



**CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

**Monday, July 08, 2024
7:00 PM**

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

**NOTICE OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

Notice is hereby given that a City Council Regular Meeting will be held on Monday, July 08, 2024, at 7:00 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 3rd day of July 2024.

By: 
Tim Barker, Mayor

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council Regular 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 July 3, 2024, 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 3rd day of July 2024.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
City Council Regular Meeting
Monday, July 08, 2024
City Hall - 7:00 PM

Call to Order –Opening Devotion –Pledge of Allegiance.

Roll Call and Excused Absences.

Public Comments.

Wharton Moment.

Review and Consider:

1. Reading of the minutes from the regular meetings held June 10, 2024, and June 24, 2024, and special meeting held June 17, 2024.
2. Request from Ms. Thelma Hayes to address the City Council regarding damage to her driveway.
3. Request from Mr. Danny Moses, Manager of Moses Gin, for a permit for a camper/trailer placement at 407 Hamilton Street and between 209 N. Cloud Street and the adjoining lot at 600 W. Caney Street from mid-July 2024 to December 31, 2024.
4. Request from Mr. David Bowlin on behalf of A2J Holdings, LLC., 500 Abell St., Rust 3, Block 7, Lot Odd, for a front building line setback variance on Alabama St., Speed St., and Center St. to allow for adequate detention area and to preserve existing trees.
5. Resolution: A resolution of the Wharton City Council authorizing the abandonment of the waterline at 1014 North Richmond Road.
6. Resolution: A resolution of the Wharton City Council authorizing the purchase of air conditioning units for the Fire Department and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase.
7. Resolution: A resolution of the Wharton City Council authorizing the purchase of body cameras for the Police Department and authorizing the City Manager to execute all documents related to said purchase.
8. Debris Removal Services and Debris Monitoring Services:
 - A. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris removal and disposal firm to be used in the event of a major disaster.
 - B. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris monitoring firm to be used in the event of a major disaster.

- [9.](#) Resolution: A resolution of the Wharton City Council authorizing the purchase of two (2) vehicles for the City of Wharton Emergency Medical Services Department and authorizing the City Manager to execute all documents related to said purchase.
- [10.](#) Resolution: A resolution of the Wharton City Council authorizing the purchase of a 2024 Gravely Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase.
- [11.](#) Resolution: A resolution of the Wharton City Council approving the purchase and installation of Michelin Mobility Intelligence Road Assessment Program Software for the City of Wharton and authorizing the Mayor of the City of Wharton to execute all documents related to said purchase and installation.
- [12.](#) Resolution: A resolution of the Wharton City Council approving the repair of rotary screens and tank at Wastewater Treatment Plant No. 2 and authorizing the Mayor of the City of Wharton to execute all documents related to said repairs.
- [13.](#) Pay Request No. 2 from Reddico Construction Company for the U.S. 59 Water and Wastewater Utility Relocations.
- [14.](#) Pay Request No. 1 from Capital Underground Utilities for the Titus Express Carwash Waterline Extension.
- [15.](#) Pay Request No. 1 from Alsay Incorporated for the Valhalla Water Well Rehabilitation 2023.
- [16.](#) Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees:
 - A. Resignations.
 - B. Appointments.
 - C. Vacancies.

Executive Session:

- [17.](#) City Council may adjourn into an Executive Session in accordance with Sections 551.071 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision, or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.
 - Discussion:
 - A. Consultation with the City Attorney regarding pending or contemplated litigation.


Return to Open Session:

- [18.](#) Action on items discussed in Executive Session:
 - A. Consultation with the City Attorney regarding pending or contemplated litigation.

Adjournment.

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Reading of the minutes from the regular meetings held June 10, 2024, and June 24, 2024, and special meeting held June 17, 2024.
Attached you will find the draft minutes from the regular meetings held June 10, 2024, and June 24, 2024, and special meeting held June 17, 2024.			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
JUNE 10, 2024**

Mayor, Tim Barker 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, Burnell Neal, led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Russell Machann; Burnell Neal; Larry Pittman; Steve Schneider, and David Voulgaris.

Councilmembers absent were: None.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anandel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC, IPMA-CP; Planning and Development Director, Gwyn Teves; Police SGT., Stephen Jimenez, and Airport Manager, Dwayne Pospisil.

Visitors present were: Ryan Salazar; Jeremy McDonald with Rise Broadband, and Sam Scinta, Jr. with the Wharton County Leader-Journal.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

Mayor, Tim Barker, called for Public Comments. No comments were given.

Wharton Moment

Mayor, Tim Barker, called for Wharton Moment. Councilmember Burnell Neal congratulated the 10u All-Stars representing Wharton in the State Championship Area 5 Softball tournament. Councilmember Neal said the girls played several great games and he was so proud to announce that they placed second in the state tournament.

Review and Consider:

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held May 13, 2024, and May 28, 2024. After some discussion, Councilmember, Russell Machann, moved to approve the reading of the minutes from the regular meetings held May 13, 2024, and May 28, 2024. Councilmember, Larry Pitman, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider an update from Mr. Jeremy McDonald regarding the Rise Broadband installation and services. Mr. McDonald stated the project

completion was slated for the first of July and everything had been running smoothly. After some discussion, no action was taken.

The third item on the agenda was to review and consider a request from Mr. David Bowlin on behalf of Chapel Creek Investments, LLC to replat 1113 College St., High School, Lot 6, 7, NW Corner of 8 for multifamily development. Director of Planning & Development, Gwyn Teves, presented a copy of a request from Mr. David Bowlin on behalf of Chapel Creek Investments, LLC to replat 1113 College St., High School, Lot 6, 7, NW Corner of 8 for multifamily development. Mrs. Teves stated the Planning Commission met and recommended this item to the City Council for consideration. After some discussion, Councilmember, Terry Freese, moved to approve the request from Mr. David Bowlin on behalf of Chapel Creek Investments, LLC to replat 1113 College St., High School, Lot 6, 7, NW Corner of 8 for multifamily development. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from Mr. Robert Fleming Jr. on behalf of Keith Gerard Home Solutions to replat 606 Old Boling Rd., Wm. Kincheloe, Block 64-A9 for residential development. Director of Planning & Development, Gwyn Teves, presented a copy of the request from Mr. Robert Fleming Jr. on behalf of Keith Gerard Home Solutions to replat 606 Old Boling Rd., Wm. Kincheloe, Block 64-A9 for residential development. Mrs. Teves stated the Planning Commission met and recommended this item to the City Council for consideration. After some discussion, Councilmember, Russell Machann, moved to approve the request from Mr. Robert Fleming Jr. on behalf of Keith Gerard Home Solutions to replat 606 Old Boling Rd., Wm. Kincheloe, Block 64-A9 for residential development. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to submit a Letter of Intent for the City of Wharton's participation in the Texas Department of Transportation Aviation Division Capital Improvement Program by submitting an application for funding to be used for design and rehabilitation of the runway, Parallel Alpha, and Connector Taxiways to include construction phase services at the Wharton Regional Airport. Finance Director, Joan Andel, stated that on May 28, 2024, the Finance Committee met regarding improvements to the Wharton Regional Airport Runway and Taxiway. Mrs. Andel said the project cost for designing and rehabilitating the runway, Parallel Alpha, and Connector Taxiways to include construction phase services was estimated at \$2,775,000.00. She said the project would be funded through the Texas Department of Transportation Aviation Division Capital Improvement Program which was a 90% Federal and 10% Local Cost Sharing Program. Finance Director Andel stated it was the recommendation from the Finance Committee to submit this item to the City Council for final approval and to pursue this project with TxDOT Aviation Division. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-55, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-55**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO SUBMIT A LETTER OF INTENT FOR THE CITY OF WHARTON'S PARTICIPATION IN THE TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION CAPITAL IMPROVEMENT PROGRAM BY SUBMITTING AN APPLICATION FOR FUNDING TO BE USED FOR DESIGN AND REHABILITATION OF THE RUNWAY, PARALLEL ALPHA, AND CONNECTOR TAXIWAYS TO INCLUDE CONSTRUCTION PHASE SERVICES AT THE WHARTON REGIONAL AIRPORT.

WHEREAS, The Wharton City Council wishes for certain improvements to be conducted at the Wharton Regional Airport; and,

WHEREAS, Said improvements would include a design and rehabilitation of the runway, Parallel Alpha, and Connector Taxiways at the Wharton Regional Airport to include Construction Phase Services; and,

WHEREAS, To fund the costs for said project, the Wharton City Council wishes to participate in the Texas Department of Transportation Aviation Division, Capital Improvement Program, which is a 90% federal/ 10% local cost share program; and,

WHEREAS, Total project costs are estimated to be \$2,775,000.00, and the City of Wharton would be responsible for 10% which is currently estimated to be \$277,500.00; and,

WHEREAS, The Wharton City Council names the Texas Department of Transportation as its agent for purposes of applying for, receiving, and disbursing all funds for these improvements and for the administration of contracts necessary for the implementation of these improvements; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to submit a Letter of Intent to participate in said program.

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 submit a Letter of Intent to participate in the Texas Department of Transportation Aviation Division, Capital Improvement Program to apply for funding to be used for the design and rehabilitation of runway, Parallel Alpha, and Connector Taxiways to include construction phase services at the Wharton Regional Airport.

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

Passed, Approved, and Adopted this the 10th day of June 2024.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The sixth item on the agenda was to review and consider a resolution of the Wharton City Council awarding a contract for the Wharton Municipal Court renovation and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Assistant City Manager, Paula Favors, stated the Wharton Municipal Court Security Committee met and discussed the security of the Court. Mrs. Favors said that one of the major obstacles with the design of the courtroom was an emergency exit for the Judge and staff if there was an emergency. She said the Committee was recommending the installation of an emergency exit door with a panic exit device be installed in the jury room. Assistant City Manager, Paula Favors, stated she sent a request for proposals to three (3) contractors, Total Outdoor Solutions, Exeter Architectural, and BLS Construction, receiving only the included bid for \$24,843.60 from BLS Construction and it was the City Staff's recommendation to accept the bid by BLS Construction for \$24,843.60. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-56, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-56**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE WHARTON MUNICIPAL COURT RENOVATION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Bids were received for the creation of an emergency exit at the Wharton Municipal Court; and,

WHEREAS, BLS Construction was deemed the best lowest qualified bidder in the amount of \$24,843.60; and,

WHEREAS, The Wharton City Council wishes to award a contract to BLS Construction for the construction of an emergency exit at the Wharton Municipal Court in the amount of \$24,843.60; and,

WHEREAS, The City of Wharton and BLS Construction wish 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 all documents related to said contract.

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 to execute a contract for the construction of an emergency exit at the Wharton Municipal Court to BLS Construction in the amount of \$24,843.60.

Section II. The City of Wharton and BLS Construction are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this 10th day of June 2024.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council ratifying and approving Change Order No. 1 for a cost increase with Capital Underground Utilities, LLC, for the Titus Express Waterline Extension and authorizing the Mayor to execute all documents related to said Change Order. Director of Planning & Development, Gwyn Teves, stated the work for the Titus Waterline Extension started the week of May 28, 2024, due to the TxDOT Sidewalks going in before the waterline relocation began. Mrs. Teves said that once construction began, the contractor met with City Staff, and it was determined to be in the best interest of the City to authorize the contractor to bore the portions of the line that had originally been bid as open-cut to avoid damage to the new sidewalk and incur additional repair costs. She said the City Staff was requesting that the City Council ratify Change Order No. 1 in the amount of \$5,850.00. Director Teves said the total construction cost was \$150,850.00 and to date, the Wharton EDC had agreed to fund the construction of the project in the amount of \$147,240.00.

She said the City Staff would be presenting the difference of \$3,610.00 to the Wharton EDC Board Meeting at their June monthly meeting for potential additional reimbursement for the project. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-57, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-57**

A RESOLUTION OF THE WHARTON CITY COUNCIL RATIFYING AND APPROVING CHANGE ORDER NO. 1 FOR A COST INCREASE WITH CAPITAL UNDERGROUND UTILITIES, LLC, FOR THE TITUS EXPRESS WATERLINE EXTENSION AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to ratify and approve Change Order No. 1 for the cost increase of \$5,850.00 with Capital Underground Utilities, LLC, for the Titus Carwash Express Waterline Extension; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the Change Order.

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

Section I. The Wharton City Council hereby ratifies and approves Change Order No. 1 for the cost increase of \$5,850.00 with Capital Underground Utilities, LLC, for the Titus Carwash Express Waterline Extension.

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

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

Passed, Approved, and Adopted this 10th day of June 2024.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider Pay Request No. 1 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 1 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations in the amount of \$1,526,893.74. Mrs. Teves stated it was the City staff's recommendation for the City Council to consider payment. After some discussion, Councilmember, Larry Pittman, moved to approve Pay Request No. 1 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations in the amount of \$1,526,893.74. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees:

- A. Resignations.
- B. Appointments.
- C. Vacancies.

After some discussion, no action was taken.

The tenth item on the agenda was to review and consider the City Council Boards, Commissions, and Committee Reports:

- A. Finance Committee meeting held May 28, 2024.

After some discussion, no action was taken.

Executive Session

1. City Council may adjourn into an Executive Session in accordance with Sections 551.074 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision, or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.

Discussion:

- A. City Managers Evaluation.

Mayor, Tim Barker, moved the meeting into Closed Session at 7:19 p.m.

Return to Open Session

Mayor, Tim Barker, returned the meeting to Open Session at 8:04 p.m.

1. Action on items discussed in Executive Session:

A. City Managers Evaluation.

After some discussion, no action was taken.

There being no further discussion, Councilmember, David Voulgaris, moved to adjourn. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The meeting adjourned at 8:04 p.m.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
JUNE 24, 2024**

Mayor, Tim Barker 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, Burnell Neal, led the opening devotion, and Mayor, Tim Barker led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Russell Machann; Burnell Neal; Larry Pittman; Steve Schneider, and David Voulgaris.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC, IPMA-CP; Assistant to the City Manager, Brandi Jimenez; Planning and Development Director, Gwyn Teves, and Police SGT. Stephen Jimenez.

Visitors present were: Sam Scinta, Jr. with the Wharton County Leader-Journal.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

Mayor, Tim Barker, called for Public Comments. No comments were given.

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments.

Councilmember, Burnell Neal, presented the 10u All-Stars with award trophies for representing Wharton in the State Championship Area 5 Softball tournament. Councilmember Neal said the girls played several great games and he was so proud to announce that they placed second in the state tournament.

City Manager, Joseph R. Pace, congratulated Lt. Ariel Soltura on completing the LEMIT program which was a statewide program that trained and developed law enforcement officials in Texas. City Manager Pace also congratulated Building Official, Claudia Velasquez, for earning her Code Enforcement Officer II certification.

Review and Consider:

City of Wharton Financial Report for May 2024. Finance Director, Joan Andel, presented the City of Wharton Financial Report for May 2024. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for May 2024. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from Mr. David Bowlin on behalf of A2J Holdings, LLC., 500 Abell St., Rust 3, Block 7, Lot ODD, for the following variances:

- A. Variance to allow the existing parking lot to remain in the existing location. (1)
- B. Variance to build parking spaces over the ROW on Speed St. (2)
- C. Variance to build parallel parking in the ROW on Speed St. (3)
- D. Variance to build parking spaces in the ROW on Alabama St. (4)

Director of Planning & Development, Gwyn Teves, presented a copy of the request from Mr. David Bowlin on behalf of A2J Holdings, LLC., 500 Abell St., Rust 3, Block 7, Lot ODD, for the following variances:

- A. Variance to allow the existing parking lot to remain in the existing location. (1)
- B. Variance to build parking spaces over the ROW on Speed St. (2)
- C. Variance to build parallel parking in the ROW on Speed St. (3)
- D. Variance to build parking spaces in the ROW on Alabama St. (4)

Mrs. Teves stated Item A does not require a variance with the existing conditions, however, the exhibit showed the parking along Abell Street to be moved closer to the roadway and over the right of way. She said the existing parking should remain in the current location within the property line and not encroach on the right of way. Mrs. Teves stated the Planning Commission met and was recommending this item to the City Council for consideration. After some discussion, Councilmember, Terry Freese, moved to decline the request for variances from Mr. David Bowlin on behalf of A2J Holdings, LLC., 500 Abell St., Rust 3, Block 7, Lot ODD. Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a resolution by the City of Wharton, Texas ("city") denying the application of the CenterPoint Energy Houston Electric LLC for authority to increase rates submitted on or about March 6, 2024; requiring the reimbursement of municipal rate case expenses; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject; and declaring an effective date. City Attorney, Paul Webb, stated that on March 6, 2024, CenterPoint Energy Houston Electric, LLC ("CEHE") filed an application to increase its retail rates by approximately \$60 million in annual revenue, or 2.6% in comparison to current retail revenues. He said the increase of \$60 million was comprised of an increase of about \$17 million for retail customers and about \$43 million for wholesale transmission customers and that CEHE requested its rates become effective on April 10, 2024. He said this was CEHE's first comprehensive base rate proceeding since about April 2019 and by prior action, the City suspended CEHE's proposed effective date for the statutorily

allowed period to July 9, 2024. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-58, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-58**

RESOLUTION BY THE CITY OF WHARTON, TEXAS (“CITY”) DENYING THE APPLICATION OF THE CENTERPOINT ENERGY HOUSTON ELECTRIC LLC FOR AUTHORITY TO INCREASE RATES SUBMITTED ON OR ABOUT MARCH 6, 2024; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, CenterPoint Energy Houston Electric (“CEHE” or “Company”) filed a Statement of Intent with the City on or about March 6, 2024, to change its rates within the corporate limits of this municipality, specifically to increase its annual revenue for its retail transmission and distribution services by approximately \$60 million, comprised of an increase of about \$17 million for its retail customers and about \$43 million for its wholesale transmission customers; and,

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

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating CEHE’s rate request and its changes in tariffs it is prudent to coordinate the City’s efforts with a coalition of similarly situated municipalities; and,

WHEREAS, CEHE failed to establish that its overall revenue request resulted in no more than an amount that will permit CEHE a reasonable opportunity to earn a reasonable return on the utility’s invested capital used and useful in providing service to the public in excess of the utility’s reasonable and necessary operating expenses; and,

WHEREAS, CEHE failed to establish that its proposed rates were just and reasonable; and,

WHEREAS, the City has previously: (1) suspended CEHE’s proposed rate increase by 90 days; (2) authorized intervention in proceedings related to CEHE’s proposed rate increase as a member of the coalition of cities known as the Texas Coast Utilities Coalition of cities; (3) directed CEHE to reimburse TCUC’s rate case expenses; and (4) retained the law firm of Herrera Law & Associates, PLLC with respect to rate proceedings involving CEHE before the Public Utility Commission of Texas and courts of law and to retain consultants to review CEHE’s rate application subject to TCUC’s approval.

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

Section 1. The findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

Section 2. CEHE failed to show that its proposed rates are just and reasonable.

Section 3. The City hereby **DENIES** CEHE's request to increase rates and in support of **DENIAL** finds that:

- a) CEHE failed in its burden of proof to establish that its requested increase in revenue or the changes set forth in its tariffs attached to CEHE's Statement of Intent to increase rates, results in just and reasonable rates;
- b) CEHE failed in its burden of proof to establish that adoption of its proposed rate base, expenses, investment, return on equity, and other rate issues as presented in CEHE's Statement of Intent to increase rates, result in just and reasonable rates.

Section 4. The City hereby orders CEHE to reimburse the City's rate case expenses as provided in the Public Utility Regulatory Act and that CEHE shall continue to do so on a monthly basis and within 30 days after submission of the City's invoices for the City's reasonable costs associated with the City's activities related to this rate review or to related proceedings involving CEHE before the City, the Public Utility Commission of Texas, or any court of law.

Section 5. A copy of this resolution shall be sent to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, P.O. Box 302799, Austin, Texas 78703, and a courtesy copy to Ms. Denise Gaw, Regulatory Manager, CenterPoint Energy, 1111 Louisiana Street, Houston, Texas 77002.

Section 6. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. This resolution supersedes any prior inconsistent or conflicting resolution or ordinance.

Section 8. This resolution shall become effective from and after its passage.

PASSED AND APPROVED this 24th day of June 2024.

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of three (3) PowerLoads from Stryker Medical for the Emergency Medical Services Department and authorizing the City Manager to execute all documents related to said purchase. EMS Director, Christy Gonzales, presented a copy of a memorandum from her regarding the purchase of three PowerLoads from Stryker Medical for the Emergency Medical Services Department. EMS Director Gonzales stated the total amount for the purchase was \$116,653.53. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-59, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-59**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF THREE (3) POWERLOADS FROM STRYKER MEDICAL FOR THE EMERGENCY MEDICAL SERVICES DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Wharton Emergency Medical Services Department requests that the City Council approve the purchase of three (3) PowerLoads from Stryker Medical; and,

WHEREAS, The total amount of said purchase is \$116,653.53; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to purchase three (3) PowerLoads from Stryker Medical.

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

SECTION I. The Wharton City Council hereby authorizes the purchase of three (3) PowerLoads from Stryker Medical.

SECTION II. The Wharton City Council hereby authorizes the City Manager to execute the purchase of three (3) PowerLoads from Stryker Medical.

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

PASSED AND APPROVED this 24th day of June 2024.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the submission of an application to the General Land Office (GLO) Resilient Communities Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. Director of Planning & Development, Gwyn Teves, stated the City Staff had been informed of the Notice of Funding for the Resilient Communities Program (RCP) through the General Land Office. Mrs. Teves said the RCP would fund the development, adoption, and implementation of modern and resilient building codes and flood damage prevention ordinances to ensure that structures built within the community can withstand future hazards. She said the City Staff had met and discussed the opportunities available and would like to apply. Director of Planning and Development, Teves stated the application could update the current Comprehensive Plan to include the recently adopted Hazard Mitigation Plan recommendations, incorporate the ongoing Drainage Study, incorporate the Downtown Master Plan, and refresh the current land-use and forward-looking timeline and the City could apply for up to 100% funding and would not be required to provide a monetary match for the program. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-60, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-60**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GENERAL LAND OFFICE (GLO) RESILIENT COMMUNITIES PROGRAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.

WHEREAS, The City of Wharton City Council wishes to authorize the submission of an application to the General Land Office (GLO) Resilient Communities Program for the City of Wharton Comprehensive Plan update; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents relating to said applications.

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

SECTION I. The Wharton City Council hereby approves the submission of an application to the General Land Office (GLO) Resilient Communities Program for the City of Wharton Comprehensive Plan update.

SECTION II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said application.

SECTION IV. That this resolution shall become effective immediately upon its passage.

PASSED, APPROVED, and ADOPTED this 24th day of June 2024.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider an update of the City of Wharton Grant Programs. Director of Planning & Development, Gwyn Teves, presented an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The seventh item on the agenda was to review and consider an update on the City of Wharton's ongoing projects. City Manager, Joesph R. Pace, presented an update on the City of Wharton's ongoing projects. After some discussion, no action was taken.

The eighth item on the agenda was to review and consider Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees:

- A. Resignations.
- B. Appointments.
- C. Vacancies.

Resignations:

- A. Beautification Commission:
 - 1. Nancy Mata
 - 2. Rachel Roberson
- B. Mayor's Committee on People with Disabilities:
 - 1. Faye Evans
- C. Planning Commission:

1. Marshall Francis

D. Plumbing & Mechanical Board:

1. A.J. Rath

Appointments:

A. Wharton Regional Airport Board:

1. Larry David
2. Jimmy Zissa
3. Glenn Erdelt

B. Electrical Board:

1. Philip Hamlin
2. Milton Barbee

C. Holiday Light Decorating Chairman:

1. Tim Barker

D. Mayor's Committee on People with Disabilities:

1. Johnnie Gonzales

E. Health Officer:

1. Dr. Jeff Gubbels, MD

F. Veterinarian:

1. Dr. Cody Pohler, DVM

G. Planning Commission:

1. Adraylle Watson
2. Michael Wootton
3. Joel Williams

Councilmember, Russell Machann, moved to approve the following:

Resignations:

E. Beautification Commission:

3. Nancy Mata
4. Rachel Roberson

F. Mayor's Committee on People with Disabilities:

2. Faye Evans

G. Planning Commission:

2. Marshall Francis

H. Plumbing & Mechanical Board:

2. A.J. Rath

Councilmember, Terry Freese, seconded the motion. All voted in favor. Councilmember, Terry Freese, moved to approve the following:

Appointments:

H. Wharton Regional Airport Board:

4. Larry David

- 5. Jimmy Zissa
- 6. Glenn Erdelt
- I. Electrical Board:
 - 3. Philip Hamlin
 - 4. Milton Barbee
- J. Holiday Light Decorating Chairman:
 - 2. Tim Barker
- K. Mayor's Committee on People with Disabilities:
 - 2. Johnnie Gonzales
- L. Health Officer:
 - 2. Dr. Jeff Gubbels, MD
- M. Veterinarian:
 - 2. Dr. Cody Pohler, DVM
- N. Planning Commission:
 - 4. Adraylle Watson
 - 5. Michael Wootton
 - 6. Joel Williams

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider Department Head Reports:

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

After some discussion, no action was taken.

Executive Session:

- 1. City Council may adjourn into an Executive Session in accordance with Sections 551.074 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision, or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.

Discussion:

A. City Managers Evaluation.

Mayor, Tim Barker, moved the meeting into Executive Session at 7:29 p.m.

Return to Open Session:

1. Action on items discussed in Executive Session:

A. City Managers Evaluation.

Mayor, Tim Barker, moved the meeting into Open Session at 8:00 p.m. Mayor Barker stated no action would be taken at this time.

Adjournment.

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

The meeting adjourned at 8:00 p.m.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**MINUTES
OF
CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING
JUNE 17, 2024**

Mayor, Tim Barker, declared a Special Meeting duly open for the transaction of business at 6:00 P.M. Councilmember, Burnell Neal, led the prayer, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker and Councilmembers, Terry Freese; Burnell Neal; Larry Pittman; Russell Machann; David Voulgaris; and Steven Schneider.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; Finance Director, Joan Andel; Assistant to City Manager, Brandi Jimenez; Finance Accountant; London Davis; Assistant City Manager, Paula Favors; Building Official, Claudia Velasquez; Assistant to the Building Official, Shelby Robertson; Airport Attendant, Dwayne Pospisil; Fire Chief, Hector Hernandez; Emergency Management Coordinator, Ben Guanajuato; Civic Center Manager, Makyla Monroe; Police Chief, Terry David Lynch; Patrol LT., Lance Bothell; EMS Director, Christy Gonzales; Public Works Director, Roderick Semien and Director of Planning and Development, Gwyn Teves.

Visitors present were: Sam Scinta, Jr. with the Wharton County Leader-Journal.

Roll Call and Excused Absences. All Councilmembers were present.

Public Comments. No comments were given.

The first item on the agenda Budget Workshop: City of Wharton 2024-2025 Fiscal Year Budget:

1. Budget Workshop: City of Wharton 2024-2025 Fiscal Year Budget:

Finance Accountant; London Davis, stated each Department Head would present their requests for the City of Wharton 2024-2025 fiscal year budget. The presentations were as follows:

Public Works Director, Roderick Semien, presented the requests for the following:

A. Five-Year Capital Infrastructure Improvement Program:

1. Transportation Systems:
 - A. Streets.
 - B. Major Thoroughfares.
 - C. Sidewalks.
2. Drainage System.
3. Flood Reduction Project-Levee.
4. Water and Sewer Utility System.

City of Wharton
City Council Budget Meeting
June 17, 202

5. Garage.

6. Parks & Facilities Department.

B. Five-year Vehicle & Equipment Capital Needs:

1. Emergency Management. - Ben Guanajuato
2. Police, Animal Control, and Communications Departments. – Terry David Lynch
3. Fire Department. – Hector Hernandez
4. Emergency Medical Services Department. – Christy Gonzales
5. Civic Center. – Makayla Monroe
6. Code Enforcement. - Claudia Velasquez
7. Airport Department. – Dwayne Pospisil
8. City Secretary. – Paula Favors
9. Municipal Court. – Paula Favors
10. Finance.
11. Community Development.

C. General Fund.

D. PEG Fund.

E. Hotel Motel Fund.

F. Narcotics Seizure Fund.

G. Debt Fund.

H. Capital Improvement Fund.

I. Water & Sewer Fund.

J. Emergency Medical Services Fund.

K. Civic Center Fund.

L. Airport Fund.

Finance Director, Joan Andel, presented information regarding the proposed 2024-2025 fiscal year budget. Each Department Head presented the five-year capital needs of their departments. After some discussion, no action was taken.

Adjournment.

There was no further discussion, Councilmember, David Voulgaris, moved to adjourn. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The meeting adjourned at 7:55 p.m.

CITY OF WHARTON, TEXAS


By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary


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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Request from Ms. Thelma Hayes to address the City Council regarding damage to her driveway.
<p>Ms. Hayes has requested to address the Council regarding damage to her driveway.</p>			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Request from Mr. Danny Moses, Manager of Moses Gin, for a permit for a camper/trailer placement at 407 Hamilton Street and between 209 N. Cloud Street and the adjoining lot at 600 W. Caney Street from mid-July 2024 to December 31, 2024.
<p>Attached is the request from Mr. Danny Moses, Manager of Moses Gin, for a permit for a camper/trailer placement at 407 Hamilton Street and between 209 N. Cloud Street and the adjoining lot at 600 W. Caney Street from mid-July 2024 to December 31, 2024.</p> <p>Mr. Moses will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			

MOSES GIN, INC.

Item-3.

P. O. Box 789 Wharton, Texas 77488-0789
(979) 532-3522
mosesgin@att.net

July 1, 2024

Brandi Jimenez
Assistant to the City Manager
City of Wharton
120 East Caney Street
Wharton, TX 77488

RE: Permit Request

Requesting a permit to place a camper/trailer at 407 Hamilton Street and between 209 N Cloud Street and the adjoining lot at 600 W Caney Street between mid-July to December 31, 2024.

Moses Gin is going into our 61st ginning season and seasonally employs and hires local, out of town and out of state personnel to provide a service to local cotton producers in Wharton, Colorado, and Matagorda counties. It came to our attention last season a permit is now required.


Your consideration in this matter is greatly appreciated and please contact me if additional information is needed to expedite this request.

Sincerely,

Danny Moses
Manager
979-533-0346

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Request from Mr. David Bowlin on behalf of A2J Holdings, LLC.,500 Abell St., Rust 3, Block 7, Lot Odd, for a front building line setback variance on Alabama St., Speed St., and Center St. to allow for adequate detention area and to preserve existing trees.
<p>Attached is the request from Mr. David Bowlin on behalf of A2J Holdings, LLC.,500 Abell St., Rust 3, Block 7, Lot Odd, for a front building line setback variance on Alabama St., Speed St., and Center St. to allow for adequate detention area and to preserve existing trees.</p> <p>The Planning Commission recommends that the City Council approve the above variance request, as shown in the exhibit provided by Mr. Bowlin, and is referring it to the City Council for a final determination. The current front building line setback is 25’ from the property line. The request varies by structure but, at most, will be a variance of 20’ from the property line on Speed Street.</p> <p>Director of Planning & Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: July 1, 2024
FROM: Mike Wootton, Planning Commission Chairperson
TO: Honorable Mayor and City Council
SUBJECT: Recommendation to City Council from the Regular Called Planning Commission Meeting held Monday, July 1, 2024

The following item was discussed during the Monday, July 1, 2024, meeting:

1. Request from Mr. David Bowlin on behalf of A2J Holdings, LLC., 500 Abell St., Rust 3, Block 7, Lot Odd for a front building line setback variance on Alabama St., Speed St., and Center St. to allow for adequate detention area and to preserve existing trees.

The Planning Commission is recommending that the City Council approve the above variance request as shown in the exhibit provided by Mr. Bowlin and is referring it to City Council for a final determination. The current front building line setback is 25' from the property line. The request varies by structure but at most will be a variance of 20' from the property line on Speed St.

If you should have any questions, please contact me. Thank You.

**CITY OF WHARTON
PLANNING COMMISSION
APPLICATION FOR VARIANCE**

Item-4.

NOTE: If variance request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time.

A2J Holdings, LLC | David Bowlin

June 27, 2024

Name (Printed)

Date

500 Abell Street, Wharton, TX 77488

Physical Address

Mailing Address

Prop ID 23984 RUST 3 BLOCK 7 LOT ODD

Legal Address

Phone

Describe the variance request and the reason for requesting variance:

The GLO project will locate 14 housing units on the north/south playgrounds. In order to save the mature trees, some of the 14 units will require variances of the setbacks as depicted on the attached site plan.

ATTACH A SITE PLAN WITH DIMENSIONS TO PROPERTY LINES:

SIGNATURE OF APPLICANT:

David J. Bowlin

Digitally signed by David J. Bowlin
Date: 2024.06.27 02:57:23 -05'00'

June 27, 2024

Signature

Date

Planning Commission Meeting: 07/01/2024 430pm

City Council Meeting: 07/08/2024 7pm

Building line setbacks Only

Residential \$100.00

Non-Residential \$150.00

Non-Refundable fee

Effective November 3, 2006

ADJACENT PROPERTY OWNER (S):

Name

Phone

Legal Address

Physical Address

Name

Phone

Legal Address

Physical Address

Name

Phone

Legal Address

Physical Address

Planning Department

Date

Chairman of the Planning Commission

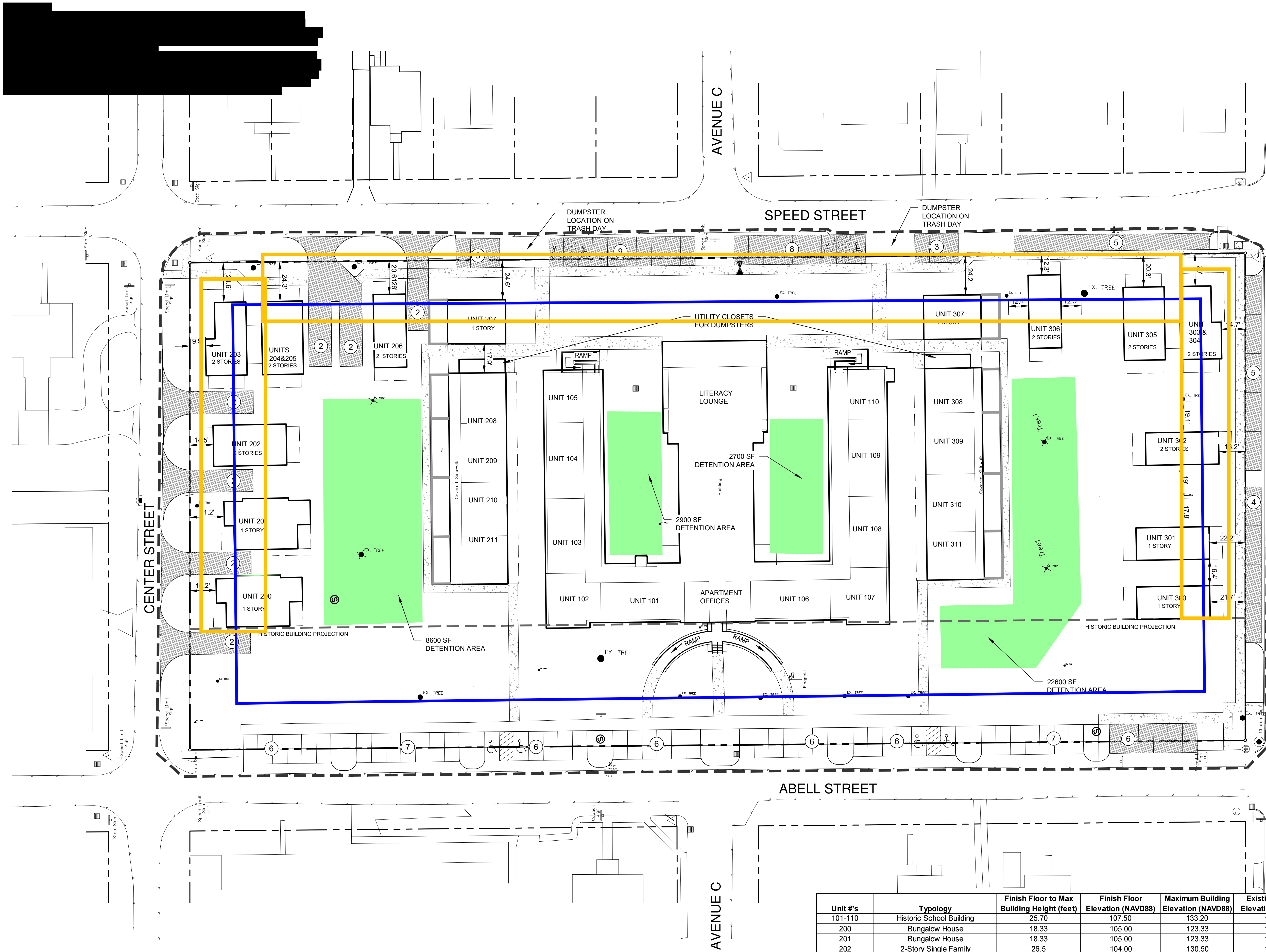
Date

Mayor

Date

F:\CodeEnforcement\MasterDocuments\APPVAR

No objection
6.27.2024
7.1.24
☒ Recommend
☐ Do Not Recommend



Unit #s	Typology	Finish Floor to Max Building Height (feet)	Finish Floor Elevation (NAVD88)	Maximum Building Elevation (NAVD88)	Existing Ground Elevation (NAVD88)	Footing Bottom Elevation (NAVD88)	Ground Disturbance Depth Below Existing Elevation
101-110	Historic School Building	25.70	107.50	133.20	104.20	NA	NA
200	Bungalow House	18.33	105.00	123.33	103.10	102.00	1.1
201	Bungalow House	18.33	105.00	123.33	103.00	102.00	1.0
202	2-Story Single Family	26.5	104.00	130.50	103.10	101.00	2.1
203-205	3-Family Corner Unit	28	103.20	131.20	102.80	100.20	2.6
206	2-Story 20' Single Family	28	103.25	131.25	102.50	100.25	2.3
207	North Outbuilding Extension	13.31	104.80	118.11	102.60	NA	NA
208-211	North Outbuilding	13.31	104.90	118.21	103.00	NA	NA
300	20' Wide One-Story Single Family	18.33	104.75	123.08	101.40	101.75	-0.3
301	20' Wide One-Story Single Family	18.33	104.75	123.08	101.30	101.75	-0.5
302	2-Story 20' Single Family	28	104.25	132.25	101.60	101.25	0.3
303-305	3-Family Corner Unit	28	104.25	132.25	101.60	101.25	0.3
306	2-Story 20' Single Family	28	103.20	131.20	101.80	100.20	1.6
307	South Outbuilding Extension	13.31	104.80	118.11	102.40	NA	NA
308-311	South Outbuilding	13.31	104.80	118.11	104.20	NA	NA

LEGEND

BUILDING

REQ'D DETENTION AREA

OF PARKING SPACES

HANDICAP PARKING SPACES

DRIVES/PARKING (MAY BE CONCRETE OR PERVIOUS MATERIAL)

CONCRETE SIDEWALK

PROJECT LIMITS

CONCEPT PLAN NOTES

- ALL ELEVATIONS ARE ACCORDING TO THE NAVD88 DATUM
- ELEVATION OF HIGHEST POINT ON HISTORIC SCHOOL IS 133.2. ALL INFILL CONSTRUCTION DOES NOT EXCEED 131.2 ELEVATION
- INFILL UNITS 201-208 AND 301-307 HAVE INDIVIDUAL BINS FOR TRASH COLLECTION
- UNITS 101-110 IN HISTORIC BUILDINGS AND UNITS 209-212 AND 308-311 IN OUT BUILDINGS HAVE TRASH COLLECTION IN CENTRAL LOCATION AS NOTED. DUMPSTER TO BE WHEELED OUT TO LOCATION NOTED ON TRASH DAY.
- TOTAL PARKING SPACES PROVIDED: 101
- HANDICAP PARKING SPACES PROVIDED: 8

500 ABELL STREET SCHOOL

WHARTON, TEXAS

CONCEPT PLAN

PRELIMINARY
FOR THE INTERIM REVIEW
ONLY, NOT FOR PERMITTING,
BIDDING, OR CONSTRUCTION.
PREPARED BY OR UNDER THE
DIRECT SUPERVISION OF
TIMOTHY E WRIGHT, PE 137991

FILE NO.
XXXXXXXXXX
JOB NUMBER:
116-01

DESIGNED BY:
T. WRIGHT

DRAWN BY:
T. WRIGHT

CHECKED BY:
K. SHEPHERD

DATE:
4/3/2024

REVISION:


1001 N. Goliad Avenue
Rockwall, TX 75087
(214) 430-4450
www.verdunity.com
Texas P.E. Firm Registration No. F-13496
Plan prepared by Timothy Wright, P.E.

VERDUNITY

Item-4

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the abandonment of the waterline at 1014 North Richmond Road.
<p>The City Staff have been working with Mr. Wittig on the replat of his business, 3rd Street Storage. It has been discovered that a water line and a sanitary sewer line currently cross his property without easements. Mr. Wittig has requested the City abandon the waterline and will provide the City with the 10' sanitary sewer line easement to keep the sanitary sewer line in place. Public Works Superintendent Daniel Chapa has verified that the water line no longer serves any facilities and can be abandoned. Mr. Wittig was informed that the line would be terminated if the Council approved and that any future service would need to be connected from Richmond Road and could be costly.</p> <p>Attached is the request from Mr. Wittig and an exhibit showing the approximate locations of the existing facilities and future easement.</p> <p>It is the City Staff's recommendation that the Council abandon the water line, and the acceptance of the sanitary sewer easement will be brought to the Council for approval at a future meeting via replat.</p> <p>Director of Planning & Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: July 2, 2024
FROM: Gwyneth Teves, Director of Planning & Development
TO: Honorable Mayor and City Council
SUBJECT: Request by Mr. Ronnie Wittig to abandon a water line on his property

City staff has been working with Mr. Wittig on the replat of his business 3rd Street Storage and it has been discovered that there is currently a water line and a sanitary sewer line that cross his property without easements.

Mr. Wittig has requested the City abandon the waterline and will provide the City with the 10' sanitary sewer line easement to keep the sanitary sewer line in place.

Public Works Superintendent Daniel Chapa has verified that the water line no longer serves any facilities and can be abandoned. Mr. Wittig was informed that the line would be terminated if the Council approves and that any future service would need to be connected from Richmond Rd. and could be costly.

Attached is the request from Mr. Wittig and an exhibit showing approximate locations of the existing facilities and future easement.

It is my recommendation that the Council abandon the water line and the acceptance of the sanitary sewer easement will be brought to the Council for approval at a future meeting via replat.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.

From: [Ronnie Wittig](#)
To: cvelasquez@cityofwharton.com; gteves@cityofwharton.com; [Heather 3rd St](#); [Robert Kolacny](#); [Mac Ruffeno](#)
Date: Saturday, June 22, 2024 2:35:24 PM

To city of Wharton:

Third Street Storage wishes to request the abandonment of waterline that services the property on 3rd st.. Please let me know if there is any additional info needed. thank you Ron

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE
ABANDONMENT OF THE WATERLINE AT 1014 NORTH RICHMOND ROAD.**

WHEREAS, F & W Storage Company LLC, represented by Mr. Ronnie Wittig, being the owner of the property at 1014 N. Richmond Rd., has filed their request that said waterline be terminated, abandoned, and vacated; and,

WHEREAS, The above-described waterline is obsolete and is not being used for any utility services and does not anticipate any future need or use of said waterline; and,

WHEREAS, The Mayor and City Council of Wharton, Texas, deem it desirable and proper to terminate, abandon, and vacate the above-described waterline,

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

Section I. The City of Wharton City Council terminates, abandons, and vacates the above-described waterline, also shown on “Exhibit A”.

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

Passed, Approved, and Adopted this 8th day of July 2024.

CITY OF WHARTON, TEXAS


By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of air conditioning units for the Fire Department and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase.
<p>Attached you will find a memo from Fire Chief Hector Hernandez regarding the purchase of air conditioning units for the Fire Department. Quotes were received and they are as follows:</p> <ul style="list-style-type: none"> • Roberson AC- \$ 27,571.00 • Hunter AC- \$39,750.00/ 44,570.00 • Eldridge AC- \$ 43,676.36/ 49,510.78 <p>The City Staff is recommending Roberson AC to complete the work.</p> <p>Chief Hernandez will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX 77488
Phone (979) 532-2491 °(979) 532-0181 FAX

To: Mr Pace

From: Fire Chief Hector Hernandez, Wharton Fire Department

Subject: Fire Station HVAC System

Mr. Pace,

As you know, the HVAC system needs total replacement at the fire station. Over the past few budget cycles, we have planned to get it repaired in phases as we thought we had years left in the life of the system. In May, the company came out for the annual service and found one system completely out of service and the other on its last leg.

I went out for and received three competitive quotes from local companies. Below are those prices:

- Roberson AC- \$ 27,571.00
- Hunter AC- \$39,750.00/ 44,570.00
- Eldridge AC- \$ 43,676.36/ 49,510.78

After reviewing these prices, documents, and speaking with the Finance Department, it is my recommendation to have Roberson AC complete this work.

Please Sir if you have any questions contact me at any time

Very Respectfully

Hector Hernandez
City of Wharton
Fire Chief
firechief@cityofwharton.com
979 532 4811 x 401



"Keeping your comfort in our sights"

Owner: Eric Richter
Office (979) 532-1707
Office 1-877-721-COOL
P.O. Drawer 628
Wharton, Texas 77488

Customer Name: Wharton Fire Department
Address: 319 N Fulton
City, State, Zip: Wharton, TX 77488

Phone:
Job Address:
Work Phone(s):

Date: 6-19-24

EQUIPMENT SPECIFICATIONS

Make: Samsung/Armstrong

Model Number(s): as listed below

SEER: EER: AFUE: Btuh Cooling: 60,000 Btuh Heating: 60,000 CFM: 2000

Installation shall include;

Bid to install three(3) new 5 ton Variable speed Samsung condenser/Armstrong air handlers complete systems. This job will include the following equipment listed three(3) of each: Condenser M# AC060BXUPCHAA, Air Handler M# BCE7E60. This job will also include the following materials listed: heavy duty slab with blocks for condensers, secondary drain pans with two float switches, three(3) touch screen honeywell thermostats, 4" toptech filter racks for Air Handlers, 20" flex R/A ts, metal plenums with 20' flex , all new copper line sets for all three systems, misc electrical and drain materials, etc.

Price \$39,750.00

Option- Bid to upgrade supply air duct work to 20" externally insulated metal spiral duct work & Square to round fittings.
Total job price with upgrade: Price \$44,570.00

Note- These variable speed Samsung heat pump condenser will provide full heat at 0 degrees
Warranty- 10 year compressor & condenser parts, 5 year parts on Indoor unit, 1 year labor

- ☐ New Amp disconnect
- ☐ New Amp electric service
- ☒ New low voltage wiring
- ☐ New weather resistant equipment stand
- ☒ New reinforced equipment pad
- ☐ New vibration isolation pads
- ☒ New properly sized refrigerant lines
- ☒ New clean, dry ACR copper tubing
- ☐ Insulate refrigerant suction line(s)
- ☒ Install refrigerant drier(s)
- ☒ Charge to manufacturer's specs
- ☒ Evacuate refrigerant system
- ☐

- ☒ Remove existing equipment from premises
- ☒ Install energy saving setback thermostat
- ☐ New copper wire from to
- ☐ Make air tight plenum transition
- ☐ new supply diffuser(s)
- ☐ New duct run from to
- ☐ Noise reducing flexible duct connector
- ☐ Balance for uniform supply air distribution
- ☐ Provide for external combustion air
- ☐ New gas piping from to
- ☐ New vent pipe and cap
- ☒ Clean work area to customer's satisfaction
- ☐

- ☐ New condensate drain system
- ☐ New condensate pump
- ☐ Install aux. condensate drain pan
- ☒ New high efficiency air filter
- ☐ New humidification system
- ☐ New return air filter grill
- ☒ Meet all code requirements
- ☒ Complete system start up
- ☐ year parts warranty
- ☐ year labor warranty
- ☐ year compressor warranty
- ☐ year service agreement
- ☐

X in boxes = Yes

☐ Option (below) ☐ Alternative (below) ☐ Is (is not) Included in price.

Installed Price \$

Down Payment \$

Balance Due \$

Terms: 30.

Item-6.

Acceptance (Customer)

Approval (Company)

By _____ Date _____

By: Hunter's Air & Heat, Inc.

Date

TACLB024468E / TACLA028537C



200 E Milam St • Wharton, TX 77488 • TACLA44413C

info@robersonac.com • 979-532-5101 (call or text)

www.RobersonAC.com

To: Wharton Fire Department

Address: 319 N Fulton St (All Units)

City: Wharton, TX 77488

Date: May 13, 2024

Phone: 979-559-7298 - Chief Hector Hernandez

Email: firechief@cityofwharton.com

The undersigned, Roberson Air Conditioning & Refrigeration, Inc., proposes to furnish to you as the Buyer all the equipment, materials, and necessary labor for installation of same, as described below, subject to condition herein, for the work on the job or building location at above address as per plans and specifications, if any, and prepared by Michael Roberson, President. (Regulated by: Texas Dept. of Licensing & Regulation PO Box 121157; Austin, TX 78711 (512) 463-7357 (800) 803-9202 www.license.state.tx.us/complaints) Said equipment and materials are to be furnished and installed by Roberson Air Conditioning on said premises owned by addressee. And such equipment, materials, and necessary labor are as follows:

Equipment: Comfortmaker

Included Manufacturer Warranty: 5 Year Compressor, 1 Year Parts, 1 Year Labor

• Replace Three (3) 5 Ton 14.3 SEER2 R-410a 208/230V 3PH Copeland Single Stage Scroll AC Condenser, 208/230V 1PH Multi Speed Air Handler with TXV evaporator coil & 20 kW Electric Heat.

Excludes: Ductwork, Thermostat

Total: \$27,571.00

Exclusions & Customer Responsibilities:

Electrical disconnects, breakers, electrical whips or pigtails, gas lines stub out or valve, air handler unit platforms, catwalks for safe unit access, drop down staircase(s), roof penetrations, condensation drain line(s), plumbing stub out, Hail/Coil Guards, Low Ambient Sensor/Controls, Unit Controllers (unless otherwise noted), labor and materials required to remove, install, or modify T-Bar suspended ceilings, does not include crane service. Not Responsible for damaged to Tiles, Ceiling, Walls or other items associated with installation of equipment.

Due to rising material, shipping, & energy prices, quote is valid for 15 days. Quote does not include controllers, hail guards, curb adapters, dampers, crane or lift fees, permits, electrical, ductwork, plumbing, Certified TAB, 3rd party testing, or carpentry finish work, unless otherwise noted. Equipment and materials installed in accordance with local mechanical code, unless otherwise noted. Invoiced price may vary, customer is responsible for any unexpected expenses or change orders due to unforeseen circumstances. Customer must complete all necessary paperwork and meet qualifications to receive said warranties, rebates, and/or credits. Warranty does not include non-manufacturer failures, wear and tear, corrosion, erosion, deterioration, vandalism, neglect, accident, adverse weather, environmental conditions, abuse, improper use, preventative maintenance, freight, filters, deductibles, diagnostics, overtime rates, refrigerant, nor materials. Annual service agreement required to maintain valid warranty. Warranty coverage is not underwritten by Roberson Air Conditioning and is subject to change or termination without notice. Quoted efficiency ratings and equipment capacity may vary. Sixty percent (60%) draw required on acceptance of contract, Thirty percent (30%) draw on rough-in, remaining plus any additional change orders due on completion of contract, unless otherwise noted. Contracted work shall commence after written approval is received.

IF BID ACCEPTED, PLEASE CIRCLE OPTION TOTAL, SIGN AND RETURN THIS PURCHASE AGREEMENT.

CUSTOMERS SIGNATURE & DATE

RESPECTFULLY,

Roberson Air Conditioning & Refrigeration, Inc.

Michael Roberson, President

ELDRIDGE AIR CONDITIONING AND HEATING INC.

P. O. Box 591-WHARTON, TEXAS-77488
Phone 979-532-8150 Fax 979-532-8826
TACLA67568E

Item-6.

Date: June 27th, 2024

To: Wharton Fire Department
319 N. Fulton
Wharton, TX 77488

The undersigned, Eldridge Air Conditioning & Heating, Inc., (License issued by The Texas Department of Licensing and Regulation, 920 Colorado St., Austin, Texas 78701, P. O. Box 12157, Austin, Texas 78711, phone 1-800-803-9292 Ext. 37369) proposes to furnish to you as Buyer all the equipment, materials, and necessary labor for proper installation of same, as described below, subject to conditions herein, for the work on the job or building located at: 319 N. Fulton as per plans and specifications, if any, and prepared by Pierce Otto. Said equipment, and materials are to be furnished and installed by Eldridge Air Conditioning on said premises owned by Wharton Fire Department and such equipment and materials are as follows:

EQUIPMENT: Trane 10 Ton 3 Phase Air Handler with (2) 5 Ton Condensers

(2) 4TTR4060N1000B – Condensers
TWE12043BAAP01H – Air Handler
BAYHTRR318B – Heat Strips
HW8000 – Thermostat

TOTAL: \$24,755.39*

EQUIPMENT: (2) Trane 5 Ton Systems with 3 Phase Electric Heat

(2) 4TTR4060N1000B – Condensers
(2) TEM4B0C60S5 – Air Handlers
(2) 81-0712-00 – Heat Strips
HW8000 – Thermostat

TOTAL: \$21,838.18*

*Includes some duct work to reconnect, drain pans, float switches, copper lines, pad, and blocks as per code.

QUOTE INCLUDES DISPOSAL OF OLD EQUIPMENT

**** PRICE QUOTED IS VALID FOR 30 DAYS ****

50% PAYMENT DUE BEFORE EQUIPMENT IS ORDERED - BALANCE DUE UPON COMPLETION.

If bid accepted, please sign and return one copy of this Purchase Agreement.

Respectfully submitted,
Eldridge Air Conditioning & Heating, Inc.

Customer Signature

Pierce Otto

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF AIR CONDITIONING UNITS FOR THE FIRE DEPARTMENT AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Wharton City Council wishes to approve _____ for the air conditioning units at the Fire Department in the amount of _____; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents related to said purchase.

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 City Manager of the City of Wharton, Texas, to execute all documents related to the purchase from _____ for the air conditioning units for the Fire Department in the amount of _____.

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

Passed, Approved, and Adopted this 8th day of July 2024.

CITY OF WHARTON, TEXAS


By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of body cameras for the Police Department and authorizing the City Manager to execute all documents related to said purchase.
<p>Attached is a memo from Chief of Police Terry David Lynch regarding the purchase of body cameras for the Wharton Police Department. The current WatchGuard Body Cameras are reaching the end of their life, so the City Staff began exploring options due to recurring issues. The current model that is used was purchased in 2015. The City Staff wishes to contract with Verizon with the following HALO Body-Worn Camera. The advantages are as follows:</p> <div><div></div><div><div>1. No upfront equipment costs.</div><div>2. 100% replacement for malfunctioning cameras.</div><div>3. Cloud-based storage.</div><div>4. Encrypted cellular/wireless upload/download.</div><div>5. Real-time remote viewing.</div><div>6. Built-in redaction software.</div><div>7. Drawn-Weapon activated.</div></div></div>			
<p>Additionally, the Body Camera Units are \$105.00 monthly each for a 36-month agreement, which is for 20 units at \$25,200.00 annually. The first year is paid through Chapter 59 Forfeiture Funds, at no cost to taxpayers.</p> <p>Chief Lynch will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			



*From the desk of:
Terry David Lynch
Chief of Police*

Wharton Police Department

MEMORANDUM

To: Joseph Pace

Date: 07/01/2024

Ref: Verizon – HALO Body Cameras

Due to our current WatchGuard Body Cameras reaching the end-of-life, we have begun exploring options due to recurring issues. The current model that we use was purchased in 2015.

We wish to contract with Verizon with the following HALO Body-Worn Camera. The advantages are as follows:

1. No upfront equipment costs
2. 100% replacement for malfunctioning cameras
3. Cloud-based storage
4. Encrypted cellular/wireless upload/download.
5. Real-Time Remote viewing
6. Built-in redaction software
7. Drawn-Weapon activated

Body Camera Units are \$105.00 monthly each. 36-month agreement.

20 units @ \$25,200.00 annually. First year paid through Chapter 59 Forfeiture funds. No cost to taxpayers.

Please consider placing the agreement on the Council agenda for approval.

T.D. Lynch
Chief of Police

Halo Body Cam Proposal

Jamie Sene <jamie.sene@haloamericas.com>

Thu 6/27/2024 11:11 AM

To: Terry Lynch <tdlynch@cityofwharton.com>

Cc: bguanajuato@cityofwharton.com <bguanajuato@cityofwharton.com>; Johnny Jones <johnny.jones@haloamericas.com>

📎 1 attachments (9 MB)

HALO Americas booklet - Jamie Sene (1).pdf;

Hello Terry,

It was a pleasure speaking with you. Below are the details of what we discussed.

Option A

18 Body Cameras @ \$95 each - \$1710 monthly

18 Mollie-Mounts @ \$0

18 Halo SIM Cards @ \$0

18 Single-unit Docks @ \$0

Full Access to Halo Vault @ \$0

100% Replacement for Malfunctioning Cameras

36-month Agreement

TOTAL MONTHLY = \$1710

Option B

18 Body Cameras @ \$95 each - \$1710 monthly

18 Halo Aware @ \$10 each - \$180 monthly

18 Mollie-Mounts @ \$0

18 Halo SIM Cards @ \$0

18 Single-unit Docks @ \$0

Full Access to Halo Vault @ \$0

100% Replacement for Malfunctioning Cameras

36-month Agreement

TOTAL MONTHLY = \$1890

- **Halo's Police-Grade Body Cams** use a Lithium Battery that **records 16 hours** on one charge.
- The Camera can be charged in the vehicle with a USB C cord, or on a single-user docking station, and on a 10-unit docking station.
- Each Body Cam holds up to 10 Wifi Locations for **easy video uploads**. It sends the video footage from the **Camera to the Cloud**, (No need to pull the SD card or bring the Cam back to the office to download data)
- The Halo Body camera also enables you to upload videos with a **4G Data streaming Sim card**.
- The Halo Body Cam system includes a **Digital Asset sharing platform** to securely send video footage to outside sources using a safe **Encrypted Link**.
- The Halo platform offers **Halo Aware**, a sensor attached to the holster of the firearm or Taser that activates the Camera automatically and captures the previous 2 minutes when the Taser or the Firearm is engaged. The sensor also activates any additional Halo cameras in a 30-square-foot radius.
- Pricing is based on a fixed monthly price with **No Upfront Cost**.

If you decide to proceed, I'll send you a PandaDoc Agreement in a separate email for approval. Don't hesitate to call or to write to me if you have any questions.

**Best Regards,
Jamie
727-798-7988**

Item-7.

Jamie Sene
Senior Security Consultant
HALO Americas
Book a Meeting with Jamie

SUPPORT: (832) 762-3144
501 Congress Ave. Austin, TX 78701
HaloAmericas.com

--

Prefer fewer emails from me? Click [here](#)



NEXT-GENERATION BODY CAMERAS

Haloamericas.com

Contact:
Jamie Sene
727-955-2306
jamie.sene@haloamericas.com

HALO TECHNOLOGIES

WHO WE ARE

HALO

Item-7.



Innovation lies at the heart of who we are. Supplying affordable world-leading technology that works as hard as you and your colleagues on the frontline. Robust, reliable and cost-effective.

Contract with confidence with the world's leading fixed-cost Body Cam specialist.



AN UNFAILING ALLY.

Our fixed-cost contract model means we are a genuine partner - in it for the long term. It's a unique approach and it works. It builds closer relationships and trust. It leads to better product development through closer, real-world collaboration. It means that whoever wears a HALO camera also carries with them the strength, protection and support of the entire HALO team - a community of fearless protectors a legion of brothers and sisters in arms doing tough jobs, but never doing them alone. No matter where you're going, we're with you all the way.

IF IT'S 9AM WHERE YOU ARE, IT'S 9AM WHERE WE ARE.

Organizations like us that want to grow from one territory to become relevant and responsive across many others have to move with the times - literally. So although our customer support team may be based outside your state, you'd never know it. 9am in Tokyo is 9am with us. Noon in Sacramento is also midday here.

HORIZON SERIES BODY CAMERA

Next generation BodyCam technology.

HALO

Item-7.

An IP68 certified Body Cam with industry-leading Sony starlight lens technology and AES256 encryption. Our solution allows you to fully tailor your Body Camera features to meet your team's needs now and in the future.



- **16-HOUR CONTINUOUS RECORD**
- **WATERPROOF - IP68 CERTIFIED**
- **STARLIGHT LENS TECHNOLOGY**
- **FIXED-COST DATA USAGE AND STORAGE**
- **SUPER-FAST CHARGE**
- **FREE SETUP AND SUPPORT**

MARTINEZ PD, CALIFORNIA

"HALO has reshaped how we think about Body Worn Technology - both from a performance & price perspective. The onboarding process has been seamless & HALO's passion for customer service is peerless".



CUTTING-EDGE TECH IN YOUR HANDS

The world's leading fixed-cost Body Cam provider, allowing you to stay connected anywhere with real-time GPS tracking and live stream capabilities.

With full-term product warranty and seamless integration through our world-leading Halo Vault software, we give you access to evidence instantly and much much more...

KEY FEATURES

Horizon Series Body Camera

HALO

Item-7.

16-HOUR CONTINUOUS RECORD

Full-shift battery life enables you to capture footage back to back

LIVE STREAM ENABLED

Live stream with ease using high efficiency video coding

WIDE ANGLE LENS (140°)

De-warp technology with zero image distortion, allowing for wide angles

RECORD IN 1440P & 1080P

Capture evidence and stream smooth footage in a poor environment

WATERPROOF

The Horizon's IP68 certification means it can record in any condition

STARLIGHT LENS

Turns darkness into near clarity with industry leading Sony technology

FAST CHARGE

Via self-locating magnetic charging dock - no need for cables

GPS ENABLED

Glonass instant positioning/location technology

ON-BOARD SYNC

Automatically offload footage with no need for computers/cables/docks

SHORT SPEC

DIMENSIONS: 86mm (H) x 54.8mm (W) x 29.8mm (D)

CHIPSET: Ambarella S5L Quad-core

WEIGHT: 145g

TEMPERATURE: -30° to +60°

BATTERY LIFE: 16-hours continuous record

LANGUAGE: English, Spanish, French, German

RESOLUTION: 1440p, 1080p, 720p

ENCRYPTION: AES256

LENS: 140° wide angle, with de-warp technology

BATTERY: Non-removable 4200 Mah Lithium Gel



HALO VAULT: DAMS

Our best-in-class Digital Evidence
& Asset Management software.

HAL

Item-7.



THE FUTURE OF DAMS - AT YOUR FINGERTIPS

HALO Vault is a holistic digital security solution built for a world full of budget cuts and increasing demands of front-line staff. In other words HALO Vault: DAMS is for storing, viewing and streaming multiple media types all in one secure cloud-based environment.

DATA MANAGEMENT & STORAGE COSTS: INCLUDED AS STANDARD

Yes, we're here to solve the costly data management & storage problems faced by Law Enforcement agencies and the wider security industry across the Americas.



The adoption of modern technologies and ever-increasing costs associated with BWV data storage has created a need for one central repository to store a broad range of digital evidence, that's affordable to organizations of all sizes.

Halo Vault: DAMS is our cloud-based digital asset management software providing Law Enforcement and the wider security industry with a more efficient work and investigative experience to support a fair and effective justice system. Storing Body Camera footage, CCTV, smartphone footage and more...

BUILD ONE CASE IN ONE PLACE

- Ingest all digital media types
- Reduce paperwork
- Fixed data usage and storage costs

DAMS SPECIFICATION

HALO VAULT

HAL

Item-7.

CLOUD OR HYBRID BASED

Evidence can be viewed on any device or modern browser

ONE CASE IN ONE PLACE

Ingest a wide range of multi-media types including mobile phone footage

REDACTION ENGINE

Redact video clips and other media with the built in redaction engine

TIERED ACCESS

All video access is audited with usernames, times and actions

MARK FOOTAGE

Easily mark and identify evidential video and media files

GDPR COMPLIANT

Non-evidential files can be set to auto-delete after a configurable period of time

SECURE STORAGE

Safely store, review and manage files in one secure environment

SHARE EVIDENCE

Share files including metadata with external users securely and safely

NO HIDDEN CHARGES

Play and download videos from the sharing portal - at no extra cost

BEST-IN-CLASS DIGITAL EVIDENCE MANAGEMENT

ZERO BILL SHOCK

Fixed-cost data management & storage

DIGITAL EVIDENCE

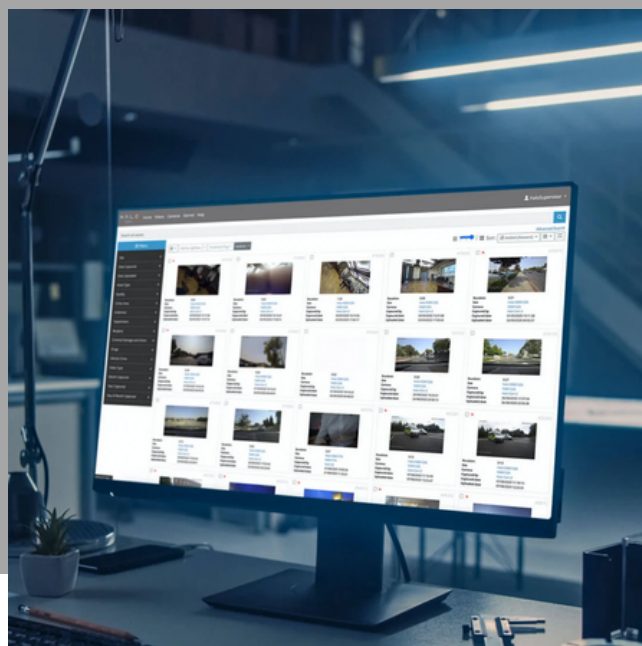
Ingest a range of multi-media types

REDUCE PAPERWORK

Increase efficiency

SAFE & SECURE

Data management



HALO AWARE

GEOFENCE TECHNOLOGY

A holster sensor activated by the drawing of firearms, batons or tasers. HALO Aware has been specifically designed to automatically switch-on any HALO Body Cameras into active recording mode within a 30 sq ft radius, capturing complete incident overview.

CAPTURE FULL SITUATIONAL AWARENESS

Automatically pairing to any HALO Horizon BodyCam within a 30 feet radius. The HALO Aware device activates all connected HALO Horizon Body Cameras within a 30 feet radius into record mode; once a police officer draws their firearm, baton or taser. HALO's geo-fencing technology triggers supporting officers Body Cameras as they arrive on the scene to capture a chained series of BodyCam footage, providing complete situational awareness.

The long-lasting battery and one-month standby time allow for back to back shifts as the HALO Aware remains on standby until activated by drawing a firearm, baton or taser device. Recharging in 1.5 hours via the USB Type-C fast-charge port, allows officers to focus on what really matters, getting back to serving communities in less time.



GEOFENCE TECHNOLOGY

Activates any BodyCam
in 30 ft radius

AUTOMATED PAIRING PROCESS

Simple and secure
connection

CHAIN SERIES FOOTAGE COVERAGE

Triggers BodyCams on supporting
officers as they arrive on scene

1.5HR FAST CHARGE: Maximum 0-100% charge rate

DIMENSIONS: 55 x 24 x 11 mm

CHARGER: USB Type-C rapid-charger

BATTERY LIFE: 1-month standby time

BATTERY: Non-removable 100 Mah Lithium Cell battery

UNIVERSAL FIT HOLSTER: Multiple universal options to fit a wide range of holsters.

STATUS INDICATOR: 2 LED indicators show connection & battery information

RE & POST RECORD (OPTIONAL): Available in the Halo Aware Bundle



Contact:
Jamie Sene
727-955-2306
jamie.sene@haloamericas.com

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF BODY CAMERAS FOR THE POLICE DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Police Department is requesting that the City Council approve the purchase of body cameras through Verizon; and,

WHEREAS, The total amount of said purchase is for twenty (20) units for \$25,200.00 annually; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to purchase body cameras for the Police Department.

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

SECTION I. The Wharton City Council hereby authorizes the purchase of body cameras in the amount of \$25,200.00 annually.

SECTION II. The Wharton City Council hereby authorizes the City Manager to execute the purchase of body cameras through Verizon.

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

PASSED AND APPROVED this 8th day of July 2024.

CITY OF WHARTON


TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Debris Removal Services and Debris Monitoring Services: <div>A. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris removal and disposal firm to be used in the event of a major disaster.</div> <div>B. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris monitoring firm to be used in the event of a major disaster.</div>
<p>The contracts for Debris Removal and Debris Monitoring Services will expire this month, requiring new services to be procured. The City Staff recommends that Consultant Selection Committees be created, and advertisements posted for the procurement of Debris Removal and Debris Monitoring Services for the City of Wharton as the 2024 Hurricane Season begins.</p> <p>Attached are the draft resolutions.</p> <p>Emergency Management Coordinator Ben Guanajuato will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			



City of Wharton

Office of Emergency Management

1407 N. Richmond Rd., Wharton, TX 77488

Phone (979) 532-4811 x 502 Fax (979)532-1800

Date: June 20, 2024

To: Honorable Mayor and City Councilmembers, City Manager Joseph R. Pace, and City Attorney Paul Webb

From: Lt. Ben Guanajuato

The contracts for Debris Removal and Debris Monitoring Services will expire on July 25, 2024, which will require the procurement of new services. As the 2024 hurricane season is here, it is my recommendation that a Consultant Selection Committee be created, and advertisements be posted for procurement for Debris Removal and Debris Monitoring Services for the City of Wharton.

Attached are the draft resolutions and exhibits for the committees.

If you have any questions, please feel free to contact me.

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A
CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION
CRITERIA FOR THE SELECTION OF A DEBRIS MONITORING FIRM TO BE USED IN
THE EVENT OF A MAJOR DISASTER.**

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of a debris monitoring firm to be used in the event of a major disaster and to provide recommendations to the City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is presented to the City Council; and,

WHEREAS, The Wharton City Council wishes to establish the criteria for the selection of the consulting firm as per Attachment A.

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 establishes a Consultant Selection Committee.

Section II. That the Consultant Selection Committee will consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director.

