



**CITY OF WHARTON
CITY COUNCIL
*SPECIAL MEETING***

**Monday
February 15, 2016
5:30 P.M.**

WHARTON CITY HALL

**NOTICE OF MEETING OF THE
GOVERNING BODY OF
CITY OF WHARTON**

Notice is hereby given that a Special meeting of the governing body of the City of Wharton will be held on the 15th day of February 2016 at 5:30 p.m., at _____ located at _____

120 East Caney Street

Wharton, Texas 77488

Wharton, Texas, at which time the following subjects will be discussed, to-wit: _____

See attached agenda.

Dated this 11th day of February 2016.

By: _____

Domingo Montalva, Jr., Mayor

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Wharton is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on February 11, 2016, at 4:30 p.m., and remained so posted continuously for at least 72 hours preceding the schedule time of said Meeting.

The City of Wharton City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available at the primary entrance. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811, Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date.

BRaille IS NOT AVAILABLE.

Dated this 11th day of February 2016.

CITY OF WHARTON, TEXAS

By: _____


Paula Favors, City Secretary

AGENDA
CITY OF WHARTON
Special City Council Meeting
Monday, February 15, 2016
City Hall – 5:30 p.m.

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Executive Session:** City Council may adjourn into an Executive Session in accordance with Section 551.087 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:** Wharton Industrial Foundation (WIF) Project-Highway 59.
5. **Return to open meeting:** Action on items discussed in Executive Session:
 - A. **Review and Consider:** Wharton Industrial Foundation (WIF) Project-Highway 59.
6. **Review & Consider:** **Ordinance:** An ordinance authorizing the Mayor of the City of Wharton to execute an Economic Development Agreement and a related personal property Bill of Sale, to transfer City surplus fill dirt and construct a road extension for the Wharton Industrial Foundation, Inc., in support of the development of a new business at U.S. 59 Highway North.
7. **Adjournment.**


City of Wharton
120 E. Caney Street
Wharton, TX 77488

City Council Communications

Meeting Date: 02/15/2016		Agenda Item: #3. Public Comments.	
City Manager: Andres Garza, Jr. 		Date: February 11, 2016	
Approval:			
Mayor: Domingo Montalvo, Jr.			

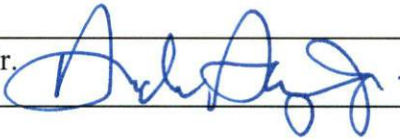
City of Wharton
120 E. Caney Street
Wharton, TX 77488

City Council Communications

Meeting Date: 02/15/2016	Agenda Item: #4. Executive Session: City Council may adjourn into an Executive Session in accordance with Section 551.087 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: Wharton Industrial Foundation (WIF) Project-Highway 59.	
City Manager: Andres Garza, Jr. 	Date: February 11, 2016
Approval:	
Mayor: Domingo Montalvo, Jr.	

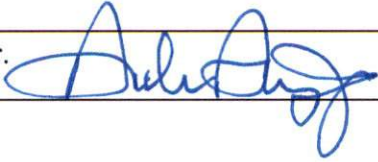
City of Wharton
120 E. Caney Street
Wharton, TX 77488

City Council Communications

Meeting Date: 02/15/2016	Agenda Item: #5. Return to Open Meeting: Action on items discussed in Executive Session:
Review & Consider: Wharton Industrial Foundation (WIF) Project-Highway 59.	
City Manager: Andres Garza, Jr. 	Date: February 11, 2016
Approval:	
Mayor: Domingo Montalvo, Jr.	

City of Wharton
120 E. Caney Street
Wharton, TX 77488

City Council Communications

Meeting Date: 02/15/2016	Agenda Item: #6. Ordinance: An ordinance authorizing the Mayor of the City of Wharton to execute an Economic Development Agreement and a related personal property Bill of Sale, to transfer City surplus fill dirt and construct a road extension to the Wharton Industrial Foundation, Inc., in support of the development of a new business at U.S. 59 Highway North.
<p>Attached is a copy of the draft ordinance to authorize the transfer of fill dirt and the construction of a road extension for The Wharton Industrial Foundation, Inc.</p>	
City Manager: Andres Garza, Jr. 	Date: February 11, 2016
Approval:	
Mayor: Domingo Montalvo, Jr.	

“Exhibit E”

**CITY OF WHARTON
ORDINANCE NO. 2016-XX**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT AND A RELATED PERSONAL PROPERTY BILL OF SALE, TO TRANSFER CITY SURPLUS FILL DIRT AND CONSTRUCT A ROAD EXTENSION FOR THE WHARTON INDUSTRIAL FOUNDATION, INC., IN SUPPORT OF THE DEVELOPMENT OF A NEW BUSINESS AT U.S. 59 HIGHWAY NORTH.

WHEREAS, The City of Wharton works to foster private area developments that increase local sales and property tax bases and create employment opportunities; and,

WHEREAS, The Wharton Industrial Foundation, Inc., of Wharton, Texas, has approached the City for forms of public assistance to improve property for a new business at a 5.2604 acre tract of land located at U.S. 59 Highway North; and,

WHEREAS, The City has ownership of large quantities of excess spoil fill dirt from various recent drainage excavation projects, and the Wharton Industrial Foundation needs the fill dirt to elevate a 5.2604 acre tract of land located at U.S. 59 Highway North; and,

WHEREAS, The City of Wharton has the resources to construct a road extension to said property.

NOW, THEREFORE, BE IT ORDAINED BY THE WHARTON CITY COUNCIL THAT:

Section 1. The City hereby declares that it is in possession of surplus fill dirt which is now available to be sold, and the Wharton Industrial Foundation, Inc., desires to purchase an amount of said fill dirt, not to exceed 7500 square yards to be delivered by the City, for the development of its new expansion project that is reasonably anticipated to generate and enhance the local sales and property tax bases and create area employment.

Section 2. The City of Wharton has the resources to construct a road extension (driveway) to said property.

Section 3. The Mayor is hereby authorized to execute an Economic Development Agreement and related Personal Property Bill of Sale Agreement with The Wharton Industrial Foundation, Inc., substantially in the form of the agreements attached hereto for reference.

Section 4. The City Manager and legal counsel for the City are hereby authorized to coordinate with the Wharton Industrial Foundation, Inc., to finalize, implement, and administer the additional subsidiary activities and documents related hereto to

foster the creation of the anticipated private development that will enhance the area sales and property tax bases, while creating area employment opportunities, in furtherance of the public interest and for the benefit of area citizens.

PASSED AND APPROVED THIS __ DAY OF _____ 2016.

CITY OF WHARTON

Domingo Montalvo, Jr.
Mayor

Attest:

Paula Favors
City Secretary

Approved as to Form:

Paul Webb
City Attorney