

MINUTES
OF
CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING
AUGUST 20, 2007

Mayor Bryce D. Kocian declared a Special Meeting duly open for the transaction of business at 5:41 P.M.

Councilmembers present were: Mayor Bryce D. Kocian, Councilmembers V. L. Wiley, Jr., David Samuelson, Ken Freese, Don Mueller, Domingo Montalvo, Jr., and Ray Linseisen.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, and City Secretary Lisa Stavena.

Visitors present were: Wharton Economic Development Corporation Executive Director David Schroeder.

The third item on the agenda was to review and consider the City of Wharton US 59 Southbound Frontage Road and Entrance Ramp at US 59 and FM 102:

A. Bid Tabulation.

B. **Resolution:** A resolution of the Wharton City Council awarding the bid for the City of Wharton US 59 Southbound Frontage Road and Entrance Ramp at US 59 and FM 102 and authorizing the Mayor of the City of Wharton to execute all documents related to the agreement.

City Manager Andres Garza, Jr. stated that on June 28, 2007, the City of Wharton received bids for the Wharton US 59 Southbound Frontage Road and Entrance Ramp at US 59 and FM 102 (Access Road near the proposed Buc-ee's site). He then presented a copy of the bid tabulation, and a copy of the letter dated August 8, 2007 from Mr. Jeffrey M. Stear, P.E. of Jones & Carter, Inc. recommending the City Council consider awarding the contract for the project to Angel Brothers Enterprises, Ltd. in the amount of \$1,277,026.50. He also presented a copy of a draft resolution awarding the contract to Angel Brothers. He stated that the City received the grant from Texas Capital Fund for the amount of \$750,000.00. He stated that Wharton Economic Development Corporation also received bond funds today to fund the remainder of the project cost. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2007-71, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2007-71**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING THE BID FOR THE CITY OF WHARTON US 59 SOUTHBOUND FRONTAGE ROAD AND ENTRANCE RAMP AT US 59 AND FM 102 TO ANGEL BROTHERS ENTERPRISES, LTD. AND AUTHROIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, competitive, sealed bids were received on June 28, 2007 for the City of Wharton US 59 Southbound Frontage Road and Entrance Ramp at US 59 and FM 102; and

WHEREAS, Angel Brothers Enterprises, Ltd. was deemed to be the lowest and best qualified bidder as per bid specifications in the base bid amount of \$1,277,026.50; and

WHEREAS, the Wharton City Council wishes to award the bid to Angel Brothers Enterprises, Ltd. for the City of Wharton US 59 Southbound Frontage Road and Entrance Ramp at US 59 and FM 102 Project; and

WHEREAS, the City of Wharton and Angel Brothers Enterprises, Ltd. wishes to be bound by the conditions outlined in the agreement; and

WHEREAS, this resolution is passed in accordance with this bid.

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 awards the the City of Wharton US 59 Southbound Frontage Road and Entrance Ramp at US 59 and FM 102 Project to Angel Brothers Enterprises, Ltd. in the amount of \$1,277,026.50 as per bid specifications.

Section II. That the Mayor of the City of Wharton is hereby authorized to sign all documents relating to the agreement.

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

Passed, Approved, and Adopted this 20th day of August 2007.

CITY OF WHARTON, TEXAS

By: _____
BRYCE D. KOCIAN
Mayor

ATTEST:

LISA STAVENA

City Secretary

Councilmember Ray Linseisen seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager to place a certain City surplus real property located at 220 South Fulton Street; Wharton, Block 3, Lot 3A, 3B for sale through public auction. City Manager Andres Garza, Jr. stated that during the regular June 25, 2007 Wharton City Council meeting, the

