

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
NOVEMBER 24, 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 Russell Machann led the opening devotion and the pledge of allegiance.

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

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Andel, City Secretary Paula Favors, Assistant City Attorney Amy Rod, Assistant to the City Manager – Special Projects Cheryl Urbanovsky, Assistant to the City Manager Brandi Jimenez, Assistant to Building Official Gwyn Laney and Police Chief Terry David Lynch.

Visitors present were: David Schroeder with Wharton Economic Development Corporation (WEDCO), Carlos Cotton, P.E., with Jones and Carter, Inc., Brandon Cruz, Rob Kolacny and Natalie Frels with the Wharton Journal Spectator.

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

The third item on the agenda was Public Comments. No Public Comments were made.

The fourth item on the agenda was the Wharton Moment. Councilmember Tim Barker stated that El Campo Varsity Football team continued in the playoffs and would play Navasota on their way to the State Championship.

The fifth item on the agenda was the City of Wharton Finance Report for October 2014. Finance Director Joan Andel presented the financial report for the month of October 2014. Mrs. Andel stated that the TexPool balance for October as \$112,211.03 with an average monthly yield of .03%. She said the Prosperity Bank balance for October 2014 was

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\$9,128,349.29 with an average monthly yield of .15%. After some discussion, Councilmember Don Mueller moved to approve the City of Wharton Financial Report for the month of October 2014. Councilmember Al Bryant seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider a request by the Planning Commission for City Council consideration on the approval of a preliminary/final replat for Colorado Bend Power II, LLC. Assistant to the Building Official Gwyn Laney stated that the Planning Commission was requesting consideration of an approval of a preliminary/final replat of A200633, Abst. 63, Tract 7A, 22 and Plantation Acres 2, Lots 25, 26, 27 and 28. After some discussion, Councilmember Tim Barker moved to approve approval of a preliminary/final replat of A200633, Abst. 63, Tract 7A, 22 and Plantation Acres 2, Lots 25, 26, 27 and 28. Councilmember Don Mueller seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a request by Mr. Brandon Cruz for the 10th Annual Wharton Masonic Lodge #621 BBQ Cook Off for use of Riverfront Park/Central Pavilion.

- A. Waive all fees. (Alcoholic Beverage, Deposit, and Rental Fee)
- B. Permission for team members to spend the night in the park.

City Manager Andres Garza, Jr. presented a letter dated November 14, 2014 from Mr. Brandon Cruz, requesting City Council's approval to approve the above mentioned items. Mr. Cruz stated that the festival was scheduled to be held on January 30th thru 31st 2013. After some discussion, Councilmember Russell Machann moved to approve afore mentioned items A. and B. Councilmember Al Bryant seconded the motion. All voted in favor.

The eighth item discussed on the agenda was to review and consider an Ordinance by the City of Wharton, Texas ("City") approving an amendment to CenterPoint Energy Houston Electric's rate schedule for lighting services, tariff "6.1.1.1.6, lighting services;" establishing an effective date for the amended tariff; finding the City's rate case expenses reasonable; and requiring reimbursement of the City's legal and consultant expenses; finding that the meeting complies with the Open Meeting Act; making other findings and provisions related to the subject; and declaring and effective date. City Manager Garza stated that at the September 22, 2014 regular meeting the City Council suspended the proposed effective date for CenterPoint Energy-Houston Electric's (CEHE) amendments to its tariff for a new LED lighting service. He said that final action must be taken to either deny the application, approve it as filed, or approve as modified. City Manager Andres Garza, Jr. then presented a proposed ordinance that would amend the Centerpoint Energy Houston Electric's Rate Schedule request. City Manager Garza stated that the City's legal consultants had submitted the information sheet that explains the action the City could take

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and they were recommending the City adopt the proposed ordinance. After some discussion, Councilmember Tim Barker moved to approve City of Wharton Ordinance No. 2014-10, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2014-10**

ORDINANCE BY THE CITY OF WHARTON, TEXAS (“CITY”) APPROVING AN AMENDMENT TO CENTERPOINT ENERGY HOUSTON ELECTRIC’S RATE SCHEDULE FOR LIGHTING SERVICES, TARIFF “6.1.1.6, LIGHTING SERVICES;” ESTABLISHING AN EFFECTIVE DATE FOR THE AMENDED TARIFF; FINDING THE CITY’S RATE CASE EXPENSES REASONABLE; AND REQUIRING REIMBURSEMENT OF THE CITY’S LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on or about August 8, 2014 CenterPoint Energy Houston Electric, LLC (“CenterPoint”) submitted to the City an application to amend its tariff for lighting services and submitted a similar application with the Public Utility Commission of Texas (PUCT); and

WHEREAS, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over CenterPoint’s rates, operations, and services within the municipality; and

WHEREAS, the City, in matters regarding applications by CenterPoint to change rates, has in the past joined with other local regulatory authorities to form the Texas Coast Utilities Coalition of Cities (“TCUC”) and hereby continues its participation in TCUC; and

WHEREAS, CenterPoint’s proposed LED tariff, Rate Schedule “Section 6.1.1.6, Lighting Services (Street Lighting and Miscellaneous Lighting Services),” presents new issues with regard to rates for LED street lights, and raises questions with regard to the locations in which CenterPoint will deploy the new technology; and

WHEREAS, CenterPoint's application raises issues with regard to the effect of the new LED tariffs will have on future charges for street-lighting services; and

WHEREAS, it is in the City's citizens' interest to explore the opportunity to receive the new LED street-lighting service; and

WHEREAS, CenterPoint proposed October 1, 2014 as the effective date for its change in rates; and

WHEREAS, the City suspended CenterPoint's proposed effective date from October 1, 2014, to December 30, 2014 to allow the City time to review and evaluate CenterPoint's application to change its rates so as to enable the City to adopt a final decision as a local regulatory authority with regard to CenterPoint's requested change in rates.

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

- Section 1.** The findings set out in the preamble are in all things hereby approved.
- Section 2.** CenterPoint's Lighting Services rate schedule at Section 6.1.1.1.6, of CenterPoint's Tariff for Retail Service appended to this Ordinance as "Attachment A" is approved subject to the following conditions:
- A. CenterPoint Houston agrees to track the costs associated with providing LED street lighting service under Section 6.1.1.1.6 of CenterPoint Houston's Tariff for Retail Delivery Service so that such costs may be appropriately allocated in the Company's next DCRF and base rate proceedings.
 - B. CenterPoint Houston agrees to track the costs associated with providing LED street lighting service under Section 6.1.1.1.6 of CenterPoint Houston's Tariff for Retail Delivery Service so that such costs may be appropriately allocated in the Company's next DCRF and base rate proceedings.

- C. Approval of CenterPoint's amendment to Section 6.1.1.1.6 of CenterPoint Houston's Tariff for Retail Delivery Service does not include approval of or agreement that CenterPoint's capital expenditures or expenses related to the deployment or installation of LED lighting are just and reasonable expenses, or to recovery in future changes in rates of such expenditures or expenses.
- D. Within thirty days from adoption of this Ordinance CenterPoint, shall file a tariff in all matters consistent with the tariff appended to this Ordinance and incorporate such tariff into its schedule of tariffs.
- E. At the City's election, CenterPoint shall deploy LED street lighting service within the City's corporate limits.

Section 3. The City finds the expenses incurred for its participation in the Texas Coast Utilities Coalition of Cities ("TCUC") to participate and review CenterPoint's rate application in the amount not to exceed \$3,500.00 to be just, reasonable, and necessary, and directs CenterPoint to submit payment for the TCUC's rate-case expenses, by no later than thirty (30) days following adoption of this Ordinance.

Section 4. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. This Ordinance shall become effective from and after its passage.

PASSED AND APPROVED this 24th day of November 2014.

Domingo Montalvo, Jr.
MAYOR

ATTEST:

Paula Favors
CITY SECRETARY

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

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The ninth item discussed on the agenda was to review and consider a pay request from BLS Construction, Inc. for the Wharton Regional Airport Hangar Re-Sheeting Project. City Manager Andres Garza, Jr. presented a request for payment from BLS Construction in the amount of \$49,296. City Manager Garza stated that the payment requested had been reviewed by O'Malley Engineering and was being submitted for approval. After some discussion, Councilmember Al Bryant moved to approve the pay request from BLS Construction, Inc. for the Wharton Regional Airport Hangar Re-Sheeting Project in the amount of \$49,296. Councilmember Russell Machann seconded the motion. All voted in favor.

The tenth item discussed on the agenda was to review and consider a resolution authorizing the City Manager to submit a letter to Texas Department of Transportation-Aviation Division stating that it was the City's desire to keep working with O'Malley Engineers after they become part of Strand Associates, setting an effective date. City Manager Andres Garza, Jr. presented a letter from Mr. Ed Addicks of O'Malley Engineers, LLP informing the City that O'Malley Engineers would become part of Strand Associates, Inc. on January 1, 2015. He said O'Malley Engineers, Inc. was currently the firm working on the Wharton Regional Airport Hangar Project. City Manager Garza said they were in a long term contract with the City through TxDOT-Aviation Division for engineering work on the airport and they had done an excellent job for the City and they wished to continue. City Manager Garza said TxDOT had requested the City submit a letter to them stating the City's desire to continue working with O'Malley when they become part of Strand Associates, Inc. City Manager Garza presented a resolution that would authorize him to submit a letter to the TxDOT-Aviation Division along with a draft letter. City Manager Garza stated that the City staff recommended approval of the resolution in order for the current project to move forward without any interruptions. After some discussion, Councilmember Jeff Gubbels moved to approve City of Wharton Resolution No. 2014-91, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014 - 91**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER TO SUBMIT A LETTER TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)-AVIATION DIVISION STATING IT IS THE CITY'S DESIRE TO KEEP WORKING WITH O'MALLEY ENGINEERS AFTER THEY BECOME PART OF STRAND ASSOCIATES, INC. SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Wharton has been informed by O'Malley Engineers, LLP that they will become part of Strand Associates, Inc.; and,

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WHEREAS, the City of Wharton has agreements with O'Malley Engineers for projects on the Wharton Regional Airport through Texas Department of Transportation-Aviation Division; and,

WHEREAS, the City of Wharton wishes to notify the TxDOT Aviation Division its desire to keep working with O'Malley Engineers after they become part of Strand Associates, Inc.; and,

WHEREAS, the Wharton City Council wishes to authorize the City Manager to submit a letter to TxDOT-Aviation Division stating its desire to keep working with O'Malley Engineers on current and future airport projects as they become part of Strand Associates.

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

Section I. The Wharton City Council approves the continuation of working with O'Malley Engineers after they become part of Strand Associates on current and future projects.

Section II. The Wharton City Council authorizes the City Manager to submit a letter to TxDOT-Aviation Division informing them of the City's desire and approval.

Section III. The Wharton City Council approves that this resolution shall become effective immediately after its passage.

PASSED, APPROVED, and ADOPTED this 24th day of November 2014.

CITY OF WHARTON, TEXAS

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary

Councilmember Russell Machann seconded the motion. All voted in favor.

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The eleventh item on the agenda was to review and consider a pay request from Faltisek Paving Partnership, LTD. for the Alabama Road Seal Coat Project. City Manager Andres Garza, Jr. presented Faltisek's request for pay estimate No. 1 on the Alabama Road Seal Coat Project. Mr. Carlos Cotton, P.E. with Jones and Carter, Inc. stated Faltisek Paving Partnership, LTD were continuing work on the Alabama Road Seal Coat Project and recommended payment for pay estimate No. 1. After some discussion, Councilmember Don Mueller moved to approve the pay request from Faltisek Paving Partnership, LTD for the Alabama Road Seal Coat Project in the amount of \$95,211.90. Councilmember Al Bryant seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider a pay request from JTM for water and sewer line project at the Hotel Site on FM 102. City Manager Andres Garza, Jr. presented the pay request No. 1 and final from JTM Construction. Mr. Carlos Cotton, P.E. with Jones and Carter, Inc. stated work had been completed by JTM for the water and sewer line project at the Hotel Site on FM 102 and this would be their first and final payment in the amount of \$41,595. After some discussion, Councilmember Russell Machann moved to approve the pay request No. 1 and final from JTM Construction in the amount of \$41,595 for the water and sewer line project at the Hotel Site on FM 102. Councilmember Al Bryant seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider Waste Corporation of Texas, L.P. (WCA) Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:

A. Resolution: A resolution of the Wharton City Council approving the Amendment No. 8 to the Franchise Agreement for Solid Waste Collection Services with Waste Corporation of American and authorizing the Mayor to execute the agreement.

B. Ordinance: An ordinance repealing and replacing the City of Wharton Code of Ordinances, Chapter 86 Utilities and Services, Article III, Solid Waste Disposal Exhibit A, Providing that a violation of the ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine and setting an effective date.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated October 15, 2014 from Finance Director Joan Andel providing a copy of the letter dated September 26, 2014 from Mr. Trevor Royal of Waste Corporation of America (WCA) regarding a rate modification to the Solid Waste Collection and Disposal Service Franchise between the City of Wharton and WCA. City Manager Garza stated that WCA could request rate modifications in accordance with Section 14.00, Basis and Methods of Payment, Item 14.02 Modification of Rates of the General Specifications of the Franchise Agreement (copy attached) but the rate would need to be approved by the City Council on November 24, 2014 in order for it to be effective January 1, 2015. City Manager Garza said that this

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would give the customer a 30 day notice of the rate increase which would be 2.16% in accordance with the price index mentioned in the City's franchise agreement with WCA. City Manager Garza stated that the City Council Finance Committee met on October 27, 2014 and discussed WCA's request and on Monday, November 24, 2014 and further discussed the company's rate modification request along with requested information on the complaints received by the City on the company service. City Manager Garza stated that the City Council Finance Committee requested that the item be deferred until March 2015. After some discussion, no action was taken.

The fourteenth item on the agenda was to review and consider Proposed write offs.

- A. City of Wharton EMS
- B. Utilities

- A. City of Wharton EMS.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 20, 2014 from Finance Director Joan Anandel to him recommending that \$346,995.00 be written off for the EMS accounts.

- B. Utilities.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 20, 2014 from Finance Director Joan Anandel to him that indicated the Utility Department was requesting that \$18,700.89 of uncollected balances for the 2013 – 2014 fiscal year be written off due to non-payment. Finance Director Joan Anandel stated that the City Council Finance Committee met and reviewed the proposed write offs for the EMS and Utility Departments. Mrs. Anandel stated the City Council Finance Committee was recommending City Council approval of the City of Wharton EMS write offs in the amount of \$349,995.00 and Utility write offs in the amount of \$18,700.89. After some discussion, Councilmember Al Bryant moved to approve the City of Wharton EMS write offs in the amount of \$349,995.00 and Utility write offs in the amount of \$18,700.89 for the uncollected balances in the 2013-2014 fiscal year due to non-payment. Councilmember Tim Barker seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider update of City of Wharton on-going Projects. City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 24, 2014 providing an update on the City of Wharton current projects.

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

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County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>.

Halff Associates submitted the 100% set of construction plans for the portion of the levee under design and the City Staff has reviewed the document. The City Staff has indicated to Halff Associates that it is too early to acquire the services of a professional land surveyor to prepare metes and bounds since we do not know for sure if the alignment will stay as shown on the current set of construction plans. The City Staff and Halff Associates went through the plan set page by page to identify utility relocations that will be necessary during or prior to construction of the levee. The City will be responsible for all relocations of water, sewer and drainage infrastructure. The City will work together with Halff Associates to coordinate other utility relocations. These include utilities owned by others including CenterPoint Electric, CenterPoint Gas, MidCoast Cable, and Panther Pipeline. The City Staff worked with Jones & Carter and has completed the preliminary layout for the Hughes St. utility relocation. Halff along with the City Staff are working together to solve the issue of spoil disposal.

This design is for the first phase of levee construction along the Colorado River from FM 102 to Business 59. The U.S. Corps of Engineers requested the City submit a letter of support for the 2016 Federal Budget. Mayor Montalvo has submitted to the Corp a letter requesting assistance for this project. The City is awaiting a response.

DRAINAGE:

1. Santa Fe Outfall Channel.

The Public Works Department has finished excavation of the channel. During the month of September, routine maintenance was done on the Channel. The channel is slowly increasing in grass cover which is allowing several eroded areas to heal themselves over time. The Public Works Department has installed grade stabilization structures to eliminate erosion thereby reducing or eliminating the need to reshape the channel areas with active erosion. The Public Works Department has installed six grade stabilization structures or pipe drops along the channel so far. These structures are part of the original engineering design and not only control erosion but are helping to improve drainage in the city by serving as the outfall for water that has been redirected to the Santa Fe Channel. Work on property owners land is now complete.

2. Stavena Addition Drainage Project.

Plans have been received from Scheibe Consulting in early September. The City Staff met with Scheibe Consulting on August 7, 2014 to introduce our new Public Works Director and discuss the project details. No further action has been taken.

The City Council on January 27, 2014 authorized the project. The design and construction plans are complete. The challenge on this project is to find locations to place approximately 35,000 cubic yards of soil.

3. Ahldag Ditch Improvement.

Plans have been received from Scheibe Consulting in early September. Project details were also discussed on August 7, 2014 with Mr. Scheibe and the Public Works Director.

The project was approved in the 2013 Bond Program.

WATER/SEWER IMPROVEMENTS:

1. Alabama Road Water Plant Storage Tank Renovation Project.

Tank #1 was completed and put back into service in September. Work is progressing on Tank #2. Pay Request #2 was approved by City Council on October 13, 2014 and check request was submitted on October 14, 2014 for J & A Coating, LLC. Estimated completion and putting Tank #2 in service by November 30, 2014. Waiting on contractor to clean up a few items prior to closing out this project.

2. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of September. Public Works Director Kyle Marchant developed a draft ordinance for review by City Manager for a grease trap ordinance. The draft ordinance was presented to the City Council Public Works Committee on October 27, 2014. Edits will be made prior to going forward to City Council in early 2015.

Grease build up has continued to be a problem in the sanitary sewer lines and manholes along Richmond Rd. This results in sewer back-ups and has kept crews busy. The Public Works Department is coordinating with Code Enforcement to begin a grease trap inspection program at restaurants throughout town. The City Staff hopes this will eliminate some of the unnecessary grease build up and sewer back-ups along Richmond Rd and other areas of the City. Draft of this ordinance is currently under review by legal counsel.

3. Alabama Street Sewer Line Project/Kelving Way and Croom/Price Waterline Project.

BEFCO and Public Works personnel met on October 29, 2014 to review this project in detail.

No existing easement was found on the Leazar Property therefore, Kolacny Surveying Company has been contacted by Public Works to develop the metes and bounds description. The City staff met with the property owner and the City was given permission to access the property to replace the existing waterline and survey the property for the granting of an easement.

Advertisements for bids are currently running in 11/15 and 11/22 editions of the Wharton Journal-Spectator and a bid opening is scheduled for December 3, 2014.

4. South Highway 60 Waterline Extension Project.

Completion date was September 13, 2014, however, this project has not been closed out. Jones & Carter the engineers met with Public Works Director on October 20, 2014 to review and perform a walkthrough of the site. It was determined that this was not a final inspection. The Engineer is contacting the contractor, AR Turnkey for finalization of this project.

City Staff received a notice from NewWave Communication for fiber optic line that was damaged by contractor during the course of this project. City Staff has notified Jones & Carter, Inc. and is providing contact information for the contractor along with their certificate of insurance, performance and payment bond to NewWave Communications for this invoice.

5. Wastewater Treatment Plant No. 1 Improvement Project.

The City Staff met with Jones & Carter, Inc. on September 15, 2014 to discuss design efforts on this project.

Jones & Carter, Inc. has begun the engineering design for the project. The City Staff and Jones & Carter Inc. representatives have met and discussed the progress of the plans and specifications for the clarifier. Engineer anticipates that design should be done by mid-November. The Force Main Project has been incorporated into this project as a Phase I.

The City has received preliminary engineering drawings and they are currently under review.

6. WWTP 1 & 2 Permit Renewals.

Draft Permit has been received for WWTP #1 and this permit is now in the comment stage. No comments were made by the City. Currently awaiting state public comments, if any prior to issuance of permit.

The WWTP #2 the Draft Permit has been received by the City and is under review by Jones & Carter engineers and the City staff. No comments were made by the City. Currently awaiting state public comments, if any prior to issuance of permit.

7. Ahldag Additional Sanitary Sewer System Improvement Project TxCDBG No. 713510.

BEFCO and Public Works personnel will meet on October 29, 2014 to review this project in detail. Drawings are being reviewed by Public Works Director and line locates are being done.

Advertisements for bids are currently running in 11/15 and 11/22 editions of the Wharton Journal-Spectator and a bid opening is scheduled for December 3, 2014.

8. Hotel Site.

Project coming to completion. Final walk through was done on October 20, 2014 with about 3-4 items still open to address in the punch list. Once completed, Public Works Director will authorize approval of final payment on project. Public Works Director emailed Jones & Carter after reviewing a punch list of items on this project. He feels that JTM has completed everything and we are ready to close out the project with exception to needing As-Built Drawings. Jones & Carter has asked contractor to finish touching up the hydrant and clean out the manhole better as well. JTM has completed the job satisfactorily and will be submitting for payment. Awaiting first and final pay request from Jones & Carter for contractor.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report.

A meeting has been schedule between the City Staff and IDC, Inc. for September 18, 2014 to review this project. A meeting was held between City Staff and TxDOT Yoakum on September 12, 2014 to discuss the status of:

- a. State Transportation Improvement Plan (STIP)
- b. Rail Road Permit
- c. Environmental Clearance with FWHA
- d. Documentation from IDC

Other areas of discussion were:

- a. Ultimate Design for the NanYa Exit Ramp in the I-69 project
- b. Lay-out for Preferred Alternative
- c. City's plans for road extension from CR 231 (Wilke Road) and CR 235 (Owens Road) as well as the possible relocation of TxDOT's crossover to that location.

IDC Inc. continues to work with City Staff in an effort to develop preliminary engineering for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward.

The City Staff and IDC Inc. have worked on placing the four (4) phases on the TxDOT State Transportation Improvement Plan (STIP). The City has submitted the City Council approved letter to TxDOT and is awaiting a response. The Federal Highway Administration (FHWA) has issued a satisfactory for further processing and public involvement. A Public Hearing was held on June 11, 2014 at the Wharton Civic Center. IDC has submitted to TxDOT the railroad overpass package of plans for TxDOT to acquire the necessary permit.

2. I-69 Project.

The City Council authorized the submission of comments proposed improvements previously submitted by the City to TxDOT. Mayor Montalvo and City Manager Garza met with TxDOT Commissioner Mosley and TxDOT staff to discuss projects along Highway 59.

3. 2014 Street Improvement Program.

Faltisek began paving project on October 22, 2014. City Staff met with Faltisek on October 29, 2014 to discuss the project outcome. Quality of product provided by Faltisek's supplier is under investigation and cleared. Sweep of construction area was done on November 4, 2014. Striping and pavement markers were completed on November 17, 2014. Awaiting pay request from Jones & Carter for the contractor.

4. Wharton Sidewalk Accessibility and Historic Streetscape Project.

A. Phase I:

The project is complete. The close out phase of the project has begun. The final reimbursement request was submitted to TxDOT and payment received on September 9, 2014.

B. Phase II:

Survey Crew from CivilCorp, LLC has been surveying throughout the month. City Staff held meeting with CivilCorp and architect, David Bucek on November 18, 2014 to discuss timeline on this project and review preliminary designs.

A pre-design meeting has been scheduled with TxDOT Yoakum on December 3, 2014 with CivilCorp and members of City Staff.

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5. On-going Street and Drainage Maintenance Program.

The Public Works Department has continued working on cleaning residential drainage ditches that have experienced poor drainage.

5. Kansas City Southern Railroad Quiet Zone.

BEFCO Engineering is submitting a Public Authority Application to Federal Railroad Administration for the crossing at FM 102. City Council gave authorization to submit the PPA on the City of Wharton's behalf at the October 13, 2014 City Council meeting.

WHARTON REGIONAL AIRPORT

1. Hangar Construction Project.

The engineering contract was awarded to O'Malley Engineering. A preliminary design meeting was held on September 11, 2014 with the City Staff, TxDOT Aviation Division representatives and O'Malley Engineering representative. The project is moving forward.

2. Re-Sheeting Project.

The project was begun by BLS Construction and completed on November 14, 2014. Pay request was received and submitted for approval by City Council.

After some discussion, no action was taken.

The sixteenth item on the agenda was to review and consider City Council Boards, Commission and Committee Report:

A. Planning Commission Meeting held November 17, 2014.

After some discussion, no action was taken.

The seventeenth 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. Beautification Commission.

After some discussion, no action was taken.

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The eighteenth item on the agenda was City Manager's Reports:

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

After some discussion, no action was taken.

The nineteenth item on the agenda was adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Al Bryant seconded the motion. All voted in favor.

The meeting adjourned at 7:23 p.m.

CITY OF WHARTON, TEXAS

By: _____

Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary