

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
APRIL 22, 2013**

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 the pledge of allegiance.

Councilmember's present were: Mayor Domingo Montalvo, Jr., Councilmembers Al Bryant, Russell Machann, Don Mueller, and Karen Schulz.

Councilmembers absent were: Councilmembers Terry David Lynch and Jeff Gubbels.

Staff members present were: City Manager Andres Garza, Jr., City Attorney Paul Webb, Finance Director Joan Anandel, City Secretary Paula Favors, Building Official Ronnie Bollom, Public Works Director Carter Miska, P.E., and Administrative Assistant Emily Bergstrom.

Visitors present were: David Schroeder, Executive Director of the Wharton Economic Development Corporation (WEDCO), Steve Van Manen of Harrison, Waldrop & Uherek, L.L.P., Marilyn Sebesta, and Ben Sharp, Wharton Journal Spectator.

The second item on the agenda was Roll Call and Excused Absences. After some discussion, Councilmember Don Mueller moved to excuse Councilmember Terry David Lynch and Councilmember Jeff Gubbels. Councilmember Al Bryant seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. Marilyn Sebesta requested that the City Council review options for the 1930 Bridge. Ms. Sebesta stated even though the bridge was no longer used it could be turned into a tourist attraction which could include a walking trail.

The fourth item on the agenda was the Wharton Moment. City Manager Andres Garza, Jr. thanked Just Do It Now, Inc. for their assistance with the 2013 Clean Sweep. City Manager Garza stated Building Official Ronnie Bollom, Code Enforcement Officer Jimmy Nickolyn and members of the Beautification Committee for making the event a success.

The fifth item on the agenda was to review and consider the City of Wharton Financial Report for the month of March 2013. Finance Director Joan Anandel presented the financial report for the month of March 2013. Mrs. Anandel stated that the TexPool balance for March was \$151,239.61 with an average monthly yield of .10%. She said the Prosperity Bank balance for March 2013 was \$7,808,511.43 with an average monthly yield of .15%. After some discussion, Councilmember Don Mueller moved to approve the City of Wharton Financial Report for the month of March 2013. Councilmember Al Bryant seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider City of Wharton Annual Financial Report for Fiscal Year October 1, 2011 to September 30, 2012 by Harrison, Waldrop & Uherek,

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L.L.P. Mr. Steve Van Manen of Harrison, Waldrop & Uherek, L.L.P. presented the City of Wharton Annual Financial Report for Fiscal Year October 1, 2011 to September 30, 2012. Mr. Van Manen stated the City of Wharton's financials presented fairly in all material respects of the financial position of the City, which was the highest form of assurance. After some discussion, Councilmember Don Mueller moved to approve the City of Wharton Annual Financial Report for Fiscal Year October 1, 2011 to September 30, 2012. Councilmember Russell Machann seconded the motion. All voted in favor.

The seventh item on the agenda was 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:** The evaluation of City Manager and Finance Director regarding the City's financial matters.

Mayor Domingo Montalvo, Jr. adjourned into executive session at 7:20 p.m.

The eighth item on the agenda was to return to open session. Action on items discussed in Executive Session:

Mayor Domingo Montalvo, Jr. returned to open session at 7:32 p.m.

- A. **Review & Consider:** The evaluation of City Manager and Finance Director regarding the City's financial matters.

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

The ninth item on the agenda was to review and consider City Council approval of Staci L. Gold as Assistant City Attorney. City Manager Andres Garza, Jr. presented a copy of the letter from City Attorney Paul Webb requesting City Council approval of Staci L. Gold as an Assistant City Attorney. City Attorney Webb stated that with the approval of City Council, Ms. Gold would be able to assist with the City of Wharton business and Wharton Municipal Court. After some discussion, Councilmember Russell Machann moved to approve Staci L. Gold as Assistant City Attorney. Councilmember Al Bryant seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider a resolution of the Wharton City Council awarding a contract for the construction of a sanitary sewer line along Stadium Road and authorizing the City Manager of the City of Wharton to execute all documents relating to said contract. City Manager Andres Garza, Jr. presented a memo dated April 11, 2013 to him from Public Works Director Carter Miska, P.E. City Manager Garza stated the Mr. Miska requested quotes for the extension of the sanitary sewer line on Stadium Road for the Home Run Zone/Moonwalks-N-More project. Mr. Miska stated that the quotes received were from Mercer Construction in the amount of \$19,570.00 and Supak Construction in the amount of \$33,825.00. City Manager Garza stated that City Staff was recommending the City Council consider approving the quote from Mercer Construction in the amount of \$19,570.00. After some

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discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2013-24, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2013-24**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE EXTENSION OF A SANITARY SEWER LINE ALONG STADIUM ROAD AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.

WHEREAS, The City of Wharton solicited quotes from companies for the construction of a sanitary sewer line along Stadium Road; and

WHEREAS, On April 11, 2013, Mercer Construction submitted its quote in the amount of \$19,570.00 for the construction of a sanitary sewer line along Stadium Road and was the best and lowest bidder, and;

WHEREAS, the City of Wharton and Mercer Construction wishes to be bound by the conditions set forth in the agreement and within the terms of the quote; and

WHEREAS, the Wharton City Council wishes to authorize the City Manager to execute all documents related to said project.

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

Section I. The Wharton City Council hereby awards a contract to Mercer Construction in the amount of \$19,570.00 for the construction of a sanitary sewer line along Stadium Road for the Home Run Zone/Moonwalks-N-More Project.

Section II. The Wharton City Council hereby authorizes the City Manager to execute any and all documents related to said project.

Section III. The City of Wharton and Mercer Construction are hereby bound by the conditions as set forth in the contract agreement.

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

Passed, Approved, and Adopted this 22nd day of April 2013.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Al Bryant seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider the Highway 60 Drainage Project – Mercer Construction Company:

A. Change Order No. 1

City Manager Andres Garza, Jr. presented a copy of the Change Order No. 1 submitted by Mike Mercer of Mercer Construction Company for the Highway 60 Drainage Project. Public Works Director Carter Miska stated the change order was for the additional charge of \$14,938.00 for removal of an existing concrete roadway and the removal of 18” of concrete and the replacement with 18” of asphalt instead of the proposed 2” of asphalt was covered in the charge. Mr. Miska said the additional charge includes the machinery and labor accompanied with the replacement of the asphalt.

B. Final Payment in the amount of \$58,608.00.

City Manager Andes Garza, Jr. presented a copy of the payment request submitted by Mike Mercer of Mercer Construction Company for the installation of 30” reinforced concrete pipe for the Highway 60 Drainage Project. Public Works Director Carter Miska stated that the pay request included the Change Order No. 1 mentioned above and was in the amount of \$58,608.00. After some discussion, Councilmember Al Bryant moved to approve the Highway 60 Drainage Project – Mercer Construction Company Change Order No. 1 for an additional charge of \$14,938.00 and for final payment in the amount of \$58,608.00. Councilmember Don Mueller seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider a recommendation from the Planning Commission to the City Council for approval of the preliminary/final re-plot of 112 West Boling Highway, 9’ers Subdivision being a re-plot of a 1.624 acre tract of land situated in the City of Wharton, in the William Kincheloe League, Abstract No. 38, Wharton County, Texas owned by Mr. Ali Qattom. City Manager Andres Garza, Jr. presented a memo from Planning Commission Chairman A.J. Rath regarding the request by Mr. Ali Qattom for approval of the preliminary/final re-plot of 112 West Boling Highway, 9’ers Subdivision being a re-plot of a 1.624 acre tract of land situated in the City of Wharton, in the William Kincheloe League, Abstract No. 38, Wharton County, Texas. Building Official Ronnie Bollom stated the intent of Mr. Qattom is to redesign the remainder of the building located on the property. After some discussion, Councilmember Karen Schulz moved to approve recommendation from the Planning

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Commission to the City Council for approval of the preliminary/final re-plat of 112 West Boling Highway, 9'ers Subdivision being a re-plat of a 1.624 acre tract of land situated in the City of Wharton, in the William Kincheloe League, Abstract No. 38, Wharton County, Texas owned by Mr. Ali Qattom. Councilmember Al Bryant seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider the City of Wharton Water Conservation Plan:

Resolution: A resolution of the Wharton City Council approving the Water Conservation Plan for the City of Wharton and authorizing the City Manager of the City of Wharton to execute all documents relating to said plan.

City Manager Andres Garza, Jr. stated that The Texas Commission on Environmental Quality (TCEQ) required cities to develop a Water Conservation Plan to implement for water conservation. Public Works Director Carter Miska stated that during the recent droughts the State had become very active in implementing these additional regulations to cities and other entities that sell water. City Manager Garza presented the proposed Water Conservation Plan for the City of Wharton. Mr. Miska stated that the plan had to be submitted by May 1, 2013. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2013-25, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2013-25**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE WATER CONSERVATION PLAN FOR THE CITY OF WHARTON AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID PLAN.

WHEREAS, The City of Wharton is required by State Law to develop a Water Conservation Plan, and;

WHEREAS, The City of Wharton Public Works Department worked in conjunction with other City Departments has developed a Water Conservation Plan; and

WHEREAS, the Wharton City Council wishes to approve the Water Conservation Plan.

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 the Water Conservation Plan as attached.

Section II. The Wharton City Council hereby authorizes the City Manager to execute any and all documents related to said plan.

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

Passed, Approved, and Adopted this 22nd day of April 2013.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Al Bryant seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider a request by Mr. and Mrs. Stephen Wisnieski, for an Over 50% Variance for construction of a 24'0" x 60'0" elevated patio deck that would be attached to the 80'0" x 140'0" proposed building for Moonwalks & More located at Brod Acres, Block 16; 1810 Stadium Road Wharton, Texas. City Manager Andres Garza, Jr. stated that Mr. & Mrs. Stephen Wisnieski were requesting a 24'0" interior side building set back variance for construction of a 10'0" x 60'0" elevated patio deck and City of Wharton Ordinance requires a 10'0" interior side building setback. Building Official Ronnie Bollom stated that variance would result in a 0' (zero) interior side building setback from the existing property line. Mr. Bollom said the deck was going to be attached to the 80'0" x 140'0" proposed building for Moonwalks & More located at 1810 Stadium Road. After some discussion, Councilmember Al Bryant moved to approve the request by Mr. and Mrs. Stephen Wisnieski, for an Over 50% Variance for construction of a 24'0" x 60'0" elevated patio deck that would be attached to the 80'0" x 140'0" proposed building for Moonwalks & More located at Brod Acres, Block 16; 1810 Stadium Road Wharton, Texas. Councilmember Karen Schulz seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider a request by Wharton Independent School District for use of roll off boxes. City Manager Andres Garza, Jr. presented a letter from WISD Superintendent Kay Shoppa outlining their request to use WCA roll off dumpsters for a cleanout project. City Manager Garza stated that the current Contract with WCA: Amendment Number 3, Exhibit B allows for the City of Wharton to use twenty (20) forty (40) cubic yard roll off dumpsters per year at no charge and in the past the City had not used all twenty dumpsters. City Manager Garza said the Public Works Committee met on April 15, 2013 and voted to recommend to City Council that they consider approving this request. After some discussion, Councilmember Russell Machann moved to approve the request by Wharton Independent School District for the use of roll off boxes for a cleanout project. Councilmember Al Bryant seconded the motion. All voted in favor.

The sixteenth item on the agenda was to review and consider the Stavena Addition Drainage Project. City Manager Garza stated that the City Staff was recommending a drainage project in the Stavena Addition. Public Works Director Carter Miska, P.E. stated the project would direct the water from the Stavena Addition to the Sana Fe Draining Channel and aid in draining water west out of the City limits. City Manager Garza said the Public Works Committee met on April 15, 2013 and voted to recommend to City Council that they approve the request and to move forward with an Interlocal Agreement with the County. After some discussion, Councilmember Don Mueller moved to approve the Stavena Addition Drainage Project. Councilmember Al Bryant seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider the I-69 Layout Priority. City Manager Andres Garza, Jr. presented a letter from him to Mayor Domingo Montalvo, Jr. as TxDOT- Segment 3 Committee Chair, regarding the City's I-69 Transportation Plan for Segment 3 with eleven (11) proposed projects. City Manager Garza stated that the Yoakum District had received approximately \$6,000,000 for development of I-69 from the Fort Bend County line thru Wharton County and they were determining priorities. City Manager Garza said the Public Works Committee met on April 15, 2013 and voted to recommend to the City Council ten priorities for the I-69 Transportation Plan. After some discussion, Councilmember Don Muller moved to approve the I-69 Layout Priority as follows:

- Priority #1 FM 1301 (#6) and FM 102 (#5)
- Priority #2 Halford (#7)
- Priority #3 Airport (#2)
- Priority #4 Highway 60 (#8)
- Priority #5 Ponderosa (#9)
- Priority #6 Business 59 North (#11)
- Priority #7 FM 1161 (#10)
- Priority #8 Business 59 South (#3)
- Priority #9 Pierce Ranch (#4)
- Priority #10 Pierce (#1)

Councilmember Al Bryant seconded the motion. All voted in favor.

The eighteenth item on the agenda was to review and consider a request by Mr. Juan Garcia, Jr. for improvements on a drainage outfall ditch. City Manager Andres Garza, Jr. presented a letter Mr. Juan Garcia Jr. received from the City on January 4, 1977 regarding an interest to purchase 0.296 acres of the major outfall drainage ditch located on his property. City Manager Garza stated that Mr. Garcia told him that after he received the letter he told the City they could have the property but the property was never acquired by the City. City Manager Garza presented a letter from City Attorney, Paul Webb's office stating the City never did acquire the property, along with an email and map from Public Works Director, Carter Miska, P.E. researching the ownership and easement information for the creek adjacent to and upstream of Mr. Garcia's property. City Manager Garza said Mr. Garcia was requesting the City to re-establish the bank of the ditch, because it had sloughed off. City Manager Garza further stated that the City Staff had met with Carlos Cotton, P.E. of Jones & Carter and he recommended that the City perform a soil analysis to determine what was needed to ensure the bank, if replaced, stays intact. City

Manager Garza said that the Public Works Committee met on April 15, 2013 and voted to recommend that he meet with the County to pursue any work on the drainage ditch since it is not in the City. After some discussion, Mayor Domingo Montalvo, Jr. requested City Staff contact Wharton County since the issue involved property that was not in the City.

The nineteenth item on the agenda was to review and consider the Wharton Municipal Swimming Pool:

- A. Approval of the 2013 Pool Schedule.
- B. **Resolution:** A resolution of the Wharton City Council approving the 2013 Wharton Swim Team Agreement for use of the Wharton Municipal Swimming Pool and authorizing the City Manager to execute the agreement.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated April 11, 2013 from City Secretary Paula Favors providing the 2013 Wharton Municipal Swimming Pool Applications, Fees and Schedule. Mrs. Favors stated the fees and schedule would remain unchanged for the 2013 season with the exception of being closed on July 4, 2013. After some discussion, Councilmember Karen Schulz moved to approve the 2013 Pool Schedule and City of Wharton Resolution No. 2013-26, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2013 - 26**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE 2013 WHARTON SWIM TEAM AGREEMENT FOR USE OF THE WHARTON MUNICIPAL SWIMMING POOL AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton Swim Team wishes to utilize the Wharton Municipal Pool for practices; and

WHEREAS, the City of Wharton and the Wharton Swim Team wishes to enter into an agreement for use of the Wharton Municipal Pool; and

WHEREAS, the City of Wharton and Wharton Swim Team wishes to be bound by the conditions set forth in said agreement; and

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

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

Section I. The City Council hereby approves an agreement between the City of Wharton and the Wharton Swim Team for use of the Wharton Municipal Pool.

Section II. The City of Wharton and the Wharton Swim Team are hereby bound by the conditions set forth in the agreement.

Section III. The City of Wharton hereby authorizes the City Manager of the City of Wharton to execute the agreement.

Section IV. This resolution will become effective immediately upon its passage.

Passed, Approved and Adopted this 22nd day of April 2013.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

Attest:

PAULA FAVORS
City Secretary

Councilmember Al Bryant seconded the motion. All voted in favor.

The twentieth item on the agenda was to review and consider the termination of Coastal Securities contract for financial services. City Manager Andres Garza, Jr. presented an e-mail he received from Mr. Jim Gilley. City Manager Garza stated that Mr. Gilley had informed the City that he had left Coastal Securities to join U.S. Capital Advisors. City Manager Garza said the City had been associated with Mr. Gilley for the last twenty years and over this time he had handled the City's financial matters regarding the issuance of bonds. City Manager Garza further stated that the City Council Finance Committee met on April 22, 2013 and recommended the City Council consider the termination of the City's agreement with Coastal Securities by giving the required notice. After some discussion, Councilmember Russell Machann moved to terminate the City of Wharton's agreement with Coastal Securities for financial services. Councilmember Al Bryant seconded the motion. All voted in favor.

The twenty-first item on the agenda City of Wharton Boards, Commissions, and Committees:

- A. Appointments:
 - 1. Holiday Light Decoration Chairman.
 - 2. Mayor's Committee on People with Disabilities.
 - 3. Wharton Regional Airport Board
 - 4. Beautification Committee
- B. Resignation:
 - 1. Beautification Committee – Ronda Baker

After some discussion, Councilmember Karen Schulz moved to accept the resignation of Ronda Baker from the Beautification Committee. Councilmember Russell Machann seconded the motion. All voted in favor.

The twenty-second item on the agenda was the Status Report on City of Wharton Projects. City Manager Andres Garza, Jr. presented a copy of his memorandum dated April 22, 2013 providing the status report on City of Wharton projects.

FLOOD REDUCTION (LEVEE) PROJECT

The U.S. Army Corp of Engineers (USACE) Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report is 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 www.cityofwharton.com .

The City Staff continues to work with the USACE and Halff Associates in obtaining the required ROE agreements and engineering data. The agreement for the Third and Restated Agreement between the City of Wharton and the Lower Colorado River Authority (LCRA) has been executed. The amendment incorporates Segment 1(a) into the project, which is the extension of the levee along FM 102.

The City Staff met with Halff Associates on April 16, 2013 at City Hall to coordinate efforts and work towards completing the 95% plan set. The group went through the plan set page by page to identify utility relocations that will be necessary during or prior to construction of the levee. The City will be responsible for all relocations of water, sewer and drainage infrastructure. The City will work together with Halff Associates to coordinate other utility relocations. These include utilities owned by others including CenterPoint Electric, CenterPoint Gas, MidCoast Cable, and Panther Pipeline.

This design is for the first phase of levee construction along the Colorado River. The segment that is under design is from FM 102 to Business 59.

DRAINAGE:

1. Santa Fe Outfall Channel.

The Public Works Department has finished excavation up to Alabama Road. During the month of February, the Public Works Department performed routine maintenance including reshaping those areas that were actively eroding. Public Works continue installing grade stabilization structures to eliminate erosion thereby reducing or eliminating the need to reshape the channel. The Public Works Department has installed six grade stabilization structures or pipe drops along the channel so far. These structures are part of the original engineering design and not only control erosion but are helping to improve drainage in the city by serving as the outfall for water that has been redirected to the Santa Fe Channel. The City Staff met with property owners along the channel a few months ago to discuss work that needed to be performed by the City in accordance with the agreements. Work on some of the property owners land is now complete.

The City Staff will continue to work on completing the agreements with the remaining property owners over the next several months weather permitting.

2. Highway 60 & Old Lane City Road Drainage Improvements

Mercer Construction completed construction of the dual run 30" culverts under Highway 60 on March 11, 2013. The Public Works Department served as construction inspector and reports that the job was completed as shown in the construction plans. In addition, the Public Works Department installed a 48 inch CMP to serve as the outfall into the Santa Fe Channel. TxDOT and the Public Works Department began re-grading the ditch along Hwy 60 on March 23. The ditch re-grading project is approximately 40% complete. All work should be finished by the middle of May 2013.

WATER/SEWER IMPROVEMENTS:

1. 2012 -2013 Water Storage Tank Maintenance Program

The hydropneumatic tank is required for continued service after the elevated storage tank is dismantled. The City Staff approved the final design and the bid was advertised to the public. A bid opening was held on March 5, 2013 at 10:00 AM at City Hall in Wharton. Jones & Carter, Inc. made a recommendation to accept the lowest bidder. The contractor has signed the contract documents and the contractor will begin work, preceded by a pre-construction meeting, as soon as the City executes the contract.

2. Pressure Switches at City Water Plants

Jones & Carter replaced the faulty pressure control switches with new control switches earlier this month. Jones & Carter paid for the switches and the installation. City Staff is closely monitoring the performance of the new switches, which are functioning as designed. Staff will continue to monitor and tweak the switches for optimum performance. These switches are designed to minimize and equalize pumping times, thereby extending the life of the water plants.

3. Wastewater Treatment Plant No. 1 Rehabilitation Proposal

City Staff is currently exploring various avenues to fund the rehabilitation of WWTP No. 1. The top priority is the WWTP's clarifier. The City Staff is working with Jones & Carter, Inc. to plan and prepare preliminary cost estimates for the WWTP No. 1 Rehabilitation project.

The Public Works Department with the assistance of Jones & Carter, Inc. is developing plans to fix a failing force main line used to bypass sewer influent in an effort to avoid any catastrophic failures.

4. On-going Water and Sewer Maintenance Program

Water leaks and sewer failures were on average the month of April.

The Public Works Department has developed a preliminary layout for a sanitary sewer extension on Alabama St from Texas St to SE Ave. This new line will provide enough depth to reroute the 1940s sewer lines between Texas St, Koehl St, and Speed St. This area has old lines that have severely deteriorated and are laid on a flat slope causing a major increase in sewer back-ups. The new line

will also alleviate sewer problems at Svatek's Grocery and Angel's Care Home Health at the intersection of Alabama Rd and Alabama St. Jones & Carter is assisting the City Staff with the preliminary cost estimates and layout.

The City's aging lift stations continues to keep the Public Works Department busy, especially with pump and float failures. The City Staff is working with Jones & Carter, Inc. to prepare preliminary cost estimates for rehabilitating the lift stations. Grease build up has continued to be a problem in the sanitary sewer lines and manholes along Richmond Rd. This results in sewer back-ups and has kept crews busy on nights and weekends. The Public Works Department is coordinating with Code Enforcement to begin a grease trap inspection program at restaurants throughout town. The City Staff hopes this will eliminate some of the unnecessary grease build up and sewer back-ups along Richmond Rd and other areas of the City.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report

IDC Inc. continues to work with City Staff in an effort to develop preliminary engineering for the project. The City Staff has obtained the necessary rights of entry agreements for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward.

The City Staff and IDC Inc. met on April 15, 2013 at City Hall to discuss the drainage design associated with the new overpass and road extension. The Public Works Department will meet again with IDC the week of April 22nd to continue drainage discussions and do some field reconnaissance.

2. 2012 Street Improvement Program

The Public Works Department began making street improvements the week of May 21, 2012.

The Interlocal Cooperation Agreement between the City of Wharton and the City of El Campo for use of equipment was renewed on July 9, 2012. This agreement allows both cities to complete street improvements at a reduced cost through the sharing of construction equipment.

The Public Works Staff had to postpone completion of the 2012 Street Improvement Program for most of November to work on much needed drainage improvements. The Public Works Department planned to resume the street repairs at the end of November but was unable to acquire the materials required to complete the project. Quality Hot is now requiring a minimum order of 100 tons of hot mix before they will consider starting up their plant to produce hot mix. This amount is larger than what the City's typically needs on a given day and therefore the project is on hold until a supplier can be found that will provide material in an amount more conducive to the patch work that remains. The project is nearly complete with the exception of patch work on Fulton and Alabama St. The City has been unsuccessful so far in finding a supplier and is now considering alternative materials as a possible solution.

3. 2013 Street Improvement Program

The City Staff has identified streets needing repair in 2013 and completed cost estimates for these repairs. The estimates and recommendations from the City Staff will be made to the Public Works Committee in the upcoming weeks.

4. Wharton Sidewalk Accessibility and Historic Streetscape Project

TxDOT completed the review of the sidewalk re-bid package earlier this month allowing the City to advertise for re-bid. On Tuesday March 5, 2013 at 2:00 PM the City of Wharton held a bid opening for the sidewalk enhancement project. The lowest bidder was M & C Fonseca Construction Co. Inc. After checking references, BEFCO Engineering, Inc. recommended awarding the Base Bid and all Additive Alternatives to M & C Fonseca in the amount of \$374,165.75. The City Council voted to accept BEFCO's recommendation at the March 11, 2013 Council meeting. A pre-construction meeting will be held prior to any work commencing.

5. Willowbend/Kelving Way Court Drainage Project

The Public Works Department completed excavation of a shallow swale in the 32 feet easement between Willowbend Dr. and Kelving Way Ct. at the end of December. There remains a couple of small areas of ponding inside the easement area and the City Staff is exploring options to correct this. This project is nearing completion.

6. On-going Street and Drainage Maintenance Program

The Public Works Department has been working to clean residential drainage ditches that have been experiencing poor drainage. These efforts to improve drainage are paying off. Areas that use to flood are no longer flooding. The Public Works Department has been noticing a significant decrease in citizen complaints during larger rainfall events concerning poor drainage. The City Staff continued this drainage improvement effort through April.

WHARTON REGIONAL AIRPORT

1. Capital Improvement Drainage Project.

This project is complete.

OTHER PROJECTS

1. Fire Hydrant Testing Program and ISO Rating

The Fire Department, with the assistance of the Public Works Department, has begun an annual hydrant testing program. The Fire Department has completed testing on all the City's hydrants. The majority of the hydrants were in good working condition. Those in need of maintenance have been repaired by the City's Public Works Staff. This program will help to improve the City's ISO insurance rating.

The City Staff met with a Verisk Insurance Solutions representative on March 21, 2013 to discuss the preliminary report on the new ISO insurance rating recently submitted to the City. The City Staff

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will be submitting recommendations or corrections by April 23, 2013 in hopes of lowering the ISO rating even more.

2. Wharton County Web Map Project

The City Staff continues to work with Half Associates to complete the initial design for the Web based GIS mapping tool. This tool will help City Staff and City Officials make daily decisions by allowing them to view GIS data files via the Internet.

The City Staff will meet with the El Campo City Staff at City Hall in El Campo on April 23, 2013 to discuss alternative plans and with the CAD staff on April 26, 2013 to discuss improving Parcel map. The City Staff believes the Parcel Maps will be backbone of the overall GIS system.

After some discussion, no action was taken.

The twenty-third item on the agenda was City Council Boards, Commissions, and Committees:

- A. Finance Committee meeting held April 22, 2013.
- B. Planning Commission meeting held April 15, 2013.
- C. Public Works Committee meeting held April 15, 2013.
- D. Wharton Economic Development Corporation meeting held April 15, 2013.
- E. Beautification Committee meeting held April 10, 2013.

After some discussion, no action was taken.

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

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

The twenty-fifth item on the agenda was adjournment. After some discussion, Councilmember Don Mueller moved to adjourn. Councilmember Karen Schulz seconded the motion. All voted in favor.

The meeting adjourned at 8:03 p.m.

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April 22, 2013

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary