

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
JULY 14, 2014**

Mayor Domingo Montalvo, Jr. 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. Councilmember Jeff Gubbels led the opening devotion and the pledge of allegiance.

Councilmember's present were: Mayor Domingo Montalvo, Jr., Councilmembers Tim Barker, Al Bryant, and Russell Machann, Don Mueller.

Councilmembers absent was: Councilmembers Jeff Gubbels and Steven Schneider.

Staff members present were: City Manager Andres Garza, Jr, Finance Director Joan Anandel, City Secretary Paula Favors, Assistant to the City Manager – Special Projects Cheryl Urbanovsky, Assistant to the City Manager Brandi Jimenez. Police Chief Terry David Lynch, EMS Director John Kowalik, Paramedic Jeremy Copeland, Paramedic Rebecca Creevan, Sewer Plant Operator A. B. Hightower, Water/Sewer Crew Leader Hector Alanis, Utilities Maintenance Worker Alex Becerra, Sewer Plant Operator Daniel Frankum, Water Superintendent Harold Matula, Heavy Equipment Operator/Crew Leader, Jason Miller, Utility Maintenance Worker Billy Robinson, Utility Maintenance Worker James Ryan Petersen and Customer Service Representative Stanley Konvicka, Customer Service Clerk Sharon Martin-Villarreal, Part-Time Customer Service Clerk Lynette Masek, Finance Clerk Theresa Wittig, Finance Accountant Anne Wigginton and Public Works Director Kyle Marchant, P.E.

Visitors present were: Carlos Cotton, P.E. with Jones and Carter, Inc., Faustina Amaro, Mary D. Trevino, Oralia Garza, Sylvia D. Ortiz, Miguel Pena, Julio Aguilar, Stephanie Konvicka, Arnold Amaro, Ida Pena, Debbie Folks, Becky Wied, Sarah Hudgins, Christine Stransky, Eduvina Huerta, Vincent Huerta, Carol Wootton, Elizabeth Pence, Sally Soderquist, Emil Soderquist, Raymond Tomozar, Sherry Smith, I.O. Coleman, Jr., Eddie Martinez, Bonnie Martinez and Natalie Frels with the Wharton Journal Spectator.

City of Wharton
Regular Council Meeting
July 14, 2014

The second item on the agenda was Roll Call and Excuses Absences. After some discussion, Councilmember Al Bryant moved to excuse Councilmembers Jeff Gubbels and Steven Schneider. Councilmember Russell Machann seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. Mr. Julio Aguilar requested the City Council consider supporting renaming of the Wharton Post Office in honor of Sergeant Michael C. Pena and that it would make an incredible impact on the community. Ms. Sarah Hudgins urged the City Council to consider renaming the Post Office in honor of Sgt. Pena whom has never been acknowledged for his bravery and service by the area he was from.

The fourth item on the agenda was the Wharton Moment. No comments were given.

The fifth item on the agenda was to review and consider the reading of the minutes from the regular meetings held June 9, 2014 and June 23, 2014 and special meeting held on June 10, 2014 and June 11, 2014. After some discussion, Councilmember Russell Machann moved to approve the minutes from the regular meetings held June 9, 2014 and June 23, 2014 and special meeting held on June 10, 2014 and June 11, 2014. Councilmember Al Bryant seconded the motion. All voted in favor.

The sixth item on the agenda was introductions of City Employees to Mayor and City Councilmembers. City Manager Andres Garza, Jr. stated Department Heads would continue introducing City Staff to the Mayor and City Councilmembers. EMS Director John Kowalik introduced his staff as follows: Paramedic Jeremy Copeland and Paramedic Rebecca Creevan. Public Works Director Kyle Marchant, P.E. introduced his staff as follows: Sewer Plant Operator A. B. Hightower, Water/Sewer Crew Leader Hector Alanis, Utilities Maintenance Worker Alex Becerra, Sewer Plant Operator Daniel Frankum, Water Superintendent Harold Matula, Heavy Equipment Operator/Crew Leader, Jason Miller, Utility Maintenance Worker Billy Robinson, Utility Maintenance Worker James Ryan Petersen and Customer Service Representative Stanley Konvicka. Finance Director Joan Anandel introduced her staff as follows: Customer Service Clerk Sharon Martin-Villarreal, Part-Time Customer Service Clerk Lynette Masek, Finance Clerk Theresa Wittig and Finance Accountant Anne Wigginton.

