

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
APRIL 27, 2020**

Mayor Tim Barker declared a Regular Meeting duly open for the transaction of business at 7:02 P.M at City Hall 120 E. Caney Street Wharton, TX. City Manager Andres Garza, Jr. led the opening devotion and Mayor Tim Barker led the pledge of allegiance.

Councilmember's present were: Mayor Tim Barker and Councilmembers Terry Freese, Alice Heard-Roberts, Clifford Jackson, Russell Machann, Don Mueller and Steve Schneider.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr, City Attorney Paul Webb, Finance Director Joan Anandel, City Secretary Paula Favors, TRMC, CPM, MMC, Assistant to the City Manager Brandi Jimenez and Community Development Director Gwyn Teves.

Visitors present were: None.

Roll Call and Excused Absences. All Councilmembers were present.

Public Comments. Mayor Tim Barker called for Public Comments. No comments were made.

Wharton Moment. City Manager Andres Garza, Jr. stated there were (5) five recoveries from COVID-19 reported from the Texas Department of State Health Services in Wharton County. City Manager Garza stated Prime Eco Group located on Highway 60 had begun producing hand sanitizer during the COVID-19 pandemic and the City of Wharton was able to purchase several cases for the City Departments. He said that Governor Greg Abbott had also issued new guidelines and the City was working towards preparing for the new orders to take effect on May 1, 2020.

The first item on the agenda was to review and consider the City of Wharton Financial Report for March 2020. Finance Director Joan Anandel presented the financial report for the month of March 2020. Mrs. Anandel stated that the TexPool balance for March was \$368,216.62 with an average monthly yield of 1.0%. She said the Prosperity Bank balance for March 2020 was \$11,116,185.96 with an average monthly yield of 1.510%. After some discussion, Councilmember Russell Machann moved to approve the City of Wharton Financial Report for the month of March 2020. Councilmember Terry Freese seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request by Ms. Erminda Hernandez for water utility services at 214 Maude Street outside the City limits. City Manager Andres Garza, Jr. presented an application for water utility services from Ms. Erminda Hernandez requesting water service at 214 Maude Street. Finance Director Joan Anandel stated the City Ordinance required the City Council to approve any utility services outside the City Limits. After some

discussion, Councilmember Don Mueller moved to approve the request by Ms. Erminda Hernandez for water utility services at 214 Maude Street outside the City limits. Councilmember Steve Schneider seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a resolution of the Wharton City Council amending the agreement with Halff Associates, Inc., and the City of Wharton for Engineering Services on the City of Wharton Well and Water Plant Project and authorizing the Mayor of the City of Wharton to execute the agreement. City Manager Andres Garza, Jr. stated the City of Wharton had been working with Halff & Associates on the new Water Well Project to be funded through the USDA. City Manager Garza said the City of Wharton had Jones & Carter review and verify the water well plans and some modifications to the plans were requested to be in line with the current City of Wharton water system. Community Development Director Gwyn Teves stated the necessary modifications had increased some hours to be added to the contract scope for Halff & Associates and their consultant RW Hardin. Mrs. Teves presented a copy of the request from Halff & Associates to allow for the additional hours to be included in the cost in which required an increase of \$10,700.00. After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2020-41, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 - 41**

A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING THE AGREEMENT WITH HALFF ASSOCIATES, INC. AND THE CITY OF WHARTON FOR ENGINEERING SERVICES ON THE CITY OF WHARTON WELL AND WATER PLANT PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, On April 27, 2020 the Wharton City Council considered an amendment to the professional engineering services agreement with Halff Associates, Inc. for the engineering services on the City of Wharton Well and Water Plant Project in the amount of \$10,700.00; and,

WHEREAS, the City of Wharton and Halff Associates, Inc. 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 said contract amendment.

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an amendment to the agreement with Halff Associates, Inc. and the City of Wharton for engineering services on the City of Wharton Well and Water Plant Project in the amount of \$10,700.00.

Section II. The City of Wharton and Halff Associates, Inc. are hereby bound by the conditions as set forth in the contract amendment.

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

PASSED, APPROVED, and ADOPTED this 27th day of April 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Terry Freese seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider the construction of FM 102 Ditch Rehabilitation (Wal-Mart Ditch):

A. Pay Request No. 2 and Final from South Central Texas Excavation and Construction, LLC.

City Manager Andres Garza, Jr. presented a copy of Pay Request No. 2 and Final from South Central Texas Excavation and Construction, LLC for the Construction of FM 102 Ditch Rehabilitation (Wal-Mart Ditch) in the amount of \$21,386.71 and a copy of the Construction Progress Report No. 2 and Final that covered construction activities during the period of March 21, 2020 to March 30, 2020. After some discussion, Councilmember Russell Machann moved to approve Pay Request No. 2 and Final from South Central Texas Excavation and Construction, LLC. in the amount of \$21,386.71. Councilmember Terry Freese seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider City Manager Andres Garza, Jr. presented a copy of a memorandum dated March 16, 2020, from Community Development Coordinator, Gwyn Teves, providing an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The sixth item on the agenda was to review and consider the update of City of Wharton On-going Projects. City Manager Andres Garza, Jr. presented a copy of his memorandum dated April 16, 2020 to the City Council providing an update on the City of Wharton current projects as of March 31, 2020, which read as follows:

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>. The Project Participation Agreement (PPA) has been executed. The City has begun the process to acquire the property necessary to construct the project. The City has hired HDR for Right-of-Way Acquisition and Jones & Carter for City and private company utility relocations.

DRAINAGE:

1. Stavena Addition Drainage 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. The ideal disposal site should be close to the project site to reduce the cost of construction.

2. Ahldag Ditch Improvement.

The project was approved by the City Council. Public Works Director is currently working out the details. The ditch improvements were proposed under the Texas General Land Office (GLO) Infrastructure Grant Program. The City is awaiting the approval of the grant request.

3. On-going Drainage and Maintenance Program.

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

4. Pecan Acres (Mahann, Kinkaid, Delmas) Drainage Project.

Installation of the drainage pipes was completed. The City Public Works Department will be regrading ditches to improve the drainage in the area and installing additional storm sewer lines across the street to convey water to the Santa Fe Drainage Channel. The City Staff submitted this project to the Pre-Disaster Mitigation Grant Program being administered by FEMA.

WATER/SEWER IMPROVEMENTS:

1. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of March.

2. Water Well Repair Project-Cloud Street.

The project has been completed and the well is back in production.

3. Water Well and Water Plant Project – CR 222 (Halford).

Half and Associates the City's engineering firm on the project are completing the plan and specifications for the project. The plans and specifications must be submitted to the USDA for review and approval. The City Staff anticipate the project to be out for bid by the second quarter of 2020 once USDA approves the plans and specifications.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. has submitted to TxDOT Yoakum District Office all required plans for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward. The City Staff is working on funding for the project.

2. I-69 Project.

The City submitted the comments as approved by the City Council to TxDOT. TxDOT has informed the City that an engineering firm has been selected to design the project from Highway 60 to FM 961.

3. NanYa Exit Ramp Project.

TxDOT has been coordinating with NanYa and JM Eagle on the exit design.

4. 2020 City Street Improvement Project.

The City has begun the planning process for the 2020 Street Improvement Project. The FEMA streets were re-bid and a contract was awarded for that phase and construction has been completed. The 2020 City Street Improvement Project Program has been approved by the City Council and implementation of the program has begun.

After some discussion, no action was taken.

The seventh item on the agenda was to review and consider appointments and resignations to the City of Wharton Boards, Commissions and Committees:

1. Appointments:

- A. Building Standards Commission.
- B. Mayor's Committee on People with Disabilities.
- C. Plumbing and Mechanical Board.

After some discussion, no action was taken.

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

- A. Finance Committee meeting held April 13, 2020.

After some discussion, no action was taken.

The ninth item on the agenda was to review and consider City Manager's Reports:

- A. City Secretary/Personnel.
- B. Code Enforcement.
- C. Community Services Department / Civic Center.
- D. Emergency Management.
- E. E. M. S. Department.
- F. Facilities Maintenance Department / Wharton Municipal Pool.

- G. Fire Department.
- H. Fire Marshal.
- I. Legal Department.
- J. Municipal Court.
- K. Police Department.
- L. Public Works Department.
- M. Water / Sewer Department.
- N. Weedy Lots / Sign Ordinance.
- O. Wharton Regional Airport.

After some discussion, no action was taken.

Adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Terry Freese seconded the motion. All voted in favor.

The meeting adjourned at 7:23 p.m.

CITY OF WHARTON, TEXAS

By: *Tim Barker*
TIM BARKER
Mayor

ATTEST:

Paula Favors
PAULA FAVORS
City Secretary

