

**MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
JANUARY 24, 2011**

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

Councilmember's present were: Mayor Domingo Montalvo, Jr., Councilmembers 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 Joan Anandel, City Secretary Paula Favors, Assistant to City Jackie Jansky, Public Works Director Carter Miska, and City Attorney Paul Webb.

Visitors present were: John Mercurief II with Wharton Journal Spectator, David Schroeder with Wharton Economic Development Corporation, Russell Hill, Steve Wilson, Jeff Collins, P.E., and Anthony Francis with LJA Engineering, Inc.

The second item on the agenda was Roll Call and Excuses Absences. All members were present.

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. No comments were given. 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 December 2010. Finance Director Joan Anandel presented the financial report for the month of December 2010. Mrs. Anandel stated that the total ad valorem taxes collected were \$168,854.05 and the sales tax for the month of December 2010 was \$83,653.39. She further stated that the TexPool balance for December was \$49,231.21 with an average monthly yield of 0.17%. She said Prosperity Bank balance for December 2010 was \$1,700,739.20 with an average monthly yield of 0.15%. She further stated that other investments included \$2,655.09 at TexasGulf Federal Credit Union in the debt fund, and \$254,759.59 at Capital One Marketing at a rate of 2%. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the City of Wharton Financial Report for the month of December 2010. Councilmember Terry David Lynch seconded the motion. All voted in favor.

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The sixth item on the agenda was to review and consider the recommendation by the Planning Commission for City Council approval of the request by Outlar, Myrtis S., Gen Partner MSO, Ltd., represented by Mr. Dayne Rice of Wilson Engineering, for the approval of the preliminary/final replat of Lots 2 and 3 of the Outlar's Caney Valley Acres located in the Alexander Jackson Timber League, Abstract 34. City Manager Andres Garza, Jr. stated that the Planning Commission voted to recommend that the City Council consider approving the request for the preliminary/final replat of Lots 2 and 3, Outlar's Caney Valley Acres located in the Alexander Jackson Timber League, Abstract 34. Assistant to City Manager Jackie Jansky addressed the City Council and stated that the Planning Commission met on January 18, 2011 and was recommending the City Council consider approving the replat. She stated that all the appropriate set backs were in place and that the owners of the proposed Denny's were planning to have three (3) access entrances to the property pending approval of the Texas Department of Transportation. After some discussion, Councilmember Jeffery Gubbels made a motion to approve the request by the Planning Commission for City Council of the request by Outlar, Myrtis S., Gen Partnership MSO, Ltd., represented by Dayne Rice of Wilson Engineering, for the approval of a preliminary/final replat of Lots 2 and 3, Outlar's Caney Valley Acres located in the Alexander Jackson Timber League, Abstract 34. Councilmember Don Mueller seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider the City of Wharton New Fire Station Expansion Project:

A. City Staff request for City Council approval of the revised site plan for the Fire Station Expansion Project. City Manager Andres Garza, Jr. stated that during the December 13, 2010 regular Wharton City Council meeting, the City Council approved Resolution No. 2010-94, which authorized the City of Wharton to be the general contractor for the Fire Station Expansion Project. He said that since that time, discussions were held with the City Staff and himself regarding the relocation of the building on the project site. He said that the City Staff was recommending the City Council consider the site relocation of the building. He also said that he had contacted Mr. Stephen Dorman, P.E. of KSA Engineers regarding revising the construction drawings.

B. City Staff request for City Council approval of an over 50% Variance from the required ten feet interior side yard setback requirement to construct a new 60' x 75' fire station building over the lot lines located at Hawes, Block E Lots 9 & 10. After some discussion, Councilmember Jeffery Gubbels made a motion to approve A.) The request by the City Staff for the City Council approval to revise the site plan for the Fire Station Expansion Project; and B.) The City Staff request for approval of an over 50% Variance from the required ten feet interior side yard setback requirement to construct the new fire station building. Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider Economic Development agreements:

A. Request by Mr. David L. Schroeder, Executive Director of the Wharton Economic Development Corporation for the City Council to consider the request by Jeffrey L. Gubbels, MD, President of the South Texas Medical Clinics, P.A., for an Economic Development Agreement for fill dirt to elevate the property located at 2100 Regional Medical Drive, Wharton,

Texas; South Texas Medical Clinic, Lot B. City Manager Andres Garza, Jr. presented a copy of the letter dated January 17, 2011 from Mr. David L. Schroeder, Executive Director of the Wharton Economic Development Corporation (WEDC), providing a copy of the letter dated December 27, 2010 from Jeffrey L. Gubbels, M.D., President of the South Texas Medical Clinics, PA (STMC) requesting fill dirt to develop STMC property along FM 102 and Regional Medical Drive. He said that STMC would be selling property for commercial development. He said that City Attorney Paul Webb had reviewed the agreement. Councilmember Jeffery Gubbels abstained from the discussion due to conflict of interest.

**B. Ordinance:** An ordinance authorizing the Mayor to execute an economic development agreement and a related personal property bill of sale, to transfer City surplus fill dirt to South Texas Medical Clinics, P.A., in support of new development off Regional Medical Drive and FM 102 that will increase local sales and property tax bases and create area employment. City Attorney Paul Webb stated that he has reviewed the agreements and had no objection to their approval. He said that the attached ordinance would need to be approved to authorize the Mayor to execute the agreements. After some discussion, Councilmember Donald Mueller made a motion to approve the City of Wharton Ordinance No. 2011-03, reads as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2011-03**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT AND A RELATED PERSONAL PROPERTY BILL OF SALE, TO TRANSFER CITY SURPLUS FILL DIRT TO SOUTH TEXAS MEDICAL CLINICS, P.A., IN SUPPORT OF NEW DEVELOPMENT OFF OF REGIONAL MEDICAL DRIVE AND FM 102, THAT WILL INCREASE LOCAL SALES AND PROPERTY TAX BASES AND CREATE AREA EMPLOYMENT.**

**WHEREAS**, the City of Wharton and the Wharton Economic Development Corporation work jointly to foster private area developments that increase local sales and property tax bases and create employment opportunities; and

**WHEREAS**, South Texas Medical Clinics, P.A. of Wharton, Texas, has approached the City and WEDC for forms of public assistance to develop commercial property, together with related supporting facilities near Regional Medical Drive and FM 102; and

**WHEREAS**, the City has ownership of large quantities of excess spoil fill dirt from various recent drainage excavation projects, and South Texas Medical Clinics, P.A. needs the fill dirt to develop the tract intended for its retail development.

**NOW THEREFORE, BE IT ORDAINED BY THE WHARTON CITY COUNCIL**

**THAT:**

1. The City hereby declares that not-to-exceed 12,000 cubic yards of fill dirt is surplus City personal property, now able to be sold to South Texas Medical Clinics, P.A. for Ten Dollars (\$10.00) and other valuable consideration, in support of the development of its retail restaurant facility that is reasonably anticipated to generate and enhance the local sales and property tax bases and create area employment.

2. The Mayor is hereby authorized to execute an Economic Development Agreement and related Personal Property Bill of Sale Agreement with South Texas Medical Clinics, P.A., substantially in the form of the agreements attached hereto for reference.

3. The City and legal counsel for the City are hereby authorized to coordinate with the WEDC and South Texas Medical Clinics, P.A. 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 24<sup>th</sup> DAY OF JANUARY 2011.**

CITY OF WHARTON

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Domingo Montalvo, Jr.  
Mayor

Attest:

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City of Wharton  
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Paula Favors  
City Secretary

Approved as to Form:

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Paul Webb  
City Attorney

Councilmember Lewis Fortenberry, Jr. seconded. All voted in favor. Councilmember Jeffery Gubbels abstained.

The ninth item on the agenda was to review and consider a resolution between the City of Wharton, Texas, and providing notice to CenterPoint Energy Entex regarding the non-renewal of the Cost of Service Adjustment Rate Schedule No. COSA-3; establishing an effective date for this resolution; Making such other findings and provisions related hereto; containing a savings clause; and providing for the effective date thereof. City Manager Andres Garza, Jr. presented a copy of the information sheet provided by Mr. Alfred R. Herrera of Herrera & Boyle, PLLC, and the City Attorney in matters involving CenterPoint Energy Entex. He also presented a copy of a draft resolution providing CenterPoint Energy Entex notice regarding the non-renewal of the cost of service adjustment rate schedule No. COSA – 3. City Attorney Paul Webb stated this was a way for the City to help keep rates down and to inform CenterPoint that the City objected to the rate increase. After some discussion, Councilmember Jeffery Gubbels made a motion to approve the City of Wharton Resolution No. 2011-07, which reads as follows,

**CITY OF WHARTON  
RESOLUTION NO. 2011-07**

**A RESOLUTION OF THE CITY OF WHARTON,  
TEXAS, PROVIDING NOTICE TO CENTERPOINT  
ENERGY ENTEX REGARDING THE NON-RENEWAL  
OF THE COST OF SERVICE ADJUSTMENT RATE  
SCHEDULE NO. COSA-3; ESTABLISHING AN  
EFFECTIVE DATE FOR THIS RESOLUTION;  
MAKING SUCH OTHER FINDINGS AND PROVISIONS  
RELATED HERETO; CONTAINING A SAVINGS  
CLAUSE; AND PROVIDING FOR THE EFFECTIVE  
DATE THEREOF.**

**WHEREAS**, in 2008 the Railroad Commission of Texas approved a tariff for CenterPoint Energy Entex and CenterPoint Energy Texas Gas, Texas Coast Division (“CenterPoint”), which tariff is referred to as the “Cost of Service Adjustment Rate Schedule No. COSA-3” (“COSA”); and

**WHEREAS**, the City as part of a the Texas Coast Utilities Coalition of cities challenged the legal validity of the COSA tariff approved by the Railroad Commission of Texas; and

**WHEREAS**, the 345<sup>th</sup> Judicial District Court of Travis County, Texas in Cause No. D-1-GN-09-000982, *Texas Coast Utilities Coalition vs. The Railroad Commission of Texas*, Judge Stephen Yelenosky presiding, issued a Judgment concluding that the Railroad Commission did not have the authority to impose the COSA tariff on the City and did not have the authority to approve a COSA tariff in those areas where the Railroad Commission had original jurisdiction; and

**WHEREAS**, the Railroad Commission of Texas has sought review of Judge Yelenosky’s judgment in the Austin Third Court of Appeals, and the effect of Judge Yelenosky’s judgment has been stayed pending the appeal; and

**WHEREAS**, Part A of the COSA tariff approved by the Railroad Commission of Texas provides that the COSA tariff is authorized for an initial implementation period of three (3) years commencing with the Company’s filing under the COSA tariff for the calendar year 2008, effective August 1, 2009, and ending with the implementation of the rate adjustment, if any, for the calendar year 2010, effective August 1, 2011, and shall automatically renew for successive three year periods unless either the Company or the regulatory authority having original jurisdiction gives written notice to the contrary to the other by February 1, 2011, or February 1, of the third filing year of any succeeding three year renewal period; and

**WHEREAS**, the City continues its belief that the COSA tariff is outside the legal bounds of the Gas Utility Regulatory Act and desires to give notice to CenterPoint that the City is not renewing the COSA tariff for another three-year period.

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

**Section 1:** That the facts contained in the preamble of this Resolution are determined to be true and correct and are hereby adopted as part of this Resolution.

**Section 2:** CenterPoint is hereby notified that the COSA tariff shall not renew for another three-year period and following CenterPoint’s filing under the COSA tariff, if any, on May 1, 2011, CenterPoint shall not implement any further changes in rates or otherwise implement any provisions of the COSA tariff within the City.

**Section 3:** That to the extent CenterPoint implements any change in rates in contradiction of this Resolution, in addition to any penalties that may apply, CenterPoint shall refund any base rate increase with interest at the rate being earned on customer deposits.

**Section 4:** The effective date for this Resolution is the date of its adoption by the City Council.

**Section 5:** All conditions precedent to the adoption of each of the foregoing sections herein have been complied with under law.

**Section 6:** If any section or part of any section, paragraph, or clause of this Resolution is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force, or effect of any other section or sections, part of section, paragraph, or clause of this Resolution.

**Section 7:** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 8:** The City Secretary is hereby directed to send a true and copy of this Resolution to Scott E. Doyle, Regional Vice President Gas Operations, CenterPoint Energy, 1111 Louisiana Street, Houston, Texas 77002 and to Alfred R. Herrera, Herrera & Boyle, PLLC, Suite 1250, 816 Congress, Austin, Texas 78701.

**INTRODUCED, READ and PASSED** by the affirmative vote of the City Council of the City of Wharton, Texas, on this the 24<sup>th</sup> day of January 2011.

CITY OF WHARTON

By: \_\_\_\_\_  
Domingo Montalvo, Jr.  
Mayor

**ATTEST:**

\_\_\_\_\_  
Paula Favors  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_

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Paul Webb  
City Attorney

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

The tenth item on the agenda was to review and consider the City of Wharton FM 102 Relocation and Overpass Project.

A. City Staff request for City Council authorization to solicit Requests for Qualifications for Professional Engineering. City Manager Andres Garza, Jr. stated that on January 10, 2011, the Wharton City Council approved Resolution No. 2011-04 approving the advance funding agreement between the City of Wharton and the Texas Department of Transportation (TxDOT) for the FM 102 Relocation and Overpass Project. He said that the City Staff and he had met with Mr. Lonnie Gregorcyk, P.E., Yoakum District Engineer and other TxDOT representatives to discuss the project on January 20, 2011. He stated that under the requirements of the agreement, the City of Wharton would be responsible for the engineering phase of the project; therefore, the City would need to follow the federal guidelines for procuring an engineering firm to develop the schematic and drawings that were required. He further stated that as soon as the State received the schematic of the project, it would be able to begin the environmental clearances also needed for the project. City Manager Garza said the City Staff was seeking City Council authorization to solicit Requests for Qualifications for professional engineering services in order to move the project forward. He said a Consultant Selection Committee would need to be designated in the near future and the guidelines and criteria needed to select the engineering firm would need to be approved. He stated these items would be presented to the City Council at a later date.

B. City Staff request for City Council authorization to obtain proposals from Right-of-Way Consultants for Real Estate Acquisition Services for the project.

City Manager Garza said the City of Wharton would need to follow the federal guidelines for Right-of-Way acquisition and Relocation Assistance. He said the City Staff was also seeking City Council authorization to obtain quotes from qualified Right-of-Way Consultants that would provide acquisition services, relocation assistance services and title services needed for the project.

C. City Staff request for City Council authorization to obtain proposals for Real Estate Appraiser Services for the project.

City Manager Garza stated that an appraisal would be required for the property that was needed for the project. He said the City Staff was requesting City Council authorization to seek quotes for real estate appraisal services, which was required for right-of-way acquisition and the relocation guidelines. Mayor Domingo Montalvo Jr. urged the council to re-consider the project by constructing the overpass and extending FM 1301 to Hwy 59 instead of relocating FM 102. After some discussion, Councilmember Jeffery Gubbels made the motion to approve the City Staff request to A.) Solicit Requests for Qualifications for Professional Engineering Services for the FM 102 Relocation and overpass project; B.) Obtain proposals for the right of way consultants on real estate acquisition services; and C.) Obtain proposals for real estate appraisal

services for the project. Councilmembers Terry David Lynch, Don Mueller, and Jeffery Gubbels voted for the motion. Councilmembers Lewis Fortenberry, Jr., and Bryce D. Kocian voted against the motion. The motion passed.

The eleventh item on the agenda was to review and consider the City of Wharton Additional Ahldag Sanitary Sewer Rehab Project, TxCBDG Contract No. R729710 – AR Turnkey Construction Company, Inc. - Change Order No. 1. City Manager Andres Garza, Jr. presented a copy of the change order No. 1 submitted by Jones & Carter on behalf of AR Turnkey Construction Co., Inc for the City of Wharton Additional Ahldag Sanitary Sewer Rehab Project; He stated that the change order was required to increase the contract amount by \$2,905.00. He stated that the original contract was for \$367,847.50 and with the approval of the change order; the new contract amount would be \$370,752.50. He said that a description of the changes were to furnish and install seven (7) eccentric manhole cone sections. He said the contractor was instructed to replace the planned concentric cone section with eccentric cone sections on seven (7) proposed manholes located in storm drain ditches, which was done in order to prevent blockage of storm water. Public Works Director Carter Miska addressed the City Council and explained the change was needed to offset manholes to provide better drainage. After some discussion, Councilmember Bryce D. Kocian made the motion to approve the Change Order No. 1 to increase the contract amount by \$2905.00 for the City of Wharton Ahldag Addition Sanitary Sewer Rehab Project, TxCDBG Contract No. R729710. Councilmember Don Mueller seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider the City of Wharton City Council Boards, Commissions, and Committees.

**A. Wharton Regional Airport Board.**

1. City Council acceptance of the resignation of Board Member Fredrick Scheffel.
2. Recommendation to fill the vacant position.

City Manager Andres Garza, Jr. presented copy of the email dated January 14, 2011 from Mr. Fredrick Scheffel, Airport Board Member, tendering his resignation as a Boardmember on the Wharton Regional Airport Board. After some discussion, Councilmember Terry David Lynch made the motion to accept the resignation from Mr. Fredrick Scheffel as a Wharton Regional Airport – Airport Boardmember. Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

**B. Beautification Commission.**

City Manager Andres Garza, Jr. stated that there were three (3) vacancies on the Beautification Commission. He said that Mr. Jack Thornton and Ms. Doris Teague, informed the City that they would be willing to serve on the Beautification Commission. He further stated that with their appointments, there would be only one (1) vacancy remaining. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to approve the appointment of Mr. Jack Thornton and Ms. Doris Teague to serve on the Beautification Commission. Councilmember Terry David Lynch seconded the motion. All voted in favor.

**C. Building Standards Commission.**

City Manager Andres Garza, Jr. stated that there was one vacancy on the Building Standards Commission, and that one (1) of the ex-officio positions needed to be filled. No action was taken.

**D. Electrical Board.**

City Manager Andres Garza, Jr. stated that a vacant position existed on the Electrical Board, and that the position should be held by a City Councilmember in accordance with the City of Wharton Code of Ordinances. After some discussion, Councilmember Don Mueller made a motion to appoint Councilmember Lewis Fortenberry, Jr. to fill the vacant position on the Electrical Board. Councilmember Terry David Lynch seconded the motion. All voted in favor.

**E. Holiday Light Decorating Chairman.**

City Manager Andres Garza, Jr. stated that a vacancy existed for the Holiday Light Decorating Chairman. After some discussion, no appointment was made. No action was taken.

**F. Mayor's Committee on People with Disabilities.**

City Manager Andres Garza, Jr. stated that three (3) vacancies existed on the Mayor's Committee on People with Disabilities. After some discussion, no appointments were made. No action was taken.

**G. City Council Committees:**

1. Housing Committee.
2. Public Works Committee.

City Manager Andres Garza, Jr. further stated that there was a vacant City Council position on the City Council Housing Committee and City Council Public Works Committee. After some discussion, no action was taken.

The thirteenth item on the agenda was to review and consider the Status Report on City of Wharton Projects. City Manager Andres Garza, Jr. presented copy of his memorandum dated January 24, 2011 to the City Council providing the Status Report on City of Wharton Projects, which read as follows:

**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 can be viewed on line at <http://www.swf.usace.army.mil/pubdata/notices/LowerColorado/>.

On January 12, 2011, City Staff met with the FDEP Executive Committee in Austin to discuss the status of the project. Issues pertaining to FEMA requirements still need to be resolved including a variance on the amount of freeboard required on flood control levees. On January 20, 2011, the City Staff participated in a conference call regarding the levee tie-in to FM 102 and possible alternatives that is being explored by the USACE and Half & Associates, the engineering firm working on the design. A meeting of the City Council Public Works Committee will be held to discuss several proposals requiring City action.

**DRAINAGE:**

1. Santa Fe Outfall Channel.

City employees are currently excavating approximately 300' downstream of Alabama Rd. The Public Works Department installed safety guardrails at Hodges and Kincaid during the month of December 2010. The Department is currently installing grade stabilization structures in key locations. Excavation will continue weather permitting.

2. Highway 60 & Old Lane City Road Drainage Improvements

The construction plans are currently being reviewed by the TxDOT Yoakum District Office.

City Staff is currently preparing cost estimates on the project.

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

Jones & Carter, Inc. is working to finalize the hydrology and hydraulics for the projects.

**WATER/SEWER IMPROVEMENTS:**

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

This project is 99% complete. Jones & Carter, Inc., AR Turnkee and City Staff are planning a walk through to develop a punch list the week of January 24<sup>th</sup>.

2. Water Storage Tank Maintenance Program.

City Staff met the week of December 20<sup>th</sup> to continue discussions and attempt to finalize plans for maintaining the water storage tanks. Staff continues to research different options.

3. Alabama Water Well Rework

Both Well No. 1 and No. 3 have been brought back on-line and a final walk through is scheduled for January 25<sup>th</sup> at 9:00 a.m.

4. Quick Connect/Transfer Switch Project

Quick connects and transfer switches are being installed at all city lift stations, city water plants, City Hall, the Fire Station, EMS Headquarters, WWTP #1, and WWTP#2. Electrical Automation Controls is approximately 70% complete.

5. Pressure Switches at City Water Plants

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Construction began May 24<sup>th</sup> and was completed on August 17, 2010. City staff has adjusted the controls and monitors their performance daily. As of November 18, 2010, the pressure switches are performing as intended.

#### 6. Energy Efficiency Audit

City Staff is waiting for the final report from Siemens Industry, Inc.

### **STREET IMPROVEMENTS**

#### 1. FM 102 Relocation and Overpass Project

On January 10, 2011, the City Council approved the Advance Funding Agreement for the project. The City Staff and Texas Department of Transportation (TxDOT) representative met January 20, 2011 to develop the schedule for the project and the respective obligations of each party as outlined in the agreement. The agreement requires a schematic of the project to begin the environmental clearance (NEPA) requirements. The City Staff will be requesting the City Council authorization to solicit Statement of Qualifications (SOQ) from prospective engineering firms.

#### 2. 2010 Street Improvement Program

Old Lane City road was re-stripped in December 2010. Other than minor touch ups, this project is complete.

#### 2. Wharton Sidewalk Accessibility and Historic Streetscape Project

The State is currently finalizing the contract. Additionally, it has become a requirement of the State that governmental entities who wish to let their own construction projects that those entities must attend the States, Local Government Procedures Program (LGPP). Several City Staff members are scheduled to take the training on March 8 – 9, 2011, which will be held in Houston, TX.

### **OTHER PROJECTS**

#### 1. Fire Station Expansion Project

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City Staff met with KSA Engineers on January 19, 2011 to discuss changes to the site plan. Facilities Maintenance Director Bob Baker will be the project and will be soliciting the necessary quotes and bids to move the project forward.

After some discussion, no action was taken.

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

- A. Wharton Economic Development Corporation meeting held January 17, 2011.
- B. Planning Commission meeting held January 18, 2011.
- C. Consultant Selection Committee meeting held January 10, 2011.
- D. Building Standards Commission meeting held January 20, 2011.

City Manager Andres Garza, Jr. presented a copy of the reports to the City Council. After some discussion, no action was taken.

The fifteenth item on the agenda was to review and consider the City's Reports:

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

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

The sixteenth item on the agenda was adjournment. After some discussion, Councilmember Don Mueller made a motion to adjourn. Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The meeting adjourned at 7:50 p.m.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**Domingo Montalvo, Jr**  
**Mayor**

City of Wharton  
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**ATTEST:**

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**Paula Favors**  
**City Secretary**