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council supporting the naming of the Post Office in Wharton in Honor of Master Sergeant Michael C. Pena and setting an effective date. City Manager Andres Gaza, Jr. presented an email that was received from Mr. Bob Haueter, Chief of Staff, Congressman Blake Farenthold's office regarding the naming of the Post Office. Mayor Domingo Montalvo, Jr. stated Congressman Farenthold's office had not introduced legislation to rename the Post Office in Wharton in Honor of Master Sergeant Michael C. Pena and requested the Wharton City Council not undertake further consideration of support of the renaming because the Congressman would not proceed without unanimous support from the community. After some discussion, Councilmember Don Mueller moved to not support the resolution of the Wharton City Council supporting the naming of the Post Office in Wharton in Honor of Master Sergeant Michael C. Pena. Councilmember Terry Barker seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider the proposed No Train Horn Quiet Zone Project.

- A. Resolution:** A resolution of the Wharton City Council authorizing the submittal of a notice of intent to the appropriate public agencies for the creation of a No Train Horn Quiet Zone that would include the crossing at Milam Street, Spanish Camp Road and FM 102 (Ogden Street) and authoring the Mayor to execute the necessary documentation.
- B.** Use of traversable medians.

City Manager Andres Garza, Jr. stated that on June 30, 2014, the City Council Public Works Committee met and discussed the Proposed No Train Horn Quiet Zone Project. Mr. Tim Sanders of BEFCO Engineering, Inc. presented the requirements and cost estimates for moving forward with the project and he said that the approximate cost to implement minimum requirements for the Quiet Zone was \$48,000.00 for traversable medians. Mr. Sanders stated that the next step in the process was for the City to submit a notice of intent to the Federal Railroad Administration (FRA), Kansas City Southern Railroad (KCS) and other public agencies. City Manager Garza stated that the Committee voted to recommend the City Council consider approving a notice of intent be submitted to the Federal Railroad Administration and Kansas City Railroad and that the City use the traversable medians on the project. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2014-55, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014-55**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMITTAL OF A NOTICE OF INTENT TO THE APPROPRIATE PUBLIC AGENCIES FOR THE CREATION OF A NO TRAIN HORN QUIET ZONE THAT WOULD INCLUDE THE CROSSINGS AT MILAM STREET, SPANISH CAMP ROAD AND FM 102 (OGDEN STREET) AND AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTATION.

WHEREAS, the silencing of the train horns within the city limits of the City of Wharton will improve the quality of life for citizens of Wharton; and

WHEREAS, the train horns can be silenced by the establishment of a No Train Horn Quiet Zone; and

WHEREAS, a prerequisite to the establishment of a No Train Horn Quiet Zone is to submit a Notice of Intent to various public agencies; and

WHEREAS, the Wharton City Council wishes to authorized the Mayor of the City of Wharton to submit a Notice of Intent to establish a No Train Horn Quiet Zone in the City of Wharton to the appropriate public agencies.

City of Wharton
Regular Council Meeting
July 14, 2014

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to submit a Notice of Intent to establish a No Train Horn Quiet Zone in the City of Wharton to the appropriate public agencies.

Section II. This resolution shall become effective immediately upon its passage.

PASSED, APPROVED AND ADOPTED this 14th day of July 2014.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The ninth item on the agenda was to review and consider a request from Wharton County S.P.O.T. (SPOT) regarding the Community Cats Coalition Program. City Manager Andres Garza, Jr. presented an email from Mrs. Christine Stransky regarding the Community Cats Coalition Program. Mrs. Stransky stated that 2014 had the largest amount of intake of cats in Wharton County for S.P.O.T. Mrs. Stransky presented information regarding the Community Cats Coalition and stated that there was no action or funding requested; this was strictly for informational purposes. After some discussion, no action was taken.

