



CITY COUNCIL MEETING

June 03, 2024 at 6:00 PM

Wolfforth City Hall - 302 Main Street Wolfforth, TX

AGENDA

CALL MEETING TO ORDER

INVOCATION - Councilmember Place 5 Austin Brashier

PLEDGE OF ALLEGIANCE - Councilmember Place 1 David Cooper

ROLL CALL AND ESTABLISH A QUORUM

SAFETY REVIEW

CITIZEN ENGAGEMENT

This is an opportunity for the public to address the City Council regarding an item on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Citizen comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. Each speaker shall approach the designated speaker location, complete the citizen engagement sign-in sheet and state his/her name and city of residence before speaking. Speakers shall address the City Council with civility that is conducive to appropriate public discussion. Speakers can address only the City Council and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

RECOGNITION AND PROCLAMATIONS

1. Emergency Medical Services Week - June 2-8, 2024

CONSENT AGENDA

Items considered to be routine are enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.

2. Consider and take appropriate action on minutes from May 20, 2024 City Council meeting

REGULAR SESSION

3. Oath of Office - Councilmember Place 1 David Cooper

- [4.](#) Consider and take appropriate action on request from Wolfforth Land Company to accept a performance bond in lieu of required improvements for Iron Horse 2, Lots 177-372.
- [5.](#) Consider and take appropriate action on report on short-term rentals.
- [6.](#) Consider and take appropriate action on request to establish Candace Layman Memorial Fund, to benefit Wolfforth animal control services
- [7.](#) Consider and take appropriate action on request to establish a capital campaign and fund for the Wolfforth Library

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURN

In accordance with the Americans with Disability Act any person with a disability requiring reasonable accommodation to participate in this meeting should call the City Secretary at 806-855-4120 or send written request to P.O. Box 36 Wolfforth Texas 79382 at least 48 hours in advance of the meeting date.

Certification

I, the undersigned authority do hereby certify that the Notice of Meeting was posted at City Hall of the City of Wolfforth, Texas was posted on May 31, 2024 at 5:00 p.m.

/s/ Terri Robinette, City Secretary

*office of the mayor
city of Wolfforth*

PROCLAMATION

Whereas:

Emergency medical services (EMS) is a vital public; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, EMS plays a critical role in public outreach and injury prevention, and is evolving in its role as an important member of the healthcare community; and

WHEREAS, personnel from Wolfforth Fire and EMS Department stand ready to provide compassionate, lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the members of EMS teams engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of EMS practitioners by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Charles Addington, II, Mayor of the City of Wolfforth, in recognition of this event do hereby proclaim the week of June 2-8, 2024, as

Emergency Services Week

in the City of Wolfforth and urge all residents to join me in honoring those individuals who are dedicated to providing compassionate, life-saving care to those in need.

PROCLAIMED this 3rd day of June 2024



mayor





CITY COUNCIL MEETING

May 20, 2024 at 6:00 PM

Wolfforth City Hall - 302 Main Street Wolfforth, TX

MINUTES

CALL MEETING TO ORDER

Meeting was called to order at 6:00 pm by Mayor Addington

INVOCATION - Mayor Pro Tem Doug Hutcheson

PLEDGE OF ALLEGIANCE - Councilmember Place 5 Austin Brashier

ROLL CALL AND ESTABLISH A QUORUM

PRESENT

Mayor Charles Addington

Councilmember Place 2 Wesley Houck

Mayor Pro Tem Doug Hutcheson

Councilmember Place 5 Austin Brashier

ABSENT

Councilmember Place 1 David Cooper

Councilmember Place 4 Charlotte McDonald

SAFETY REVIEW

CITIZEN ENGAGEMENT

This is an opportunity for the public to address the City Council regarding an item on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Citizen comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. Each speaker shall approach the designated speaker location, complete the citizen engagement sign-in sheet and state his/her name and city of residence before speaking. Speakers shall address the City Council with civility that is conducive to appropriate public discussion. Speakers can address only the City Council and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

Jeff Larson - Brought to the attention of the Council the inability to operate short-term rentals within the City limits.

RECOGNITION AND PROCLAMATIONS

1. National Public Works Week - May 19-25, 2024

Mayor Addington honored the Public Works department with a proclamation naming May 19-25 as National Public Works Week

CONSENT AGENDA

Items considered to be routine are enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.

Motion to accept the consent agenda

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

2. Consider and take appropriate action on minutes from May 6, 2024 City Council meeting
3. Consider and take appropriate action on minutes from May 13, 2024 City Council meeting
4. Consider and take appropriate action on April 2024 departmental reports
5. Consider and take appropriate action on approval of amended Final Plat for Harvest Phase 7 Replat Lots 834-A and 835-A.
6. Consider and take appropriate action on the use of hotel occupancy tax funds to support the arts and festival events associated with the 4th on the 5th.
7. Consider and take appropriate action on Resolution 2024-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS
AMENDING THE BYLAWS OF THE WOLFFORTH ECONOMIC DEVELOPMENT
CORPORATION; AND PROVIDING AN EFFECTIVE DATE

REGULAR SESSION

8. Oath of Office - Mayor
9. Consider and take appropriate action on election of Mayor Pro Tempore

Motion to appoint Doug Hutcheson as Mayor Pro Tem

Motion made by Councilmember Place 5 Brashier, Seconded by Councilmember Place 2 Houck.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

10. Consider and take appropriate action on Resolution 2024-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS APPROVING AN AGREEMENT WITH ROYCE WITTIE FOR MUNICIPAL COURT JUDGE SERVICES; AND PROVIDING AN EFFECTIVE DATE

Motion to approve Resolution 2024-017

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

11. Consider and take appropriate action on Resolution 2024-018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS APPROVING AN AGREEMENT WITH GARY WHITFILL FOR MUNICIPAL COURT JUDGE SERVICES; AND PROVIDING AN EFFECTIVE DATE

Motion to approve Resolution 2024-018

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

12. Oath of Office - Municipal Court Judge Royce Wittie

Oath of Office - Municipal Court Associate Judge Gary Whitfill

Oath of Office - Municipal Court Clerk Marisol Delua

13. Consider and take appropriate action on discussion of amendment to the Wolfforth Code of Ordinances, Article 14.04.018 Landscaping Standards.

The goal of the City of Wolfforth is to encourage citizens and businesses to conserve water.

After a review of the current landscaping ordinance, changes are needed for commercial plans.

Research was done to create a list of drought tolerant plant materials to be included as appendix

A. The Planning and Zoning Commission recommends the attached ordinance for Council approval.

14. PUBLIC HEARING: Consider and take appropriate action on an amendment to the Wolfforth Code of Ordinances, Article 14.04.018 Landscaping Standards.

Public hearing was opened at 6:19 pm

After no comments from the public, the public hearing was closed at 6:20 pm.

15. Consider and take appropriate action on Ordinance 2024-014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING CITY OF WOLFFORTH CODE OF ORDINANCES BY AMENDING CHAPTER 14 ZONING, §14.04.018 LANDSCAPING STANDARDS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance 2024-014

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

16. Consider and take appropriate action on Economic Development board member recommendation.

Motion to appoint Paula Sexton as Alternate Number One to the EDC Board of Directors

Motion made by Councilmember Place 5 Brashier, Seconded by Councilmember Place 2 Houck.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

17. Consider and take appropriate action on project progress report from City Manager

City Manager Randy Criswell gave the Council an update on capital improvements progress. Well houses at Harvest are under construction. Water Team will meet tomorrow to discuss the final approvals for these wells, wells 22-25, with TCEQ.

Overlook Wells are still being worked through including the expansion of the development and how collections lines will fall in to future development.

Elevated Storage tank is ready to bid once funding is secured.

The 12-inch loop line project is now complete and Lubbock Water Disinfection Phase 2 has been delayed and is now scheduled to begin this month.

EDR Plant #2 is still in the design phase. Site selection discussions are still moving forward.

OJD has begun work on the Loop 88 East Water Supply design and will also be the engineer for the well exception process. Collection lines will be installed when funding is secured.

Lubbock North Water Connection will be ready for construction upon secured funding.

NewGen Strategies is working on updating Impact Fee implementation schedule. Staff has provided them with a timeline for design and construction of projects. Vince Vialle with Specialized Public Finance is also giving input into the schedule and coordinating the issuance of debt needed to fund these projects.

Updating Water Master Plan Model is being discussed as well and will be a collaboration between OJD Engineering and Kimley Horn.

Council took no action.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Report regarding short-term rentals requested by Mayor Addington.

ADJOURN

Motion to adjourn at 6:44 pm

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 5 Brashier

PASSED AND APPROVED THIS THE 3RD DAY OF JUNE, 2024.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	June 3, 2024
ITEM TITLE:	Consider and take appropriate action on request from Wolfforth Land Company to accept a performance bond in lieu of required improvements for Iron Horse 2, Lots 177-372.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

Wolfforth Land Company has requested a performance bond in lieu of required improvements for Iron Horse Phase 2, Lots 177-372. The following is information from the developer:

Bond is for Iron Horse phase II for completion of the streets and concrete alleys through Omega 4 Construction. Project has taken much longer than we anticipated and we need to start being able to send out contracts. Bond is for 1.7 million, covers all other development costs to finish out Iron Horse phase II which at this time is \$512,650.50. It's an additional 195 lots to Wolfforth. Since the time of acquiring the bond, the following has been completed by the Wolfforth Land Company: 1. Approximately \$81,000 in water service taps installation. All sewer and water have been completed by UCA. 2. 79% of paving and alleys has been completed by Omega4 Construction. (See attachment)

Kimley-Horn reviewed the cost breakdown and approved the amounts for infrastructure. The calculations are higher than the needed bond amount by Wolfforth Land Company. Our current ordinance states that 75% of paving and drainage should be complete and all water and sewer.

EXHIBITS:

1. Bond
2. Engineering Cost Summary Sheet
3. Omega4 Construction Invoice

COUNCIL ACTION/STAFF RECOMMENDATION:

Council decision.

SKYWARD
SPECIALTY INSURANCE

Surety

BOND NO. GM234578

Subdivision Performance Bond Site Improvements

KNOW ALL PERSONS BY THESE PRESENTS that we, Wolfforth Land Company, LLC, as Principal, and Great Midwest Insurance Company, a corporation organized and doing business under the laws of the state of Texas and duly licensed to conduct a general surety business in the state of Texas, as Surety, are held and firmly bound unto City of Wolfforth, as Obligee, in the sum of One Million Seven Hundred Forty-Seven Thousand Three Hundred Fifty-Six and 06/100 (\$ 1,747,356.06) dollars, for which payment, well and truly to be made, we bind ourselves, our heirs, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a development agreement (the "Agreement") with said Obligee relating to a subdivision identified as: Iron Horse, Lots 177-372 and Tracts E-G.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall well and truly perform said Agreement during the original term thereof, or of any extension of said term that may be granted by the Obligee in writing and consented to in writing by the Surety, then this obligation shall be void, otherwise it shall remain in full force and effect. This obligation is subject to the following conditions:

1. This bond runs to the benefit of the named Obligee(s) only, and no other person or entity shall have any rights under this bond.
2. No claim shall be allowed against this bond after the expiration of one year from the completion date set forth in the Agreement, or one year from the end of the latest extension of time consented to in writing by the Surety, whichever occurs last. If the limitation set forth in this bond is void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.
3. In the event of a default by the Principal and the receipt by Surety of timely written notice of a claim, the Surety shall be liable to reimburse the Obligee for damages sustained by the Obligee as a result of Principal's default of its bonded obligation. It is understood and agreed that this bond shall not be construed as a penalty or as a forfeiture obligation, but rather reimburses the Obligee for actual losses incurred.
4. This bond covers installation of site improvements, and does not cover on-going maintenance of completed site improvements. This bond will not respond to any liability that arises from design defects or efficiency guarantees.
5. In no event shall the Surety's aggregate liability hereunder exceed the dollar amount of this bond set forth above.

IN WITNESS WHEREOF, the signature of said Principal is hereto affixed, and the corporate seal and the name of the Surety is hereto affixed by its duly authorized Attorney-in-Fact this 11th day of April, 2024.

Principal

Wolfforth Land Company, LLC

Signature of Authorized Officer

Michael E Montgomery, President
Print Name & Title

Great Midwest Insurance Company

Signature of Attorney-in-Fact

Yamillec Ramos

Print Name

[SEAL]

POWER OF ATTORNEY

Item # 4.

Great Midwest Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **GREAT MIDWEST INSURANCE COMPANY**, a Texas Corporation, with its principal office in Houston, TX, does hereby constitute and appoint:

Brady K. Cox, Brent Baldwin, Brock Baldwin, Darrell Blaine Allen, Russ Frenzel, Chandler Nazzal, John A. Aboumrad, Cindy Alford, Yamillec Ramos, Lorena Gutierrez, Veronica Ramos, Neira Hernandez, Kirsten Ortiz

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **GREAT MIDWEST INSURANCE COMPANY**, on the 1st day of October, 2018 as follows:

Resolved, that the President, or any officer, be and hereby is, authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed Ten Million dollars (\$10,000,000.00), which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed in the Company's sole discretion and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **GREAT MIDWEST INSURANCE COMPANY**, has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 11th day of February, 2021.

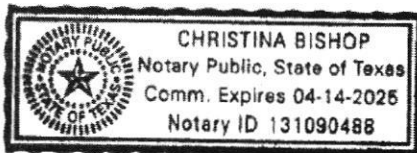


GREAT MIDWEST INSURANCE COMPANY

BY Mark W. Haushill
Mark W. Haushill
President

ACKNOWLEDGEMENT

On this 11th day of February, 2021, before me, personally came Mark W. Haushill to me known, who being duly sworn, did depose and say that he is the President of **GREAT MIDWEST INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



BY Christina Bishop
Christina Bishop
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **GREAT MIDWEST INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Houston, TX this 11th Day of April, 2024.



BY Leslie K. Shaunty
Leslie K. Shaunty
Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

IMPORTANT NOTICE

TO OBTAIN INFORMATION OR TO MAKE A COMPLAINT

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance:

**P.O. Box 149104
Austin, Texas 78714-9104
Fax No. (512) 475-1771**

PREMIUM or CLAIM DISPUTES

Should you have a dispute concerning your premium or about a claim, you should contact the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY

This notice is for information only and does not become a part or condition of the attached document.

Notice of Applicability of Chapter 2253 of the Texas Government Code

These bonds are furnished in an attempt to comply with Chapter 2253 of the Texas Government Code. These bonds shall be construed to comply with such Chapter regarding the rights created, limitations on those rights, and remedies provided. Any provision in the bonds to which this Rider is attached that expands or restricts a right or liability under such Chapter shall be disregarded, and such Chapter shall apply to these bonds.



April 15, 2024

City of Wolfforth
302 Main Street
Wolfforth, TX 79382

Re: Municipal Improvements Bond Valuation for Iron Horse Addition Lots 177-372 & Tracts E-G

Dear Mr. Criswell:

Wolfforth Land Company desires to file the plat for Iron Horse, Lots 177-372, and Tracts E-G. This Letter is to serve as a basis for the amount that Wolfforth Land Company will secure in a bond for the construction cost of municipal improvements. A majority of the municipal water, sewer and paving improvements have been constructed. The estimated remaining municipal improvements are as follows:

- Paving Improvements Remaining:

.1. 6" Flex Base (Total Quantity)	\$302,197.00
.2. Prime Coat (Total Quantity)	\$78,834.00
.3. 2" Type D HMA (Total Quantity)	\$413,878.50
.4. Alley Returns (Total Quantity)	\$36,300.00
.5. Valley Gutter (Total Quantity)	\$29,016.00
.6. Concrete Fillets (Total Quantity)	\$86,400.00
.7. 10' Concrete Alley & 10' Drainage (S. DRE) (Total Quantity)	\$404,966.00
.8. Manhole Ring & Lid Adjustment (Total Quantity)	\$3,750.00
.9. Water Valve Box Adjustments (Total Quantity)	\$13,500.00
.10. 24" Sawtooth Curb & Gutter (Total Quantity)	\$2,607.50
.11. 10' Drainage Channel (Total Quantity)	\$17,110.00
.12. 20' Drainage Channel (Total Quantity)	\$5,750.00
.13. 6" Concrete @ Storm Sewer Area Inlets (Total Quantity)	\$13,992.50
.14. 6" Concrete Paving (Total Quantity)	\$11,580.00

Wellington | Amarillo | Wolfforth



Total Paving Improvements:

\$1,473,264.76

- Water & Sewer Improvements Remaining:

1. 1" Water Service Taps (103 EA)

\$90,425.00

2. Retainage:

\$183,666.30

Total Water & Sewer Improvements:

\$274,091.30

Total: \$1,747,356.06

Please let me know if there are any questions concerning this request.

Sincerely,

Tanner Lansford, PE

OJD Engineering, LLC

Engineering Firm #4393

Surveying Firm # 10090900

APPLICATION AND CERTIFICATE FOR PAYMENT

BILLING DOCUMENT 702

PAGE ONE OF THREE PAGES

<u>TO GENERAL CONTRACT</u>		<u>PROJECT:</u>	<u>APPLICATION NO:</u>	<u>Distribution to:</u>
OJD Engineering		Iron Horse Addition Lots 177-372 & Tracts E-F	10	<input type="checkbox"/>
328 US-62			PERIOD TO: 29-May-2024	<input type="checkbox"/> ARCHITECT
Wolfforth, TX 79362				<input checked="" type="checkbox"/> CONTRACTOR
 <u>FROM:</u>		 <u>CONTRACT FOR:</u>	 <u>PROJECT NO.:</u>	
Omega 4 Construction		Earthwork, Concrete, Asphalt Paving	SUBCONTRACTOR PROJECT NO:	
P.O Box 53003 Lubbock TX 79453			APPLICATION DATE: 05/29/24	
			CONTRACT DATE: 06/01/22	

CONTRACTOR'S APPLICATION FOR PAYMENT OF LABOR and SERVICES

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	\$	2,487,546.75
2. Net Change by Change Orders		\$0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	2,487,546.75
4. TOTAL EARNED & STORED TO DATE (Column G on G703)	\$	1,974,896.25
5. RETAINAGE 5% (% of Total Complete & Stored to Date)	\$	98,744.81
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$	1,876,151.44
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	1,521,009.14
8. CURRENT PAYMENT DUE	\$	355,142.30
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	611,395.31

APPLICATION NUMBER:10

APPLICATION DATE:29-May-2024

PERIOD TO:29-May-2024

SUBCONTRACTOR PROJECT NO:0

P&C PROJECT NO:0

ITEM NO.	Description of Work	Schedule of Values	Previous Applications	Work Complete this Period	Stored Materials this Application	Total Earned and Stored	% Comp	Balance to Finish	Retainage
1	Unclassified Road Excavation	\$272,493.00	\$272,493.00	\$0.00	\$0.00	\$272,493.00	100%	\$0.00	\$13,624.65
2	24" Concrete Roll Over Curb	\$200,461.25	\$200,461.25	\$0.00	\$0.00	\$200,461.25	100%	\$0.00	\$0.00
3	6" Flex Base	\$302,197.00	\$302,197.00	\$0.00	\$0.00	\$302,197.00	100%	\$0.00	\$0.00
4	Prime Coat	\$78,834.00		\$78,834.00	\$0.00	\$78,834.00	100%	\$0.00	\$0.00
5	2" Type D HMAC	\$413,878.50		\$255,000.00	\$0.00	\$255,000.00	62%	\$158,878.50	\$0.00
6	Alley Returns	\$36,300.00	\$36,300.00	\$0.00	\$0.00	\$36,300.00	100%	\$0.00	\$0.00
7	Valley Gutter	\$29,016.00		\$0.00	\$0.00	\$0.00	0%	\$29,016.00	\$0.00
8	Concrete Fillets	\$86,400.00	\$86,400.00	\$0.00	\$0.00	\$86,400.00	100%	\$0.00	\$0.00
9	10' Concrete Alley & 10' Drainage (S. DRE)	\$404,966.00	\$95,000.00	\$40,000.00	\$0.00	\$135,000.00	33%	\$269,966.00	\$0.00
10	Lot fill/grading & Alley grading	\$483,856.00	\$483,856.00	\$0.00	\$0.00	\$483,856.00	100%	\$0.00	\$0.00
11	Manhole Rings and Lid Adjustments	\$3,750.00		\$0.00	\$0.00	\$0.00	0%	\$3,750.00	\$0.00
12	Water Valve Box Adjustments	\$13,500.00	\$13,500.00	\$0.00	\$0.00	\$13,500.00	100%	\$0.00	\$0.00
13	Erosion Control	\$12,500.00	\$12,500.00	\$0.00	\$0.00	\$12,500.00	100%	\$0.00	\$0.00
14	Performance Bonding	\$98,355.00	\$98,355.00	\$0.00	\$0.00	\$98,355.00	100%	\$0.00	\$0.00
15	24" Sawtooth Curb and Gutter	\$2,607.50		\$0.00	\$0.00	\$0.00	0%	\$2,607.50	\$0.00
16	10' Drainage Channel	\$17,110.00		\$0.00	\$0.00	\$0.00	0%	\$17,110.00	\$0.00
17	20' Drainage Channel	\$5,750.00		\$0.00	\$0.00	\$0.00	0%	\$5,750.00	\$0.00
18	6" Concrete at storm sewer area Inlets	\$13,992.50		\$0.00	\$0.00	\$0.00	0%	\$13,992.50	\$0.00
19	6" Concrete paving	\$11,580.00		\$0.00	\$0.00	\$0.00	0%	\$11,580.00	\$0.00
	Original Contract Totals:	\$2,487,546.75	\$1,601,062.25	\$373,834.00	\$0.00	\$1,974,896.25	\$ 10.95	\$512,650.50	\$13,624.65

PAGE THREE OF THREE

APPLICATION NUMBER: 10
APPLICATION DATE: 29-May-2024
PERIOD TO: 29-May-2024
PROJECT NO: 0
Hen PROJECT NO: 0

CONTINUATION SHEET FOR 702



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council Meeting
MEETING DATE:	June 3, 2024
ITEM TITLE:	Consider and take appropriate action on report on short-term rentals.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

Our Zoning Ordinance prohibits transient lodging, or short-term rentals. Ordinance 14.03.011 characterizes a residential dwelling as a household that has tenancy for a minimum of a month or longer. Shorter periods are not considered residential, therefore illegal in city limits.

Some recent matters about short-term rentals have been brought to the City of Wolfforth's attention. In July 2021, a residential home was being used as an AirBNB at 303 10th Street. Due to traffic concerns and noise nuisances, the City of Wolfforth was made aware of the situation and immediately sent notice to make the owner aware that this type of property was not allowed. The owner removed the property from websites, but brought the issue in front of City Council on August 2, 2021. Many citizens from that neighborhood were also present and vocalized their opinion to not change the ordinance. The City Council at that time did not make any recommendations to change the ordinance for transient lodging. Also, during this time, the CDC met to discuss the possibility of allowing short-term rentals due to their management of Hotel Occupancy Tax funds.

Since this incident, other short-term rentals have been in violation and the city has worked to remove these properties from short-term rental sites and ensure they are no longer functioning as a short-term rental. The City of Wolfforth has taken action any time a property has submitted Hotel Occupancy Tax funds or a citizen has complained about the property. Letters are sent to the owners of the property and given a minimum of 7 days, per ordinance, to remove the property from any sites and no longer occupy the property as a short-term rental.

Recently, a citizen filed a complaint with the City of Wolfforth for 604 N 6th Street, which is owned by Jeff and Heather Larson. After confirming that the property was being used as a short-term rental, a letter of violation was sent to the Larson's on January 30, 2024. The property was quickly removed from all websites. Jeff and Heather Larson have recently asked the City Council at the May 20, 2024 meeting to reconsider the City's stance on short-term rentals. I spoke with Mr. Larson on Wednesday May 22 to discuss the history of short-term rentals in Wolfforth, along with gather any suggestions Mr. Larson has on the topic. During the call, Mr. Larson expressed that he was extremely unhappy with the City of Wolfforth and stated that he appreciated the call, but knew that the City would take no action on the matter. He plans to express to other citizens his disapproval of how it is run and that he plans to move out of the City of Wolfforth. He also did not appreciate that the City of Wolfforth made him correct the violation in 10 days, which ordinance only requires 7 days. His only suggestion was to poll the citizen's of Wolfforth to see what their stance is on the matter of short-term rentals.

EXHIBITS:

1. Timeline of actions made due to Short-term rentals

2. Documents from Short-term rental cases

COUNCIL ACTION/STAFF RECOMMENDATION:

Council's discretion.

Short-term Rental Timeline for the City of Wolfforth

The City of Wolfforth has always had an ordinance that prohibited short-term rentals in a residential area. The following are the ordinances that specify what can be permitted in a residential area:

☐ § 14.03.011 Residential use categories.

(b) Household Living.

- (1) Characteristics. Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month to month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

July 2021

At the beginning of July 2021, the City of Wolfforth staff was made aware of concerns from a AirBNB at 303 N 10th. They were created a traffic concern, along with other nuisances. On July 21st, the owner's were made aware that having short-term rental in city limits was prohibited. By August 3, 2021, the short-term rental was removed from websites and no longer rented.

August 2, 2021

At the August 2, 2021 City Council meeting, a resident asked for City Council to look into allowing Transient Lodging inside the city limits. Many citizens from the Preston Manor neighborhood spoke up during Public Comment with concerns from previous properties. Council decided to not pursue amending the ordinance for transient lodging.

May 2023-Nov 2023

Hotel Occupancy Taxes were submitted to the City of Wolfforth for the property of 3408 Bryan Avenue. The property was managed by a third-party. After several months of attempts to contact the owners about violations, the property was removed from short-term rental sites.

Jan 2024-Feb 2024

On January 30, 2024, Code Enforcement heard complaints from concerned citizens that the property at 604 N 6th Street was creating some nuisances within the neighborhood due to being a short-term rental. The property owners were notified and by early February had removed the property from all listings and was no longer using the property as a short-term rental.



NOTICE OF VIOLATION

July 20, 2021

VIA FIRST CLASS U.S. MAIL and CERTIFIED MAIL RRR:

Re: Violation of City Zoning Ordinance at 303 N. 10th Street, Wolfforth, Texas

Dear Property Owner:

This letter serves as notice that you are the property owner on record for the following properties:

TAX PARCEL ID 172063, WOLFFORTH TX 79832

I have been made aware that the single family dwelling located at 303 N 10th Street, Wolfforth, Texas (hereinafter the "Property") is being marketed and used as a short-term rental. This use is in violation of the City of Wolfforth Zoning Ordinance Section 311.2 (a): Residential Use Categories in the R1 Zoning Designation which reads as follows:

Sec. 311.2(a)

2. Household Living a. Characteristics

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month to month or longer bases. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

As per the Ordinance, you have seven (7) days to bring the property into compliance. If the City is notified or otherwise becomes aware of a violation of the City Ordinance after **07/27/2021**, the City of Wolfforth can assess a fine of \$2,000.00 per day and each day that such violation shall be continued, or shall be allowed to continue to exist, shall constitute a separate offense. The citation for violation of the Ordinance can be given to you as the property owner and to each individual using the Property in violation of the City Zoning Ordinance.

Sec. 703. Violations

1. Any person who shall violate any of the provisions of this Zoning Ordinance or who shall fail to comply with any of the provisions of this Zoning Ordinance, or who shall build, alter or occupy any building in violation of any statement or plan submitted and approved hereunder, shall be guilty of a violation of this ordinance and may be fined in an amount of not less than \$1.00 or more than \$2,000.00. Each day such violation shall be continued, or shall be allowed to continue to exist, shall constitute a separate offense.

If you have any questions or concerns, please contact me at the City of Wolfforth by calling 806-855-4120.

Sincerely,

Terri Robinette
Director of Planning and Community Development

**City Council Regular Session
Minutes
Monday August 2, 2021**

Present: Mayor Charles Addington, Councilmembers Corey Layman, Debbie Perkey, Doug Hutcheson, and Pamela Sweeten

Absent:

Staff: Rick Scott, Denise Wright, Terri Robinette, Candace Layman, Randy Hall, Henry High, Lance Barrett and City Attorney Mike Guevara

1. The Wolfforth City Council met in Regular Session on Monday, August 2, 2021, in the City Hall Meeting Room, 302 Main Street, Wolfforth, Texas. Mayor Addington called the City Council meeting to order at 5:04 p.m.
2. Invocation: Councilmember Layman
3. Pledge of Allegiance: Councilmember Perkey
4. Safety Review: Mayor Addington and Police Chief Rick Scott presented the safety review.
5. Water and Sewer Workshop: Michael Adams, Randy Hall, Candace Layman, and Henry High were all present at the Council Meeting to go over the water and sewer plan. Several different means of getting water to the City were discussed in detail. No action was taken on this agenda item.
6. Discuss alleged zoning violations in Preston Manor: Attorney Mike Guevara was present at the meeting to go over what has been discovered about the alleged violations. Lee Mayhew was present at the Council meeting to talk about the alleged violations. A lengthy discussion was had about the property in question. No action was taken on this agenda item.
7. Consider Resignation of Councilmember Gross. Councilmember Gross turned in his resignation letter on July 19, 2021 and it was effective eight days later. No action was taken on this agenda item.
8. Consider Resolution 329 Atmos Energy Rate Case: Council had a brief discussion. Upon a motion by Councilmember Perkey and a second by Councilmember Layman, the Council voted four (4) for and none (0) opposed and Council adopted Resolution 329 for the Atmos Energy Rate Case. The motion carried.
9. Consider Amendment to Developer's Agreement for West Business Park (Alcove Paving Contract). Upon a motion by Councilmember Hutcheson and a second by Councilmember Perkey, the Council voted four (4) for and none (0) opposed to Amend the Development Agreement for West Business Park. The motion carried.

