with the Articles of Incorporation and the Bylaws of the Corporation, a majority of the Sponsoring Entities must approve the appointment and/or reappointment of members of the Board of Directors of the Corporation; and

WHEREAS, in accordance with the Articles of Incorporation and the Bylaws of the Corporation, the City of Wichita Falls together with the Sponsoring Entities desires to appoint/reappoint existing members of the Board of Directors of the Corporation upon resignation or expiration of their current terms.

NOW, THEREFORE, Be It Resolved By the City Council of Wichita Falls that:

Section 1. Board of Directors. That the following appointment and reappointment for the Board of Directors of the Corporation and the length of the term thereof are hereby authorized and approved;

DIRECTOR	CURRENT TERM EXPIRES	NEWLY APPOINTED TERM EXPIRES
Gregory Ross	Re-Appointment	August 1, 2029

Section 2. Effective Date. That this Resolution shall be in full force and effect from and upon its adoption.

PASSED AND APPROVED this 20th day of August 2024.

By _____

Title: Mayor

ATTEST:

By _____

Title: City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Appointments and Actions regarding Boards and Commissions

INITIATING DEPT: City Clerk

STRATEGIC GOAL: Actively Engage and Inform the Public

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The terms of members for various boards expired on July 31, 2024, and there are several midterm vacancies. Opportunities to serve were advertised in accordance with Resolution 21-2015. Following are the current members and expiration dates, and current applicants for the following Boards and Commissions:

*4A WF Economic Development Corporation
*4B Sales Tax Corporation
*Housing Authority Board
Lake Wichita Revitalization Committee
Library Advisory Board
*TIF #3
Water Resources Commission
*Zoning Board of Adjustment

In accordance with Resolution 21-2015, no appointee shall serve more than six (6) consecutive years unless waived by the Mayor and Council. These limits apply only where existing law or ordinance does not specify limits to terms of service on City boards. Staff is requesting six-year term limits to be waived where noted.

Applications will be sent to the council by separate e-mail.

Boards marked with an * can be discussed in executive session.

☒ **City Clerk**

ASSOCIATED INFORMATION: Current rosters.

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

WF 4A ECONOMIC DEVELOPMENT CORPORATION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Darron Leiker	06/04/2013 07/05/2016 06/18/2019 05/03/2021 09/20/2022	09/30/2025		4
2	David Toogood	07/05/2017 07/07/2020 05/03/2021 09/19/2023	09/30/2026		4
3	Leo Lane, ***Chair***	07/01/2014 07/05/2017 07/07/2020 05/03/2021 09/19/2023	09/30/2026		1
4	Brent Hillery	10/20/2020 05/03/2021 07/20/2021	09/30/2024		1
5	Phyllis Cowling	06/18/2019 05/03/2021 07/20/2021	09/30/2024		1

Current Applicants: Adam Arruda, John Deason, Tony Fidelie, Stephen Gustafson, Blake Haney, Rick Hatcher, Stacia Haynie, Samuel Pak, Robert Payton, and Stephen Santellana

4B SALES TAX CORPORATION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Tony Fidelie, Jr., ***Chair***	06/21/2011 06/04/2013 07/07/2015 07/05/2017 06/18/2019 07/20/2021 07/18/2023	07/31/2025		1
2	Craig Reynolds	07/18/2023	07/31/2025		3
3	Glenn Barham	07/05/2016 07/17/2018 07/07/2020 07/19/2022	07/31/2024		1
4	Darron Leiker	07/18/2006 07/01/2008 07/06/2010 07/17/2012 07/01/2014 08/23/2018 07/07/2020 07/19/2022	07/31/2024		4
5	Nicholas Schreiber	06/18/2019 07/20/2021 07/18/2023	07/31/2025		4
6	Michael Mills	12/01/2015 07/05/2016 07/17/2018 07/07/2020 07/19/2022	07/31/2024		3
7	Dave Clark	12/04/2012 06/04/2013 07/07/2015 07/05/2017 06/18/2019 07/20/2021 07/18/2023	07/31/2025		1

Current applicants: Adam Arruda, John Deason, Stephen Garner, Sydney Gills, Michael Grassi, Blake Haney, Samuel Pak, and Stephen Santellana.

HOUSING AUTHORITY BOARD

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Patricia Daughtery	07/02/2019 07/20/2021 08/01/2023	07/31/2025		2
2	Steve Sparks	07/27/2015 07/31/2016 07/17/2018 07/07/2020 07/20/2022	07/31/2024		1
3	Kitty Howard	07/25/2015 06/27/2017 07/02/2019 07/20/2021 08/01/2023	07/31/2025		
4	Ronnie London	07/01/2014 07/31/2016 07/17/2018 07/07/2020 07/20/2024	07/31/2024	**Is not interested in continuing to serve.**	3
5	Vacant		07/31/2025	Tenant of Housing Authority	

Current Applicants: Bobby Dinwiddie (Tenant), Gabi Lockhart, Shunta McFadden

LAKE WICHITA REVITALIZATION COMMITTEE

PLACE	*NAME*	*APPOINTED*	*EXPIRATION*	*QUALIFICATIONS*	*DISTRICT*
1	Michael Battaglino	11/7/2024	07/31/2027	City Council Rep.	4
2	Stephen Garner	12/20/2024	12/31/2027	Park Board Rep.	4
3	Joshua Whittiker	01/16/2024	07/31/2027	CWF Rep.	4
4	John Pezzano	09/19/2023	07/31/2027	Lakeside City Rep. **Move to Place 10 – Lakeside City Ex-Officio**	
5	Matt Marrs	01/19/2021	07/31/2027	CWF Rep.	3
6	Sharon Roach	07/07/2020 03/15/2022	07/31/2027	CWF Rep. (moved from Alt. 03/15/2022)	4
7	Austin Cobb	03/15/2022	07/31/2027	CWF Rep.	3
8	David Coleman, ***Chair***	02/19/2019 11/05/2019	07/31/2027	CWF Rep. (moved from Alt. 11/5/19)	3
9	Adam Arruda	09/19/2023	07/31/2027	CWF Rep.	5
10	Vacant		07/31/2027	Lakeside City Ex-Officio	
11	David Bender	02/20/2024	07/31/2027	Voting Alternate	4
12	Jack Roe	01816/2024	07/31/2027	Voting Alternate	3
13	Alicia Castillo	10/20/2020	07/31/2027	Gold Star Family Member Ex-Officio	2

Current Applicants: Tim Lockhart, Mark Moran (Lakeside City Rep.)

LIBRARY ADVISORY BOARD

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Amy Bobrowitz	07/19/2022	07/31/2025		5
2	Betty Richie	07/19/2022	07/31/2025		4
3	Kristen Garrison	10/05/2021	07/31/2024		3
4	Daniel Juarez	07/07/2020 07/18/2023	07/31/2026		3
5	Katherine Love	07/07/2020 07/18/2023	07/31/2026		3
6	Zachary Carlton	02/20/2024	07/31/2024		3
7	Suhua Huang	07/05/2017 07/31/2018 07/20/2021	07/31/2024	Term Limit	3
8	Marianne Dowdy	07/19/2022	07/31/2025		4
9	Shunta McFadden	07/19/2022	07/31/2025		1
	Alan Martin			Non-voting ex officio, President Friends of the Library	
	Jana Hausburg			Non-voting ex officio, Library Administrator	

Current applicants: Donna Adair, Adam Arruda, Jordan Campagna Jackson, Jennifer Clopton, Konnie Forney, Stephanie Ingle, Rhonda McClung, Savannah Morales, and Laura Williamson.

TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE #3

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Gail Natale	12/04/2012 12/02/2014 12/06/2016 12/04/2018 12/15/2020 12/20/2022	12/31/2024	City of Wichita Falls	
2	Shamann Smith	12/19/2023	12/31/2025	City of Wichita Falls	
3	Jamie Gould	12/20/2022 12/19/2023	12/31/2025	City of Wichita Falls	
4	Kenneth Haney, ***Chair***	09/01/2009 12/07/2010 12/04/2012 12/02/2014 12/06/2016 12/04/2018 12/15/2020 12/20/2022	12/31/2024	City of Wichita Falls	
5	Vacant		12/31/2025	City of Wichita Falls	
6	Ronnie Williams	12/09/2019 10/18/2021 12/31/2023	12/31/2025	Wichita County	
7	Commissioner Barry Mahler	05/31/2011 12/17/2012 12/02/2014 12/27/2016 11/13/2018 12/07/2020 01/09/2023	12/31/2024	Wichita County	

Current Applicants: Heather Looney, Robyn Schreiber

WATER RESOURCES COMMISSION

PLACE	NAME	APPOINTED	EXPIRATION	QUALIFICATIONS	DISTRICT
1	Shane FitzHenry	03/15/2016 11/07/2017 12/03/2019 12/21/2021 12/19/2023	12/31/2025	Homebuilding Industry (Comm. Business Rep) **Waiver of term limit.**	1
2	Steve Smith	08/05/2014 12/02/2014 12/06/2016 12/04/2018 12/15/2020 12/20/2022	12/31/2024	Industry **Waiver of term limit.**	4
3	Cheryl Nix	07/07/2020 12/15/2020 12/20/2022	12/31/2024	Education	4
4	Glenn Barham	12/06/2016 11/07/2017 12/03/2019 12/21/2021 12/19/2023	12/31/2025	At-Large **Waiver of term limit.**	1
5	Richard Milhollon	09/19/2023 12/19/2023	12/31/2025	SAFB/Govt Rep.	
6	Vacant		12/31/2024	Engineer (Water Resources Engineer)	

Current Applicants: Kerry J. Maroney

ZONING BOARD OF ADJUSTMENT

PLACE	*NAME*	*APPOINTED*	*EXPIRATION*	*QUALIFICATIONS*	*DISTRICT*
1	Rick Hernandez	12/21/2021 12/19/2023	12/31/2025	Moved from Alt. 4 12/19/2023	4
2	Jose Garcia	12/18/2018 12/15/2020	12/31/2024	Moved from Alt. 1 12/19/2023	2
3	Dave Waddell	12/02/2014 12/01/2015 11/07/2017 12/03/2019 12/21/2021 12/19/2023	12/31/2025	Moved from Alt. 2 in 2015. **Waiver of term limit.**	3
4	Kerry Maroney	12/18/2018 01/05/2021 12/21/2021 12/19/2023	12/31/2025		1
5	Vacant		12/31/2025		
6	Richard Milhollon	12/19/2023	12/31/2024	Alternate 1	
7	Brady Enlow	07/18/2023	12/31/2024	Alternate 2	4
8	Vacant		12/31/2024	Alternate 3	
9	Blake Haney	02/20/2024	12/31/2025	Alternate 4	3
10	Mark McBurnett	01/19/2016 11/17/2017 12/03/2019 12/21/2021 12/19/2023	12/31/2025	SAFB Non-Voting Ex Officio	

Current Applicants: Samuel Pak, Caleb Perkins

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Resolution of the City Council of the City of Wichita Falls, Texas, Authorizing the Execution of a Separation Agreement with City Manager Darron Leiker; Finding and Determining that the Meeting at which this Resolution was Passed was Open to the Public as Required by Law.

INITIATING DEPT: Legal

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: This resolution authorizes the execution of a separation agreement between the City of Wichita Falls and City Manager Darron Leiker. This separation agreement has been developed in accordance with Mr. Leiker's Professional Services Agreement and has been reviewed and approved as to form by the City Attorney. This resolution acknowledges Mr. Leiker's contributions and expresses gratitude for his years of service. The execution of this agreement marks a respectful and professional transition, ensuring the City's continued progress and stability.

Staff recommends approval of this resolution.

☒ **City Attorney**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution of the City Council of the City of Wichita Falls, Texas, Authorizing the Execution of a Separation Agreement with City Manager Darron Leiker; Finding and Determining that the Meeting at which this Resolution was Passed was Open to the Public as Required by Law.

WHEREAS, Darron Leiker is the current City Manager of the City of Wichita Falls; and

WHEREAS, Darron Leiker has provided valuable leadership and service to the City of Wichita Falls for over 23 years;

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

SECTION 1. The Mayor is hereby authorized to execute a separation agreement with Darron Leiker pursuant to his Professional Services Agreement. This agreement shall be approved as to form by the City Attorney.

SECTION 2. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required by law.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
August 20, 2024

ITEM/SUBJECT: Resolution appointing an Acting City Manager for the City of Wichita Falls and authorizing the Mayor to execute a Professional Services Agreement with the Appointee

INITIATING DEPT: Mayor and City Council

STRATEGIC GOAL: N/A

STRATEGIC OBJECTIVE: N/A

COMMENTARY: The attached resolution will affirm the appointment of an Acting City Manager. It also authorizes the Mayor to execute a Professional Services Agreement with the appointee.

☐ **Mayor**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution appointing an Acting City Manager for the City of Wichita Falls and authorizing the Mayor to execute a Professional Services Agreement with the Appointee

WHEREAS, Section 57 of the City Charter authorizes the City Council to appoint the City Manager; and,

WHEREAS, the current City Manager has announced that he will soon be resigning from that position.

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

Upon the City's receipt of the resignation of the current City Manager, _____ will be automatically appointed as the Acting City Manager for the City of Wichita Falls.

The Mayor is authorized to execute a Professional Services Agreement, in a form approved by the City Attorney, with the appointee upon appointment.

PASSED AND APPROVED this the 20th day of August, 2024.

_____
M A Y O R

ATTEST:

_____
City Clerk