

**MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
JUNE 28, 2010**

Mayor Domingo Montalvo, Jr. declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. Mayor Domingo Montalvo, Jr. led the opening devotion and then led the pledge of allegiance.

Councilmember's present were: Mayor Domingo Montalvo, Jr., Councilmembers V. L. Wiley, Jr., Lewis Fortenberry, Jr., Terry David Lynch, Don Mueller, Bryce D. Kocian, and Jeff Gubbels.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, City Secretary Lisa Olmeda, Public Works Director Carter Miska, and City Attorney Paul Webb.

Visitors present were: Barry Halvorson with Wharton Journal Spectator, David Schroeder with Wharton Economic Development Corporation, Carlos Cotton with Jones & Carter, Kent Hill, and Addie Garza.

The second item on the agenda was Roll Call and Excused Absences. All members present. No action was taken.

The third item on the agenda was Public Comments. No comments were given. No action was taken.

The fourth item on the agenda was Wharton Moment. Councilmember Terry David Lynch commended Emergency Management Coordinator Jim Cooper for utilizing the call back system to notify the residents regarding the tornado at FM 1161 and FM 640. Mayor Domingo Montalvo, Jr. stated that information was needed as quickly as possible and was glad the Emergency Management Department was keeping the citizens informed. Mayor Domingo Montalvo, Jr. presented a proclamation to City Manager Andres Garza, Jr., which read as follows:

**Whereas,** Andres Garza, Jr. received his BBA Degree from Southwest Texas State University and began his career in public service in 1977 as an Administrative Assistant in Pearsall, Texas. And, in 1979, he was promoted to the position as the Pearsall Assistant City Manager in charge of finance; and

**Whereas,** In 1980, he began serving as the Pearsall City Manager until May 1994 and then moved to the City of Wharton to begin his service, and continues to serve, as the Wharton City Manager; and

**Whereas,** City Manager Garza currently serves as a member on the Board of Trustees on the Texas Municipal League Intergovernmental Risk Pool (TML-IRP), which he also chaired from 1994 – 1996. He also serves on the TML Small Cities Advisory Council, Texas City Management Association, International City Management Association and as a Board Member of the BCL of Texas; and

**Whereas,** On June 19, 2010, the Texas City Management Association presented City Manager Andres Garza, Jr. with a special award for his serving the City of Pearsall, the City of Wharton, and all Texas Cities for the past thirty years; and

**Whereas,** City Manager Garza has progressed through his career in public service with the support of his wife, Adeline Garza and sons, Andrew Garza, III and Adam Garza, and many family members, friends and colleagues.

**Now, Therefore, I, Domingo Montalvo, Jr.,** by the authority vested in me as Mayor of the City of Wharton, Texas, do hereby proclaim

*Tuesday, June 29, 2010 as*  
**“CITY MANAGER ANDRES GARZA, JR. DAY”**

in the City of Wharton and ask our citizens to extend their congratulations to Mr. Andres Garza, Jr. for his dedication to public service and appreciation for his many contributions to the progress of this community.

**In Witness Whereof,** I hereunto have set my hand and caused the seal of the City of Wharton to be affixed this 28<sup>th</sup> day of June, in the year of our Lord two thousand ten A.D.  
No action was taken.

The fifth item on the agenda was to review and consider the City of Wharton financial report for the month of May 2010. Finance Director Joyce Vasut presented the financial report for the month of May 2010, which was at 67% or eight months into the fiscal year. Mrs. Vasut stated that the total ad valorem taxes collected were \$1,837,617 and the sales tax for the month of April 2010 was \$134,266 with \$89,511 to the City and \$44,755 to WEDC. She further stated the TexPool balance for May was \$9,157.50 with an average monthly yield of 0.19335%. The Prosperity Bank balance for May 2010 was \$3,122,312.09 with an average monthly yield of 0.25%. She stated that other investments included \$2,651.75 at TexasGulf Federal Credit Union in the debt fund, \$253,755.82 at Capital One Marketing 2%; and Prosperity Bank \$1,007,479.45, six months at 1.00% interest, and \$251,560.65, one year at 1.25% interest. After some discussion, Councilmember Don Mueller made a motion to approve the City of Wharton Financial Report for the month of May 2010. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider the request by Dr. David Samuelson, Executive Director of East Wharton County Habitat for Humanity for City Council consideration

to waive all permitting fees and water and sewer tap fees associated with the construction of a home to be located at 707 Jefferson Street; Habitat for Humanity No. 2, Block 1, Lot 3. Assistant to City Manager Jackie Jansky presented a copy of the letter dated June 17, 2010 from Dr. David Samuelson, Executive Director of East Wharton County Habitat for Humanity requesting City Council consideration to waive all permitting fees and water and sewer tap fees associated with the construction of a home to be located at 707 Jefferson Street; Habitat for Humanity No. 2, Block 1, Lot 3. She then presented a drawing indicating the location of the property. She stated that construction would begin in October 2010. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the request by Dr. David Samuelson, Executive Director of East Wharton County Habitat for Humanity for City Council consideration to waive all permitting fees and water and sewer tap fees associated with the construction of a home to be located at 707 Jefferson Street; Habitat for Humanity No. 2, Block 1, Lot 3. Councilmember V. L. Wiley, Jr. seconded the motion. Councilmembers V. L. Wiley, Jr., Terry David Lynch, Don Mueller, Bryce D. Kocian, and Jeff Gubbels voted for the motion. Councilmember Lewis Fortenberry, Jr. abstained. The motion carried.

The seventh item on the agenda was to review and consider the an ordinance authorizing the City Manager for the City of Wharton to execute an electrical power purchase contract with a retail electric provider to provide electric power to the City in accordance with the authority granted in this ordinance. City Manager Andres Garza, Jr. stated that on June 30, 2011, the City's electricity provider service contract with the General Land Office (GLO) – Reliant would expire. He said that the City could enter into an agreement now for electricity service beginning July 1, 2011 from the current contract and there could be some savings. He said that since time would be of the essence in securing a electric service provider contract with the company that provided the best price for service per kilowatt hour, the City would be required to execute the contract the same day the price was made available; therefore, the City Staff was requesting the City Council to approve an ordinance authorizing the City Manager for the City of Wharton to execute an electrical power purchase contract with a retail electric provider to provide electric power to the City in accordance with the authority granted in the ordinance. He then presented a draft copy of the proposed ordinance. He stated that the savings could be 30%-35%. He said that buying through the GAP, there would be a minimal fee. Finance Director Joyce Vasut stated that the City would be looking at a 15 month in order for the contract to be through the summer months. After some discussion, Councilmember Jeff Gubbels made a motion to approve Ordinance No. 2010-07, which read as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2010 – 07**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON, TEXAS, TO EXECUTE AN ELECTRICAL POWER PURCHASE CONTRACT WITH A RETAIL ELECTRIC PROVIDER TO PROVIDE ELECTRIC POWER TO THE CITY IN ACCORDANCE WITH THE AUTHORITY GRANTED IN THIS ORDINANCE.**

\*\*\*\*\*

**WHEREAS**, under Senate Bill 7 of the 76<sup>th</sup> Legislature (1999) the Texas Legislature deregulated the purchase of electric power in the State of Texas effective January 1, 2002; and  
**WHEREAS**, the Texas Local Government Code, Chapter 303, Section 303.001 authorizes political

City of Wharton  
Regular City Council Meeting  
June 28, 2010

subdivisions to join together to create a political subdivision corporation to aggregate their power loads as customers to purchase power; and

**WHEREAS**, the City of Wharton ("City"), in order to aggregate its power load with other cities, joined the Governmental Aggregation Project, Inc. ("GAP"), a political subdivision corporation aggregator registered with the Texas Public Utility Commission ("PUC"); and

**WHEREAS**, GAP is in the process of negotiating a competitive Electrical Power Purchase Contract on behalf of its members to purchase electric power with several Retail Electric Providers ("REP"), all of which are properly registered with the PUC; and

**WHEREAS**, in order for the City to timely execute an electric power supply contract with a REP to obtain the best price in the volatile energy market, this Ordinance authorizes the execution of such a contract by the City to purchase power from a Retail Electric Provider, as recommended by GAP, provided the terms of this Ordinance are complied with.

NOW THEREFORE;

The City Manager may execute, on behalf of the City, a contract to purchase power between the City and a Retail Electric Provider in accordance with the terms of this Ordinance.

The City Manager may only execute an electric power supply contract with an REP ("Contract")

in the event the following conditions are strictly complied with:

the term of the Contract is no more than four years; and

that as the "price to beat" information is no longer available, then the price per KWH shall be competitive as to other known KWH charges, considering the terms of the Contract and the competitive KWH Contract terms;

the Contract provides for no liability to the City, except as to the electrical power used by the City; and

that the REP recommend by GAP was selected in a competitive process, in which the recommended REP offers the most competitive and beneficial Contract to the City when considering the following factors:

price per KWH;

the amount, if any, of premiums to be paid by the City for using either less or more electrical power than their historic power usage;

ability to provide detailed, consolidated billing for each city and to provide current electrical load data for each city.

This Ordinance shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED this the 28<sup>th</sup> day of June 2010.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 28<sup>th</sup> day of June 2010.

CITY OF WHARTON, TEXAS

By: \_\_\_\_\_

**DOMINGO MONTALVO, JR., Mayor**

**ATTEST:**

---

LISA OLMEDA, City Secretary

**APPROVED AS TO FORM:**

---

**PAUL WEBB, City Attorney**

Councilmember Terry David Lynch seconded the motion. All voted in favor.

The eight item on the agenda was to review and consider the request by Mr. Walter Garrett, Secretary of the Caney Creek Conservation Foundation for the City Council to consider waiving the insurance requirements set forth in the contract between the City of Wharton and the Foundation. City Manager Andres Garza, Jr. presented a copy of the letter received June 2, 2010 from Mr. Walter Garrett, Secretary of the Caney Creek Conservation Foundation requesting the City of Wharton to consider waiving the insurance requirements set forth in the contract between the City of Wharton and the Foundation. He also presented a copy of the letter dated June 14, 2010 from City Attorney Paul Webb providing his comments regarding the request. He said that Mr. Webb indicated that the City's coverage through the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) would only cover the City and its employee's and the City, in the past, had always requested in its contracts that insurance, naming the City as additional insured, be provided to cover any other persons using the properties to protect them as well as the City. He said that the City Council Finance Committee met on Monday, June 14, 2010 and discussed the Foundations request and voted to recommend the City Council consider maintaining the current policy of the City by requiring lessee's to maintain insurance on the City's properties being leased. He then presented a copy of the memorandum dated June 14, 2010 providing the recommendation. City Attorney Paul Webb stated that since he had been City Attorney for the City for the past sixteen years, the insurance requirement of naming the City as additional insured was required. Councilmember Bryce D. Kocian asked if the Caney Creek Conservation Foundation would be able to obtain coverage through TML-IRP. Mr. Garza stated that the City Staff would inquire. After some discussion, Councilmember Jeff Gubbels made a motion to deny the request by Mr. Walter Garrett, Secretary of the Caney Creek Conservation Foundation for the City Council to consider waiving the insurance requirements set forth in the contract between the City of Wharton and the Foundation and to require the City of Wharton be named as additional insured. Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider the request by JM Eagle for frontage road improvements. City Manager Andres Garza, Jr. presented a copy of the letter dated March 31, 2010 from Mr. Dan Wimberly, Plant Manager for JM Eagle requesting assistance with paving the entrance road into the JM Eagle plant. He said that the City Council Public Works Committee met on May 21, 2010 and discussed the City's participation in the road improvements. He said that the Committee had also requested the City Staff to contact the Texas Department of Transportation (TxDOT) to determine if and how the State would be willing to participate with the road improvements. He said that TxDOT representatives indicated that the State would be willing to participate; however, if the State participated, then the State would

request the City of Wharton to adopt an ordinance establishing the road as no parking and/or standing. He said that he had requested Mr. Wimberly to provide his thoughts regarding the State's request; however, he had not heard back from him. He then presented a copy of a summary of the different levels of participation by the City of Wharton, JM Eagle and the Texas Department of Transportation. He said that during the June 17, 2010 City Council Public Works Committee, the Committee voted to recommend the City Council approve the City of Wharton to work with the State and proceed with the project and to inform JM Eagle that there would be no standing and no parking along the entrance road. He said that an ordinance establishing the no standing and no parking requirement would be presented during a future meeting of the City Council. Councilmember Bryce D. Kocian requested an Interlocal agreement between the City of Wharton, TxDOT, and JM Eagle. Mr. Garza stated that TxDOT would maintain the frontage road. After some discussion, Councilmember Don Mueller made a motion to authorize the City Staff to prepare an agreement between the City of Wharton, State of Texas, and JM Eagle and to address the parking of the trucks. Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider the request by Mr. Kelly Boedeker for Wharton City Council to consider approving the following:

- A. To rescind the Wharton City Council's action to approve the request by Mr. Kelly Boedeker for water service for Lot 15, Block 5, Peach Acres Subdivision – Walters Road.
- B. Request for water service at the property known as Lot 16, Block 3, Peach Acres Subdivision.

City Manager Andres Garza, Jr. presented a copy of the letter dated June 23, 2010 from Mr. Kelly Boedeker requesting the afore-mentioned items. He also presented a copy of the application for water service submitted by Mr. Boedeker for the property located at Lot 16, Block 3, Peach Acres Subdivision. He said that during the May 10, 2010 regular Wharton City Council meeting, the City Council approved the request by Mr. Kelly Boedeker for water service for Lot 15, Block 5, Peach Acres Subdivision provided that Mr. Boedeker owned the property. He said that after a review of the application, errors were found and Mr. Boedeker had submitted a letter dated June 23, 2010 requesting the City Council to rescind its action to approve water service at Lot 15. He said that Mr. Boedeker had also requested the City Council to approve water service for the property located at Lot 16, Block 3, Peach Acres Subdivision. He then presented a drawing of the location of the property and a copy of the fax dated June 23, 2010 from City Attorney Paul Webb providing information from Mid-Coast Title Company indicating that Mr. Boedeker was the property owner. He stated that the service would only be utilized to service Lot 16. After some discussion, Councilmember Terry David Lynch made a motion to approve the request by Mr. Kelly Boedeker for Wharton City Council to consider approving to rescind the Wharton City Council's action to approve the request by Mr. Kelly Boedeker for water service for Lot 15, Block 5, Peach Acres Subdivision – Walters Road and request for water service at the property known as Lot 16, Block 3, Peach Acres Subdivision. Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council amending the contract between the City of Wharton and Colorado Valley Transit and

authorizing the Mayor of the City of Wharton to execute the agreement. Assistant to City Manager Jackie Jansky stated that Colorado Valley Transit had been upgrading and installing additional bus shelters through out the City of Wharton. She then presented a copy of a list of the bus shelters that were located in the City's right of way. She also presented a copy of the interlocal agreement between the City of Wharton and Colorado Valley Transit and an amendment agreement to the contract that would include the updated list as Exhibit B. She then presented a draft resolution authorizing the contract amendment. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve Resolution No. 2010-34, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2010 – 34**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF WHARTON AND COLORADO VALLEY TRANSIT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO THE AGREEMENT ON BEHALF OF THE CITY OF WHARTON.**

**WHEREAS,** On March 9, 1998, the City of Wharton and Colorado Valley Transit entered into an Interlocal Agreement for providing public transportation for the citizens of Wharton, Texas; and

**WHEREAS,** Colorado Valley Transit and the City of Wharton wishes to amend the interlocal agreement by adding an Exhibit B to the original agreement, which indicates the bus stop amenities and placement of the bus stops through out the City of Wharton, Texas; and

**WHEREAS,** the Colorado Valley Transit will maintain said bus stops and its amenities; and

**WHEREAS,** the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** That the Wharton City Council hereby approves to amend the interlocal agreement by adding an Exhibit B to the original agreement, which indicates the bus stop amenities and placement of the bus stops through out the City of Wharton, Texas.

**Section II.** That Colorado Valley Transit shall maintain said bus stops and its amenities.

**Section III.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the contract.

**Section IV.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this the 28<sup>th</sup> day of June 2010.

**CITY OF WHARTON**

By: \_\_\_\_\_  
**DOMINGO MONTALVO, Jr.**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA OLMEDA**

City Secretary

Councilmember Terry David Lynch seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider the City of Wharton Alabama Water Well Rework Project - Layne Christensen Company – Change Order No. 2. City Manager Andres Garza, Jr. stated that on June 17, 2010, the City Council Public Works Committee met and discussed the City of Wharton Alabama Water Well Rework Project, which was being conducted by Layne Christensen Company and Jones & Carter, Inc. He said that after the well was wire brushed and televised, the pictures were reviewed and revealed a lot of scale on the sides and the screens appeared to be plugged. He said that after additional cleaning was conducted, one hole was found in the casing and a possibility of more exists. He said that vigorous brushing could create some additional holes at the screens and the casing was severely pitted. He said that patching the holes would cost approximately \$18,000 per hole and Jones & Carter, Inc. was recommending to not patch the holes but to install a liner/screen inside the existing liner. He said that Mr. Cotton had provided an email to him from Mr. Tommy Vance of Jones & Carter, Inc. providing two proposals to install a liner. He said that the Public Works Committee voted to recommend the City Council consider approving Proposal 1, in the amount of \$51,532 to install a stainless steel liner, which should extend the life of the well indefinitely. He said that if the City installed the carbon steel rod base screen, the life of the well would be extended maybe five to ten years and the City would need to consider replacing the entire well, which could cost approximately \$1 million. He then presented a copy of the Change Order No. 1 to the contract between the City of Wharton and Layne Christensen Company to fabricate and install a temporary 8" x 20' section of "dummy" pipe prior to reline Well No. 1 and to furnish and install 90' of 8" BLK liner pipe and approximately 248' of stainless steel rod based screen. He said that the contract would be increased from \$159,101.00 to \$198,909.00 and the contract duration would be increased from 120 calendar days to 150 calendar days. Mr. Cotton said that the change could add 0 – 10 years to the well. After some discussion, Councilmember Don Mueller made a motion to approve the City of Wharton Alabama Water Well Rework Project - Layne Christensen Company – Change Order No. 2 in the amount of \$51,532. Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider the City of Wharton Drainage Improvement Projects:



- A. **Resolution:** A resolution of the Wharton City Council approving a professional engineering services contract with Jones & Carter, Inc. for the City of Wharton Highway 60 and Old Lane City Road Drainage Project and authorizing the Mayor of the City of Wharton to execute the agreement.

City Manager Andres Garza, Jr. presented a copy of the professional engineering services proposal that was submitted to the City by Mr. Carlos Cotton, P.E. of Jones & Carter, Inc. for the Highway 60 and Old Lane City Road drainage project. He said that the estimated cost for the project was \$15,500. He said that the project along with the NanYa drainage project was submitted for funding under the FEMA Hazard Mitigation Grant Program (HMGP), which were not selected for funding. He said that the funds were available in the 2009 bond program for drainage projects and the project would fall within the category. He said that the Public Works Committee met on Thursday, June 17, 2010 and voted to recommend the City Council to approve pursuing both engineering projects and to fund the projects out of the 2009 bond fund. He then presented a copy of a draft resolution approving the agreement with Jones & Carter, Inc. Mr. Cotton stated that the project would be Santa Fe to Caney Creek and from behind Dairy Queen. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2010-35, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2010-35**

**A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH JONES & CARTER, INC. FOR THE CITY OF WHARTON HIGHWAY 60 AND OLD LANE CITY ROAD DRAINAGE PROJECT; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute a professional engineering services agreement between the City of Wharton and Jones & Carter, Inc. for the Highway 60 and Old Lane City Road Drainage Project; and

**WHEREAS,** the City of Wharton and Jones & Carter, Inc. to be bound by the conditions as set forth in the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a professional engineering services agreement between the City of Wharton and Jones & Carter, Inc. for the Highway 60 and Old Lane City Road Drainage Project.

**Section II.** The City of Wharton and Jones & Carter, Inc. are hereby bound by the conditions as set forth in the agreement.

**Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of June 2010.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA OLMEDA**  
**City Secretary**

Councilmember Jeff Gubbels seconded the motion. All voted in favor.

**B. Resolution:** A resolution of the Wharton City Council approving a professional engineering services contract with Jones & Carter, Inc. for the City of Wharton Routing of Drainage to Caney Creek between Richmond Road and Fulton Street and North of Alabama Road Project and authorizing the Mayor of the City of Wharton to execute the agreement.

City Manager Andres Garza, Jr. presented a copy of the professional engineering services proposal that was submitted to the City by Mr. Carlos Cotton, P.E. of Jones & Carter, Inc. for the routing of drainage to Caney Creek between Richmond Road and Fulton Street and north of Armstrong Street. He said that the estimated cost for the project was \$8,800. He said that the project along with the NanYa drainage project was submitted for funding under the FEMA Hazard Mitigation Grant Program (HMGP), which were not selected for funding. He said that the funds were available in the 2009 bond program for drainage projects and the project would fall within the category. He said that the Public Works Committee met on Thursday, June 17, 2010 and voted to recommend the City Council to approve pursuing both engineering projects and to fund the projects out of the 2009 bond fund. He then presented a copy of a draft resolution approving the agreement with Jones & Carter, Inc. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2010-36, which read as follows:

**CITY OF WHARTON**  
**RESOLUTION NO. 2010-36**

**A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH JONES & CARTER, INC. FOR THE CITY OF WHARTON ROUTING OF DRAINAGE TO CANEY CREEK BETWEEN RICHMOND ROAD AND FULTON STREET AND NORTH OF ALABAMA ROAD PROJECT; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute a professional engineering services agreement between the City of Wharton

and Jones & Carter, Inc. for the Routing of Drainage to Caney Creek between Richmond Road and Fulton Street and North of Alabama Road Project; and

**WHEREAS,** the City of Wharton and Jones & Carter, Inc. to be bound by the conditions as set forth in the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a professional engineering services agreement between the City of Wharton and Jones & Carter, Inc. for the Routing of Drainage to Caney Creek between Richmond Road and Fulton Street and North of Alabama Road Project.

**Section II.** The City of Wharton and Jones & Carter, Inc. are hereby bound by the conditions as set forth in the agreement.

**Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of June 2010.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA OLMEDA**

**City Secretary**

Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider a resolution amending the agreement between the City of Wharton and SMC Consulting, Inc. to expand the scope of work for the FM 102 Relocation and Overpass Project and authorizing the Mayor of the City of Wharton to execute the agreement. City Manager Andres Garza, Jr. stated that SMC Consulting, Inc. was conducting the Phase I Environmental Assessment from Owens Road to Wilke Road. He said that he had requested from them what it would cost to conduct the assessment from Richmond Road to Wilke Road and from Richmond Road to FM 102. He then presented a copy of the email dated June 15, 2010 from Mr. Carlos Cotton, P.E. of Jones & Carter, Inc. providing the estimated costs. He said that the cost to provide a Phase I Environmental report for the road from Richmond Road to Owens Road plus the extended service road along US 59 was \$7,900. He said that it would increase the contract \$4,100. He said that the assessments would assist the City Staff in the preparation of the TIGER Grant application for both project phases. He said that the City Council Public Works Committee met on June 17, 2010 and voted to recommend the City Council move forward with the project and to amend the contract with SMC Consulting, Inc. to include the additional assessments. He then presented a copy of the contract and a draft

City of Wharton  
Regular City Council Meeting  
June 28, 2010

resolution approving the agreement. He stated that the environmental assessments would have to be conducted. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2010-37, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2010-37**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING THE AGREEMENT BETWEEN THE CITY OF WHARTON AND SMC CONSULTING, INC. TO EXPAND THE SCOPE OF WORK FOR THE PHASE I ENVIRONMENTAL SITE ASSESSMENT AND PRELIMINARY WETLANDS DELINEATION FOR THE FM 102 RELOCATION AND OVERPASS PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.**

**WHEREAS,** On April 26, 2010, the Wharton City Council declared a public necessity to for the acquisition of certain property from the Myrtis Outlar, MBO, Ltd. and the NBO Family Partnership for the City of Wharton Road Extension Project between FM 1301 and County Road 235; and

**WHEREAS,** On April 26, 2010, the Wharton City Council entered into an agreement with SMC Consulting, Inc. for Phase I Environmental Site Assessment & Preliminary Wetlands Delineation for the approximate 6,000 lineal foot segment of the proposed roadway between Owens Road and Wilke Road required for the City of Wharton Road Extension Project between FM 1301 and County Road 235; and

**WHEREAS,** The Wharton City Council wishes to increase the scope of work in the contract by including an assessment from Richmond Road to Owens Road and from Richmond Road to FM 102; and

**WHEREAS,** The City of Wharton and the SMC Consulting, Inc. wishes to be bound by the conditions set forth in the agreement; and

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

Section I. That the Wharton City Council hereby approves to amend the contract with SMC Consulting, Inc. for Phase I Environmental Site Assessment & Preliminary Wetlands Delineation by increasing the scope of work in the contract by including an assessment from Richmond Road to Owens Road and from Richmond Road to FM 102;.

Section II. That the City of Wharton and the SMC Consulting, Inc. are hereby bound by the conditions set forth in the agreement.

City of Wharton  
Regular City Council Meeting  
June 28, 2010

Section III. That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the agreement.

Section IV. That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of June 2010.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA OLMEDA**

City Secretary

Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to execute a Letter of Intent with Siemens Industry, Inc. for Performance Contracting Utility Conservation and Cost Reduction Services for the City of Wharton Comprehensive Energy Efficiency Audit of City facilities. City Manager Andres Garza, Jr. stated that on April 1, 2010, the City Council Finance Committee heard a presentation by Mr. Chad Nobles of Siemens Industry, Inc. regarding the preliminary engineering summary and basic audit of certain City facilities that the company prepared. He said the Committee Members had recommended the City Staff request qualifications from Energy Services Companies for Performance Contracting Utility Conservation and Cost Reduction Services to conduct a full audit of the City's facilities. He said that the City Staff submitted the RFQ to two companies, Siemens Industry, Inc. and Terracon. He said that on June 16, 2010, Seimens submitted a response to the RFQ; however, Terracon was non-responsive. He then presented a copy of information that was provided in the RFQ submitted by Seimens. He said that on June 22, 2010, the City Council Finance Committee met and voted to recommend the City Council consider authorize the execution of the Letter of Intent between the City of Wharton and Seimens Industry, Inc., to move forward with the energy efficiency audit. He said by executing the Letter of Intent the program may move forward and the City Staff would be able to negotiate a performance contract with the company that would be presented to the City Council at a future meeting. He then presented a copy of a draft resolution and the proposed Letter of Intent. After some discussion, Councilmember Terry David Lynch made a motion to approve Resolution No. 2010-38, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2010-38**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE  
MAYOR OF THE CITY OFWHARTON TO EXECUTE A LETTER OF INTENT WITH  
SIEMENS INDUSTRY, INC. FOR PERFORMANCE CONTRACTING UTILITY  
CONSERVATION AND COST REDUCTION SERVICES FOR THE CITY OF**

**WHARTON COMPREHENSIVE ENERGY EFFICIENCY AUDIT OF CITY FACILITIES.**

**WHEREAS,** On June 16, 2010, the City of Wharton received submittals to the City's Request for Qualifications for Performance Contracting Utility Conservation and Cost Reduction Services for the City of Wharton Comprehensive Energy Efficiency Audit of City Facilities; and

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute a Letter of Intent with Siemens Industry, Inc. for said audit; and

**WHEREAS,** The City of Wharton and Siemens Industry, Inc. wishes to be bound by the requirements set for in the Letter of Intent.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a Letter of Intent with Siemens Industry, Inc. for Performance Contracting Utility Conservation and Cost Reduction Services for the City of Wharton Comprehensive Energy Efficiency Audit of City Facilities

**Section II.** The City of Wharton and Siemens Industry, Inc. wishes to be bound by the requirements set for in the Letter of Intent.

**Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of June 2010.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA OLMEDA**  
**City Secretary**

Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The sixteenth item on the agenda was to review and consider the appointments to the City of Wharton City Council Boards, Commissions, and Committees:

- A. Wharton Regional Airport Board.
- B. Beautification Commission.
- C. Building Standards Commission.

City of Wharton  
Regular City Council Meeting  
June 28, 2010

- D. Electrical Board.
- E. Holiday Light Decorating Chairman.
- F. Mayor's Committee on People with Disabilities.
- G. Planning Commission.
- H. Plumbing and Mechanical Board.
- I. Wharton Economic Development Corporation Board of Directors.
- J. Youth Advisory Commission.
- K. City Council Committees:
  - 1. Annexation Committee.
  - 2. Finance Committee.
  - 3. Housing Committee.
  - 4. Intergovernmental Relations Committee.
  - 5. Legislative Committee.
  - 6. Public Health Committee.
  - 7. Public Safety Committee.
  - 8. Public Works Committee.
  - 9. Telecommunications Committee.
  - 10. Wharton Economic Development Corporation Board of Directors Selection Committee.

City Manager Andres Garza, Jr. presented a copy of the list of members on the City of Wharton City Council Boards, Commissions and Committees. He said that the list indicated the members who were reappointed during the regular June 14, 2010 Wharton City Council meetings, the vacant positions and those members who wish to be reappointed. He said that the City Council may designate Ex-Officio's on certain boards and to consider the designation of Councilmembers on the City Council Committees. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to approve the following:

---

**WHARTON REGIONAL AIRPORT BOARD (TWO YEAR TERM)**

Fredrick Scheffel	June 30, 2010
Mayor Domingo Montalvo, Jr. – Ex Officio	June 30, 2010
Councilmember Terry David Lynch – Ex Officio	June 30, 2010

---

**BEAUTIFICATION CITY COMMISSION (TWO YEAR TERM)**

Mary Nell Wiley	June 30, 2010
-----------------	---------------

---

**BUILDING STANDARDS COMMISSION (TWO YEAR TERM)**

Domingo Montalvo, Jr. – Ex-Officio  
V. L. Wiley, Jr. – Ex-Officio

---

**MAYOR'S COMMITTEE ON PEOPLE WITH DISABILITIES**

Mayor Domingo Montalvo, Jr., Ex Officio

---

**PLANNING COMMISSION (TWO YEAR TERM)**

Domingo Montalvo, Jr. – Ex Officio  
Don Mueller – Ex Officio

**PLUMBING AND MECHANICAL BOARD (TWO YEAR TERM)**

Ronnie Bollom – Ex Officio

Carter Miska – Ex-Officio

Domingo Montalvo, Jr. – Ex Officio

Councilmember Don Mueller seconded the motion. All voted in favor.

Councilmember Don Mueller made a motion to appoint the following:

**Annexation Committee:**

Domingo Montalvo, Jr.

Jeff Gubbels

Don Mueller

**Finance Committee:**

Bryce D. Kocian

Lewis Fortenberry, Jr.

Domingo Montalvo, Jr.

**Housing Committee:**

Terry David Lynch

V. L. Wiley, Jr.

Lewis Fortenberry, Jr.

**Intergovernmental Relations Committee:**

Domingo Montalvo, Jr.

Terry D. Lynch

**Legislative Committee:**

Domingo Montalvo, Jr.

Bryce D. Kocian

Jeff Gubbels

**Public Health Committee:**

Terry D. Lynch

Jeff Gubbels

Lewis Fortenberry, Jr.

**Public Safety Committee:**

Jeff Gubbels

Terry Lynch

Lewis Fortenberry, Jr.

**Public Works Committee:**

V. L. Wiley, Jr.

Don Mueller

Domingo Montalvo, Jr.



City of Wharton  
Regular City Council Meeting  
June 28, 2010

**Telecommunications Committee:**

Lewis Fortenberry, Jr.  
Terry D. Lynch  
Don Mueller

**Wharton Economic Development Corporation Board of Directors Selection Committee:**

Domingo Montalvo, Jr.  
Bryce D. Kocian  
Lewis Fortenberry, Jr.

Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider the recommendation by the City Council Wharton Economic Development Corporation Board of Directors Selection Committee for City Council approval of the following:

- A. Wharton Economic Development Corporation Board of Directors Appointment Process.
- B. Recommendation by the Wharton Economic Development Corporation Board of Directors regarding proposed appointees.

City Manager Andres Garza, Jr. stated that the City Council Wharton Economic Development Corporation Board of Directors Selection Committee met at 12:00 Noon on Monday, June 28, 2010. No action was taken.

The eighteenth item on the agenda was to review and consider a resolution of the Wharton City Council establishing the City of Wharton Municipal Court Judge position as a part-time judicial position effective July 1, 2010. City Manager Andres Garza, Jr. stated that during the City Council Finance Committee meeting held June 14, 2010, the Finance Committee discussed the proposed 2009 – 2010 budget amendments. He said in its discussion, the Finance Committee voted to recommend the City Council consider establishing the Municipal Court Judge position from a full – time position to a part-time judicial only position. He then presented a draft resolution establishing the Wharton Municipal Court Judge position as a part-time judicial position effective July 1, 2010. After some discussion, Councilmember Jeff Gubbels made a motion to approve Resolution No. 2010-39, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2010-39**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING THE CITY OF WHARTON MUNICIPAL COURT JUDGE POSITION AS A PART-TIME JUDICIAL POSITION EFFECTIVE JULY 1, 2010.**

**WHEREAS,** On June 14, 2010, the Wharton City Council Finance Committee met and determined it was in the best interest of the City of Wharton to establish the Municipal Court Judge position as a part-time judicial position; and

**WHEREAS,** The Wharton City Council wishes to establish the Municipal Court Judge position as a part-time judicial position; and

**WHEREAS,** The Wharton City Council wishes to make the part-time judicial position effective July 1, 2010.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** The Wharton City Council hereby establishes the Municipal Court Judge position as a part-time judicial position effective July 1, 2010.

**Section II.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of June 2010.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA OLMEDA**

**City Secretary**

Councilmember Terry David Lynch seconded the motion. All voted in favor.

The nineteenth item on the agenda was Executive Session: City Council may adjourn into an Executive Session in accordance with Section 551.074 of the Government Code, Revised Civil Statutes of Texas. Final action, decision or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting:

A. Discussion: Appointment of Municipal Court Judge.

Mayor Domingo Montalvo, Jr. adjourned into Executive Session at 8:00 p.m.

Mayor Domingo Montalvo, Jr. returned to Open Session at 8:17 p.m.

The twentieth item on the agenda was Return to Open Session: Action on items discussed in Executive Session:

A. Review & Consider: Appointment of Municipal Court Judge.

Mayor Domingo Montalvo, Jr. stated that no action would be taken.

The twenty-first item on the agenda was to review and consider the City Manager travel reimbursement request. City Manager Andres Garza, Jr. presented a copy of the travel reimbursement request for the period February 19, 2010 through March 12, 2010 for the amount of \$558.37. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the City Manager travel reimbursement request for the period February 19, 2010 through March 12, 2010 for the amount of \$558.37. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The twenty-second item on the agenda was to review and consider an update on the City of Wharton On-going Projects. City Manager Andres Garza, Jr. presented a copy of the memorandum dated June 28, 2010 providing the update on the City of Wharton on-going projects, which read as follows:

**FLOOD REDUCTION (LEVEE) PROJECT**

The U.S. Army Corp of Engineers Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report was located at the Wharton County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.swf.usace.army.mil/pubdata/notices/LowerColorado/>.

The project was continuing to move forward. In regards to the pre-construction, engineering and design (PED) aspect of the project, the LCRA Board had approved their continuing as a sponsor of the PED. On September 28, 2009, the Wharton City Council approved to amend the agreement between the City of Wharton and the Lower Colorado River Authority (LCRA) for the Lower Colorado River Basin Phase I – Texas, City of Wharton Flood Damage Reduction Project by amending the project scope to reflect the partial development of the project design and to increase the project cost by \$37,000. On January 22, 2010, the City of Wharton received the contracts for the second amendment to the contract for execution by the Mayor.

**DRAINAGE:**

1. Santa Fe Outfall Channel.

The Public Works Department and Wharton County Precinct 1 was able to begin excavating between Old Lane City Road and Hodges Lane on Monday June 21, 2010. The Public Works Department and the County would continue to excavate the remainder of the channel weather permitting.

2. Highway 60 & Old Lane City Road Drainage Improvements

City Staff and Jones & Carter, Inc. were working on the drainage plans and profiles to submit to TxDOT for approval. The City Staff, the Public Works Committee and Jones & Carter met on June 17, 2010 to discuss and review a contract with Jones & Carter for topographic surveying and engineering to finalize the construction plans for regrading Old Lane City Road, Highway 60 and the Mahan addition ditches to the Santa Fe Outfall Ditch.

3. Richmond Rd., Fulton St., and Armstrong St. Drainage Improvements

The City Staff, the Public Works Committee and Jones & Carter met on June 17, 2010 to discuss and review a contract with Jones & Carter for topographic surveying and preliminary engineering. This project proposed to re-route a section of Caney Creek to provide drainage relief to Richmond Road, Fulton St. and Armstrong St.

4. Croom Park Drainage Improvements

The City Staff collected topographic data and developed plans for regrading drainage ditches along Circle Dr., West St., Old Lane City Road, and Croom Dr. to the Santa Fe Outfall Ditch. In addition to regrading, new culverts were being installed to help drain water from the park area and prevent standing water and a mosquito hazard. All work was to be completed by the Public Works Department.

## **WATER/SEWER IMPROVEMENTS:**

1. Ahldag Addition Sanitary Sewer Project - TxCDBG Contract No. 728459.

Supak Construction completed work on three additional sewer lines the week of June 14, 2010. These included sections on East Belle, Walnut, and Ahldag. In addition, Supak had completed another additional section of line on Belle. Currently, Supak was working on Dahlgren and Fulton to replace service connections that were not replaced when the main line was replaced in the 1990s. The original contract still had approximately \$25,000 remaining. The City Staff was working with BEFCO Engineering Inc. to determine how the remaining funds should be spent.

2. Ahldag Addition Sanitary Sewer Project – TxCDBG Contract No. R729710.

Jones & Carter, Inc. submitted the final plans with corrections based on review and comments made by City Staff. The next step was to prepare a bid package and solicit bids for the construction of the new lines. Jones & Carter was currently working on the bid package.

3. Vahalla Water Well.

The Public Works Department placed the Vahalla water well back on line the week of April 27, 2009. The Public Works Department discontinued the injection of Polyphosphates into the water system at the end of January, 2010. As of February 18, 2010, no problems or red water calls had been reported. The well remains in good condition and was operating efficiently.

4. Water Storage Tank Maintenance Program.

The City Staff met with the City Council Finance Committee on June 22, 2010 to review the proposed water tank maintenance program contract between the City of Wharton and Utility Service Company. The City Staff had also forwarded the contract to Utility Service Company for review and comment.

5. Alabama Water Well Rework

An attempt was made to further clean Well No. 1 since it did not clean up as well as hoped initially. The second cleaning was better and crews were able to get a better view of the well. Jones and Carter, Inc. and the contractor had recommended that a screen liner be inserted. The material cost was \$35,000 plus \$7,900 for labor. They also recommended inserting a test pipe for \$9,000 to ensure that the liner would go down. This would be installed and purchased prior to the liner.

The Public Works Committee met on June 17, 2010 to discuss the findings with Jones and Carter. One issue discussed was whether or not a galvanized steel screen or stainless steel screen should be installed. The Committee felt stainless steel was the better option because it added insurance that the screen would be functional in the event the well continued to perform longer than estimated. Stainless steel was more expensive but should last much longer than galvanized.

According to Jones and Carter, Inc. the well was approaching the end of its useful life and should not be reworked in the future. Its life was estimated at five to ten additional years.

6. Quick Connect/Transfer Switch Project

Jones & Carter, Inc. had complete electrical engineering designs for all city lift stations, city water plants, City Hall, the Fire Station, EMS Headquarters, WWTP #1, and WWTP#2. The designs were for the installation of quick connects and transfer switches on all the above mentioned facilities. This would allow City Staff to operate these facilities via generator in the event of a power failure. City Staff had reviewed and approved the plans. Bids could now be solicited.

7. Pressure Switches at City Water Plants

Construction began May 24<sup>th</sup> and would continue until completion. Estimated completion was within the next month.

## STREET IMPROVEMENTS

1. Road Extension Project between FM 1301 and County Road 235/FM102.

City Staff and the Public Works Committee met with Jones and Carter to discuss the project including approval of additional Phase I Environmental assessments. The City Staff would also meet with Armando Ruiz of the Ruiz Companies and Jones & Carter on Monday, June 28<sup>th</sup> to discuss the TIGER Grant pre-application.

2. 2010 Street Improvement Program

City Staff had hired four temporary employees to assist in the 2010 street improvement program. As of May 19, 2010, the City had completed Jr. College Blvd. and Houston St. and Fulton St. between Milam and Burleson Streets.

Preparation of the remaining streets for prime and overlay would be completed within the next two to three weeks. City Staff prepared a bid package which was mailed to several road construction companies. The package was for prime and overlay. Bids would be opened on July 7, 2010.

No action was taken.

The twenty-third item on the agenda was to review and consider the City Council Committees, Boards and Commission's Reports:

- A. I-69 Corridor Segment Committee 3 meeting held May 17, 2010.
- B. City Council Public Safety Committee meeting held May 21, 2010.
- C. City Council Public Works Committee meeting held May 21, 2010.
- D. City Council Finance Committee meeting held May 24, 2010, June 14, 2010 and June 22, 2010.
- E. City Council Public Works Committee meeting held June 17, 2010.
- F. Wharton Economic Development Corporation Board of Directors meeting held June 21, 2010.
- G. City Council Wharton Economic Development Corporation Board of Directors Selection Committee meeting held June 28, 2010.

City Manager Andres Garza, Jr. presented the report to the City Council. No action was taken.

The twenty-fourth item on the agenda was City Manager's Reports:

City of Wharton  
Regular City Council Meeting  
June 28, 2010

- A. City Secretary/Personnel.
- B. Code Enforcement.
- C. Community Services Department/  
Civic Center.
- D. E.M.S. Department.
- E. Engineer/Planning Department.
- F. Facilities Maintenance Department.
- G. Fire Department Incidents/Inspections.
- H. Legal Department.
- I. Municipal Court.
- J. Police Department.
- K. Public Works Department.
- L. Water/Sewer Department.
- M. Weedy Lots/Sign Ordinance.
- N. Wharton Municipal Pool.
- O. Wharton Regional Airport.

City Manager Andres Garza, Jr. presented the report to the City Council. No action was taken.

The twenty-fifth item on the agenda was adjournment. After some discussion, Councilmember Don Mueller made a motion to adjourn. Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The meeting adjourned at 8:18 p.m.

**CITY OF WHARTON, TEXAS**

By:   
**DOMINGO MONTALVO, JR.**  
**Mayor**

**ATTEST:**

  
**LISA OLMEDA**  
**City Secretary**