10. Consider Request for deviation for Thoroughfare Plan for 20th Street Paving Project for Harvest Subdivision. Upon a motion from Councilmember Hutcheson and a second by Councilmember Layman, the Council voted four (4) for and none (0) opposed to accept the deviation for Thoroughfare Plan for 20th Street Paving Project for Harvest Subdivision. The motion carried.
11. Consider OJD Contract: Upon a motion by Councilmember Perkey and a second by Councilmember Layman, the Council voted four (4) for and none (0) opposed to approve the OJD Contract. The motion carried.
12. Consider Painted Prairie Agreement: Upon a motion by Councilmember Perkey and a second by Councilmember Sweeten, the Council voted four (4) for and none (0) opposed to approve the Painted Prairie Agreement. The motion carried.
13. Consider moving the September 6, 2021 Council Meeting due to Holiday: No action was taken on this agenda item. The meeting will be on the 5th Monday of August which is August 30, 2021.
14. Reports:
 - A. Terry and King CPA
 - B. Financial Report

Mayor Addington called for a brief recess at 6:55 p.m.

Regular Session reconvened at 7:05 p.m.

15. Consider the Capital Improvement Plan 2021-2024: The council had an in-depth discussion regarding the Capital Improvement Plan, which included a discussion regarding the funding source of capital items in the plan. A motion was made by Councilmember Perkey and seconded by Councilmember Layman to approve the plan, which included seeking funding for specific items through a tax note. The motion also included approving the use of American Rescue Plan funds, received prior to this date, to fund some renovation activities in a city building, located at 306 Main St. and the construction of a metal building west of the 306 Main St. location. The council voted four (4) for and none (0) opposed. The motion carried.
16. Budget Workshop: Council had an in-depth discussion over the 2021-2022 Budget. No action was taken for this agenda item.
17. Public Comments: A resident asked for Council to look at allowing Transient Lodging inside the City Limits of Wolfforth.
Mayor Addington announced the executive session and recessed the regular meeting.

18. Executive Session: In accordance with the Texas Government Code, Section 551.072, the

Wolfforth City Council convened into Executive Session at 7:52 p.m. on Monday, August 2, 2021, in order to discuss matters pertaining to:

- Deliberation Regarding Real Property - Pursuant to Section 551.072 of the Texas Government Code.
- Deliberation Regarding City Manager Position – Pursuant to Section 551.071 and Section 551.074 of the Texas Government Code

19. Reconvene and Consider Action on Items Resulting from Executive Session: The Wolfforth City Council reconvened into Regular Session at 8:20 p.m. on August 2, 2021. Upon a motion by Councilmember Layman and a second by Councilmember Perkey, the Council voted four (4) for and none (0) opposed to purchase the Canales Property for \$1500.00.
20. Consider Appointment of Councilmember: Council had a brief discussion. Upon a motion by Councilmember Hutcheson and a second by Councilmember Layman, the Council voted four (4) for and none (0) opposed to appoint Councilmember Chelsea Salazar.
21. Consider Mayor Pro Tem: Council had a brief discussion. Upon a motion by Councilmember Sweeten and a second by Councilmember Hutcheson, the Council voted three (3) for, none (0) opposed to the appointment of Councilmember Perkey as Mayor Pro Tem. Councilmember Perkey abstained. The motion carried.
22. Consider Resolution 330 Signatories on all City Bank Accounts: Council had a brief discussion. Upon a motion by Councilmember Perkey and a second by Councilmember Layman, the Council voted four (4) for and none (0) opposed to Approve Resolution 330, to make the Mayor and Mayor Pro Tem signatories on all City Bank Accounts.
23. Council Comments and New Business: Council wants to look at the Transient Lodging idea.
24. Upon a motion by Councilmember Hutcheson and a second by Councilmember Perkey, the Council voted five (5) for and none (0) opposed to adjourn the City Council meeting at 8:23 p.m. on Monday, August 2, 2021.

These minutes approved on the 16^h day of August 2021.

APPROVED:

Charles Addington, Mayor

ATTEST:

Denise Wright, Court Administrator



June 20, 2023

VIA FIRST CLASS U.S. MAIL and CERTIFIED MAIL RRR:

Re: City Zoning Ordinance regarding 3408 Bryan Ave, Wolfforth, Texas

Dear Property Owner:

We recently received a remittance of \$196.53 for Hotel/Motel Occupancy Tax for the property located at 3408 Bryan Avenue in Wolfforth, Texas. We are returning your remittance as this is not an allowed use per the zoning ordinance. Below is an excerpt from the Zoning Ordinance.

Sec 311.2(a)

2. Household Living a. Characteristics

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month to month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

You may review the City of Wolfforth zoning ordinance in full on our website at <https://wolfforthtx.us/wp-content/uploads/2023/05/Zoning-Ordinance-04.17.2023.pdf> for more information regarding uses and violations.

If you have any questions or concerns, please contact the City of Wolfforth by calling 806-855-4120.

Sincerely,

Terri Robinette

City Secretary

ORIGINAL RETURN
HOTEL / MOTEL OCCUPANCY TAX

Return this form with your remittance to:

DEBRA YOUNGBLOOD
CITY SECRETARY
CITY OF WOLFFORTH
P.O. BOX 36
WOLFFORTH, TX 79382

YOUR STATE REGISTER
NO. add TX #

Property Address:
Mailing Address:

3408 Bryan Avenue
PO Box 3089

Wolfforth, TX 79382
Greenwood Village, CO 80155

REPORT OF HOTEL OCCUPANCY TAX

"I declare under penalties prescribed in Ordinance No. 283 of the City of Wolfforth that the information contained in this document is true and correct to the best of my knowledge."

THIS REPORT IS FOR THE Glen Cox

QUARTER ENDING 4/30/2023 MANAGER OF _____

DUE DATE IS LAST DAY OF FOLLOWING MONTH

DATE 5/10/2023

TOTAL RECEIPTS

TAXABLE	\$	<u>2,807.50</u>
Amount of tax @ 7%	\$	<u>196.53</u>
Penalty	\$	<u> </u>
Interest	\$	<u> </u>
Less credit memo	\$	<u> </u>

NET AMOUNT DUE \$ 196.53

Net amount paid this quarter to State of Texas under Chapter 156 of the Texas Tax Code
\$

~~Forms for reporting Hotel Occupancy Tax will be mailed before each quarterly payment is due. Payments are~~
due on the last day of January, April, July and October, of each year. This Quarterly Report must be returned
under condition.

This space is for any changes occurring since last report. If business has been sold, indicate New Owner's
Name, Mailing Address, and Date of Sale.

BUSINESS _____
MAILING ADDRESS _____
CITY & STATE _____ ZIP CODE _____
OWNER'S NAME _____
LOCATION OF ADDRESS _____
CITY & STATE & ZIP CODE _____
DATE OF SALE _____

Kelley Gordenberger

Avalara MyLodgeTax

877-589-0207

Tax Form Printed On Reverse Side

Audit Control Info - Internal Use Only

p: 20230510_Wolfforth_CoxGlen_5809.pdf

pg: 2 of 6

m: Glen Cox add TX # 4465002540

w:

d: 05/16/23

CHK:2147695 / \$196.53

Avalara, Inc.
MyLodge Tax
PO Box 3089
Greenwood Village, CO 80155-3089
(303) 220-0183

Item # 5.

*00021

Wolfforth
City Secretary
PO Box 36
Wolfforth TX 79382

This package includes 1 return(s) and 1 check(s)

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Avalara Client Trust
MyLodge Tax
PO Box 3089
Greenwood Village, CO 80155-3089
(303) 220-0183

Bank of America, N.A.
Seattle, Washington
19-2 / 1250

Check No: 21476
Check Date: 5/17/2023
Item # 5.

*****196 Dollars and 53 Cents ***** \$ *****196.53**

For the tax account of: Cox Glen - [Glen Cox add TX # 4465002540 - 5/17/2023]

AY TO THE
ORDER OF
City of Wolfforth
City Secretary
PO Box 36
Wolfforth TX 79382

Void after 120 Days



⑈0002147695⑈ ⑆125000024⑆ 138110470667⑈

Audit Control Info - Internal Use Only

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pg: 1 of 6

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NOTICE OF VIOLATION

November 6, 2023

VIA FIRST CLASS U.S. MAIL and CERTIFIED MAIL RRR:

Re: City Zoning Ordinance regarding 3408 Bryan Ave, Wolfforth, Texas

Dear Property Owner:

We recently received a remittance of \$78.03 for Hotel/Motel Occupancy Tax for the property located at 3408 Bryan Avenue in Wolfforth, Texas. We are returning your remittance to Avalara MyLodge Tax, as this is not an allowed use per the zoning ordinance. Below is an excerpt from the Zoning Ordinance.

Sec 311.2(a)

2. Household Living a. Characteristics

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month to month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

You may review the City of Wolfforth zoning ordinance in full on our website at [City of Wolfforth, TX Table of Contents \(ecode360.com\)](https://www.cityofwolfforth.com/DocumentCenter/View/1000/City-Code-Ordinances) for more information regarding uses and violations.

If you have any questions or concerns, please contact the City of Wolfforth by calling 806-855-4130.

Sincerely,

Tara Tomlinson

Director of Development Services



NOTICE OF VIOLATION

November 6, 2023

VIA FIRST CLASS U.S. MAIL and CERTIFIED MAIL RRR:

Re: City Zoning Ordinance regarding 3408 Bryan Ave, Wolfforth, Texas

Dear Avalara MyLodge Tax:

We recently received a remittance of \$78.03 for Hotel/Motel Occupancy Tax for the property located at 3408 Bryan Avenue in Wolfforth, Texas. We are returning your remittance as this is not an allowed use per the zoning ordinance. Below is an excerpt from the Zoning Ordinance.

Sec 311.2(a)

2. Household Living a. Characteristics

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month to month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

You may review the City of Wolfforth zoning ordinance in full on our website at [City of Wolfforth, TX Table of Contents \(ecode360.com\)](https://www.cityofwolfforth.com/DocumentCenter/View/10000/City-Of-Wolfforth-TX-Table-of-Contents-ecode360-com) for more information regarding uses and violations.

If you have any questions or concerns, please contact the City of Wolfforth by calling 806-855-4130.

Sincerely,

Tara Tomlinson

Director of Development Services

ORIGINAL RETURN
HOTEL / MOTEL OCCUPANCY TAX

Return this form with your remittance to:

DEBRA YOUNGBLOOD
CITY SECRETARY
CITY OF WOLFFORTH
P.O. BOX 36
WOLFFORTH, TX 79382

YOUR STATE REGISTER
NO. 32089611258-0001

Property Address:	3408 Bryan Avenue	Wolfforth, TX 79382
Mailing Address:	PO Box 3089	Greenwood Village, CO 80155

REPORT OF HOTEL OCCUPANCY TAX

"I declare under penalties prescribed in Ordinance No. 283 of the City of Wolfforth that the information contained in this document is true and correct to the best of my knowledge."

THIS REPORT IS FOR THE Glen Cox

QUARTER ENDING 6/30/2023 MANAGER OF _____

DUE DATE IS LAST DAY OF FOLLOWING MONTH

DATE <u>7/10/2023</u>	TOTAL RECEIPTS
	TAXABLE \$ <u>1,114.65</u>
	Amount of tax @ 7% \$ <u>78.03</u>
	Penalty \$ _____
	Interest \$ _____
	Less credit memo \$ _____
	NET AMOUNT DUE \$ <u>78.03</u>

Net amount paid this quarter to State of Texas under Chapter 156 of the Texas Tax Code
\$ _____.

Forms for reporting Hotel Occupancy Tax will be mailed before each quarterly payment is due. Payments are due on the last day of January, April, July and October, of each year. This Quarterly Report must be returned under condition..

This space is for any changes occurring since last report. If business has been sold, indicate New Owner's Name, Mailing Address, and Date of Sale.

BUSINESS _____
MAILING ADDRESS _____
CITY & STATE _____ ZIP CODE _____
OWNER'S NAME _____
LOCATION OF ADDRESS _____
CITY & STATE & ZIP CODE _____
DATE OF SALE _____

Kelley Goldenberger

Avalara MyLodgeTax
877-589-0207

Tax Form Printed On Reverse Side

Audit Control Info - Internal Use Only

p: 20230710_Wolfforth_CoxGlen_6549.pdf

pg: 2 of 6

m: Glen Cox add TX # 4465002540

w:

d: 07/17/23

CHK:2157222 / \$78.03

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Avalara Client Trust
MyLodge Tax
PO Box 3089
Greenwood Village, CO 80155-3089
(303) 220-0183

Bank of America, N.A.
Seattle, Washington
19-2 / 1250

Check No: 21572
Check Date: 7/20/2023
Item # 5.

*****78 Dollars and 03 Cents ***** \$ *****78.03**

For the tax account of: Cox Glen - [Glen Cox add TX # 4465002540 - 7/20/2023]

PAY TO THE
ORDER OF:

City of Wolfforth
City Secretary
PO Box 36
Wolfforth TX 79382

Void after 120 Days



⑈0002157222⑈ ⑆125000024⑆ 138110470667⑈

Audit Control Info - Internal Use Only

p: 20230710_Wolfforth_CoxGlen_6549.pdf

pg: 1 of 6

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Avalara, Inc.
MyLodge Tax
PO Box 3089
Greenwood Village, CO 80155-3089
(303) 220-0183

Item # 5.

*00024

Wolfforth
City Secretary
PO Box 36
Wolfforth TX 79382

This package includes 1 return(s) and 1 check(s)



NOTICE OF VIOLATION

January 30, 2024

VIA FIRST CLASS U.S. MAIL and CERTIFIED MAIL RRR:

Re: Violation of City Zoning Ordinance at 604 N. 6th Street, Wolfforth, Texas

Dear Property Owner:

This letter serves as notice that you are the property owner on record for the following properties:

TAX PARCEL ID R310143, WOLFFORTH TX 79832

I have been made aware that the single-family dwelling located at 604 N 6th Street, Wolfforth, Texas (hereinafter the “Property”) is being marketed and used as a short-term rental. This use is in violation of the City of Wolfforth Zoning Ordinance Article 14.03.011 Residential Use Categories in the R1 Zoning Designation which reads as follows:

Article 14.03.011-Residential Use Categories

**b. Household Living
(1) Characteristics**

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month to month or longer bases. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

As per the Ordinance, you have ten (10) days to bring the property into compliance. If the City is notified or otherwise becomes aware of a violation of the City Ordinance after **02/09/2024**, the City of Wolfforth can assess a fine of \$2,000.00 per day and each day that such violation shall be continued, or shall be allowed to continue to exist, shall constitute a separate offense. The citation for violation of the Ordinance can be given to you as the property owner and to each individual using the Property in violation of the City Zoning Ordinance.

Article 14.07.003- Violations

- (a) Any person who shall violate any of the provisions of this Zoning Ordinance or who shall fail to comply with any of the provisions of this Zoning Ordinance, or who shall build, alter or occupy any building in violation of any statement or plan submitted and approved hereunder, shall be guilty of a violation of this ordinance and may be fined in an amount of not less than \$1.00 or more than \$2,000.00. Each day such violation shall be continued, or shall be allowed to continue to exist, shall constitute a separate offense.

If you have any questions or concerns, please contact me at the City of Wolfforth by calling 806-855-4130.

Sincerely,

Tara Tomlinson
Director of Development Services



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council
MEETING DATE:	June 3, 2024
ITEM TITLE:	Consider and take appropriate action on request to establish Candace Layman Memorial Fund, to benefit Wolfforth animal control services
STAFF INITIATOR:	Randy Criswell, City Manager

BACKGROUND:

Candace Layman was a highly valued member of our Wolfforth family and the Wolfforth community, and her passing leaves a void in both. Recently, her husband Corey told me they had adopted several pets over the years because of her passion and love for animals. Mr. Layman and I discussed the possibility of setting up a designated fund in honor of Candace, with its function defined to accept donations and expend those dollars in ways that would improve our animal control function and/or facility.

The City Attorney advises me this is very doable, and something he can help put together for us, so if the Council agrees and authorizes us to proceed, we will do so. This will be brought back to the Council for future final action.

EXHIBITS:

COUNCIL ACTION/STAFF RECOMMENDATION:

Staff requests authorization to proceed with establishment of a memorial fund in honor of Candace Layman



AGENDA ITEM COMMENTARY

MEETING NAME:	City Council
MEETING DATE:	June 3, 2024
ITEM TITLE:	Consider and take appropriate action on request to establish a capital campaign and fund for the Wolfforth Library
STAFF INITIATOR:	Randy Criswell, City Manager Kimberly Brantley, Librarian

BACKGROUND:

The Library is in the early stages of looking ahead to expansion due to the tremendous growth that Wolfforth and the Library are experiencing. When the current building was built, it was expected to adequately serve the community for 15-20 years, which it has done, as those plans were made in 2004 with the building opening in 2006. We want to prepare for this now by doing extensive fundraising to limit the burden on the taxpayers to the greatest extent we can. We're working on the development of a 3-5 year plan that will include an expansion of the existing building. We recently had a local business wanting to donate, but because we do not have 501(c)3 status, they chose not to. By establishing a capital campaign and fund now, we will be better situated to accept large donations and secure them specifically for the Library and assure our donors that funds are used as intended.

We've spoken with the City Attorney about the creation of a 501(c)3, and he's informed us it's a simple process.

EXHIBITS:

COUNCIL ACTION/STAFF RECOMMENDATION:

Staff requests authorization to proceed with the creation of a 501(c)3, and the establishment of a capital campaign fund for the Wolfforth Library. Both items will be considered for final approval later if so authorized.