



**CITY OF WHARTON  
FINANCE COMMITTEE MEETING**

**Monday, August 22, 2022  
5:30 PM**

***CITY HALL 120 EAST CANEY STREET  
WHARTON, TEXAS 77488***

**NOTICE OF  
CITY OF WHARTON  
FINANCE COMMITTEE MEETING**

Notice is hereby given that a Finance Committee Meeting will be held on Monday, August 22, 2022 at 5:30 PM at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

**SEE ATTACHED AGENDA**

Dated this 18th day of August 2022.

By:   
Joseph R. Pace, City Manager

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Finance Committee Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City or Town in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on August 18, 2022, at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

The Wharton City Hall is wheelchair accessible. Access to the building and special parking is available at the primary entrance. Persons with disabilities, who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811 Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date. BRAILLE IS NOT AVAILABLE.

Dated this 18th day of August 2022.

**CITY OF WHARTON**

By:   
Paula Favors  
City Secretary



**A G E N D A**  
**CITY OF WHARTON**  
**Finance Committee Meeting**  
**Monday, August 22, 2022**  
**City Hall - 5:30 PM**

**Call to Order.**

**Roll Call.**

**Public Comments.**

**Review & Consider:**

1. Minutes from the meeting held July 25, 2022.
2. Presentation from Mr. Ken Schott with Waterstone Development Group on proposed Wharton Public Improvement District No. 1.
3. Green for Life (GFL), formerly Waste Corporation of America (WCA), Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:
  - A. Resolution: A resolution of the Wharton City Council approving Amendment No. 3 to the Franchise Agreement for Solid Waste Collection Services with formerly Waste Corporation of America, presently Green for Life dated October 1, 2018 and authorizing the Mayor of the City of Wharton to execute said agreement.
  - B. Ordinance: An ordinance repealing and replacing the City of Wharton Code of Ordinances, Chapter 86 Utilities and Services, Article III, Solid Waste Disposal Exhibit A, providing that a violation of the ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine and setting an effective date.
4. Ordinance: An ordinance amending the City of Wharton Code of Ordinances, Chapter 86, Sections 86-15, 86-16, 86-17, and 86-21, Utilities and Services, Article I in General; Providing that a violation of the ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine; Providing a savings clause and revoking all ordinances or parts of ordinances in conflict herewith only to the extent same are in conflict herewith otherwise provided herein.

**Adjournment.**

City of Wharton  
120 E. Caney Street  
Wharton, TX 77488

## FINANCE COMMITTEE

Meeting Date:	8/22/2022	Agenda Item:	Minutes from the meeting held July 25, 2022.
Attached are a copy of the draft minutes from the meeting held July 25, 2022.			
City Manager: Joseph R. Pace		Date: Thursday, August 18, 2022	
Approval: 			
Mayor: Tim Barker			

**MINUTES  
OF  
CITY OF WHARTON  
FINANCE COMMITTEE MEETING  
120 EAST CANEY STREET  
WHARTON, TEXAS 77488  
Monday, July 25, 2022–5:30 p.m.**

City Manager, Joseph R. Pace, declared a meeting of the City Council Finance Committee duly open for the transaction of business at 5:30 p.m.

Committee Members present were: Councilmember, Larry Pittman and Councilmember, Russell Machann.

Committee Member absent was: Mayor, Tim Barker.

City Council Member present was: Councilmember, Don Mueller; Councilmember, Terry Freese and Councilmember, Clifford Jackson.

Staff members present were: City Manager, Joseph R. Pace; Assistant to the City Manager, Brandi Jimenez; Finance Director, Joan Anandel; City Secretary, Paula Favors; Assistant to the Finance Director, London Davis; Civic Center Manager, Makyla Monroe; Public Works Director, Anthony Arcidiacono and Director of Planning & Development, Gwyn Teves.

Staff member absent was: None.

Visitors: Mr. Ron Sander; Mr. Burnell Neal; Mr. Chad Faucet and Ms. Debbie Folks.

Public Comments. There were no public comments.

The first item on the agenda was to review and consider minutes from the meeting held June 13, 2022. Councilmember, Russell Machann, made a motion to approve the minutes as presented. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider Wharton Chamber of Commerce request for the FY2023 Budget. Mr. Ron Sanders presented to the Committee information on how the use of the funds given to the Chamber in FY2022 were spent. He requested \$52,000 for FY2023 from the Hotel/Motel Fund. After some discussion, no action was taken.

The third item on the agenda was to review and consider Outside Agencies request for the FY2023 Budget. Finance Director, Joan Anandel presented the requests from outside agencies for the FY2023 Budget. After some discussion, Councilmember, Russell Machann, made a motion to recommend to the City Council that SPOT receive funds in the amount \$3,000, Friends of Wharton Animal Control receive funds in the amount of \$5,000 and The Crisis Center receive funds in the amount of \$7,000. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider Weedy Lots Liens Amnesty Program – Reduction/Payment Plan Agreement. City Secretary, Paula Favors, stated to the Committee that the City Council had approved a Liens Amnesty Program on June 13, 2022, to help clear up over \$300,000 in outstanding liens. She stated that since that time, the City Staff, had been in contact with several of the property's owners regarding their liens. She stated that many of the owners did not realize their property had a lien(s) on it. She stated that some of the owners had found that their liens go into the thousands of

dollars and they were unable to pay the full amount of the liens before the September 15, 2022 deadline. She stated that the City Staff was requesting in an effort to collect some of the outstanding lien debt, that the City Council consider approving a reduction in those liens over \$1,000. She stated that the recommendation is that the liens from \$1,000 to \$2,000 be reduced in half and then those over \$2,000 be reduced by 75%. She stated that there was a recommendation that the City Council consider approving a payment arrangement agreement with property owners. She stated that the agreement would be for those owner's having originally \$1,000 to \$2,000 in lien debt, a six (6) month payout agreement and those over \$2,000, a twelve (12) month payment agreement, ending no later than December 31, 2023. She stated that the property owners would have to pay their lien and the \$26 lien release fee to have it released by the City. After some discussion, Councilmember, Russell Machann, made a motion to recommend to the City Council to approve the Weedy Lots Liens Amnesty Program-Reduction/Payment Plan Agreement. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider Resolution: A resolution of the Wharton City Council awarding a contract for the Wharton Regional Airport Paving Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Finance Director, Joan Andel, stated to the Committee that a proposal was received from Sylva Construction Company for the continuation of the Wharton Regional Airport Paving Project in the amount of \$43,230. She stated that the first section of this project was completed in August 2021. She stated that this project encompasses widening the hangar driveway area as well as the office area to include paving, replacing car stops and restriping. She stated that the City would be responsible for only one-half of the cost of this project. She stated that the remainder would be reimbursed through the Routine Airport Maintenance Program (RAMP) with the Texas Department of Transportation Aviation Division. After some discussion, Councilmember, Russell Machann, made a motion to recommend to the City Council to approve awarding a contract for the Wharton Regional Airport Paving Project. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The sixth item on the agenda was adjournment.

The meeting adjourned at 6:25 p.m.

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Joseph R. Pace, City Manager

City of Wharton  
120 E. Caney Street  
Wharton, TX 77488

## FINANCE COMMITTEE

Meeting Date:	8/22/2022	Agenda Item:	Presentation from Mr. Ken Schott with Waterstone Development Group on proposed Wharton Public Improvement District No. 1.
<p>Mr. Schott will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, August 18, 2022	
Approval: 			
Mayor: Tim Barker			

City of Wharton  
 120 E. Caney Street  
 Wharton, TX 77488

## FINANCE COMMITTEE

Meeting Date:	8/22/2022	Agenda Item:	<p>Green for Life (GFL), formerly Waste Corporation of America (WCA), Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:</p> <p>A. Resolution: A resolution of the Wharton City Council approving Amendment No. 3 to the Franchise Agreement for Solid Waste Collection Services with formerly Waste Corporation of America, presently Green for Life dated October 1, 2018 and authorizing the Mayor of the City of Wharton to execute said agreement.</p> <p>B. Ordinance: An ordinance repealing and replacing the City of Wharton Code of Ordinances, Chapter 86 Utilities and Services, Article III, Solid Waste Disposal Exhibit A, providing that a violation of the ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine and setting an effective date.</p>
<p>Attached is a copy of the memorandum dated August 17, 2022, from Finance Director, Joan Anandel, providing a copy of the letter dated August 11, 2022, from Mr. David Selesky of Green for Life (GFL), regarding their rate modification regarding to the Solid Waste Collection and Disposal Service Franchise between the City of Wharton and GFL. GFL may request rate modifications in accordance with Section 14.00, Basis and Methods of Payment, Item 14.02 Modification of Rates of the General Specifications of the Franchise Agreement (copy attached). As Mr. Selesky states, the rate increase is 5.0% in accordance with the price index mentioned in the City’s franchise agreement with GFL.</p> <p>At the budget workshop on August 9, 2022, the City Staff proposed a five (5) % increase but this was prior to receiving this request. At this time, City staff is requesting a total solid waste increase of seven (7) %.</p> <p>Attached is a draft ordinance that would amend the City Ordinance on solid waste charges.</p>			
City Manager: Joseph R. Pace		Date: Thursday, August 18, 2022	
Approval: 			
Mayor: Tim Barker			



# City of Wharton

120 E. Caney Street ° Wharton, TX  
77488

Phone (979) 532-2491° Fax (979) 532-  
0181

## MEMORANDUM

To: Mr. Joseph R. Pace  
City Manager

From: Joan Andel  
Finance Director

Date: August 17, 2022

Re: GFL increase

At the budget workshop on August 9, 2022, City Staff proposed that solid waste services would increase by five (5) percent beginning October 1, 2022. On August 11, 2022, I received via e-mail a request by GFL for a five (5) percent increase. According to the solid waste contract, GFL is allowed to request a rate modification if the request is submitted prior to August 15 of each year and this increase cannot be more than five (5) percent. Attached is their request.

I would like to schedule a meeting with GFL prior to the Finance Committee meeting to discuss this increase. If the Finance Committee recommends a rate modification increase to the GFL contract, I am proposing that total solid waste services increase to seven (7) percent for the proposed budget. This will result in an increase to the residential customers of \$1.54 per month while commercial customers will increase \$2.02 per month. I have attached an analysis of garbage rates showing current and proposed rates for residential and commercial services as well as the increase in commercial bins.

Should you have any questions, please contact me.

Thank you.



August 11, 2022

City of Wharton  
120 East Caney St.  
Wharton, TX 77488

RE: Solid Waste Collection and Disposal Contract – Year 5 Modification to Rates

GFL is proud to be your waste service provider. We are committed to providing you with the most professional and reliable service available. It is our goal to continue to provide you with high quality, waste collection services at a competitive cost. A component of our contract allows for annual modification to rates, beginning on October 1<sup>st</sup>, 2022

Section 14 allows for Modifications to Rates for changes in CPI and will be considered one time per year starting on the second (2<sup>nd</sup>) and subsequent years. Please consider this letter as our request for a Modification to Rates for Year 4 of the contract, beginning October 1, 2022.

Based on the formula contained in Sections 14.02 (a) and 14.02 (b) of the contract, the increase for the rates to be charged starting on October 1, 2022, is 5.0%.

You will find attached, the contract year 5 Modifications to Rates calculation and all supporting documentation and data used in the calculation, based on Sections 14.02 (a) and 14.02 (b). Please let me know if you would like to meet, at your convenience to discuss the modifications. Thank you in advance for your consideration.

Best Regards,

A handwritten signature in blue ink, appearing to read 'David Selesky'.

David Selesky  
Government Contracts Manager



Contract Item	Contract Description	Data Used	Value
14.02 (b) (1)	Index Value on first full month prior to commencement of contract (September 2018)	September 2018, CPI-U; US Average, Garbage and Trash	471.026
14.02 (b) (2)	Most recently published index value for the Rate Modification Date	July 2022, CPI-U; US Average, Garbage and Trash	548.187
14.02 (b) (3)	Net Percentage Change		16.38%
14.02 (b) (4)	The increase or decrease in the fees - shall not exceed 5.0%		5.00%

**CPI for All Urban Consumers (CPI-U)**

**Original Data Value**

Series Id: CUUR0000SEHG02, CUUS0000SEHG02  
 Not Seasonally Adjusted  
 Series Title: Garbage and trash collection in U.S. city average, all  
 Area: U.S. city average  
 Item: Garbage and trash collection  
 Base Period: DECEMBER 1983=100  
 Years: 2012 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2012	398.880	400.381	401.692	400.913	401.067	402.793	406.243	406.823	407.594	409.495	410.155	410.416
2013	411.126	411.805	412.305	413.675	414.511	414.802	416.505	417.760	418.357	419.687	421.427	422.237
2014	422.440	422.483	423.413	425.393	425.242	425.930	426.562	426.771	427.327	427.995	427.808	428.187
2015	427.734	429.248	429.235	429.807	431.234	430.813	431.229	432.967	433.843	434.829	436.428	436.996
2016	437.205	438.296	437.699	437.676	438.317	437.858	438.607	439.358	439.707	440.311	443.343	444.745
2017	446.266	447.699	446.987	447.129	447.272	448.046	448.328	448.717	449.008	452.196	453.820	453.596
2018	453.354	454.915	455.230	458.722	462.887	465.041	465.579	470.457	471.026	472.535	486.650	485.935
2019	475.687	477.474	478.569	479.449	480.865	480.984	482.138	483.987	484.346	486.133	486.485	486.708
2020	491.003	494.429	495.288	494.432	494.946	496.679	498.564	500.882	501.756	503.315	504.970	508.190
2021	512.722	517.270	518.505	518.579	516.440	517.202	521.185	524.408	529.934	530.114	529.053	532.538
2022	533.078	538.313	540.719	542.564	544.546	547.554	548.187					

## GENERAL SPECIFICATIONS

*Solid Waste Collection and Disposal, City of Wharton, Texas*

### 14 00 BASIS AND METHODS OF PAYMENT

#### 14 01 Collection and Disposal Rates

(a) For collection services required to be performed pursuant to Sections 3 01 - 3 03 the charges shall not exceed the rates as fixed by the contract documents, as adjusted in accordance with Section 14 02

(b) The refuse collection charges provided by Sections 3 01 – 3 03 shall include all disposal costs at a lawfully licensed landfill.

#### 14 02 Modification to Rates

(a) All proposed modifications to rates under this contract for the second (2nd) and subsequent years of the contract term, or specially petitioned for by contractor pursuant to subsection 14.02 (c) below, shall be effective with the prior approval of the City Council and be in a mutually agreed to written amendment hereto. The City Council is bound to approve rate adjustments for years 2-5 so long as the contractor's proposal follows the formulas contained herein.

The fees which may be charged by the contractor for the second (2nd) and subsequent years of the initial five (5) year term hereof shall be adjusted upward or downward to reflect changes in the cost of operations, as reflected by fluctuations in the Consumer Price Index for All Urban Consumers (Garbage and Trash) series ID CUSR0000SEHG02, as published by the U S Department of Labor, Bureau of Labor Statistics. In the event the U S Department of Labor, Bureau of Labor Statistics ceases to publish the CPI, the parties hereto agree to substitute another equally authoritative measure of change in the purchasing power of the U S dollar as may then be available so as to carry out the intent of this provision. During August of the first year of the contract and every twelve months thereafter (the "Rate Modification Date"), the fees shall be increased or decreased for the period beginning October 1 of that year in a percentage amount equal to 100% of the net percentage change of the CPI for All Urban Consumers – Garbage and Trash. The percentage change shall be computed as the difference between the index value for the first full month prior to the commencement of the contract (September 2018) and the most recently published index value for the Rate Modification Date divided by the index value for the first full month prior to the commencement of the contract (September 2018).

(b) Prior to August 15<sup>th</sup> of each year, contractor shall send to the City a comparative statement setting out the following

- (1) The index value on the first full month prior to the commencement of the Contract (September 2018),
- (2) The most recently published index value for the Rate Modification Date
- (3) The net percentage change,
- (4) The increase or decrease in the fees which may be charged by the contractor. Provided that any increase will not be greater than five (5) percent (%)

(c) In addition to the above, the contractor may petition the City at any time for additional rate and price adjustments on the basis of unusual changes in its cost of operations, such as revised laws, ordinances, or regulations, changes in location of disposal sites or changes in disposal charges, a significant and sudden increase in the number of residential units as set forth in Paragraph 15 of the Instructions to Proposer(s), such as City growth or annexation, and for other significant reasons that are substantiated.

(d) Any such rate adjustment pursuant to section 14 02(c) must be pre-approved in writing by City, in its sole discretion, before becoming effective. If the City and contractor cannot agree to a new rate, contractor may, at its option, either (i) continue to perform the services hereunder at the then-existing rate or (ii) elect to terminate this contract with sixty (60) days written notice to City. If the contractor elects to terminate this contract, contractor will continue to provide service at the then-existing rate for 60 days and at the new requested rate after such 60-day period should the City be unable to contract with another company within the 60 day notice period provided above. If continued service is required by contractor beyond the 60-day notice period, there will be no disruption in service and the contractor will continue to provide service at the new rate until the City

STATE OF TEXAS §  
COUNTY OF WHARTON §

**AMENDMENT NO 3 TO FRANCHISE AGREEMENT**

An amendment to the franchise agreement dated October 1, 2018 and further amended on October 1, 2019 by and between the **CITY OF WHARTON, TEXAS**, a municipal corporation, hereinafter referred to as “City,” and formerly **WASTE CORPORATION OF TEXAS**, presently **GREEN FOR LIFE** contractor, hereinafter referred to as “GFL,” **WITNESSETH**, is made this 22<sup>nd</sup> day of August 2022:

This amendment shall remain as written and shall be made a part of the original franchise agreement as follows:

**Exhibit “A” shall hereby be amended as per the attached Exhibit “A” and made a part of the original agreement.**

**Effective Date:**

This amendment shall be effective the 1<sup>st</sup> day of October 2022.

**Passed and Approved by the Wharton City Council this the 22<sup>nd</sup> day of August 2022.**

**CITY OF WHARTON, TEXAS**

**GREEN FOR LIFE**

By: \_\_\_\_\_

By: \_\_\_\_\_

**Tim Barker**  
**Mayor**

**ATTEST:**

**ATTEST:**

**By:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Paula Favors, City Secretary**

**Company Representative**

**APPROVED AS TO FORM:**

\_\_\_\_\_

**Paul Webb, City Attorney**

**ACKNOWLEDGMENTS**

**STATE OF TEXAS           §**

**COUNTY OF HARRIS       §**

This instrument was acknowledged before me on \_\_\_\_\_ 2022,  
by \_\_\_\_\_, General Manager of GREEN FOR LIFE on behalf of  
said organization.

\_\_\_\_\_  
Notary Public, State of Texas

**STATE OF TEXAS           §**

**COUNTY OF WHARTON §**

This instrument was acknowledged before me on \_\_\_\_\_, 2022, by  
Tim Barker, Mayor of the City of Wharton, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

**CITY OF WHARTON  
RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDMENT NO. 3 TO  
THE FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION  
SERVICES WITH GREEN FOR LIFE (GFL) AND AUTHORIZING THE MAYOR  
OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.**

**WHEREAS,** On August 26, 2019, the Wharton City Council approved Resolution No. 2019-92 approving the franchise agreement between the City of Wharton and formerly Waste Corporation of America, presently Green for Life (GFL) to be effective October 1, 2019; and,

**WHEREAS,** The Wharton City Council wishes to amend Exhibit “A” of the franchise agreement to reflect the increase in rates as set forth in Section 14.02 Modification of Rates of the contract; and,

**WHEREAS,** GFL and the City of Wharton wishes to be bound by the conditions outlined the agreement; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to the agreement; and,

**WHEREAS,** This resolution is passed in accordance with said contract.

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

**Section I.** That the Wharton City Council hereby approves to amend Exhibit “A” of the franchise contract between the City of Wharton and Green for Life.

**Section II.** That the Wharton City Council hereby establishes the rates outlined in the Exhibit “A” of the contract.

**Section III.** That the effective date of the Exhibit “A” will be the 1<sup>st</sup> day of October 2022.

**Section IV.** That the Mayor of the City of Wharton is hereby authorized to execute the contract amendment.

**Passed, Approved, and Adopted** this 22<sup>nd</sup> day of August 2022.

City of Wharton  
Resolution No. 2022-XX  
Page 2 of 2

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

**City of Wharton**  
**Analysis of Garbage Rate Increase 2022**  
**FY 2023**

**Residential:**

Current Rate	\$22.07
City Adm fee	3.00
Current total rate	\$25.07
7% increase	\$26.61
Rate Increase per Customer	\$1.54
Number of Customers	2420
Total Increase per Month	\$3,738.66

**Commercial:**

Current Rate	\$28.79
City Adm fee	3.50
Current total rate	\$32.29
7% increase	\$34.31
Rate Increase per Customer	\$2.02
Number of Customers	170
Total Increase per Month	\$342.60

Commercial Bins:	Current	Proposed Customer Cost	Total Increase
2 yd bin - 1 time per week	46 69.74	74.38	4.64
2 yd bin - 2 times per week	9 125.40	133.93	8.53
2 yd bin - 3 times per week	1 161.22	172.26	11.04
2 yd bin - 4 times per week	0 222.92	238.28	15.36
2 yd bin - 5 times per week	0 277.79	296.99	19.20
2 yd bin - extra pickup	0 76.15	81.23	5.09
3 yd bin - 1 time per week	30 102.87	109.83	6.96
3 yd bin - 2 times per week	15 185.03	197.73	12.71
3 yd bin - 3 times per week	8 247.50	264.58	17.08
3 yd bin - 4 times per week	1 332.65	355.69	23.04
3 yd bin - 5 times per week	4 414.92	443.72	28.80
3 yd bin - extra pick up	0 110.39	117.88	7.48
4 yd bin - 1 time per week	22 128.74	137.50	8.77
4 yd bin - 2 times per week	12 225.16	240.67	15.52
4 yd bin - 3 times per week	3 319.34	341.45	22.11
4 yd bin - 4 times per week	0 442.35	473.07	30.72
4 yd bin - 5 times per week	0 552.06	590.46	38.40
4yd bin - extra pick up	0 138.81	148.28	9.47
6 yd bin - 1 time per week	12 183.28	195.86	12.58
6 yd bin - 2 times per week	8 351.73	376.11	24.38
6 yd bin - 3 times per week	6 491.46	525.62	34.16
6 yd bin - 4 times per week	2 661.80	707.89	46.08
6 yd bin - 5 times per week	7 826.37	883.97	57.60
6 yd bin - extra pick up	0 195.70	209.15	13.45
8 yd bin - 1 time per week	13 227.36	243.03	15.67
8 yd bin - 2 times per week	20 424.61	454.08	29.48

8 yd bin - 3 times per week	11	635.19	679.41	44.22
8 yd bin - 4 times per week	0	881.20	942.64	61.44
8 yd bin - 5 times per week	7	1100.63	1177.42	76.80
8 yd bin - extra pick up	0	240.71	257.31	16.60
	237			

CITY OF WHARTON  
ORDINANCE NO. ~~2022~~-XX

AN ORDINANCE REPEALING AND REPLACING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 86 UTILITIES & SERVICE, ARTICLE III, SOLID WASTE DISPOSAL EXHIBIT A; PROVIDING THAT A VIOLATION OF THE ORDINANCE OR ANY PART OF THE CODE AS ADOPTED HEREBY SHALL CONSTITUTE A PENALTY UPON CONVICTION OF A FINE AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of Wharton, Texas, that Chapter 86 Utilities & Service, Article III Solid Waste Disposal Exhibit A shall be replaced as follows:

SCHEDULE "A"  
Base Rates

Monthly Residential Waste Collection  
\$ ~~25.07~~ 26.61 per Residential Unit which includes a \$3.00 per month fee.

Monthly Commercial Hand Collection  
\$ ~~32.29~~ 34.31 per Commercial Unit which includes a \$3.50 per month fee.

Container Service (per month) includes a \$3.50 fee

2 yd 1xwk	<del>\$69.74</del> 74.38
2xwk	<del>\$125.40</del> 133.93
3xwk	<del>\$161.22</del> 172.26
4xwk	<del>\$222.92</del> 238.28
5xwk	<del>\$277.79</del> 296.99
Additional Pick-up	<del>\$76.15</del> 81.22
3yd 1xwk	<del>\$102.87</del> 109.83
2xwk	<del>\$185.03</del> 197.73
3xwk	<del>\$247.50</del> 264.58
4xwk	<del>\$332.65</del> 355.69
5xwk	<del>\$414.92</del> 443.72
Additional Pick-up	<del>\$110.39</del> 117.88
4yd 1xwk	<del>\$128.74</del> 137.50
2xwk	<del>\$225.16</del> 240.67
3xwk	<del>\$319.34</del> 341.45
4xwk	<del>\$442.35</del> 473.07
5xwk	<del>\$552.06</del> 590.46
Additional Pick-up	<del>\$138.81</del> 148.28
6yd 1xwk	<del>\$183.28</del> 195.86

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City of Wharton  
Ordinance No. 2022-XX

2xwk	\$ <del>351.73</del> 376.11
3xwk	\$ <del>491.46</del> 525.62
4xwk	\$ <del>661.80</del> 707.89
5xwk	\$ <del>826.37</del> 883.97
Additional Pick-up	\$ <del>195.70</del> 209.15
8yd 1xwk	\$ <del>227.36</del> 243.03
2xwk	\$ <del>424.61</del> 454.08
3xwk	\$ <del>635.19</del> 679.41
4xwk	\$ <del>881.20</del> 942.64
5xwk	\$ <del>1,100.63</del> 1,177.42
Additional Pick-up	\$ <del>240.71</del> 257.31

**Rates for Roll-offs:**

Delivery Fee	\$ <del>125.58</del> 131.86
Monthly Rental	\$ <del>150.69</del> 158.23
Pull Price (per pull)	\$ <del>160.44</del> 168.47
Disposal Fee-Loose (per yard)	\$ <del>8.79</del> 9.23
Disposal Fee-Compact (per yard)	\$ <del>10.93</del> 11.48

**Rates for Other Services:**

Hourly Rate	\$ <del>122.97</del> 129.12
Disposal per cubic yard	\$ <del>8.59</del> 9.02

**PENALTY**

Except as otherwise provided in this chapter, any person found guilty of intentionally, knowingly or recklessly violating any provision of this article and upon conviction thereof in the municipal court shall be fined in accordance with the terms of Section 1-5 of the Code of Ordinances of the City of Wharton, Texas.

**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.

**EFFECTIVE DATE**

This Ordinance shall become effective at 12:01 a.m. on the 1<sup>st</sup> day of October ~~2022~~.

City of Wharton  
Ordinance No. 2022-XX

**PASSED AND APPROVED** by the City Council of the City of Wharton, Texas, on the ~~23rd~~22nd day August ~~2021~~ 2022.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**PAUL WEBB**  
City Attorney

Published in the Wharton Journal Spectator Saturday, August ~~28~~27, ~~2021~~2022 and Saturday, September ~~4~~ 3, ~~2021~~2022

City of Wharton  
 120 E. Caney Street  
 Wharton, TX 77488

## FINANCE COMMITTEE

Meeting Date:	8/22/2022	Agenda Item:	Ordinance: An ordinance amending the City of Wharton Code of Ordinances, Chapter 86, Sections 86-15, 86-16, 86-17, and 86-21, Utilities and Services, Article I in General; Providing that a violation of the ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine; Providing a savings clause and revoking all ordinances or parts of ordinances in conflict herewith only to the extent same are in conflict herewith otherwise provided herein.
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Attached is a copy of the memorandum dated August 15, 2022, from Finance Director, Joan Anandel, to me regarding the proposed increase in utility rates for customers to be effective October 1, 2022. As discussed in the City Council Budget Workshop on August 9, 2022, the proposed budget includes a 10% increase in water and sewer rates.

Also attached is a draft copy of the amended ordinance.

City Manager: Joseph R. Pace	Date: Thursday, August 18, 2022
Approval: 	
Mayor: Tim Barker	



# City of Wharton

120 E. Caney Street ° Wharton, TX  
77488

Phone (979) 532-2491° Fax (979) 532-  
0181

## MEMORANDUM

To: Mr. Joseph R. Pace  
City Manager

From: Joan Andel

Date: August 15, 2022

Re: Chapter 86 Utilities and Services Ordinance

Attached is a draft copy of the revised City of Wharton Code of Ordinance, Chapter 86 Utilities and Service Sections: 15, 16, 17 and 21 with changes as presented at the budget workshop held on August 09, 2022. The proposed change is a ten (10) percent increase to utility (water/sewer) rates.

### Water Tap Fees

<b>Size of Tap</b>	<b>Current:</b>	<b>Proposed (10% increase):</b>
¾ inch T-off	\$313.82	\$345.20
¾ inch	\$627.60	\$690.36
1-inch	\$824.85+ cost of meter	\$907.34+ cost of meter
1 ½ inch	\$1,237.27+cost of meter	\$1,361.00 + cost of meter
2 inch	\$1,649.55 + cost of meter	\$1,814.51+ cost of meter

### Sewer Tap Fees

<b>Size of Tap</b>	<b>Current:</b>	<b>Proposed (10% increase):</b>
4 inch	\$627.60	\$690.36
6 inch	\$1,030.91	\$1,134.00

### Water Rate:

<b>Volume:</b>	<b>Current:</b>	<b>Proposed (10% increase):</b>
First 2,000 gallons	\$28.51	\$31.36

(minimum)		
Next 2,000 gallons	\$5.42 per 1,000	\$5.96 per 1,000
Next 3,000 gallons	\$5.60 per 1,000	\$6.16 per 1,000
Next 4,000 gallons	\$5.82 per 1,000	\$6.40 per 1,000
Next 4,000 gallons	\$6.20 per 1,000	\$6.82 per 1,000
Next 35,000 gallons	\$6.56 per 1,000	\$7.22 per 1,000
Next 50,000 gallons	\$6.80 per 1,000	\$7.48 per 1,000
Next 50,000 gallons	\$7.31 per 1,000	\$8.04 per 1,000
Next 50,000 gallons	\$7.76 per 1,000	\$8.54 per 1,000

Customers requesting temporary Water Services:

<b>Volume:</b>	<b>Current:</b>	<b>Proposed (10% increase):</b>
First 8,000 gallons	\$65.86	\$72.45
After initial 8,000 gallons	\$6.02 per 1,000	\$6.62 per 1,000

Sewer Rate:

<b>Volume:</b>	<b>Current:</b>	<b>Proposed (10% increase):</b>
First 2,000 gallons (minimum)	\$30.62	\$33.69
Next 2,000 gallons	\$4.76 per 1,000	\$5.24 per 1,000
Next 3,000 gallons	\$5.82 per 1,000	\$6.40 per 1,000
Next 4,000 gallons	\$6.46 per 1,000	\$7.11 per 1,000
Next 4,000 gallons	\$6.93 per 1,000	\$7.62 per 1,000
Next 35,000 gallons	\$7.63 per 1,000	\$8.39 per 1,000
Next 50,000 gallons	\$8.16 per 1,000	\$8.98 per 1,000
Next 50,000 gallons	\$8.64 per 1,000	\$9.50 per 1,000
Next 50,000 gallons	\$9.27 per 1,000	\$10.20 per 1,000

Bulk Water Rate:

<b>Volume:</b>	<b>Current:</b>	<b>Proposed (10% increase):</b>
Initial 1,000 gallons	\$109.76	\$120.74
After initial 1,000 gallons	\$43.92	\$48.31

If approved, the rate change will be effective **October 1, 2022.**

Thank you.

**CITY OF WHARTON  
ORDINANCE NO. 2022-XX**

**AN ORDINANCE AMENDING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 86, SECTIONS 86-15, 86-16, 86-17 AND 86-21, UTILITIES AND SERVICES, ARTICLE I IN GENERAL; PROVIDING THAT A VIOLATION OF THE ORDINANCE OR ANY PART OF THE CODE AS ADOPTED HEREBY SHALL CONSTITUTE A PENALTY UPON CONVICTION OF A FINE; PROVIDING A SAVINGS CLAUSE AND REVOKING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ONLY TO THE EXTENT SAME ARE IN CONFLICT HEREWITH OTHERWISE PROVIDED HEREIN.**

**BE IT ORDAINED** by the City Council of the City of Wharton, Texas that Chapter 86, Utilities and Services, Article I in General; Sections 86-15, 86-16, 86-17 and 86-21 be amended by the following:

**Section I. Amendment**

The Code of Ordinances of the City of Wharton, Texas, Chapter 86 Utilities and Services is hereby amended to be enforced by the City of Wharton as follows:

**Sec. 86-15. - Water and sewer tap charges, deposits, administrative penalties and other charges.**

Water and sewer tap charges, deposits, administrative penalties and other charges shall be as follows:

(1) *Water.* Standard water tap fees for customers inside the city limits and outside the city limits are as follows:

	Size of Tap	Cost of Service
a.	¾-inch T-off	\$ <del>313.82</del> 345.20
b.	¾-inch	\$ <del>627.60</del> 690.36
c.	1-inch	\$ <del>824.85</del> 907.34+ cost of meter

d.	1½-inch	\$ <del>1,237.27</del> 1,361.00+ cost of meter
e.	2-inch	\$ <del>1,649.55</del> 1,814.51+ cost of meter

(2) *Sewer.* Standard sewer tap fees for customers inside the city limits and outside the city limits are as follows:

	Size of Tap	Cost of Service
a.	4-inch	\$ <del>627.60</del> 690.36
b.	6-inch	\$ <del>1,030.91</del> 1,134.00

**Sec. 86-16. - Water service charges.**

(a) The monthly charges for water service rendered by the city shall be as follows:

Volume Charges

First 2,000 gallons (minimum).....	\$ <del>28.51</del> 31.36
Next 2,000 gallons, per 1,000.....	\$ <del>5.42</del> 5.96
Next 3,000 gallons, per 1,000.....	\$ <del>5.60</del> 6.16
Next 4,000 gallons, per 1,000.....	\$ <del>5.82</del> 6.40
Next 4,000 gallons, per 1,000.....	\$ <del>6.20</del> 6.82
Next 35,000 gallons, per 1,000.....	\$ <del>6.56</del> 7.22
Next 50,000 gallons, per 1,000.....	\$ <del>6.80</del> 7.48
Next 50,000 gallons, per 1,000.....	\$ <del>7.31</del> 8.04
Next 50,000 gallons, per 1,000.....	\$ <del>7.76</del> 8.54

(b) Customers requesting temporary water services (seven-day increments) can apply for a temporary water rate based on the following:

Volume Charges

First 8,000 gallons for seven days.....	\$ <del>65.86</del> 72.45
Over 8,000 gallons, per 1,000.....	\$ <del>6.02</del> 6.62

**Sec. 86-17. - Sewer service charges.**

(a) The monthly charges for sanitary sewer services rendered by the city shall be as follows:  
Volume Charges

First 2,000 gallons (minimum)....	\$ <del>30.62</del> 33.69
Next 2,000 gallons, per 1,000.....	\$ <del>4.76</del> 5.24
Next 3,000 gallons, per 1,000.....	\$ <del>5.82</del> 6.40
Next 4,000 gallons, per 1,000.....	\$ <del>6.46</del> 7.11
Next 4,000 gallons, per 1,000.....	\$ <del>6.93</del> 7.62
Next 35,000 gallons, per 1,000....	\$ <del>7.63</del> 8.39
Next 50,000 gallons, per 1,000....	\$ <del>8.16</del> 8.98
Next 50,000 gallons, per 1,000....	\$ <del>8.64</del> 9.50
Next 50,000 gallons, per 1,000....	\$ <del>9.27</del> 10.20

**Sec. 86-21. - Bulk water rates.**

(a) Bulk sales through fire hydrant water meters temporarily installed at locations remote from the Wharton Volunteer Fire Department on Fulton Street will require the following:

- (1) Advance, nonrefundable payment of \$50.00 to the City of Wharton at City Hall for setting the meter connection at the fire hydrant or other appropriate locations as the city may determine; and
- (2) Payment of bulk sales rate of \$ ~~109.76~~ 120.74 per month for the first 1,000 gallons of water dispensed, or any fraction thereof; \$ ~~43.92~~ 48.31 per month per 1,000 gallons dispensed, or any fraction thereof, beyond the initial 1,000 gallons dispensed; and
- (3) Advance, refundable fire hydrant meter deposit payment of \$200.00 to the City of Wharton at City Hall.

(b) Bulk sales through permanently installed water meter dispensation point at the Wharton Volunteer Fire Department on Fulton Street will require the following:

- (1) No requirement for payment of meter setting fee; and
- (2) Payment of bulk sales rate of \$ ~~109.76~~ 120.74 for the first 1,000 gallons of water dispensed, or any fraction thereof; \$ ~~43.92~~ 48.31 per 1,000 gallons dispensed, or any fraction thereof, beyond the initial 1,000 gallons dispensed; and

- (3) No requirement for payment of the \$200.00 fire hydrant meter deposit, however each water dispensation transaction authorized under this section must be prepaid to the City of Wharton at City Hall where a one-day dispensation voucher will be issued for presentation to the water plant operator to authorize a one-day dispensation of a not to exceed amount of water in gallons. The one-day dispensation voucher identifying the cumulative number of gallons purchased will allow for scheduled multiple withdrawals of water, but only during the same City of Wharton working day upon which initial dispensation commences.

### **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 a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

### **Penalties and Fines**

Any person knowingly or recklessly found violating and are convicted of a violation of this ordinance shall be fined in an amount not to exceed \$2,000.00. Each day or fraction of a day during which this ordinance or any part thereof is violated shall be deemed a separate offense and punishable as such.

### **Effective Date**

This ordinance shall be effective on the 1<sup>st</sup> day of October 2022 at 12:01 a.m.

### **Passage and Approval**

**PASSED AND APPROVED** by the City Council of the City of Wharton, Texas, this 22nd day of August 2022.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**Paula Favors**  
City Secretary

**APPROVED AS:**

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**PAUL WEBB**  
City Attorney

Published in the Wharton Journal Spectator on Saturday, August 27, 2022 and Saturday, September 3, 2022.