The tenth item on the agenda was to review and consider a request from Sherry Smith of Friends of Wharton Animal Control (FoWAC) for improvements to Animal Control facility and discounted vaccinations. City Manager Andres Garza, Jr. presented an email from Sherry Smith regarding the improvements to the Animal control facility and vaccinations and copies of email from Police Chief Terry David Lynch regarding the subject and his discussion with Dr. Bonnot, DVM, the City's Veterinarian. Kara Suchadoll-Allison with FoWAC, presented a request to the City Council to allow a private donation of \$1700.00 to construction a fence at the City of Wharton Animal Control Building. Ms. Suchadoll-Allison stated the fence would allow a secure place to exercise animals in the pound and evaluate their temperament. After some discussion, Councilmember Don Mueller moved to approve the request to allow a

City of Wharton
Regular Council Meeting
July 14, 2014

private donation of \$1700.00 to construct a fence at the City of Wharton Animal Control Building. Councilmember Al Bryant seconded the motion.

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council supporting the renewing of the Export-Import Bank Charter by the Congress of the United States. City Manager Andres Garza, Jr. presented a request from Mr. Ronald Sanders requesting the City Council considering supporting the renewal of the Export Import Bank Charter by the United States Congress. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2014-53, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014-53**

**A RESOLUTION OF THE WHARTON CITY COUNCIL SUPPORTING THE
RENEWING OF THE EXPORT-IMPORT BANK OF THE UNITED STATES AND
SETTING AN EFFECTIVE DATE.**

WHEREAS, the Export-Import Bank of the United States was established in 1934 by an Executive Order for the purpose of providing credit guarantees and other financial services that help foreign customers of U.S. Companies secure financing they need from to buy American products; and

WHEREAS, the Export –Import Bank of the United States has facilitated \$586 billion in U.S. exports since its inception, supporting nearly \$47 billion worth of exports in 2013; and

WHEREAS, the charter of the Export-Import Bank of the United States provides that the Bank makes available not less than 20 percent of its lending authority to small businesses, which currently support nearly 290,000 export related jobs with more than 85 percent of all Bank transactions directly benefitting small business exporters; and

WHEREAS, the Export-Import Bank of the United States has maintained a very low default rate of 1.5 percent through the recession and several years of strong growth and pays for itself through the fees it charges to foreign buyers and returns billions of dollars to the U.S. Treasury (\$3.4 billion from 2006 to 2010); and

WHEREAS, the Houston metropolitan area exported \$110 billion of goods in 2012 and surpassed New York in 2013 as the number one U.S. market for exports with Texas having the most exporters by far that use the Export-Import Bank of the United States; and

WHEREAS, The Import-Export Bank of the United States has facilitated about \$3 million in exports from Wharton’s Prime Eco Group, boosting the Wharton community’s employment and economic activity; and

City of Wharton
Regular Council Meeting
July 14, 2014

WHEREAS, eliminating the Export-Import Bank of the United States would not only increase the annual deficit by the amount deposited each year by the Bank in the U.S. Treasury but would also put thousands of export related jobs at risk;

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

Section I. That the City of Wharton fully endorses and supports the reauthorization of the Export-Import Bank of the United States because of the significant economic impact that exports have on the regional economy and the nation.

Section II. This resolution become effective immediately upon its passage.

PASSED, APPROVED and ADOPTED this 14th day of July 2014.

CITY OF WHARTON

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The twelfth item on the agenda was to review and consider a resolution of the Wharton City Council approving an agreement between Vaisala Inc. and the City of Wharton for the Wharton Regional Airport Automated Weather Observing System (AWOS). City Manager Andres Garza, Jr. stated that in the past, the TxDOT Aviation Division contracted with Vaisala Inc. to provide the aviation support and maintenance services to airports throughout the state, however the state had decided that airports should enter into these agreements themselves effective September 1, 2014. City Manager Garza presented Airport Manager David Allen's email indicating that the Wharton Regional Airport Board voted to recommend the City Council consider entering into a contract with Vaisala Inc. for the aviation support and maintenance service for the Airport Automated Weather Observing System (AWOS). After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution 2014-56, which read as follows:

City of Wharton
Regular Council Meeting
July 14, 2014

**CITY OF WHARTON
RESOLUTION NO. 2014-56**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT BETWEEN VAISALA INC. AND THE CITY OF WHARTON FOR THE WHARTON REGIONAL AIRPORT AUTOMATED WEATHER OPERATING SYSTEM (AWOS).

WHEREAS, the Wharton City Council wishes to enter into an Aviation Support Maintenance Services Agreement with Vaisala Inc. for the Wharton Regional Airport Automated Weather Observing System (AWOS); and

WHEREAS, the agreement is for a three (3) year period beginning September 1, 2014; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to this agreement.

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

Section I. The Wharton City Council hereby approves a three (3) year agreement with Vaisala Inc. for the Wharton Regional Airport Automated Weather Observing System (AWOS).

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the agreement.

Passed, Approved, and Adopted this 14th day of July 2014.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS

City of Wharton
Regular Council Meeting
July 14, 2014

City Secretary

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

The thirteenth item on the agenda was to review and consider the Municipal Maintenance Agreement with Texas Department of Transportation and Landscaping Agreement. City Manager Andres Garza, Jr. stated that during the June 30, 2014 Public Works Committee meeting he had told the Committee that the City wanted to work with TxDOT on the FM 102/ Hwy 59 and Hwy 60/ Hwy 59 intersections for better maintenance and that he provided the maps in the agreement with TxDOT showing the non-controlled access highway map which was what the City maintained. City Manager Garza said the controlled access highways map was all of Hwy 59 from Wharton Regional Airport to Hwy 60 all within the City limits, however TxDOT maintained that area and TxDOT had indicated that they could add the FM 102/Hwy 69 intersection to the Municipal Maintenance Agreement (MMA) and allow the City to maintain that area with no funding from TxDOT. City Manager Garza said the area of roadway at the Hwy 60/Hwy 59 intersection was outside of the city limits, therefore it could not be added to the MMA and that TxDOT representatives had indicated that through a Landscape Agreement the City could maintain the areas. City Manager Garza stated that Public Works Director Kyle Marchant told the Committee that there were approximately 89 acres to be maintained and if the City did the work itself the cost would be approximately \$33,250.00 a year based on seven (7) mowing per year. He said that Mr. Marchant had met with Pville Inc., the company that was currently mowing for the state, and they had quoted him a cost of \$9,800.00 per cycle or \$68,600.00 for seven (7) mowing per year. City Manager Garza said that there was also the trimming of the trees on these areas and the Committee voted to recommend to the City Council that the City pursue a Landscape Agreement with the state that included mowing of the 89 acres as identified on the maps prepared by the City Public Works Department with the City Public Works Department providing the work and request funding from Wharton Economic Development for the cost. After some discussion, Councilmember Tim Barker moved to pursue a Landscape Agreement with the state that included mowing of the 89 acres as identified on the maps prepared by the City Public Works Department with the City Public Works Department providing the work and to request funding from Wharton Economic Development for the cost. Councilmember Russell Machann seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider the proposed 2014-2015 Wharton Economic Development Corporation (WEDC) Budget. City Manager Andres Garza, Jr. presented information submitted by Mr. David Schroeder, Executive Director of WEDC for the 2014-2015 proposed budget. City Manager Garza stated that the City Council Finance Committee met on July 9, 2014, and discussed the proposed 2014-2015 Wharton Economic Development Corporation Budget (WEDC) Budget and the Committee recommended forwarding the proposed WEDC Budget for discussion by the entire City Council. Mr. Schroeder presented the proposed budget 2014-2015 for WEDC. After some discussion, Councilmember Al Bryant moved to have the City Council further review the proposed 2014-2015 Wharton Economic Development Corporation Budget (WEDC) Budget. Councilmember Russell Machann seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving an amendment to the Depository Agreement between the City of Wharton and Prosperity Bank and setting an effective date. City Manager Andres Garza, Jr. presented a copy of the Depository Agreement the City had with Prosperity Bank dated August 25, 2011 and effective October 1, 2011. City Manager Garza stated that the agreement was for a three (3) year period with an extension clause for an additional one year period not to exceed two (2) years. City Manager Garza said the City Council Finance Committee met on July 9, 2014 and voted to recommend the City Council consider approving the extension to the agreement. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2014-51, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014 - 51**

A RESOLUTION EXTENDING THE DEPOSITORY BANKING SERVICES AGREEMENT BETWEEN THE CITY OF WHARTON AND PROSPERITY BANK AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.

WHEREAS, the Wharton City Council wishes to extend the current contract with Prosperity Bank for City of Wharton Depository Banking Services; and

WHEREAS, the City of Wharton and Prosperity Bank wishes to be bound by the conditions as set forth in the agreement; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor the City of Wharton to execute all documents related to extending the contract.

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 approves the extension of the contract with Prosperity Bank for the City of Wharton for Depository Banking Services and authorizes the Mayor of the City of Wharton, Texas to execute all documents related to extending the contract.

Section. II. That Prosperity Bank and the City of Wharton are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this the 14th day of July 2014.

CITY OF WHARTON

By: _____
DOMINGO MONTALVO, JR.
Mayor

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 a resolution of the Wharton City Council rescinding the City of Wharton Resolution No. 2011-35 and approving new rates for Emergency Medical Services. City Manager Andres Garza, Jr. stated that the City Council Finance Committee met on July 9, 2014 and reviewed the current rates for emergency medical services provided by the City of Wharton through its contract with Emergency Services District No. 3. City Manager Garza said the Committee voted to recommend that the City Council consider approving the recommendation as presented. EMS Director John Kowalik stated that the change would increase the rate by \$50.00 per service provided and increase the mileage from \$12.50 to \$13.50 but the Ambulance-Refusal-No Transport fee of \$100.00 would be eliminated. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2014-52, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014 -52**

A RESOLUTION OF THE WHARTON CITY COUNCIL RESCINDING THE CITY OF WHARTON RESOLUTION NO. 2011-35 AND APPROVING NEW RATES FOR EMERGENCY MEDICAL SERVICES.

WHEREAS, the City Council of the City of Wharton established rates in accordance with Resolution No. 2011-35; and

WHEREAS, the City wishes to establish new charges and rates for emergency medical services; and

WHEREAS, the City Council of the City of Wharton wishes to authorize the Emergency Medical Services Director to enforce said charges and the applicable fees.

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

Section I. The City Council of the City of Wharton hereby adopts the charges and fees for emergency medical services as described below:

A. SERVICE LEVEL	RATE
Basic Life Support – Non-Emergency	\$450.00
Basic Life Support – Emergency	\$500.00
Advanced Life Support 1 – Non Emergency	\$525.00
Advanced Life Support 1 – Emergency	\$550.00
Advanced Life Support 2	\$650.00
Advanced Life Support – Special Care	\$750.00
Treatment Only No Transport	\$550.00

B. MILEAGE

\$13.50 per mile.

C. Additional supplies and equipment usage fees.

D. RECORDS REQUEST FEE

Personal Request	No Charge
Family Member Request	\$35.00
Attorney of Law Office Request	\$35.00

Section II. The City Council of the City of Wharton hereby authorizes the Emergency Medical Services Director and his duly authorized representative to enforce charges and the applicable fees.

Section III. That the Wharton City Council hereby authorizes the filing of motor vehicle liens.

Section IV. That Resolution No. 2011-35 shall become null and void on July 31, 2014.

Section V. That this resolution shall become effective on August 1, 2014.

Passed, Approved, and Adopted this 14th day of July 2014.

CITY OF WHARTON, TEXAS

By: _____

DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Don Mueller seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider a resolution of the Wharton City Council approving an Interlocal Agreement for tax sale properties that are bid in Trust to a taxing unit. City Manager Andres Garza, Jr. stated that on July 9, 2014, the City Council Finance Committee met and discussed a proposed interlocal agreement with the taxing entities inside the city limits regarding properties that are held by Wharton County as Trustee for the taxing units. City Manager Garza stated that when the Wharton County Tax Office files suit for delinquent taxes on a property and receives a judgment, those properties are then placed for sale in a public auction and if the property was not sold, Wharton County becomes the trustee for the taxing entities. City Manager Garza said that there were several properties within the City whereby Wharton County would become the trustee but before that time the property would be maintained by the City. City Manager Garza stated that since the City does not file liens on these properties the City Staff was requesting that the entities provide payment for the City's maintenance cost and suggested that through an agreement with all taxing entities in the City, the City could recoup its costs for maintenance from the sale of the properties held by Wharton County. After some discussion, Councilmember Al Bryant moved to approve, City of Wharton Resolution No. 2014-54, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014-54**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF WHARTON AND WHARTON COUNTY, WHARTON INDEPENDENT SCHOOL DISTRICT, WHARTON COUNTY EMERGENCY SERVICES DISTRICT #1, EMERGENCY SERVICES DISTRICT #3, WHARTON COUNTY JUNIOR COLLEGE DISTRICT, AND THE COASTAL BEND GROUNDWATER CONSERVATION DISTRICT (REFERRED AS THE "PARTICIPATING POLITICAL SUBDIVISIONS" OR "TAXING UNITS") FOR MAINTAINING, PRESERVING AND SAFEKEEPING PROPERTIES THAT ARE BID INTO TRUST INTO A TAXING UNIT.

WHEREAS, the Wharton City Council wishes to have its costs reimbursed for maintaining, preserving, and safekeeping properties held by Wharton County as Trustee and;

WHEREAS, the priority of payment made out of the proceeds of the resale shall be made in accordance with TEX.TAX CODE 34.06 and proceeds be used to reimburse the City of Wharton for its actual costs incurred in maintaining, preserving, and safekeeping the property and;

City of Wharton
Regular Council Meeting
July 14, 2014

WHEREAS, the Taxing Units shall have no other obligation to the City of Wharton for reimbursement of costs expended by the City to maintain, preserve, or safekeep properties that are bid into trust into a taxing unit and;

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute an Interlocal Agreement between the City of Wharton and the Taxing Units.

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an Interlocal Agreement between the City of Wharton and the Taxing Units.

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

Passed, Approved, and Adopted this 14th day of July 2014.

CITY OF WHARTON, TEXAS

By:

DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The eighteenth item on the agenda was to review and consider the Texas Municipal League-Annual Conference Houston, Texas-September 30-October 3, 2014. City Manager Andres Garza, Jr. presented information for the 2014 TML Annual Conference that would be held in Houston, Texas September 30 – October 3, 2014. City Manager Garza stated that registration would begin on July 15, 2014 and if any Councilmember wished to attend, the earlier the City Staff knows the better chance there was of obtaining hotel rooms. After some discussion, no action was taken.

The nineteenth item on the agenda was to review and consider City Manager Travel Reimbursements. City Manager Andres Garza, Jr. presented the City Manager Travel Reimbursements request. After some discussion, Councilmember Al Bryant moved to approve the City Manager Travel Reimbursements as presented. Councilmember Tim Barker seconded the motion. All voted in favor.

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

- A. Mayor's Committee on People with Disabilities Committee meeting held on June 10, 2014
- B. Consultant Selection Committee for the TxDOT Aviation Capital Improvement Airport Hangar Project-Wharton Regional Airport 14HGWHRTN meeting held on June 17, 2014.
- C. Wharton Economic Development Corporation meeting held on June 18, 2014.
- D. City Council Public Works meeting held on June 30, 2014.
- E. Mayor's Committee on People with Disabilities Committee meeting held on July 8, 2014.
- F. Consultant Selection Committee for TxDOT Aviation Capital Improvement Airport Hangar Project Meeting held on July 9, 2014.

After some discussion, no action was taken.

The twenty-first 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. Planning Commission.
- D. Wharton Economic Development Corporation Board of Directors.

After some discussion, no action was taken.

The twenty-second item on the agenda was to review and consider a resolution of the Wharton City Council approving the ratings of the professional engineering firms by the Consultant Selection Committee for the Texas Department of Transportation Aviation Capital Improvement Airport Hangar Project CSJ No. 14HGWHRTN and authorizing the City Manager of the City of Wharton to submit the recommendation to TxDOT. City Manager Andres Garza, Jr. stated that on July 9, 2014 the Consultant Selection Committee held a meeting for the TxDOT Aviation Capital Improvement Airport Hangar Project to review the ratings of the professional engineering firms for the Wharton Regional Airport 14HGWHRTN Project. City Manager Garza said the ratings were received from all committee members, tabulated and the overall average of the total scores indicated that O'Malley Engineering, LLP was ranked the highest overall score. City Manager Garza said the committee voted to approve the results of the rating and submit the results to the City Council to consider approval. After some discussion, Councilmember AL Bryant moved to approve City of Wharton Resolution No. 2014-50, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014-50**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE RATINGS OF THE PROFESSIONAL ENGINEERING FIRMS BY THE

City of Wharton
Regular Council Meeting
July 14, 2014

CONSULTANT SELECTION COMMITTEE FOR THE TEXAS DEPARTMENT OF TRANSPORTATION AVIATION CAPITAL IMPROVEMENT AIRPORT HANGAR PROJECT CSJ NO. 14HGWHRTN AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO SUBMIT THE RECOMMENDATION TO TXDOT.

WHEREAS, On July 9, 2014, the City of Wharton Consultant Selection Committee for the TxDOT Aviation Capital Improvement Airport Hangar Project CSJ No. 14HGWHRTN met to review to ratings of the professional engineering firms; and,

WHEREAS, the Wharton City Council approves the ratings of the professional engineering firms with O'Malley Engineers, LLP receiving the highest ranking; and,

WHEREAS, the Wharton City Council wishes to authorize the City Manager of the City of Wharton to submit the recommendation to TxDOT.

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

Section I: The City of Wharton hereby approves the rating of the professional engineering firms for TxDOT Aviation Capital Improvement Airport Hangar Project CSJ No. 14HGWHRTN with O'Malley Engineers, LLP receiving the highest ranking.

Section II: The Wharton City Council hereby authorizes the City Manager of the City of Wharton to submit the recommendation to TxDOT on said project.

Section III: This resolution will become effective immediately upon its passage.

PASSED, APPROVED AND ADOPTED this the 14th day of July 2014.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

Attest:

PAULA FAVORS
City Secretary

City of Wharton
Regular Council Meeting
July 14, 2014

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

The twenty-third item on the agenda was to review and consider a request from Mary Baade for a waiver of building permit fee for a mission project by the Wharton First United Methodist Church RISE youth. Building Official Ronnie Bollom stated a request from Mr. Henry Baade would be for a project at 613 Mattie St. for the construction of a wheelchair ramp. Mr. Bollom requested City Council consider waiving future building permit fees for the mission project by the Wharton First United Methodist Church RISE youth since there were several in the works for the community. After some discussion, Councilmember Don Mueller moved to waive building permit fees for the mission project by the Wharton First United Methodist Church RISE. Councilmember Al Bryant seconded the motion. All voted in favor.

The twenty-fourth item on the agenda was adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Tim Barker seconded the motion. All voted in favor.

The meeting adjourned at 8:38 p.m.

CITY OF WHARTON, TEXAS

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary