

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
JANUARY 26, 2015**

Mayor-Pro Don Mueller 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 Pro-Tem Don Mueller and Councilmembers Tim Barker, Al Bryant, Russell Machann and Steven Schneider.

Councilmember absent was: Mayor Domingo Montalvo, Jr. and Councilmember Jeff Gubbels.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Andel, City Secretary Paula Favors, TRMC and Public Works Director Kyle Marchant, P.E.

Visitors present were: David Schroeder with Wharton Economic Development Corporation (WEDCO), Wes Birdwell with Half Associates, Inc., I.O. Coleman, Jr, C.J. Kearney, Paul Kearney, Mozelle Stephenson and Natalie Frels with the Wharton Journal Spectator.

The second item on the agenda was Roll Call and Excused Absences. Councilmember Russell Machann moved to excuse Mayor Domingo Montalvo, Jr. and Councilmember Jeff Gubbels. Councilmember Tim Barker seconded the motion. All voted in favor.

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

The fourth item on the agenda was the Wharton Moment. City Manager Andres Garza, Jr. stated that Wharton County Judge Phillip Spenrath shared an invitation to attend Wharton County Day to be held March 3, 2015 in Austin, Texas.

The fifth item on the agenda was to review and consider City of Wharton Municipal Election 2015:

- A. **Ordinance:** An ordinance ordering a City Officer's Election to be held as a joint election with Wharton County Elections Department for the purpose of electing the positions of Mayor and Councilmembers; Providing for the date, time and

City of Wharton
Regular City Council Meeting
January 26, 2015

place of the election, Notice of the Election, Filing Applications; Drawing for Ballot Positions, Use of Accessible Voting System, and Making Election Returns.

Una ordenanza: ordenando una elección de funcionarios de la ciudad a celebrarse de forma conjunta con el departamento de elecciones del condado de Wharton con el propósito de elegir puestos de concejales; Asignando la fecha, horas, y lugar de la elección, el aviso de la elección, presentación de solicitudes, sorteo para lugares en la balota, uso de sistema de votación accesible, nombramiento de los trabajadores de la elección, votación anticipada, y entrega de los resultados de la elección.

City Manager Andres Garza, Jr. presented a draft copy of the ordinance, in English and Spanish versions as required by law, ordering a City's Officer's Election to be held as a joint election with the Wharton County Elections Department. City Secretary Paula Favors stated the City Election would be held on May 9, 2015 and would include four (4) City Council positions, which are District No.'s 1, 2 (unexpired term), 3, and 5. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Ordinance No. 2015-01, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2015-01**

AN ORDINANCE ORDERING A CITY OFFICERS ELECTION TO BE HELD AS A JOINT ELECTION WITH WHARTON COUNTY ELECTIONS DEPARTMENT FOR THE PURPOSE OF ELECTING THE POSITIONS OF COUNCILMEMBERS; PROVIDING FOR THE DATE, TIME, AND PLACE OF THE ELECTION, NOTICE OF THE ELECTION, FILING APPLICATIONS, DRAWING FOR BALLOT POSITIONS, USE OF ACCESSIBLE VOTING SYSTEM, APPOINTMENT OF ELECTION WORKERS, EARLY VOTING, AND MAKING ELECTION RETURNS.

BE IT ORDAINED by the City Council of the City of Wharton, Texas:

"Section 32 of the City Charter provides that regular city elections will be held annually on the first Saturday in May; however, pursuant to changes in the Texas Election Code, Section 41.001(a), the General Election date has been changed to the second Saturday in May."

Joint Election

City of Wharton
Regular City Council Meeting
January 26, 2015

Wharton County Elections Department will be conducting the duties as described in the Joint Election Agreement.

Position

An election shall be held in the City of Wharton, Texas, for the purpose of electing the following officials for the City:

Councilmember - District No. 1
Councilmember – District No. 2 – Unexpired Term
Councilmember - District No. 3
Councilmember at Large - Place No. 5

Date

An election shall be held in the City of Wharton, Texas, on **May 9, 2015**.

Time

The polls shall open for voting at **7 a.m.** and shall close at **7 p.m.**

Location

The election shall be held at the Wharton County Annex D at 315 E. Milam St., Wharton, Texas.

Notice of City Officers' Election

The Mayor shall cause a notice by publication of this election to be published at least once in a newspaper that is published in the City of Wharton, Texas, and that is in the jurisdiction of the City of Wharton, Texas, which publication shall be not earlier than the **30th day** nor later than the **10th day** before election day.

The Mayor shall also give notice of the election by causing a copy of the notice of election to be posted not later than the **21st day** before election day on the bulletin board located at the City Hall, 120 East Caney, Wharton, Texas, and used for posting notices of meetings of the Wharton City Council. The notice shall include the location of the polling place.

Eligibility to Vote

City of Wharton
Regular City Council Meeting
January 26, 2015

The election shall be held in accordance with the Election Code of the State of Texas. Only qualified resident voters of the City of Wharton, Texas, shall be eligible to vote in the election.

Candidate Names

The City Secretary shall, in accordance with the terms and provisions of the Texas Election Code, order the candidate names to be printed on the ballots for said General Election.

Filing

Candidates must file applications for a place on the ballot with the City Secretary of the City of Wharton, Texas, beginning on **January 28, 2015** and continuing through **5:00 p.m. on February 27, 2015**. A declaration of write-in candidacy must be filed not later than 5:00 P.M. on **February 27, 2015**.

Candidates for City Councilmember must designate the position filed for either Councilmember – District No. 1, Councilmember - District No. 3, or Councilmember at Large - Place No. 5, or unexpired term Councilmember District No. 2.

Drawing for Ballot Positions

On March 9, 2015 at 10:00 a.m., a drawing will take place in the office of the City Secretary for the purpose of determining the order of the candidates' names as they are to appear on the ballot.

The City Secretary shall post a notice of the date, hour, and place of the drawing and this notice shall remain posted continuously for at least 72 hours immediately preceding the scheduled time of the drawing.

Ballots

Paper ballots shall be used for the purposes of provisional and mail-out for early voting and provisional for election day.

Accessible Voting System

City of Wharton
Regular City Council Meeting
January 26, 2015

Section 61.012 of the Texas Election Code requires that the City of Wharton must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.

The Office of the Texas Secretary of State has certified that the iVotronic (DRE) voting machines is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. The City of Wharton shall lease or rent from the County of Wharton as authorized by Section 123.032.

The City of Wharton hereby adopts for use in Early Voting and Election Day Voting the iVotronic (DRE) voting machines as approved by the Secretary of State to comply with HAVA requirements.

Elections Recording Management Tabulation System

The City of Wharton shall lease or rent from the County the ERM (Elections Recording Management) systems for tabulation purposes, if needed.

Election Officers

The Wharton County Elections Department (WCED) will be responsible for the appointment of the presiding judge and alternate judge. The following-named persons are appointed officers for the election:

Presiding Judge: Joyce Barker

Alternate Presiding Judge: Faye Evans

WCED shall arrange the training. WCED is responsible for notifying the election presiding and alternate judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that the presiding and alternate judges appointed are eligible to serve. The presiding judge, with the assistance from WCED, will be responsible for insuring the eligibility of each appointed clerk hired to assist the judge in the conduct of the election.

City of Wharton
Regular City Council Meeting
January 26, 2015

Early Voting

Wharton County Interim Elections Administrator is Rebecca Hernandez appointed early voting clerk and is authorized to appoint other deputies to serve as early voting clerks.

The early voting by personal appearance for the above-designated election shall take place at the Wharton County Annex D, Suite 115, E. Milam, Wharton, Texas. The place for early voting shall remain open on each day that is not a Saturday, Sunday, or an official state holiday, between the hours of **8 a.m.** and **5 p.m.**, beginning on **April 27, 2015** and continuing through **May 1, 2015; Monday, May 4, 2015** and continuing through **Tuesday, May 5, 2015** between the hours of **7 a.m.** to **7 p.m.**

Voters may send ballot applications and mailed ballots to the Wharton County Elections Administrator's office at P.O. Box 390, Wharton, TX 77488.

Early Voting Ballot Board

An Early Voting Ballot Board is hereby established for the purpose of early voting results. Wharton County Elections Administrator shall appoint the Presiding Judge of the Early Voting Ballot Board. Wharton County Elections Administrator shall act as Early Voting Ballot Board Clerk.

Compensation for Election Officials and Clerks

The election officials and clerks shall be compensated in the following manner:

The Election Judge for the May 9, 2015 General Election shall be paid \$9.00 per hour. The Election Judge shall also be paid \$25.00 for delivering the precinct records, keys to ballot box or other election equipment and unused election supplies after the election.

The Alternate Judge for the May 9, 2015 General Election shall be paid \$8.50 per hour.

The Election Clerk(s) for the May 9, 2015 General Election shall be paid \$8.50 per hour.

Writ of Election

Wharton County Elections Administrator shall deliver to the above-appointed presiding judge for the election not later than the **15th day** before election day.

Returns

City of Wharton
Regular City Council Meeting
January 26, 2015

"Section 41 of the City Charter provides that city elections shall be canvassed within one (1) week after the election; however, pursuant to changes in the Texas Election Code, Section 67.003, the local canvass shall convene not earlier than the third day or later than the 11th day after the election day." The period for official canvass shall be from May 12 - 20, 2015. The officers holding the election shall make returns of the results thereof to the Mayor of this City, as required by the Election Code of the State of Texas.

Order

The City Council of the City of Wharton, Texas, shall order the election, in accordance with the foregoing provisions.

Severability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional, any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on this 26th day of January, 2015.

CITY OF WHARTON, TEXAS

ATTEST:

By: _____
Don Mueller
Mayor Pro Tem

Paula Favors
City Secretary

APPROVED AS:

Paul Webb
City Attorney

City of Wharton
Regular City Council Meeting
January 26, 2015

**CIUDAD DE WHARTON, TEXAS
ORDENANZA N° 2015-01**

UNA ORDENANZA ORDENANDO UNA ELECCIÓN DE FUNCIONARIOS DE LA CIUDAD A CELEBRARSE DE FORMA CONJUNTA CON EL DEPARTAMENTO DE ELECCIONES DEL CONDADO DE WHARTON CON EL PROPÓSITO DE ELEGIR PUESTOS DE CONCEJALES; ASIGNANDO LA FECHA, HORAS, Y LUGAR DE LA ELECCIÓN, EL AVISO DE LA ELECCIÓN, PRESENTACION DE SOLICITUDES, SORTEO PARA LUGARES EN LA BALOTA, USO DE SISTEMA DE VOTACIÓN ACCESIBLE, NOMBRAMIENTO DE LOS TRABAJADORES DE LA ELECCION, VOTACIÓN ANTICIPADA, Y ENTREGA DE LOS RESULTADOS DE LA ELECCION.

El Consejo Municipal de La Ciudad De Wharton, Texas, ORDENA:

“La Sección 32 de la Carta Constitutiva establece que se realicen elecciones ordinarias de la ciudad anualmente el primer sábado de mayo; sin embargo, de acuerdo con los cambios del Código de Elecciones de Texas, Sección 41.001(a) la fecha de la Elección General ha sido cambiada al segundo sábado de mayo”

Elección conjunta

El Departamento de elecciones del condado de Wharton realizará las obligaciones descritas en el Acuerdo de Elección Conjunta.

Puesto

Se celebrará una elección en la ciudad de Wharton, Texas, con el propósito de elegir a los siguientes oficiales de la Ciudad:

Concejal - Distrito No. 1
Concejal - Distrito No. 3
Concejal – Distrito No. 5

City of Wharton
Regular City Council Meeting
January 26, 2015

Concejal de forma irrestricta – Posición No. 2

Fecha

Se celebrará una elección en la ciudad de Wharton, Texas, el **9 de mayo de 2015.**

Horas

Los lugares de votación abrirán para votar a las **7:00 a.m.** y se cerrarán a **las 7:00 p.m.**

Lugar

La elección se celebrará en el Anexo del Condado de Wharton, en 315 E. Milam Street, Wharton, Texas.

Aviso de elección de oficiales municipales

El Alcalde anunciará el aviso de la elección mediante la publicación del aviso por lo menos una vez en un periódico publicado en la ciudad de Wharton, Texas, y que esté en la jurisdicción de la ciudad de Wharton, Texas, cuya publicación no sea anterior a **30 días** antes ni posterior a **10 días** antes de la fecha del día de la elección.

El Alcalde también anunciará el aviso de la elección mediante la publicación del aviso en el tablero de anuncios ubicado en la Alcaldía, 120 East Caney, Wharton, Texas, utilizado para publicar los avisos de las reuniones del Concejo Municipal de Wharton no después de **21 días** antes de la elección. El aviso contendrá la ubicación del lugar de la votación.

Elegibilidad para votar

La elección se realizará de acuerdo con el Código de Elecciones del estado de Texas. Solamente los electores capacitados de la ciudad de Wharton, Texas, serán elegibles para votar en la elección.

City of Wharton
Regular City Council Meeting
January 26, 2015

Nombres de los candidatos

La Secretaria Municipal de acuerdo con los términos y disposiciones del Código de Elecciones del estado de Texas ordenará que los nombres de los candidatos sean impresos en las balotas para dicha Elección General.

Período de presentación

Los candidatos deben presentar sus solicitudes para un lugar en la balota a la Secretaria Municipal de la Ciudad de Wharton, Texas, a partir del **28 de enero de 2015** y continuando hasta las 5:00 de la tarde del **27 de febrero de 2015**. La declaración de solicitud de candidato anotado se debe presentar no más tarde de las 5:00 de la tarde del **27 de febrero de 2015**.

Los candidatos para concejales municipales deben designar el puesto al que se están postulando, ya sea para concejal del Distrito No. 1, concejal del Distrito No. 3, concejal del Distrito No. 5, o concejal de forma irrestricta - Posición No. 2.

Sorteo para los lugares en las balotas

El 9 de marzo de 2015, a las 10:00 de la mañana se celebrará un sorteo en las oficinas de la Secretaria Municipal con el propósito de determinar el orden en que los nombres de los candidatos se imprimirán en la balota.

La Secretaria Municipal publicará el aviso de la fecha, hora y lugar del sorteo y este aviso deberá permanecer anunciado continuamente por lo menos las 72 horas inmediatamente anteriores a la hora programada para tal sorteo

Balotas

Se usarán balotas de papel con los propósitos de los votos provisionales y por correo para la votación anticipada y provisionales para el día de la elección.

Sistema de votación Accesible

City of Wharton
Regular City Council Meeting
January 26, 2015

La sección 61.012 del Código de Elecciones de Texas requiere que la Ciudad de Wharton deberá ofrecer al menos un sistema de votación accesible en cada lugar de votación usado en cualquier elección de Texas a partir del 1° de enero de 2006. Este sistema debe de cumplir con las leyes federales y estatales que establecen los requisitos para sistemas de votaciones que brinden una manera práctica y eficaz para que los votantes con discapacidades físicas voten en una balota secreta.

La oficina del Secretario de Texas ha certificado que las máquinas de votación iVotronic (DRE) son un sistema de votación accesible que puede ser usado legalmente en las elecciones de Texas.

Las secciones 123.032 y 123.035 del Código de Elecciones de Texas autorizan a las subdivisiones políticas la adquisición de sistemas de votación y además ordenan ciertos requisitos mínimos para los contratos relacionados con la adquisición de tales sistemas de votación. La Ciudad de Wharton arrendará o alquilará del condado de Wharton según está autorizado por la sección 123.032.

La Ciudad de Wharton por medio del presente adopta para su uso en la votación anticipada y en el día de la elección las máquinas de votación iVotronic (DRE) según está aprobado por el Secretario del Estado para cumplir con los requisitos HAVA.

Sistema de Administración de la Tabulación de los Registros

La Ciudad de Wharton arrendará o alquilará del condado la (ERM) (Administración de Registros de Elecciones) con los propósitos de tabulación, si fuera necesario.

Oficiales de la elección

El Departamento de Elecciones del Condado de Wharton (WCED) será responsable del nombramiento del juez presidente y del juez presidente alterno. Las siguientes personas nombradas son nombradas como oficiales para la elección:

Juez Presidente:	Joyce Barker
Juez presidente Alterno:	Faye Evans

City of Wharton
Regular City Council Meeting
January 26, 2015

El WCED dispondrá el entrenamiento. El WCED es responsable de notificar al juez presidente y al juez presidente alterno de los requisitos del Subcapítulo C del Capítulo 32 del Código de Elecciones de Texas, y tomará las medidas necesarias para asegurar que el juez presidente y el juez presidente alterno nombrados sean elegibles para desempeñar el cargo. El juez presidente, con la asistencia del WCED, será responsable de asegurar la elegibilidad de cada secretaria nombrada para asistir al juez presidente a realizar la elección.

Votación anticipada

La administradora interina de elecciones del Condado de Wharton, Rebecca Hernandez, es nombrada como secretaria de la votación anticipada y queda autorizada a nombrar a otros asistentes para desempeñarse como secretarías de la votación anticipada.

La votación anticipada por comparecencia personal para la elección nombrada aquí arriba se realizará en el Anexo D del Condado de Wharton, Sala 115, E. Milam, Wharton, Texas. El lugar de votación anticipada permanecerá abierto cada día que no sea sábado, domingo, o fiesta estatal oficial, desde las **8:00 de la mañana hasta las 5:00 de la tarde**, comenzando el **27 de abril de 2015** y continuando hasta el **1 de mayo de 2015**; el lunes **4 de mayo de 2015** y continuando el martes, **5 de mayo de 2015** desde las **7:00 de la mañana a las 7:00 de la noche**.

Los votantes deben enviar las solicitudes de balotas y las balotas votadas por correo a la oficina de la administradora de elecciones del Condado de Wharton: P.O. Box 390, Wharton, Texas 77488.

Junta de Balotas de la Votación Anticipada

Por medio del presente se establece una Junta de Balotas de la Votación Anticipada con el propósito de los resultados de la votación anticipada. La administradora de elecciones del Condado de Wharton nombrará al juez presidente de la Junta de Balotas de la Votación Anticipada. La administradora de elecciones del Condado de Wharton actuará como secretaria de de la Junta de Balotas de la Votación Anticipada.

City of Wharton
Regular City Council Meeting
January 26, 2015

Compensación para los Oficiales y los Secretarios de la Elección

Los oficiales y los secretarios de la elección serán compensados de la siguiente forma:

El juez de la elección de la elección general del 9 de mayo de 2015 será pagado \$9.00 por hora. El juez de la elección también será pagado \$25.00 por entregar los registros de los precintos, las llaves de la caja de las balotas u otro equipo electoral y los suministros electorales que no se hayan usado después de la elección.

El Juez alerno para la elección general del 9 de mayo de 2015 será pagado \$8.50 por hora.

Los secretarios de la elección para la elección general del 9 de mayo de 2015 serán pagados \$8.50 por hora.

Oficio de Elección

La administradora de elecciones del Condado de Wharton entregará al arriba nombrado juez presidente para la elección no más tarde de **15 días** antes del día de la elección.

Resultados

“La Sección 41 de la Carta Constitutiva dispone que las elecciones municipales serán escrutinadas durante una (1) semana después de la elección; sin embargo, de acuerdo con los cambios del Código de Elecciones de Texas, Sección 67.003, el escrutinio local se congregará no antes del tercer día ni más tarde del onceavo (11) día después del día de la elección.”. El periodo para los escrutinios oficiales será desde el 12 hasta el 20 de mayo de 2015. Los oficiales que realicen la elección deberán entregar los resultados de ella al alcalde de esta ciudad, según lo requiere el Código de Elecciones de Texas.

Orden

City of Wharton
Regular City Council Meeting
January 26, 2015

El Consejo Municipal de la Ciudad de Wharton, Texas, ordenará la elección de acuerdo con las siguientes disposiciones.

Divisibilidad

Si algún tribunal de jurisdicción competente dicta que cualquier sección, subsección, oración, cláusula, frase, o parte de esta orden sea inválida o inconstitucional, dicha parte será considerada como disposición separada, distinta e independiente, y dicho dictamen no afectará a la validez de las partes restantes.

Promulgación y Aprobación

PASADO Y APROBADO por El Consejo Municipal de la Ciudad de Wharton, Texas, este día 26 de enero de 2015.

CIUDAD DE WHARTON, TEXAS

ATESTIGUACIÓN:

Por: _____

Don Mueller
Alcalde Interino

Por: _____

Paula Favors
Secretaria Municipal

APROBADO:

Paul Webb
Abogado Municipal

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

The sixth item on the agenda was the City of Wharton Finance Report for December 2014. Finance Director Joan Andel presented the financial report for the month of December 2014. Mrs. Andel stated that the TexPool balance for December as \$151,362.81 with an average monthly yield of .04%. She said the Prosperity Bank balance for December 2014 was \$7,971,826.89 with an average monthly yield of .15%.

City of Wharton
Regular City Council Meeting
January 26, 2015

After some discussion, Councilmember Al Bryant moved to approve the City of Wharton Financial Report for the month of December 2014. Councilmember Russell Machann seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider an ordinance approving an amendment to the City of Wharton Budget for October 1, 2013 through September 30, 2014. Finance Director Joan Andel presented the City of Wharton Budget Adjustments for fiscal year October 1, 2013 through September 30, 2014. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Ordinance No. 2015-02, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2015-02**

**AN ORDINANCE APPROVING AMENDMENTS TO THE CITY OF
WHARTON, TEXAS, BUDGET FOR THE 2013-2014 FISCAL YEAR.**

WHEREAS, the City Council of the City of Wharton, Texas finds and determines it necessary to revise the 2013-2014 budget to better reflect actual revenues and expenditures in operations and activities during the fiscal year; and,

WHEREAS, the City Council finds and determines that these amendments to the budget are for municipal purposes.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Wharton, Texas that the 2013-2014 Budget be amended as per Attachment "A;" and is adopted by the following favorable majority of votes of the members of the City Council of the City of Wharton, Texas in a duly assembled city council meeting by the following majority:

Al Bryant Councilmember District No. 1	Voted	<u>Yes</u>	Steven Schneider Councilmember District No. 2	Voted	<u>Yes</u>
Tim Barker Councilmember District No. 3	Voted	<u>Yes</u>	Donald Mueller Councilmember District No.4	Voted	<u>Yes</u>
Russell Machann Councilmember at Large No. 5	Voted	<u>Yes</u>	Jeff Gubbels Councilmember at Large No. 6	Voted	<u>Absent</u>
Domingo Montalvo, Jr. Mayor	Voted	<u>Absent</u>			

City of Wharton
Regular City Council Meeting
January 26, 2015

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, or portion of this ordinance is invalid or unconstitutional, any such portion shall be deemed to be a distinct and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, this 26th day of January 2015.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro Tem

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

ADMISSION:

JOAN ANDEL
Director of Finance

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

The eighth item discussed on the agenda was to review and consider a request by Mr. Paul Kearney, Event Coordinator for Wharton County Juneteenth Festival, for City Council consideration to approve the following:

- A. Authorization to hold the 6th Annual Juneteenth Festival on Saturday, June 13, 2015 from 10:00 a.m. through 12:00 midnight in the downtown square area.
- B. Use of the City of Wharton stage and City personnel to assemble and dismantle the stage at no cost.
- C. Use of City of Wharton personnel as debris clean-up crew at no cost.
- D. City of Wharton assistance by providing hotel/motel funding for the required security.
- E. City of Wharton assistance in coordinating with Waste Corporation of America for solid waste disposal receptacles and additional debris collection.
- F. Waiver of the fees associated with the Temporary Permit for the consumption and possession of Alcoholic Beverages.
- G. City Council authorization to close portions of Houston and Fulton Street adjacent to the Downtown Square from 5:00 p.m. on Friday, June 12th through 12:00 Midnight, Saturday, June 13th, 2015 and the section of Houston Street from Burlson Street to Elm Street on Saturday, June 13, 2015 from 6:00 p.m. through 11:30 p.m. in accordance with the Traffic Control Plan; and, to provide all necessary barricades.
- H. **Ordinance:** An ordinance approving the traffic control plan for the James Simmons, Jr. 5th Annual Juneteenth Festival, authorizing the Police Department to redirect traffic and authorizing the Mayor of the City of Wharton to execute the Texas Department of Transportation Agreement for the Temporary Closure of State Right of Way.

City Manager Andres Garza, Jr. presented a copy of a letter dated December 5, 2014 from Mr. Paul Kearney, Event Coordinator for the Wharton County Juneteenth Festival requesting the afore-mentioned items, a copy of the Texas Department of Transportation Agreement for the Temporary Closure of State Right of Way and a draft copy of the ordinance approving the traffic control plan for this event. City Manager Garza stated that item C. was not approved in the previous year and the City Council approved \$2,000 from the fiscal year 2014-2015 budget to be allocated to the festival which could be used for item d. After some discussion, Councilmember Russell Machann moved to approve items A., B., D. with two-thousand dollars going to the Festival, E., F., G., and item H., which was City of Wharton Ordinance No. 2015-03, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2015 - 03**

City of Wharton
Regular Council Meeting
January 26, 2015

AN ORDINANCE APPROVING THE TRAFFIC CONTROL PLAN FOR THE JAMES SIMMONS, JR. 6TH ANNUAL JUNETEENTH FESTIVAL, AUTHORIZING THE POLICE DEPARTMENT TO REDIRECT TRAFFIC AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE TEXAS DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY.

WHEREAS, the Wharton County Juneteenth Festival Committee Members wishes to hold the James Simmons, Jr. 6th Annual Juneteenth Festival in the downtown area of the City of Wharton and has requested approval to close portions of State Hwy. 60; and

WHEREAS, said festival requires the City of Wharton to close State Highway 60, known as Burleson Street from its intersection of Polk Street to Fulton Street; and

WHEREAS, the closure will require the detouring of all traffic traveling south on State Highway 60 according to the map (Attachment A) attached to this ordinance; and

WHEREAS, if there are any other ordinances that would be violated because of the re-routing of all traffic their suspension is hereby authorized; and

WHEREAS, the City Council wishes to authorize the Mayor of the City of Wharton to execute the Agreement for the Temporary Closure of State Right of Way as required by the Texas Department of Transportation.

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

Section I. The traffic control plan for the James Simmons, Jr. 6^h Annual Wharton County Juneteenth Festival is hereby approved.

Section II. The detour route resulting from the closure of State Highway 60 is hereby approved as detailed in the attached map (Attachment A) which is hereby made part of this ordinance.

Section III. The closure of all streets as indicated in said map identified in Section II are hereby authorized.

Section IV. The traffic detour plan as identified in Section III above is hereby approved.

City of Wharton
Regular Council Meeting
January 26, 2015

Section V. The Chief of Police and City Staff are hereby authorized to make the necessary expenditures needed to ensure the safety of the public.

Section VI. That the Mayor of the City of Wharton is hereby authorized to execute the Agreement for the Temporary Closure of State Right of Way as required by the Texas Department of Transportation.

Section VII. This ordinance shall become effective on the 13th day of June 2015 and remain in effect until such time that State Highway 60 is reopened to all traffic.

PASSED, APPROVED AND ADOPTED this 26th day of January 2015.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro Tem

ATTEST

PAULA FAVORS
City Secretary

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

The ninth item discussed on the agenda was to review and consider a resolution providing for the public sale of property acquired by the City of Wharton from delinquent taxes. City Manager Andres Garza, Jr. presented an email from Leslie Hilliard with McCreary Veselka Bragg & Allen PC Attorneys at Law requesting that the described properties were offered for sale by the Sheriff of Wharton County, Texas at a public auction prior to a judgment of foreclosure for delinquent taxes by the District Courts of Wharton County. City Manager Garza stated that these properties did not receive sufficient bids as set by law and were struck off to the County of Wharton and later conveyed to the City of Wharton, Texas as Trustee.

- Cause # 7747 – Lot 5 A, O. Branch Addition to the City of Wharton, Wharton County, Texas.
- Cause #7900 – Lot 17-A in Block of the Cline Addition, City of Wharton, Wharton County, Texas.

City of Wharton
Regular Council Meeting
January 26, 2015

- Cause #7911 – Lot 14, Block 1, of the Hawes Third Addition, and Addition to the City of Wharton, in Wharton County, Texas.
- Cause #7962 – Lot 3 in Block 1 of the R. A. Cline Addition, City of Wharton, Wharton County, Texas.
- Cause #8077 – Lot 8 in Block 7 of the Harrison Addition, City of Wharton, Wharton County, Texas.
- Cause #8167 – Lot 3, the East 17.44 feet of Lot 2 and the West 17.44 feet of Lot 4 in Block 2 of the River Road Addition, A Subdivision in Wharton County, Texas
- Cause #8298 – Lot 10, Block 3, Smith’s Garden Spot, a Subdivision in Wharton County, Texas.

After some discussion, Councilmember Tim Barker moved to approve City of Wharton Resolution No. 2015-10, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2015-10**

A RESOLUTION OF THE WHARTON CITY COUNCIL PROVIDING FOR THE PUBLIC SALE OF PROPERTY ACQUIRED BY THE CITY OF WHARTON FROM DELINQUET TAXES.

WHEREAS, the following described properties were offered for sale by the Sheriff of Wharton County, Texas at a public auction pursuant to a judgment of foreclosure for delinquent taxes by the District Courts of Wharton County; and

WHEREAS, the following described properties did not receive sufficient bids as set by law and were struck off to the County of Wharton and later conveyed to the City of Wharton, Texas as Trustee, for the use and benefit of itself and the other taxing units for which levied taxes on the properties, pursuant to TEX. PROP. TAX CODE § 34.01 (j); and

WHEREAS, TEX. PROP. TAX CODE § 34.05 (c) and (d) provide that a taxing unit may request that the Sheriff sell the property at a public sale to the highest bidder with no minimum bid required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS, does hereby request the Sheriff of Wharton County, Texas to conduct a public sale in the manner prescribed by the Texas Rules of Civil Procedure and § 34.05 (c) and (d) of the Texas Tax Code and sell the following described properties to the highest bidder for cash.

City of Wharton
Regular Council Meeting
January 26, 2015

CAUSE #	SUIT STYLING	ACCOUNT #	LEGAL DESCRIPTION	DEED REFERENCE	ORIGINAL SALE DATE
7747	WHARTON COUNTY, ET AL VS. FLORESTHELA HERNANDEZ	R011811	LOT 5 A.O. BRANCH ADDITIONTO THE CITY OF WHARTON, WHARTON COUNTY, TEXAS	748/457	5/6/2008
7900	WHARTON COUNTY, ET AL VS. RAY MOORE, ET AL	R012799	LOT 17-A IN BLOCK 1 OF THE CLINE ADDITION, CITY OF WHARTON, WHARTON COUNTY, TEXAS	735/406	2/5/2008
7911	WHARTON COUNTY, ET AL VS. FEDERAL DEPOSIT INSURANCE CORP., AS SUCCESSOR TO THE RESOLUTION TRUST CORPORATION, SUCCESSOR TO THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION, ET AL	R016234	LOT 14, BLOCK 1, OF THE HAWES THIRD ADDITION, AND ADDITION TO THE CITY OF WHARTON, IN WHARTON, COUNTY, TEXAS	899/932	9/4/2012
7962	WHARTON COUNTY, ET AL VS. LULA SANCHEZ	R012786	LOT 3 IN BLOCK 1 OF THE R.A. CLINE ADDITION, CITY OF WHARTON, WHARTON COUNTY, TEXAS	763/350	10/7/2008
8077	WHARTON COUNTY, ET AL VS. DAISEY WILKINS, ET AL	R016087	LOT 8 IN BLOCK 7 OF THE HARRISON ADDITION, CITY OF WHARTON, WHARTON COUNTY, TEXAS	886/852	5/1/2012
8167	WHARTON COUNTY, ET AL VS. JAMES DAVID HUNT, ET AL	R022712	LOT 3, THE EAST 17.44 FEET OF LOT 2 AND THE WEST 17.44 FEET OF LOT 4 IN BLOCK 2 OF THE RIVER ROAD ADDITION, A SUBDIVISION IN WHARTON COUNTY, TEXAS	833/400	11/2/2010

City of Wharton
Regular Council Meeting
January 26, 2015

8298	WHARTON COUNTY, ET AL VS. ANNETTE RANDALL	R023692	LOT 10, BLOCK 3, SMITH'S GARDEN SPOT, A SUBDIVISION IN WHARTON COUNTY, TEXAS	828/146	8/3/2010
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THEREFORE, BE IT HEREBY RESOLVED that the City of Wharton, Texas hereby directs the Sheriff of Wharton County, Texas to conduct a sale on the first Tuesday in March, 2015, in the manner prescribed by the Texas Rules of Civil Procedure and § 34.05 (c) and (d).

Passed, Approved, and Adopted this 26th day of January 2015.

CITY OF WHARTON, TEXAS

By: _____

DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

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

The tenth item discussed on the agenda was to review and consider a resolution by the City of Wharton, Wharton County Texas, authorizing the City of Wharton, Texas, application for Regional Facility Planning Grant assistance filed with the Texas Water Development Board. City Manager Andres Garza, Jr. stated that at the December 8, 2014 meeting, the City Council voted to submit a grant request to the Texas Water Development Board (TWDB) for funding assistance in the City's planning for a regional water supply and wastewater facility planning. City Manager Garza said that since the grant required a regional approach, the City Staff met with representatives from the Cities of East Bernard and its water improvement district and the City of El Campo. He said the East Bernard City Council voted to support the application and be part of the study and the City of El Campo had not responded. City Manager Garza stated that the City Staff was requesting the City Council to adopt a resolution in order to submit the application for consideration since the deadline was January 29, 2015. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2015-07, which read as follows:

City of Wharton
Regular Council Meeting
January 26, 2015

**CITY OF WHARTON
RESOLUTION NO. 2015-07**

**A RESOLUTION OF THE CITY OF WHARTON, WHARTON COUNTY TEXAS,
AUTHORIZING THE CITY OF WHARTON, TEXAS, APPLICATION FOR
REGIONAL FACILITY PLANNING GRANT ASSISTANCE FILED WITH THE
TEXAS WATER DEVELOPMENT BOARD.**

WHEREAS, the City of Wharton, Texas, desires to develop regional water and wastewater facility planning for areas of Wharton County; and,

WHEREAS, the City of Wharton, Texas, recognizes that the proposed planning does not duplicate existing projects; and,

WHEREAS, the City of Wharton will appropriate matching funds and in-kind services if the grant is awarded, to assist with the financing of the Regional Facility Planning Grant and any improvements as agreed; and,

WHEREAS, the City of Wharton, Texas, will pursue implementation of viable solutions identified through the proposed planning effort and will pursue and identify potential sources of funding for implementation of viable solutions; and,

WHEREAS, the City of Wharton is currently providing water and wastewater services for its customers within its incorporated and unincorporated areas; and,

WHEREAS, the City of Wharton will develop a water conservation plan in the proposed planning area as part of the overall planning project; and,

WHEREAS, the City of Wharton will ensure that regional wastewater planning includes provisions to ensure that the proposed project will conform to the approved state water quality management plan or any amendment to the water quality management plan; and,

WHEREAS, the City of East Bernard agrees to partner with the City of Wharton to develop the proposed planning provided the City of Wharton can demonstrate its willingness to develop the planning information needed including a future supply of potable water; and,

WHEREAS, this resolution no way obligates either party to proceed beyond the development and consideration of the required planning information.

City of Wharton
Regular Council Meeting
January 26, 2015

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS authorizes support of this application by the City of Wharton to the Texas Water Development Board for regional facility planning grant assistance.

PASSED, AGREED AND ADOPTED this 26th day of January 2015.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro Tem

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Steven Schneider seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council extending the Wharton Regional Airport Fixed Base Operator Hangar Lease Agreement between the City of Wharton and Dynasty Aviation Group authorizing the Mayor of the City of Wharton to execute the agreement. City Manager Andres Garza, Jr. presented a letter the City received from Mr. Gerry Shore of Dynasty Aviation dated January 4, 2015. City Manager Garza stated that Mr. Shore was requesting a fixed rate of \$2,500 for an additional year or until February 28, 2016. He said the City was currently in the process of adding an additional corporate hangar. City Manager Garza presented Airport Manager David Allen's recommendation on the extension in which he recommended to extend the lease for six (6) months, at \$2500 per month. After some discussion, Councilmember Russell Machann moved to approve extending the least for six (6) months, at a rate of \$2500 per month with Dynasty Aviation Group and City of Wharton Resolution No. 2015-08, which read as follows:

CITY OF WHARTON

City of Wharton
Regular Council Meeting
January 26, 2015

RESOLUTION NO. 2015-08

A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING THE WHARTON REGIONAL AIRPORT FIXED BASE OPERATOR HANGAR LEASE AGREEMENT BETWEEN THE CITY OF WHARTON AND THE DYNASTY GROUP (DYNASTY AVIATION) AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, On January 11, 2010, the Wharton City Council approved the City of Wharton to enter into a Fixed Base Operator Hangar Lease Agreement with The Dynasty Group (Dynasty Aviation); and

WHEREAS, the Wharton City Council wishes to amend said lease agreement to extend the lease for six (6) months to August 31, 2015; and

WHEREAS, the City of Wharton and The Dynasty Group (Dynasty Aviation) wishes to be bound by the conditions as set forth in the agreement; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

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 authorizes the Mayor of the City of Wharton to execute a contract amendment to the Fixed Base Operator Hangar Lease Agreement for the large commercial hangar located at the Wharton Regional Airport between the City of Wharton and The Dynasty Group (Dynasty Aviation).

Section II. That the City of Wharton and The Dynasty Group (Dynasty Aviation) are hereby bound by the conditions as set forth in the contract agreement.

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

Passed, Approved, and Adopted this 26th day of January 2015.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor

ATTEST:

City of Wharton
Regular Council Meeting
January 26, 2015

PAULA FAVORS
City Secretary

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

The twelfth item on the agenda was to review and consider an ordinance amending Section 86 Utilities and Services of the Code of Ordinances of the City of Wharton by adding to Section 86-1 the definitions hereinafter set out and by adding a new Section 86-23 Grease Ordinance, which is set out in its entirety in Section Two of this ordinance; providing for an effective date for the ordinance; creating an offense and providing a penalty. City Manager Andres Garza, Jr. stated that on January 12, 2015, the City Council Public Works Committee met and discussed a proposed ordinance recommendation by the City Staff that would regulate the discharge of grease into the City's Sewer System. City Manager Garza said that the sewer system had been experiencing stoppages throughout the City because of grease from commercial establishments and the proposed ordinance would regulate the discharges. He said the Committee reviewed the proposed ordinance at several meetings and was recommending approval with an effective date of March 1, 2015. After some discussion, Councilmember Tim Barker moved to approve City of Wharton Ordinance No. 2015-04, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2015-04**

AN ORDINANCE AMENDING SECTION 86 UTILITIES AND SERVICES OF THE CODE OF ORDINANCES OF THE CITY OF WHARTON BY ADDING TO SECTION 86-1 THE DEFINITIONS HEREINAFTER SET OUT AND BY ADDING A NEW SECTION 86-23 GREASE ORDINANCE, WHICH IS SET OUT IN ITS ENTIRETY IN SECTION TWO OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE; CREATING AN OFFENSE AND PROVIDING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS:

Section One—Definitions

Chapter 86 Utilities and Services is hereby amended by adding to Section 86-1 the Definitions as follow:

DEFINITIONS

Control Authority – City representative including but not limited to code enforcement Building Official or Public Works Director.

Commercial Grease Generator – Every food preparation and food services establishment including, but not limited to bakeries, bars, butcher shops, cafes, clubhouses, delicatessens, ice cream parlors, hospitals, hotels, restaurants, schools, or similar places where meat, poultry, seafood, dairy products, or fried foods are prepared or served, but shall not apply to any residence not used for the commercial preparation or sale of food items.

Fat, Oil, and Grease (FOG) – A semi solid viscous liquid organic polar compound derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 Code of Federal Regulations (CFR) Part 136, as may be amended from time to time. All are sometimes referred to herein as “grease” or “greases.”

Generator – A person/business who owns or operates causes, creates, generates, stores or otherwise produces liquid waste or a person who owns property upon which liquid waste is caused, created, generated, stored or produced including, but not limited to, grease trap waste as a by-product of a domestic or non-domestic activity other than a residence or non-business location.

Grease or Grit Generator – A commercial grease generator or a commercial/industrial grit generator as defined herein.

Grease Interceptor – A receptacle utilized by commercial or industrial generators of liquid waste to intercept, collect and restrict the passage of organic, inorganic, greasy or fatty liquid, semi-liquid and/or solid wastes into both public and private sanitary sewers to which the receptacle is directly or indirectly connected. An interceptor is located outside of a building and the tank capacity is more than 500 gallons.

Grease Trap – A receptacle utilized by commercial or industrial generators of liquid waste to intercept, collect and restrict the passage of organic, inorganic, greasy or fatty liquid, semi-liquid and/or solid wastes into both public and private sanitary sewers to which the receptacle is directly or indirectly connected. Typically located inside a building with a capacity of less than 500 gallons.

Grease Trap Waste – Any organic, inorganic, greasy or fatty liquid, semi-liquid and/or solid waste collected by and ultimately removed from a grease trap for proper disposal.

Liquid Waste – Water borne solids and liquids containing dissolved or suspended waste material including, but not limited to septic waste and wastes from grease traps and grit traps.

Liquid Waste Manifest – The written, multi-part documentation required to be in the possession of the transporter enabling disposal of hauled grease trap waste, grit trap waste, or septic waste at a permitted or registered disposal site.

Oil & Water Separator or Separator – A receptacle utilized by commercial or industrial generators (namely carwashes and mechanic shops) of liquid waste to intercept, collect and restrict the passage of oils, grease, semi-liquid and/or solid wastes into both public and private sanitary sewers to which the receptacle is directly or indirectly connected. A separator is located outside of a building and the tank capacity is more than 500 gallons.

Plumbing Changes – The installation, replacement or removal of drainage pipe or water supply pipe.

Septic Waste – Liquid wastes and sludge containing sufficient liquid content, normally more than 85%, to permit flow by gravity or minimal pumping, which is removed from a portable toilet, chemical toilet, septic tank, or cesspool. Septic waste does not include non-domestic wastes from commercial or industrial establishments.

Serve – (1) to personally serve upon the generator or his agent; (2) to send by registered or certified mail, return receipt requested, to the generator or his agent, allowing at least five

days for said mail to be retrieved by the recipient, at the address at which the generator receives his utility bill for the location of the alleged discharge; or (3) to place a written notice upon an entrance to the location where the alleged discharge is occurring or has occurred.

Total Suspended Solids (TSS) – The total suspended matter that floats on the surface of or is suspended in water, wastewater or other liquid and which is removable by laboratory filtering.

Texas Commission on Environmental Quality (TCEQ) – The State agency of that title, and its predecessor and successor agencies or where appropriate, the term may also be used as a designation from the director or other duly authorized official of said agency.

Transporter – A person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic sewage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with 30 TEXAS ADMINISTRATIVE CODE 312.142.

Section Two – Grease Ordinance Provisions

Section 86 Utilities and Services is hereby amended by adding the following section to said section:

Wastewater Disposal; Pretreatment Standards

86-23. Grease Ordinance

(a) Applicability and Prohibitions

- (1) This ordinance is patterned from the Model Standards for a Grease Ordinance – House Bill 1979 – 78th Legislative Session.
- (2) This ordinance shall apply to all non-domestic users of the Publicly Owned Treatment Works (POTW), as defined in the General Provisions of this Chapter, whose waste discharge contains or may contain grease, oil, sand or other harmful pollutants originating from processes including but not limited to food preparation and serving, vehicle and equipment washing, machine shops and garages, carpet cleaning and water extraction, steam cleaning and chemical cleaning facilities or any facility with a liquid waste holding tank.
- (3) Grease traps or grease interceptors shall not be required for residential users.
- (4) Facilities generating fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service shall install, use, and maintain appropriate grease traps or interceptors as required for compliance with this ordinance. These facilities, include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels, and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption.

- (5) No generator may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, or any fats, oils, or greases of animal or vegetable origin into the POTW system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.

(b) Definitions

- (1) This ordinance shall apply to all non-domestic users of the Publicly Owned Treatment Works (POTW), as defined in the General Provisions section of this Section.

(c) Grease Traps, Interceptors, Separators and Holding Tanks

- (1) Users required to maintain pretreatment devices:
 - a. Grease traps, interceptors, separators or holding tanks shall be provided for the proper handling of wastes containing grease, oil, sand and/or other harmful pollutants which may interfere with the operation and maintenance of the POTW and shall be constructed and maintained in accordance with the provisions of this ordinance.
 - b. All restaurants, institutions, cafeterias, or other establishments preparing or serving food shall be required to install and maintain a grease trap for the efficient removal of oil and grease from the waste stream. The design and installation of such devices shall be subject to review and approval by the control authority.
 1. Designs shall include sample ports. The control authority may require any non-domestic user to install a suitable sampling port in the private sewer to facilitate observation sampling and measurement of the wastes and flows. Sampling ports shall be readily accessible to the control authority at all times.
 - c. All existing vehicle and equipment wash areas shall be equipped with interceptors for the removal of sand and other solids. Where an existing vehicle and equipment wash area is shown to discharge excessive oil and grease, the control authority may require installation of a separator. New vehicle and equipment wash facilities or any existing facility which has closed and proposes to reopen shall be required to provide interceptors and separators for the removal of oils, grease, sand and/or other pollutants before

discharging to the sewerage system. The design and installation of such devices shall be subject to review and approval by the control authority.

- d. It shall be the responsibility of the user/generator to furnish, operate and maintain such pretreatment devices as necessary to produce an effluent in compliance with this or other applicable ordinances.
- e. Holding tanks shall be provided by the user/generator for automotive or other such waste oils and other waste which is prohibited from being discharged into the sanitary sewer. Such holding tanks shall be constructed to prevent leakage and splashing during operation and cleaning. Such tanks shall be maintained to preclude odor and other nuisances and shall not be connected to the sanitary sewer or in any other way be allowed to be discharged to the sanitary sewer.

(2) Existing Facilities

- a. Existing facilities required by this or other applicable ordinance to maintain a grease trap, interceptor or separator not equipped with an adequately sized treatment unit shall within eighteen (18) months of the effective date of this ordinance install an adequately sized grease trap, interceptor or separator in accordance with the specifications of this ordinance.
- b. Existing facilities required by this or other applicable ordinance to maintain a grease trap, interceptor or separator not equipped with a sample port shall within eighteen (18) months of the effective date of this ordinance install a sample port in accordance with the specifications of this ordinance.
- c. Existing facilities required by this or other applicable ordinance to maintain a grease trap, interceptor or separator not equipped with required pretreatment device for the type of business shall within twelve (12) months of the effective date of this ordinance install an adequately sized grease trap, interceptor or separator in accordance with the specifications of this ordinance.
- d. In any circumstance where, in the opinion of the control authority the existing grease trap, separator or interceptor or the absence of a grease trap, separator or interceptor poses a serious threat or an on-going problem to the sanitary sewer, is a public nuisance, or poses a threat to public health or to the environment, the control authority may require the grease trap, interceptor or separator be installed or replaced under a more stringent specification.

- e. If a food establishment or any other facility requiring a grease trap, interceptor or separator shall cease operation and shall be required to come into compliance, then such establishment or facility shall be required to comply with this article before reopening.

(3) General specifications

- a. Specifications outlined in this section shall be considered minimum only. It shall be the responsibility of each user to have a grease trap, interceptor or separator designed and installed and maintained that will produce an effluent in compliance with the requirements of this or other applicable ordinance.

- 1. Grease traps, interceptors, and separators shall meet or exceed the more stringent of specifications and requirements set forth in this division and other applicable local, state, or federal requirements.

- b. Grease traps, interceptors, and separators shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and capable of withstanding the traffic load where installed.

- 1. Manhole rings and covers, shall not be less than twenty-four (24) inches in diameter, shall be installed in the lid of each compartment to facilitate easy access for cleaning and inspection. The manholes shall be placed so that all internal piping is accessible for maintenance and inspection. The cover shall be at or near, but not below the finished grade.

- c. Plans for new grease traps, interceptors, and separators or modifications to existing grease traps, interceptors, and separators shall be submitted to the control authority.

- 1. A description of plumbing fixtures draining to the trap, the number of fixture units and calculations used to determine the proposed capacity shall be included in the submittal.
 - 2. The control authority shall verify that all requirements have been met on the final plans prior to issuance of any required plumbing or construction permits and subsequent construction.

- d. All new installations of grease traps, interceptors, and separators shall be equipped with an approved sampling port immediately downstream of the treatment facility.

City of Wharton
Regular Council Meeting
January 26, 2015

1. Sampling ports shall be easily accessible and safely located and shall be constructed in accordance with plans approved by the control authority. Sampling ports shall be inspected by the control authority prior to use.
 2. Sampling ports shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
 3. Sampling ports shall be installed in the building sewer immediately downstream of the grease trap, interceptor, or separator.
 4. The sampling port shall be a minimum of twelve (12) inches in diameter, equipped with an access cover, with a flow channel not less than four (4) inches in width and twelve (12) inches in length.
 5. Sampling ports shall be constructed to exclude the entry of storm water and groundwater and exit of wastewater (prevention of infiltration, exfiltration).
- e. Grease trap, interceptors, separators, and sampling ports shall be installed by a licensed plumber. Completed grease traps, interceptors, separators and sampling ports shall be subjected to inspection by the control authority prior to connection to the sanitary sewer.
- f. The control authority may at his sole discretion allow existing users with existing under-sized grease traps, interceptors or separators a trial period specified by the control authority in which to demonstrate that the use of best management practices, housekeeping procedures and increased maintenance of the grease trap, interceptor or separator to consistently produce an effluent in compliance with established limitations.
1. The user shall maintain records of procedures, training, and extra maintenance necessary to demonstrate the conditions of the trial period are being met.
 2. The user shall have an appropriate sample port before any trial may begin.
 3. At least six (6) analyses shall be required within the trial period to demonstrate consistent compliance. Samples shall be collected at random times by an approved testing lab or by

the control authority. All costs for sampling and analyses shall be borne by the user.

- a. A user who has demonstrated consistent compliance during the trial period may be allowed to continue to operate with the existing treatment device. The user may be subject to periodic monitoring to demonstrate continued compliance.
- b. A user who has not been able to demonstrate consistent compliance shall be required to install a properly sized treatment device.

(4) Grease Interceptor Specifications

- a. The minimum size of grease traps shall be determined according to the number of fixture units draining through the trap, but shall in no case, have a total liquid capacity of less than seven hundred fifty (750) gallons.
 1. The total number of fixture units multiplied by one hundred fifty (150) gallons shall determine the minimum total liquid capacity of the interceptor. Fixture units shall be defined in accordance with the applicable plumbing code.
 2. The primary chamber shall occupy three-fourths (3/4) of the total liquid capacity of the interceptor.
 3. The dividing wall between each chamber shall completely divide the chambers (shall extend top to bottom) except where the specific design of the interceptor provides for underflow, in which case the wall shall not be greater than twelve (12) inches from the bottom, between the chambers rather than flow traveling through a pipe.
- b. Grease interceptors shall be equipped with double cleanouts on the outside of the trap in both the influent and effluent pipes.
- c. The influent shall enter the first chamber of the grease interceptor below the static level in accordance with the specifications outlined in this section. The effluent shall discharge from below the static water level of the second chamber in accordance with the specifications outlined in this section.
 1. The influent line into the first chamber shall terminate no greater than eighteen (18) inches from the bottom of the first chamber.

2. The effluent line into the second chamber shall discharge from the lower twelve (12) inches of the second chamber.
3. There shall be no openings in any influent or effluent pipe that will allow liquid to enter or exit the chamber at any point other than the intake or discharge point of the pipe.
4. The static water level shall be maintained throughout the entire interceptor.

(5) Grease Trap Specifications

- a. All grease traps shall meet the manufacturers' specifications. The grease traps shall be operated and maintained in accordance with manufacturers' operating procedures.

(6) Oil & Water Separator Specifications

- a. Separators shall have a minimum detention time of not less than five (5) minutes. The minimum size shall be in accordance with the specifications in this section.
 1. Separators may be located inside the wash bay and may be equipped with a grated cover provided the openings in the cover are not greater than one-half (1/2) inch. When located inside the wash bay, the control authority may require a larger capacity separator be installed to facilitate efficient sand and grit removal. Covers shall be easily removable for cleaning and inspection.
 2. Where located outside the wash bay, the separator shall be equipped with solid, watertight covers on each chamber and shall be preceded by a catch basin, located inside the bay, equipped with a grated cover with openings not greater than one-half (1/2) inch. Covers shall be easily removable for cleaning and inspection.
 3. The inlet and outlet lines shall be designed and installed to provide uniform flow and stilling in the separator and to prevent sand from passing through the separator.
 4. The influent line into the first chamber shall terminate no greater than eighteen (18) inches from the bottom of the first chamber.
 5. The effluent line into the second chamber shall discharge from the lower twelve (12) inches of the second chamber.

6. There shall be no openings in any influent or effluent pipe that will allow liquid to enter or exit the chamber at any point other than the intake or discharge point of the pipe.
 7. The static water level shall be maintained throughout the entire separator.
- b. Minimum sizing for separators, where required, shall be one hundred fifty (150) gallons per fixture unit draining into the separator, but not less than the minimum sizes outlined below

Table Inset:

Separator	Minimum Size
Portable washer	Greater of 500 gal. or 150 gal./fixture unit
Single coin-operated wash bay	Greater of 500 gal. or 150 gal./fixture unit
Manual hand wash, single bay only	Greater of 500 gal. or 150 gal./fixture unit
2-4 coin-operated or manual hand wash bays	Greater of 1,000 gal. or 150 gal./fixture unit
>4 coin-operated or manual hand wash bays	Greater of 1,000 gal.+200 gal./bay >4 or 150 gal./fixture unit
Drive through wash bay	Greater of 500 gal./bay or 150 gal./fixture unit

1. The primary chamber shall occupy three-fourths (3/4) of the total liquid capacity of the trap/interceptor.
2. The dividing wall between each chamber shall completely divide the chambers (shall extend top to bottom) except where the specific design of the interceptor provides for underflow, in which case the wall shall not be greater than twelve (12) inches from the bottom, between the chambers rather than flow traveling through a pipe.

(d) Installation and Maintenance Requirements

(1) Installations

- a. New facilities. Food processing or food service facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, where such facility did not previously exist, shall be required to design, install, operate and maintain a grease trap/interceptor in accordance with

locally adopted plumbing codes or other applicable ordinances. Grease traps, interceptors or separators shall be installed and inspected prior to occupancy.

- b. Existing facilities. Existing grease traps, interceptors or separators must be operated and maintained in accordance with the manufacturer's recommendations and in accordance with this ordinance, unless specified in writing and approved by the control authority.
- c. All grease traps, interceptors or separators waste shall be properly disposed of at an appropriate facility in accordance with federal, state, or local regulations.

(2) Cleaning and Maintenance

- a. Grease traps and grease interceptors shall be maintained in an efficient operating condition at all times.
- b. Each grease trap pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period, in accordance with 30 TEXAS ADMINISTRATIVE CODE 312.143

(3) Cleaning Schedules

- a. Grease traps and grease interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease traps, interceptors or separators; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease is observed in the discharge.
- b. Grease traps and grease interceptors subject to these standards shall be completely evacuated a minimum of every ninety (90) days, or more frequently when:
 - 1. Twenty-five (25) percent or more of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the outlet pipe contains floating materials, sediments, oils or greases;
 - 2. the discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the POTW; or
 - 3. if there is a history of non-compliance.
- c. Any person or business who owns or operates a grease trap, interceptor or separator may submit to the POTW a request in

writing for an exception to the ninety (90) day pumping frequency on a case-by-case basis when:

1. the grease trap, interceptor or separator owner/operator has demonstrated the specific trap, interceptor or separator will produce an effluent, based on defensible analytical results, in consistent compliance with established local discharge limits such as BOD, COD, TSS, FOG, or other parameters as determined by the POTW, or
 2. twenty-five (25) percent of the wetted height of the grease trap, interceptor or separator, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or grease.
- d. In any event, a grease trap, interceptor or separator shall be fully evacuated, cleaned, and inspected at least every 180 days.

(4) Manifest Requirements

- a. Each pump-out of a grease trap, interceptor or separator must be accompanied by a manifest to be used for record keeping purposes.
- b. Businesses or persons who generate, collect and/or transport grease waste shall maintain a record of each individual collection and deposit. Such records shall be in the form of a manifest. The manifest shall include:
 1. name of business, address, generator representative name and signature, date and time waste was collected, business identification number, type of waste removed from premises, and tank capacity.
 2. Name of Transporter Company, address, TCEQ registration number, name of transporter representative and signature, date the waste was removed, vehicle permit number, and gallons of waste removed.
 3. Name of disposal site, address, TCEQ registration number, name of disposal site representative and signature, date and time the waste was deposited at the disposal site.
- c. Manifests can be obtained at Wharton City Hall and will consist of five parts and records shall be maintained as follows:
 1. One part of the manifest shall have the generator and transporter information completed and shall be given to the generator at the time of waste pickup.

2. The remaining four parts of the manifest shall have all required information completely filled out and signed by the appropriate party before distribution of the manifest
 3. One part of the manifest shall go to the receiving facility.
 4. One part shall go to the transporter company, who shall retain a copy of all manifests showing the collection and disposition of waste.
 5. One copy of the manifest shall be returned by the transporter to the business who generated the wastes within fifteen (15) calendar days after the waste is received at the disposal site or processing facility.
 6. One part of the manifest shall go to Wharton City code enforcement.
- d. Copies of manifests returned to the waste generator shall be retained for three (3) years and be readily available for review by the control authority.
 - e. Manifests shall be completed and returned to the City every ninety (90) days in accordance with the routine cleaning schedule. A manifest from each generator will be submitted to the City in the months of March, June, September, and December. The generator will be subject to all fines and penalties for late submittal of the manifest.

(5) Alternative Treatment

- a. A business/person commits an offense if the person introduces or causes, permits, or suffers the introduction of any surfactant, solvent or emulsifier into a grease trap. Surfactants, solvents and emulsifiers are materials which allow the grease to pass from the trap into the collection system and include, but are not limited to enzymes, soap, diesel, kerosene, terpene, and other solvents.
- b. It is an affirmative defense to an enforcement of Alternative Treatment Section (d) (5) a. above that the use of surfactants or soaps is incidental to normal kitchen hygiene operations.
- c. Bioremediation media may be used with the POTW's approval if the person requesting use of bioremediation media has proved to the satisfaction of the POTW that laboratory testing, which is appropriate for the type of grease trap to be used, has verified that:
 1. The media is a pure live bacterial product which is not inactivated by the use of domestic or commercial

disinfectants and detergents, strong alkalis, acids, and/or water temperature of 160°F (71°C).

2. The use of the media does not reduce the buoyancy of the grease layer in the grease trap and does not increase the potential for oil and grease to be discharged to the sanitary sewer.
 3. The use of the bioremediation media does not cause foaming in the sanitary sewer.
 4. The BOD, COD, and TSS discharged to the sanitary sewer after use of the media does not exceed the BOD, COD, And TSS which would be discharged if the product were not being used and the grease trap was being properly maintained. PH levels must be between 5 and 11.
- d. All testing designed to satisfy the criteria set forth in Section (d) (5) c. shall be scientifically sound and statistically valid in the opinion of the POTW. All tests to determine oil and grease, TSS, BOD, COD, pH, and other pollutant levels shall use appropriate tests which have been approved by the Environmental Protection Agency and the Texas Commission on Environmental Quality and which are defined in Title 40, Code of Federal Regulations, Part 136 or Title 30, Texas Administrative Code 319.11. Testing shall be open to inspection by the POTW, and shall meet the POTW's approval.

(e) Inspections

- (1) The control authority will conduct random inspections of all facilities equipped with a grease trap, interceptors or separator.
 - a. Inspection will be completed one (1) time every three (3) months.

(f) Violations, Fees, Fines, and Penalties

(1) Manifest Submittals

- a. Each generator is responsible for submitting a manifest during the months of March, June, September, and December.
- b. Late submittal of a manifest will result in a \$100.00 late fee plus \$5.00 per day that the manifest is late.

(2) Violations

- a. Any business or generator who does not adhere to the cleaning and maintenance schedule set forth in this ordinance and who discharges any contaminant into the City Sewer will incur the following fines and penalties:

1. \$2,000.00 per violation per day that the business or generator remains in violation.
2. The business or generator will be immediately shut down until the violation has been rectified.
3. The business or generator will be responsible for all cleanup, and costs to remediate any damage caused by the violation
4. All costs incurred by the City to clean out the FOG, and TSS in the City sewer lines will be billed to the violating business.

Fine and Penalty for Violations

Penalties. Any person violating any of the terms or provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$100.00 nor more than the maximum provided in section 2 for each offense. If the terms or provisions of this article are violated by any corporation or firm, the officers and agents actively in charge of the business of such corporation or firm and the person actually performing the work for such corporation or firm shall be subject to the penalties provided in this section.

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional, any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Effective Date

This Ordinance shall become effective on the 1st day of March, 2015.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 26th day of January, 2015.

CITY OF WHARTON, TEXAS

By: _____

Don Mueller, Mayor-Pro Tem

ATTEST:

Paula Favors, City Secretary

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

The thirteenth 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 January 5, 2015 providing an update on the City of Wharton current projects.

City of Wharton
Regular Council Meeting
January 26, 2015

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 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.

On December 17, 2014, the City Staff met with US Army Corp of Engineers on the Wharton Flood Reduction Project (Levee Project). The Corp of Engineers informed the City of the possibility to receive funding for continuation of the construction phase of the project, a Value Engineering Study is needed. The Corp of Engineers is requesting an additional \$25,000 of the non-Federal dollars and they will contribute \$75,000 of Federal dollars to modify Phase 1 Plans and Specs which would result in significant savings to the project. This study is necessary to continue with this project and allows us to remain compliant with the US Army Corp of Engineers Section 902 Cost Limit Policy.

DRAINAGE:

1. Santa Fe Outfall Channel.

The Public Works Department has finished excavation of the channel. During the month of December, 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.

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. Public Works Director is currently working out the details.

WATER/SEWER IMPROVEMENTS:

1. Alabama Road Water Plant Storage Tank Renovation Project.

This project was completed.

2. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of December. 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 has been reviewed by legal counsel and will be reviewed by Public Works Committee to bring forward a recommendation to City Council in January.

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

Bid opening resulted in one bid which was substantially higher than anticipated. City Council rejected the bid on December 19, 2014 and the City Staff is reviewing the project for base bid and alternate bid options.

4. South Highway 60 Waterline Extension Project.

This project was completed with a few punch list items remaining for final close out.

5. Wastewater Treatment Plant No. 1 Improvement Project.

The City Staff met with Jones & Carter, Inc. on December 11, 2014 to discuss design efforts, engineering, new cost estimates and structural of this project.

6. WWTP 1 & 2 Permit Renewals.

Draft Permit has been received for WWTP #1 and WWTP #2 were issued. Public comment period has expired. City Staff is awaiting permits from the State.

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

City Council approved a Notice of Award for Supak Construction on December 19, 2014.

8. Hotel Site.

This project was completed.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report.

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

The City Staff is awaiting Environmental Clearance from the Federal Highway Administration (FHWA). Once received we will begin to move toward the acquisition of property for this project.

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. The City Staff will also incorporate the resolution that was adopted on December 19, 2014.

3. 2014 Street Improvement Program.

The Alabama Street Seal Coat Project was completed.

4. Wharton Sidewalk Accessibility and Historic Streetscape Project.

A. Phase I:

The project is complete. City Staff is still awaiting the close out audit by TxDOT on the project.

B. Phase II:

A pre-design meeting was held with TxDOT Yoakum on December 3, 2014 with CivilCorp and members of the City Staff. The design and environmental clearance is ongoing.

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.

6. Kansas City Southern Railroad Quiet Zone.

The City Council gave BEFCO Engineering authorization to submit the PPA at October 13, 2014 meeting. The City is awaiting a response from the Federal Railroad Administration on its request.

WHARTON REGIONAL AIRPORT

1. Hangar Construction Project.

City of Wharton
Regular Council Meeting
January 26, 2015

The project is moving forward.

2. Re-Sheeting Project.

This project was completed.

After some discussion, no action was taken.

The fourteenth item on the agenda was to review and consider a resolution approving a memorandum of understanding agreement between Stray Pet Outreach Team (SPOT), City of Wharton Animal Control (WAC) and Jackson County Happy Tails (JCHT); and authorizing the Mayor of the City of Wharton to execute said agreement. City Manager Andres Garza, Jr. presented a letter dated January 15, 2015 from Ms. Becky Burrell, President of SPOT and a copy of the Memorandum of Understanding Agreement from SPOT for an adoption event they wish to conduct on February 7, 2015 at the Silver Wings Skating Rink, El Campo, Texas. Attorney Paul Webb stated his concerns with the agreement in regards to the City of Wharton utilizing their insurance to cover an event that would be held in El Campo, Texas. Mr. Webb stated he would look into the issue further to find a solution. After some discussion, no action was taken.

The fifteenth 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.

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

- A. Public Works Committee meeting held on January 12, 2015.
- B. Finance Committee meeting held on January 12, 2015.
- C. Mayor's Committee meeting held on January 20, 2015.
- D. Wharton Economic Development Corporation Board of Directors Selection Committee meeting held on January 21, 2015.

After some discussion, no action was taken.

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

City of Wharton
Regular Council Meeting
January 26, 2015

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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 eighteen item on the agenda was adjournment. There being no further discussion, Councilmember Russell Machann moved to adjourn. Councilmember Tim Barker seconded the motion. All voted in favor.

The meeting adjourned at 7:33 p.m.

CITY OF WHARTON, TEXAS

By: _____

Don Mueller
Mayor Pro-Tem

ATTEST:

Paula Favors
City Secretary