

**MINUTES
OF
CITY OF WHARTON
EMERGENCY CITY COUNCIL MEETING
SEPTEMBER 17, 2008**

Mayor David W. Samuelson declared a Special Meeting duly open for the transaction of business at 5:15 P.M.

Councilmember's present was: Mayor David W. Samuelson, Councilmember's V. L. Wiley, Jr., and Lewis Fortenberry, Jr., Ken Freese, Don Mueller, Domingo Montalvo, Jr., and Jeff Gubbels.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., City Secretary Lisa Olmeda, and City Attorney Paul Webb.

Visitors present were: Emergency Management Coordinator Jim Cooper.

The second item on the agenda was roll call and excused absences. All members were present. No action was taken.

The third item on the agenda was public comments. No comments were given. No action was taken.

The fourth item on the agenda was to review and consider a resolution of the Wharton City Council approving the extension of the Declaration of Disaster in accordance with Texas Government Code, §418.108(b). City Manager Andres Garza Jr. stated that the Declaration of Local Disaster for the City of Wharton required City Council action for a period of more than seven days from the date of declaration. He said the declaration was due to expire on September 17, 2008; however, as of this date the circumstances outlined in the declaration still existed; therefore, creating a reasonably unforeseeable situation with Hurricane Ike, and causes a necessity for the City Council to convene in emergency session as posted above. City Manager Andres Garza, Jr. stated that the Declaration was executed on September 10, 2008 by Mayor David W. Samuelson for a period of seven days. He stated that after seven days, City Council would have to approve the Declaration. Emergency Management Coordinator Jim Cooper stated that Wharton County was in the Pre-Disaster situation; however, was not currently in the Post-Disaster situation, which included public assistance from FEMA for debris removal. He stated that the City of Wharton estimated approximately 3,000 cubic yards of debris and over 2,000 electrical outages in Wharton County. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to approve Resolution No. 2008-59, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2008-59**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN EXTENSION OF THE DECLARATION OF DISASTER SIGNED ON SEPTEMBER 10, 2008 IN ACCORDANCE WITH TEXAS GOVERNMENT CODE §418.108(b).

WHEREAS, the City of Wharton on the 10th of September 2008, has suffered widespread or severe damage, injury, or loss of life or property (or there is imminent threat of same) resulting from severe damage, injury and loss of property resulting from widespread heavy rains and resulting flooding and flash flooding caused by Hurricane Ike;

WHEREAS, the Mayor of the City of Wharton has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property; and

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

Section I. That a local state of disaster has been declared for the City of Wharton pursuant to Code §418.108(a) of the Texas Government Code; and

Section II. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than thirty days from the date of this declaration unless continued or renewed by the Wharton City Council.

Section III. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the Wharton City Secretary.

Section IV. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the city's emergency management plan.

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

Passed, Approved, and Adopted this 17th day of September, 2008.

CITY OF WHARTON, TEXAS

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA

City Secretary

Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

City of Wharton
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The fifth item on the agenda was adjournment. After some discussion, Councilmember Don Mueller made a motion to adjourn. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

The meeting adjourned at 5:18 p.m.

CITY OF WHARTON, TEXAS

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA
City Secretary