

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
MARCH 23, 2015**

Mayor Pro-Tem Don Mueller declared a Regular Meeting duly open for the transaction of business at 7:00 P.M at City Hall 120 E. Caney Street Wharton, TX. Mayor Pro-Tem Mueller led the opening devotion and the pledge of allegiance.

Councilmember's present were: Mayor Pro-Tem Don Mueller and Councilmembers Tim Barker, Al Bryant, Jeff Gubbels, Russell Machann and Steven Schneider.

Councilmember absent was: Mayor Domingo Montalvo, Jr.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Andel, City Secretary Paula Favors, City Attorney Paul Webb, Assistant to the City Manager – Special Projects, Public Works Director Kyle Marchant, P.E., Building Official Ronnie Bollom, Fire Inspector Amanda Lopez, and Police Chief Terry Lynch.

Visitors present were: Wharton Economic Development Director David Schroeder, Carlos Cotton, P.E., with Jones and Carter, Inc., Wes Birdwell, P.E., with Halff and Associates, Inc., Michael Svatek, Mike Synder, Debra Medina and Natalie Frels with the Wharton Journal Spectator.

The second item on the agenda was Roll Call and Excuses Absences. After some discussion, Councilmember Tim Barker moved to excuse Mayor Domingo Montalvo, Jr. Councilmember Al Bryant seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. Mr. Michael Hershey presented information to the City Council on a proposed Gulf South Pipeline compressor station. Mr. Hershey requested the City Council consider the possible noise pollution issue that the station could cause.

The fourth item on the agenda was the Wharton Moment. Councilmember Tim Barker thanked Waste Corporation of American (WCA) for providing great service to his area on heavy trash pickup days.

The fifth item on the agenda was a proclamation: Recognizing Coach Floyd Ciruti. Mayor Pro-Tem Don Mueller stated Coach Ciruti was unable to be present and the proclamation would be presented at a future City Council meeting.

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The sixth item on the agenda was a proclamation recognizing April as Fair Housing Month. Mayor Pro-Tem Don Mueller declared April as Fair Housing Month. The Proclamation read as follows:

**CITY OF WHARTON
OFFICE OF THE MAYOR
PROCLAMATION**

WHEREAS, Title VII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it is a national policy to provide, within constitutional limits, for fair housing in the United States; and,

WHEREAS, The principal of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and,

WHEREAS, The forty-sixth anniversary of this National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, I, Don Mueller, by the authority vested in me as Mayor Pro-Tem of the City of Wharton, Texas, do hereby proclaim April as Fair Housing Month in the City of Wharton and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing Law.

IN WITNESS THEREOF, I have set my hand and caused the seal of the City of Wharton to be affixed this 23rd day of March in the year of our Lord two thousand fifteen A. D.

Don Mueller
Mayor Pro-Tem
City of Wharton, Texas

The seventh item on the agenda was to review and consider City of Wharton Financial Report for February 2015. Finance Director Joan Andel presented the financial report for the month of February 2015. Mrs. Andel stated that the TexPool balance for February 2015 was \$151,374.03 with an average monthly yield of .04%. She said the Prosperity Bank balance for February 2015 was \$9,680,863.39 with an average monthly yield of .15% and the total ad valorem taxes collected were \$1,712,367 with the sales tax for the month of February 2015 was \$91,051. After some discussion, Councilmember Jeff Gubbels moved to approve the City of Wharton Financial Report for the month of February 2015. Councilmember Russell Machann seconded the motion. All voted in favor.

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The eighth item on agenda was to review and consider a request by Mr. Michael Svatek for an over 50% variance of 14'16" from the required 25' setback on front property line to place carport over existing driveway resulting in 10'6" setback. Building Official Ronnie Bollom, stated that Mr. Svatek was requesting a variance of 14'16" from the required 25' setback on front property line to place carport over existing driveway resulting in 10'6" setback. After some discussion, Councilmember Al Bryant moved to approve a request by Mr. Michael Svatek for an over 50% variance of 14'16" from the required 25' setback on front property line to place carport over existing driveway resulting in 10'6" setback. Councilmember Tim Barker seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider a contract for the City of Wharton EMS Medical Director Services. City Manager Andres Garza, Jr. presented a letter from Dr. Mystan Gurkin informing the City that she had accepted employment with Baylor Scott and White in Brenham, Texas. City Manager Garza stated that her agreement with the City for EMS Medical Director Services terminated on March 31, 2015 but was willing to give the City time to find a replacement. He said she had indicated that she would be willing to continue as the EMS's Medical Director if her new employer would agree and it was acceptable to the Wharton City Council and that she was in the process of obtaining that clearance from her employer. EMS Director John Kowalik requested the City Council consider the agreement be extended until April 30, 2015 and if acceptable to the City Council and if Dr. Gurkin was able to obtain the clearance from her employer to continue with her services. City Manager Garza stated that the Finance Committee met on March 23, 2016 and was recommending City Council consider approving extending Dr. Gurkin's contract to April 30, 2015. After some discussion, Councilmember Jeff Gubbels moved to approve extending City of Wharton EMS Medical Director Dr. Mystan Gurkin's agreement to April 30, 2015. Councilmember Al Bryant seconded the motion. All voted in favor.

The tenth item on the agenda was Executive Session: City Council may adjourn into an Executive Session in accordance with Section 551.071 of the Local 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:** Cause No. 47481; New Hampshire Insurance Company & SDH Education East, LLC as Subrogees of Morena Li-Siu v. City of Wharton, et.al.

Mayor Pro-Tem Don Mueller moved the meeting into closed session at 7:15 p.m.

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

- A. Review & Consider:** Cause No. 47481; New Hampshire Insurance Company & SDH Education East, LLC as Subrogees of Morena Li-Siu v. City of Wharton, et al.

Mayor Pro-Tem Don Mueller return to open session at 7:18 p.m. After some discussion, Councilmember Tim Barker moved to approve Texas Municipal League Intergovernmental

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Risk Pool (TML-IRP) to proceed with a settlement in Cause No. 47481; New Hampshire Insurance Company & SDH Education East, LLC as Subrogees of Morena Li-Siu v. City of Wharton, et al. Councilmember Russell Machann seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider City of Wharton Emergency Medical Services (EMS) Department:

- A. Acceptance of funding from the Wharton County Emergency Services District (ESD No. 3) for the purchase of Chest Compression Systems for the City of Wharton Emergency Medical Services (EMS) Department.
- B. **Resolution:** A resolution of the Wharton City Council approving the purchase of four (4) Lucas Chest Compression Systems for the City of Wharton Emergency Medical Services (EMS) Department and authorizing the City Manager of the City of Wharton to execute any and all documents related to said purchase.

City Manager Andres Garza, Jr. stated that on March 12, 2015, the Wharton County ESD #3 Board voted to grant funding for the purchase of Chest Compression Systems for the City of Wharton Emergency Medical Services (EMS) Department. City Manager Garza presented a copy of EMS Director John Kowalik's memorandum dated March 17, 2015 providing his request to purchase of four (4) Lucas Chest Compression Systems in the amount of \$58,510.30, from Medtronic Physio Control, a sole source provider. Mr. Kowalik stated that since the devices were from a sole source provider additional bids were not required. City Manager Garza stated that he concurred with Mr. Kowalik's recommendation for the purchase of the devices. After some discussion, Councilmember Jeff Gubbels moved to approve City of Wharton Resolution No. 2015-17, read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2015-17**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE OF FOUR (4) LUCAS CHEST COMPRESSION SYSTEMS FOR THE CITY OF WHARTON EMERGENCY MEDICAL SERVICES DEPARTMENT AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, the City of Wharton City Council felt it was in the best interest of the City of Wharton EMS Personnel and respective clients to purchase four (4) Lucas Chest Compression Devices which would allow for possible improved patient care; and

WHEREAS, the Wharton County Emergency Services District No. 3 agreed to provide the funding necessary for the purchase and installation of said devices; and

WHEREAS, the Wharton County ESD No. 3 voted to approve funding in the amount of \$58,510.30 to be used to purchase the devices; and

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WHEREAS, the Wharton City Council wishes to accept the said funding from the Wharton County ESD No. 3; and

WHEREAS, the Wharton City Council wishes to purchase four (4) Lucas Chest Compression Devices from Medtronic Physio Control, a sole source provider; and

WHEREAS, the Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute any and all documents related to said Lucas Chest Compression Systems purchase.

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 accepts funding from the Wharton County Emergency Services District No. 3 in the amount of \$58,510.30 to be used to purchase four (4) Lucas Chest Compression Systems from Medtronic Physio Control, a sole source provider.

Section II. That the City Manager of the City of Wharton is hereby authorized to execute any and all documents related to said equipment's purchase.

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

Passed, Approved, and Adopted this 23rd day of March 2015.

CITY OF WHARTON, TEXAS

DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Tim Barker seconded the motion. All voted in favor.

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The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council establishing an Economic Development Committee for the City of Wharton. City Manager Andres Garza, Jr. stated that the City staff recommended that the City Council Finance Committee consider recommending to the City Council the creation of a City Council Economic Development Committee that would provide the City Council policy recommendation on economic development issues. City Manager Garza said the City Council Finance Committee met on March 18, 2015 and voted to recommend to the City Council the creation of a City Council Economic Development Committee which would consist of the Mayor and the two (2) City Councilmembers who served on the Wharton Economic Development Board. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2015-18, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2015 -18**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING AN ECONOMIC DEVELOPMENT COMMITTEE FOR THE CITY OF WHARTON.

WHEREAS, the Wharton City Council wishes to establish a City Council Economic Development Committee to discuss items related to economic development and provide recommendations to the entire City Council; and,

WHEREAS, the City Council Economic Development Committee would consist of three Councilmembers; and,

WHEREAS, the Committee will be composed of the Mayor and the two Councilmembers that are appointed to the Wharton Economic Development Corporation, and,

WHEREAS, the City Council wishes to set a one (1) year term that would end on June 30th of each year.

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 establishes the City Council Economic Development Committee.

Section II. That the City Council Economic Development Committee would consist of three Councilmembers serving a one (1) year term ending on June 30th of each year.

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

Passed, Approved, and Adopted this 23rd day of March 2015.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST: _____
PAULA FAVORS
City Secretary

Councilmember Tim Barker seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider City of Wharton Future Water Needs Project.

- A. Resolution:** A resolution authorizing the City of Wharton, Texas, to request the Coast Bend Groundwater Conservation District to perform a groundwater assessment master plan for Wharton County, Texas.

City Manager Andres Garza, Jr. stated that on September 22, 2014, the City Council adopted resolution 2014-83-85 relating to the City's efforts to develop a sustainable future water supply. He said City Staff and Mr. Wes Birdwell P.E. of Halff and Associates attended the Region K Water Planning Group meeting and submitted the City's requests. City Manager Garza said the Region K Planning Group had requested a preliminary cost estimate for the sustainable water production strategy. City Manager Garza presented a draft resolution and letter from Mayor Montalvo to the Coastal Bend Groundwater Conservation District requesting they perform groundwater assessment studies that would assist the City in its pursue of a sustainable future water supply. After some discussion, Councilmember Jeff Gubbels moved to approve City of Wharton Resolution No. 2015-19, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2015-19**

A RESOLUTION AUTHORIZING THE CITY OF WHARTON, TEXAS, TO REQUEST THE COASTAL BEND GROUNDWATER CONSERVATION DISTRICT TO PERFORM A GROUNDWATER ASSESSMENT MASTER PLAN FOR WHARTON COUNTY, TEXAS.

WHEREAS, the City of Wharton (City), desires to develop fifty year supply of municipal and industrial drinking water for the future of its citizens and economic development and relies heavily on groundwater; and

WHEREAS, the City recognizes that the Coastal Bend Groundwater Conservation District (District) is responsible to conserve, preserve, protect, and recharge our

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groundwater in order to control subsidence, and to prevent waste of groundwater; and

WHEREAS, the City recognizes the District has considerable funds in reserve, and is currently requesting the Texas Legislature to authorize additional fees that will increase its revenues; and

WHEREAS, the City has determined that the current curtailment of surface water available to Wharton County has affected its supply of groundwater and increased the risk of subsidence; and

WHEREAS, the continuation of the current drought has caused the Lower Colorado River Authority (LCRA) to amend its Water Management Plan in a manner to reduce the future availability of surface water supplies to Wharton County; and

WHEREAS, the LCRA's construction of the Lane City Reservoir is necessary and very much appreciated, it will not serve to reduce the current or future demand on Wharton County's groundwater supplies; and

WHEREAS, subsidence has occurred along the Texas Gulf Coast including the area just north of Wharton County and is therefore of concern in our area; and

WHEREAS, the current rate of decline of the groundwater table in Wharton County may increase the future occurrence of localized subsidence in Wharton County including within the jurisdiction of the City; and

WHEREAS, the City Council of the City of Wharton believes that additional studies are required to better understand this possibility

THEREFORE, BE IT RESOLVED that the City Council of the City of Wharton, Texas hereby respectfully requests the District to proceed with all due haste to fund and perform such groundwater assessment or additional studies as may be required.

PASSED and APPROVED by the City of Wharton City Council on the twenty third day of March, 2015.

CITY OF WHARTON, TEXAS

By: _____
Don Mueller
Mayor Pro-Tem

ATTEST:

Paula Favors
City Secretary

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

- B.** Halff and Associates work order #3 relating to the development of preliminary cost estimate for the sustainable water production strategy for inclusion in the 2017 State Water Plan Update for Region K-Texas Water Development Board.

City Manager Andres Garza, Jr. presented Halff and Associates proposal to prepare the necessary preliminary cost estimate for inclusion in the 2017 State Water Plan Update for Region K. City Manager Garza stated that the City Council Finance Committee met on March 23, 2015 to discuss the items and recommended the City Council consider approving Halff and Associates proposal in the amount not to exceed \$10,000 to prepare the necessary preliminary cost estimate for inclusion in the 2017 State Water Plan Update for the region. After some discussion, Councilmember Jeff Gubbels moved to approve Halff and Associates proposal in the amount not to exceed \$10,000 to prepare the necessary preliminary cost estimate for inclusion in the 2017 State Water Plan Update for the region. Councilmember Tim Barker seconded the motion. Councilmembers Al Bryant, Steven Schneider, Tim Barker and Jeff Gubbels voted for the motion. Councilmember Russell Machann voted against the motion. The motion carried.

The fifteenth item on the agenda was to review and consider a resolution of the City Council of the City of Wharton, Texas authorizing the submittal of an application to the Houston-Galveston Area Council (H-GAC) for the Downtown Public Spaces Improvement Grant Program for building improvements at 301 West Milam Street owned by Russell Baird; and authorizing the Mayor to execute all documents on behalf of the City pertaining to the City's participation in the Downtown Public Spaces Improvement Grant Program; setting an effective date. City Manager Andres Garza, Jr. stated that Mrs. Debra Medina on behalf of Mr. Russell Baird had approached the City Staff requesting that the City seek the Houston-Galveston Area Council (H-GAC) grant program for revitalization of a building. City Manager Garza said they were proposing to renovate a downtown building located at the southwest corner of Polk and Milam Street, 301 West Milam Street where she was planning to locate her businesses in the building and was making arrangements with the building's owner. He said the H-GAC grant program was available through a public entity and it was the City Staff's understanding that WEDCo was already sponsoring a grant application and the grant rules allow only one application per entity. City Manager Garza stated that Mrs. Medina had approached WEDCo and had been funded for some of the improvements she was proposing. City Manager Garza presented information on the grant and a draft application the City Council's review. He said the grant was for a maximum of \$25,000 and the City Council Finance Committee met on March 18, 2015 and voted to recommend to the City Council approval for the submission of the grant application. After some discussion,

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Councilmember Tim Barker moved to approve City of Wharton Resolution No. 2015-20 which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2015-20**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) FOR THE DOWNTOWN PUBLIC SPACES IMPROVEMENT GRANT PROGRAM FOR BUILDING IMPROVEMENTS AT 301 WEST MILAM STREET OWNED BY RUSSELL BAIRD; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING TO THE CITY'S PARTICIPATION IN THE DOWNTOWN PUBLIC SPACES IMPROVEMENT GRANT PROGRAM; SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wharton desires to develop a viable community, including restoration of existing historical buildings in the downtown area and expanding economic opportunities; and

WHEREAS, the private property located at 301 W. Milam which is currently owned by Russell Baird and leased by tenant Debra Medina requires assistance with renovations; and

WHEREAS, to assist owner and tenant with required renovations it is necessary and in the best interest of the City of Wharton to apply for funding under the H-GAC Downtown Public Spaces Improvement Grant Program;

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

Section I. That a Downtown Public Spaces Improvement Program Grant application for the façade improvements is hereby authorized to be filed on behalf of the City of Wharton with the Houston-Galveston Area Council (H-GAC).

Section II. That the application be for \$25,000 of grants funds to carry out façade improvements in the building located at 301 W. Milam which is owned by Russell Baird and leased by tenant Debra Medina.

Section III. That the City Council directs and designates the Mayor to execute on behalf of the City all documents in connection with this application and the City's participation in the Downtown Public Spaces Improvement Grant Program.

Section IV. That this resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED this 23rd day of March, 2015

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

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

The sixteenth item on the agenda was to review and consider City Manager travel reimbursements. City Manager Andres Garza, Jr. presented his request for travel reimbursements. After some discussion, Councilmember Al Bryant moved to approve the City Manager travel reimbursement request. Councilmember Russell Machann seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider the update of City of Wharton on-going Projects. City Manager Andres Garza, Jr. presented a copy of the memorandum dated March 19, 2015 providing an update on the City of Wharton current 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 <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>.

Halff Associates submitted the 100% set of construction plans for the portion of the levee under design and the City Staff has reviewed the document. The City Staff has indicated to Halff Associates that it is too early to acquire the services of a professional land surveyor to prepare metes and bounds since we do not know for sure if the alignment will stay as shown on the current set of construction plans. The City Staff and Halff Associates 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. The City Staff worked with Jones & Carter and has completed the preliminary layout for the Hughes St. utility relocation. Halff along with the City Staff are working together to solve the issue of spoil disposal.

This design is for the first phase of levee construction along the Colorado River from FM 102 to Business 59. The U.S. Corps of Engineers requested the City submit a letter of support for the 2016 Federal Budget. Mayor Montalvo has submitted to the Corp a letter requesting assistance for this project. The City is awaiting a response.

On December 17, 2014, the City Staff met with US Army Corp of Engineers on the Wharton Flood Reduction Project (Levee Project). The Corp of Engineers informed the City of the possibility to receive funding for continuation of the construction phase of the project, a Value Engineering Study is needed. The Corp of Engineers requested an additional \$25,000 of the non-Federal dollars and they contributed \$75,000 of Federal dollars to modify Phase 1 Plans and Specs which would result in significant savings to the project. The study was necessary to continue with this project and allows the City to remain compliant with the US Army Corp of Engineers Section 902 Cost Limit Policy.

On January 26, 2015 the City Council approved the request of \$25,000 for the Value Engineering Study recommendation to modify the plans and specifications. An invoice was received with instructions as to how to submit the payment. The payment has been submitted to the Corp. The City Staff is making arrangements with the Corp of Engineers to review this project in more detail during the coming months.

DRAINAGE:

1. Santa Fe Outfall Channel.

The Public Works Department has finished excavation of the channel. During the month of February, routine maintenance was done on the Channel. The channel is slowly increasing in grass cover which is allowing several eroded areas to heal themselves over time. The Public Works Department has installed grade stabilization structures to eliminate erosion thereby reducing or eliminating the need to reshape the channel areas with active erosion. 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. Work on property owners land is now complete.

2. Stavena Addition Drainage Project.

The design and construction plans are complete. The challenge on this project is to find locations to place approximately 35,000 cubic yards of soil.

3. Ahldag Ditch Improvement.

The project was approved in the 2013 Bond Program. Public Works Director is currently working out the details.

WATER/SEWER IMPROVEMENTS:

1. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of January.

The grease ordinance was adopted by the City Council on January 26, 2015 with implementation date of March 1, 2015. The Public Works and Code Enforcement Departments have begun the implementation of the Ordinance. A new Fire Inspector will be joining the City Staff in late March. Public Works and Code Enforcement will be holding a meeting to discuss the implementation plans to effectively proceed with this managing this new ordinance.

2. Alabama Street Sewer Line Project.

Bid opening resulted in one bid which was substantially higher than anticipated. City Council rejected the bid on December 19, 2014 and the City Staff is reviewing the project for base bid and alternate bid options.

After the bid was rejected as a combined project, the City Staff proposed to submit to the Texas Department of Agriculture for the 2015-2016 Texas Community Development Board Grant for funding along of the Rust 2, 3 and 4 Addition sewer lines along with lateral lines.

The application was submitted prior to the application deadline.

3. Kelving Way and Croom/Price Waterline Project.

After the bid was rejected on December 19, 2014 for the combined project, the City Staff is evaluating how to proceed with this project.

4. South Highway 60 Waterline Extension Project.

This project was completed. With the few items that were not finalized by AR Turnkee. The City Staff has completed the close out of this project with Exelon and has returned the excess funds.

5. Wastewater Treatment Plant No. 1 Improvement Project.

The City Staff met with Jones & Carter, Inc. on January 28, 2015 to discuss design efforts, engineering, new cost estimates of this project. The preliminary cost estimate came in quite a bit higher than the allocation in the Bond Fund. The City Staff met with the City Council Public Works Committee to develop the bid format in order to proceed. Prior to advertising, the City Staff has requested a cost estimate from Jones & Carter, Inc. for the Base + Alternates. The project is scheduled to be bid in April, 2015.

6. Ahldag Additional Sanitary Sewer System Improvement Project TxCDBG No. 713510.

City Council approved a Notice of Award for Supak Construction on December 19, 2014. Contracts have been executed. The project should be ready to proceed in the next few weeks.

A Pre-Construction meeting was held on March 4, 2015.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. continues to work with City Staff in an effort to develop engineering design for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward.

The City Staff is awaiting Environmental Clearance from the Federal Highway Administration (FHWA). Once received the City will begin to move toward the acquisition of property for this project. IDC has submitted the preliminary Right-of-Way (ROW) parcels that would be needed for the project.

2. I-69 Project.

The City Council authorized the submission of comments proposed improvements previously submitted by the City to TxDOT.

3. NanYa Exit Ramp Project.

The City has submitted its request with TxDOT on proceeding with the changes to the NanYa exit ramp that would accommodate the turn around that Buc-ees has agreed in principle to contribute to see the project materialize. On March 11, 2014, Mayor Montalvo, the City Staff, TxDOT Representatives and IDC Representatives met with NanYa to discuss the project and listen to their concerns. A follow-up meeting is being proposed.

4. Wharton Sidewalk Accessibility and Historic Streetscape Project.

Phase II - A pre-design meeting was held with TxDOT Yoakum on December 3, 2014 with CivilCorp and members of City Staff. Plans are approximately 90% complete and have been submitted to CivilCorp for TxDOT's review.

5. On-going Street and Drainage Maintenance Program.

The Public Works Department has continued working on cleaning residential drainage ditches that have experienced poor drainage.

6. Kansas City Southern Railroad Quiet Zone.

The City Council gave BEFCO Engineering authorization to submit the PPA at the October 13, 2014 meeting. Based on the return receipt, the Federal Railroad Administration (FRA) acknowledged receipt of the application on October 27, 2014. This process could take approximately 6- 12 months for the response from the FRA.

WHARTON REGIONAL AIRPORT

1. Hangar Construction Project.

The project is moving forward. The City Staff met with TxDOT Aviation Division Representatives to discuss the way the hangar project would be bid.

After some discussion, no action was taken.

The eighteenth item on the agenda was to review and consider the acceptance of resignation of Mr. Ellis Hurd from the Building Standards Commission. City Manager Andres Garza, Jr. presented Mr. Ellis Hurd's resignation letter dated March 11, 2015. After some discussion, Councilmember Al Bryant moved to approve the resignation of Mr. Ellis Hurd from the Building Standards Commission. Councilmember Steven Schneider seconded the motion. All voted in favor.

The nineteenth item on the agenda was to review and consider Appointments to the City of Wharton Boards, Commissions and Committees:

- A. Electrical Board.
- B. Holiday Light Decorating Chairman.
- C. Beautification Commission.
- D. Planning Commission.
- E. Building Standards Commission.

After some discussion, no action was taken.

The twentieth item on the agenda was to review and consider City Council Boards, Committees and Commissions reports:

- A. Finance Committee meeting held on March 18, 2015.

After some discussion, no action was taken.

The twenty-first item on the agenda was to review and consider City Manager's Reports:

- | | |
|---|-----------------------------|
| A. City Secretary/Personnel. | H. Fire Marshall. |
| B. Code Enforcement. | I. Legal Department. |
| C. Community Services Department /
Civic Center. | J. Municipal Court. |
| D. Emergency Management. | K. Police Department. |
| | L. Public Works Department. |

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| E. | E.M.S. Department. | M. | Water / Sewer Department. |
| F. | Facilities Maintenance Department /
Wharton Municipal Pool. | N. | Weedy Lots / Sign Ordinance. |
| G. | Fire Department. | O. | Wharton Regional Airport. |

After some discussion, no action was taken.

The twenty-second item on the agenda was adjournment. There being no further discussion, Councilmember Al Bryant moved to adjourn. All voted in favor.

The meeting adjourned at 7:33 p.m.

CITY OF WHARTON, TEXAS

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary