

City of Wichita Falls City Council Agenda



Stephen Santellana, Mayor
Bobby Whiteley, At Large
Michael Smith, District 1
DeAndra Chenault, Mayor Pro Tem
Jeff Browning, District 3
Tim Brewer, District 4
Steve Jackson, District 5



Darron Leiker, City Manager
Kinley Heggland, City Attorney
Marie Balthrop, City Clerk

Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, October 20, 2020, Beginning At 8:30 A.M.

This meeting can be accessed and viewed at the following locations:

1. The video may be livestreamed on the City's YouTube page (<https://www.youtube.com/cityofwf>)
2. A livestream will be shown on the Spectrum/Time Warner Cable Channel 1300
3. A livestream will be shown on the City's Facebook page (City of Wichita Falls, Texas Government) (<https://www.facebook.com/CityofWF>)
4. 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: Reverend Jacob Fields
Trinity United Methodist
- (b) Pledge of Allegiance
3. Presentations
- (a) Proclamation – Pregnancy and Infant Loss Awareness, Chelsey Carrillo
- (b) Employee of the Month – September – Fire, Derek Jones
- (c) Employee of the Month – October – Recreation, Francisco Villalobos

CONSENT AGENDA

4. Approval of minutes of the October 6, 2020 Regular Meeting of the Mayor and City Council.

5. Resolutions
Resolution authorizing the City Manager to execute Professional Services Agreement to Biggs and Mathews Environmental, Inc. for engineering services for the City of Wichita Falls Landfill in the amount of \$78,000.00
6. Receive Minutes
 - (a) Park Board, February 27, 2020
 - (b) Type B Sales Tax Corporation, August 27, 2020

REGULAR AGENDA

7. Ordinances
Ordinance authorizing the City Manager to approve a request from the New Jerusalem Baptist Church to partially vacate and abandon a ten-foot public utility easement consisting of approximately 2,921 square feet across the north western portion of Lot 1-C, Block B, Ray Massie Subdivision running east and west along the north property boundary for approximately 292 feet
8. Resolutions
 - (a) Resolution authorizing the submittal of a grant application to Firehouse Subs Foundation for a 2020 Public Safety Grant
 - (b) Resolution Appointing Gold Star Family Member as an Ex-Officio Member of the Lake Wichita Revitalization Committee
9. Board and Commission Appointments
 - Lake Wichita Revitalization Committee
 - Wichita Falls Economic Development Corporation
10. Other Council Matters
 - (a) Staff Reports
 1. COVID-19 Update - Lou Kreidler
 - (b) Items of concern to members of the City Council
11. 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 meeting commencing. A three-minute time frame will be adhered to for those addressing their concerns. As comments from the public are not posted agenda items, the Texas Open Meetings Act prohibits City Council members and Staff from discussing or responding to these comments during Council meetings.

12. Executive Session

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

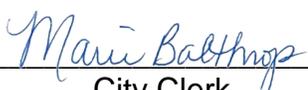
13. Adjourn

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

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

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 14th day of October 2020 at 3:15 o'clock p.m.



City Clerk

CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Employee of the month – September 2020.

INITIATING DEPT: Fire Department

COMMENTARY: Presentation of the Employee of the Month Award (plaque, letter of appreciation, dinner for two and check for \$100) to Derek Jones.

Director of Human Resources

ASSOCIATED INFORMATION: Resolution

Budget Office Review

City Attorney Review

City Manager Approval

**EMPLOYEE OF THE MONTH
FOR
September, 2020**

NAME: Derek Wayne Jones

DEPARTMENT: Fire

HIRED: January 30, 2002

PRESENT POSITION: Captain, Station 5 C-Shift

NARRATIVE: Derek joined the Fire Department on January 30, 2002 at 22 years of age. After serving 6 years as a firefighter, Derek promoted to Fire Equipment Operator. A short 3 years later, saw him promoting to Lieutenant, and then on to Captain in 2016, the position in which he currently serves. Derek is an excellent fire officer, respected by his men and trusted by his supervisors. One of the many tasks in which Derek excels is in the development of rookie firefighters. When a new recruit is placed at Derek's station, his job is to facilitate and monitor the continuing development of that individual. This is a responsibility that Derek does not take lightly. It can and has been said that all recruits that work with Derek know their equipment and their jobs very well before they leave for another assignment.

FAMILY: Derek has been married to Monica for over 15 years. They have one daughter – Bailey 18, and two sons- Parker 14 and Landon 11. Derek is heavily involved in his children's lives. He enjoys coaching little league baseball and football.

Derek is an active member of the Department's Hazmat team and continues to teach and train future hazmat techs.

HOBBIES: In his free time Derek enjoys bicycling and playing golf.

CLOSING: Derek is truly an asset to this department. His dedication to safety and his drive for excellence make him an officer that can be counted on for any task. We look forward to seeing Derek continue to promote through the ranks and are grateful that he has chosen to serve the citizens of Wichita Falls.

CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Employee of the month.

INITIATING DEPT: Recreation

COMMENTARY: Presentation of the Employee of the Month Award (plaque, letter of appreciation, dinner for two and check for \$100) to Francisco Corrales Villalobos.

Director of Human Resources

ASSOCIATED INFORMATION: Narrative

Budget Office Review:

City Attorney Review:

City Manager Approval

EMPLOYEE OF THE MONTH

FOR

October 2020

NAME: Francisco Corrales Villalobos

DEPARTMENT: Recreation

HIRED: June 16, 2004

PRESENT POSITION: Recreation Maintenance Worker I

NARRATIVE: Francisco was born in Mexico to Manuel and Hannah Corrales. In 1981, he moved to the United States with his mother. Francisco was hired on as a temporary Recreation employee on March 24, 2004, and was hired full time on June 16, 2004. In 2005, Francisco gained his US citizenship.

FAMILY: Francisco has been married to his wife Angela for over 15 years. They have three children: Gisselle, 18, Isaias, 16, and Josue, 13.

HOBBIES: Francisco enjoys going to various sporting events with his family, and works with horses in his spare time.

CLOSING: Francisco has been a great employee. His work ethic, abilities, and knowledge are a great asset for our Department. He has used his knowledge to maintain the playing surfaces at the Wichita Falls Sports Complex and the many other practice fields located around Wichita Falls. Francisco mainly works the infields of the ballfields, but works hard to make sure that all areas of the Complex are safe and playable during the year. He is always willing to help others whenever there is a need.



City of Wichita Falls
City Council Meeting
Minutes
October 6, 2020



Item 1 - Call to Order

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

- | | | |
|-----------------------|---|---------------|
| Stephen L. Santellana | - | Mayor |
| DeAndra Chenault | - | Mayor Pro Tem |
| Tim Brewer | - | Councilors |
| Jeff Browning | - | |
| Steve Jackson | - | |
| Michael Smith | - | |
| Bobby Whiteley | - | |
| | | |
| Darron Leiker | - | City Manager |
| Kinley Hegglund | - | City Attorney |
| Marie Balthrop | - | City Clerk |

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

Item 2a – Invocation

Michael Smith, Council District 1, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Proclamation – First Step of Wichita Falls, Inc.

8:33 a.m.

Mayor Santellana read a proclamation proclaiming October 15, 2020 as Survivors of Domestic Violence Day in Wichita Falls and asked that all citizens promote public understanding of domestic violence and increase sensitivity to victims.

Item 3b – Recognition of Lab Analyst of the Year Award from WEAT – Hunter Adams, Public Works

8:37 a.m.

Daniel Nix, Utilities Operation Manager, recognized Hunter Adams for receiving the Laboratory Analyst Excellence Award from the Water Environment Federation. This award recognizes an individual for outstanding performance, professionalism, and contributions to the water quality analysis profession. Mayor Santellana presented a plaque to Mr. Adams thanked him for his dedication and service.

Item 3c – Recognition of Municipal Clerk’s Office

8:42 a.m.

Mayor Santellana recognized and congratulated Marie Balthrop, City Clerk, and Theodore Stoll, Deputy City Clerk, for receiving the Municipal Clerk’s Office Achievement of Excellence Award from the Texas Municipal Clerks Association, Inc., for 2020-2022, and presented them with a plaque. The City of Wichita Falls was one of nineteen cities to receive the award.

Mayor Santellana also recognized and congratulated Mrs. Balthrop for earning her Master Municipal Clerk (MMC) Certification from the International Institute of Municipal Clerks (IIMC), and presented her with a plaque. Of the 14,000 plus IIMC members, 1,355 have earned the MMC designation, and Marie is one of 37 Clerk’s in Texas that has achieved this level of certification.

Item 3d – Employee of the Month June – Anndrea Harris, Public Information

8:46 a.m.

Christi Klyn, Director of Human Resources, recognized Anndrea Harris as the Employee of the Month for June 2020. Mayor Santellana congratulated Mrs. Harris and presented her with a plaque, letter of appreciation, restaurant voucher, and check, and thanked her for her service.

Item 3e – Employee of the Month July– Shelly Mackey, Public Works/Engineering

8:51 a.m.

Blane Boswell, City Engineer, recognized Shelly Mackey as the Employee of the Month for July 2020. Mayor Santellana congratulated Ms. Mackey and presented her with a plaque, letter of appreciation, restaurant voucher, and check, and thanked her for her service.

Item 3f – Employee of the Month August– Colleen Wetzel, Police

8:55 a.m.

Manuel Borrego, Police Chief, recognized Colleen Wetzel as the Employee of the Month for August 2020. Mayor Santellana congratulated Ms. Wetzel and presented her with a plaque, letter of appreciation, restaurant voucher, and check, and thanked her for her service.

Item 4-6 – Consent Items

9:01 a.m.

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

Moved by Councilor Brewer to approve items on the consent agenda.

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

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

Nays: None

Item 4 – Approval of minutes of the September 15, 2020 Regular Meeting of the Mayor and City Council

Item 5a – Resolution 88-2020

Resolution authorizing the City Manager to execute the Joint Funding Agreement for Water Resources Investigations, Number 21SJJFATX039000, with the U.S. Geological Survey for \$84,098.00.

Item 5b – Resolution 89-2020

Resolution authorizing the purchase of one (1) Front Loader through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Bruckner Truck Sales, Inc. in the amount of \$154,387.00 and through the BuyBoard Purchasing Cooperative from Texan Waste Equipment, Inc. dba Heil of Texas in the amount of \$163,900.00.

Item 5c – Resolution 90-2020

Resolution authorizing the purchase of one (1) Commercial Side Loader through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Bruckner Truck Sales, Inc. in the amount of \$141,622.00 and from Kann Manufacturing Corporation in the amount of \$99,186.00.

Item 6 – Receive Minutes

- (a) Library Board, November 12, 2019
- (b) Wichita Falls-Wichita County Public Health District, March 13, 2020
- (c) Wichita Falls-Wichita County Public Health District, May 8, 2020
- (d) Wichita Falls Economic Development Corporation, June 30, 2020
- (e) Wichita Falls-Wichita County Public Health District, July 10, 2020
- (f) Wichita Falls Economic Development Corporation, August 14, 2020

Item 7a – Ordinance 59-2020

9:03 a.m.

Ordinance accepting funds in the amount of \$33,582.67 received from the FY 2020 Emergency Management Performance Grant (EMPG) and authorizing the City Manager to execute contracts and other documents related thereto.

Moved by Councilor Chenault to approve Ordinance 59-2020.

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

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

Nays: None

Item 7b –Ordinance 59-2020

9:05 a.m.

Ordinance appropriating \$12,830.90 to the Special Revenue Fund for additional direct award grant revenue from the State of Texas for the Texas Department of Transportation Selective Traffic Enforcement Program (“Click It or Ticket”) Wave Grant for Fiscal Year 2021 and authorizing the City Manager to accept said funds.

Moved by Councilor Chenault to approve Ordinance 59-2020.

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

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

Nays: None

Item 7c –Ordinance 61-2020

9:07 a.m.

Ordinance appropriating \$26,661.00 of grant funds pursuant to the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Grant Award #2020-DJ-BX-0939, 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 Chenault to approve Ordinance 61-2020.

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

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

Nays: None

Item 8a – Resolution 91-2020

9:10 a.m.

Resolution authorizing the purchase of three (3) Automated Side Loaders through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative from Bruckner Truck Sales, Inc. in the amount of \$479,409.00 and through the BuyBoard Purchasing Cooperative from Texan Waste Equipment, Inc. dba Heil of Texas in the amount of \$509,700.

Moved by Councilor Brewer to approve Resolution 91-2020.

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

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

Nays: None

Item 8b – Resolution 92-2020

9:14 a.m.

Resolution authorizing the City Manager to execute a contract with Work Services Corporation for services provided by vocationally handicapped persons, in a total amount not to exceed \$118,963.

Moved by Councilor Chenault to approve Resolution 92-2020.

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

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

Nays: None

Item 8c – Resolution 93-2020

9:17 a.m.

Resolution approving the programs and expenditures of the Wichita Falls Economic Development Corporation (WFEDC) Budget for Fiscal Year 2020-21.

Moved by Councilor Brewer to approve Ordinance 93-2020.

Motion seconded by Councilor Chenault.

Henry Florsheim, President/CEO Wichita Falls Chamber of Commerce, Jana Schmader, Executive Director DWFD, Inc., and Glenn Barham, President Sheppard Military Affairs Committee, gave presentations regarding their portions of the WFEDC budget. Lengthy discussion was held regarding the proposed new position at the Chamber of Commerce for Downtown Business Attraction, how the Chamber of Commerce and Downtown Development will work together to avoid overlapping job

duties, proposed pay raises, and if there is a need to bring back the Downtown Development Steering Committee.

Motion carried by the following vote:

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

Nays: Councilors Chenault and Jackson

Item 9a(i) – Staff Report – COVID-19 Update, Lou Kreidler

10:39a.m.

Lou Kreidler, Director of Health, gave an update on COVID-19 cases. In the last two weeks, there have been 405 cases, 275 recoveries, and 4 deaths. There has been an average of 22.5 cases per day, which is an increase of 10 cases per day. The top three types of spread are close contact – 21.2%, contact – 35.8%, and community spread – 38.2%. The top three age groups are 20-29 with 18.76%, 30-39 with 17.5%, and 11-19 with 15.5 %. When combined all children up to age of 19 represent 23.46% of all cases. Last week we experienced our highest number of cases since our first case was reported in March. Spread is occurring in churches, schools, athletics, parties held in homes, and is occurring more rapidly when individuals are not wearing masks or not wearing them properly. Mrs. Kreidler encouraged parents to start thinking about alternatives to traditional trick-or-treating and Halloween parties. Plan events with fewer children, and finding creative ways to have fun without spreading COVID-19. There have been several individuals that thought they only had allergies, and went to work, school, etc., and caused spread. Everyone is encouraged to stay home if they do not feel good, get the flu vaccine, and continue to wash your hands, use hand sanitizer, cover your coughs and sneezes, and wear a mask.

Item 9b – Items of Concern to Members of the City Council

10:43 a.m.

Councilor Brewer stated that there are still positive things happening with a new Chick-Fil-A coming to town, the new Paint and Body shop by Sonic on Kell, and the hotel that is still under construction on McNeil. He is pleased to say the housing market is still blowing up, and as a car tag watcher, he sees many different tags from other states around town. Our city is growing and he hopes it continues to grow.

Councilor Jackson thanked everyone for being there and hopes that everyone filled out their Census as that assists with funding for our community. Pray for the people that

have lost family members or are battling COVID now. Pray for our country and remember that we have an important election coming up. October 13th is the first day of Early Voting, and Election Day is November 3rd. Get out and vote, stay positive, stay healthy, and pray for our country.

Councilor Browning wanted to remind everyone when Councilors are asking questions the questions may have been answered prior to the meeting, but they ask them during the meeting for the benefit of the public and to be transparent. Early Voting begins October 13th.

Councilor Smith stated that the Census has been extended through October 31st and he reminded everyone that it is your neighborhood, City, County, and State that are greatly affected by the Census. It has been calculated that up to \$20,000 can be lost for each person not counted. We do have some underreported districts within the City and he asks that everyone do their civic duty. Non-profits still need our help. They continue to do great work for our City and they need volunteers, or monetary donations. Early Voting begins October 13th and you are still able to request a mail ballot for those over 65 years of age or disabled. The upcoming election is probably the most important election in our lifetime and here in Wichita Falls we have our Mayor, three Councilors, ten Charter Propositions, and our School District is asking for a bond to build two new high schools. Go to the polls during Early Voting or on November 3rd. Information on polling locations can be found in various places and there is no excuse for not doing your civic duty.

Councilor Whiteley agreed with Councilor Browning regarding questions asked during the Council meeting. Henry and Jana answered the questions he had today and the greater good outweighs the bad. We are doing a tremendous job with our community trying to attract business and workers. As Councilors, we are asked questions by taxpayers and answering these questions during meetings helps them see that their tax dollars are being accounted for. The positive things that happened in this meeting are far more than the negative. He is always astounded at our employees of the month and all they do. Kuddos to Marie and her staff for their awards, and congratulations to Hunter Adams for his award.

Councilor Chenault said good morning and thanked everyone for coming out or watching online. She stated that in regards to the conversations Councilor Browning discussed, she is left out of those conversations, and Downtown is her area.

Mayor Santellana reminded everyone to grab someone and do his or her Census. He has been diving into the housing market recently, and there are many people moving in from out of our area. Inventory is low, empty lots are being sold, and there is an increase in new homes being built. This month is Breast Cancer Awareness Month and one of his good friend's mom is fighting her second battle with breast cancer. He asked that when you can, donate to the organizations that support those dealing with breast cancer. He spent some time in District 5 recently looking at roads and looked at some

issues that have been brought up in the past. There are issues across the City and he encourages everyone to get in touch with their Councilor or use the Access Wichita Falls app to report infrastructure issues. Every Councilor's door is open and they encourage communication.

Councilor Jackson asked Councilor Smith for the statistics on the areas where we are lacking in response to the Census.

Councilor Smith mentioned the League of Women's Voters candidate forums tonight and Wednesday night that will be live streamed on cable channel 1300, on Facebook and the City's webpage.

Mayor Santellana stated there would be another Mayoral debate on October 14th, and the upcoming Runoff Election for Senate District 30. Go vote and vote early.

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

11:00 a.m.

Ken Prillaman, Fire Chief, discussed the Wichita Falls Fire Department Pink Shirt Sale. Shirts are available online at wffdcares.com, and if you do not have access to the internet or a credit card reach out to the Fire Department and they will take care of you.

Item 11 – Executive Session

City Council adjourned into Executive Session at 11:01 a.m. in accordance with Texas Government Code §551.074.

City Council reconvened at 1:15 p.m.

Mayor Santellana announced that no votes or polls were taken.

Item 12 –Adjourn

Mayor Santellana adjourned the meeting at 1:15 p.m.

PASSED AND APPROVED this 20th day of October 2020.

Stephen L. Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Resolution authorizing the City Manager to execute Professional Services Agreement to Biggs and Mathews Environmental, Inc. for engineering services for the City of Wichita Falls Landfill in the amount of \$78,000.00.

INITIATING DEPT: Public Works / Sanitation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The City of Wichita Falls Landfill requires annual environmental engineering services for testing, surveying, and reporting in order to meet Texas Commission on Environmental Quality (TCEQ) regulations. Annually, the City is required to submit data and reports on air permitting, landfill capacity evaluation, and groundwater monitoring. The air permitting requirements include a Greenhouse Gas (GHG) Summary Report, Emissions Inventory, Air Emissions/Inspection Fee Basis Form, Federal Operating Permit Annual Compliance, Tier II Testing Report and other air permits as required by the EPA and TCEQ. The landfill capacity evaluation requires on-site ground survey, capacity calculations, and waste-fill drawings. Annual groundwater monitoring includes sampling, testing, analytical evaluation, and reporting on existing monitoring wells. The basic services for the annual requirements in 2021 are expected not to exceed \$78,000.

Biggs and Mathews Environmental, Inc. have performed these services for the City for the past 18 years. The staff has been very pleased with the level of service from Biggs and Mathews Environmental, Inc. They are highly qualified and maintain expertise to complete these services within the timeline specified while adhering to TCEQ's reporting processes.

Staff recommends award of the agreement to Biggs and Mathews Environmental, Inc. in the amount of \$78,000.00 for FY 2020 - 2021 basic services. These costs have been included in this year's budget.

Director, Public Works

ASSOCIATED INFORMATION: Resolution, Agreement

Budget Office Review

City Attorney Review

City Manager Approval

Resolution No. _____

Resolution authorizing the City Manager to execute Professional Services Agreement to Biggs and Mathews Environmental, Inc. for engineering services for the City of Wichita Falls Landfill in the amount of \$78,000.00

WHEREAS, the City of Wichita Falls has determined that Biggs and Mathews Environmental, Inc. is qualified to provide Engineering Services for the City of Wichita Falls Landfill; and

WHEREAS, it is found that the Engineering Services to complete the sampling, testing, and reporting for the City of Wichita Falls Landfill is an estimated total of \$78,000.00.

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

The engineering services for the City of Wichita Falls Landfill is awarded to Biggs and Mathews Environmental, Inc., in an estimated total amount of \$78,000.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the design of such project.

PASSED AND APPROVED this the 20th day of October, 2020.

MAYOR

ATTEST:

City Clerk

**Professional Services Agreement between the City of Wichita Falls and Biggs & Mathews Environmental, Inc.
for Engineering Services for the City of Wichita Falls Landfill – Permit No. 1428A Consulting Services for
Fiscal Year 2020/2021**

OWNER: The City of Wichita Falls; Attn: Director of Public Works, P.O. Box 1431, Wichita Falls, TX, 76307

ENGINEER: Biggs & Mathews Environmental, Inc; 1700 Robert Road, Suite 100, Mansfield, TX, 76063

PROJECT: Engineering and hydrogeological professional services in support of various evaluations, studies, modeling, permitting, design, environmental monitoring, field testing, and construction phases services for the City of Wichita Falls Landfill, Transfer Station, and other municipal solid waste facilities.

PAYMENT:

1. Payment for Basic Services. OWNER agrees to pay the following amounts for Basic Services rendered pursuant to this Contract, a total amount not to exceed **\$78,000**, subject to completion of the following phases of the PROJECT:

Phase	Amount
Completion TCEQ Air Permitting	\$31,500
Completion of Landfill Capacity Evaluation	\$19,000
Completion of Groundwater Monitoring	\$27,500
Total	\$78,000

2. Payment for Additional Services. OWNER shall pay ENGINEER for Additional Services requested and rendered as follows:

2.1. Payment for Additional Services of Engineer rendered under this Contract shall be paid for at the following rates when supported by invoices.

Personnel Charges - Category	Billing Rate Range \$ Per Hour
Administrative/Project Assistant	60 – 80
Sr. Administrative/Project Assistant	65 – 100
Designer/Technician/Field Services Technician	60 – 100
Sr. Designer/Sr. Technician/Sr. Field Services Technician	75 – 100
Engineer/Scientist	85 – 120
Project Engineer/Scientist	95 – 140
Senior Project Engineer/Scientist	120 – 170
Principal Engineer/Scientist	140 – 200

2.2. For expenses for Additional Services, ENGINEER shall be compensated at the actual cost to ENGINEER based on rates referenced above or as previously agreed upon in writing. Where field parties are used, expenses shall include charges for the use of any special instruments and equipment, including marine equipment, and expendable items such as stakes and monuments.

3. Times of Payments:

3.1. Times of Payments--ENGINEER shall submit monthly statements for Basic and Additional Services rendered. For Basic Services, the statements will be based upon ENGINEER'S estimate of the proportion of the total services actually completed at the time of billing. OWNER shall make prompt monthly payments in response to ENGINEER'S monthly statements. Upon conclusion of each phase of Basic Services, OWNER shall pay such additional amount, if any, as may be necessary to bring total compensation paid on account of such phase to the following percentages of total compensation payable for all phases of Basic Services.

3.2. Past-Due Payments--OWNER agrees to pay a charge of 0.5% per month on all invoiced owed amounts not paid within 30 days of the date of the invoice, calculated from the date of the invoice. In addition, ENGINEER

may, after giving 10 days' written notice to OWNER, suspend services under this Agreement until the ENGINEER has been paid in full all amounts due for services and expenses.

OWNER'S REPRESENTATIVE: Russell Schreiber, P.E., Director of Public Works, City of Wichita Falls

BASIC SERVICES: ENGINEER shall complete the following professional engineering services as Basic Services, which shall include customary incidental engineering services:

1. TCEQ Air Permitting. ENGINEER shall:

- 1.1. Consult with OWNER to clarify and define OWNER'S requirements for the Permitting process and review available data.
- 1.2. Collect field information needed to complete testing and calculation of a new emissions rate, as required.
- 1.3. Advise OWNER of the need to provide or obtain from others data or additional services, and act as OWNER'S representative in connection with any such services acquired from others.
- 1.4. Prepare the Greenhouse Gas (GHG) Summary Report, Emissions Inventory, Air Emissions/Inspection Fee Basis Form, Federal Operating Permit Annual Compliance, Tier II Testing Report and all other air permits as required by TCEQ for submission.
- 1.5. Furnish three copies of the above reports and documents for review by the OWNER'S REPRESENTATIVE.
- 1.6. Submit the air permitting reports to the proper agency and proper number of copies to other required agencies along with three copies to the OWNER'S REPRESENTATIVE.
- 1.7. Respond to TCEQ comments until the air reporting reports are accepted and approved by TCEQ.

2. Landfill Capacity Evaluation. ENGINEER shall:

- 2.1. Consult with OWNER to clarify and define OWNER'S requirements for the evaluation process and review available data.
- 2.2. Conduct up to two events to complete the Landfill Capacity Evaluation.
- 2.3. Collect field information needed to complete the capacity evaluation to include the ground survey.
- 2.4. Prepare the capacity evaluation portion of the TCEQ Annual Report to include capacity calculations and waste-fill drawings.
- 2.5. Furnish three copies of the above reports and documents to the OWNER'S REPRESENTATIVE for submittal with the TCEQ Annual Permit.
- 2.6. Respond to TCEQ comments until the TCEQ Annual Report is accepted and approved by TCEQ.

3. Groundwater Monitoring. Engineer shall:

- 3.1. Consult with OWNER to clarify and define OWNER'S requirements for groundwater monitoring and review available data.
- 3.2. Annual groundwater monitoring, including sampling, testing, analytical evaluation, and reporting will continue. The annual sampling event is conducted in January of each year. TCEQ's decision on the suspension request is that Wichita Falls is required to continue sampling the existing wells, but will not be required to install any new wells.

Additional Services.

For "Additional Services" or "Other Optional Tasks" a separate "Letter of Amendment" will be prepared, each subject to the terms and conditions of this Agreement. Said "Letter of Amendment" will define (1) Scope of Services to be performed, (2) Proposed Schedule of Services, and (3) Cost of Professional Services. Each "Letter of Amendment" will be mutually agreed upon by the OWNER and ENGINEER, subject to the terms and conditions within this Agreement and will be executed by the ENGINEER and Director of Public Works or Designee.

Additional Services may include meetings, travel, regulatory coordination, legal coordination, response to regulatory comments, and special requests as requested by the OWNER. Additional services may also include but not be limited to professional services related to engineering models, engineering design, preparation of construction documents, construction phase engineering services, construction quality assurance, groundwater modeling, permit modifications, and other professional services.

Whenever the need for any Additional Services described herein results from any negligence, mistake, oversight or other fault on the part of ENGINEER, the cost of these services shall be deemed to be included in OWNER'S payments to ENGINEER for Basic Services. Any such Additional Services not performed by ENGINEER that would otherwise be paid separately by OWNER shall be paid for by ENGINEER.

GENERAL CONDITIONS:

1. Termination--OWNER may terminate this Agreement upon 10 days written notice to ENGINEER with the understanding that all services being performed under this Agreement shall cease upon the date specified in such notice. In the event of early termination, ENGINEER shall invoice OWNER for all services completed and shall be compensated in an amount corresponding to the amount designated as compensation for each phase of the work satisfactorily completed and accepted plus an amount corresponding to the percentage of work satisfactorily completed and submitted to OWNER for any phase partly completed on the effective date of the termination.

2. Ownership & Maintenance of Documents--All documents and digital files prepared and/or assembled by ENGINEER under this Agreement shall become the property of the OWNER and shall be delivered to OWNER without restriction on future use. OWNER's re-use of documents on future projects will be at the sole risk of OWNER. ENGINEER may make copies of any and all documents for its files and re-use information contained therein. ENGINEER will maintain project records for three years after the OWNER has made final payment to the Contractor and all other pending matters are closed, and provide copies thereof to OWNER if requested.

3. Controlling Law--This agreement is performable and is to be governed by the law applicable in Wichita Falls, Texas. Sole venue for any action arising under this Agreement shall be in Wichita County, Texas.

4. Assignment of Contract--ENGINEER shall not assign, sublet or transfer any rights under or interest in (including, but without limitations, monies that may become due or monies that are due) this Agreement without the written consent of the OWNER. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent ENGINEER from employing independent consultants, associates, subcontractors, and employees to assist in the performance of services hereunder.

5. No Third-Party Beneficiaries--Nothing herein shall be construed to give any rights or benefits to anyone other than OWNER and ENGINEER.

6. Independent Contractor--In performing services under this Agreement, the relationship between OWNER and ENGINEER is that of independent contractor, and OWNER and ENGINEER by the execution of this Agreement do not change the independent contractor status of ENGINEER. No term or provision of this Agreement or act of ENGINEER in the performance of this Agreement shall be construed as making ENGINEER or any agent, servant or employee of ENGINEER the agent, servant or employee of OWNER.

7. Indemnity--ENGINEER agrees to release, defend, indemnify, and hold the OWNER whole and harmless against any and all claims, suits, and actions for any claims of injuries or damage made by or on behalf of ENGINEER or any of ENGINEER's officers, agents, or employees resulting from the performance or attempted performance of this Contract regardless of whether the injury or damage is caused in whole or in part by any acts or omissions of OWNER or any hidden or apparent condition of property owned or controlled by the OWNER. This indemnity shall not apply to any claim to the extent to which ENGINEER is prohibited from indemnifying a governmental entity pursuant to Tex. Local Gov't Code §271.904 or other law.

This agreement and said attachments may only be amended, supplemented, modified or canceled by a duly executed written instrument.

EXECUTED, this the _____ day of _____, 2020.

OWNER: City of Wichita Falls, Texas

ENGINEER: Biggs & Mathews Environmental, Inc.

Darron J. Leiker, City Manager



Kenneth J. Welch, P.E., Principal Engineer

(seal)

ATTEST:

City Clerk

FORM APPROVED:

City Attorney

House Bill 89 Verification Form

Prohibition on Contracts with Companies Boycotting Israel

The 85th Texas Legislature approved new legislation, effective Sept. 1, 2017, which amends Texas Local Government Code Section 1. Subtitle F, Title 10, Government Code by adding Chapter 2270 which states that a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- 1) does not boycott Israel; and
- 2) will not boycott Israel during the term of the contract

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and

2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

I, (authorized official) Kenneth J. Welch, P.E., do hereby depose and verify the truthfulness and accuracy of the contents of the statements submitted on this certification under the provisions of Subtitle F, Title 10, Government Code Chapter 2270 and that the company named below:

- 1) does not boycott Israel currently; and
- 2) will not boycott Israel during the term of the contract; and
- 3) is not currently listed on the State of Texas Comptroller's Companies that Boycott Israel List located at <https://comptroller.texas.gov/purchasing/publications/divestment.php>

Biggs & Mathews Environmental, Inc.

Company Name



Signature of Authorized Official

Principal

Title of Authorized Official

8/27/2020

Date

**Wichita Falls Park Board Meeting
February 27, 2020**

**W.F. Recreation Center
600 11th Street
Room 204
1:30p.m.**

Presiding: Marcy Brown Marsden

Members Present: Sandy Fleming, Jim Heiman, Crystal Byrd, Caitlyn Wood, Charlie Zamastil, John Fritzsch

Members Absent: Carlye Bindel, Alan Donaldson, Stephen Garner, Jessica Traw

City Council Representative: Steve Jackson

Other: Scott McGee, Terry Points (Staff Liaison)

1. CALL TO ORDER:

Marcy Brown Marsden called the meeting to order at 1:30 p.m.

2. APPROVAL OF MINUTES:

The minutes from January 27, 2020 were put before the Board for approval. Caitlyn Wood made the motion to approve the minutes and Jim Heiman seconded the motion.

3. DEPARTMENTAL REPORT:

A. RECREATION: Scott McGee

- No report, due to Scott McGee being out**

B. Parks: Terry Points

- Wichita Medical Alliance meeting was held and they raised two hundred seventy thousand in fund raising projects, for the Splash pad at Hamilton Park. The project should last 60 days, construction to start in June.**
- New playground equipment was delivered from CBDG funding. Playgrounds are being installed at the same time at Scotland, Spudder & O'Reily**
- Scotland pavilion on north end of park is nearing completion, waiting on sidewalk with handicap ramp. This is going to be a first come first**

**MINUTES OF THE
WICHITA FALLS 4B SALES TAX CORPORATION (4BSTC)**

August 27, 2020

Present:

Tony Fidelie, President	§	Members
Glenn Barham, Vice-President	§	
Rick Hatcher, Secretary-Treasurer	§	
Darron Leiker	§	
Michael Mills	§	
Nick Schreiber	§	
Jeff Browning, Councilor District 3	§	Mayor & City Council
Paul Menzies, Assistant City Manager	§	City Staff
Blake Jurecek, Assistant City Manager	§	
R. Kinley Hegglund, Jr., City Attorney	§	
Lin Barnett, WFMPO	§	
John Burrus, Director, AT&T	§	
Terry Floyd, Director, Community Development	§	
Pat Hoffman, Property Administrator	§	
Jaime Lee, WFMPO	§	
Russell Schreiber, Director, Public Works	§	
Linda Merrill, Recording Secretary	§	
Dick Bundy	§	
Ann Arnold-Ogden	§	WF Alliance for
Jesse Baggett	§	Arts and Culture
Steve Hilton	§	
Jana Schmader	§	DWFD
Tom Taylor	§	District 5 Candidate
Claire Kowalick	§	<i>Times Record News</i>

Absent:

Dave Clark	§	Member
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1. Call to Order.

Tony Fidelie called the meeting to order at 9:31 a.m.

2. Approval of Minutes of 3/10/2020.

Rick Hatcher moved for approval, seconded by Nick Schreiber. The motion carried 6-0.

Report of Financial Condition

Mr. Menzies presented a brief report, noting more discussion will occur when discussing adoption of next fiscal year's budget. The three projects approved at the March meeting – funding requests from 809 Ohio, 620 Ohio, and The Forum – have been added to the financial report.

3. Election and Induction of Officers

Darron Leiker moved for the renewal of the current slate of officers for the next year (Tony Fidelie, President; Glenn Barham, Vice-President; Rick Hatcher, Secretary-Treasurer). The motion was seconded by Michael Mills, and there were no other motions. This motion carried by a vote of 6-0.

4. Public hearing on request from the Wichita Falls Alliance for Arts and Culture for permission and funding to install a mural on the Lindemann Parking Garage at 7th Street/Indiana Street.

Mr. Fidelie opened the public hearing at 9:36 a.m. Dick Bundy, 2202 Avondale, represents the Wichita Falls Alliance of Arts and Culture, and is a board member. He has with him Ann Arnold Ogden, who works for the Alliance, and artists Steve Hilton and Jesse Baggett.

The Alliance request is twofold: (1) permission to commission and install a mural on the side of the Lindemann parking facility, and (2) \$10,000 from the 4B Board to match the grant received from the National Endowment for the Arts. They expect to receive a grant of \$3,500 from the Texas Endowment for the Arts for maintenance.

Mr. Barham asked about the mural design. Steve Hilton, 3702 Lesley Heights, said the theme is rally, resurgence and recovery. Jesse Baggett designed the mural. The story is that the moon is broken and had fallen, and the animals, representing the differences in people, are rallying together for resurgence and recovery of the moon. They may also write a children's book in connection with the mural, which would bring further attention to Wichita Falls.

The painting itself would be flat, and the animals would be done in ceramic tiles, making the work three dimensional. Mr. Schreiber asked if they would be tamper proof. Mr. Hilton said he hoped so; they do not yet know if the tiles will be affixed to the wall via an application of thin set only, or a combination of thin set and bolts.

5. Staff Reports on currently funded project:

a) Lindemann Parking Garage

Blake Jurecek said about \$113,000 had been spent on renovation of this facility, in the form of all-new electrical improvements, sandblasting and repainting the stairwells, and striping and numbering the parking spaces. The Board's budget for next fiscal year includes a request for \$25,000 for operation of the garage, including staff time doing trash pickup, utilities, administrative fees for managing the parking spaces, and for general liability insurance.

Property Administrator Pat Hoffman said she advertised in the *Times Record News* on August 16 and 19, taking bids for the approximately 320 parking spaces. Bids will close on September 16. Jana Schmader from DWFD shared the email addresses of downtown merchants, and also posted information on DWFD's website. There has been a lot of interest, but no bids have been received.

b) Circle Trail Projects

Russell Schreiber said the City applied for a Transportation Alternative Program (TAP) grant in 2017 through the Texas Department of Transportation. This grant is designed to facilitate all pedestrian improvements to the municipality. The City applied for three sections for the trail, and all were approved. The grant is an 80% grant with 20% required from the City, which the 4BSTC agreed to fund.

Two sections are currently under construction: (1) Loop 11 to Lucy Park and (2) the BNSF section (Barnett to Seymour Highway). Two more sections are still required in order to make the 26-mile trail around the city complete: Larry's Marina to Barnett Road, and a 1,000-foot section behind Camp Fire near Lucy Park to where the current construction stops.

The last section to be bid this year was for Lake Wichita Park to Barnett, but due to construction prices, it has been broken into two projects. This has to be bid by July 2021, and the money has to be in place to move forward.

c) Public Safety Radio System

This system consists of radio, CAD, and Mobile Data Terminal (MDT) software maintenance. Mr. Jurecek said when the possibility of a sales tax was put before the voters, there were several projects actually mentioned on the ballot. A new public safety radio system, CAD and MDT were among those items, and they require annual maintenance. There was a savings of \$100,000 in 2018-19 due to a software update. The current year budget is at \$515,000.

Mr. Fidelie asked if this maintenance is required to be paid until a certain year, such as the bond payments for Castaway Cove. Mr. Jurecek replied this is not a required annual payment by the Board.

d) MPEC Conference Center Hotel

Mr. Jurecek said the City had been working with O'Reilly Hospitality Management (OHM) on development of the conference center hotel. The Board had approved the expenditure of \$456,000 for predevelopment activities. Then the COVID-19 pandemic hit the hospitality business hard, and OHM took a break from the project. In mid-July, discussions started up again, and happily, OHM is committed to this project.

The predevelopment costs cover land work, survey work, and the architectural design of the conference center. OHM has close to \$800,000 in costs to fund predevelopment expenses for the hotel side of the project.

6. Public hearing on request for funding from the City related to the Circle Trail

Mr. Fidelie opened the public hearing at 10:08 a.m.

Mr. Schreiber said the cost to complete this portion of the trail is \$756,000, which includes a few small sections of trail along the railroad tracks to Johnson Road, and a small connector from Big Ed Neal Drive to give that neighborhood trail access. It is required to be bid by July 2021. Design of the trail section is complete.

There was discussion of portions of the trail being incomplete, making it harder on cyclists and pedestrians to continue on the trail. Mr. Schreiber said this has been typical throughout the several years of construction of the trail; cyclists or pedestrians could only go as far as the trail went, and would then turn around and go back the other way.

Mr. Leiker said he would float the idea of a temporary easement to the staff, as any access purchased would not be necessary once the next section is complete.

Mr. Mills asked Mr. Schreiber's best guess of the time between completion of this section and the start of the final piece. Mr. Schreiber replied that it is hard to know. The City's last grant application was denied, and he does not know when the next round will begin.

There being no further discussion, Mr. Fidelie closed the public hearing at 10:14 a.m.

7. Public hearing on request for funding from the City for roadway improvements related to the City's Bicycle Friendly Community Certification.

Mr. Fidelie opened the public hearing at 10:14 a.m.

On December 3, 2019, the City was awarded a bronze designation through the League of American Cyclists. Mr. Burrus believes this designation was due to the efforts of the local cycling community creating programs from scratch.

The City looks to create an on-road network of over 100 miles of shared and dedicated bike lanes. The initial focus will be on shared lanes, as the costs are lower – 22 miles of shared roadway can be done compared to only 6 miles of dedicated roadway. The purpose is to allow cyclists to better access the circle trail.

Emblems are placed every 250 feet on the road, alerting motorists that they may be sharing the road with cyclists. The plan is to begin with Midwestern Parkway, Call Field, Kemp and Fairway. These are priority roads to the cycling community.

The cost is \$4,456 per lane mile. The City is seeking a commitment from the 4BSTC of \$100,000 per year for five years. The funds would cover the materials; the work would be done by Traffic Engineering, and the City would also budget for signage to accompany those markings. The City would also cover the maintenance/replacement costs.

Every five years, the City has to apply to the League of American Cyclists. Having a five-year plan in place, with completed work, future work, and a dedicated funding source, will be critical when the City reapplies in four years.

The City Council has developed a strategic plan, within which are items that directly and indirectly affect bicycle friendly community status. Directly affecting the creation of a bicycle friendly community is the plan to provide adequate infrastructure. Indirectly, the Council supports the Chamber of Commerce and community economic development plan, which includes a bicycle friendly community designation. In order to keep this designation, the City must supply cycling infrastructure.

There being no further comments, Mr. Fidelie closed the public hearing at 10:25 a.m.

8. Executive Session.

Mr. Fidelie adjourned the meeting into executive session at 10:26 a.m. pursuant to Texas Government Code section 551.087. He announced the meeting back into regular session at 11:25 a.m. The subjects posted in the Notice of Meeting were deliberated, and no votes or further action was taken on these items in executive session.

9. Motions

Arts Alliance – Glenn Barham moved that the 4BSTC give permission to the Wichita Falls Alliance for Art and Culture to commission and install the mural discussed at today’s meeting on the Lindemann parking facility, and grant \$10,000 for creation of the project, contingent upon agreement on the maintenance and the placement of the ceramic tiles with proper construction techniques. Seconded by Mr. Hatcher, the motion carried 6-0.

Circle Trail – Michael Mills moved to proceed with funding to match the Circle Trail Project as presented at today’s meeting, including the two connectors along already-funded sections. Seconded by Mr. Leiker, the motion carried 6-0.

Bicycle Friendly Roadway Improvements – Mr. Leiker moved to approve \$100,000 be granted for the roadway improvements related to the City’s Bicycle Friendly Community designation, recognizing that this project is part of the overall trail linkage system. Seconded by Mr. Schreiber, the motion carried 6-0.

10. Approval of the FY 2020-21 budget.

Mr. Menzies stated the fiscal year runs October 1, 2020 through September 30, 2021. For the next year’s projected revenue, staff has typically taken the revenue figure from the current year and projected it flat for the next year. However, the City Council’s budget estimates a 6% decrease in sales tax. The 4BSTC budget will follow that lead, at least for now. So, the conservative estimate is \$3.8 million, while a flat estimate would be approximately \$4.2 million.

The debt service projects total \$1.74 million, and the public safety radio system is budgeted at \$617,000.

Also included is the downtown grant program at \$100,000, where applicants may apply for matching grants to make building and sidewalk improvements.

The Board will have an estimated \$3.5 million available for new projects when they occur.

Mr. Barham moved to accept the proposed 2021 budget. Seconded by Mr. Mills, the motion carried 6-0.

Mr. Fidelie declared that 4BSTC meetings will now be regularly scheduled for the first Thursday of the month at 3:00 p.m., with the first such meeting set for October 1, 2020.

11. Adjourn.

The meeting adjourned at 11:33 a.m.


Glenn Barham, Vice President

CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Ordinance authorizing the City Manager to approve a request from the New Jerusalem Baptist Church to partially vacate and abandon a ten-foot public utility easement consisting of approximately 2,921 square feet across the north western portion of Lot 1-C, Block B, Ray Massie Subdivision running east and west along the north property boundary for approximately 292 feet.

INITIATING DEPT: Property Management

STRATEGIC GOAL: Accelerate Economic Growth

STRATEGIC OBJECTIVE: Revitalize Depressed and Declining Neighborhoods

COMMENTARY: To facilitate the construction of a new activity center and gym adjacent to the existing main building, New Jerusalem Baptist Church at 1420 Borton Street has applied for the closure, abandonment, and vacating of a portion of a ten-foot wide public utility easement on their property, as indicated and depicted per the attached **Exhibit A, Field Notes, and Property Location Map**. This easement contains no public utilities.

Fair market value of the 2,921 square feet of easement requested for vacating has been determined to be \$728.00; said amount has been submitted to the City by the church and is pending the approval of this item.

Notifications were sent to all utility companies and affected City departments and all have responded with their consent to allow the requested vacation (see attached from City Engineer).

Staff recommends the City Council approve the ordinance.

Asst. City Manager

Property Administrator

ASSOCIATED INFORMATION: Ordinance, Exhibit A, Field Notes, Property Location Map

Budget Office Review

City Attorney Review

City Manager Approval



PUBLIC WORKS DEPARTMENT

October 8, 2020

Pat Hoffman
Property Administrator
City of Wichita Falls, TX

RE: New Jerusalem Baptist Church North Property Line Easement Closing – Ray Massie Subdivision

Dear Ms. Hoffman:

The Engineering Department approves the partial closing of the western portion of the referenced easement that is entirely contained within the church property. This vacation is performed to allow an expansion on the property.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

T. Blane Boswell, P.E.
City Engineer

Cc: Subdivision Correspondence File

CITY OF WICHITA FALLS

1300 7th Street P.O. Box 1431 Wichita Falls, Texas 76307 t: (940) 761-7477 f: (940) 761-6873
www.wichitafallstx.gov

Ordinance No. _____

Ordinance authorizing the City Manager to approve a request from the New Jerusalem Baptist Church to partially vacate and abandon a ten-foot public utility easement consisting of approximately 2,921 square feet across the north western portion of Lot 1-C, Block B, Ray Massie Subdivision running east and west along the north property boundary for approximately 292 feet

WHEREAS, the New Jerusalem Baptist Church at 1420 Borton Street has requested the partial closure, abandonment, and vacation of the public utility easement consisting of approximately 2,921 square feet located adjacent to the north property boundary of Lot 1-C, Block B, Ray Massie Subdivision; and

WHEREAS, all affected utility companies and City departments have reviewed this request and have recommended approval to partially close, abandon, and vacate said public utility easement; and

WHEREAS, it has been determined to be in the best public interest to partially close, abandon, and vacate said public utility easements.

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

The City Council has determined that the closure request of approximately 2,921 square feet of public utility easement located adjacent to the north property boundary with the legal description of Lot 1-C, Block B, Ray Massie Subdivision as described and depicted in **Exhibit A, Field Notes, and Property Location Map** is in the best interest of the public.

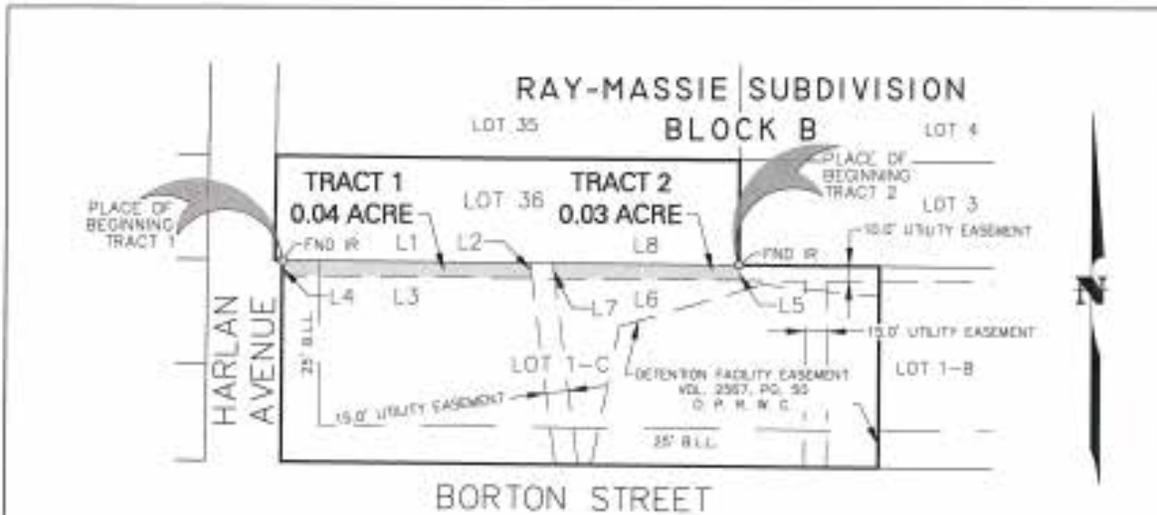
PASSED AND APPROVED this the 20th day of October, 2020.

MAYOR

ATTEST:

City Clerk

EXHIBIT A



Line Table		
Line #	Direction	Length
L1	S 89° 29' 05" E	166.85'
L2	S 07° 23' 36" E	10.10'
L3	N 89° 29' 05" W	168.14'
L4	N 00° 04' 02" W	10.00'
L5	S 00° 30' 55" W	10.00'
L6	N 89° 29' 05" W	123.93'
L7	N 07° 23' 36" W	10.10'
L8	S 89° 29' 05" E	125.32'



PAGE 1 OF 2
BASIS OF BEARINGS ARE NAD 27 - TEXAS NORTH CENTRAL Scale: 1" = 100'

THE ABOVE DESCRIBED TRACT WAS SURVEYED JULY, 2020 AND THE DIMENSIONS SHOWN ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT.

Devin G. Smith 10/1/20

DEVIN G. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5849
TSPLS-100541-00 TSPCE F-379

PROPOSED ABANDONED PORTION OF 10.0'
UTILITY EASEMENT OUT OF LOT C, BLOCK B,
RAY-MASSIE SUBDIVISION
WICHITA FALLS, WICHITA COUNTY, TEXAS
SURVEY FOR: NEW JERUSALEM BAPTIST CHURCH

CORLETT, PROBST & BOYD, P.L.L.C.
ENGINEERS & SURVEYORS 4605 OLD JACKSBORO HIGHWAY
PH (940)723-1455, FAX (940)397-0549 WICHITA FALLS, TEXAS, 76302

D:\WORK\2020\14565\14565 (TYPE) ABANDONED EASEMENT P-10/1/2020 11:58 AM 3-10/1/2020 11:58 AM MWL1

FIELD NOTES

TRACT 1 FIELD NOTES

FIELD NOTES OF A 0.04 ACRE (1675 SQ. FT.) TRACT OF LAND OUT OF LOT 1-C, BLOCK B, RAY-MASSIE SUBDIVISION, AS RECORDED IN VOLUME 27, PAGE 1369, WICHITA COUNTY PLAT RECORDS, WICHITA FALLS, WICHITA COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the East line of Harlan Avenue at the Northwest corner of said Lot 1-C, of the Northwest corner of a 10.0 foot utility easement out of said Lot 1-C and in the South line of Lot 36, Block B, Ray-Massie Subdivision as recorded in Volume 3, Page 94, Wichita County Plat Records, for the Northwest corner of this tract;

THENCE S 89° 29' 05" E, with the North line of said Lot 1-C, the North line of said 10.0 foot utility easement and the South line of said Lot 36, a distance of 166.85 feet to the Northwest corner of an existing 15.0 foot utility easement in said Lot 1-C, for the Northeast corner of this tract;

THENCE S 07° 23' 36" E, with the West line of said 15.0 foot utility easement, a distance of 10.10 feet to the intersection of the West line of said 15.0 foot utility easement and the South line of said 10.0 foot utility easement, for the Southeast corner of this tract;

THENCE N 89° 29' 05" W, with the South line of said 10.0 foot utility easement, a distance of 158.14 feet to the Southwest corner of said 10.0' utility easement, in the West line of said Lot 1-C and the East line of Harlan Avenue, for the Southwest corner of this tract;

THENCE N 00° 04' 02" W, with the West line of said Lot 1-C, the West line of said 10.0' utility easement and the East line of Harlan Avenue, a distance of 10.00 feet to the PLACE of BEGINNING and containing 0.04 acre (1675 sq. ft.) of land.

TRACT 2 FIELD NOTES

FIELD NOTES OF A 0.03 ACRE (1246 SQ. FT.) TRACT OF LAND OUT OF LOT 1-C, BLOCK B, RAY-MASSIE SUBDIVISION, AS RECORDED IN VOLUME 27, PAGE 1369, WICHITA COUNTY PLAT RECORDS, WICHITA FALLS, WICHITA COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the North line of said Lot 1-C, the North line of a 10.0 foot utility easement in said Lot 1-C and at the Southwest corner of Lot 3 and the Southeast corner of Lot 36, Block B, Ray-Massie Subdivision as recorded in Volume 3, Page 94, Wichita County Plat Records, for the Northeast corner of this tract;

THENCE S 00° 30' 55" W a distance of 10.00 feet to a point in the South line of said 10.0 foot utility easement for the Southeast corner of this tract;

THENCE N 89° 29' 05" W, with the South line of said 10.0 foot utility easement, a distance of 123.93 feet to the intersection of the South line of said 10.0 foot utility easement and the East line of a 15.0 utility easement in said Lot 1-C, for the Southwest corner of this tract;

THENCE N 07° 23' 36" W, with the East line of said 15.0 foot utility easement, a distance of 10.10 feet to the Northeast corner of said 15.0 foot utility easement in the North line of said Lot 1-C and the South line of said Lot 36, for the Northwest corner of this tract;

THENCE S 89° 29' 05" E, with the North line of said Lot 1-C and the South line of said Lot 36, a distance of 125.32 feet to the PLACE of BEGINNING and containing 0.03 acre (1246 sq. ft.) of land.



PAGE 2 OF 2

BASIS OF BEARINGS ARE NAD 27 - TEXAS NORTH CENTRAL

Scale: 1" = 100'

THE ABOVE DESCRIBED TRACT WAS SURVEYED JULY, 2020 AND THE DIMENSIONS SHOWN ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT.

Devin G. Smith 10/1/20

DEVIN G. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5849
TRPLS-103541-03 TYPE P-278

PROPOSED ABANDONED PORTION OF 10.0'

UTILITY EASEMENT OUT OF LOT C, BLOCK B,

RAY-MASSIE SUBDIVISION

WICHITA FALLS, WICHITA COUNTY, TEXAS

SURVEY FOR: NEW JERUSALEM BAPTIST CHURCH

CORLETT, PROBST & BOYD, P.L.L.C.
ENGINEERS & SURVEYORS 4605 OLD JACKSBORO HIGHWAY
PH. (940)723-1455, FAX (940)397-0549 WICHITA FALLS, TEXAS, 76302

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CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Resolution authorizing the submittal of a grant application to Firehouse Subs Foundation for a 2020 Public Safety Grant.

INITIATING DEPT: Fire Department

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: Firehouse Subs Foundation provides grants to fire, police, and EMS agencies across the country and support a variety of public safety needs. It is our desire to apply for a grant of \$19,467.05 to acquire a second inflatable rescue boat, trailer, and equipment to be housed at Station 8 to complete a multi-year plan to effectively outfit the organization for the variety of water rescue events that impact us annually. The grant application period opened October 1, 2020. The Firehouse Subs Foundation Public Safety Grant has no matching funds requirement.

Staff recommends approval of the resolution authorizing the submittal of the grant application.

Fire Chief

ASSOCIATED INFORMATION: Resolution

Budget Office Review

City Attorney Review

City Manager Approval

Resolution No. _____

**Resolution authorizing the submittal of a grant application to
Firehouse Subs Foundation for a 2020 Public Safety Grant**

WHEREAS, the City Council finds it in the best interest of the citizens of Wichita Falls that the organization should make application for a 2020 Public Safety Grant from Firehouse Subs Foundation; and

WHEREAS, the City Council acknowledges that there is no matching fund requirement; and

WHEREAS, the City Council authorizes the City Manager to apply for the Public Safety Grant on behalf of the applicant agency.

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

The City Council approves submission of the grant application for the 2020 Public Safety Grant to Firehouse Subs Foundation.

PASSED AND APPROVED this the 20th day of October, 2020.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
October 20, 2020

ITEM/SUBJECT: Resolution Appointing Gold Star Family Member as an Ex-Officio Member of the Lake Wichita Revitalization Committee.

INITIATING DEPT: City Clerk

STRATEGIC GOAL: Provide Adequate Infrastructure

STRATEGIC OBJECTIVE: Complete Signature Public Improvements

COMMENTARY: In order to be eligible to receive the Gold Star Monument for the Veteran's Memorial Plaza at Lake Wichita, the Lake Wichita Revitalization Committee must have a Gold Star family member as an Ex-Officio Member of the committee. Alicia Castillo lost her son Alex Maldonado when he was killed in action during Operation Enduring Freedom in 2010 while serving with the U.S. Army 20th Engineer Battalion, 36th Engineer Brigade.

Ms. Castillo has graciously agreed to join the committee to fill this roll and staff recommends her appointment.

City Clerk

ASSOCIATED INFORMATION: Resolution

Budget Office Review

City Attorney Review

City Manager Approval

Resolution No. _____

Resolution adding a Gold Star Family Member as an ex-officio member to the ad hoc Lake Wichita Revitalization Committee

WHEREAS, the City Council appointed the ad hoc Lake Wichita Study Committee in May 2013, which had an 18-month period in which to address the several items in the charge to the committee; and the name was changed to the Lake Wichita Revitalization Committee and that time frame was extended in October 2014 and November of 2019;

WHEREAS, the Lake Wichita Revitalization Committee requests that a Gold Star Family Member be added as an ex-officio member of the committee so that they can receive the Gold Star Monument;

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

1. An ex-officio member position for a Gold Star Family Member be added to the Committee.
2. The term of this ex-officio member will expire July 31, 2027.
3. Appoint Alicia Castillo to the ex-officio Gold Star Family Member position.

PASSED AND APPROVED this the 20th day of October, 2020.

MAYOR

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
October 20, 2020**

ITEM/SUBJECT: Board and Commission Appointments

INITIATING DEPT: City Clerk

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

Lake Wichita Revitalization Committee - There are two vacancies on the Lake Wichita Revitalization Committee due to the resignation of John Pezzano, Place 11 – Voting Alternate, and the removal of Place 7 for attendance issues.

Current applicants for Lake Wichita Revitalization are: Crystal Byrd, and Jeremy Garza

Wichita Falls Economic Development Corporation – There is one vacancy due to the resignation of Stephan Gustafson. (May be discussed in executive session)

Current Applicants for the WFEDC are: Debbie Dobbins, Brent Hillery, Brian Hooker, Dustin Nimz, and Matt Marrs.

The current rosters are attached, and applications will be sent to the council via separate e-mail.

City Clerk

ASSOCIATED INFORMATION: Current roster

Budget Office Review

City Attorney Review

City Manager Approval

Lake Wichita Revitalization Committee

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATION</i>	<i>DISTRICT</i>	<i>INFO</i>
1	Tim Brewer P.O. Box 1431 Wichita Falls, TX 76301 (940) 224-9953 [c] tim.brewer@wichitafallstx.gov	11/06/2018	07/31/2027	City Council Representative	4	City
2	Marcy Brown Marsden 4325 Chelsea Dr. Wichita Falls, TX 76309 (214) 492-9409 [c] (940) 397-4253 [w] biomarcy@gmail.com	11/05/2019	07/31/2027	Park Board Representative	1	.
3	Kendrick Jones 1649 Ardath Ave. Wichita Falls, TX 76301 (940) 642-0915 [h/c] (940) 720-5837 [w] kjones@pattersonauto.com	08/01/2017 11/07/2017	07/31/2027	City of Wichita Falls Rep. per Resolution 96-2017	3	
4	Pete Gill 110 Lands End Lakeside City, TX 76308 (940) 782-4471 [w] patrickgill28@yahoo.com	09/01/2015 11/07/2017	07/31/2027	Lakeside City Rep. Moved up from voting alternate 08/07/2018		No
5	Kathie Forehand-Chaddick 4658 Mistletoe Drive Wichita Falls, TX 76310 (940) 636-1831 [c] (940) 692-8300 [w] kathieforehand@gmail.com	07/07/2015 11/07/2017	07/31/2027	City of Wichita Falls Rep.	3	Yes
6	Eve Montgomery 4644 Fairway Blvd. Wichita Falls, TX 76308 (509) 994-9038 [c] e.mimsmontgomery@gmail.com	10/16/2018	07/31/2027	City of Wichita Falls Rep.	3	
7	Vacant		07/31/2027	City of Wichita Falls Rep.		
8	David Coleman, <i>Chair</i> 1634 Victory Avenue Wichita Falls, TX 76301 (979) 574-6128 [c] Dcoleman1634@gmail.com	02/19/2019	07/31/2027	City of Wichita Falls Rep. (moved up from Alt. 11/5/2019)	3	No

9	Wilson "Ford" Swanson 3104 Lombard Drive Wichita Falls, TX 76309 (940) 224-0776 [h/c] (940) 696-0250 [w] fordswansom@gmail.com	07/07/2015 11/07/2017	07/31/2027	City of Wichita Falls Rep.	1	No
10	Eric Stevens P.O. Box 4287 Wichita Falls, TX 76308 (940) 691-6603 [w] (940) 257-7179 [c] cityadministrator@lakesidecitytx.org	11/07/2017	07/31/2027	Lakeside City Ex- Officio		No
11	Vacant		07/31/2027	Voting Alternate		
12	Sharon Roach 12 Pillars Ct. Wichita Falls, TX 76302 (940) 704-4984 [c] ksroa@aol.com	07/07/2020	07/31/2027	Voting Alternate	4	

Current Applicants: Crystal Byrd, and Jeremy Garza

WF 4A ECONOMIC DEVELOPMENT CORPORATION

<i>PLACE</i>	<i>NAME</i>	<i>APPOINTED</i>	<i>EXPIRATION</i>	<i>QUALIFICATIONS</i>	<i>DISTRICT</i>	<i>INFO</i>
1			07/31/2021			
2	Darron Leiker 1300 7 th St. Wichita Falls, TX 76307 (940) 761-7404 [w] darron.leiker@wichitafallstx.gov	06/04/2013 07/05/2016 06/18/2019	07/31/2022		4	No
3	David Toogood 2300 W Rathgeber Rd Wichita Falls, TX 76310 (940) 631-1708 [h/c] (940) 386-1950 [w] david.g.toogood@gmail.com	07/05/2017 07/07/2020	07/31/2023		4	No
4	Leo Lane, Chair 2403 Martin St. Wichita Falls, TX 76308 (940) 733-0244 [h/c] (940) 500-4702 [w] leo@jameslane.com	07/01/2014 07/05/2017 07/07/2020	07/31/2023		1	No
5	Phyllis Cowling 5104 Crown Ridge Dr Wichita Falls, TX 76310 (940) 232-3791 [h/c] (940) 764-3034 [w] pcowling@unitedregional.org	06/18/2019	07/31/2021 (appointed to fill unexpired term)		1	No

Current applicants: Debbie Dobbins, Brent Hillery, Brian Hooker, Dustin Nimz, and Matt Marrs