



City of Wichita Falls City Council Agenda

Notice is hereby given that on July 21, 2026, the City Council of the City of Wichita Falls will hold a regular meeting at 8:30 a.m. at the MPEC, 1000 Fifth Street, Hayley Eye Clinic Seminar Room, for the purpose of considering the following items:

1. Call to Order

2. Invocation

- a) Dr. Samuel Abbott
Hospice of Wichita Falls

3. Pledge of Allegiance

4. Presentations

- a) Employee of the Month - Janice Bailey, Street Department
- b) Proclamation — National Parks and Recreation Month, City of Wichita Falls Parks and Recreation

5. Citizen Comments

Citizens may speak on matters not listed on the agenda by signing up before the meeting. Remarks are limited to three minutes, and no deliberation or action may be taken by the Council.

CONSENT AGENDA

6. Approval of Meeting Minutes

- a) City Council, June 16, 2026

7. Receive Minutes

- a) Tax Increment Financing #4 (TIF) Board, November 24, 2020
- b) Water Resources Committee, September 8, 2025
- c) Library Advisory Board, March 17, 2026
- d) Construction Board of Adjustment Appeals, April 22, 2026
- e) Wichita Falls Park Board, April 30, 2026
- f) Board of Adjustment, May 20, 2026
- g) Wichita Falls - Wichita County Public Health Board, June 5, 2026

8. Ordinances

- a) Ordinance amending the Code of Ordinances Chapter 22, Article XII Existing Building Code, Section 22-711, 1401.2 Applicability to remove “Existing Prior to 1945” and Chapter 22, Article XII, Section 22-711, 1401.4 Investigation and Evaluation to remove “Registered Fire Protection Engineer” to replace with “qualified engineers and architects in preparation of a submission”
- b) Ordinance amending the Fiscal Year 2026 Budget and authorizing a monthly lease of \$6,203.00 per month between the City of Wichita Falls and Mercury GSE Rentals, LLC to rent a Pushback Tractor for airplane movement at the Regional FBO Airport

9. Resolutions

- a) Resolution authorizing the City Manager to execute a potable water and wastewater services agreement with WinCo Trucking, LLC d/b/a Coastal Plains Trucking, LLC
- b) Resolution appointing Samuel Jones of the Animal Services Division of the Wichita Falls-Wichita County Public Health District to act as the Local Rabies Control Authority for the City of Wichita Falls, Texas
- c) Resolution approving the City of Wichita Falls 2026 Annual Action Plan, to allocate Community Development Block Grant (CDBG) funds in the amount of \$1,225,910, reallocate \$100,000 in prior year CDBG funding and FY 2026 HOME Investment Partnership Program (HOME) funds in the amount of \$346,455 received as Entitlement Grants from the U.S. Department of Housing and Urban Development (HUD), and authorize the City Manager to submit the plans to HUD for review and approval and to execute HUD Grant Applications and Grant Agreement to implement the approved plans, to include any and all revisions approved by HUD
- d) Resolution approving a substantial amendment to the 2021 Annual Action Plan to reallocate \$94,490 in HOME-American Rescue Plan (HOME-ARP) funds and authorizing the City of Wichita Falls to make any necessary revisions to the HOME-ARP Allocation Plan approved by the U.S. Department of Housing and Urban Development (HUD) in connection with the administration of the City's HOME-ARP allocation
- e) Resolution authorizing the City Manager to award bid and contract for the 2026 Seal Coat Project to Ronald R. Wagner & Co., LP in the amount of \$665,087.12
- f) Resolution authorizing the City Manager to award bid and contract for the 2026 Asphalt Rehabilitation Project to Freeman Paving, L.L.C. in the amount of \$2,274,352.95
- g) Resolution rejecting submissions for Regional Airport Entry Vestibule Door Replacement Project
- h) Resolution authorizing the City Manager to execute an Interlocal Agreement with the Wichita Falls Independent School District for management and funding of the school crossing guard program
- i) Resolution authorizing the retention of Jackson Walker LLP as outside legal counsel, in an amount not to exceed \$185,000, to represent the City in legal

matters regarding flooding, flood mitigation efforts, and associated state and federal legal issues

REGULAR AGENDA

10. Public Hearing & Ordinance

- a) Conduct a public hearing and take action on an ordinance annexing 8.32+/-acres of land out of the T. Curry Survey, Abstract 345, Wichita County, Texas; referenced as a portion of 2500 Bacon Switch Road and 0 Interstate 44, at the request of the property owner; accepting the 2500 Bacon Switch Road/0 Interstate 44 Bengal Pantego Plaza LLC. Municipal Services Annexation Plan Agreement for said tract under authority of Texas Local Government Code Chapter 43; Subchapter C-3, authority of municipalities to annex an area on request of owners; and designating the tract's zoning as General Commercial (GC) and Land Use Plan classification as Commercial (C)
 - I. Conduct Public Hearing
 - II. Take Action

11. Resolutions

- a) Resolution authorizing the submittal of a grant application to the Texas Parks and Wildlife Department for the Local Parks Non-Urban Outdoor Grant Program

12. Other Council Matters

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

13. Staff Reports

- a) City Manager Update:
 - 1. Fire Department Wildfire Mitigation Work
 - 2. Police Chief Search
 - 3. MPEC: 4th in the Falls, Naming Rights and Conventions

14. Executive Sessions

- a) Executive Session in accordance with Texas Government Code §551.071, consultation with attorney on matters involving pending or contemplated litigation or other matters 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, Savon Holmes litigation claim, Jonny Hia Phuoc Lam 7:26-cv-00074-0, flood zone and related state and federal legal issues, Burrus 7:25-cv-00111-0-bp).
- b) Executive Session in accordance with Texas Government Code § 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the

governmental body and with which the governmental body is conducting economic development negotiations and/or to deliberate the offer of a financial or other incentive to a business prospect.(including, but not limited to Oklaunion Power Stations, LLC)

- c) Executive Session in accordance with Texas Government Code § 551.072, to deliberate the purchase, exchange, lease, or value of real property interests due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party (including, but not limited to Airport Hangar Leases).

15. Adjourn

In accordance with the Americans with Disabilities Act, this facility is wheelchair accessible, and accessible parking spaces are available. If you require special accommodations to attend or participate in this meeting, please contact the City Clerk's Office at (940) 761-7409 at least 48 hours prior to the meeting.

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 webpage <http://www.wichitafallstx.gov/994/Council-Meetings-and-Agendas>

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 15th day of July, 2026 at 5:00 o'clock p.m.



City Clerk



City of Wichita Falls City Council Meeting Minutes June 16, 2026

1. Call to Order

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

Present: Mayor Tim Short
Councilor At-Large Austin Cobb
Councilor District 1 Whitney Flack
Councilor District 3 Jeff Browning
Mayor Pro-Tem/Councilor District 4 Mike Battaglino
Councilor District 5 Tom Taylor

Absent: Councilor District 2 Robert Brooks

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

2. Invocation

Major Roman Leal, Salvation Army, gave the invocation.

3. Pledge of Allegiance

Mayor Short led the Pledge of Allegiance.

4. Presentations

a) Proclamation — Juneteenth Celebration, Spirit of Excellence

Mayor Short read a proclamation proclaiming June 19, 2026, as Juneteenth Day in Wichita Falls, Texas.

b) Proclamation — National Homeownership Month, City of Wichita Falls Neighborhood Resources Division

Mayor Short read a proclamation proclaiming June 2026 as National Homeownership Month in Wichita Falls, Texas.

- c) Proclamation — Housing Choice Voucher Awareness Day, City of Wichita Falls Housing Department

Mayor Short read a proclamation proclaiming June 17, 2026, as Housing Choice Voucher Program Day in Wichita Falls, Texas.

Items 10a and 11a were moved up and presented at this time.

10a) Resolution 63-2026 authorizing the City Manager to execute a Task Order with HDR Engineering, Inc. for engineering services related to flood mitigation alternatives in the amount of \$298,700.00

Moved by Councilor Battaglino to approve Resolution 63-2026 authorizing the City Manager to execute a Task Order with HDR Engineering, Inc. for engineering services related to flood mitigation alternatives in the amount of \$298,700.00.

Tyson Traw reviewed Wichita Falls' history of flooding, highlighted the community's long-term investments in flood mitigation, and explained that future projects will require state and federal funding partnerships. Mr. Traw stated the study will focus on the Wichita River and East Plum Creek

Emily Daniel, P.E., Certified Floodplain Manager, with HDR, outlined the firm's qualifications and summarized the proposed study. She explained that HDR will update the City's flood modeling using current technology, evaluate previous studies, and develop an implementation strategy that identifies funding opportunities for future flood mitigation projects.

Valerie Rhodes asked whether the proposed two-dimensional flood study would be limited to the Wichita River and East Plum Creek within the city limits, sought clarification regarding flooding in Wichita County and whether the County would be partnering with the City on the project, and inquired about the areas expected to benefit from the proposed flood mitigation efforts..

Pete Bolf asked whether the proposed study and potential improvements to East Plum Creek could address flooding conditions affecting his property and inquired whether FEMA was involved in the project.

Ms. Daniel explained that the study will evaluate the interaction of East Plum Creek, the Wichita River, and Holliday Creek to identify potential flood mitigation solutions. Mr. Traw added that if a feasible mitigation project and funding partner are

identified, the project could improve flooding conditions affecting Mr. Bolf's property.

The motion was seconded by Councilor Taylor and, with no comments or questions from the public, carried by the following vote:

AYES:	Mayor Short, Councilor Cobb, Councilor Flack, Councilor Browning, Councilor Battaglini, Councilor Taylor
NAYS:	None
ABSTAIN:	None

11a) Staff Update - Neighborhood Enhancement Initiative

Fabian Medellin, Director of Development Services, presented the Code Compliance Division's Neighborhood Enhancement Initiative (NEI), a proactive, team-based approach to addressing high weeds and grass violations in targeted neighborhoods. He reported that the initial effort on the East Side, covering approximately 3,000 parcels, identified 141 additional violations. Mr. Medellin also noted ongoing efforts to maintain City-owned properties, expanded use of third-party mowing contractors to expedite abatements, plans to integrate code cases into the City's GIS mapping system, and the initiative's future expansion to other areas.

Councilors expressed support for the Neighborhood Enhancement Initiative and emphasized the importance of community involvement in maintaining neighborhoods. Discussion included encouraging neighbors to assist one another, exploring public outreach and social media efforts to improve voluntary compliance, and engaging local landscaping businesses to help residents in need. Staff also clarified that adjacent property owners are responsible for maintaining the right-of-way between the curb and sidewalk.

Valerie Rhodes asked whether any of the newly identified high weeds and grass violations involved City-owned property. Staff responded that none were City-owned. Ms. Rhodes also encouraged residents to use the Access Wichita Falls app to report violations and suggested exploring volunteer or community partnerships to assist elderly and financially challenged residents with lawn maintenance.

Crystal Washington asked for clarification regarding the City's process for enforcing high weeds and grass violations, including notification requirements, repeat abatements, and the placement of liens on properties with recurring violations.

Rita Miller, Assistant Director of Development Services, explained that property owners receive notice and an opportunity to correct violations. If the violation is not remedied, the City uses a third-party contractor to mow the property and places a lien on the property for the associated costs. Repeat violations are also addressed, with additional charges and liens accruing until the property is sold or transferred.

Council Members asked additional questions regarding the timing of abatements, ongoing maintenance of repeat violation properties, and the use of third-party contractors. Ms. Miller confirmed that each violation is documented before abatement, properties are re-mowed as necessary when they return to violation status, and charges continue to accrue against the property.

5. Citizen Comments

Ronnie Baker expressed concerns about recent safety issues on the Circle Trail, including an incident involving a juvenile on a motorcycle that nearly collided with cyclists. He requested increased police patrols along the trail to improve public safety.

Steve Garner recognized the North Texas Home Builders Association for hosting another successful Parade of Homes and commended the participating local builders. He also emphasized the need for affordable housing in Wichita Falls, highlighting new residential developments offering homes at more attainable price points for first-time and middle-income homebuyers.

Jon Bradley, Legislative Director for the Wichita Falls Professional Firefighters Association, thanked the City Council, City staff, and community members for their support and attendance at the recent park dedication and renaming ceremony honoring Kelly Crush, stating that the event was well attended and greatly appreciated.

Al Vitolo, President of the Wichita Falls Professional Firefighters Association (IAFF Local 432), discussed the Association's independence from the City and the Wichita Falls Fire Department in response to recent allegations of misconduct. He stated that the Association's communications and political activities are conducted independently and emphasized the importance of due process, factual investigations, transparency, and the First Amendment rights of firefighters and Association members.

Consent Agenda – Items 6-9

Moved by Councilor Battaglino to approve the Consent Agenda.

The motion was seconded by Councilor Taylor and, with no comments or questions from the public, carried by the following vote:

AYES: Mayor Short, Councilor Cobb, Councilor Flack, Councilor Browning,
Councilor Battaglino, Councilor Taylor
NAYS: None
ABSTAIN: None

6. Approval of Meeting Minutes

- a) City Council, June 2, 2026

7. Receive Minutes

- a) Central Wichita Falls Neighborhood Revitalization Committee, March 3, 2026
- b) Wichita Falls - Wichita County Public Health Board, March 13, 2026
- c) Tax Increment Financing #3 Board, March 19, 2026
- d) Lake Wichita Revitalization Committee, April 14, 2026

8. Ordinances

- a) Ordinance 27-2026 canceling the regularly scheduled City Council meeting on July 7, 2026
- b) Ordinance 28-2026 making an appropriation to the Special Revenue Fund in the amount of \$195,281 for the Sexually Transmitted Disease/Human Immunodeficiency Virus Disease Intervention Specialists Contract from the Texas Department of State Health Services for Fiscal Years 2026 & 2027; authorizing the City Manager, or his designee, to execute all documents necessary to accept said funds
- c) Ordinance 29-2026 making an appropriation to the Special Revenue Fund in the amount of \$15,229.71 for grant revenue from the Texas Department of Transportation (TxDOT) for the Operation Slow Down 2026 Grant and authorizing the City Manager or his designee to execute all documents necessary to accept said funds

9. Resolutions

- a) Resolution 56-2026 authorizing award of 27 bids to various vendors for the City's annual supply of bulk chemicals for water and wastewater treatment in the amount of \$4,990,139.38
- b) Resolution 57-2026 authorizing award of bid to APSCO, Inc. in the amount of \$139,768.00 for the award of the City's estimated annual supply of water meter boxes and lids
- c) Resolution 58-2026 authorizing the submittal of a grant application to FEMA for the FY 2025 Fire Prevention and Safety Grant
- d) Resolution 59-2026 authorizing the submittal of a grant application to FEMA for the FY 2025 Assistance to Firefighters Grant
- e) Resolution 60-2026 authorizing the City Manager to execute a Construction Manager at Risk (CMaR) agreement with The Fain Group, LLC for the Falls Rehabilitation Project in the amount of 4% of actual construction costs
- f) Resolution 61-2026 reappointing Jeffery Jenkins to Place 3 on the Wichita County - City of Wichita Falls Hospital Board of Directors with a term to expire July 1, 2028
- g) Resolution 62-2026 authorizing the City Manager to apply for a Water Infrastructure and Supply Grant from the Texas Water Development Board in the amount of \$20,916,600

Regular Agenda

10. Resolutions

- b) Resolution 64-2026 authorizing the execution of an Interlocal Cooperation Contract between the City of Wichita Falls and the Texas Department of State Health Services for mobile food inspection services; authorizing the City Manager, or his designee, to execute all necessary documents

Moved by Councilor Battaglino to approve Resolution 64-2026 authorizing the execution of an Interlocal Cooperation Contract between the City of Wichita Falls and the Texas Department of State Health Services for mobile food inspection services; authorizing the City Manager, or his designee, to execute all necessary documents.

Samantha Blair, Environmental Health Administrator, presented the proposed agreement with the Texas Department of State Health Services (DSHS) to perform mobile food vendor inspections under House Bill 2844. She explained that the legislation establishes a statewide licensing program, limits local regulatory authority, and allows DSHS to reimburse local jurisdictions for conducting inspections. Ms. Blair stated the agreement provides \$26,801 for inspections, highlighted the public health benefits of utilizing local inspectors familiar with area vendors, outlined the City's outreach efforts to assist vendors with the transition to the new statewide licensing program, and noted the substantial increase in permitting fees.

Mr. Jenkins discussed how this is not an ideal situation and encouraged vendors to reach out to state legislators with concerns, and stated that the City is willing to work with state leaders to make this right.

Major Leal asked how this would affect non-profit organizations, and Ms. Blair stated that this topic is currently under review in Austin.

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

AYES:	Mayor Short, Councilor Cobb, Councilor Flack, Councilor Browning, Councilor Battaglino, Councilor Taylor
NAYS:	None
ABSTAIN:	None

11. Staff Reports

- b) City Manager Update
 - 1) Police Chief Search Process
 - 2) Communications Award

Jeffery Jenkins, City Manager, provided an update on the Police Chief recruitment process, encouraging residents to participate in an upcoming FlashVote survey and noting that finalist interviews, including a public meet-and-greet, are planned before a selection is presented to the City Council for approval. He also recognized the Communications Department, congratulating Chris Horgen and Samantha Forester for receiving an Award of Excellence from the Texas Association of Municipal Information Officers for the City's social media campaign, noting that the honor was selected from more than 700 award applications submitted statewide.

12. Other Council Matters

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

Councilor Cobb recognized Fire Chief Melton and the Fire Department for two recent successful cardiac arrest resuscitations and for their response to a structure fire that included the rescue of a family and their dog. He also encouraged residents to celebrate the Fourth of July safely and wished everyone a happy Independence Day.

Councilor Flack encouraged residents to stay engaged with the City by participating in FlashVote, using the *Access Wichita Falls* mobile app, attending the Citizens Academy, and applying to serve on City boards and commissions through the City's website. She also announced that she would host a District 1 Town Hall at 6:00 p.m. on Thursday at Lamar Baptist Church and invited residents to attend.

Councilor Browning wished Councilor Cobb a belated happy birthday.

Councilor Taylor recognized resident Desi for his service to the community and his willingness to assist neighbors, commended City staff for the new City website and its improved accessibility, and announced that his District Town Hall would be held the following Monday. He noted that the event would begin with a presentation on bicycle and pedestrian safety, followed by the town hall meeting, and encouraged residents to attend to share their ideas, ask questions, and meet with City staff and officials.

Councilor Battaglini recognized the volunteers and organizations that supported Adrian Colbert's youth football camp, announced upcoming community events including the Juneteenth celebration, the *Look Twice, Ride Smart, Save Lives* bicycle safety event, the Fourth of July Parade and *Fourth in the Falls* celebration, wished everyone a happy Father's Day, and invited residents to attend his upcoming town hall meeting on July 20.

Mayor Short wished Stephen Calvert a happy birthday, recognized the Fire Department for two recent lifesaving responses, expressed appreciation for staff's work supporting mobile food vendors, and thanked Desi for being a good neighbor.

13. Executive Sessions

- a) Executive Session in accordance with Texas Government Code § 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is

conducting economic development negotiations and/or to deliberate the offer of a financial or other incentive to a business prospect.(including, but not limited to, Oklaunion Power Stations LLC)

- b) Executive Session in accordance with Texas Government Code §551.071, consultation with attorney on matters 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.

City Council adjourned into Executive Session at 9:51 a.m. in accordance with the Texas Government Code §551.087 and §551.071, with no comments from the public.

Mayor Short reconvened the meeting in open session at 11:56 a.m. and announced that no votes or polls were taken.

14. Pre- Budget Workshop

a) Pre-Budget Workshop for Fiscal Year 2027 to confirm strategic priorities

Mr. Jenkins introduced the Fiscal Year 2027 pre-budget workshop, outlining the City's financial outlook, budget priorities, and timeline for budget development. Stephen Calvert, Chief Financial Officer, and Kaitlin LeVasseur, Budget Manager, presented an overview of the economic and financial conditions affecting the proposed budget, including the impact of House Bill 9 on property tax values, strong sales tax growth, inflationary pressures, and the City's continued focus on innovation and long-term fiscal sustainability. Staff reviewed the financial status and key priorities for the General Fund, Water and Sewer, Sanitation, Stormwater, and Hotel Occupancy Tax funds, including proposed investments in capital improvements, streets, utilities, public facilities, employee compensation, infrastructure, and long-term water supply. Staff also discussed the City's compensation strategy, employee benefits, revenue and pricing philosophy, and the proposed budget calendar. During Council discussion, members requested additional information regarding utility rate adjustments, property tax scenarios, and capital project priorities. Staff advised that final tax rate recommendations will be developed following receipt of certified property values and reiterated its intent to reinvest growth-related revenues into one-time capital improvements while maintaining long-term financial stability.

15. Adjourn

Mayor Short adjourned the meeting at 1:01 p.m.

PASSED AND APPROVED this 21st day of July 2026.

Tim Short, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

TAX INCREMENT FINANCING #4 (TIF) BOARD MINUTES

November 24, 2020

Members:

John Dickinson	◆Member
Tony Fidelie	◆Member
Ben 'Chip' Filer	◆Chairperson
Andy Lee	◆Member
Jeff Watts, Wichita County Commissioner	◆Member
Co. DeAndra Chenault, District #2	◆Council liaison

Staff:

Kinley Hegglund, City Attorney	◆Staff
Terry Floyd, Director Development Services	◆
Karen Montgomery-Gagné, Planning Administrator	◆
Christal Ashcraft, Development Services Assistant	◆

Absent:

Cynthia Laney	◆Member
Jeff Marion	◆Member

I. Call to Order & Introductions

Chairperson Filer called the TIF #4 Board meeting to order at 3:04 pm. Mr. Filer introduced members and staff. Guest, Jana Schmader, Director, Downtown Wichita Falls Development was also present.

II. Review & Approval of Minutes from January 31, 2019

Councilor Deandra Chenault made a motion to adopt the January 31, 2019 minutes. Mr. John Dickinson seconded the motion. The motion was passed unanimously.

III. Action Item: Proposal to Allocate TIF#4 Increment to Assist in the Creation and Development of an Indiana Avenue National Register Historic District and Historic Resources Survey

Ms. Gagné introduced the case and then turned the floor over to Jana Schmader, Downtown Wichita Falls Development Director. Ms. Schmader thanked the board for attending the meeting for their interest in creation and development of the Indiana Historic District. Ms. Schmader stated the proposal was seeking funding assistance from the TIF #4 Board for the creation of a new historic district in the core of downtown. The district will be bordered to the north by 9th Street, 10th Street to the south, the Ohio/LaSalle alley to the east and the alley between Indiana Avenue and Scott Avenue to the west. The proposed area is in both the Central Business District, as well as the TIF #4 District. The area consists of 13 separate buildings, 2 vacant parking lots and one City of Wichita Falls public park, Bud Daniels Park. The 2019 property assessed value of the proposed district was \$1,673,931.00.

Ms. Schmader advised the Board of many benefits of creating the proposed district, one being eligibility for federal historic tax credits and also state historic tax credits, which will allow for improved redevelopment opportunities. Another benefit discussed was historical tourism as well as an increase for new potential investments drawing new businesses to the area. Downtown Wichita

Falls Development, Inc. is requesting \$10,000.00 from the TIF #4 Zone and has a pending match with the Bryant Edwards Foundation of \$10,000.00. Projected expenses include a bid of \$18,500.00 from consultants, Post Oak Preservation Solutions in Austin, Texas to include historical surveys, photos, building history and other documents. A projected amount of \$1,500.00 for administrative coordination with Post Oak, City of Wichita Falls CLG representative and assistance with historical documents and foundation application/coordination.

Ms. Schmader gave a brief overview of Post Oak Preservation Solutions and their role in the project. She also gave an update on future projects in the Indiana Historic District, if it is approved. A retail mixed use/destination restaurant is projected at \$2.4 million for 1000 Indiana and the adjacent Filgo Building projected at \$500,000.00. Another property, 925 Indiana, Wichita Theater for a new HVAC and sprinkler system is projected to spend \$350,000.00 and the last example given was at 927 Indiana for mixed use/retail – restaurant, AirBnB units and downtown work/live apartments estimated at \$1.5 million for a total of \$4,700,000.00.

Chairman Filer asked if there were any questions for Ms. Schmader. No questions presented. Staff commented that after reviewing the proposal, along with additional information and research, they recommended the Board consider approval. Ms. Gagné indicated the project had numerous merits and if the Board recommended allocation of the requested \$10,000.00 it would only be approximately 4.4% of the current increment balance of \$226,713.77 and be a private project with a public benefit.

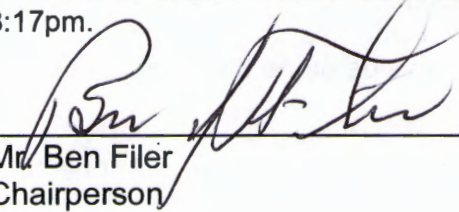
Ms. Gagné advised the Board the initial idea of considering the merits of enhancing downtown through special purpose areas such as historic districts have continued to gain momentum since 2008 when noted in the Vision 20/20 Plan. Recently the idea of expanding the Depot Square District/creating a new historic district, were recommended by the Historic Preservation Subcommittee during the Downtown Strategic Plan initiative. Ms. Gagné briefly recapped the estimated costs Ms. Schmader outlined to the Board. The basis for recommendation from staff was extensive, listing some of the key items as, economic development, preservation and the reduction in dilapidated structures. The proposal overall will have a positive impact on future business development downtown.

Chairman Filer asked if there were any questions from the Board for Ms. Gagné and complimented both Ms. Schmader and Ms. Gagné on the presentation and work put forth. He stated it was a very good investment with a good return, one of the best ones brought before the Board. Commissioner Jeff Watts made a motion to approve the proposal and Mr. Tony Fidelie seconded. The motion was unanimously approved. Ms. Gagné advised the two members absent wanted to make it known to the Board that the proposal also had their full support.

IV. Other Business:

- a) Roster – 2020 Updates
- b) Next Meeting Date
To Be Determined

Mr. John Dickinson made a motion to adjourn, Commissioner Watts seconded. Meeting adjourned at 3:17pm.


Mr. Ben Filer
Chairperson

7-8-2024
Date

Water Resources Committee Meeting Minutes

09/08/25

- 1) *Meeting Called to Order:* 3:05 PM
- 2) *Approval of Previous Minutes:* May 6, 2025
- 3) *New Committee members were sworn in.*
- 4) *Current Drought Conditions:* Mark Southard gave an update on the current status of lake levels, the Drought Monitor year-over-year (2024 compared to 2025), a prediction of lake levels, updates on the US Seasonal Drought Outlook over the next 3 months, the temperature and precipitation outlook through November 2025.
- 5) *Lake Kemp Raw Water Contract:* Russell Schreiber gave the Committee an overview of a raw purchase water contract for Waggoner Estates that would use water from Lake Kemp, which does include drought restrictions.
- 6) *Old Business:*
 - a. Glenn Barham asked Russell for an update on Lake Ringgold. Russell gave a quick update on the 404 permit and property access in the proposed lake bed.
- 7) *New Business:* None
- 8) *New Meeting Date:* To be determined, pending lake levels through the summer/fall months.
- 9) *Meeting Adjourned:* 3:37 PM

Approved and accepted on: 7/7/26

by:



Water Resources Committee Chair

Wichita Falls Water Resources Committee
July 7, 2026

Name	Organization	Phone Number	Email
Mark Southard	CWF	940-891-1153	mark.southard@wchikita.net
Russell Schreiber	CWF	761-7477	
Richard Milhollon	Shepherd & AFB	940 626 8691	richard.l.milhollon@us.af.mil
Heber J. Hargrave	BUT	940-766-0156	hargrave@BUTLFCAR
SHANE A. FITZHENRY	FERGUSON VERESH	940-781-7762	shane@fergusonveresh.com
Michael Smith	Board Member	540-791-9502	usfexsuper.smith@att.net
GLENN BARTHAN	Board Member	940-224-0758	barthanglen1122@gmail.com

LIBRARY ADVISORY BOARD MINUTES
March 17, 2026

MEMBERS PRESENT:

Amy Bobrowitz
Marianne Dowdy
Kristen Garrison
Jordan Jackson
Daniel Juarez
Betty Richie
Hope Whitson

MEMBERS ABSENT:

Zachary Carlton

EX-OFFICIO MEMBERS PRESENT:

Andrew Jelen

EX-OFFICIO MEMBERS ABSENT:

Alan Martin

GUESTS PRESENT:

Celena Bradley
Lauren Love

GUESTS ABSENT:

Robert Brooks
Kalee Robinson

Board President Daniel Juarez called the meeting to order at 4:31 PM. The Board unanimously approved the minutes from January 2025 without additions or corrections.

Mr. Jelen introduced Lauren Love, the new Children's Librarian. Ms. Love then spoke to the Board members about her background, her plans for children's services going forward, and some personal details about herself. Library Supervisory Celena Bradley also had positive impressions of Ms. Love as her successor.

Mr. Jelen turned the meeting over to Ms. Bradley to present the Library's recent application for a Community Development Block Grant to create a storywalk at Lynwood East Park. A storywalk is an outdoor installation where large frame are installed outdoor, usually at a park, with each frame holding an oversize spread from a picture book. Parents and children then

read the book as they walk through the park. The Library applied for \$8,887 to cover 18 frames at Lynnwood Park East. This part is in the middle of a residential neighborhood and has an existing loop trail.

