



CITY COUNCIL MEETING

January 08, 2024 at 6:00 PM

WolfForth City Hall - 302 Main Street WolfForth, TX

AGENDA

CALL MEETING TO ORDER

INVOCATION - McDonald

PLEDGE OF ALLEGIANCE - Brashier

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.

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.

- 1.** Consider and take appropriate action on minutes from December 18, 2023 Council meeting
- 2.** Consider and take appropriate action on pay request from Allen Doggett Construction for booster pump upgrades
- 3.** Consider and take appropriate action on amended Master Fee Schedule.

4. Consider and take appropriate action on Ordinance 2024-001 adopting a Water Conservation Plan
5. Consider and take appropriate action on May 4, 2024 General Election Calendar

REGULAR SESSION

6. Conduct a public hearing to receive comments on the expenditure of funds by the Wolfforth Economic Development Corporation for a business expansion loan to All Hale Meats in the amount of \$50,000.
7. Consider and take appropriate action on a Resolution 2024-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH
AUTHORIZING THE ECONOMIC DEVELOPMENT CORPORATION TO ISSUE A LOAN
FOR CONSTRUCTION OF BUILDING EXPANSION AND RELATED
INFRASTRUCTURE TO EXPAND AN EXISTING WOLFFORTH BUSINESS, KNOWN
AS ALL HALE MEATS, LLC.

8. Consider and take appropriate action on report from staff pertaining to Water Impact Fees
9. Consider and take appropriate action on appointment to the Lubbock MPO Policy Committee

EXECUTIVE SESSION

In accordance with Texas Government Code, section 551-001, et seq., the City Council will recess into executive session (closed meeting) to discuss the following:

- 10.** 551.071 Consultation with Attorney: To consult with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 – Open Meetings (i) Chapter 380 Agreement - Wolfforth Land Company (ii) Right of Way Authority (iii) Pending or Contemplated Litigation - Medova Healthcare Financial Group Lawsuit

RECONVENE INTO OPEN SESSION

In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into regular session to consider action, if any, on matters discussed in executive session.

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 January 5, 2024 at 5:00 p.m.

/s/ Terri Robinette, City Secretary

**MINUTES OF A REGULAR MEETING
CITY COUNCIL OF WOLFFORTH, TEXAS
302 Main Street, WOLFFORTH, TX
Monday, December 18, 2023, 6:00 p.m.**

MEMBERS PRESENT: Mayor Pro Tem Doug Hutcheson,
Council Member Austin Brashier, Council Member Charlotte
McDonald, Council Member David Cooper, Council Member
Gregory Stout

MEMBERS ABSENT: Mayor Charles Addington, Council Member David Cooper

OTHERS PRESENT: City Manager Randy Criswell; City Secretary Terri Robinette;
EDC Director Danielle Sweat; Development Director Tara
Tomlinson;

OTHERS PRESENT BY TEAMS:

Mayor Pro Tem Doug Hutcheson opened the meeting at 6:00 p.m.

1. Public Comments – no public comments
2. Motion by Council member Austin Brashier, second by Council member Charlotte McDonald to approve the Consent Agenda. Motion carried unanimously.
 - A. Consider and take appropriate action on minutes from December 4, 2023
 - B. Consider and take appropriate action on November 2023 departmental reports
 - C. Consider and take appropriate action on Pay Request Number 3 from UCA for 12-inch Loop Line Project
 - D. Consider and take appropriate action on request for payment from Kimley Horn for engineering services for Elevated Storage Tank and Associated Pipelines
 - E. Consider and take appropriate action on interlocal agreement for sealcoating for the 2024 Sealcoating project
3. PUBLIC HEARING was opened at 6:04pm to consider and take appropriate action on a public hearing regarding a zoning change by the City of Wolfforth from a R-1 to a C-3 and include a Special Use Permit for Meat Processing with a Retail Front for the construction on an additional facility at BLK D6 SEC 24 AB 884 TR A 1.00 acres also known as All Hale Meats.

- A. Public comments were made by Terry Hale, owner of All Hale Meats. He detailed his plans for the expansion of his business for processing and assured the Council he would not be expanding the slaughter house.
 - B. There were no other comments, and the public hearing was closed at 6:14pm.
4. Motion by Council member Charlotte McDonald, second by Council member Austin Brashier to approve Ordinance 2023-033

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING THE ZONING MAP AS IT RELATES TO 930 W. 5th STREET, WOLFFORTH, TEXAS, BY AMENDING THE ZONING DESIGNATION FROM R-1 TO C-3; GRANTING A SPECIAL USE FOR MEAT PROCESSING WITH RETAIL FRONT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES AND PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Motion passed unanimously.

5. Motion by Council member Austin Brashier, second by Council member Gregory Stout to approve Harvest Phase 8 Lots 971-1004 and 1024-1083 and Tract M Final Plat with the following conditions: Final Walk-through of infrastructure required, final acceptance per Section 10.10 before filing of plat. Motion passed unanimously.
6. Motion by Council member Charlotte McDonald, second by Council member Austin Brashier to table the Operating Agreement with Frenship Youth Baseball for the Patterson Park Baseball Complex to the January 22, 2024 meeting. Motion passed unanimously.
7. Motion by Council member Charlotte McDonald, second by Council member Greg Stout to table the appointment of a City representative to the MPO Policy Committee to the January 8, 2024 meeting. Motion passed unanimously.
8. With no other business to come before the Council, a motion was made by Council member Charlotte McDonald, second by Council member Austin Brashier to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 7:06 pm.

PASSED AND APPROVED THIS THE 8TH DAY OF JANUARY, 2024.

Charles Addington, II, Mayor

ATTEST:

Terri Robinette, City Secretary



AGENDA ITEM COMMENTARY

MEETING NAME: Wolfforth City Council

MEETING DATE: January 8, 2024

ITEM TITLE: Consider and take appropriate action on pay request from Allen Doggett Construction for booster pump upgrades

INITIATOR/STAFF INFORMATION SOURCE: Randy Criswell, City Manager

BACKGROUND:

In November 2022 you authorized Kimley Horn to develop a Water Model for the City of Wolfforth's distribution system. The model was developed and through its use, we were able to identify future needs and capacity limitations of our system. If you recall, the 12" distribution loop line, the size and location of the proposed elevated storage tank, the removal of two existing elevated storage tanks, and the needed upgrade to the existing booster pump capacity (as a few examples) are all projects that were affected by or came about because of the water model. The Booster Pump upgrade project is now complete, finished last month by Allen Doggett Construction at a cost of \$231,075.00. The original quote was \$229,500 but required the addition of piping adaptors at a cost of \$1,575. An invoice for the completed work is attached as an exhibit.

EXHIBITS:

Invoice from Allen Doggett

COUNCIL ACTION/STAFF RECOMMENDATION:

Approve payment for Booster Pump Upgrades to Allen Doggett Construction in the amount of \$231,075.00.

Allen Doggett Construction Co.,Inc.

3509-78th Drive
Lubbock, Texas 79423

Inv Item # 2.

Date	Invoice #
1/2/2024	795

Bill To
City of Wolfforth PO Box 36 Wolfforth,Tx.79382

P.O. No.	Terms	Project
		EDR PLANT

Quantity	Description	Rate	Amount
1	Furnish and Install 2 ea. 75 HP Vertical Turbine Electrical wire 2 ea. Stainless Disconnects 2 ea. Yaskawa Pump drives Necessary Pipe Modification 4 ea. Reducers Labor to Install wiring and pumps New electrical Breakers	229,500.00	229,500.00
1	Build and Install Piping Adapters	1,575.00	1,575.00
		Total	\$231,075.00



AGENDA ITEM COMMENTARY

MEETING NAME: City Council Meeting

MEETING DATE: January 8, 2024

ITEM TITLE: Consider and take appropriate action on amended Master Fee Schedule.

INITIATOR/STAFF INFORMATION SOURCE: Tara Tomlinson

BACKGROUND:

On September 1, 2023, HB 3492 was enacted requiring municipalities to recreate their fee structure for reviewing and processing engineering or construction plans, along with inspecting infrastructure. Prior to September, cities were allowed to charge developers based on an estimate of construction cost. Municipalities are now required to determine a fee based off of actual construction and engineering cost. One of the three ways you can assess the actual cost is by charging a fee equivalent to a third-party entity that provides those services to the municipality. In recent months, the City of Wolfforth has worked with Kimley-Horn, Walker, and SafeBuilt, three of the third-party entities we currently have contracts with, to determine a fee structure that they will charge the City of Wolfforth that will, in turn, charge the developer. Major changes are signified in red on the new Master Fee Schedule. Table A and B will be removed from the Master Fee Schedule due to being based solely on estimated construction costs.

EXHIBITS:

1. Master Fee Schedule

COUNCIL ACTION/STAFF RECOMMENDATION:

Staff recommends adoption of new fee schedule.

Planning and Zoning Department Fees	
Zone Change Request Fee	\$200.00
Variance Request Fee	\$200.00
Conditional Use/Special Use Permit Fee	\$200.00
Annexation Request Fee	Costs of notices, engineering and legal review
Preliminary Plat Review Fee- < 5 Acres	\$125.00
Preliminary Plat Review Fee- > 5 Acres	\$125.00 + \$50 per lot/acre (Max \$500)
Final Plat for Review Fee- SFR/Minor^	\$125.00
Final Plat for Review Fee- MF/Comm < 5 Acres	\$250.00
Final Plat for Review Fee- MF/Comm > 5 Acres	\$250 + \$50 per lot/acre (Max \$1000)
Plat Renewal Fee	\$200.00
Re-plat or Amend Plat	\$200.00
^Minor: Fewer than 5 acres with 4 or less lots. No creation or dedication of public right-of-way. Includes the combination of lots for the purpose of development with 4 or fewer lots not requiring creation or dedication of public right-of-way. An amended plat would also be considered in this category.	
Engineering Review Fees (must be paid before plans can be approved by City Engineer)	
Stormwater Management Permit	\$150.00 per 5 acre area disturbed
Initial Submittal^ of Street and Water/Sewer Plan Review Fee	\$2080 + \$50 per lot/acre (*whichever is greater) up to \$6800
Re-submittals after initial	\$520 each additional submittal
Public Infrastructure Inspection Fee	Direct cost billed from 3rd party inspectors, monthly, until project is accepted by the city
Cut and Fill Plan Review	\$250.00
^Initial submittal includes: plan review of streets (paving and drainage) and water/sewer. Also, one follow up submittal with comments addressed.	
Permit Fees	
Miscellaneous Permit Fees	
Vendor Permit Fee	\$25.00 annually

Wolfforth Master Fee Schedule

Item # 3.

Alarm Permit	\$50.00
Golf Cart Registration Fee	\$10.00 annually
Sign Permit	\$70.00
Solar Panel Permit	\$175.00 per building
Permit Fee, Work commencing prior to permit approval	200% of the normal permit fee
Permit Transfer Fee	The lesser of the original fee or \$250
Miscellaneous Plumbing Permit	\$70.00
Miscellaneous Mechanical Permit	\$70.00
Miscellaneous Electrical Permit	\$70.00
Accessory Building Permit <200 square feet	Permit documentation required: No fee
Accessory Building Permit >200 square feet	40% of the Construction Permit (based on Table C); \$70.00 minimum; Building, Plumbing, Electrical and Mechanical Permits - 20% of Construction Permit each
In-ground Swimming Pools and Spas	60% of Construction Permit (from Table C). Pool Electrical and Plumbing 20% each
Private Water Well Permits	
Permit to drill/construct new well	\$120.00
Permit to drill/construct/refurbish existing well	\$75.00
Annual Well Inspection	\$50.00
Permit to repair/correct defective well	\$50.00
Permit to abandon/plug well	\$25.00
Residential Building Permit Fees	
Building Permit (New Construction/Remodels)	\$0.30 per square foot + MS4 Residential Review Fee + Sewer Access Fee + 1" water meter fee (\$70 minimum)
MS4 Residential Review Fee	\$30.00
Meter Set Fee (1" meter)	\$800.00
Sewer Access Fee	\$100.00
Residential Mechanical Permit	\$0.20 per square foot (\$70 minimum)
Plumbing Permit	\$0.20 per square foot (\$70 minimum)
Electrical Permit	\$0.20 per square foot (\$70 minimum)
HUD Manufactured Home	Minimum \$70.00 fee for all permits (Building, Plumbing, Electrical, mechanical)
Re-inspection (Red Tag Fee)	\$70.00

Wolfforth Master Fee Schedule

Item # 3.

Permit Fee, Work commencing prior to permit approval	200% of the normal permit fee
Permit Transfer Fee	The lesser of the original fee or \$250
Investigative Inspection Fee	\$70.00
Commercial/Multi-Family Building Permit Fees	
Commercial Plan Review	Based on Project Value from Table C
Commercial Building Permit (New/Remodels/Finish Outs)	40% of Construction Permit (from Table C) + \$200 Admin Fee
Plan Review by Fire Marshall	Based on Table D
Site Inspections by Fire Marshall	Based on Table E
Commercial Plumbing Permit Fee	20% of the Construction Permit (Table C) + \$100 Admin Fee (\$70 minimum)
Commercial Electrical Permit Fee	20% of the Construction Permit (Table C) + \$100 Admin Fee (\$70 minimum)
Commercial Mechanical Permit Fee	20% of the Construction Permit (Table C) + \$100 Admin Fee (\$70 minimum)
Re-inspection (Red Tag Fee)	\$70.00
Permit Fee, Work commencing prior to permit approval	200% of the normal permit fee
Permit Transfer Fee	The lesser of the original fee or \$250
Investigative Inspection Fee	\$70.00
Meter Fees	
3/4" Meter	\$600.00
1" Meter Set	\$800.00
2" Meter or Compound meter	Call for Price
Relocate Meter	\$500.00
Pull and Test Meter (refunded if meter is faulty)	\$75.00
Disable Meter for Non-Payment	\$150.00
Park Fees	
Patterson Park Pavilion - Wolfforth Resident	\$25.00
Patterson Park Pavilion w/ Electricity - Wolfforth Resident	\$50.00
Patterson Park Pavilion - Non Resident	\$75.00
Patterson Park Pavilion w/ Electricity - Non Resident	\$100.00
Concert/Large Event - Wolfforth Resident	\$150.00
Concert/Large Event - Non Resident	\$200.00

Animal Control	
Kennel Fee	\$7.00 per day
Adoption Fee	\$25.00
Animal Relinquishment	\$70.00
Euthanasia Fee	\$50.00
Dangerous Dog Permit - Annually	\$100.00
Miscellaneous Fees	
Credit Card Processing Fee (Development Department)	3.25%
Credit Card Processing Fee (Municipal Court)	3.95%
Return Check Fee	\$50.00
Fingerprinting (non-resident)	\$10.00
Public Information Requests	
Public Information Requests	(in accordance with current guidelines adopted by the Texas Attorney General's Office)
Library Fees	
Replacement Library Cards	\$2.00
Black & White copies (available at library)	\$0.25 per page
Faxes (available at library)	\$1.00 per page
Makerspace Kits Late Fee	\$3.00 per day
Circulating Technology Late Fee	\$3.00 per day
Black & White copies (available at library)	\$0.25 per page
Faxes (available at library)	\$1.00 per page
Library Meeting Room Fees	
Government Entities	No Charge
Homeschool Groups	\$17.50 per day, or \$8.75 per half-day
Non-profit Organization	\$35.00 per day, or \$17.50 per half-day
Private Rental	\$70.00 per day, or \$35.00 per half-day
Use of Projector/AV equipment	\$25.00 per day, or \$12.50 per half-day



AGENDA ITEM COMMENTARY

MEETING NAME: Wolfforth City Council

MEETING DATE: January 8, 2024

ITEM TITLE: Consider and take appropriate action on Ordinance 2024-01 adopting a Water Conservation Plan

INITIATOR/STAFF INFORMATION SOURCE: Randy Criswell, City Manager

BACKGROUND:

We have been working with the Texas Water Development Board to amend the City of Wolfforth's Water Conservation Plan. In the past, we've had one plan that was called the "Drought Contingency and Water Conservation Plan", but its content didn't satisfy the requirements of the State, so we've created a separate Water Conservation Plan per the requirements. The Plan has been reviewed and approved by the Texas Water Development Board and needs formal adoption by the City. An Ordinance has been prepared to this effect.

The Water Conservation Plan is a partner to our Drought Contingency Plan but is not based on drought needs; it is based on goals for water conservation going forward, and strategies and goals for reducing water loss and water usage.

The City Attorney is preparing the appropriate Ordinance and we anticipate having it for your consideration at the meeting.

EXHIBITS:

City of Wolfforth Water Conservation Plan

Ordinance No. 2024-01 (not yet attached)

COUNCIL ACTION/STAFF RECOMMENDATION:

Staff recommends adoption of Ordinance No. 2024-01, adopting a Water Conservation Plan.

CITY OF WOLFFORTH

Water Conservation Plan

Record Management System

- All water delivered to customers is metered through an AMI/AMR meter reading system. This system allows for the city to track real time reporting data for water use. The meters are read monthly for billing purposes.
- The city will continue to maintain records for water received, water treated, water pumped, water delivered and sold, and loss. These pumpage and meter readings are compiled either daily, monthly, and annually on spreadsheets which are reviewed by City personnel to compile annual reports.
- Distributed water is recorded using the following categories:
 - Single family residential
 - Multi family residential
 - Commercial
 - Institutional
 - Builder accounts
- Miscellaneous water use consists of recording known tank overflows, pump testing, water leak repair, fire hydrant usage, flushing valves, and fire department use. When possible and known this water is recorded.

Specific, Quantified 5 & 10-Year Targets

Water Conservation Plan Goals Table
TWDB Form No. 19&4
Revised 12/14/2012 1:53 PM

Texas Water
Development Board

WATER CONSERVATION PLAN 5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: City of Wolfforth

Water Conservation Plan Year: 2023

	Historic 5yr Average	Baseline	5-yr Goal for year <u>2028</u>	10-yr Goal for year <u>2033</u>
Total GPCD ¹	124	124	123	122
Residential GPCD ²	109	109	108	107
Water Loss (GPCD) ³	9	9	9	9
Water Loss (Percentage) ⁴	7 %	7 %	7 %	7 %

1. Total GPCD = (Total Gallons in System + Permanent Population) ÷ 365

2. Residential GPCD = (Gallons Used for Residential Use + Residential Population) ÷ 365

3. Water Loss GPCD = (Total Water Loss + Permanent Population) ÷ 365

4. Water Loss Percentage = (Total Water Loss + Total Gallons in System) × 100; or (Water Loss GPCD ÷ Total GPCD) × 100

Measuring and Accounting for Diversions

Raw water from City wells is individually metered at the well head. Water going through the treatment plant is measured by flow meters which are read daily for record keeping and accuracy. All meters are calibrated on an annual basis, and more frequently if needed. Calibrations are performed by an independent contractor. Calibration log sheets are maintained by the Public Works department.

Universal Metering

- Metering all water distribution and consumption allows the city to account for water use and water loss and to prevent unauthorized consumption.
- The City of Wolfforth meters all connections, both customer and public. Meters range in size from ¾” to 6”. All meters are designed to provide accurate flows to within +/-5%.
- The city has a maintenance program for water meters to include testing, repair, and replacement as indicated by flags in the AMI/AMR meter reading software (Neptune) or when damaged. New meters are always used when a change is required, never new or rebuilt meters.
- Meters that show unusual usage or have a questionable reading will be replaced upon determination that replacement is necessary.

Measures to Determine and Control Water Loss

- Distribution lines are visually inspected periodically to identify any leaks. Wolfforth has an after-hours hotline for citizens to report any leaks or potential water main breaks.
- Monthly monitoring of active/inactive accounts and meters is conducted through our Utility Billing Department.
- Losses attributed to illegal connections are identified and may result in theft charges to the offender.
- Meters tend to measure slowly as they age. Inaccurate and non-readable meters are changed out when reported by meter reading software reports.

Continuing Public Education & Information

The City of Wolfforth has taken the following measures to promote conservation efforts and public involvement:

- Inserts regarding conservation measures included in utility bills.

- Information distributed by direct contact (door notices) to customers that need to practice conservation efforts.
- Establishment of a water conservation committee to produce a strategic plan and ideas to increase public cooperation.
- Information from the TWDB and TCEQ available for customers at City Hall
- Social media posts are made by the city to encourage and inform the public on water conservation ideas.

Non-Promotional Water Rate Structure

- To encourage water conservation and to discourage excessive water use the City of Wolfforth has implemented a tiered rate structure with increasing rates for increasing use.

0 to 3,000 gallons monthly	\$75.62
3,001 to 15,000 gallons monthly	Base, plus \$7.79 per 1,000 gallons
15,001 to 30,000 gallons monthly	rates above, plus \$8.96 per 1,000 gallons
30,001 to 50,000 gallons monthly	rates above, plus \$10.52 per 1,000 gallons
over 50,001 gallons monthly	rates above, plus \$12.64 per 1,000 gallons

Reservoir Systems Operations Plan

Not applicable to the City of Wolfforth.

Enforcement Procedure and Plan Adoption

- The City of Wolfforth has adopted this Water Conservation Plan by Ordinance 2023-____ (to be adopted upon TWDB approval).
- The City of Wolfforth has also adopted a drought contingency plan by Ordinance 2023-013

Section 13.03.011 of ordinance 2023-013 allows for the following enforcement measures:

Sec. 13.03.011 Enforcement

(a) No person shall knowingly or intentionally allow the use of water from the City of Wolfforth for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the City Manager, or his/her designee, in accordance with provisions of this Plan.

(b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of two or more distinct violations of this Plan, the City Secretary shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at one hundred dollars (\$100.00), and any other costs incurred by the City of Wolfforth in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

(c) Any person, including a person classified as a water customer of the City of Wolfforth, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violations. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of the Plan and that the parent could not have reasonably known of the violation.

Coordination with the Regional Water Planning Group(s)

- The chair of the Region O water planning group will be provided with a copy of this conservation plan.

Plan Review and Update

- The city will review and update this Water Conservation Plan based on a review of the 5- and 10-year targets and any other new or updated information to keep up with tremendous growth and extreme drought conditions. The city will review the water conservation plan every 5 years.

ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

Leak Detection and Repair

The City of Wolfforth will continue to monitor the water distribution system and customer service connections for water leaks and will address the repair of any leaks found immediately.

- Meter readers will report illegal connections and abandoned locations with water service so that they can be addressed quickly. This will be done monthly during meter reading.
- Crews are available on an on-call basis 24/7 to repair any reported water leaks from the public or city personnel.

Contract Requirements

- The City of Wolfforth is not a wholesale water provider.

ADDITIONAL CONSERVATION STRATEGIES

As referenced above, the City of Wolfforth has adopted conservation-oriented rates. We have an increasing block schedule.

A program and/or ordinance(s) for landscape water management.

Ordinance 2023-013 is in place for drought control procedures.



AGENDA ITEM COMMENTARY

MEETING NAME: Wolfforth City Council

MEETING DATE: January 8, 2024

ITEM TITLE: Consider and take appropriate action on May 4, 2024 General Election Calendar

INITIATOR/STAFF INFORMATION SOURCE: Terri Robinette

BACKGROUND:

Council, below I have included important dates for the General Election to be held on May 4, 2024 to include the seats for Council Member Place 1, Council Member Place 2 and Mayor.

Wednesday, January 17 – First day to file for a place on General Election Ballot

Friday, February 16 – Last day to file for a place on General Election Ballot

Thursday, April 4 – Last day to register to Vote

Monday, April 22 – First Day of Early Voting

Tuesday, April 30 – Last Day of Early Voting

Saturday, May 4 – Election Day

Over the next several Council meetings, we will have more election related items for your consideration including the Ordinance calling for the May 2024 election.

EXHIBITS:

COUNCIL ACTION/STAFF RECOMMENDATION:

No action needed



AGENDA ITEM COMMENTARY

MEETING NAME: City Council

MEETING DATE: 1/8/2024

ITEM TITLE: Conduct a public hearing to receive comments on the expenditure of funds by the Wolfforth Economic Development Corporation for a business expansion loan to All Hale Meats in the amount of \$50,000.

INITIATOR/STAFF INFORMATION SOURCE: EDC Director Danielle Sweat

BACKGROUND:

Terry Hale with All Hale Meats is planning on expanding his building and business to become USDA certified. This will allow him to sell his product outside the state of Texas, specifically his beef jerky. His beef jerky already sells statewide and brings significant attention to Wolfforth. The EDC has agreed to support this expansion with a loan of \$50,000.

Part of the process for funding this project is to conduct a Public Hearing.

EXHIBITS:

Public Hearing Notice

COUNCIL ACTION/STAFF RECOMMENDATION:

Conduct a Public Hearing to receive any comments related to the project

Public Hearing Notice

Wolfforth Economic Development Corporation

The WEDC, a Texas non-profit 4B economic development corporation, will receive comments between December 11, 2023 and February 8, 2024 on the expenditure of funds by the WEDC to loan \$50,000 to All Hale Meats for the expansion of their business. The City Council will hold a public hearing on January 8, 2024 at 6:00 PM, and the WEDC will hold a public hearing on January 11, 2024 at 4:00 PM, both in the Council Chambers of Wolfforth City Hall, located at 302 Main Street, Wolfforth, Texas 79382. Direct all comments or concerns to Wolfforth EDC PO Box 36, 302 Main Street, Wolfforth Texas 79382 or contact Danielle Sweat, EDC Executive Director, at 806-855-4128.

“I, the undersigned authority do hereby certify that the Notice of Meeting was posted at City Hall of the City of Wolfforth, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: December 11, 2023 at 9:00 a.m. and remained so posted continuously for at least 60 days.”

Danielle Sweat, Economic Development Director

Date Notice Removed



AGENDA ITEM COMMENTARY

MEETING NAME: City Council

MEETING DATE: 1/8/2024

ITEM TITLE: Consider and take appropriate action on a Resolution authorizing the expenditure of funds by the Wolfforth Economic Development Corporation for a business expansion loan to All Hale Meats in the amount of \$50,000.

INITIATOR/STAFF INFORMATION SOURCE: EDC Director Danielle Sweat

BACKGROUND:

Terry Hale with All Hale Meats is planning on expanding his building and business to become USDA certified. This will allow him to sell his product outside the state of Texas, specifically his beef jerky. His beef jerky already sells statewide and brings significant attention to Wolfforth. The EDC has agreed to support this expansion with a loan of \$50,000.

Having conducted the required Public Hearing, the next step is to approve a Resolution authorizing the project.

EXHIBITS:

Resolution 2024-001

COUNCIL ACTION/STAFF RECOMMENDATION:

First Reading – No action to be taken at this time

RESOLUTION NO. 2024-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AUTHORIZING THE ECONOMIC DEVELOPMENT CORPORATION TO ISSUE A LOAN FOR CONSTRUCTION OF BUILDING EXPANSION AND RELATED INFRASTRUCTURE TO EXPAND AN EXISTING WOLFFORTH BUSINESS, KNOWN AS ALL HALE MEATS, LLC.

WHEREAS, the City of Wolfforth created the Wolfforth Economic Development Corporation (the “WEDC”), which is a Type B economic development corporation; and

WHEREAS, the Texas Legislature in Local Government Code 505.158 allows Type B economic development corporations created by a municipality with a population under 20,000 to promote new or expanded business within the community; and

WHEREAS, the City of Wolfforth currently has a population of under 20,000; and

WHEREAS, the WEDC at their January 11, 2024 regular meeting, held a public hearing regarding a proposed loan to All Hale Meats, LLC for construction of building expansion and related infrastructure at 903 W. 5th Street, Wolfforth, Texas, not to exceed \$50,000.00; and

WHEREAS, at its December 5, 2023 meeting, the WEDC Board of Directors found that the construction of building expansion and related infrastructure will allow All Hale Meats, LLC to expand business in Wolfforth by creating new jobs and generating new sales tax revenue; and

WHEREAS, the Wolfforth City Council held public hearings on January 8, 2024, and January 15, 2024, to consider authorizing the loan by the Wolfforth Economic Development Corporation to All Hale Meats, LLC.

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

SECTION 1. That the recitals, findings, and determinations contained in the preamble to this Resolution are incorporated into the body of this Resolution as if fully set forth in this Section and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Resolution for all purposes.

SECTION 2. That the WEDC is hereby authorized to enter into a performance agreement to loan \$50,000.00 to All Hale Meats, LLC to assist in the construction of building expansion and related infrastructure on its property at 903 W. 5th Street, Wolfforth, Texas (attached hereto as Exhibit A.)

SECTION 3. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notices of the time, place, and purpose

of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code.

SECTION 4. That the officers of the City are hereby authorized and directed to take such action as may be necessary to carry this Resolution into effect.

SECTION 5. This Resolution shall take effect immediately upon its passage as provided by law.

First Reading on this 8th day of January 2024.

Second Reading and Passed and approved this 22nd day of January 2024.

CITY OF WOLFFORTH, TEXAS

Charles Addington, II, Mayor

Attest

Terri Robinette, City Secretary



AGENDA ITEM COMMENTARY

MEETING NAME: Wolfforth City Council

MEETING DATE: January 8, 2024

ITEM TITLE: Consider and take appropriate action on report from staff pertaining to Water Impact Fees

INITIATOR/STAFF INFORMATION SOURCE: Randy Criswell, City Manager

BACKGROUND:

The attached report shows the activity pertaining to the discussion and implementation of Water Impact Fees. If you recall, Newgen strategies presented a report and recommendations to you in July 2023 based on a \$31.5 million CIP (Capital Improvements Plan), which resulted in a maximum water Impact Fee of \$4372 per 1 inch meter. The CIAC met and approved the Capital Improvements Plan and recommended the City Council adopt the maximum legal impact fee. At that time, our local development partners requested a delay in the decision until they had an opportunity to be more involved, which we agreed to. The attached activity timeline details this.

At this point, it's time to begin the process of issuing additional debt to fund the next portions of the CIP. One of the critical components of that process is how we will service the debt. As you will recall, the current water rate structure was designed with the assumption that full Impact Fees would be implemented. If we don't implement the full impact fees, we will need to have Newgen revisit and recalculate water rates for all customers.

We're also continuing to look at any other option we can find.

To move forward, I've asked our engineers to update all cost estimates for the projects, I've asked Newgen strategies to provide some additional information, and I've met with our Financial Advisor. As soon as the Impact Fee issue is resolved, we will be prepared to move forward with the issuance of future Certificates of Obligation.

EXHIBITS:

Activity timeline report
 Water System Capital Improvements Plan
 Rate impacts of adopting reduced Impact Fees

COUNCIL ACTION/STAFF RECOMMENDATION:

Council direction needed

Water Impact Fee Timeline

- May 15, 2023- City Council requested next meeting to discuss Impact Fees
- July 10, 2023- Mr. Ekrut presented; City Council appointed P&Z as CIAC
- July 31, 2023- Second presentation by Mr. Ekrut; Also 1st Public Hearing
- August 8, 2023- First CIAC meeting; no recommendation made, planned to have Mr. Ekrut speak next time
- September 12, 2023- Second CIAC meeting; Mr. Ekrut presented; Recommendation to charge full impact fee amount for new development.
- September 18, 2023- City Council Meeting for 2nd Public hearing; many developers spoke; Mayor suggested a meeting with developers
- October 11, 2023- 1st Meeting with Developers
- December 20, 2023- 2nd Meeting with Developers

October 11, 2023 1st Developer Meeting-

- Mr. Criswell opened the meeting by discussing what water infrastructure is included in the Capital Improvements Plans (elevated storage tank, pipeline for elevated tank, EDR Plant #2, Lubbock North Connect, Loop 88 East Connection, Loop 88 North Connection, Harvest Wells, Overlook Wells, WDSI)
- Expectation is to have completed within 3-4 years.
- Water rates that changed in June of 2023, were based on the following meters:
 - \$4,372 for a ¾” meter
 - \$7,287 for a 1” meter
- Question about if growth was based on a ¾” meter, which they currently do not use, or was it based on the minimum meter for a residential home.
 - City of Wolfforth reached out to Mr. Ekrut and OJD to determine what was the base meter. A new table was created with the 1” meter being for a residential home.
- Questions, comments, and concerns from the developers:
 - Could you use franchise taxes to pay for infrastructure?
 - Could commercial be charged with full meter price, while residential be a percentage?
 - Are there grants that the city can apply for?
 - A \$4000+ impact fee will destroy growth in Wolfforth
 - They understand there is a need for impact fee, but is there a way to make the amount less?
- After hearing comments and questions, the developers asked to reconvene after several weeks to see if they could find options to help fill in the gaps if impact fees were less.

December 20, 2023 2nd Developer Meeting

- Attendees: 806 Land, Wolfforth Land Company. Betenbough was unable to attend but had previously expressed a willingness to rely on the other two development teams to convey their thoughts.
- The messages conveyed by Ms. Victoria Whitehead were:
 - They don't believe Wolfforth has done enough to try to find other sources of funding.
 - Ms. Whitehead stated she had contacted the Texas Water Development Board and was told they have not heard from anyone at Wolfforth since the previous City Manager. I informed her that we had submitted three PIFs (Project Information Forms) to TWDB in 2022 for funding requests from the Drinking Water State Revolving Fund: one for Elevated Storage, one for the EDR plant, and one for additional water supply (all three of which are specific projects in the Capital Improvements Plan), and all three finished very low in total rankings in the 2023 TWDB Intended Use Plan (215, 223, and 234 of 267). I also informed her that I regularly talk/communicate with the TWDB about our sewer project, and they are aware of Wolfforth's growth needs.
 - I asked Ms. Whitehead if she believed Wolfforth was eligible for TWDB grants, because our demographics will probably never allow us to get any kind of grants for infrastructure.
 - As a side note, about the TWDB IUP listing for Drinking Water Projects, the top 152 projects on the list (total of 267 projects) are all projects that meet the criteria for 70% disadvantaged population. Wolfforth does not and likely will not ever meet those criteria. There are no other additional sources of funding outside the TWDB and the open market, at least not at this time.
 - They questioned the need for the second EDR plant – could it be some other, less expensive type of treatment.
 - They stated understanding that the Impact Fees are worthy of consideration, and asked that, instead of \$4372 the fee be reduce to \$1700. They stated their belief that anything higher will cause builders to stop building in Wolfforth.
 - They asked if the additional property taxes from new developments could be used to help pay for the improvements. I told them it might be legal, but I would never recommend it. Property taxes should be used to fund governmental functions, not service water infrastructure debt

WATER IMPACT FEE CIP

Description	Total Project Amount	% 10-Year Growth	Impact Fee Eligible	50% Recoverable Cost
Elevated Storage Tank - Alcove	\$ 6,500,000	80%	\$ 5,200,000	\$ 2,600,000
Water Distribution Improvements for Elevated Tank	1,500,000	80%	1,200,000	600,000
EDR Plant #2	15,000,000	100%	15,000,000	7,500,000
Lubbock North Connection and Ground Storage	2,000,000	75%	1,500,000	750,000
Loop 88 East Connection and Ground Storage	1,000,000	75%	750,000	375,000
Loop 88 North Connection and Ground Storage	3,000,000	75%	2,250,000	1,125,000
Harvest Wells	500,000	100%	500,000	250,000
Overlook Wells	1,000,000	100%	1,000,000	500,000
Water Distribution System Improvements	1,000,000	100%	1,000,000	500,000
	\$ 31,500,000		\$ 28,400,000	\$ 14,200,000

	Level of Impact Fee										
	100%	90%	80%	75%	70%	60%	50%	40%	30%	25%	
Impact Fee	\$ 4,372	\$ 3,935	\$ 3,498	\$ 3,279	\$ 3,060	\$ 2,623	\$ 2,186	\$ 1,749	\$ 1,312	\$ 1,093	
Incremental Service Units	4,059	4,059	4,059	4,059	4,059	4,059	4,059	4,059	4,059	4,059	
Incremental Revenue	\$ 17,745,948	\$ 15,971,353	\$ 14,196,758	\$ 13,309,461	\$ 12,422,164	\$ 10,647,569	\$ 8,872,974	\$ 7,098,379	\$ 5,323,784	\$ 4,436,487	
Annual Amortization (10-years)	\$ 1,774,595	\$ 1,597,135	\$ 1,419,676	\$ 1,330,946	\$ 1,242,216	\$ 1,064,757	\$ 887,297	\$ 709,838	\$ 532,378	\$ 443,649	
Incremental Annual Revenue Needed from Rates	\$ 177,459	\$ 354,919	\$ 443,649	\$ 532,378	\$ 709,838	\$ 887,297	\$ 1,064,757	\$ 1,242,216	\$ 1,330,946		
Estimated Consumption (kgal) (FY 2024)	303,263	303,263	303,263	303,263	303,263	303,263	303,263	303,263	303,263	303,263	
Incremental Revenue Requirement per kgal	\$ 0.59	\$ 1.17	\$ 1.46	\$ 1.76	\$ 2.34	\$ 2.93	\$ 3.51	\$ 4.10	\$ 4.39		
Estimated Connections (FY 2024)	3,118	3,118	3,118	3,118	3,118	3,118	3,118	3,118	3,118	3,118	
Cost per Connection per Month	\$ 4.74	\$ 9.49	\$ 11.86	\$ 14.23	\$ 18.97	\$ 23.71	\$ 28.46	\$ 33.20	\$ 35.57		



AGENDA ITEM COMMENTARY

MEETING NAME: Wolfforth City Council

MEETING DATE: January 8, 2024

ITEM TITLE: Consider and take appropriate action on appointment to the Lubbock MPO Policy Committee

INITIATOR/STAFF INFORMATION SOURCE: Randy Criswell, City Manager

BACKGROUND:

We discussed this item in December. As a reminder, the MPO Policy Committee meets monthly on the third Tuesday of each month at 8:30 am in the Lubbock City Council Chambers.

EXHIBITS:

None

COUNCIL ACTION/STAFF RECOMMENDATION:

No recommendation.

AGENDA ITEM COMMENTARY – AGENDA ITEM #10**ITEM TITLE**

Consider and take appropriate action on appointment of City representative to the MPO Policy Committee

INITIATOR/STAFF INFORMATION SOURCE

Randy Criswell, City Manager

BACKGROUND

Wolfforth is a member of the Lubbock Metropolitan Planning Organization, which is an entity that studies and addresses transportation-based issues within the MPO boundaries. It is a federally mandated organization developed to coordinate the highway, transit, and land use planning process to receive federal funds for highway and transit improvements. The Lubbock Metropolitan Planning Organization (MPO) consists of two functional components. The first is the MPO Technical Advisory Committee (TAC) and the second is the MPO Policy Committee. The Bylaws state that the City Manager of Wolfforth sits on the TAC, and the Mayor of Wolfforth sits on the Policy Committee. Mayor Addington has requested an amendment to the MPO Bylaws that would allow you, the Wolfforth City Council to select a representative from among yourselves.

That Bylaw amendment has been through the TAC process and is recommended for approval at the upcoming Policy Committee meeting to be held on December 19. If the Policy Committee approves the amendment, Wolfforth will need our representative ready to serve for the January 16th Policy Committee Meeting, if possible. The meetings are typically on the third Tuesday of the month at 8:30 am, Lubbock City Council chambers.

The other members of the Policy Committee are Curtis Parish (Lubbock County Judge), Jarrett Atkinson (Lubbock City Manager), Sheila Patterson Harris (Lubbock City Council), Dr. Jennifer Wilson (Lubbock City Council), Steve Massengale (Lubbock City Council), Terence Kovar (Lubbock County Commissioner), Steve Warren (TxDOT District Engineer), and Chris Mandrell (GM Citibus).

EXHIBITS**COUNCIL ACTION/STAFF RECOMMENDATION**

Council discretion