Mr. Jelen provided the Board with an update on the new browsing bins to replace the straight-line shelving for the picture book collection. This project was supported in part from a grant by the Priddy Foundation. Library Interiors of Texas installed the browsing bins on February 17. Mr. Jelen and Ms. Bradley provided the board members a brief tour of the youth department to view the browsing bins and the new end panels as well.

There being no further business, the Board voted unanimously to adjourn at 4:55 PM.

Signature:  _____
Daniel Juarez, Chairperson

CONSTRUCTION BOARD of ADJUSTMENT & APPEALS

April 22, 2026

PRESENT:

Leo Lane	◆ Member
Anthony Inman	◆ Member
Michael Grassi	◆ Member
Pete Johnson	◆ Member
Rick Hernandez	◆ Member
Allen Moore	◆ Member
Ripley Tate	◆ Member
Luke Oechsner	◆ Member
Gary Oatman	◆ Member
Doug Marchand (Alt. 1)	◆ Member

Fabian Medellin, Development Services Director	◆ City Staff
Monica Aguon, Deputy City Attorney	◆ City Staff
Rita Miller, Assistant Director of Development Services	◆ City Staff
Craig Berend, Fire Marshal	◆ City Staff
Brad Scates, Electrical Inspector & Assistant Building Official	◆ City Staff
Brandon Petersen, Plans Examiner	◆ City Staff
Christal Cates, Neighborhood Revitalization Coordinator Planner II	◆ City Staff
Robin Marshall, Admin Assistant	◆ City Staff

OTHER ATTENDEES

Phillip Townsend, R.A., Appellant	
Amanda Chandler, Property Owner	
Larry Nelson, General Contractor	
Tanner Wachsman (CBOAA – Alt. 2)	◆ Member

I. CALL TO ORDER

The meeting was called to order by Chairman Leo Lane at 2:00 p.m.

II. APPROVAL OF MINUTES

Chairman Lane gave the board members time to review the November 10, 2022, minutes, and then called for a motion to adopt those said minutes. Board member Michael Grassi made a motion to approve the minutes as presented and Vice-Chairman Anthony Inman seconded the motion.

Chairman Lane opened comments to the public, and there were no additional comments.

Chairman Lane took the motion to vote, and the motion passed unanimously with a vote of 10-0 in favor.

III. REGULAR AGENDA

Chairman Lane noted that each side will have thirty minutes to make a presentation to the board. The board may consider evidence including; statements, documents, and other relevant material and information. City staff will present first, and then Mr. Townsend will make a presentation. After presentations, the board may sustain the approval, and reverse or modify the city's determination of the issue alternatively. Alternatively, the board may deny or reject the appeal and allow the city determination to stand.

The presentation was made by Director Fabian Medellin:

Director Medellin took a moment to introduce himself to the board members, and giving a little background about himself told the board he started with the city in the Planning Department eight years ago. He slowly progressed in positions in the Planning Department and was recently promoted to the position of Director of Development Services.

He stated, today we have an appeal to a determination by the Fire Marshal and our Buildings Inspection personnel with regard to chapter 14 of the 2015 International existing building code. This is in relation to a project at 5200 Henry S. Grace Freeway for an addition to an existing structure, an A-3 assembly use, known as the Pickleball Hanger. For those not familiar with pickleball, just think of tennis on a smaller scale, different rackets, slightly different rules and a different ball as well. He continued, the project is for an addition to the existing 11,606 (11,616) square foot building to add 11,937 square feet and essentially doubling the size of the building. Director Medellin then showed a map of the site itself, and where it is located within the city. It has frontages along Jacksboro Highway and US 281, just north of Rathgeber Road and just south of Kickapoo Airport as well. The board was then shown an aerial image of the property as it exists today, and Director Medellin pointed out that the building that is there was formerly a church, but Ms. Amanda Chandler went through the process of the change of use into the Pickleball hanger, and it has operated for about three years now. He then pointed out the building, the drives that come off of Jacksboro Highway and 281 frontage road that led up to the building.

Director Medellin explained that the addition, that was permitted, is just south of the existing building. He reiterated that there is a current permit for the project. The project was submitted to us in October of 2009. Staff reviewed it, approved it, however that was by a different professional than our appellant today. To get a scale of the building, additional pictures of the site were shown to the board, with one of the photos looking East at the building from Ditto Lane.

As he had mentioned, originally this project came to the city via a different architect, and those plans were reviewed and approved. And with those plans, part of the requirement was a suppression system. Director Medellin then showed the site plan by the former architect.

Currently in the existing building, there are four pickleball courts, so the owner would be doubling that by having four additional courts in the planned 11,937 square foot addition. Director Medellin pointed out the orientation of the site plan where the new building would be, as well as additional parking and circulation.

Director Medellin then gave an overview of the timeline, and why this meeting is being held;

In 2015, the International Existing Building Code was adopted. That was in December of 2015, and with that, there were some local administrative codes that govern the applicability of that International Existing Building Code. Then fast forward to October of this past year, plans were submitted and approved for that addition with a suppression system. However, in early January of this year, the property owner/business owner (Ms. Chandler) advised us that she had switched to a new design professional, Mr. Philip Townsend, our appellant, today. Shortly thereafter, a new set of code analysis plans were submitted to the city. And with those plans, the application of Chapter 14 of the International Existing Building Code. That chapter is more commonly known as the compliance method chapter. Director Medellin explained that it is a section of the Existing Building Code that allows for essentially a scoring of the existing elements of a building and providing a minimum level of safety with regard to egress and fire safety. It accounts for various different physical attributes of the building: height, building material, number of egress points, and any kind of existing fire alarms. He continued, stating that staff received those plans and began to review it. But then, it was determined by staff that that particular chapter is not applicable to that building. Staff then responded to Mr. Townsend. A few months later, after a couple of conversations and a couple of meetings with the owner to provide alternate options within the building code to allow for the addition, and a revision to the permitted plans. After that, staff received an appeal request, and then 20-plus days later here we are, to present the information to the board to make a determination on the appeal request. Director Medellin pointed out the section and the applicability portion of that 2015 International Building Code. Adding that this is, as it is, straight from ICC. He said, as you can see, there is a portion to be amended, that's required to be amended and showed a slide that read: **1401.2 Applicability** *Structures existing prior to [DATE TO BE INSERTED BY THE JURISDICTION. Note: it is recommended that this date coincide with the effective date of building codes within the jurisdiction], in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.2 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R and S. These provisions shall not apply to building with occupancies in Group H or I-1, I-3 or I-4.

* He added, when the city adopted the International Building Code, we had to make a local amendment to the 2015 IEBC just to insert that date of applicability. So, the city, with our adoption, selected 1945. Looking through historical ordinances between 1920 and 1945, that's really when the city began to adopt administrative processes and a standard for construction alteration of buildings, and various points in time. Staff believe that is why 1945 was selected.

With that, staff believe that our determination based on the year adopted going back to that 2015 code is 1945. Ms. Chandler's building was built in late 2000's, so then would just be subject to Chapters 3 through 13 of the International Existing Building Code that would require that suppression system.

A Commissioner stated he was having difficulty hearing the Director, so Director Medellin recapped what he had just explained.

Board member, Rick Hernandez asked, is it only for the addition or is there work inside the existing building that's also being done? Director Medellin answered that it is just the addition, the completely new addition. He continued by saying, the owner wanted one complete large open space just for some safety reasons. Pickleball, though it is on a smaller court, can be

dangerous. There is potential for injury. She wanted a big open space where you can see all 8 courts at any given point in time. And be able to respond if there is an incident. So, staff, during our review of the alternate code analysis, did propose to the owner a couple alternate options instead of suppression. Staff also offered the use of a firewall to separate those buildings. There are methods where you can still have openings or visibility. We also offered basically just detaching that and creating space between those where a firewall or suppression system wouldn't be required in either structure. He stated that staff received the appeal for the application right after that meeting.

Board member Luke Oechsner asked, when the 2015 code was adopted, why wasn't it that date? If that's the date that was adopted, the code and the rule, why wouldn't it be that date? Director Medellin replied, typically these are used for Chapter 14 for older buildings. Buildings that may be more difficult to modify or update. That is why the compliance method is used to look at what's the minimum level of safety. That's when our adopters looked at when did we really start to regulate what is safe, what's the standard. He added, there's a bit of a range there on when that happened.

Board member Michael Grassi asked, have you looked anywhere else in the state to compare what other municipalities do? The Director said, when it comes to this, no.

Mr. Hernandez said, he saw in the report from the city that a fire protection engineer was recommended. He wondered if that ever happened. Was a fire protection engineer ever consulted on this? Director Medellin answered, no, staff officially didn't review the actual analysis because we determined that it wasn't even applicable. So therefore, any comments or actual review of the performance compliance method itself wasn't necessary because we couldn't pass step one.

Mr. Grassi followed up by asking, do we add that requirement to the (unintelligible). The Director replied that there is a requirement, a performance compliance method, if used on an applicable building, it is to be submitted by a fire engineer. Mr. Grassi asked for him to expound more on why that would be required. Director Medellin stated that in his opinion, after looking through minutes and meetings, there is not a lot of information conveyed as to why. But just the level of technicality that would be needed to ascertain that bar minimum safety level. He then deferred the question to the City Fire Marshal Craig Berend. Marshal Berend stated that it is best that we always have a third party look at it as well, which we would take that into account.

Mr. Grassi added, it looks like we've made the code more restrictive than the national model with our selection of the date, plus the addition of adding a fire protection engineer. He said he is curious as to why. The Director said, reading the commentary it says that it is recommended that the year or date that those building codes are adopted by the city, should be used. That's why Director Medellin referred to that period when those standards started to come into play.

Mr. Hernandez said he has reviewed Mr. Townsend's calculations of the fire areas and said he thinks that is going to be critical in determining what the limitations are. He stated, while not being familiar with the plans, did I understand that there is no fire separation between the two buildings? And asked, is there any kind of fire separation or are they directly connected without any fire separation? The Director clarified that there is no separation between the two buildings.

Board member, Gary Oatman, stated that he also reviewed the plans that Mr. Townsend put together and also those that Mr. Koen had. He added that one thing of importance to be noted is that the south wall of the existing building is slated to be demoed. And in addition to that, there is another 50 or so feet of that section of the building that might have been an entry area that is also to be taken away, so they can put the new structure up against the other. So, the two structures will not be separated by any wall at this point, that's how the plans are drawn up at this time. Director Medellin answered that all is correct, and the entryway that Mr. Oatman is referring to has been demolished. There is a temporary wall to protect from the elements.

After no additional questions, Mr. Phillip Townsend came forward to present his case. He said he was going to give some history and said that this appeal has no merit whatsoever if you don't honor the rule of law, adding that this municipality is operated by the charter in the State of Texas. It does not exist without that charter. He added, it states (in the charter approved by the State when it was founded) that it shall have the express powers granted to it by the Constitution. Chapter 11, Article 5 of the Constitution stipulates that a municipality cannot modify its charter or create an ordinance that's in conflict with the general laws of this state. He said, now we fast forward into the applicable law. In 2009 in local government code 214.217, it stipulates that municipalities over 100,000 are permitted to adopt a building code based upon the format of the International Building Code and the National Fire Protection. There are only two codes out there like that. National Fire Protection had a building code that could be adopted, but only two municipalities in the entire country had that. That was Pasadena, Texas, and Phoenix, Arizona. He continued by stating, they have since gone to the IBC years ago. So now it's kind of monopoly. We could not collectively here, gentlemen, go together and say, hey, let's build a building code for Texas because it has to meet that format on a national level, not just local level. Multiple brains, multiple eyes, multiple thoughts. That's intended for adoption by local governments as law. That's the format that has to be met. IBC is that format. If Wichita Falls did not adopt the 2015 Building Code and the 2009 revision of the, of the Local Government Code, it would be the 2012. That would be the standard. Anybody below 100,000 cannot adopt anything different because the State's already adopted it. And on record, we saw this during the electrical fiasco a couple of years ago that did not follow suit in properly adopting, and they were enforcing electrical code since 2005 without properly adopting it until they found out they got caught. He said, we got to adopt it. And they went and adopted. I should have done my job better and verified it, but I thought they knew what they were doing. So, they had to come back in and TDLR came in and said, we have to adopt the latest edition of the code. Mr. Townsend said he called the president of the board there and said "I got a problem here." Local Government Code says that the— in 214.214— that the National Electrical Code is the code as it existed May 1st, 2001. Well, you go and look at the edition, it's the '99 Electrical Code. That's still on the books today. I guarantee you; we'll look at it, you'll see. It's still there. For municipalities under 100,000 now since '09, but before that it was the 99. He said they had this big powwow, and they brought in the guy on the screen from TDLR and he said, "Oh, we got to do the latest edition." Mr. Townsend called the president of the board, and stated that he was an electrical contractor at a Portland, Texas suburb of Corpus Christi. Mr. Townsend said, we got a problem. We got the electrical code here, we got the TDLR, we got the local government code here, two different dates. What's going on? We got a conflict. His quote was, we cannot enforce a city to adopt what we have to adopt. Mr. Townsend said he asked why, what's the problem? Because we have to adopt the latest code to test candidates. Well, of course that's the reason. That makes sense. Test candidates, you (unintelligible) to test them on an older

code, but the legislature says that the older code is what is applicable. Now we get to 214.2-17 in 2009. It says, hey, Wichita Falls, you're over 100,000, you're permitted to adopt something different. So, we go in there and finally adopt the 2017. When we roll back to the other side of the fence and get the building code, Building Code is permitted to be adopted. Mr. Townsend said he had to go back a little bit further and added that he thinks one member of the board would remember this event; probably early to mid-2005, 2004, somewhere in that neighborhood (He wasn't exactly sure which year). When I came across the 2000 IBC, it was just pulled together, all the codes pulled together, they edited something, 1,600-edits editing to create the IBC. When IBC was created and formulated, this was part of it. Mr. Townsend thought that's a pretty good tool. He said he started looking at it. Why is this here? Chapter 34 of the Building Code. He said he looked at it and saw what the preamble was to it, so he used it. He said he had a client that wanted to put apartments in the old 8th Street Coffee House, which I did. He stated that's where his office was. This was before it happened like it was. And he analyzed the building according to that standard. Mr. Townsend said it did not require sprinkler system. The city said a sprinkler system was needed. (Bobby Teague was the administer at that time.) So, Mr. Townsend appealed the decision. He contacted the National Institute of Building Sciences, because they're the ones that created this format. Mr. Townsend said, "tell me the background, what happened? I actually talked to the guy who actually was a greenhorn there when it started back in like the early '80s. He said it was a big project. HUD— now, National Building Sciences is not a government entity. They're a private business, but they create standards for buildings to be considered. It's a business for them. He said this was a big order by HUD so that housing projects can be rehabbed to meet life safety code without a lot of expense. We're talking about Chicago, Philadelphia, Baltimore. You get the picture. Lots of housing authorities need to be renovated. This provided an alternative means to address those issues. Okay, great. I got the background on it. I understood it now better in my dialog with him. Big project, he said. It was intense to come up with the matrix. It doesn't look like it, but that's what he told me for sure. So go through the appeal process. Well, similar situation here, different location. I presented— well, my mistake was I went first and not second. So, when Mr. Teague came up, he produced a letter from a staff architect at IBC. Now keep in mind, I am a registered architect, and that has its own provisions, and I'll get to that in a minute. He presents a letter from an IBC staff architect to say, "Hey, he agrees with me." Well, the board, I overwhelmed them with 30, 25, 30 sheets of paper of facts behind this. They couldn't absorb it in the timeframe allowed, so they tabled it. So I went back to David Collins, who was a code writer out of Cincinnati, Ohio, get his opinion on it. He couldn't get to it right then, we tabled it for a week. Come up 4 or 5 days down into the week, he was coming back to it. He saw the letter. I was just trying to get his input, get an angle on it. He saw the letter, called this architect's superior 2 levels up, an engineer at IBC, and rescinded the letter. Said it was sent in error. Based on my numbers presented, I did it correctly. David Collins agreed. He's a code writer, did it at that time over 15 years as a registered architect in Texas. 3 people. It's Bobby Teague." Mr. Townsend brought and presented that evidence at the second meeting. He said, "One allegation by an architect that was on the board then, well, Mr. Townsend, are you trying to get Smith Walker out of doing something? I said, whoa, wait a minute. I'm evaluating the building, not the individual. I'm evaluating the building. They were looking like I'm trying to get him out of something. I have a responsibility, and I take that responsibility very seriously. So, present the evidence to there. Well, Bobby, what do you think? They looked at him. You know what his answer was? Three people in agreement, boss of the architect, registered architect, and a code writer." He continued to say, "Bobby T, well, that's

just another opinion. That's another opinion. They voted in the negative. They denied it. Well, I told the owner, I said, well, we got an opportunity to appeal this decision. See the picture? So, he went around the next day or two and went to Bobby Teague. Asked Bobby, he said, how can we get around this? Well, just put in an R-13. That building was 6 stories. R-13 is allowed only up to and including 4 floors. But he, code official, had no training, no background, no authority outside the city limits. Oh, let's put in something that's not permitted by code. That's totally wrong. Guy abandoned the project. That's some of the background. That's when I started really looking at the application of this provision. This date put in in 1945 and the requirement for a fire protection engineer was solely done by Mr. Teague to prevent me from using it, because I was the only one using it at the time. Now, Mr. Fabian, I'm glad he read it, and recommended date to be matched to building code. Now, truth tell is, it bothers me as to why that's even in there if it's part of the code anyway, right?"

Mr. Townsend added, "why is Chapter 14 there differently? Because you got Chapter 3 through 13, has other levels of compliance, but this is an alternative measure that I used that is employable. But yet in the original document of the code, there's no date established. It says, "Recomiendo." But see, this is a code that's used all across the country. In Texas, that's law because it gives permission of Wichita Falls to adopt it, and when it does, inside this jurisdiction, it becomes a matter of state law for this jurisdiction, not just local, state law. But in any code, you read, you'll find the phrase, this code does not nullify any federal, state, or local law. There is nothing the city can adopt that will conflict with state law. But in Chapter 1 of the IBC 2015 and any other chapter, any other code year you want to go to, it has other codes, and it identifies that the provisions of the International Existing Building Code shall apply. It's adopted by reference; there is no need for adoption of that because it's part of the code structure. So, 1945 date is ridiculous, it's bogus, but looking at it, I found something else. You know, you go back and look at something. If you read it, if you got— I don't know if you— I guess you had a handout. I don't know. If you've seen it, you obviously had to. But in the preamble, there, when it says buildings prior to 1945, recommend to be the same year as the adoption, they have to parallel because he's referencing to the code. You don't reference Chapter 14 back to something that wasn't even existing. That doesn't make sense at all. But it says buildings prior to 1945 comply with the provisions of this chapter or 3 through 13. Can we really look at that and apply it? If you accept that lunacy, that error in an ordinance passed— you know, ordinance gets passed and it doesn't mean all ordinances are full proof. But as a matter of adopting that, which that's another means of the process of adopting it, I can't even use Chapters 3 through 13 because it says buildings this and this, prior to 1945. So now where do we go? No existing building code according to that ordinance. Read it, you'll see it. It includes both, not just one. Both. So, we have no measure of how we deal with existing buildings because at some point, like in— '09, they pulled Chapter 34 out to make the International Existing Building Code a separate code."

Mr. Townsend said, but now we took it and now we say we don't have a code because it's not even in the chapter. He then went to speak about going back to the sprinkler system and 903.2 of the International Building Code and Fire Code. (He said, Chapter 9, where required, has a preamble of that section to identify every occupancy. Adding, "do not confuse occupancy with building as they are two separate things.) He continued and said 903.2 says in new buildings and structures. He noted when you look back at code in 2000 & 2001 it says "in new buildings and structures." He said, "That maintained itself all the way even to today. The code writers

leave the word new. If it were meant to include both, it would say in new and existing buildings like it does the fire extinguishers, or it would say in buildings and structures, meaning both. But gentlemen, when it says new and doesn't include existing, I don't need to look at existing. Does not apply to existing. If it's in that category. There are some categories it already does, but it's not listed there. But we sit there and look at an '05, I guess, there's a black bar editing fire alarm systems. And it goes from 2001's in buildings and structures, and it added the word new to match the fire sprinkler system. Why is that? Why do they say that? Because it costs a lot of money to put in something in an existing building. It can't see, building code's blind. It requires me, a professional, to use that as the basis of design. It's blind, it cannot see, but it says it gives direction. So, it— so when you got an existing building, when I use Chapter 14, Chapter 14 says, okay, let's analyze the things that make this safety. Well, there's some things in there that don't even apply because it's not even a 2-story building, and floor-to-floor separation and that kind of thing doesn't apply, so the points are given. But you have other areas of points that are assigned that are a little bit flexible. So, I'm looking here, we do a baseline of where we are, we total up the points, and those points, okay, come up with a total. Hmm, I'm a little short, so well, if I add a door here or a couple of doors, I get to the point. If I don't have to do this, it gives me a shopping list." Mr. Townsend said, based upon economics, the preamble says without requiring full compliance of those chapters, it is an alternative means of safety that has been proven and kept on by the code writers. He continued by saying, "So it's a valid thing and you don't need a 1945 date. And if you apply that, well, then how can we use it today? Because the building code date was 2015. That building code date, 2015, can last forever and it'll still be a good code. Still be a good code. Oh, well, we got to update because it's out of date. No, it's not. You're saying that what we design right now is out of date, it's dangerous? No, it's not. This code can remain, but so does the alternative compliance. So now we get to a point where proper adoption of this code. I already told you that the front of it said adopted by reference. I've looked at several municipalities just because I don't care what other cities do, but there's none of them have a date on their adoption. It's because it's adopted by reference, part of the code. When they did the parent code, it went with it. I don't know why that's in there for other jurisdictions in Florida, Georgia, Wyoming, or I don't know. I don't care. Texas adopted it and says, OK, we're not going to go through and edit it like Virginia took the building code and edited it. It's the Virginia Building Code. It's IBC-based, but it's not Texas. They adopted wholesale and said, you figure it out. So, they adopted and put a wrong date in there. I'm going to tell you that ordinance was wrong. Now we get to the application of fire protection engineer. That was also added."

He said the reason it was added was because he was the only one using it, and the city took it away so he couldn't use it. No one hardly knew it or what to do with it, but he felt since he did, that he got penalized for it. Mr. Townsend continued and said "That's a tool to use for existing buildings. That's effective and makes the building safe. If it makes the building prior to 1945 safe, it'll make a building now safe for the same principles, same principles. Now we get to proper adoption. Everything in '09 that stipulates the adoption of codes or procedures, that includes forms, that includes anything that comes out of this Building Inspection Department, the state says must go through you guys. Y'all hadn't met in over 10 years by understanding. Not y'all personally, but as a whole, COBA (CBOAA). It comes through you. So, one day we have this electrical requirement, we need to turn on electricity and somebody's vacated the building and somebody might have taken a light fixture and left the wires exposed. Yeah, that requires an inspection. But when did it pop up? We need to have a drawing for the building. Gentlemen, I've been doing this since 1980." He stated that he has been in this business since

1980 and has been registered for over 35 years. Now, all of a sudden, he has to do a drawing? A gentleman from San Angelo tried to lease a space and wanted to get the power on. They told him he had to get a drawing of his building. He said he took it as it is and they got the power turned on. The city told him what to do for exit lights and egress lights. He stated they are not designers, and in his perception, they can't do this.

Mr. Townsend then said, "Section 214.217 says any policy, any procedure must go through you. I did one project in McKinney, Texas, a little coffee shop, no big deal. But I get 3 and 4 emails a year seeking my input on adoption change to a policy, a form, something to fill out." He said he wasn't going to answer it because he will probably never do another project in McKinney. He said, that's the way it's to be done, and added that you decide what happens based on a situation like this, not these guys. They can propose it, want to do it, but the board will have to approve it. He said the board is a quasi-government entity of the city, and that makes them responsible. Mr. Townsend spoke of the pre-development meetings that the city holds with clients. He was made to do one, and said on paper it sounds like a good idea. But when they start to tell people what to do in that pre-development meeting, his opinion is that it's practice of architecture. He stated, "They can't tell me anymore what to do. And if you're a mechanical contractor, plumbing contractor, telling you what to do your job. Your license to design your work. That's a fact. It supersedes my design because you're the gatekeeper of final installation. If I have something on my drawing that's not clear and concise and you install it the way I do and you don't agree to it, then you're violating law. You are required to install it as you see meet code because it's what you're licensed for. Now we get to the point of applicability of authority here. We got two different distinct professions, architecture and engineering. Chapter 1001, as an engineer, there's repeatedly— because of time, I won't be able to get into every quote here, but it'll state, and I'll be glad to visit with each and every one of you at length."

Mr. Townsend said, "Trust me, I've done my homework. I know what it says. I don't assume anything. I sought an architectural license for a certain reason, and then when I went in and looked at what the legislative law says, I go, "Wow, that's pretty important. I am a pretty important person." The legislature intended the architect to be the chief individual on the job. Now, Architect says examples like, "There's nothing in this chapter to prevent a person licensed by the state from practicing under the state's authority." So as a subcontractor, you have freedom to design your work. Well, you're not an engineer. You don't have to be. That right there alone is enough. Verbatim quote also says that the legislature intends for this chapter to be liberally complied with. Whoa, wait a minute. Strictly complied with, I should say. Excuse me. Why did it put that language in there? I have read several other professions, the accountant and doctor and attorney, just to compare. No language like that anywhere, but right there in the engineer, well, there must have been a problem back there. So, it directs the engineer board that this chapter should be strictly complied with. We get to the 5,000 square foot rule that everybody loves." Continuing, he said, "I'm going to say this, it's not a part of the agenda, but if you read the black bar right there in front of that, it says construction or repair of and plans for certain buildings. Oh, we've got to have an engineer over, not to slight you there, Gary, but we got to have an engineer when it's over 5,000 square feet. Well, by golly, if you're going to have an engineer, then that engineer needs to pull the dadgum permit and build the building because that's exactly what it says going into it. You don't cut off one of it and keep the rest of it. That's another matter, another day, but it relates. So, Chapter 1001.063, architects, specifically under subsection B of that chapter, is exemptions. You know what exemption is? Do I need to explain

that? No, I don't think so. You are professionals, you're educated people. Exemptions. It means that this chapter does not apply to me. This is an exemption. This chapter or a rule adopted at the date it was originated or anything in the future from that date, this chapter or a rule adopted under this chapter does not prevent or restrict a person licensed as an architect— it includes landscape and interior designers as well because it's the same board— from performing an act, service, or work as it's defined." Mr. Townsend said, "You can't regulate me. When I do architecture, I do architecture. Well, you know what you're doing is engineering. No, when architect does it, it's architect. When an engineer does it, it's engineering. H₂O and water, two different things, same product. When I do it, as long as I don't propose, oh, let me engineer that, I violated law. I fully understand that. I had two encounters, two complaints. One of them from this board here, Ricky Horton filed a complaint on me, engineer board. I sent a 45-page response. I'll be glad to give any one of you that response. Three years ago, another engineer, because I did stormwater detention. Oh, you can't do that. It's engineering. No, I'm doing architecture. Same thing. Two times, three and four years ago, zero response from the engineer board. Why? Because they have no argument. I took it away from them because that's what the law says. Gentlemen, I'm applying the law. In my experience, people don't care. I do care. I got a client that I'm representing for their need. And as I do anybody, I'm doing it with a passion. I earned my right to be who I am."

He stated that the legislature says so, and he is not going to give it up. He continued, "So now we get to the practice of architecture. We got— it says the practice of architecture, the definition is to prepare, plan, and control the preparation of. I control what happens to the architectural plans and specs that include all integrated building systems. Well, that's the architectural side of definition to include these things up here called— that's a system, isn't it? The air we hear, that's a system. Plumbing, that's a system. Well, that's engineering. No, it's not, gentlemen. It's an all-integrated building system for buildings, group of buildings, and environs. You know what the word environs is? Everything outside. Does that include drainage? Oh, we got to get an engineer. No, sir, we do not. I'm an architect doing my job. If I defer it, then it's me, not them. They can't tell me how to do my business. No more than they can you how to do your business. It's got to stop. Been doing this for a long time, putting up with this mess, putting up with this mess. So, we get into one other definition, ABCDEFGH definitions back in 2003. Establishing the practice of architecture. One of them says to determine the legal and natural constraints. Now, do we have to define what the legal is? Why do we have that there? Because it deals with building code. I determine, as an architect, the building code, not these people. They're not—it's not the state of Wichita Falls, it's the state of Texas. My license is from the state. It's really a de facto state agent. They said, OK, you've earned your right. Here's your license. You go out and do what you want to do, free agent, but you got to operate within these parameters. That's kind of the same thing. Well, how in the world does a city jurisdiction tell me what to do? Does that happen with a doctor? You imagine going to a doctor? Oh, we're going to do this surgery. Before I do, I got to go to the Harnett County Health Unit and get someone to approve it. Or an attorney, you go to an attorney. Well, we're going to go to trial. This is what we're going to do. Before I do, I got to get the law librarian to approve it. That didn't happen there because they're professionals in their duty." Mr. Townsend said that he has litigation recourse. The only thing keeping him from litigation is because he helps the small businessman – he said he helps small business to do what they can do. He added that he can do it in a manner of economics and not sacrifice health, safety and welfare. When he does that, he doesn't make a lot of money, that's why he doesn't hire an attorney.

With two minutes remaining for his presentation, Mr. Townsend said “we get to a point of legal and natural constraints, then we turn into another definition to provide expert opinion testimony as necessary.” He said his license afforded him the opportunity to produce the work he did, and stated that he doesn’t need to explain anything on it. The owner has identified him as their guy. He added that he doesn’t care what any other architect does, because that is their opinion and we have rights to opinions. “We have rights to opinions. You have your opinion against your other trades. So, there’s a history here and there’s authority here that’s not being recognized. This building has been analyzed and I did it properly. I did it submitting in accordance with law. Will testify to it. And in fact, this city cannot— we shouldn’t even be here. I’m only here in the appeal as a forum to get this out in the open. But if they actually followed law, how can a guy— all due respect, Mr. Brandon Peterson— he’s not an architect. Fabian’s not an architect. But you’re telling me what to do? Uh-uh. I’m responsible for the people I design a building for. That’s where it needs to go. This building is safe and secure. With the analysis I did, I did it properly. It could be challenged in court all day long. I’ll stand behind it. So, I’ll stop right there. I can go on and on, but you have any questions?”

Board member Allen Moore followed up saying Mr. Townsend, “this may or may not pertain, but Philip, you talked 30 minutes and you didn’t say one thing about that building to try to make me understand why we do it like it is. All you did was try to make all of us look dumb. You didn’t tell us anything about the building.” He stated that the board members are not fire experts and Mr. Townsend talked about how staff didn’t know what they were doing and what they couldn’t do. Mr. Townsend responded that it didn’t matter what he said about the building, he had to establish the authority behind the building, and the authority behind what he did and why he did it. If he couldn’t make it, he couldn’t make it.

Chairman Leo Lane opened the floor to comments to the public, and then to staff and the board members.

Fire Marshal Craig Berend came forward and stated that staff did not take this in because of the date matter, adding that is his number one point. The ordinance was passed in 2015, however, Marshal Berend did do a cursory look at the numbers and he found some discrepancies. He included the math and what his opinion was in the handout that was given to the board. He also reached out to a code company in Fort Worth, an independent group. He wanted to get an independent third party and their findings which are in the handout as well. Marshal Berend pointed out that they don’t deal with this compliance method that often. But we did the math and then the third party did the math as well, and we are in agreeance on that issue. Technically we didn’t even accept it, so he didn’t look at it.

Mr. Townsend responded to talk about the building. The building was an addition. The structure has to comply with code, but the environment is considered an extension of the existing building. There are provisions in there for that area of increase, separations, etc. All have been now analyzed and have been assessed. He added that there is not anything in there that has a fuel load to it. It is concrete and bare walls with four pickleball courts, saying that’s just common sense. The sprinkler system is point-valued addressed in that evaluation. He felt there wasn’t much he needed to say about the building and added that the board members saw the pictures. He felt he had to give the board the facts of why he did what he did. He said they have to recognize what the law is, adding that’s why when he says he presented it as fact.

Mr. Townsend said if other architects don't agree with him, they don't have to. You are an individual. He then asked Marshal Berend who he had dealt with in Fort Worth regarding the code, the Marshal responded that it was Metro Code. Mr. Townsend said he has dealt with them before, and they aren't architects.

The owner of the property, Ms. Amanda Chandler, came forward to make a statement to the board. She stated that the building is a concrete slab with tin walls and a couple of bathrooms. There is absolutely nothing in the building. Adding that they don't serve food, there are not any ovens or stoves. They have air conditioning units that are on the outside of the building. There are plenty of doors, and by the time a fire would get up to the very high ceiling, everybody would be out. She noted that she is medically trained. That's a point as to why she is opposed to the wall. If someone needed help medically, and she was on the other side of the wall, she wouldn't be able to see or hear them. She felt that if it was unsafe, she would fix that because she does not want to be in a building that is unsafe for people. She noted what her business has done for this community, and has helped people with heart issues, in losing weight, and people have made friendships. They have brought a community together and she is expanding it because it is growing. She is not there just to go against everything. She stated that she feels it is an unnecessary need and an unnecessary expense.

City Attorney Monica Aguon introduced herself to the board. She wanted to address a few comments that were made to the board today.

With regard to the practice of architecture, she said she is aware of the portion of the State code that references that definition under Section 1051.001, Sub 7 and Sub D. The practice of architecture, the term includes, in A through H, programming for construction projects, including identification of economic, legal, and natural constraints, and determination of the scope and spatial relationships of functional elements. She noted a quote; but identification being different from making the decisions about what those consequences will be. Since the practice has come up, she wanted to highlight that for the board.

Attorney Aguon said the other major issue is there is talk about disputes with regard to professionals. Lawyers are notorious about disagreeing, right? There are mechanisms for citizens and legal entities to challenge the lawfulness of any law. She pointed out that this is not that venue and added that those need to be properly filed and fully litigated in court. For today's purposes, the board may rely on the code as it has been adopted with City Council action. She stated that she does not know the history in terms of why the year was chosen, but for our purposes today, there is a separate way to challenge whether the law was procedurally, and properly, adopted. She added that even those substantive questions – should a person without the professional credentials that a code compliance officer, and architect, and engineer, all of those substantive questions about who is qualified to make which determinations – all of those may be challenged in court.

Attorney Aguon and told the board, for today, they can rely on the laws. It has been codified. She stated that not all ordinances are foolproof, but when they are adopted and not challenged in court, you may rely on those. She then asked the board members if they had any questions about the law.

Mr. Oechsner asked if this meant they couldn't make any determination on this? She replied, you can apply the law as it exists. In terms of whether the board would see fit to change the applicable date from 1945 to something else, making it more or less restrictive. Any of that action needs to come through council, or alternatively, it needs to be litigated in terms of whether it was procedurally inadequate by the way it was adopted back in 2015.

Mr. Oechsner said that he assumes the buildings downtown were built before 1945, and that is probably the highest risk of safety issues for the public. (Ineligible comments between Mr. Oechsner and Marshal Berend) He continued, and said he assumes the downtown buildings are the highest risk that Wichita Falls has. He was saying that basically, the city can bypass some of this stuff and determine that a metal building out on a highway was unsafe. Marshal Berend stated that he gets what Mr. Oechsner is saying, but it is more than a metal building, and once you label it an A-3, there's other occupancies that could be in the A-3. The Marshal commented that he hopes the pickleball court works out, but it may become a church or a dance hall someday... Mr. Oechsner said, "but then they would have to apply for a permit to change it. Marshal Berend stated, no, being an A-3, the new owners wouldn't have to go through that. You would then have an almost a 24,000 square-foot dance hall. Mr. Oechsner replied that doesn't make sense, that 1945, when you're putting these buildings that were probably never safe... Marshal Berend stated that was the Council's decision eleven years ago.

Chairman Lane said he thinks most of the downtown buildings that are being rented are getting fire sprinklers, even the smaller buildings. Marshal Berend agreed.

Attorney Aguon wanted to state that, procedurally, in terms of what we are here for today – with the appellant putting forward the appeal, the motion would be whether to sustain his appeal and rule in his favor, or to reject (or deny) his appeal and let the city's determination stand. Chairman Lane reiterated that the board is not changing the law, they are only deciding whether to accept the appeal or not.

Mr. Hernandez stated to Attorney Aguon, knowing that Mr. Townsend is a registered architect and has been in practice for a long time, the way (Mr. Hernandez) regards the responsibility is that in the event that a catastrophe was to happen, he (Mr. Hernandez) would take that responsibility upon myself, because he agrees with Mr. Townsend, that they are the design professionals. Mr. Hernandez said he would not put the blame on the city unless they held his hand to enforce him to design it and construct it in a certain way. He asked if that discussion has ever happened, and added that a design professional, as far as he is concerned, could not point to the city and say, they made me do it – unless they actually forced or denied a permit because of that. Attorney Aguon was trying to understand the question correctly and said we aren't here to discuss fault in the case that something happened, and added that her understanding of the point of the adopted codes are that experts of all sorts have weighed in on them from all over. In terms of liability, she doesn't have the history with the board to offer any comment on a conversation like that. Mr. Hernandez said (from Mr. Townsend's standpoint that is the way he feels) anytime he takes on a code study (and he feels Mr. Townsend did a very thoroughly) that he (Mr. Hernandez) is accepting of that responsibility. Because if there were no city that a permit would have to go through, then ultimately, we are the ones that are liable.

Attorney Aguon followed up saying she understands that Mr. Hernandez is coming at the question with a similar professional perspective, but her purpose today is not really to comment on the merits of that, but only to encourage all to review the law as it stands. Mr. Hernandez re-

stated that he thinks the design professional would be on trial if an incident were to happen, not the board or the city. She said that it's maybe not a good platform for this (because of something recent).

Mr. Hernandez then asked Mr. Townsend, knowing we talked about the options that the code allows (noting that he is sensitive about the cost of the sprinkler system), but the code does allow for separation, right? Mr. Townsend agreed with that. Mr. Hernandez continued and said the project could always be approached from that perspective as an option for compliance, and that it was considered. Mr. Townsend answered that Chapter 14 was the one that was utilized. It provides extra egress, with a door on the new addition about 45 feet away from the net, so people can get out pretty quick, and he feels quicker than the other end.

Mr. Hernandez did his own research on assembly occupancies where catastrophes happened, where a building with a high occupant load had an event where people got trapped in there. He noted keeping in mind that people sometimes carry personal belongings. In a seminar that he went to he learned that people are fuel for fire, their clothes, and their personal belongings. He said when you pack people into an area, that is what the risk is, adding, that without any kind of exits being restricted.

Chairman Lane said that they will have a period of discussion for the board members and asked if anyone else from the public wanted to speak. Mr. Larry Nelson came forward and stated that he is the contractor on the pickleball project. He felt that if there was a fire, once the alarm went off the sprinkler system wouldn't do any good anyway because everybody would already be out because of the doors all the way around the building. He said there is nothing combustible in there. Adding that what Mr. Townsend is doing his part of the law, it's an alternate compliance for that. Mr. Nelson said the board should have gone out to the site to see it, he feels with the garage doors opened up everyone would get out. The alternate compliance said 45 feet, and said some of them are less than that.

Chairman Lane **closed the public hearing at 3:08pm**, and opened the discussion up to the board.

Doug Marchand asked board member Gary Oatman if the project could be done with breakable firewalls, that would expand so they would still have the view and/or could they increase the egress? Mr. Oatman answered and said he is a structural engineer, not an architect, so it is out of his normal dealings, but there are a lot of options that they could come up with that would include some type of firewall – whether or not it had visible openings or doorways that automatically shut. He stated that he goes into plants often that have fuses on the doorways, that in case of a fire will shut a door and close off an area. Mr. Oatman said he went to the site to view what was going on there and stated that he is familiar with the building because he had been there when it was a church about ten years ago. (The entire interior of the pre-existing church has been demolished since then.) He agreed that there is a very limited area in the building that is flammable and said that one would be hard pressed to try to light a fire in there and keep it going. He then noted that there are no restrictions on the number of people that can get into the building, and they bring their personal belongings with them. He pointed out that the only equipment there is heating and air conditioning equipment. Mr. Oatman recognized that they provide an extension of recreational opportunities in Wichita Falls, and the business draws people in from out of town. He would hate to see the board come up with restrictions to prevent them from operating, but he stated that he also knows that in the long run you set a precedent

here when you go around our building codes. He feels bringing this before the board is the right channel, and the board has a responsibility to meet and keep up with those codes. He feels the board should take a look back at some date issues to see if they should make some changes to that. But that's not to happen today. He added that he thinks Mr. Townsend brought up some valid points and appreciates him being there and speaking his part.

Chairman Lane commented that before 9/11, there was never a loss of life by fire in a fully sprinkled building, and that is testimony to what they can do. He explained that it's not just the occupants of the building. On a Sunday, with cars in the parking lot, people are about, there's a fire in that building and it's full of smoke. Then our first responders go in there. The first responders are putting their lives at risk too. He said so, it does make sense. Yes, everybody can get out, but at some point, those first responders are going to go in there – in that building-and looking for people. He noted that when our public library in town had a fire, we had firemen killed that went into that building to save people's lives. (Adding that happened before we had codes and sprinklers in buildings.) But that is another thought that the board needs to consider in their decision.

Board member Gary Oatman asked if there were any occupancy restrictions on certain buildings, that if the Pickleball court had an event in the building that might attract a few hundred people (not just the normal 50-60 people to play pickleball). Then he asked if there are any type of codes that allow for specific use of the building. Marshal Berend said there are different types of assemblies that have different types of breakdowns. An example that he gave was a 12,000 square foot restaurant that can have over 100 people has to have suppression. A 100-occupant load is for all new construction. Mr. Townsend came to the microphone and said, in regard to occupancy, there is two things. One, you have the unit per area based on that. You also have an exemption given that for actual use, that's not always accepted but it is in the code. He said the primary thing is a unit of measure per person. A non-sprinkled building you have 0.25 inches per person. At 500 people, you need to have 2 exits minimum. That is in the code and is stated in the chart. But that width may be different. He added, if you have a pair of doors, and a pair of doors, that's one exit – not four doors. The width of it is aggregated with the total thing. On a sprinkled building, you only need 0.2 inches per person. The exit egress distance for a sprinkled building is 250 feet. The exit egress distance allowed in the corridor for a non-sprinkler building is only 200 feet. He said, you only get 50 feet more on a sprinkled building and added that he would think you would get twice that amount in a sprinklered building. Mr. Townsend finished by saying, "That's the ratio. So yeah, there is ratios and whatnot, but they also can, you know, as long as the exit egress, and there is plenty of doors here, that total aggregate of doors, you can add that up and they can tell you what the occupancy of the building could be to handle it. The building code always looks for occupancy first to make sure people can get out. That's what the emphasis is."

With no further questions or comments, Chairman Lane asked if there was a motion.

Board member Anthony Inman made a motion to deny the appeal, and Chairman Lane seconded the motion.

Chairman Lane took the motion to vote, and with a vote of:

3 – In favor of the motion (Lane, Inman, Oatman)

6 – Opposed (Johnson, Hernandez, Moore, Tate, Grassi, Oechsner)

1 - Did not vote (Marchand)

The motion did not pass, so Chairman Lane asked for another motion.

Discussion between board members began again. In reference to Mr. Marchand's question whether Mr. Townsend was given options, Mr. Inman said he had done some research and had spoken to other design professionals and added that there are a lot of options for the question brought before them today. Physical separation between buildings, fire-rated walls, shrink the size of the addition slightly – lots of options, but the question of the day is – will we exclude the building from fire protection? Will we go around the code? He said there are a lot of options, that's just not what's on the table for discussion.

At this point, Mr. Townsend went to City Attorney Aguon, and she presented his comment to the board. Mr. Townsend said that one of the members is currently receiving payment from a city contract with the city. That would be a conflict of interest. Attorney Aguon asked Mr. Inman if you had a conflict of interest, by being under contract with the city - is there any contract? It was asked of Mr. Townsend, because he is working on building renovations for the city? Mr. Townsend said yes. Attorney Aguon continued, and asked Mr. Inman if there is any conflict that needs to be addressed with regard to this particular matter? Mr. Inman replied, "I don't believe so." Attorney Aguon then asked Mr. Inman, since he is working under contract for the city, for building renovations, do you think that this affects your ability to judge this matter fairly, and Mr. Inman said he doesn't think so, adding that he can still be objective. The last question to Mr. Inman from Attorney Aguon was, is there any financial interest that needs to be shared with regard to this particular matter? Anything else that needs to be called to the attention of the public or Mr. Townsend? Mr. Inman replied, "I don't think so."

Mr. Marchand then asked Director Medellin and Plans examiner Brandon Petersen, if they had walked through the process of options with Mr. Townsend? Director Medellin said yes, staff did have a meeting with the property owner and Mr. Townsend just to provide those options. This was shortly after the determination letter was sent to Mr. Townsend. This was just to bring the owner and Mr. Townsend in just to advise of other options and opportunities to explore. But the owner was really interested in that open concept for safety reasons.

Mr. Townsend responded and said the optional firewall is an option, so is Chapter 14. There are other possible other options as well. He added, those are options. It's not one that I chose to use or employ because the legal premise is there, Chapter 14. So, he was applying that option as the means of doing so. Adding, they have plenty of exit egress to protect health, safety and welfare of the public. It's not just the fire department. He said they fight fires and go into structures all of the time not knowing. He said, that's great to recognize (the firefighters' safety) but asked if the people actually using the building, are they safe – which he answered his own question with, yes. He stated that there are no combustibles, concrete floor, bare walls, a net in the middle of the floor and they have six doors to get out. Every court side has a door 40 feet away from it to get out. That's safer than the other side was, and it was cleared exemptions as well, using the same methodology of using it. A question about occupancy was asked of Mr. Townsend, and he said, "if you total up the 3-foot doors times the distance and you multiply that out, that'll give you the occupant load that you can have on that half of the building. That doesn't

include the whole building because there's other doors. So, all the doors aggregate together by its width determines the actual occupant load that those doors will handle. And if you need more doors, you put them in. That's okay because it allows that. You can have more doors than needed. If they are a door, they need to be identified as an exit. Anytime you have a door greater than what you need, I need 3 doors, well, I got 5, well, those, all those extra 2 doors need to have exit/ingress identifier. They need to operate and function even though they're not required. So, every door has to have an exit to it, every door has to have a panic device. Whether it's 1 door or 10 doors, People are getting out. But we got more than enough to accommodate an anticipation of, yeah, what, a couple hundred people? Don't know. You go by Cheddar's; they are exceeding their occupancy all the time. Because they're out in the foyer waiting outside, waiting in the foyer, you know. And you have the assembly occupancy is the only one that has it required to have a label to it, how many occupants. To count. And nobody does that. Okay, that's the only responsibility of the owner. But this building would accommodate the number of people greater than what a normal use would be. I can't, you know, figure out people waiting, 2 per court per side, and then staged, you know, by reservation. But if they use it on the weekend, on the maybes and the whatnots, That's everywhere. You can have that, you can place that everywhere, I don't know. But the deal is the doors are there. I can give you that number separately. I'll have to go back and total it up, and I can give you the number of what the actual capacity could be. Exit/egress distance is well below the 250 to 200 feet."

Mr. Grassi asked Marshal Berend who calculates the occupancy load, Marshal Berend replied that the architect, Mr. Koen, turned in an occupant load, and we didn't argue it because he – Mr. Koen, the previous architect – specified a sprinkler system and a fire alarm. Marshal Berend stated, however, we do calculate and... (Mr. Grassi asked) ...it's your office's responsibility to enforce an occupant load? Marshal Berend replied, yes, we write citations for that type of stuff. Mr. Grassi asked if there was any discrepancy in Mr. Koen's and Mr. Townsend's occupancy – and said he didn't see that in the notes. Marshal Berend responded; Mr. Townsend never turned in an occupant load. Mr. Townsend said, "To answer his question, he's there to enforce it, he's not there to design it. He doesn't have the capacity to design. Anyway, anyone up here could probably apply it, but legally, by law, you don't. That's what the health, safety, and welfare that an architect fundamentally does is to determine that and determine that exit egress. I've done my job. I presented it. And if somebody does get hurt and injured, then litigation would be on my shoulders, not anybody else's. I think that's what Mr. Hernandez was trying to get to. I have responsibility. I have done my job correctly. You got to be able to accept it. The staff does not have the ability in a legal sense to do the occupant load. It's there in the building code for me to apply in design. I know how many doors I need. But you can't go through a pre-design and say, "Well, we need this, this, and this," because then they're designing it, not me. I use the tools that are available to me in accordance with law."

Chairman Lane stated that they were moving on to make a motion. Mr. Hernandez said, "I want to make sure that everybody understood how we're voting on it. Okay, when we voted earlier, the motion was to approve the appeal, or deny the appeal. Okay, and so just to break that down does that mean to deny the requirement of the sprinkler system?" Director Medellin clarified, "The appeal, if denied, would then reaffirm the city's position on the applicability of Chapter 14." And added, "if you approve the appeal, then you're saying that Chapter 14 is eligible for use."

Mr. Grassi said, irrespective of the 1945 date, it is a viable pathway, and Director Medellin said that's what we are here for. Mr. Grassi followed up and said, "That's the hang-up for me, is it? Irrespective perspective of 1945, there is an alternative pathway to achieve compliance." Mr. Inman replied that there is this code about existing buildings, and that's when you normally design a facility, but there is a process for butting up to – and this is a relatively new building (2009). So, the city doesn't have to choose to adopt that existing building code. There is already a path through the IBC to add on to new modern buildings, so the city can choose to adopt. Mr. Inman added, they are trying to be more open by adopting this existing building code, but it is an add-on feature. We don't have to use it. The state code is 2015. If you have a building and you add on, there are lots of options, but not sprinkling it opening it up to 24,000 feet (*square feet), that's not an option under state code. If this board chooses to move forward with this, the City Council will still have to approve this. Mr. Inman feels they will deny it because it can't go against State law.

Mr. Grassi asked if Mr. Inman was saying the International Existing Building Code is not an approved code? Mr. Inman responded, no - the IBC is the State law for the whole State of Texas. Wichita Falls can choose to go stronger or more lenient, and there is already a provision in there for additions to modern buildings. The city can choose to adopt this existing building code, but they don't have to. The other one is made for old buildings, like downtown. They were trying to be a broader umbrella when they brought that in to be more lenient. Mr. Grassi said, "but it is a valid code, that we've adopted, but we added criteria to it to exclude a certain year date of building."

Mr. Inman stated that he thinks a big piece of this is that this is a new building, less than 20 years old. In adding the addition, we can't say how the building will be used in five years, and if it's an A-2 or A-3 assembly building. If this goes back to a church, or a bar, whatever the use will be – and if there are 300-400 people in there, and we have said we are okay with no sprinklers – we don't get any choice in the future use.

Mr. Tate asked if the board could put some restrictions on that. He said there are codes, dates and interpretations, where is the common sense? If you can cram 1,000 people in that building, that's not going to be safe. But we are trying to build a pickleball court, four courts, metal walls, and a concrete floor. There is not much that is flammable. He said this is a prime example of why Wichita Falls continues to be stagnant. If you put a bunch of people in that building, and it's unsafe, could the board put some restrictions around this particular deal that says if you go above this then you are in violation, and we need to come back to the table and put a suppression system in? Or if there is a change of use for the building, make them change the use, and then require them to have fire suppression? He said this is an example of why developers won't come to this city, because of the nonsense that goes on, and complete lack of common sense. Mr. Tate showed frustration and said, what kind of growth are we getting out of the city? This is just causing stagnation and it's appalling. He said it makes him sick to be a part of it.

Mr. Townsend wanted to respond that the reason he brought it up was because of the 1945 date, so the board could address it. He said if it changes to a dance hall or something else, then the code would be applied to that occupancy. You can't forecast what it will be and what it will not be. It is what it is until it changes. When it does, the code will be applied then. He continued and said "when you talk about the state code is for people who exercise adoption of

100,000 population or more, it's the 2012, not the 2015. IBC is the standard in the city of Wichita Falls. They can't go below 2012 because that's the new code, right? It used to be the '03. So, but when you look at its adopted by reference under Chapter 1 of the IBC. You say, well, on Chapter 14, 1945 for this section, you can't forget it also applies to Chapters 3 through 13. So now we have no existing building code. The primary building code, that's the reason why this was pulled separate. It used to be in there. This is separate. If you don't have this, you don't have no existing building. However, 903.2 says we're required in new buildings and structures. So, it covers it there anyway if you want to do that. Example. There's your way out if that's what you want to apply. In new buildings, this is not a new building, it's a new structure applied, not an independent structure, it's an extension. Code looks at it as an extension of the existing space. That's why it's evaluated the way it is and given credit. As long as it's safe, it meets those measures, and it does, then it's okay to be. If it changes to something else, it changes under what it's going to be, because nobody knows what it'll be. That's just to be correct there, okay? Now, I'm going to submit, and I'm hoping this is the last one, but a 1945 date is on the table." He added, "the reason why I brought it up, because it's not a legal application. I hope I presented that. But your vote on this, on practicality, to accept the appeal for not requiring sprinkler systems because it was duly done. So, let's take a date, take that date out and do something else. It still applies. Put a different date in there, still applies. Put today's date in there, it still applies. Doesn't matter what the date is, it still applies. But it doesn't have to have the date in there to begin with. But if we don't, if you can't use 14 for buildings prior to 1945, then you can't use 3 through 13, because they go together. Look at the paragraph. You can't scratch one out. Now you go back to the building code where required in new buildings and structures. It's not intended for existing buildings. This is the extension of the existing."

Marshal Berend spoke up and said, I think the issue here is the date, 1945. That's what the city council established 11 years ago. That's what the crux of the matter is. I have a hard time picking and choosing which ordinances and which codes I want to follow. Seems to me the ordinance is there, that's what we're supposed to follow. And there's a different route in order to change that ordinance. And Chapter 14, it may apply if the year was different, but even if it did apply, the largest the building can be sprinkled is less than what he's saying it is. I'm sitting here saying that I don't agree with his math. We can, we can sit here and do the math right now. I don't think y'all want to do that, but this is important.

Mr. Townsend responded, "Where does my standard as an architect prevail? What good is my license if you have authority over me? It doesn't. My license allows me to do what I did and it is true and correct, and I'll stand up in court and testify to it. And that has to be accepted. That's the problem, not accepting what an architect does. Mr. Hernandez is correct in that. I have authority that's not being recognized. That's why I get passionate. That's why I get a little upset. You look at me like I'm a crazy guy. No, I'm being denied my right. And you sit there and debate. You look at practicality; you look at common sense. Mr. Ripley, common sense, yes.

Director Medellin spoke about the question if the board could set a lower occupancy load and then, at a future date, change of use and re-assess? He said essentially, no. The way it is calculated, Mr. Townsend would calculate based on square footage, specific use, use classifications. That occupancy load would follow through as long as that use classification is in place. So, pickleball court, nightclub, so on and so forth, that number would remain unless there were changes to the actual floor plan or specific use calculations. Mr. Townsend stated that he will provide the exit/egress occupancy requirements. Director Medellin continued and

said to the question of can the Marshal set a lower number, unfortunately no, he cannot. Our ordinance prohibits them from setting a lower occupancy load that would be calculated by those life, health, safety plans or in contradiction to those life, health, safety plans. Mr. Townsend asked if the Director could provide that information to him, and Director Medellin said he could.

Mr. Oechsner said that he is an electrician, and he works in the city limits and outside of the city limits. When he has someone say, we don't have to have inspections done because we are out of the city (in the county), Mr. Oechsner tells them that has nothing to do with the way he wants to do his work, because he wants to do it correctly, and protect himself because it's his business/his family/his workers. There is a lot at stake for him to do something dangerous, to potentially get someone hurt and be liable. He defaulted that the most important is the licensed professional doing the work because they have the most at stake. The city inspectors do a great job, but they are only there 2,3,4 times, they don't see 99% of the installation. He said he thinks the board should approve the appeal because he has taken his liability on it.

Mr. Hernandez asked Mr. Townsend if the plans require a sign to be placed showing the maximum occupant load? Mr. Townsend said he "doesn't know if he had included that at this point, and assembly occupancy should have that." Mr. Hernandez said he believes it is required to post what the maximum occupancy load is. Mr. Townsend responded, assembly it is, but it is not required in other occupancy. Mr. Hernandez said, which in this case it is. Mr. Townsend replied, "I didn't even address that, you know, the occupancy at that time with Mr. Koen wouldn't have changed much. Okay, because it's the same footprint, but You know, we added some doors to even allow to maintain that occupancy. So, he should have established an assembly occupant load at that point in time. But taking the architect of record down, yeah, I will provide that to Mr. Fabian." Mr. Hernandez added that he would recommend that a sign be placed inside the building and of course the owner has liability in that too.

Mr. Moore made a motion to approve the appeal, and Mr. Oechsner seconded the motion.

The Chairman took the motion to a vote, and the motion was approved with a vote of:

6- Approved (Johnson, Hernandez, Moore, Tate, Grassi, Oechsner)

4 – Objected (Oatman, Inman, Lane, Marchand)

Chairman Lane made the following statement: "As legally required by any appeal of this decision by the Construction Board of Adjustment and Appeal, must be timely filed in a court of competent jurisdiction or other proper legal venue, whether seeking remedy at law or inequity. Is there any other business before the board? Seeing none, there's no more business for today's meeting. We are now adjourned."

IV. Adjourn

Mr. Leo Lane adjourned the meeting at 3:43pm.


Chairman

1 July 2026
Date

**Wichita Falls Park Board Meeting
April 30, 2026**

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

Presiding: Jim Heiman

**Members Present: Tim Lockhart, Sandy Fleming, Steve Garner
Jack Roe, Penny Miller, Gary Fieldsend, Dawn Ferrell,
Larri Jean Jacoby**

Members Absent: Josh Phillips

City Council Representative: Tom Taylor

Other: Scott Powell, Kalee Robinson, Jason Roberts

CALL TO ORDER:

Jim Heiman called the meeting to order at 1:30 pm

1. APPROVAL OF MINUTES:

The minutes from March 26, 2026 were put before the Board for approval, Dawn Ferrell made the motion to approve the minutes and Jack Roe second the motion.

2. DEPARTMENTAL REPORT:

A. Parks:

- **Report was handed out to all members. See Attached**
- **Pictures were passed around of Lions Park improvements**
- **Parks Board discussed and made a recommendation for the Splash Pads/Pool to open on Memorial Day weekend and close on Labor Day weekend. Motion made by Tim Lockhart to approve and Sandy Fleming second the motion.**
- **Discussion of the new 1,300 acres of mowing assigned to the park department. Park Board has recommended the city assign more equipment and personnel for this task.**
- **Parks Board recommended repairs and replacement of all Parks and Recreation mechanical equipment.**
- **In addition to maintenance schedule and preventive maintenance schedules, Parks and Recreation Department to task and complete a Capital Replacement Plan for a long term financial and operational detailing on major equipment that has reached the end of its useful life and required total replacement. This should be shared with City management.**

B. Recreation:

- Report was handed out to all members. See Attached
- 39 new LED light bulbs & ballast being installed at Softball Complex
- Kalee Robinson gave a presentation for the 2026 closing of Lucy Pool and will be delivering this to the City Council at the next meeting.

C. Lake Wichita Revitalization Committee:

- Steve Garner read an email from Chad King.
- See attached

D. Master Plan:

- Still working on the Parks Foundation

F. Other Business, Announcements, Comments:

•

Adjourned: 2:54pm

Signature: _____

Jim Heiman

Parks Report – April 30, 2026

Project Updates:

- The asbestos abatement at Riverside Chapel is scheduled to begin on May 18th and is expected to take approximately one week. A demolition date will be scheduled shortly thereafter.
- Spring color changes will begin on May 4th. The process, including pulling, prepping, and planting, is anticipated to take about two weeks.
- The location for the new concrete trail at Lions Park has been marketed and put out to bid. The trail will be 4 feet wide and will connect the tennis court, shelter, and playground.
- The Hamilton Park splash pad is set to open on Memorial Weekend. People are already calling to ask why it's closed.
- We have signed a 1- year trapping agreement with Casey Allen with Cross Trail Outfitters to trap and remove hogs from Lake Wichita.
- The goats are set to arrive on Monday. The contract specifies the locations as Holliday Creek MLK/Rosewood and North Weeks/Midwestern, covering 17 acres for management.

Maintenance and Repairs:

- Ran new wire and conduit to the Wenonah fountain, which is now operational.
- The Tanglewood fountain is currently off due to a change in account management from the Tanglewood Homeowners Association to Parks.
- Installed a sink and a new partition wall in the restroom at Kiwanis Park.
- Replaced wood slats on several trail benches and made repairs to glider benches.
- Filled a 30-ft crack on the hiking bike trail due to complaint of bicycle tires to getting stuck in it.
- Repaired fish cleaning station at Lake Wichita.

Park Board Update – Recreation – 4/30/26

50 Plus Zone

- New Recreation Coordinator over the 50 Plus Zone, Keegan Kyser, starts on Monday, May 4th
- Come and go Meet & Greet at The Zone on May 5th from 2-4pm
- Live band dances: 239
- Bingo: 545
- Total entries: 4116 (205/day)
- Unique members: 702
- Hosted a special Bingo brunch; Karen and Cindy overcame obstacles with the gas supply to serve brunch to Bingo participants
- Attended Veterans Fair hosted by Catholic Charities – promoted The Zone and Recreation programs to 76 people including 68 veterans
- Hosted a garage sale for Zone members

Athletics

- April 25-26 was the best weekend for concession sales so far this year – approximately \$11,000
- Tournaments scheduled all five weekends in May
- Volleyball league began April 20 with ten teams
- Jason and Kalee attended the Texas Amateur Athletic Federation conference in Arlington

Aquatics

- Met with county pool inspectors at Lucy, where they identified a number of significant concerns beyond the plaster and filtration system work needed to be able to safely operate the pool this summer that would need to be addressed in future years (shifting deck, fencing out of code, pump replacement, etc.)
- Summer 2025 daily average attendance was 33, total summer revenues were approximately \$19,000
- City has tentative agreements with local organizations to provide low-cost public swim access this summer
- Working with Castaway Cove for opportunities to provide swim lessons, access for summer camp

Recreation

- Summer camp leads are hired and are helping Cindy interview camp counselor candidates
- Summer camp field trips are booked

- Camp registration opened April 27
- After school fishing begins May 5
- Concerts in the Park begin May 12
- Marketing intern selected, will begin June 3



Karen Robinson <karen.robinson@wichitafallstx.gov>

Fwd: Introduction & Update: Lake Wichita CAP 1135 Project

1 message

stephen garner <ourlakeourlife@att.net>

Thu, Apr 30, 2026 at 2:43 PM

To: Karen Robinson <karen.robinson@wichitafallstx.gov>

Sent from my iPhone

Begin forwarded message:

From: "King, Chad A CIV USARMY CESWT (USA)" <Chad.A.King@usace.army.mil>
Date: April 20, 2026 at 2:26:11 PM CDT
To: ourlakeourlife@att.net
Subject: Introduction & Update: Lake Wichita CAP 1135 Project

Dear Mr. Garner,

Please allow me to introduce myself. My name is Chad King, and I am stepping in as the new CAP Manager, taking over for Tony Clyde. I will be your primary Point of Contact (POC) for USACE moving forward, and I very much look forward to working with you and the City of Wichita Falls.

I am writing to follow up on the recent communications regarding the Lake Wichita CAP 1135 project and to thank you for reaffirming the City's continued interest. We truly value your partnership and enthusiasm for this effort.

As you may be aware, USACE is rolling out a streamlined approach for initial CAP eligibility determinations. This is designed to help us move projects forward more efficiently in the future. I have already updated our national database to ensure your project's reaffirmed status is accurately logged and ready for this new process.

I also want to provide a brief update regarding the overarching national program. At this time, the CAP program is navigating a bit of a transition period, and immediate funding allocations for new initial eligibility determinations are temporarily paused while things are in flux.

Please rest assured that your project is exactly where it needs to be in our system, and there is no further action required from your team at this moment. I am closely monitoring the program's status at the headquarters level, and as soon as the funding landscape stabilizes and resources become available, I will reach out to discuss the next steps toward the Feasibility Phase.

Thank you again for your patience, understanding, and continued partnership. Please feel free to reach out to me directly if you have any questions in the meantime.

Respectfully,

Mr. Chad A. King, PMP

CAP/ PAS Project Manager

U.S. Army Corps of Engineers

Tulsa District

2488 E. 81st St.

Tulsa OK 74137

NIPR: Chad.a.king@usace.army.mil

Office: (918) 669-7023

Mobile: (405) 816-5220

“Essayons”

MINUTES
BOARD OF ADJUSTMENT

May 20, 2026

PRESENT:

Jose Garcia
Kerry Maroney
Richard Milhollon
Sam Pak

◆ Member
◆ Member
◆ Member
◆ Member

Kinley Heggland, City Attorney
Rita Miller, Assistant Development Services Director
Christal Cates, Planner II

◆ City Staff
◆ City Staff
◆ City Staff

ABSENT:

Brady Enlow
Blake Haney
Caleb Perkins
Councilor Whitney Flack
Teresa Rose

◆ Chairman
◆ Alternate
◆ Member
◆ Liaison
◆ SAFB Ex-Officio

I. CALL TO ORDER

Mr. Kerry Maroney called the meeting to order at 1:31 p.m.

II. ROLL CALL

Mr. Maroney introduced the board of adjustment members.

III. PUBLIC COMMENTS

Mr. Maroney asked if there were any members of the public that would like to make any comments on items not listed on the agenda. No comments were made.

IV. ADOPTION OF MINUTES – NOVEMBER 20, 2024

Mr. Maroney asked Board members to review any revisions that may be needed to the minutes. Mr. Garcia made a motion to approve the minutes from the November 20, 2024, Zoning Board of Adjustment meeting. Mr. Milhollon seconded. The vote carried unanimously 4-0.

IV. REGULAR AGENDA

Case V 26-02 2409 Fillmore Street

Request for a variance Section 3100, § 3140.2 to allow for an 18-foot reduction from the required minimum 50-foot lot width in a Single Family 2 (SF-2) zoning district.

Mrs. Christal Cates presented the case and stated the applicant and owner, Mr. David Park, had been proposing to defer, or deviate from our zoning ordinance Section 3140 – Development Regulations which requires a lot in the Single Family-2 (SF-2) Residential zoning district to have a lot width minimum of 50ft. Ms. Cates stated the owner Mr. Park would like to subdivide the two residential structures on the property and sell each one individually but would not be able to do so due the residence to the south being built almost center of the property, and not allowing for a minimum width of the northern residence. Ms. Cates stated platting of the property was important because it ensured safe & orderly growth by creating an official public record of exact lot boundaries, row, and utility easements that will prevent future property disputes.

Mrs. Cates advised the subject property was centrally located in the city in the Heart of the Falls Neighborhood Revitalization Area the first revitalization zone that City Council has approved for incentives for new construction and/or rehabilitation of structures within that zone. It is one block east of Kemp Blvd, north of the Avenue O and Fillmore Street intersection.

Mrs. Cates displayed an aerial map showing the surrounding neighborhood and the subject property that was originally subdivided in 1910 as part of the Highland Addition. A site plan was shown with the proposed property divided, with the northern lot having a width of 32 feet.

Mrs. Cates showed photos of the properties that were developed in 1935 as well as the surrounding properties. A zoning map was displayed and showed the subject property was located inside a Single Family 2 zoning district and was surrounded by that same district, which covers residential uses in the area.

Mrs. Cates stated staff notified 24 property owners in the surrounding 200sf. of the subject property and received two responses, both in favor of granting the variance.

Mrs. Cates advised the variance would be presented in two phases, the first being the review of the qualifying criteria. By ordinance, the petition must meet certain criteria to be considered in phase II, the evaluation criteria. The questions asked and responses are listed below.

1. State special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or building in the same district.

Applicant's statement: Need to subdivide the property to separate the two residential structures to sell.

Mrs. Cates stated staff agrees that special conditions and circumstances exist at this property within the district. The current residential structures were built in 1935,

some 50 years prior to the City's adoption of zoning regulations establishing minimum lot size requirements for development.

2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant.

Applicant's statement: I purchased the properties like they are currently.

Mrs. Cates noted staff has verified that the conditions and circumstances surrounding this request for a variance are not the result of the applicant's actions. Mr. Park did not have anything to do with the location of the property and did not build the homes as that was done by a developer in the 30's.

3. State how a literal interpretation of the provisions of this Ordinance would deprive the applicant of a right commonly enjoyed by other properties in the same district under the terms of this Ordinance.

Applicant's statement: I am stuck with two homes on one property.

Mrs. Cates advised a literal interpretation of the provisions of the Ordinance would prevent the approval of a plat to subdivide the property due to the minimum width requirement not being met. Mr. Park could sell the property by meets and bounds but that would only pass this issue on to two other home owners that would not have an official document of exact lot boundaries.

4. State how granting the variance would be in harmony with the objectives of the Ordinance and would not confer upon the applicant any special privilege, which is denied by the Ordinance to other lands, structures, or buildings in the same district.

Applicant's statement: I would be able to sell the individual homes on their respective properties like other citizens.

Mrs. Cates stated the variance would only grant privileges currently exercised by the surrounding properties by allowing the owner to subdivide the property for each residential structure to sell as a person would in this district and that Mr. Park would still meet all required setback requirements of the zoning district.

Mrs. Cates allowed for members to review the qualifying criteria. Mr. Kerry Maroney stated discussion among the Board was open. Mr. Pak asked if there were other surrounding properties with widths that matched the subject property. Mrs. Cates stated there were multiple properties within the area that would not meet the development regulations. Mr. Pak also asked if the lot could be made bigger. Mrs. Cates advised once a land surveyor had been contracted by the owner they would be

able to give the actual width of the property. Mr. Garcia made a motion to approve the qualifying criteria. Mr. Milhollon seconded the motion which passed unanimously with a vote of 4-0.

Mr. Maroney advised the Board would next consider the evaluation criteria. Mrs. Cates presented the 2nd phase of the variance proposal which was the evaluation criteria that is reviewed by staff as listed below:

1. The granting of the variance will not be contrary to the public interest.
2. Special conditions exist, other than financial hardship alone, whereby a literal enforcement of the terms of the Ordinance will result in unnecessary hardship to the owner of the land.
3. The variance will not permit an activity upon the land, which is not allowed by the terms of the Zoning Ordinance.
4. The granting of the variance:
 - Is consistent with the intent of this Ordinance;
 - Is in harmony therewith; and
 - Will not be injurious to the neighborhood or detrimental to the public welfare.

Mrs. Cates said staff believes the reduction of the required lot width does not give special privilege because the owner will still be in compliance with all the other ordinances and setbacks for general development. Without the granting of this variance Mr. Park could still sell the properties by meets and bounds however, the new property owners would still not have an official public record of exact lot boundaries and right-of-ways. Furthermore, if in the future the property owner wanted to have a secondary structure such as a storage building, permits could not be issued due to the property not be platted and confirming property lines. This would still be a hardship that would only be passed to two other property owners.

Mr. Maroney asked the owner and applicant, Mr. Park if he had any comments or anything he would like to present to the Board. Mr. Park stated he was there if the Board had questions, but that Mrs. Cates did a wonderful job and had nothing to add. Mr. Maroney asked if there were any comments from the public. Mr. Maroney stated that closed the portion of the meeting for the public to comment and opened up the discussion among the board members.

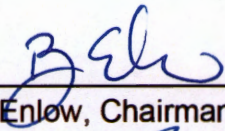
Mr. Pak asked if we could change the request to say "a reduction of the required width up to" 18 feet rather than "a reduction of 18 feet". Mrs. Cates advised Mr. Pak the Board could make that change when a motion was presented.

Mr. Pak made a motion to approve the variance to allow up to an eighteen (18) foot reduction from the required minimum fifty (50) foot lot width in a Single Family-2 (SF-2) Residential Zoning district. Mr. Garcia seconded the motion which passed unanimously with a vote of 4-0.

V. ADJOURN

Mrs. Cates advised the Board that staff had a potential petition to present next month's meeting on June 17th, 2026.

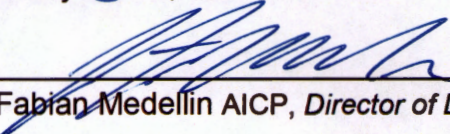
Chairman adjourned the Board at 1:53 p.m.



Brady Enlow, Chairman

6-17-26

Date



Fabian Medellin AICP, *Director of Development Services*

6-17-26

Date



WICHITA FALLS-WICHITA COUNTY PUBLIC HEALTH BOARD MINUTES

June 5, 2026

Wichita Falls-Wichita County Public Health District
1700 Third Street – Clements Conference Room
Wichita Falls, Texas

BOARD MEMBERS PRESENT:

Keith Williamson, M.D., Chair
Terri Farabee, RN
Ray Forsythe
Morgen Gardner, DDS

Physician – City Appointment
Registered Nurse – City Appointment
Citizen At-Large – County Appointment
Dentist – County Appointment

BOARD MEMBERS EXCUSED ABSENCE:

Melissa Plowman
Rachel Reitan, DNP, FNP-c
Dr. Connor Chambers

Restaurant Association - City Appointment
Citizen At-Large – City Appointment
Veterinarian – City Appointment

OTHERS PRESENT:

Amy Fagan, M.P.A.
Mark Beauchamp
Kinley Heggland

Director of Health
County Commissioner
City Attorney

I. CALL TO ORDER

Dr. Williamson, Chair, called the meeting to order at 12:15 pm after a quorum of members was attained.

II. Approval of Minutes & Absences

Dr. Williamson called for a review and approval of the March 13, 2026 minutes.
Dr. Gardner made a motion to approve and Ray Forsythe seconded. Dr. Williamson asked if there were any public comments. He heard none and requested a vote on the minutes. The minutes were approved unanimously.

Dr. Williamson stated that Melissa Plowman and Rachel Reitan are excused from the meeting.
Dr. Chambers is excused and will not be here. He had an emergency surgery.

III. New Member & Reappointments

Amy stated that Dr. Morgen Gardner is being reappointed and would need to be sworn in.
Commissioner Beauchamp offered to swear her in.

She was sworn in and signed the Statement of Officer and Oath of Office.

IV. Mobile Food Vendors - Update

Dr. Williamson introduced Samantha Blair, Environmental Administrator.
Samantha showed a power point and talked about the updates, changes and concerns on the Mobile Food Vendors regulation. On May 26, 2025, the Texas Legislature passed House Bill 2844 (HB 2844),

concerning the regulation of Mobile Food Vendors in Texas. The bill was signed into law by Gov. Abbott on June 10, 2025. The effective date is July 1, 2026.

It restricts the ability of local jurisdictions to require retail permits of small-scale food businesses if the business already holds a DSHS retail permit or holds a DSHS Food Manufacturer License.

HB 2844 creates a new Texas Health and Safety Code (HSC) Chapter 437B, devoted specifically to the licensing and inspection of "mobile food vendors" (MFV's) in Texas.

It preempts local authority to prohibit or regulate MFV's in ways that conflict with HSC 437B.

The bill requires a MFV to obtain an annual license from DSHS for statewide operation. Local jurisdictions will no longer be able to issue permits.

These terms and definitions replace "mobile food unit (MFU)."

Food Vending Vehicle (FVV) – A food vending vehicle is a self-enclosed food service establishment (including catering trucks, trailers, and roadside vendors) or pushcart that operates to store, prepare, display, serve, or sell food as a food service establishment, and is designed to be readily movable. *A food vending vehicle is not a stand or a booth.

Mobile Food Vendor (MFV) – A mobile food vendor means anyone who dispenses food or beverage from an FVV for immediate service or consumption.

The DSHS Mobile Food Vendors web page has been updated. The licensing portal was live as of 6-4-26. Guidance documents are posted. It has Mobile Food Vendor Changes, License Changes and Mobile Food Vendors Classifications. Starting July 1, 2026.

The Wichita Falls-Wichita County Public Health District and the City of Wichita Falls has currently signed a non-binding letter of intent that we are in contract negotiations with the state.

Samantha stated that she has concerns about:

- Training (should be available by the end of June)
- Information distribution
- IT/Technical

Contract amount is \$26,801.

Dr. Gardner asked about the charge for a license. Samantha said the state will be charging more.

- Type I – prepackaged, non TCS (Temperature Control for Safety) foods and low risk of harm to the public. Application fee is \$309.

- Type II - food that requires limited handling and preparation. Application fee is \$618.
Pre-licensing Inspection fee is \$400.

- Type III – complex preparation, cooking, holding, and service. Application fee is \$876.
Pre-licensing Inspection fee is \$500.

Amy requested a recommendation from the Board to move forward with the contract to take it before Council. Dr. Williamson ask for a motion to endorse. Dr. Gardner made a motioned to endorse and Ray Forsythe seconded. Dr. Williamson asked if there was discussion or comment from the public. Ray asked about the inspection fee and application fee being done at the same time. Samantha said it is a concern.

Kinley Heggland, the City Attorney, told Amy that it was not required to take a vote.

Amy verified the Board did not have any objection to move forward.

What is next:

We will need to update our ordinance to amend the MFU references and ensure that we are not in conflict with the state.

We will take the contract to Council on June 16th.

Training as soon as possible and training videos.

Partial reimbursement for current permit holders.

V. FIFA World Cup Public Health Preparations

Dr. Williamson introduced Carl Bates, Public Health Preparedness Program Manager. Carl spoke about the World Cup Soccer starting June 11th – July 19th.

The event will be played in three Nations: The United States, Mexico and Canada.

Eleven US cities are hosting the World Cup: Atlanta, Boston, Dallas, Houston, Kansas City, LA, Miami, NY/NJ, Philadelphia, San Francisco, and Seattle.

Dallas (Irving) has the most matches played in the event (9). Dallas will be hosting two base camps: Mansfield and FC Dallas.

FIFA and government agencies project between 1.2 and 6 million international visitors.

June 11th – FanFest begins at the Texas Fairgrounds. Free to the Public.

FanFest will be open from June 11th and close on July 19th.

FanFest in Dallas is the largest in the U.S. and is expected to see 30,000 fans/day.

June 11th – First game, played in Mexico

June 12th - First game, played in the U.S., LA

June 14th - First games played in Texas. Both Dallas and Houston will have games.

July 4th - Houston's final game

July 14th - Dallas's final game (play-off)

July 19th - Final game played in East Rutherford, NJ

The possibility of having 1-6 million international visitors and an additional 5 million U.S. fans attending games and FanFest, brings many public health threats, such as:

Heat-Related Illnesses

Communicable Diseases (Measles & Respiratory Infections)

Food and Water Safety

Healthcare and Emergency Strain

Emerging Pathogens & Travel Medicine

Our Local Health District's Epidemiologist and Preparedness Office has been attending meetings, seminars, and workshops, preparing for World Cup 2026.

The Preparedness Office has developed a "World Cup Binder" which will go out to Clinics, ER's, and Hospitals in Wichita County. The binder includes:

A cover letter

World Cup list of health conditions

Notifiable conditions

Federal, State, and Local contact information

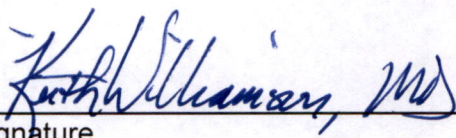
On Call Numbers

VI. Next Meeting Date

July, 10, 2026

VII. Adjourn

Dr. Williamson adjourned the meeting at 12:48.



Signature

Keith Williamson, MD, Chair, Rachel Reitan, DNP, FNP-c, Vice-Chair,
Melissa Plowman, Secretary



**City Council
July 21, 2026
Transmittal Letter**

STRATEGIC PILLAR

- ☒ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

Agenda Item Number: 8.a.

Agenda Item Name: Ordinance amending the Code of Ordinances Chapter 22, Article XII Existing Building Code, Section 22-711, 1401.2 Applicability to remove “Existing Prior to 1945” and Chapter 22, Article XII, Section 22-711, 1401.4 Investigation and Evaluation to remove “Registered Fire Protection Engineer” to replace with “qualified engineers and architects in preparation of a submission”

Council Action to be Taken: Consider and take action on proposed Ordinance.

Department Submitted: Development Services

Staff Contact:

Fabian Medellin, Director of Development Services
Rita Miller, Assistant Director Development Services

1. PURPOSE / DESCRIPTION

Consider and take action on amendments to Chapter 22, Article XII Existing Building Code, Section 22-711, 1401.2 and 1401.4 of the Code of Ordinances. The amendments would revise the applicability requirements that currently limit existing buildings based on the date the structure was built and expand the list of qualified design professionals authorized to conduct the required building evaluation.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

On December 1st, 2015, City Council adopted Ordinance No. 57-2015, which incorporated the 2015 International Existing Building Code (IEBC) along with several local administrative amendments. Among those amendments were modifications to Chapter 14 of the IEBC, known as the Performance Compliance Methods. The Performance Compliance Methods (PCM) provides an alternative compliance path for existing buildings undergoing additions, alterations, repairs, or changes in occupancy. Rather than requiring strict compliance with all provisions applicable to new

construction, Chapter 14 allows existing buildings to be evaluated using a point-based system that assesses fire safety, means of egress, and general safety. The intent of this method is to provide flexibility for existing structures while ensuring an acceptable level of life safety for occupants. The local amendments to Chapter 14 are codified in Chapter 22 Buildings and Building Regulations, Article XII Existing Building Code, Sections 7-11 1401.2 and 1401.4. Section 1401.2 currently limits PCM to structures constructed prior to 1945, it states: "Applicability. Structures existing prior to 1945 in which there is work involving additions, alterations or changes of occupancy shall be made to conform with the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R and S. These provisions shall not apply to buildings with occupancies in group H or I-1, I-3 or I-4." Section 1401.4 currently limits who can submit the PCM to only Registered Fire Protection Engineer, which states: "Investigation and evaluation. For the proposed work covered by this chapter, the building owner shall cause the existing building to be investigated and evaluated by a Registered Fire Protection Engineer in accordance with the provisions of Sections 1401.4 through 1401.9." The 1945 construction date limitation was discussed as part of an appeal during the Construction Board of Adjustments and Appeals meeting on April 22nd, 2026. Staff reviewed the local ordinance amendment and determined the adopted date is not a requirement of the IEBC but left up to the jurisdiction to enter a date. As a result, the current ordinance limits the applicability of the PCM to only structures built before 1945. In addition, Section 1401.4 with the local amendment requires all evaluations must be completed by a Registered Fire Protection Engineer. While Fire Protection Engineers are specialized experts in life safety and fire protection systems, other licensed professionals are also qualified to evaluate existing buildings, including code compliance, occupancy, egress, and life-safety requirements. Limiting evaluations to Fire Protection Engineers restricts the pool of qualified professionals available to property owners and developers.

At the May 29th, 2026, Development Stakeholders Meeting, the local ordinance amendments were discussed. The feedback received was positive and supported the recommendation for approval of the changes to this ordinance.

At the July 1st, 2026, Construction Board of Adjustments and Appeals meeting, the board voted unanimously to recommend the removal of the 1945 date and to modify 1401.4 to add "qualified engineers and architects in the preparation of a submission."

Staff believes these amendments will provide greater flexibility for property owners, increase access to qualified design professionals, and maintain life-safety objectives established by the International Existing Building Code Chapter 14.

3. BOARD REVIEW / CITIZEN INPUT

- April 22, 2026 Construction Board of Adjustments and Appeals heard a case related to the two specific local ordinance amendments.
- May 29, 2026 Development Stakeholders meeting provided feedback in favor of

an ordinance amendment.

- July 1, 2026 Construction Board of Adjustments and Appeals unanimously recommended the proposed changes.

4. RECOMMENDATION

The CBOAA and City staff recommend approval of the ordinance as submitted.

5. FUNDING SOURCE

N/A

6. TIMELINE

N/A

7. ALTERNATIVE OPTIONS

If the ordinance is not amended, the Performance Compliance Methods can only be used for structures built before 1945 and Registered Fire Protection Engineers will continue to be the only professionals allowed to submit this method.

8. ATTACHMENTS

1. CHAPTER 22 ORDINANCE REVISION Final

Ordinance No. _____

Ordinance amending the Code of Ordinances Chapter 22, Article XII Existing Building Code, Section 22-711, 1401.2 Applicability to remove “Existing Prior to 1945” and Chapter 22, Article XII, Section 22-711, 1401.4 Investigation and Evaluation to remove “Registered Fire Protection Engineer” to replace with “qualified engineers and architects in preparation of a submission”

WHEREAS, the City Council finds that the adoption of these changes continues to protect the safety of the residents of Wichita Falls but expands construction options for existing buildings; and,

WHEREAS, the Development Stakeholders Meeting held on May 29, 2026, discussed the proposed changes and support the ordinance amendment; and,

WHEREAS, the Construction Board of Adjustment and Appeals has recommended these changes to local amendments to Chapter 14 of the 2015 Existing Building Code changes.

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

1. Chapter 22, Article XII Existing Building Code, Section 22-711, 1401.2 Applicability is amended to read as follows:

1401.2 Applicability. Structures in which there is work involving additions, alterations or changes of occupancy shall be made to conform with the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R and S. These provisions shall not apply to buildings with occupancies in group H or I-1, I-3 or I-4.

2. Chapter 22, Article XII Existing Building Code, Section 22-711, 1401.4 Investigation and evaluation is amended to read as follows:

1401.4 Investigation and evaluation. For the proposed work covered by this chapter, the building owner shall cause the existing building to be investigated and evaluated by qualified engineers and architects in preparation of a submission in accordance with the provisions of Sections 1401.4 through 1401.9.

3. This Ordinance shall be effective August 20, 2026.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk



STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☒ Actively Engage and Inform the Public
- ☒ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 8.b.

Agenda Item Name: Ordinance amending the Fiscal Year 2026 Budget and authorizing a monthly lease of \$6,203.00 per month between the City of Wichita Falls and Mercury GSE Rentals, LLC to rent a Pushback Tractor for airplane movement at the Regional FBO Airport

Council Action to be Taken: Consider and take action on proposed Ordinance.

Department Submitted: City Manager

Staff Contact:

James McKechnie, Deputy City Manager
Jenny Stevens, Public Transportation Administrator

1. PURPOSE / DESCRIPTION

Amend the FY 2026 Budget and enter into a lease with Mercury GSS Rentals, LLC to rent a pushback tractor for airplane movement at Regional FBO.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The airport's existing tug has suffered a catastrophic mechanical failure and is now completely inoperable. Years without consistent preventive maintenance accelerated the breakdown, and the unit was already well past the end of its reliable service life and cannot be economically repaired or returned to service. As a result, the staff has no means to move aircraft in and out of the hangars.

This failure has created an immediate operational gap. Every day without a functioning tug leaves the City unable to meet its contractual commitments to hangar tenants and puts uninterrupted airport operations at risk. To restore service and remain compliant with those lease obligations, staff propose entering into a 36-month lease for a replacement tug. This will return aircraft movement to service right away while staff

develops a long-term equipment replacement strategy.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

Staff recommends approval of this item

5. FUNDING SOURCE

Regional Airport Lease Expense (5107058-75040) \$6,203 per month

6. TIMELINE

Tractor on-site; usage time is 36 months

7. ALTERNATIVE OPTIONS

Without a tractor, we can't reposition planes.

8. ATTACHMENTS

1. CM_O_Mercury Tug Rental.ordinance.v2

Ordinance No. _____

Ordinance amending the Fiscal Year 2026 Budget and authorizing a monthly lease of \$6,203.00 per month between the City of Wichita Falls and Mercury GSE Rentals, LLC to rent a Pushback Tractor for airplane movement at the Regional FBO Airport

WHEREAS, Texas Local Government Code §252.022 (3) exempts “a procurement necessary because of unforeseen damage to public machinery, equipment, or other property”; and,

WHEREAS, the City Council of the City of Wichita Falls finds the failure of the current pushback tractor at the Regional FBO was caused by unforeseen damage; and,

WHEREAS, the City desires to lease a pushback tractor from Mercury GSE Rentals LLC to replace the failed tug and continue operations in the amount of \$6,203.00 per month; and,

WHEREAS, the City Council finds that unusual and unforeseen conditions have arisen, creating a grave public necessity that requires immediate emergency expenditures to protect the public health, safety, and welfare, including the need to lease from Mercury GSE Rentals, LLC

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

1. That pursuant to state law, no expenditure of the funds of the City shall hereafter be made except in compliance with the budget and applicable state law; provided, however, that in the case of grave public necessity emergency expenditures to meet unusual and unforeseen conditions, which could not be reasonable, diligent thought and attending have been included in the original budget, may from time to time be authorized by the City Council as amendments to the original budget and does, based on evidence presented herein and during the Council meetings, hereby finds a grave public necessity exists to modify the original budget and said grave public necessity was unforeseen.
2. Funding for this item will be provided through a special appropriation of available fund balance from the General Fund, utilizing Council-approved reserve equity in the amount of \$6,203.00 per month, to be transferred to Account No. 510-7058-75040.
3. The City Manager or his designee is hereby authorized to execute a Lease Agreement, in a form approved by the City Attorney, with Mercury GSE Rentals, LLC to rent a pushback tractor for use at Regional FBO.

PASSED AND APPROVED this 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk



STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☒ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 9.a.

Agenda Item Name: Resolution authorizing the City Manager to execute a potable water and wastewater services agreement with WinCo Trucking, LLC d/b/a Coastal Plains Trucking, LLC

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Public Works

Staff Contact:

Russell Schreiber, Director of Public Works

1. PURPOSE / DESCRIPTION

To authorize the sale potable water and wastewater services to Coastal Plains Trucking

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

Coastal Plains Trucking LLC has been in the business of providing potable water and wastewater services to workforce housing locations across the country for the past 15 plus years. This agreement allows for the city to sell them up to 350,000 gallons per day of potable water at a rate of \$15.51/1000gals, which is 2.5 times our retail customer rate. It also requires the company to return all potable water taken to our River Road Resource Recovery Facility at the current rate of \$0.17/gal. These rates are subject to change based on the City's approved fee ordinance. The term of the agreement is for 5 years with annual renewal thereafter upon approval by both parties. The City reserves the right to suspend any and all services at any time if they so choose, such as in the case of water curtailment and enforcement of water conservation measures. Coastal Plains will reimburse the City for the installation of infrastructure associated with the "Take Point" of the potable water. The agreement allows the City to optimize our water resources as it results in no loss of water from the City's overall water system, since all potable water taken and used at the workforce housing locations is required to be

returned to the city where it will be treated and returned to our raw water supply reservoir as needed.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

Staff recommends authorization for the City Manager to execute the agreement, as it allows for optimization of our water resources.

5. FUNDING SOURCE

NA

6. TIMELINE

As soon as possible, in order to allow for potential increased revenue for the utilities division of Public Works

7. ALTERNATIVE OPTIONS

The company seeks a similar partnership with another water supplier.

8. ATTACHMENTS

1. Coastal Plains Trucking Water WW agreement - Resolution

Resolution No. _____

Resolution authorizing the City Manager to execute a potable water and wastewater services agreement with WinCo Trucking, LLC, d/b/a Coastal Plains Trucking LLC

WHEREAS, the City owns and operates a municipal water supply and wastewater treatment system within and beyond the corporate limits of Wichita Falls, Texas; and,

WHEREAS, Customer will provide potable water and wastewater services to temporary or semi-permanent workforce housing facilities; and,

WHEREAS, Customer desires to purchase potable water from the City and to return wastewater generated at the Workforce Housing to the City's wastewater treatment system; and,

WHEREAS, Customer shall pay the water and sewer rates as set forth in the City's Fee Ordinance, which is subject to change from time to time, but are currently \$15.51/1000 gals for potable water and \$0.17/gal for wastewater.

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

The City Manager is authorized to execute the potable water and wastewater service agreement, in a form approved by the City Attorney, with WinCo Trucking, LLC, d/b/a Coastal Plains Trucking, LLC.

.PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk



STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☒ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 9.b.

Agenda Item Name: Resolution appointing Samuel Jones of the Animal Services Division of the Wichita Falls-Wichita County Public Health District to act as the Local Rabies Control Authority for the City of Wichita Falls, Texas

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Health

Staff Contact:

Amy Fagan, Director of Public Health

1. PURPOSE / DESCRIPTION

Appoint Samuel Jones as the Local Rabies Control Authority (LRCA) for the City of Wichita Falls.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The Rabies Control Act (Chapter 826 of the Texas Health and Safety Code, as amended April 02, 2015) requires that the Commissioners' Court of each county and the governing body of each municipality appoint an officer to act as the Local Rabies Control Authority (LRCA). The LRCA is empowered to quarantine animals exposed to rabies and enforce both local and state rabies orders, ordinances and statutes.

Mr. Jones is the Animal Care Officer – Field Supervisor and has been employed with the City of Wichita Falls since October 2021. He has extensive training in animal care and control, including training as a Texas Certified Cruelty Investigator and Dangerous Dog Investigator. He has completed the LRCA training through the Texas Department of State Health Services.

3. BOARD REVIEW / CITIZEN INPUT

Not applicable

4. RECOMMENDATION

Approval of the Resolution.

5. FUNDING SOURCE

Not applicable

6. TIMELINE

Immediate

7. ALTERNATIVE OPTIONS

None

8. ATTACHMENTS

1. HLTH-R- LRCA 072126 Res

Resolution No. _____

**Resolution appointing Samuel Jones of the Animal Services Division
of the Wichita Falls-Wichita County Public Health District to act as the
Local Rabies Control Authority for the City of Wichita Falls, Texas**

WHEREAS, the Rabies Control Act (Chapter 826, as April 02, 2015) was established as a minimum statewide program to control and eradicate rabies in the State of Texas, to be administered by the Texas Department of State Health Services, with cooperation of the governing bodies of the counties and incorporated municipalities within the State; and,

WHEREAS, the Act requires that the governing bodies of the counties and incorporated municipalities appoint a Local Rabies Control Authority to assume the responsibilities of administering the Act; and,

WHEREAS, the City staff deems it appropriate that Samuel Jones be appointed as Local Rabies Control Authority for the City of Wichita Falls.

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

Samuel Jones of the Wichita Falls-Wichita County Public Health District is hereby appointed as the Local Rabies Control Authority for the City of Wichita Falls, Texas.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk



**City Council
July 21, 2026
Transmittal Letter**

STRATEGIC PILLAR

- ☒ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
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- ☒ Optimize Engagement with the City and City Services

Agenda Item Number: 9.c.

Agenda Item Name: Resolution approving the City of Wichita Falls 2026 Annual Action Plan, to allocate Community Development Block Grant (CDBG) funds in the amount of \$1,225,910, reallocate \$100,000 in prior year CDBG funding and FY 2026 HOME Investment Partnership Program (HOME) funds in the amount of \$346,455 received as Entitlement Grants from the U.S. Department of Housing and Urban Development (HUD), and authorize the City Manager to submit the plans to HUD for review and approval and to execute HUD Grant Applications and Grant Agreement to implement the approved plans, to include any and all revisions approved by HUD

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Neighborhood Services

Staff Contact:

Fabian Medellin, Director of Development Services
Rita Miller, Assistant Director Development Services
Alex Borrego, Neighborhood Services Manager
Alex Peregrino, CDBG/Home Program Supervisor

1. PURPOSE / DESCRIPTION

Consider approval of the PY 2026-2027 Annual Action Plan and the recommended allocations of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funding. The Annual Action Plan, required by the U.S. Department of Housing and Urban Development, identifies federal resources available to the City and outlines activities proposed to address priority needs identified in the current Five-Year Consolidated Plan. Recommended funding allocations were determined by the City Council Subcommittee on Outside Agencies following meetings with local agencies and City departments requesting funding assistance. All proposed activities must meet HUD eligibility requirements and national objectives that benefit low and moderate-income persons or address community needs.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The City annually receives Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) entitlement funding through the U.S. Department of Housing and Urban Development. As a condition of receiving these funds, HUD requires the City to prepare an Annual Action Plan identifying the proposed use of federal funds and activities that address priorities established in the current Five-Year Consolidated Plan. On April 28, 2026, the City Council Subcommittee on Outside Agencies (Councilor Battaglino, Councilor Browning, and Councilor Brooks) met with local agencies and City departments requesting funding consideration for FY 2026–2027 CDBG activities. Funding requests totaled \$1,813,477, while available CDBG funding totaled \$1,325,910, including \$100,000 in reprogrammed funds from the prior fiscal year. Staff and the subcommittee reviewed all applications for eligibility, compliance with HUD regulations, and consistency with Consolidated Plan priorities and national objectives. Today's approval will authorize submission of the proposed PY 2026 Annual Action Plan to HUD for final review and approval.

3. BOARD REVIEW / CITIZEN INPUT

The City conducted the required citizen participation process in accordance with HUD regulations, including a public forum held on May 19, 2026, and a public hearing held on June 2, 2026, followed by a 30-day public comment period. No comments were received.

4. RECOMMENDATION

The Council sub-Committee and City staff recommend approval as submitted.

5. FUNDING SOURCE

Community Development Block Grant – Entitlement (CDBG) , HOME Investment Partnership Program (HOME)

6. TIMELINE

- Feb. 16, 2026 – CDBG, HOME & HOME-ARP applications opened.
- Mar. 27, 2026 – CDBG, HOME & HOME-ARP application period closed.
- Apr. 28, 2026 – City Council Subcommittee on Outside Agencies reviewed presentations and funding requests.
- May 13, 2026 – Council Subcommittee approved recommendations for City Council review.
- May 21, 2026 – Public hearing notice filed and published in the *Times Record News* and with the *Wichita Falls City Clerk*.
- May 27, 2026 – Citizen participation meeting held for public input.
- **June 2, 2026 – City Council public hearing and consideration of FY 2026 CDBG and HOME funding.**
- **July 21, 2026 – Council consideration of resolution.**

7. ALTERNATIVE OPTIONS

The City Council may modify the recommended funding allocations, direct the Subcommittee on Outside Agencies to reevaluate and return with revised recommendations, or decline to approve the proposed allocations. Any changes to the allocations may impact the development and timing of the PY 2026–2027 Annual Action Plan required by the U.S. Department of Housing and Urban Development.

8. ATTACHMENTS

1. PY 2026 Action Plan Resolution.2

Resolution No. _____

Resolution approving the City of Wichita Falls 2026 Annual Action Plan, to allocate Community Development Block Grant (CDBG) funds in the amount of \$1,225,910, reallocate \$100,000 in prior year CDBG funding and FY 2026 HOME Investment Partnership Program (HOME) funds in the amount of \$346,455 received as Entitlement Grants from the U.S. Department of Housing and Urban Development (HUD), and authorize the City Manager to submit the plans to HUD for review and approval and to execute HUD Grant Applications and Grant Agreement to implement the approved plans, to include any and all revisions approved by HUD

WHEREAS, the City of Wichita Falls, acting in its capacity as a Grantee of the United States Department of Housing and Urban Development (HUD), administers federally-funded programs to benefit the community; and,

WHEREAS, the City of Wichita Falls recognizes that these funds are subject to environmental review, decision-making, and action responsibilities under the National Environmental Policy Act (NEPA) and 24 C.F.R. Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities"; and,

WHEREAS, the City Council Subcommittee on Outside Agencies met with and considered requests from various organizations and City departments that have applied for funding; and,

WHEREAS, the City Council on June 2nd, 2026, held a public hearing to receive citizen input; and,

WHEREAS, during the Public Hearing, the City Council has considered citizen comments and has reviewed the proposed use of funds,

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

1. The City Council of Wichita Falls, Texas hereby approves and adopts the 2026 Annual Action Plan that will provide for development, implementation, and administration of eligible programs and activities through the CDBG and HOME Programs.
2. The City of Wichita Falls, acting in its capacity as a HUD Entitlement Grantee, is authorized to apply for \$1,225,910 in FY CDBG funding, reallocate \$100,000 in prior year CDBG funding, and \$346,455 in FY HOME funding. Such funding shall be utilized for eligible projects, activities, and administrative costs.

3. The City Council authorizes the City Manager, or his designee, to submit the Annual Action Plan, to include any and all revisions approved by HUD.

PASSED AND APPROVED this the 21st day of July, 2026.

M A Y O R

ATTEST:

City Clerk

Table of Awarded Funds

CDBG: Non-Profit Agencies:

Child Care, Inc.: Child care subsidies for low-income working families (70% of Public Service Cap)	\$128,720
Senior Citizens Services of North Texas: Meals on Wheels Program (30% of Public Service Cap)	\$55,166
Christmas in Action: Home repair for elderly and disabled owners	\$150,000
The Salvation Army: Kitchen Upgrades	\$52,205
Dignity Aid Services, Inc: Securing the Dignity Aid Services Trailer	\$65,000
The Redeemed Christian Church of God: Food Pantry Expansion & ADA Access	\$20,000
TOTAL CDBG Funds: Outside Agencies	\$471,091

CDBG: City Departments

Grant Administration: Operational & administrative costs for CDBG Program	\$245,182
Code Enforcement: Administration & operational costs	\$75,000
Code Enforcement: Demolition and clearance of hazardous structures	\$300,000
CDBG Program Delivery Costs: Minor & Emergency Repair Programs	\$35,000
Emergency Repair Program: Immediate-need home repair for low-income homeowners	\$80,000
Minor Repair Program: Minor home repair for low-income homeowners	\$81,000
WF Public Library/Parks: East Lynwood Story Walk	\$8,887
Parks: Williams Park Revitalization & Art	\$29,750
TOTAL CDBG Funds: City Departments	\$854,819

HOME Program

First-Time Homebuyer Program with Minor Repair / <i>Acquisition assistance costs for down payment, closing costs, minor repairs</i>	\$229,842
Affordable Housing Program / <i>Mortgage buy-down for Habitat home buyers</i>	\$30,000
CHDO Set-Aside / <i>Statutory 15% of Entitlement amount</i>	\$51,968
HOME Administration / <i>Operational & administrative costs for HOME-eligible activities</i>	\$34,645
TOTAL HOME Funds	\$346,455



**City Council
July 21, 2026
Transmittal Letter**

STRATEGIC PILLAR

- ☒ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☒ Optimize Engagement with the City and City Services

Agenda Item Number: 9.d.

Agenda Item Name: Resolution approving a substantial amendment to the 2021 Annual Action Plan to reallocate \$94,490 in HOME-American Rescue Plan (HOME-ARP) funds and authorizing the City of Wichita Falls to make any necessary revisions to the HOME-ARP Allocation Plan approved by the U.S. Department of Housing and Urban Development (HUD) in connection with the administration of the City's HOME-ARP allocation

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Neighborhood Services

Staff Contact:

Fabian Medellin, Director of Development Services
Rita Miller, Assistant Director Development Services
Alex Borrego, Neighborhood Services Manager
Alex Peregrino, CDBG/Home Program Supervisor

1. PURPOSE / DESCRIPTION

Consider approval of a Substantial Amendment to the 2021 Annual Action Plan to reallocate HOME Investment Partnerships American Rescue Plan (HOME-ARP) funding for a non-congregate shelter project. **The proposed allocation would provide funding to The Salvation Army to expand its Women and Children's Wing** through renovation of existing shelter space, including ADA accessibility improvements, to increase shelter capacity and services for individuals and families experiencing homelessness or housing instability.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

During 2021 Congress passed the American Rescue Plan Act authorizing the City of Wichita Falls to receive a special allocation of funding, in the amount \$1,573,849,

through the HOME Investment Partnership – American Rescue Plan (HOME-ARP) program to reduce homelessness and increase housing stability. The U.S. Department of Housing and Urban Development (HUD) required each entity to develop an allocation plan specifically for the HOME-ARP Program and allowed each entity to amend its 2021 Action Plan once per year. Due to a previously approved HOME-ARP project being withdrawn by the original applicant, an unreserved balance of HOME-ARP funds is available for reallocation through a substantial amendment to the 2021 Annual Action Plan. The Draft HOME-ARP Allocation Plan must be approved and accepted by the City, HUD, and included in the 2021 Annual Action Plan with an amendment.

On April 28, 2026, the City Council Subcommittee on Outside Agencies (Councilor Battaglino, Councilor Browning, and Councilor Brooks) met with local agencies requesting funding consideration for FY 2026–2027 CDBG and HOME-ARP activities. There was only one application for the HOME-ARP program which came from The Salvation Army, in the amount of \$94,490. They plan to utilize the HOME-ARP funding to expand the Women and Children’s Wing through the renovation and conversion of existing space currently used within the men’s wing. The project will increase ADA-accessible facilities, including bathrooms, showers, and laundry accommodations, to better serve the anticipated increase in overnight shelter clients. Upon completion, the expansion is expected to increase occupancy for women and children from 12 beds to 20 beds and increase the number of unduplicated individuals served annually from 25 to approximately 75 persons. In addition to HOME-ARP funding, the project is anticipated to be supported through two additional grant opportunities and proceeds generated from the organization’s Red Kettle Campaign to assist with project costs and any reimbursement gaps. Following completion of the required public hearing and 30-day public comment period, the proposed Substantial Amendment is presented to the City Council for final approval prior to submission to HUD.

3. BOARD REVIEW / CITIZEN INPUT

The City conducted the required citizen participation process in accordance with HUD regulations, including a public forum held on May 19, 2026, and a public hearing held on June 2, 2026, followed by a 30-day public comment period. No comments were received.

4. RECOMMENDATION

The City Council sub-Committee and City staff recommend approval as submitted.

5. FUNDING SOURCE

HOME- American Rescue Plan (HOME-ARP)

6. TIMELINE

- Feb. 16, 2026 – CDBG, HOME & HOME-ARP application period opened.
- Mar. 27, 2026 – CDBG, HOME & HOME-ARP application period closed.
- Apr. 28, 2026 – City Council Subcommittee on Outside Agencies reviewed

presentations and funding requests.

- May 13, 2026 – City Council Subcommittee approved recommended allocations for City Council presentation.
- May 21, 2026 – Public hearing notice filed and published in the *Times Record News* and the *Wichita Falls City Clerk*.
- May 27, 2026 – Citizen participation meeting held for public input.
- **June 2, 2026 – City Council public hearing and funding consideration for FY 2026 CDBG, HOME, and HOME-ARP funds.**
- **July 21, 2026 – City Council consideration of resolution**

7. ALTERNATIVE OPTIONS

The City Council may modify the recommended funding re-allocation, direct the Subcommittee on Outside Agencies to reevaluate and return with revised recommendations, or decline to approve the proposed re-allocation. Any changes to the re-allocation may impact the development and timing of the Substantial Amendment submission required by the U.S. Department of Housing and Urban Development.

8. ATTACHMENTS

1. 2021 AAP Substantial Amendment #4.2

Resolution No. _____

Resolution approving a substantial amendment to the 2021 Annual Action Plan to reallocate \$94,490 in HOME-American Rescue Plan (HOME-ARP) funds and authorizing the City of Wichita Falls to make any necessary revisions to the HOME-ARP Allocation Plan approved by the U.S. Department of Housing and Urban Development (HUD) in connection with the administration of the City's HOME-ARP allocation

WHEREAS, the City of Wichita Falls, acting in its capacity as a Grantee of the United States Department of Housing and Urban Development (HUD), administers federally-funded programs to benefit the community; and,

WHEREAS, the City of Wichita Falls recognizes that these funds are subject to environmental review, decision-making, and action responsibilities under the National Environmental Policy Act (NEPA) and 24 C.F.R. Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities"; and,

WHEREAS, the City Council Subcommittee on Outside Agencies met with and considered requests from various organizations and City departments that have applied for funding; and,

WHEREAS, the City Council on June 2nd, 2026, held a public hearing to receive citizen input; and,

WHEREAS, during the Public Hearing, the City Council has considered citizen comments and has reviewed the proposed use of funds,

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

1. The City Council of Wichita Falls, Texas, hereby approves and adopts the substantial amendment to the 2021 Annual Action Plan and the HOME-ARP Allocation Plan of the City of Wichita Falls that will provide for developing, implementing, and administering eligible programs and activities through the HOME-ARP Program,
2. The City of Wichita Falls, acting in its capacity as a HUD Entitlement Grantee, is authorized to approve a substantial amendment to the PY 2021 Annual Action Plan and HOME-ARP Allocation Plan to reallocate \$94,490 in previously awarded HOME-ARP funding. Such funding shall be utilized for eligible HOME-ARP activities and applicable administrative costs in accordance with HUD requirements.

3. The City Council authorizes the City Manager, or their designee, to submit the substantial amendment to the 2021 Annual Action Plan and HOME-ARP Allocation Plan to the U.S. Department of Housing and Urban Development for review and approval, execute any and all amendments, agreements, and other documents necessary to implement the aforementioned Action Plan, to include any and all revisions approved by HUD.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk

Table of Awarded Funds

HOME-ARP Programs

Grant Administration / Operational & administrative costs for HOME-ARP Program (required 10% of total allocation received)	\$157,384
First Step, Inc. – Non-Congregate Shelter Rehabilitation (Continued from previous year allocation)	\$700,000
The Salvation Army of Wichita Falls - Non-Congregate Shelter Rehabilitation (If approved by Council)	\$94,490
Amount Unreserved	\$621,975
Total HOME-ARP Funds:	\$1,573,849



**City Council
July 21, 2026
Transmittal Letter**

STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☒ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

Agenda Item Number: 9.e.

Agenda Item Name: Resolution authorizing the City Manager to award bid and contract for the 2026 Seal Coat Project to Ronald R. Wagner & Co., LP in the amount of \$665,087.12

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Engineering

Staff Contact:

Tyson Traw, Director of Engineering

1. PURPOSE / DESCRIPTION

Approval of the resolution will authorize the City Manager to award bid and contract for the 2026 Seal Coat Project to Ronald R. Wagner & Co., LP in the amount of \$665,087.12. The project included a base bid package and six separate additive alternate bid packages, and competitive and favorable bid prices were received. Staff recommends awarding the base bid and additive alternates: two (2), five (5), & (six) 6 to Ronald R. Wagner & Co., LP, who submitted the lowest responsible bid and has successfully completed many similar projects.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The 2026 Seal Coat Project is this year's version of the annually recurring street improvements for non-curb and gutter streets that are mostly located in less urban areas. The project consists of a seal coat surface treatment that applies asphalt cement and new rock aggregate, otherwise known as chip seal. On June 16, 2026, sealed bids were received for the project with two bidders participating. The bid tabulation is attached.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

Approval of the resolution

5. FUNDING SOURCE

General Fund-Street Maintenance (1008220-77220) FY26 Budget

6. TIMELINE

Up to ninety calendar days may be used for construction, which puts expected completion in November 2026.

7. ALTERNATIVE OPTIONS

1. Reject all bids. — This option would delay pavement preservation, result in higher long-term maintenance costs, and negatively impact citizens.
2. Award all or a different combination of additive alternate bid packages. — This option could expand the scope of the project to take advantage of the favorable bid prices, but would require additional appropriation of funding above the FY26 budget.

8. ATTACHMENTS

1. 2026 Seal Coat Project - Resolution
2. Agenda Map - Seal Coat 2026
3. Bid Tab - 2026 Seal Coat

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2026 Seal Coat Project to Ronald R. Wagner & Co., LP in the amount of \$665,087.12

WHEREAS, one of the City of Wichita Falls' Strategic Goals is to Provide Quality Infrastructure; and,

WHEREAS, the City of Wichita Falls has advertised for unit price bids for the 2026 Seal Coat Project; and,

WHEREAS, it is found that the award of base bid plus alternate bid items 2, 5, and 6 is in the best interest of the City of Wichita Falls; and,

WHEREAS, it is found that the lowest responsible bidder is Ronald R. Wagner & Co., LP, who made a unit price bid with an estimated total of \$665,087.12.

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

The unit price bid for the 2026 Seal Coat Project is awarded to Ronald R. Wagner & Co., LP, in an estimated total amount of \$665,087.12, and the City Manager is authorized to execute a contract, in a form approved by the City Attorney.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

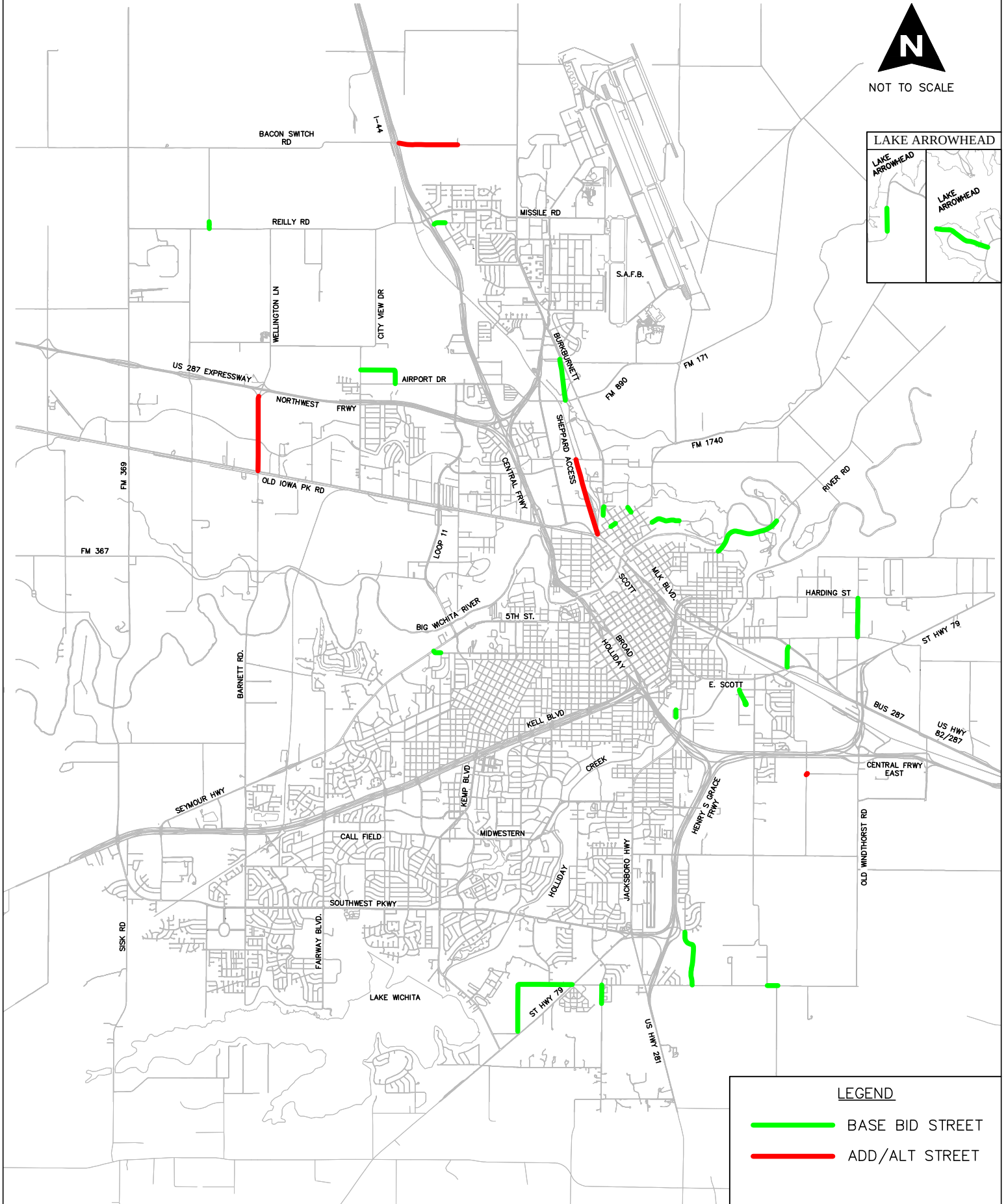
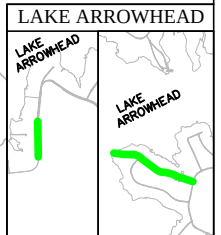
ATTEST:

City Clerk

2026 SEAL COAT PROJECT LOCATION MAP



NOT TO SCALE



LEGEND

- BASE BID STREET
- ADD/ALT STREET

**2026 Seal Coat Project
CWF26-100-05
Bid Date: June 16, 2026**

BASE BID				Ronald R. Wagner & Co. Kendalia, TX		Freeman Paving, LLC Vernon, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total
200.1	SITE PREP & MOBILIZATION (NOT TO EXCEED 5%)	LS	1	\$22,000.00	\$22,000.00	\$20,000.00	\$20,000.00
404.4-SC	SEAL COAT - SINGLE COURSE	SY	53,445	\$4.20	\$224,469.00	\$3.20	\$171,024.00
404.4-DC	SEAL COAT - DOUBLE COURSE	SY	36,811	\$5.54	\$203,932.94	\$6.50	\$239,271.50
801	TEMPORARY TRAFFIC CONTROL	LS	1	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00
804-4YD	4" YELLOW DASH STRIPING - 100 MIL THICK	LF	80	\$5.00	\$400.00	\$15.00	\$1,200.00
804-4YS	4" YELLOW SOLID STRIPING - 100 MIL THICK	LF	10,088	\$2.75	\$27,742.00	\$2.00	\$20,176.00
Total Base Bid				\$488,543.94		Total Base Bid	\$471,671.50

ADDITIVE / ALTERNATE NOS. 1-6				Ronald R. Wagner & Co. Kendalia, TX		Freeman Paving, LLC Vernon, TX	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total
404.4-SC-ALT1	SEAL COAT - SINGLE COURSE (FELL LN)	SY	6,090	\$4.20	\$25,578.00	\$3.20	\$19,488.00
404.4-DC-ALT2	SEAL COAT - DOUBLE COURSE (BACON SWITCH RD)	SY	8,553	\$5.54	\$47,383.62	\$6.50	\$55,594.50
404.4-DC-ALT3	SEAL COAT - DOUBLE COURSE (QUINCY RD)	SY	6,213	\$5.54	\$34,420.02	\$6.50	\$40,384.50
404.4-DC-ALT4	SEAL COAT - DOUBLE COURSE (MCKINNEY RD)	SY	5,673	\$5.54	\$31,428.42	\$6.50	\$36,874.50
404.4-DC-ALT5	SEAL COAT - DOUBLE COURSE (OLD BURK RD)	SY	11,336	\$5.54	\$62,801.44	\$6.50	\$73,684.00
404.4-DC-ALT6	SEAL COAT - DOUBLE COURSE (WELLINGTON LN)	SY	11,978	\$5.54	\$66,358.12	\$6.50	\$77,857.00
Total Add/Alts				\$267,969.62		Total Add/Alts	\$303,882.50

AWARD TOTAL (Base Bid + Add/Alt Nos 2, 5, 6)	\$665,087.12	AWARD TOTAL (Base Bid + Add/Alt Nos 2, 5, 6)	\$678,807.00
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STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☒ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 9.f.

Agenda Item Name: Resolution authorizing the City Manager to award bid and contract for the 2026 Asphalt Rehabilitation Project to Freeman Paving, L.L.C. in the amount of \$2,274,352.95

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Engineering

Staff Contact:

Tyson Traw, Director of Engineering

1. PURPOSE / DESCRIPTION

Approval of the resolution will authorize the City Manager to award bid and contract for the 2026 Asphalt Rehabilitation Project to Freeman Paving, LLC in the amount of \$2,274,352.95. Competitive and favorable bid prices were received on the project, which included a base bid package and three separate additive alternate packages. Staff recommends awarding the base bid and additive alternates one (1) & three (3) to Freeman Paving, LLC, who submitted the lowest responsible bid and has successfully completed similar projects.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The 2026 Asphalt Rehabilitation Project consists of rehabilitating deteriorated asphalt streets through full-depth base repairs, milling, asphalt overlay, pavement markings, and other associated work. These improvements will restore pavement condition, improve ride quality, extend the service life of the roadways, and reduce future maintenance costs by addressing existing pavement deficiencies. On July 9, 2026, two sealed bids were received and the bid tabulation sheet is attached.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

Approval of the resolution.

5. FUNDING SOURCE

General Fund-Street Maintenance (1008220-77220) FY26 Budget

6. TIMELINE

Construction of this project is expected to require two-hundred and twenty-five (225) calendar days to complete.

7. ALTERNATIVE OPTIONS

1. Reject all bids. — This option would delay pavement preservation, result in higher long-term maintenance costs, and negatively impact citizens.
2. Award all or a different combination of additive alternate bid packages. — This option could expand the scope of the project to take advantage of the favorable bid prices, but would require additional appropriation of funding above the FY26 budget.

8. ATTACHMENTS

1. 2026 Asphalt Rehab Project - Resolution
2. 2026 Asphalt Rehab - Location Map 1 (Chosen Option)
3. 2026 Asphalt Rehab - Agenda Map 2 (Chosen Option)
4. Bid Tab (Chosen Option) - 2026 Asphalt

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2026 Asphalt Rehabilitation Project to Freeman Paving, L.L.C. in the amount of \$2,485,818.55

WHEREAS, one of the City of Wichita Falls' Strategic Goals is to Provide Quality Infrastructure; and,

WHEREAS, the City of Wichita Falls has advertised for bids for the 2026 Asphalt Rehabilitation Project; and,

WHEREAS, it is found that the award of base bid plus additive alternate bid items one (1) and two (2) is in the best interest of the City of Wichita Falls

WHEREAS, it is found that the lowest responsible bidder is Freeman Paving, L.L.C., who made a unit price bid with an estimated total of \$2,485,818.55.

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

The unit price bid for the 2026 Asphalt Rehabilitation Project is awarded to Freeman Paving, L.L.C., in an estimated total amount of \$2,485,818.55, and the City Manager is authorized to execute a contract, in a form approved by the City Attorney.

PASSED AND APPROVED this the 21st day of July, 2026.

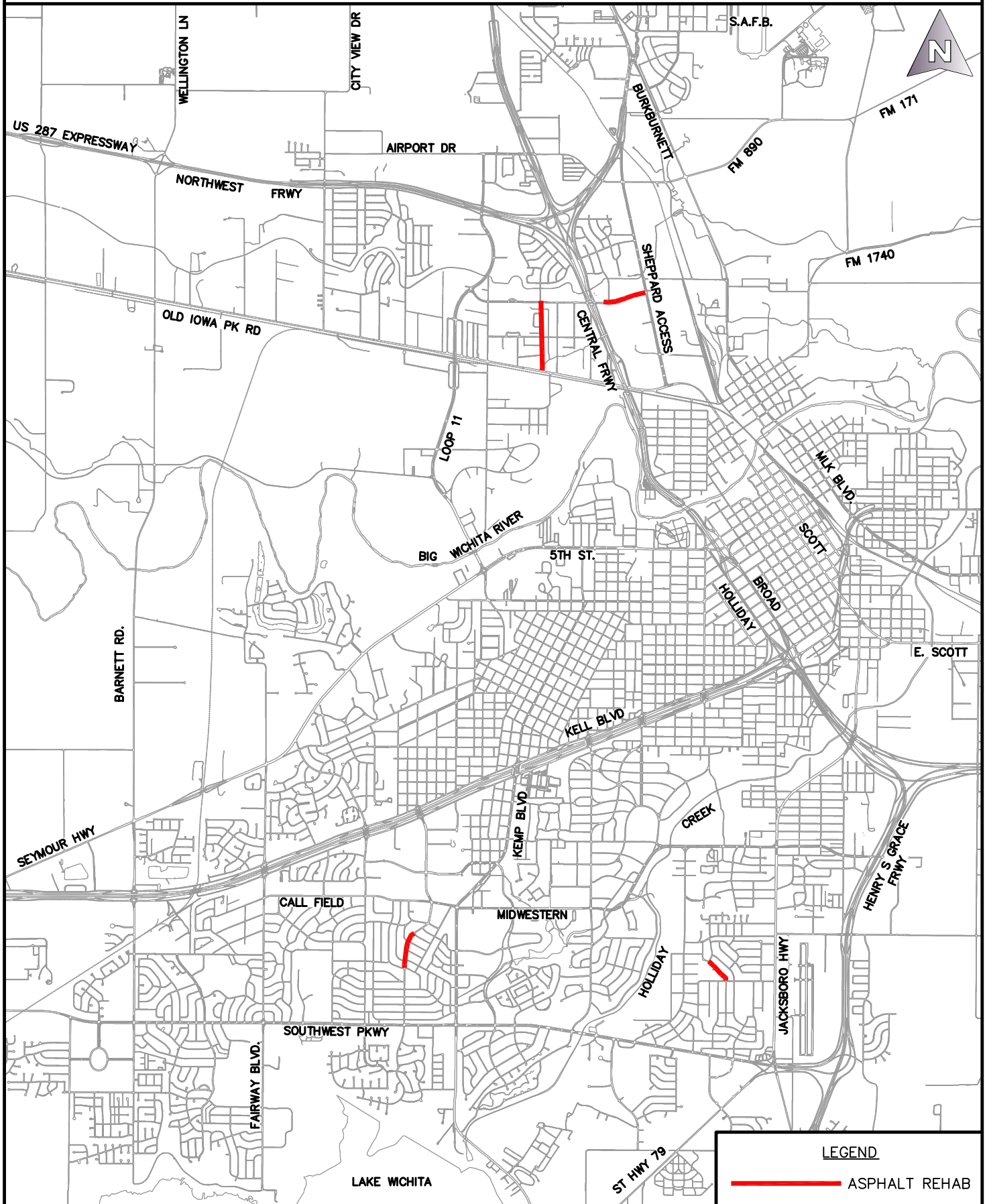
MAYOR

ATTEST:

City Clerk

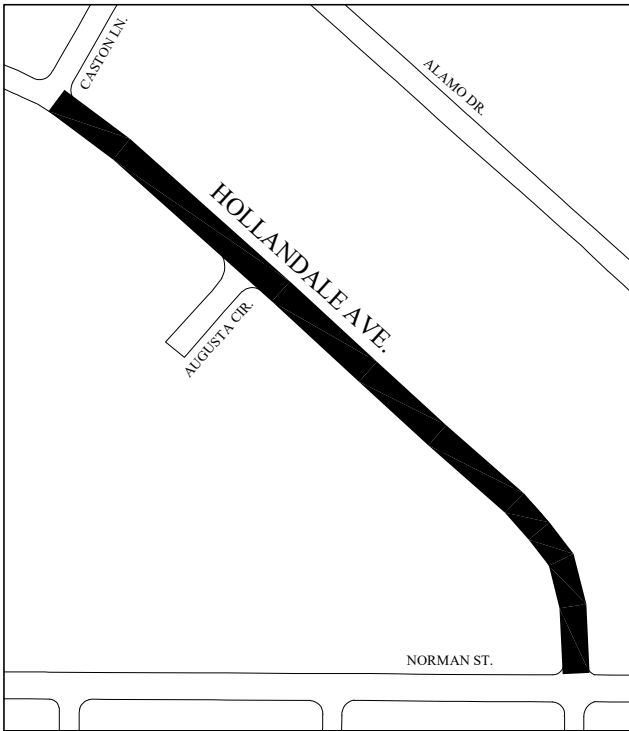
2026 ASPHALT REHABILITATION PROJECT

CWF26-100-06

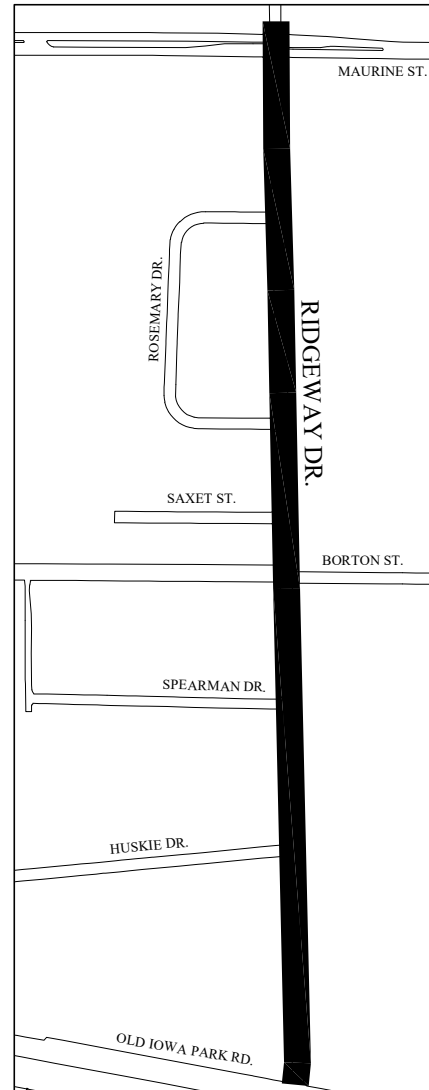


2026 ASPHALT REHABILITATION PROJECT

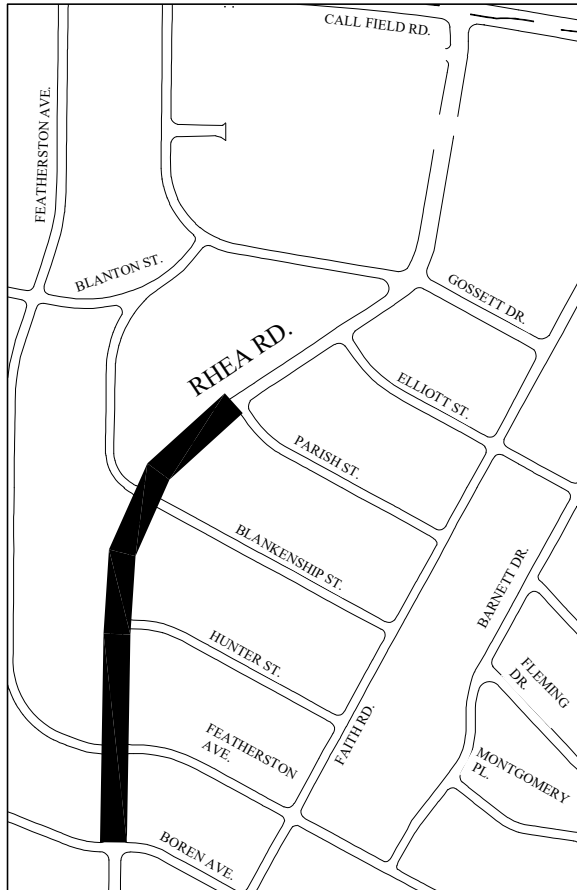
CWF26-100-06



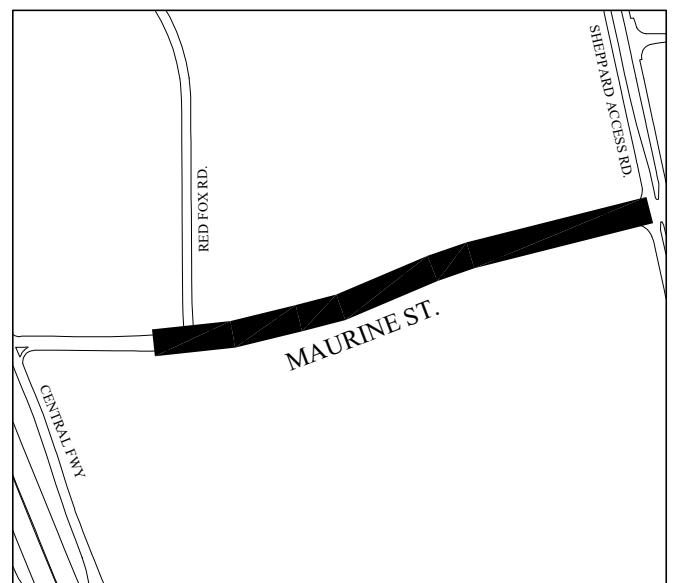
HOLLANDALE AVE.



RIDGEWAY DR.



RHEA RD.
(ADD/ALT)



MAURINE ST.

NOT TO SCALE

SHEET 1 OF 1

2026 Asphalt Rehabilitation Project
CWF26-100-06
Bid Date: July 9, 2026

BASE BID ** ORDER OF BIDS FROM LOWEST TO HIGHEST **				Freeman Paving, LLC Vernon, TX		Overland Corporation Ardmore, OK	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total
200.1	Site Preparation & Mobilization (Not to Exceed 5%)	LS	1	\$50,000.00	\$50,000.00	\$89,000.00	\$89,000.00
301.5-8	8" Soil Stabilization	SY	330	\$25.00	\$8,250.00	\$150.00	\$49,500.00
302-D	Type D Hot Mix Asphalt	TON	1,405	\$110.00	\$154,550.00	\$150.00	\$210,750.00
305.1	Remove & Replace Curb & Gutter	LF	360	\$75.00	\$27,000.00	\$110.00	\$39,600.00
305.2-PR	Pedestrian Ramps	EA	8	\$2,500.00	\$20,000.00	\$3,500.00	\$28,000.00
305.2-SW	Remove & Replace 4" Concrete Sidewalk	SY	50	\$90.00	\$4,500.00	\$125.00	\$6,250.00
305.2-VG	Remove & Replace Valley Gutter	SY	330	\$115.00	\$37,950.00	\$180.00	\$59,400.00
305.2-6	Remove & Replace 6" Concrete Pavement	SY	20	\$300.00	\$6,000.00	\$195.00	\$3,900.00
402-6	6" Base Repair	SY	8,057	\$80.00	\$644,560.00	\$85.00	\$684,845.00
402-10	10" Base Repair	SY	5,195	\$110.00	\$571,450.00	\$115.00	\$597,425.00
403-M	Milling	SY	12,730	\$2.85	\$36,280.50	\$5.50	\$70,015.00
801	Temporary Traffic Control	LS	1	\$10,000.00	\$10,000.00	\$37,500.00	\$37,500.00
804-24WS	24" White Solid Striping (Stop Bar & Crosswalk) - 100 mil thick	LF	155	\$10.00	\$1,550.00	\$8.50	\$1,317.50
Total Base Bid				\$1,572,090.50		Total Base Bid	\$1,877,502.50

ADDITIVE/ALTERNATE NO. 1				Freeman Paving, LLC Vernon, TX		Overland Corporation Ardmore, OK	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total
302-D-ALT 1	Type D Hot Mix Asphalt	TON	1,155	\$110.00	\$127,050.00	\$150.00	\$173,250.00
403-M-ALT 1	Milling	SY	10,490	\$2.85	\$29,896.50	\$5.50	\$57,695.00
804-4WD-ALT 1	4" White Dash Striping - 100 mil thick	LF	900	\$2.25	\$2,025.00	\$1.45	\$1,305.00
804-4WS-ALT 1	4" White Solid Striping - 100 mil thick	LF	80	\$3.50	\$280.00	\$1.46	\$116.80
804-4YS-ALT 1	4" Yellow Solid Striping - 100 mil thick	LF	3,770	\$2.50	\$9,425.00	\$1.35	\$5,089.50
804-24WS-ALT 1	24" White Solid Striping (Stop Bar) - 100 mil thick	LF	25	\$10.00	\$250.00	\$8.50	\$212.50
804-LA-ALT 1	Left Turn Only Arrow - Prefab Type C	EA	1	\$300.00	\$300.00	\$250.00	\$250.00
804-RA-ALT 1	Right Turn Only Arrow - Prefab Type C	EA	1	\$300.00	\$300.00	\$250.00	\$250.00
Total Add/Alt No. 1				\$169,526.50		Total Add/Alt No. 1	\$238,168.80

ADDITIVE/ALTERNATE NO. 2				Freeman Paving, LLC Vernon, TX		Overland Corporation Ardmore, OK	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total
200.1-ALT 2	Site Preparation & Mobilization (Not to Exceed 5%)	LS	1	\$1,000.00	\$1,000.00	\$32,250.00	\$32,250.00
302-D-ALT 2	Type D Hot Mix Asphalt	TON	890	\$110.00	\$97,900.00	\$150.00	\$133,500.00
305.1-ALT 2	Remove & Replace Curb & Gutter	LF	50	\$75.00	\$3,750.00	\$110.00	\$5,500.00
305.2-PR-ALT 2	Pedestrian Ramps	EA	2	\$2,500.00	\$5,000.00	\$3,500.00	\$7,000.00
305.2-SW-ALT 2	Remove & Replace 4" Concrete Sidewalk	SY	10	\$250.00	\$2,500.00	\$125.00	\$1,250.00
402-9-ALT 2	9" Base Repair	SY	5,660	\$105.00	\$594,300.00	\$105.00	\$594,300.00
403-M-ALT 2	Milling	SY	8,083	\$2.85	\$23,036.55	\$5.50	\$44,456.50
801-ALT 2	Temporary Traffic Control	LS	1	\$10,000.00	\$10,000.00	\$41,000.00	\$41,000.00
804-4WD-ALT 2	4" White Dash Striping - 100 mil thick	LF	300	\$2.25	\$675.00	\$1.45	\$435.00
804-4YS-ALT 2	4" Yellow Solid Striping - 100 mil thick	LF	1,500	\$2.50	\$3,750.00	\$1.35	\$2,025.00
804-24WS-ALT 2	24" White Solid Striping (Stop Bar) - 100 mil thick	LF	124	\$10.00	\$1,240.00	\$8.50	\$1,054.00
804-LSA-ALT 2	Left Turn & Straight Arrow - Prefab Type C	EA	1	\$300.00	\$300.00	\$250.00	\$250.00
804-MA-ALT 2	Merge Arrow - Prefab Type C	EA	1	\$450.00	\$450.00	\$400.00	\$400.00
804-RSA-ALT 2	Right Turn & Straight Arrow - Prefab Type C	EA	1	\$300.00	\$300.00	\$310.00	\$310.00
Total Add/Alt No. 2				\$744,201.55		Total Add/Alt No. 2	\$863,730.50

ADDITIVE/ALTERNATE NO. 3				Freeman Paving, LLC Vernon, TX		Overland Corporation Ardmore, OK	
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total
200.1-ALT 3	Site Preparation & Mobilization (Not to Exceed 5%)	LS	1	\$1,000.00	\$1,000.00	\$30,000.00	\$30,000.00
302-D-ALT 3	Type D Hot Mix Asphalt	TON	635	\$110.00	\$69,850.00	\$150.00	\$95,250.00
305.1-ALT 3	Remove & Replace Curb & Gutter	LF	50	\$75.00	\$3,750.00	\$110.00	\$5,500.00
305.2-PR-ALT 3	Pedestrian Ramps	EA	2	\$2,500.00	\$5,000.00	\$3,500.00	\$7,000.00
305.2-SW-ALT 3	Remove & Replace 4" Concrete Sidewalk	SY	10	\$250.00	\$2,500.00	\$125.00	\$1,250.00
402-9-ALT 3	9" Base Repair	SY	4,040	\$105.00	\$424,200.00	\$105.00	\$424,200.00
403-M-ALT 3	Milling	SY	5,767	\$2.85	\$16,435.95	\$5.50	\$31,718.50
801-ALT 3	Temporary Traffic Control	LS	1	\$10,000.00	\$10,000.00	\$47,000.00	\$47,000.00
Total Add/Alt No. 3				\$532,735.95		Total Add/Alt No. 3	\$641,918.50

AWARD TOTAL (Base Bid + Add/Alt Nos. 1 & 3)	\$2,274,352.95	TOTAL (Base Bid + Add/Alt Nos. 1 & 3)	\$2,757,589.80
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**City Council
July 21, 2026
Transmittal Letter**

STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☒ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

Agenda Item Number: 9.g.

Agenda Item Name: Resolution rejecting submissions for Regional Airport Entry Vestibule Door Replacement Project

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Airport

Staff Contact:

James McKechnie, Deputy City Manager
Jennifer Babineaux, Purchasing Manager
Jenny Stevens, Public Transportation Administrator

1. PURPOSE / DESCRIPTION

Submissions were received July 7, 2026 for the demolition and replacement of existing East and West entry vestibules at the Wichita Falls Regional Airport. Upon review, FAA requested a rejection of the submissions and rebid of the project as an Invitation to Bid in order for the project to be awarded to the lowest responsive bidder. Three (3) responses were received.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The project was originally solicited as a Request for Proposals (RFP) due to the complexity of the scope, security requirements, and the time-sensitive nature of the work. The evaluation criteria assigned weighted scores across six key areas to determine the best value for contract award.

Following review by the Federal Aviation Administration (FAA), the City was advised that, because the project will utilize FAA funding, the procurement must be conducted as an Invitation to Bid (ITB), with the contract awarded to the lowest responsive bidder rather than through a weighted evaluation process.

To maintain eligibility for FAA funding and ensure compliance with FAA procurement requirements, staff recommends rejecting all proposals received under the RFP and reissuing the project as an Invitation to Bid.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

Reject all submissions received for the Regional Airport Entry Vestibule Door Replacement Project.

5. FUNDING SOURCE

FAA

6. TIMELINE

Publish new bid 7/22/26 with closing date of 8/13/26.

7. ALTERNATIVE OPTIONS

Keep submissions and pay with City funds.

8. ATTACHMENTS

1. RFP 04-26 REGIONAL AIRPORT ENTRY VESTIBULE DOOR REPLACEMENT - REJECTION OF SUBMISSIONS

Resolution No. _____

**Resolution rejecting submissions for Regional Airport Entry Vestibule
Door Replacement Project**

WHEREAS, the City received proposals for the Regional Airport Entry Vestibule Door Replacement Project on July 7, 2026; and,

WHEREAS, proposals were received and acknowledged on July 7, 2026; and,

WHEREAS, the FAA disagreed with the method of award for the project; and,

WHEREAS, it is in the City's best interest to reject the submissions, re-advertise, and solicit bids with a new due date.

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

The City hereby rejects any and all submissions received for the Regional Airport Entry Vestibule Door Replacement Project.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk



STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☒ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 9.h.

Agenda Item Name: Resolution authorizing the City Manager to execute an Interlocal Agreement with the Wichita Falls Independent School District for management and funding of the school crossing guard program

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Public Works

Staff Contact:

Russell Schreiber, Director of Public Works

1. PURPOSE / DESCRIPTION

Approve an interlocal agreement with WFISD for the management of the School Crossing Guard program

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The management and operation of the WFISD School Crossing guard program has been problematic for the City to manage for quite some time. Issues include filling and retaining the part-time crossing guard positions. Filling vacant or absent positions with Traffic engineering staff when a guard calls in sick or is not available. Organizing and managing the program during times when the WFISD shifts or eliminates school hours, etc.

It makes much more sense for the WFISD to have control over the day-to-day operation and management of this needed program, as they are the organization in control of the operations which dictate the locations and times the crossing guards are needed. They are also in control of how their facilities are categorized and used, such as closing schools, moving students to other campuses, and changing a middle school to an elementary school. This agreement will allow for much more efficient use of the

taxpayer's dollars as full-time city employees do not have to spend their time filling these part-time positions when a guard calls in sick or is not able to perform their duties. Under the proposed 50/50 cost sharing arrangement, the estimated cost to the City in the initial year is \$96,330, subject to year-end reconciliation.

3. BOARD REVIEW / CITIZEN INPUT

WFISD Board considered and approved the agreement at their July 20th board meeting

4. RECOMMENDATION

Staff recommends approval.

5. FUNDING SOURCE

General Fund Traffic Engineering - Child Safety Fees (1007100-50325)

6. TIMELINE

The agreement to be effective immediately so WFISD can begin to hire personnel to fill the crossing guard positions.

7. ALTERNATIVE OPTIONS

The program could remain with the City.

8. ATTACHMENTS

1. Interlocal Agreement School Crossing Guard Program - Resolution

Resolution No. _____

Resolution authorizing the City Manager to execute an Interlocal Agreement with the Wichita Falls Independent School District for management and funding of the school crossing guard program

WHEREAS, the City and the District are local governments and political subdivisions of the State of Texas for purposes of the Interlocal Cooperation Act; and,

WHEREAS, the provision of school crossing guard services for District-operated schools located within the City limits serves a public purpose and promotes the health, safety, and welfare of students, families, motorists, pedestrians, and the public; and,

WHEREAS, the City has historically managed the school crossing guard program, and the Parties desire to establish a cooperative structure under which the District will manage the day-to-day hiring, training, scheduling, supervision, and compensation of crossing guards assigned to serve District-operated schools within the City limits; and,

WHEREAS, the City will retain authority over City streets, public rights-of-way, traffic-control devices, school zones, school-zone signage, crosswalks, and related traffic-engineering and law-enforcement matters; and,

WHEREAS, the Parties desire to share the allowable costs of the program equally, with the City reimbursing the District for fifty percent (50%) of allowable program expenses as provided in this Agreement.

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

The City Manager is authorized to execute the Interlocal Agreement with the Wichita Falls Independent School District for management and funding of the school crossing guard program.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk



STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☒ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 9.i.

Agenda Item Name: Resolution authorizing the retention of Jackson Walker LLP as outside legal counsel, in an amount not to exceed \$185,000, to represent the City in legal matters regarding flooding, flood mitigation efforts, and associated state and federal legal issues

Council Action to be Taken: Consider and take action on proposed Resolution.

Department Submitted: Legal

Staff Contact:

Kinley Heggland, City Attorney

1. PURPOSE / DESCRIPTION

The proposed retention of Jackson Walker LLP will provide the City with the expertise needed to address the concerns and regulatory issues involved.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

The City Attorney and Deputy City Manager interviewed firms with the expertise needed to efficiently represent the City and have determined that Jackson Walker LLP is both qualified and best suited to meet the City's needs.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

The City Attorney recommends retaining Jackson Walker LLP.

5. FUNDING SOURCE

6. TIMELINE

The retention of Jackson Walker LLP, if approved, will be finalized as soon as the authority to do so has been granted.

7. ALTERNATIVE OPTIONS

Additional firms were interviewed. Each firm had expertise, but Jackson Walker's expertise and approach best fit the City's needs.

8. ATTACHMENTS

1. Resolution to retain Jackson Walker LLP

Resolution No. _____

Resolution authorizing the retention of Jackson Walker LLP as outside legal counsel, in an amount not to exceed \$185,000, to represent the City in legal matters regarding flooding, flood mitigation efforts, and associated state and federal legal issues

WHEREAS, the City has been made aware of legal issues regarding flooding and the City's mitigation efforts; and,

WHEREAS, these issues concern matters governed by complex technical federal and state regulations; and,

WHEREAS, because of the complexity of the issues and the regulations involved, the City Attorney recommends that the City retain outside legal counsel with the specialized knowledge and expertise necessary to advise the City; and,

WHEREAS, the law firm of Jackson Walker LLP possesses the required knowledge and expertise to assist the City with this matter.

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

The City Attorney is authorized to retain the law firm of Jackson Walker LLP as associated outside legal counsel for the City, for legal services related to flooding, flood mitigation efforts, and related state and federal legal issues, and to execute an agreement for legal services, and authorizing the expenditure not to exceed \$185,000.

PASSED AND APPROVED this 21st day of July, 2026.

Mayor

ATTEST:

City Clerk



STRATEGIC PILLAR

- ☒ Accelerate Economic Growth
- ☐ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

City Council July 21, 2026 Transmittal Letter

Agenda Item Number: 10.a.

Agenda Item Name: Conduct a public hearing and take action on an ordinance annexing 8.32+/-acres of land out of the T. Curry Survey, Abstract 345, Wichita County, Texas; referenced as a portion of 2500 Bacon Switch Road and 0 Interstate 44, at the request of the property owner; accepting the 2500 Bacon Switch Road/0 Interstate 44 Bengal Pantego Plaza LLC. Municipal Services Annexation Plan Agreement for said tract under authority of Texas Local Government Code Chapter 43; Subchapter C-3, authority of municipalities to annex an area on request of owners; and designating the tract's zoning as General Commercial (GC) and Land Use Plan classification as Commercial (C)

- I. Conduct Public Hearing
- II. Take Action

Council Action to be Taken: Conduct a Public Hearing and take action on proposed Ordinance.

Department Submitted: Planning

Staff Contact:

Karen Montgomery-Gagne, Principal Planner
Fabian Medellin, Director of Development Services

1. PURPOSE / DESCRIPTION

To consider a petitioned annexation request from Bengal Pantego Plaza, LLC at the north-east corner of I-44 & Bacon Switch Road to access City Utilities and to facilitate the development of a travel center.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

Consultant Prabin KC of Innovative Design & Construction, LLC, representing Bengal Pantego Plaza, LLC, met with City staff during a pre-development meeting to discuss

the proposed development of open range lands along Bacon Switch Road and the I-44 frontage road as a future 24/7 commercial truck stop, restaurant, and convenience store. Bengal Pantego Plaza, LLC. has developed 11 similar facilities in the DFW area. Following the November 2025 meeting, the developer submitted a preliminary plat in early 2026 seeking to create two lots and incorporating the existing 1.71-acre portion of 2500 Bacon Switch Road already located within the city limits and zoned General Commercial (GC). Concurrently, the developer submitted a voluntary owner-petitioned annexation request for approximately 8.32 acres of adjacent unincorporated property to facilitate access to municipal utility services, including water and wastewater.

Upon receipt of the annexation petition, City departments were notified and asked to evaluate their ability to provide municipal services. No objections were received, and all departments confirmed their ability to serve the property in accordance with the 2500 Bacon Switch Road/0 Interstate 44 Municipal Annexation Service Plan (Exhibit F). The most recent annexation in this vicinity occurred in 1979 along the I-44 frontage road. Under standard annexation statutes, newly annexed property is temporarily assigned the Single Family-1 (SF-1) zoning designation. In advance of the Council action, staff presented, and the Planning and Zoning Commission recommended at the July meeting, that a permanent General Commercial zoning designation is appropriate and consistent with the property's location, surrounding land uses, and anticipated future development.

3. BOARD REVIEW / CITIZEN INPUT

- Nov. 3 2025 – Pre-development meeting discussing development options and annexation requirements for access to city utilities (water/sewer)
- January 2026 – Plat submission seeking creation of two lots in the Bengal Pantego Addition (approx. 20 acres)
- April 1, 2026 – Petition requesting owner-initiated annexation submitted.
- April 17, 2026 – Annexation processing fee paid.
- June 3, 2026 – Final revisions completed to field notes and annexation plat.
- June 4, 2026 - Draft annexation service plan distributed to department directors.
- June 19, 2026 – Departmental response deadline for draft annexation service plan; revisions for various municipal services incorporated.
- June 22, 2026 - Property posted for annexation/zoning notice for public hearings.
- June 26, 2026 – Written + email notices distributed of the proposed annexation hearing issued to BISD, public entities, volunteer fire depts/EMS, area utility providers, and special districts in the service area (e.g., Red River Authority, Wichita Co. Water Improvement District, Wichita Co. Appraisal District, etc.)
- June 26, 2026 - Annexation service plan agreement sent to agent/landowner for review & signature.
- July 2, 2026 - Notice of City Council public hearing posted on website + bulletin.
- July 5, 2026 - Notice of City Council public hearing published in TRN.
- July 8, 2026 – Planning & Zoning Commission conducted a public hearing; recommended a permanent zoning designation of General Commercial (GC) and

Land Use Plan as Commercial (C).

- July 15, 2026 – City Council agenda item emailed to the agent/landowner.
- July 21, 2026 – City Council conducts a public hearing and considers the ordinance for petitioned annexation and zoning/land use designation.

4. RECOMMENDATION

In accordance with state law and local ordinances, the Planning & Zoning Commission (P&Z) conducted a public hearing at their meeting on July 8, and after consideration, recommended approval of assigning permanent zoning/land use classification by a 9-0 vote. Staff recommends the proposed voluntary owner-petitioned annexation of tract land at 2500 Bacon Switch Road/0 Interstate I44 along with the permanent designation of General Commercial (GC) Zoning and Commercial (C) for the Land Use Plan classification.

5. FUNDING SOURCE

No funding required.

6. TIMELINE

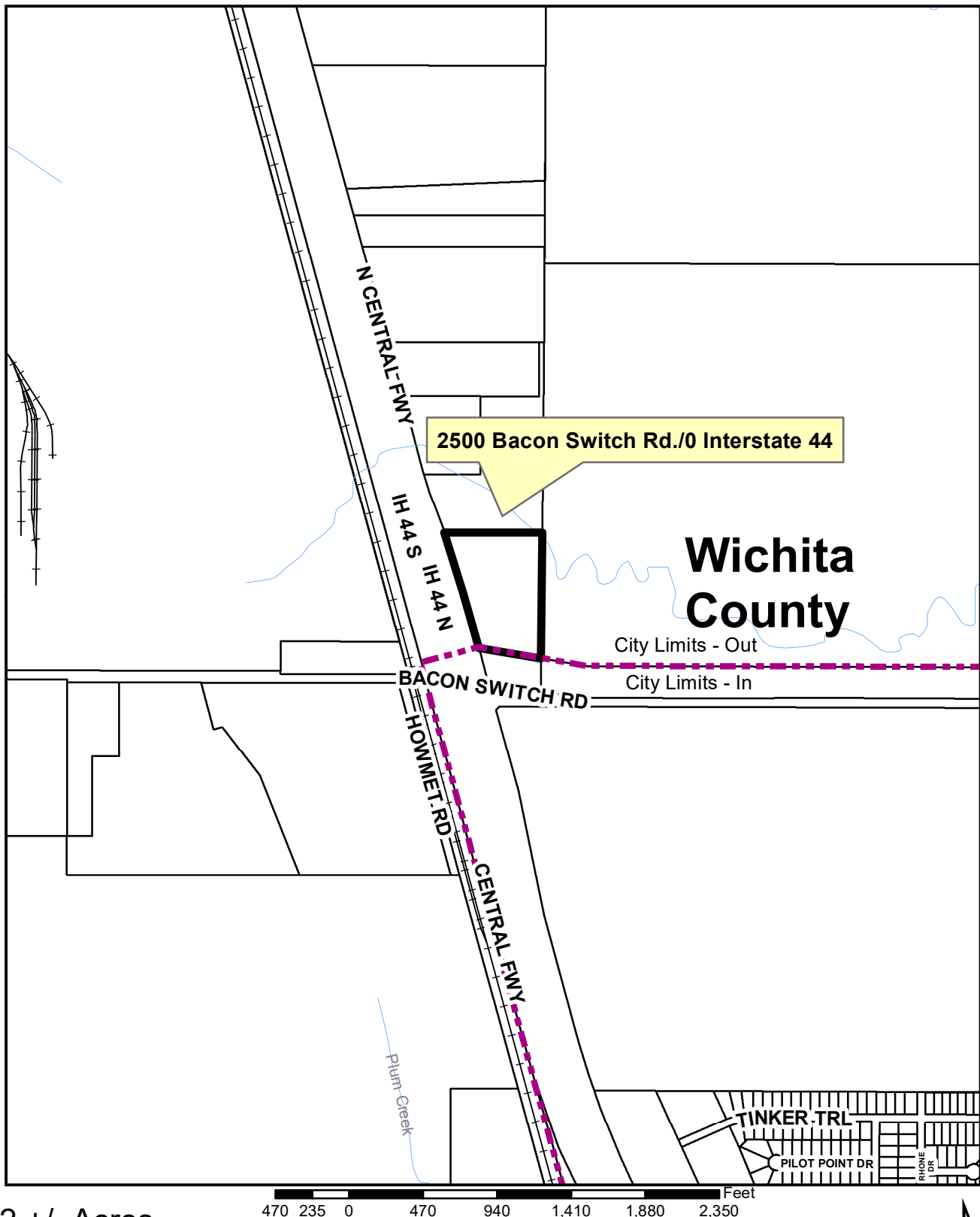
Thirty (30) days once adopted.

7. ALTERNATIVE OPTIONS

If the petitioned tract is not annexed and zoned for commercial uses, there will be no access to City utilities (water/sewer), resulting in limited opportunity for any commercial development, including the proposed 8,000 sq ft truck stop/restaurant/convenience store complex.

8. ATTACHMENTS

1. 2500BaconSwitchRd_0_I44LocationMap
2. 2500BaconSwitchRd-0_I44_AerialMap
3. R 26-05_LandUseMap
4. Site Photos-2500 Bacon SwitchRd_I44
5. Ordinance_2500_0 I44 Annex_Zoning
6. Exhibit A-Rev3-ANNEX-BNDRY_FieldNotes-06-03-26
7. Exhibit B-Rev3-ANNEX-BNDRY_Map-06-03-26
8. Exhibit C-PETITION REQUESTING ANNEXATION REV-04-01-26_scanned
9. Exhibit D-GC ZoningMap
10. Exhibit E- Com LandUseMap
11. Exhibit F-CWF-BSRd_I44 Annexation_Municipal Service Plan_PW REV_signed-06-29-26



8.32 +/- Acres

2500 Bacon Switch Rd/0 Interstate 44/Bengal Pantego Plaza LLC.

Wichita County

Location Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 24 June 2026

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



City Limits - Wichita Falls



Portion of Tract for Petitioned Annexation



8.32 +/- Acres

2500 Bacon Switch Rd/0 Interstate 44/Bengal Pantego Plaza LLC.

Wichita County

Aerial Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 24 June 2026

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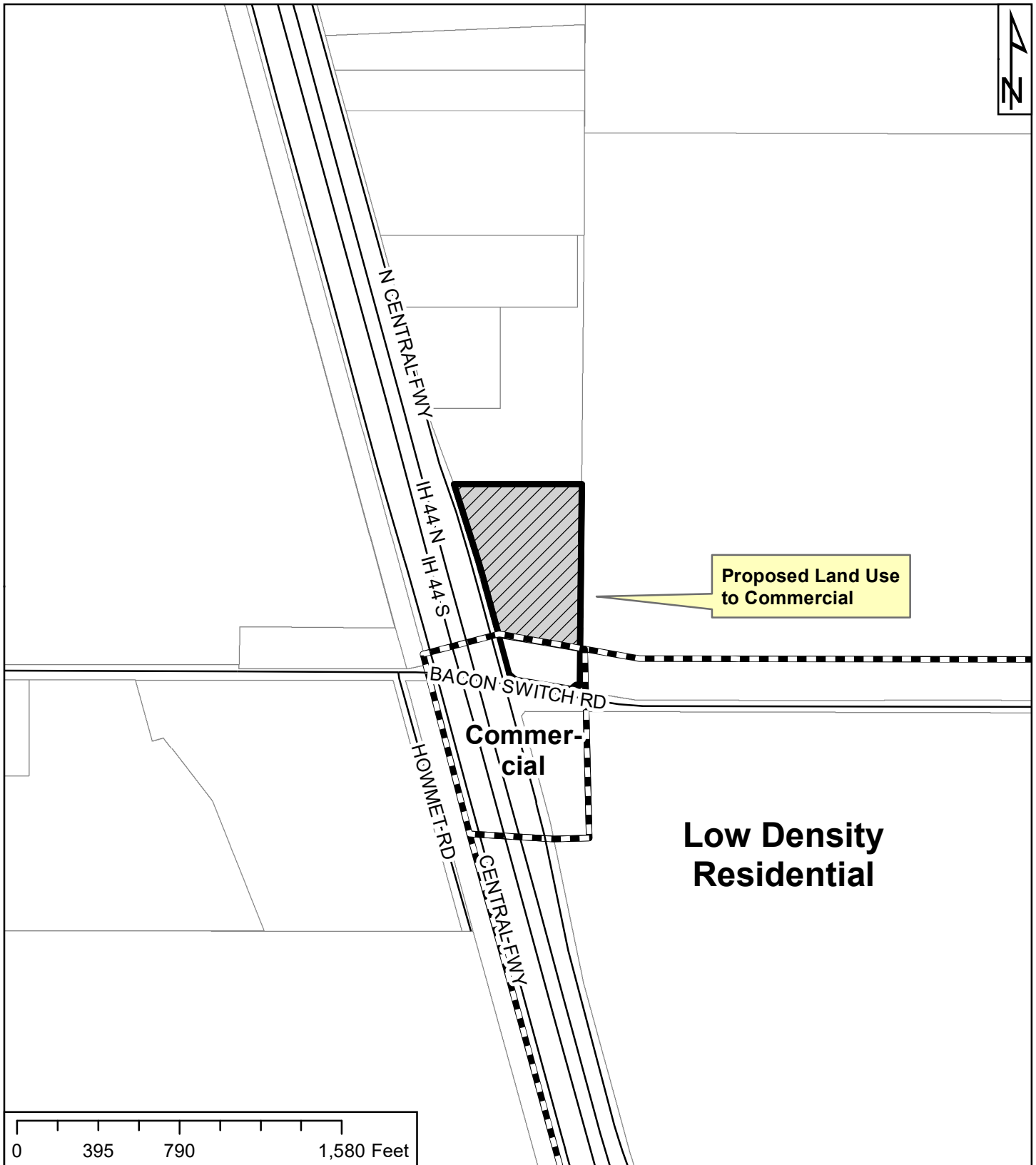
Legend

 Portion of Tract for Petitioned Annexation

 Parcels

City Limits

 Wichita Falls



R 26-05 2500 Bacon Switch Road/0 Interstate 44 Land Use Map

CITY OF WICHITA FALLS, PLANNING DIVISION
 MAP PRODUCED BY: Cedric Hu
 DATE PRODUCED: 25 June 2026

Disclaimer
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Legend

-  Land Use Plan Boundary
-  Subject Property
-  Proposed Land Use
-  Parcels

SITE PHOTOS

2500 Bacon Switch Rd/0 Interstate 44 Tract Proposed for Annexation

Subject
Property:

NE corner
Bacon Switch
& I44

View from
Bacon Switch
Rd. looking
Northwest
toward I44



Subject Property:

Views Looking North (city
limits sign visible) and South
along I44 Frontage Rd.



Ordinance No. _____

Ordinance annexing 8.32+/- acres of land out of the T. Curry Survey, Abstract 345, Wichita County, Texas; referenced as a portion of 2500 Bacon Switch Road and 0 Interstate 44, at the request of the property owner; accepting the 2500 Bacon Switch Road/0 Interstate 44 Bengal Pantego Plaza LLC. Municipal Services Annexation Plan Agreement for said tract under authority of Texas Local Government Code Chapter 43; Subchapter C-3, authority of municipalities to annex an area on request of owners; and designating the tract's zoning as General Commercial (GC) and Land Use Plan classification as Commercial (C)

WHEREAS, the Planning Division received a request for petitioned annexation on April 1, 2026, being finalized on June 3, 2026; and,

WHEREAS, the Planning and Zoning Commission considered a proposed zoning designation for the requested property for annexation at its July 8, 2026, meeting, and voted to recommend approval of the request; and

WHEREAS, the governing body, Wichita Falls City Council, heard arguments for and against the petition on July 21, 2026, and granted the petition for annexation by area landowners; and,

WHEREAS, City departments have reviewed such annexation request and find that such annexation would not burden City resources in providing service(s); and,

WHEREAS, the City Council has determined that such annexation is in the public interest.

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

1. A tract of land, being 8.32+/- acres, described in Field Notes herein included as Exhibit 'A', as shown on the map included as Exhibit 'B', and requested via petition as Exhibit 'C', is hereby annexed into the City of Wichita Falls.
2. The annexation will not expand the City of Wichita Falls Extraterritorial Jurisdiction (ETJ) area.
3. The City Council further directs the City Clerk to file a certified and true copy of this ordinance, TOGETHER WITH A COPY OR DUPLICATE OF THE PETITION FOR ANNEXATION, IN THE OFFICE OF THE WICHITA COUNTY CLERK, WICHITA COUNTY, after its passage as required by law.
4. That a portion of 2500 Bacon Switch Road and 0 Interstate 44, referenced as

T. Curry Survey, Abstract 345, Wichita County, Texas, as depicted on the attached map incorporated in this ordinance as Exhibit 'D', is hereby zoned for General Commercial (GC) uses.

5. The area on the Land Use Map, as depicted on the attached maps incorporated in this ordinance as Exhibit 'E', is hereby classified for Commercial (C) uses.
6. The Municipal Services Annexation Plan Agreement outlining services to be provided is included as Exhibit 'F' in this ordinance.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk

EXHIBIT A - FIELD NOTES

FIELD NOTES:

A TRACT OF LAND IN WICHITA FALLS, WICHITA COUNTY, TEXAS; OUT OF THE THOMAS CURRY SURVEY ABSTRACT 345; OUT OF THAT TRACT OF LAND DEEDED TO BENGAL PANTEGO PLAZA LLC. RECORDED IN DOCUMENT NUMBER 202514864 OFFICIAL PUBLIC RECORD OF WICHITA COUNTY ("O.P.R.W.C."); MORE COMMONLY KNOWN AS 2500 BACON SWITCH ROAD, WICHITA FALLS, TEXAS; AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THIS DESCRIPTION, IN THE EAST LINE OF SAID ABSTRACT 345, IN THE WEST LINE OF A TRACT OF LAND DEEDED TO WICHITA787SOLAR LLC. RECORDED IN DOCUMENT NUMBER 202314264 O.P.R.W.C. AND, BEARING SOUTH 00°21'31" WEST 5055.74 FEET FROM A RAILROAD SPIKE FOUND AT THE NORTHEAST CORNER OF SAID ABSTRACT 345

THENCE SOUTH 00°21'28" WEST 771.03 FEET ALONG THE EAST LINE OF SAID ABSTRACT 345 AND THE WEST LINE OF SAID WICHITA787SOLAR TRACT TO A POINT NOT SET IN THE NORTH LINE OF THE CITY OF WICHITA FALLS CITY LIMITS LINE FOR THE SOUTHEAST CORNER OF THIS DESCRIPTION;

THENCE NORTH 80°07'41" WEST 402.13 FEET SEVERING SAID BENGAL PANTEGO TRACT AND ALONG THE NORTH LINE OF SAID CITY OF WICHITA FALLS CITY LIMITS LINE TO A POINT NOT SET IN THE EAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 44 FOR THE SOUTHWEST CORNER OF THIS DESCRIPTION;

THENCE NORTH 15°21'32" WEST 605.56 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 44 TO A 1/2 INCH IRON ROD FOUND FOR AN ANGLE POINT OF THIS DESCRIPTION;

THENCE NORTH 21°06'14" WEST 127.45 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 44 TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THIS DESCRIPTION;

THENCE SOUTH 89°55'40" EAST 607.28 FEET SEVERING SAID BENGAL PANTEGO TRACT AND SAID ABSTRACT 345 TO THE PLACE OF BEGINNING AND CONTAINING 8.32 ACRES OF LAND MORE OR LESS.

SEE SHEET 1 FOR CORRESPONDING SURVEY PLAT

SURVEYOR'S NOTE:

- 1. NO TITLE COMMITMENT WAS PROVIDED TO THE SURVEYOR AND NO EASEMENT SEARCH WAS PERFORMED.
- 2. ALL SET CORNERS ARE MARKED WITH A YELLOW PLASTIC CAP OR SHINER STAMPED "PROVEN SURVEYING 10015000"
- 3. THIS PLAT IS THE PROPERTY OF PROVEN SURVEYING AND SHALL NOT BE ALTERED, DUPLICATED, DISTRIBUTED, ELECTRONICALLY REPRODUCED, POSTED ONLINE, OR UPLOADED TO ANY CLOUD PLATFORM OR LISTING SERVICE (E.G. PARAGON) WITHOUT THE WRITTEN AUTHORIZATION OF PROVEN SURVEYING
- 4. PROVEN SURVEYING ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY FOR ANY PURPOSE AFTER SIX MONTHS FROM THE LAST DATE INDICATED HEREON
- 5. A LIMITED USE LICENSE IS GRANTED TO THE BUYER, TITLE CO, AND LENDER FOR THIS TRANSACTION ONLY. USE OF THE SURVEY BY ANY AND ALL PARTIES (NAMED OR IN POSSESSION OF THIS SURVEY) OUTSIDE OF THIS TRANSACTION IS IN VIOLATION OF SAID LIMITED LICENSE.
- 6. EVERY REASONABLE ATTEMPT WAS MADE TO INSPECT THE SUBJECT PROPERTY AND TO THE BEST OF OUR KNOWLEDGE NO VISIBLE OR APPARENT EASEMENTS OR POSSIBLE ENCROACHMENTS EXIST EXCEPT WHERE SHOWN ON THE SURVEY.



NOT TO SCALE
LOCATION MAP



ANNEXATION PLAT

SURVEY PERFORMED EXPRESSLY FOR THE BENEFIT OF:
BENGAL PANTEGO PLAZA LLC.
COPYRIGHT 2022 PROVEN SURVEYING, ALL RIGHTS RESERVED

SHEET 2 OF 2

I hereby certify that this survey of this property located at 2500 BACON SWITCH ROAD, WICHITA FALLS, TEXAS
being legally described BY METES & BOUNDS ABOVE OUT OF LOT 1, BLOCK 1, BENGAL PANTEGO ADDITION (UNRECORDED PLAT)
OUT OF THE T. CURRY SURVEY ABSTRACT 345, WICHITA COUNTY, TEXAS

was made on the ground; represents the facts found at the time of the survey; and substantially complies with the current Texas Society of Professional
Surveyors Standards and Specifications for a Category 1B , Condition 4 Survey as of this the 13th day of JANUARY , 20 26


BRAD LITTEKEN R.P.L.S. 6838



PROVEN SURVEYING

2406 KELL BOULEVARD

WICHITA FALLS, TEXAS 76309

(940) 322-6450

Texas Licensed Survey Firm 10015000

EXHIBIT B - REQUESTED ANNEXATION AREA MAP

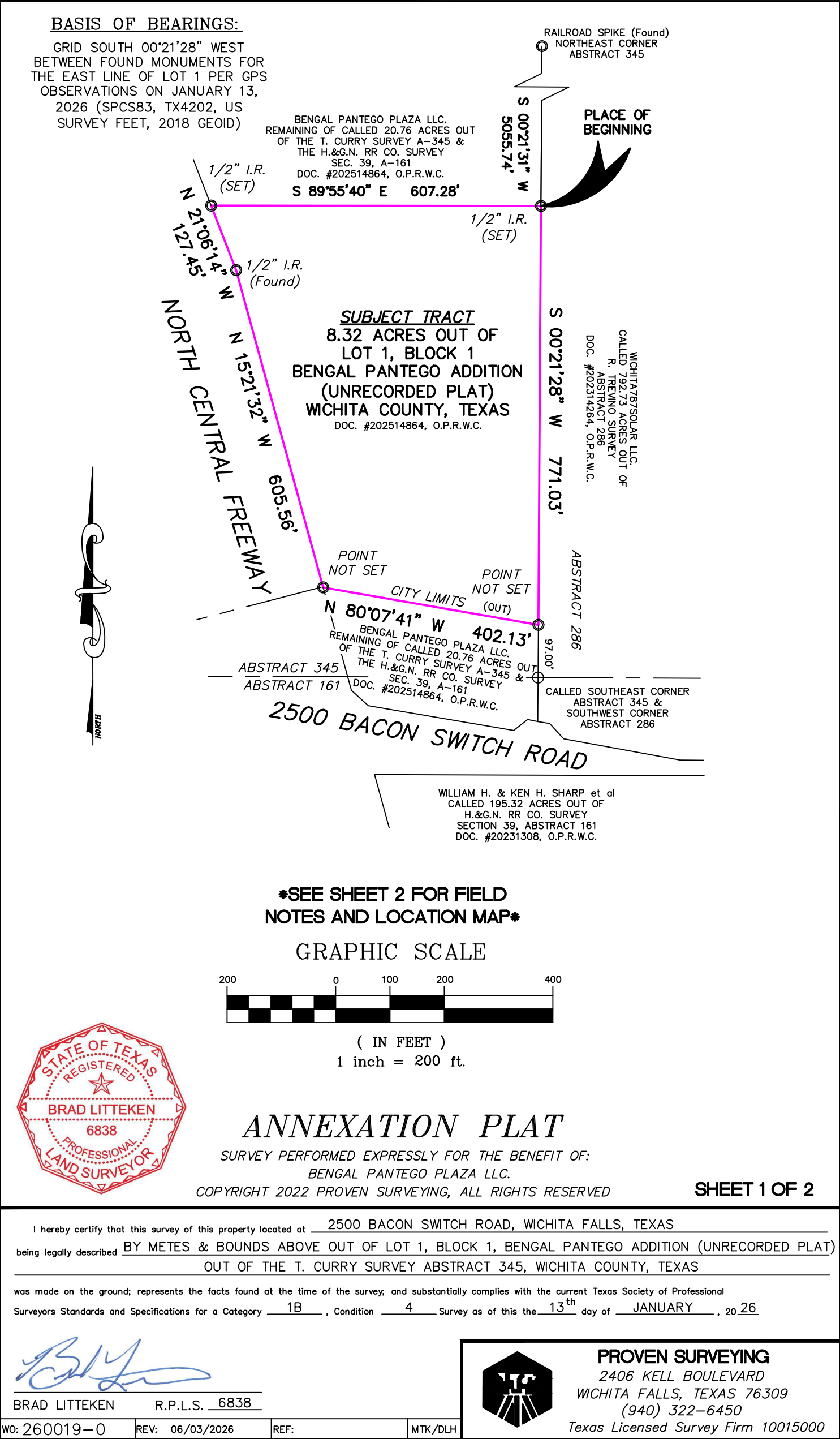


EXHIBIT C - PETITION FOR ANNEXATION REQUEST FORM

PETITION REQUESTING ANNEXATION BY AREA LAND OWNER

TO THE MAYOR OF THE GOVERNING BODY OF WICHITA FALLS, TEXAS:

The undersigned owner of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition your honorable Body to extend the present city limits so as to include as part of the City of Wichita Falls, Texas, the following described territory, to wit:

*SEE ATTACHED EXHIBIT "A" & "B"

I certify that the above-described tract of land is contiguous and adjacent to the City of Wichita Falls, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

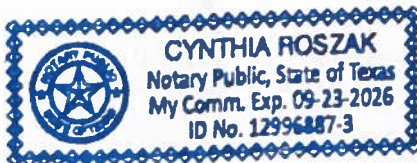
Signed: _____

SM Faizur Rahman
SM Faizur Rahman, Owner
Bengal Pantego Plaza LLC.

THE STATE OF TEXAS COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared and SM FAIZUR RAHMAN, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 1ST day of APRIL, 2026,



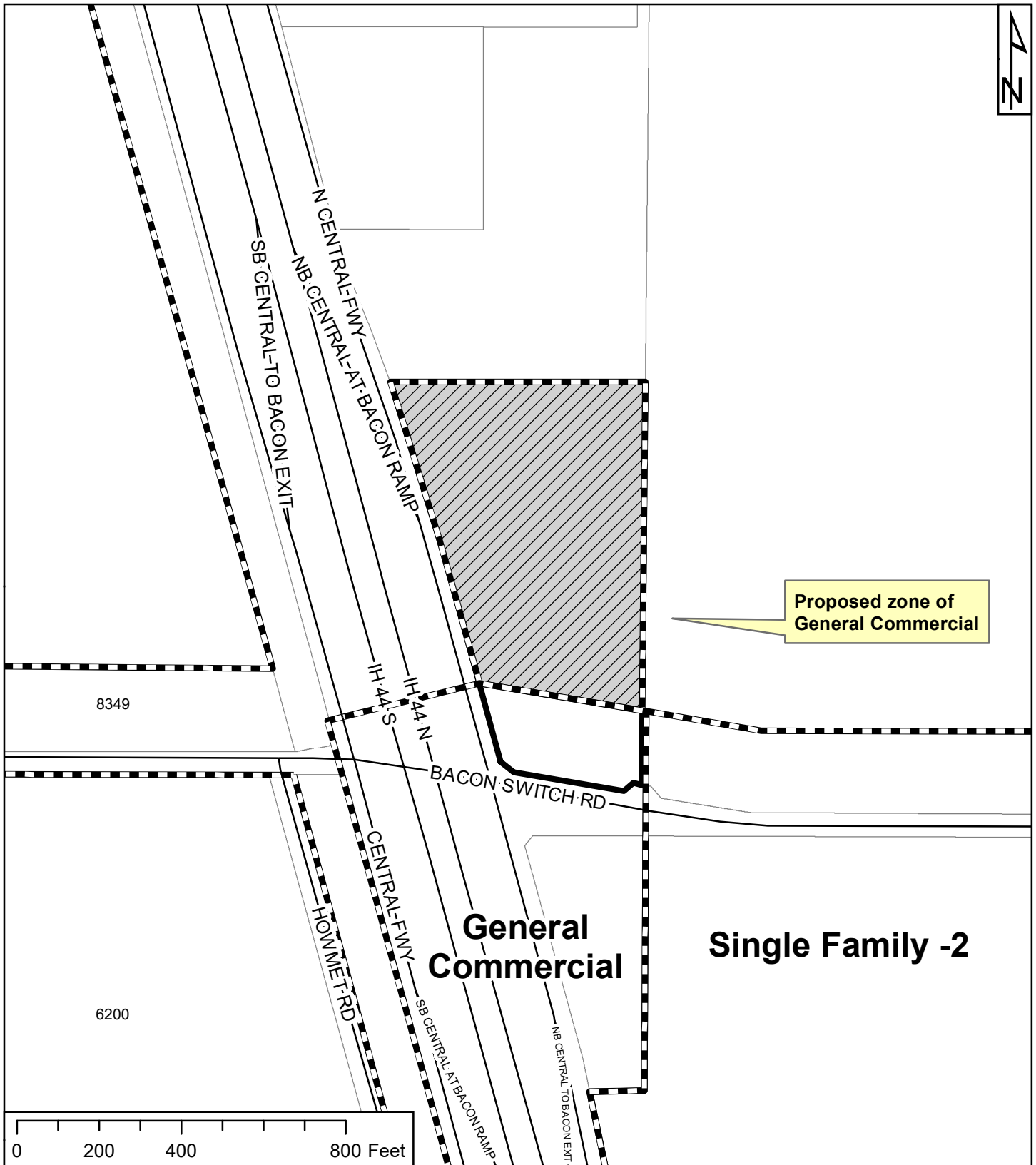
Cynthia Roszak
Notary Public in and for
Collin County, Texas

RECEIVED

APR 01 2026

BY: _____

EXHIBIT D - ZONING FOR ANNEXATION TRACT



R 26-05 2500 Bacon Switch Road/0 Interstate 44 Zoning Map

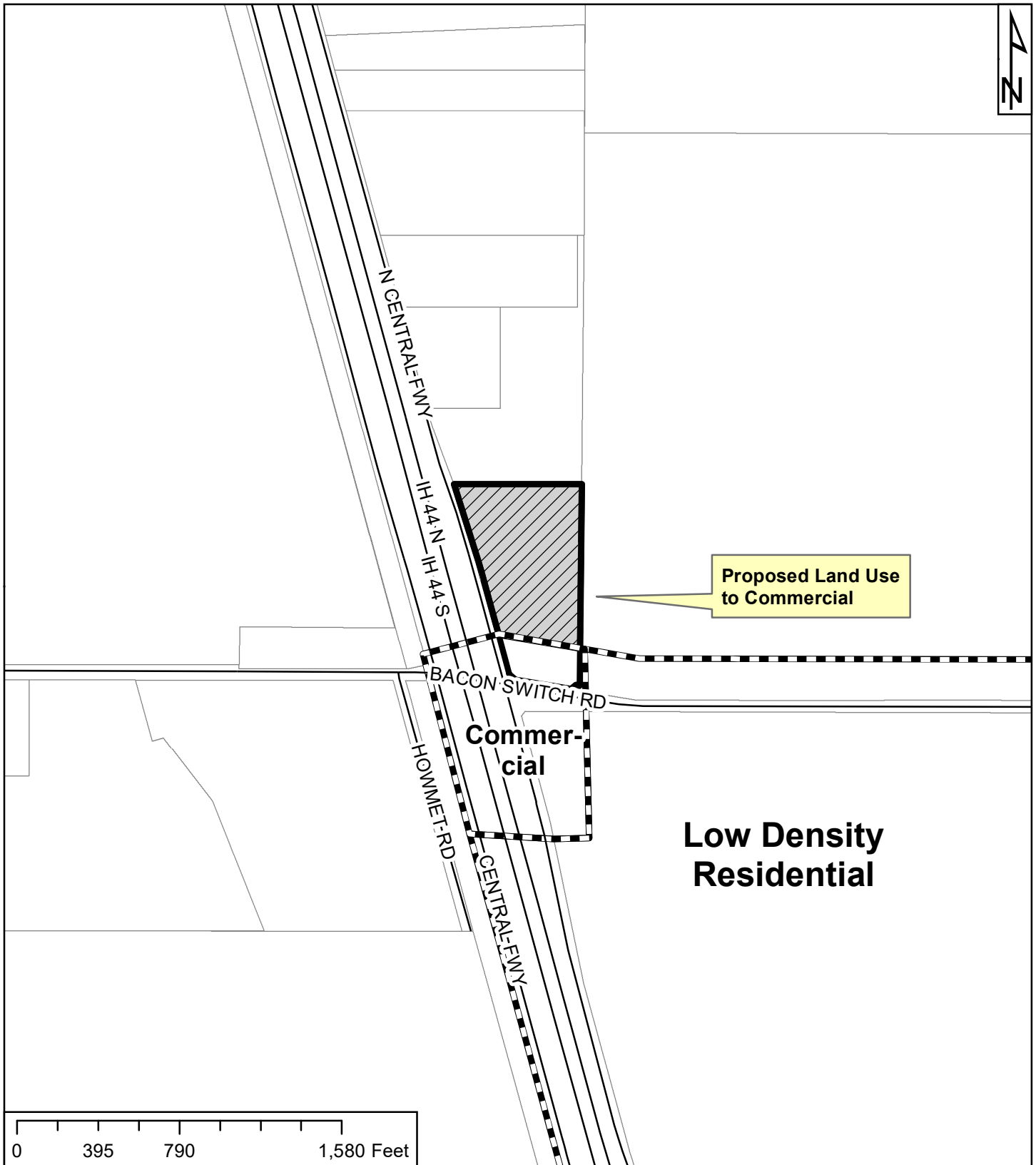
CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 25 June 2026

Disclaimer
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Legend

-  Zoning Boundary
-  Zoning Area
-  Subject Property
-  Parcels

EXHIBIT E - LAND USE FOR ANNEXATION TRACT



R 26-05 2500 Bacon Switch Road/0 Interstate 44 Land Use Map

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 25 June 2026

Disclaimer
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Legend

-  Land Use Plan Boundary
-  Subject Property
-  Proposed Land Use
-  Parcels

EXHIBIT F



City of Wichita Falls

MUNICIPAL SERVICES ANNEXATION PLAN AGREEMENT

**2500 Bacon Switch Road/0 Interstate 44
Bengal Pantego Plaza LLC.**

June 24, 2026

INTRODUCTION

On April 1, 2026, an agent for the landowners (Bengal Pantego Plaza LLC.), Innovation Design & Construction, LLC., submitted a petition for annexation. On April 17, 2026, the processing fee for the petitioned annexation was received by the City of Wichita Falls. Various revisions to the annexation plat were addressed by the landowner and consultant by June 3, 2026. The request for an owner-initiated annexation includes +/- 8.32 acres out of a larger tract, referenced as the T. Curry Survey Abstract 345 situated in Wichita County. This partial tract is generally known as 2500 Bacon Switch Road/0 Interstate 44 and will be referenced as the Bengal Pantego Addition (Lot 1, Block 1), in the vicinity of I-44 (North Central Fwy.) and Bacon Switch Road.

Pursuant to Chapter 43 of the Texas Local Government Code, the City of Wichita Falls has coordinated with each department and put together the 2500 Bacon Switch Road/0 Interstate 44/Bengal Pantego Plaza LLC. Petitioned Annexation Service Plan Agreement. This Plan outlines future delivery of municipal services to an area that is proposed to be annexed into the City of Wichita Falls, at the request of the landowner, and was considered by the Planning & Zoning Commission (recommendation) on July 8th, 2026 and by City Council at a public hearing on July 21st, 2026.

The following municipal service agreement outlines each service the municipality (City of Wichita Falls) will provide either on the effective date of the owner-requested annexation adoption or to become effective at such time as outlined in a schedule of service. Reference to 'applicant' shall relate to the landowner/developer (Bengal Pantego Plaza LLC.) for the petitioned annexation. Future municipal services outlined in this agreement are for a land tract subject to petitioned annexation by the City of Wichita Falls, Texas slated for consideration by the governing body on July 21st, 2026 and referenced in Attachment A – General Vicinity Map and Exhibits A, B and C. The City of Wichita Falls is not required to provide services not included in this petitioned annexation municipal services agreement.

**2500 BACON SWITCH ROAD/0 INTERSTATE 44
BENGAL PANTEGO PLAZA LLC.
PETITIONED ANNEXATION AGREEMENT**

SERVICES TO BE PROVIDED

Police

This area will be served using the same standards for response, together with investigative services as provided to other areas of the City.

Fire

This area will be served using the same operational standards for response, investigation and code compliance as provided to other areas of the city.

Parks

1. Open park areas for picnicking will be available to any future property owners of the annexed area on the same basis as residents presently residing within the City limits.
2. Services provided will be identical to those provided to persons living in other areas of the City.

Engineering Services

Engineering services will be limited to the review of development plans, issuance of permits as required in the development phase, and the inspection of the installation of water and sanitary sewer mains, storm sewers, and the paving of streets and alleys.

Library

Library services identical to those services to persons living in other areas of the City will be provided to the annexation area.

Maintenance of Streets and Roads

Maintenance of streets and roads shall be on a level comparable to that provided for other areas of the City with similar roads, equivalent population densities, degrees and nature of development, traffic patterns, and other factors influencing street maintenance.

Traffic Services

When, at a future time, dependent on development demands the City deems it necessary based on the Manual on Uniform Traffic Control Devices (MUTCD) standards from the U.S. Federal Highway Administration for street lights, pavement markings, traffic signals, traffic signs, including street name, warning and regulatory signs, will be maintained by the City of Wichita Falls Traffic Department. Traffic counts and other related studies will be conducted as warranted, using the same procedures and guidelines as practiced within the City.

Solid Waste Collection

1. For any future residential development that may occur in the area, the City will supply curbside automated service by extending our current automated collection service routing. The collection of solid waste from the individual properties and containers shall be made in accordance with usual department scheduling and rates.
2. Commercial solid waste collection services will be provided to any business located in the annexed area under the same rate, procedures and regulations as presently provided for any business customer within the City, upon request.
3. The use of the City's solid waste collection facilities and transfer station(s) will be available to any future residents of the newly annexed area, and on the same basis as those residents living within the City limits.
4. The City is the sole provider of residential and commercial solid waste collection and disposal.

Schedule of Timing for Solid Waste Collection and Transfer Station Services

The property will be served at the same rate as available to other City residential customers for refuse collection and transfer station services upon completion of all final platting requirements.

Water and Sanitary Sewer Facilities

Maintenance

1. Maintenance of water facilities will include those facilities installed by the City or approved by the City and installed according to City standards and specifications.
2. Maintenance of sanitary sewer facilities will include those facilities installed by the City or approved by the City and installed according to City standards and specifications. The maintenance of any on-site sewage facility, where applicable, shall be the responsibility of the property owner or tenant.

Development

1. Additional extensions of a water system shall be at the expense of the “applicant” as per Chapter 106, Article VI and the Comprehensive Subdivision Ordinance of the Code of Ordinances of the City of Wichita Falls.
2. Sanitary sewer extensions shall be at the expense of the “applicant” in accordance with Chapter 106, Article VI and the Comprehensive Subdivision Ordinance of the Code of Ordinances of the City of Wichita Falls.

Schedule of Timing for Provision of Water and Sanitary Sewer Service

The property is served by City Water and Sanitary Sewer services and may be reconnected to these utilities upon completion of all final platting requirements.

Planning and Zoning Services

1. Planning and zoning services will be provided immediately upon annexation. In addition to the protection of property values through the enforcement of zoning and subdivision regulation, other services including the processing of applications for zoning change and site plan review will be provided by existing City staff.
2. Rezoning of properties will be handled in accordance with existing City procedures. Existing use of properties in conflict with permitted uses shall be deemed nonconforming, and shall continue to operate in accordance with Section 6100 of the Zoning Ordinance.

Building Inspection Services

Inspection services, including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City codes and ordinances, will be provided by Building Inspection personnel.

Environmental Health and Code Enforcement Services

1. Complaints of ordinance violation or other code violations within the area will be answered and investigated by existing personnel.
2. Animal control services will be provided to those areas within the annexed area using existing personnel and equipment.
3. Vector control services will be provided to those areas within the annexed area using existing personnel and equipment.

Miscellaneous Services

General municipal administration and administrative services of the City will be available to the annexed area beginning with the effective date of the annexation ordinance.

CITY of WICHITA FALLS

By: _____
Jeffery Jenkins
City Manager

BENGAL PANTEGO PLAZA LLC.

By:  _____
SM Faizur Rahman, Owner
Bengal Pantego Plaza LLC.

CITY of WICHITA FALLS

APPROVED as to FORM:

ATTEST:

R. Kinley Heggland, Jr.
City Attorney

Marie Balthrop
City Clerk

Attachment A: General Vicinity Map of Proposed Petitioned Annexation Tract

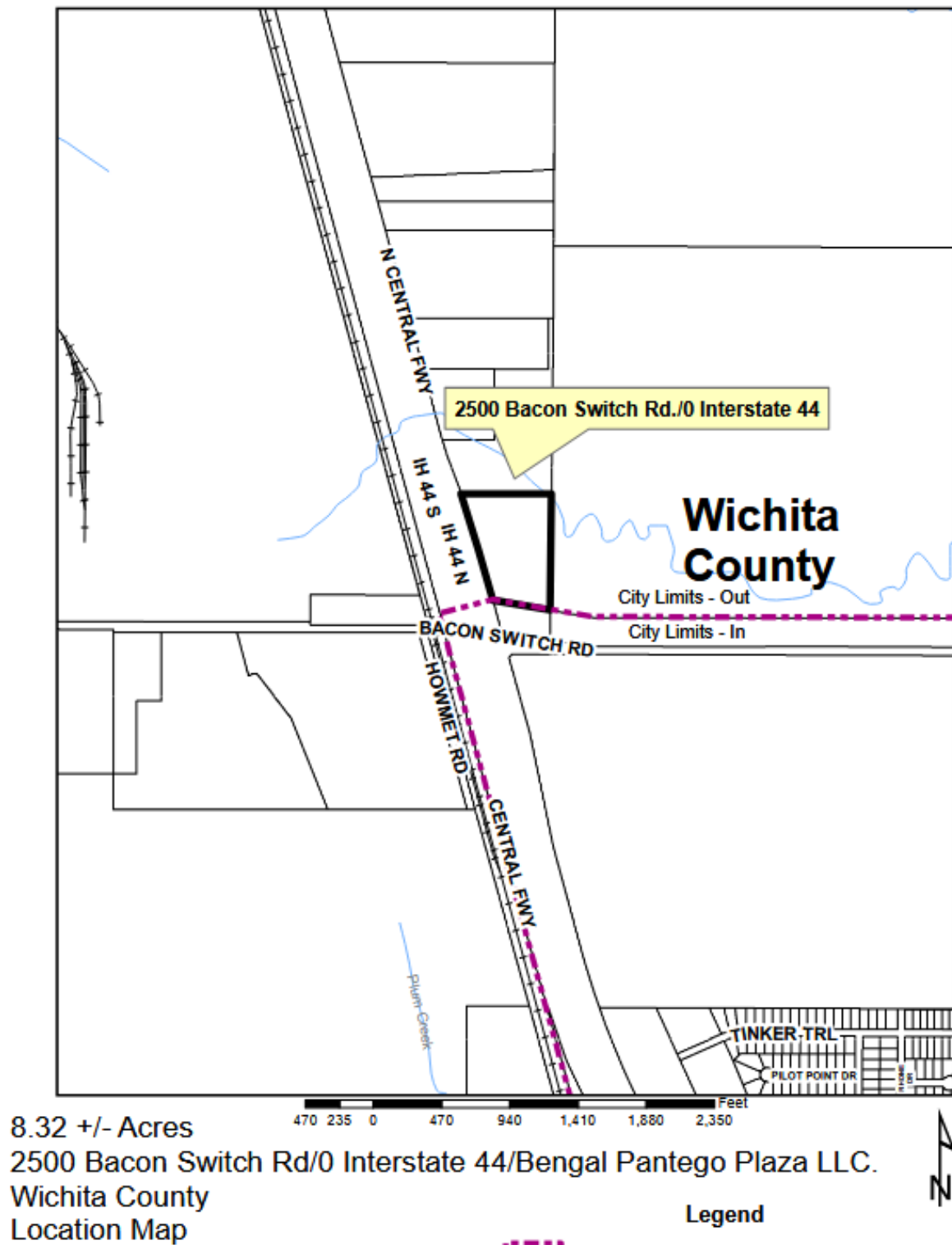


Exhibit A: Field Notes

FIELD NOTES:

A TRACT OF LAND IN WICHITA FALLS, WICHITA COUNTY, TEXAS; OUT OF THE THOMAS CURRY SURVEY ABSTRACT 345; OUT OF THAT TRACT OF LAND DEEDED TO BENGAL PANTEGO PLAZA LLC, RECORDED IN DOCUMENT NUMBER 202514864 OFFICIAL PUBLIC RECORD OF WICHITA COUNTY ("O.P.R.W.C."); MORE COMMONLY KNOWN AS 2500 BACON SWITCH ROAD, WICHITA FALLS, TEXAS; AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THIS DESCRIPTION, IN THE EAST LINE OF SAID ABSTRACT 345, IN THE WEST LINE OF A TRACT OF LAND DEEDED TO WICHITA787SOLAR LLC, RECORDED IN DOCUMENT NUMBER 202314264 O.P.R.W.C. AND, BEARING SOUTH 00°21'31" WEST 5055.74 FEET FROM A RAILROAD SPIKE FOUND AT THE NORTHEAST CORNER OF SAID ABSTRACT 345

THENCE SOUTH 00°21'28" WEST 771.03 FEET ALONG THE EAST LINE OF SAID ABSTRACT 345 AND THE WEST LINE OF SAID WICHITA787SOLAR TRACT TO A POINT NOT SET IN THE NORTH LINE OF THE CITY OF WICHITA FALLS CITY LIMITS LINE FOR THE SOUTHEAST CORNER OF THIS DESCRIPTION;

THENCE NORTH 80°07'41" WEST 402.13 FEET SEVERING SAID BENGAL PANTEGO TRACT AND ALONG THE NORTH LINE OF SAID CITY OF WICHITA FALLS CITY LIMITS LINE TO A POINT NOT SET IN THE EAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 44 FOR THE SOUTHWEST CORNER OF THIS DESCRIPTION;

THENCE NORTH 15°21'32" WEST 605.56 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 44 TO A 1/2 INCH IRON ROD FOUND FOR AN ANGLE POINT OF THIS DESCRIPTION;

THENCE NORTH 21°06'14" WEST 127.45 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 44 TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THIS DESCRIPTION;

THENCE SOUTH 89°55'40" EAST 607.28 FEET SEVERING SAID BENGAL PANTEGO TRACT AND SAID ABSTRACT 345 TO THE PLACE OF BEGINNING AND CONTAINING 8.32 ACRES OF LAND MORE OR LESS.

•SEE SHEET 1 FOR CORRESPONDING
SURVEY PLAT•

SURVEYOR'S NOTE:

1. NO TITLE COMMITMENT WAS PROVIDED TO THE SURVEYOR AND NO EASEMENT SEARCH WAS PERFORMED.
2. ALL SET CORNERS ARE MARKED WITH A YELLOW PLASTIC CAP OR SHINER STAMPED "PROVEN SURVEYING 10015000"
3. THIS PLAT IS THE PROPERTY OF PROVEN SURVEYING AND SHALL NOT BE ALTERED, DUPLICATED, DISTRIBUTED, ELECTRONICALLY REPRODUCED, POSTED ONLINE, OR UPLOADED TO ANY CLOUD PLATFORM OR LISTING SERVICE (E.G. PARAGON) WITHOUT THE WRITTEN AUTHORIZATION OF PROVEN SURVEYING
4. PROVEN SURVEYING ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY FOR ANY PURPOSE AFTER SIX MONTHS FROM THE LAST DATE INDICATED HEREON
5. A LIMITED USE LICENSE IS GRANTED TO THE BUYER, TITLE CO, AND LENDER FOR THIS TRANSACTION ONLY. USE OF THE SURVEY BY ANY AND ALL PARTIES (NAMED OR IN POSSESSION OF THIS SURVEY) OUTSIDE OF THIS TRANSACTION IS IN VIOLATION OF SAID LIMITED LICENSE.
6. EVERY REASONABLE ATTEMPT WAS MADE TO INSPECT THE SUBJECT PROPERTY AND TO THE BEST OF OUR KNOWLEDGE NO VISIBLE OR APPARENT EASEMENTS OR POSSIBLE ENCROACHMENTS EXIST EXCEPT WHERE SHOWN ON THE SURVEY.



ANNEXATION PLAT

SURVEY PERFORMED EXPRESSLY FOR THE BENEFIT OF:
BENGAL PANTEGO PLAZA LLC.

COPYRIGHT 2022 PROVEN SURVEYING, ALL RIGHTS RESERVED

SHEET 2 OF 2

I hereby certify that this survey of this property located at 2500 BACON SWITCH ROAD, WICHITA FALLS, TEXAS
being legally described BY METES & BOUNDS ABOVE OUT OF LOT 1, BLOCK 1, BENGAL PANTEGO ADDITION (UNRECORDED PLAT)
OUT OF THE T. CURRY SURVEY ABSTRACT 345, WICHITA COUNTY, TEXAS

was made on the ground; represents the facts found at the time of the survey; and substantially complies with the current Texas Society of Professional
Surveyors Standards and Specifications for a Category 1B, Condition 4 Survey as of this the 13th day of JANUARY, 2026


BRAD LITTEKEN R.P.L.S. 6838

NO: 260019-0 REV: 06/03/2026 REF: MTK/DLH



PROVEN SURVEYING
2406 KELL BOULEVARD
WICHITA FALLS, TEXAS 76309
(940) 322-6450
Texas Licensed Survey Firm 10015000

Exhibit B: Requested Annexation Area Map

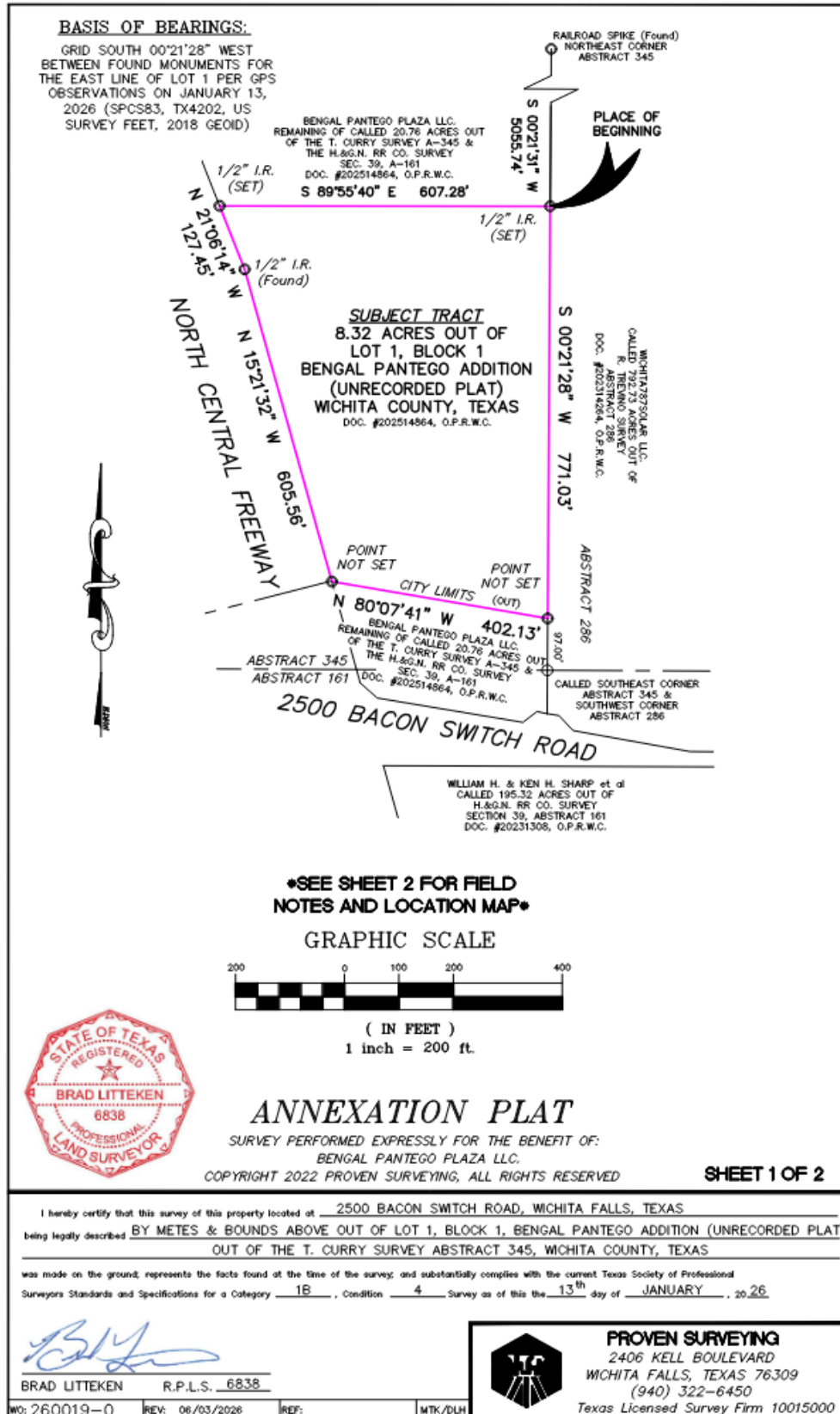


Exhibit C: Petitioned Annexation Request

PETITION REQUESTING ANNEXATION BY AREA LAND OWNER

TO THE MAYOR OF THE GOVERNING BODY OF WICHITA FALLS, TEXAS:

The undersigned owner of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition your honorable Body to extend the present city limits so as to include as part of the City of Wichita Falls, Texas, the following described territory, to wit:

*SEE ATTACHED EXHIBIT "A" & "B"

I certify that the above-described tract of land is contiguous and adjacent to the City of Wichita Falls, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: _____

SM Faizur Rahman
SM Faizur Rahman, Owner
Bengal Pantego Plaza LLC.

THE STATE OF TEXAS COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared and SM FAIZUL RAHMAN, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 1ST day of APRIL, 2026.



Cynthia Roszak
Notary Public in and for
Collin County, Texas.

RECEIVED

APR 01 2026

BY: _____



**City Council
July 21, 2026
Transmittal Letter**

STRATEGIC PILLAR

- ☐ Accelerate Economic Growth
- ☒ Provide Quality Infrastructure
- ☐ Actively Engage and Inform the Public
- ☐ Optimize Engagement with the City and City Services

Agenda Item Number: 11.a.

Agenda Item Name: Resolution authorizing the submittal of a grant application to the Texas Parks and Wildlife Department for the Local Parks Non-Urban Outdoor Grant Program

Council Action to be Taken: Approval of Resolution

Department Submitted: Parks

Staff Contact:

Kalee Robinson, Director of Parks & Recreation

1. PURPOSE / DESCRIPTION

The Parks and Recreation Department is seeking funding through the Texas Parks and Wildlife Department Local Parks Non-Urban Outdoor Grant Program for improvements at Jalonick Park.

2. STAFF ANALYSIS / BACKGROUND / PRIOR COUNCIL ACTIONS

Staff has identified Jalonick Park as a priority location for outdoor recreation improvements that will enhance amenities for children, families, and park users of varying ages and activity levels. The proposed improvements are intended to modernize aging park infrastructure, expand recreational opportunities, and improve the overall user experience at the park.

The Local Parks Non-Urban Outdoor Grant Program through the Texas Parks and Wildlife Department provides matching funds for eligible park development projects. Staff is requesting City Council authorization to submit the grant application prior to the August 3 deadline so the City may compete for available funding assistance for these improvements.

The proposed project includes installation of a new fitness playground with an added swingset area, construction of a new restroom, and renovation of the small children's playground to replace the existing playground. The total estimated project cost is \$615,000, with the grant providing a 50% match of \$307,500 and the City responsible for the remaining \$307,500 if awarded.

3. BOARD REVIEW / CITIZEN INPUT

N/A

4. RECOMMENDATION

Staff recommends approval

5. FUNDING SOURCE

Texas Parks and Wildlife Department Local Parks Non-Urban Outdoor Grant Program

(Primary source: 50%)

General Fund Capital (Local match: 50%)

6. TIMELINE

The grant application deadline is August 3, 2026. If awarded, staff will return to City Council as needed for acceptance of the award, project budgeting, and implementation actions in accordance with grant requirements.

7. ALTERNATIVE OPTIONS

8. ATTACHMENTS

1. TPWD Jalonick Park_Resolution

Resolution No. _____

Resolution authorizing the submittal of a grant application to the Texas Parks and Wildlife Department for the Local Parks Non-Urban Outdoor Grant Program

WHEREAS, the City Council finds it in the best interest of the citizens of Wichita Falls that the Texas Parks and Wildlife Department Local Parks Non-Urban Outdoor Grant Program application be submitted for improvements at Jalonick Park; and,

WHEREAS, the proposed project includes a new fitness playground with an added swing set area, a new restroom, and renovation of the small children's playground; and,

WHEREAS, the Local Parks Non-Urban Outdoor Grant Program provides matching funds for eligible park improvement projects, and if awarded, the City will be required to provide a 50% local match; and,

WHEREAS, the City Council desires to authorize submission of the grant application prior to the August 3, 2026 deadline.

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

The City Council approves and authorizes the submission of a grant application to the Texas Parks and Wildlife Department for the Local Parks Non-Urban Outdoor Grant Program and authorizes the City Manager to execute all necessary documents and apply for the grant on behalf of the City.

PASSED AND APPROVED this the 21st day of July, 2026.

MAYOR

ATTEST:

City Clerk