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 8th day of July 2024.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

CONSULTANT RATING SHEET				
SPONSOR: City of Wharton PROJECT: Disaster Debris Monitoring		{Name} _____		
		Committee Member's Signature _____		
		Date: _____		
Debris Removal Monitoring Contractor				
RATING CRITERIA	MAX. POINTS			
1. Qualifications/Experience	20			
2. Resources & Availability	20			
3. Project Approach & Management	15			
4. FEMA Reporting & Reimbursement	20			
5. Compensation	25			
TOTAL SCORING	100			
COMMENTS:				

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A DEBRIS REMOVAL AND DISPOSAL FIRM TO BE USED IN THE EVENT OF A MAJOR DISASTER.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of a debris removal and disposal firm to be used in the event of a major disaster and provide recommendations to the City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is presented to the City Council; and,

WHEREAS, The Wharton City Council wishes to establish the criteria for the selection of the consulting firm as per Attachment A.

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 establishes a Consultant Selection Committee.

Section II. That the Consultant Selection Committee will consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director.

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 8th day of July 2024.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor


ATTEST:

PAULA FAVORS
City Secretary

CONSULTANT RATING SHEET				
SPONSOR: City of Wharton PROJECT: Disaster Debris Removal		<div style="border-bottom: 1px solid black; margin-bottom: 5px;">(Name)</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Committee Member's Signature</div> <div>Date:</div>		
A . TECHNICAL RESPONSE Debris Removal Contractor				
RATING CRITERIA	MAX. POINTS			
1. Has adequate equipment available?	10			
2. Vendor approach and methodology?	5			
3. Service as stated in RFP?	5			
Subtotal Technical Response	20			
COMMENTS:				
B. QUALIFICATIONS AND EXPERIENCE				
RATING CRITERIA	MAX. POINTS			
1. History of similar work?	20			
2. Previous experience with FEMA?	15			
3. Team experience.	10			
4. References.	20			
Subtotal Qualification & Experience	65			
COMMENTS:				
C. CONTRACT COST				
RATING CRITERIA	MAX. POINTS			
1. Contract Cost	15			
Subtotal Capacity to Perform	15			
COMMENTS:				
TOTAL SCORING				
RATING CRITERIA	MAX. POINTS			
A. Technical Response	20			
B. Qualifications & Experience	65			
C. Contract Cost	15			
TOTAL SCORE	100			

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of two (2) vehicles for the City of Wharton Emergency Medical Services Department and authorizing the City Manager to execute all documents related to said purchase.
<p>Attached you will find a memo from E.M.S. Director Christy Gonzales regarding the purchase of two (2) vehicles for the Emergency Management Services Department. Three (3) quotes were received, and they are as follows:</p> <ul style="list-style-type: none">1. Destination Ford-\$98,988.44.2. Wharton Chevrolet GMC-\$101,006.06.3. Don Davis-\$89,871.58. <p>It is the City Staff’s recommendation to purchase two (2) 2024 Ford F-150s from Destination Ford. The Staff recommends these vehicles due to the vehicle being a 4X4 SuperCrew with a 2.7L, V6 EcoBoost that has the needed space for equipment storage, and the EcoBoost would provide better fuel efficiency.</p> <p>Ms. Gonzales will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			

City of Wharton
EMERGENCY MEDICAL SERVICES
2010 N. Fulton
WHARTON, TEXAS 77488

Item-9.

INTERDEPARTMENTAL MEMO

DATE: JUNE 19, 2024
TO: JOSEPH R. PACE – CITY MANAGER
FROM: CHRISTY GONZALES – EMS DIRECTOR
RE: EMS COMMAND VEHICLE FLEET

Mr. Pace,

Attached are three (3) quotes for Emergency Medical Service command vehicle replacements. Quotes received were from Destination Ford for two (2) 2024 Ford F-150 in the amount of \$49,494.22 for each vehicle, Wharton Chevrolet GMC for two (2) Chevrolet Silverado 1500 in the amount of \$50,503.03 for each vehicle, and Don Davis for two (2) 2024 GMC 1500 in the amount of \$44,935.79 for each vehicle. It is my recommendation that we purchase the two (2) vehicles totaling \$98,988.44 from Destination Ford. The two vehicles are 4X4 Supercrew, EcoBoost, and 2.7L V6 EcoBoost, and they have the needed space for equipment storage. EcoBoost will provide better fuel efficiency. I ask if we can place this on the Council's next agenda for their review. Should you have any questions, please feel free to call.

Thank you,

Christy Gonzales

Christy Gonzales, Director of EMS

RETAIL ORDER FOR A MOTOR VEHICLE				DEAL #: 13212 CUST #: FCOUC86303	
<h1 style="margin: 0;">DESTINATION</h1> <div style="text-align: center;"> <p>407 MAIN STREET EAST BERNARD, TX 77435 (979) 335-3100</p> </div>			<p>06/18/2024 Date</p> <p>CITY OF WHARTON Purchaser's Name</p> <p>120 E CANEY ST Street Address</p> <p>WHARTON TX 77488 City State Zip</p> <p>Res. Phone _____ Bus. Phone _____</p>		
SALES PERSON KUBICEK, GARY W			<input type="checkbox"/> DEMO <input type="checkbox"/> NEW <input type="checkbox"/> CAR <input type="checkbox"/> USED <input type="checkbox"/> TRUCK <input type="checkbox"/> YEAR MAKE Ford		
MODEL/SERIES F-150	BODY TYPE	COLOR WHITE	TRIM	SERIAL NUMBER	
LIC. NO.		DEL. DATE 06/14/2024	MILES 121	STOCK NO. A18766	
License Exp. Date			Inspection Exp. Date		
Email Address					
Lien To:					
**TRADE-IN INCLUDES MANUFACTURER'S REBATE OF \$ 3000.00 & ASSIGNED BY BUYER TO SELLER.					
USED CAR TRADE-IN AND/OR OTHER CREDITS			SETTLEMENT		
MAKE OF TRADE-IN			PRICE OF UNIT 52073.00		
YEAR	MODEL	BODY	TRADE-IN + Rebate \$ 3000.00 3000.00		
SERIAL NO.			DIFFERENCE 49073.00		
MILES	COLOR	LISC.	SALES TAX N/A		
BALANCE OWED ON TRADE-IN		\$ N/A	LICENSE/TRANSFER 36.75		
LIEN TO			TITLE/SAFETY INSPECTION 51.75		
ADDRESS			DOCUMENTARY FEE 150.00		
GOOD UNTIL		BY	DEALER'S INVENTORY TAX 81.22		
DOCUMENTARY FEE <small>A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents and performing services relating to the closing of a sale. This notice is required by law.</small>			OTHER <small>NWAN \$ 0.00 DMV Fee \$ 101.50</small> 101.50		
DEALER'S INVENTORY TAX <small>The dealer's inventory tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.</small>			SUBTOTAL 49494.22		
DISCLAIMER OF WARRANTIES <small>Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the Seller neither assumes nor authorizes any other to assume for it any liability in connection with the sale of said products.</small>			LIEN PAYOFF N/A		
			SUBTOTAL 49494.22		
			LESS DEPOSIT N/A		
			BALANCE DUE 49494.22		
			OTHER CASH DOWN PAYMENT N/A		
			UNPAID BALANCE DUE ON DELIVERY 49494.22		
<p>Purchaser agrees that this Order includes all of the terms and conditions on both the face and reverse side hereof, that this Order cancels and supercedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matters covered hereby and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE. Purchaser by his execution of this Order acknowledges that he has read its terms and conditions and has received a true copy of this Order.</p>					
PURCHASER'S SIGNATURE _____			ACCEPTED BY: DEALER OR HIS AUTHORIZED REPRESENTATIVE		


85732*1*FORD-FI 06/14/2024 11:31 am

RETAIL ORDER FOR A MOTOR VEHICLE				DEAL #: 13212 CUST #: FCOUC6626	
<h1 style="margin: 0;">DESTINATION</h1> <div style="text-align: center;"> <p>407 MAIN STREET EAST BERNARD, TX 77435 (979) 335-3100</p> </div>			<p style="text-align: right;">06/18/2024 Date</p> <p>CITY OF WHARTON 120 E CANEY ST WHARTON TX 77488 City State Zip</p> <p>Res. Phone Bus. Phone</p>		
SALES PERSON KUBICEK, GARY W			<input type="checkbox"/> DEMO <input type="checkbox"/> NEW <input type="checkbox"/> CAR <input type="checkbox"/> USED <input type="checkbox"/> TRUCK YEAR MAKE Ford		
MODEL/SERIES	BODY TYPE	COLOR	TRIM	SERIAL NUMBER	
F-150		WHITE			
LIC. NO.	DEL. DATE 06/14/2024	MILES 121	STOCK NO. F1256		
License Exp. Date		Inspection Exp. Date			
Email Address					
Lien To:					
**TRADE-IN INCLUDES MANUFACTURER'S REBATE OF \$ 3000.00 & ASSIGNED BY BUYER TO SELLER.					
USED CAR TRADE-IN AND/OR OTHER CREDITS			SETTLEMENT		
MAKE OF TRADE-IN			PRICE OF UNIT		
YEAR	MODEL	BODY	52073.00		
SERIAL NO.			TRADE-IN + Rebate \$ 3000.00		
MILES			3000.00		
COLOR			DIFFERENCE		
LISC.			49073.00		
BALANCE OWED ON TRADE-IN			SALES TAX		
\$ N/A			N/A		
LIEN TO			LICENSE/TRANSFER		
ADDRESS			36.75		
GOOD UNTIL			TITLE/SAFETY INSPECTION		
BY			51.75		
DOCUMENTARY FEE			DOCUMENTARY FEE		
A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents and performing services relating to the closing of a sale. This notice is required by law.			150.00		
DEALER'S INVENTORY TAX			DEALER'S INVENTORY TAX		
The dealer's inventory tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.			81.22		
DISCLAIMER OF WARRANTIES			OTHER		
Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability, or fitness for a particular purpose, and the Seller neither assumes nor authorizes any other to assume for it any liability in connection with the sale of said products.			N/A \$ 0.00 DMV Fee \$ 101.50		
			SUBTOTAL		
			49494.22		
			LIEN PAYOFF		
			N/A		
			SUBTOTAL		
			49494.22		
			LESS DEPOSIT		
			N/A		
			BALANCE DUE		
			49494.22		
			OTHER CASH DOWN PAYMENT		
			N/A		
			UNPAID BALANCE DUE ON DELIVERY		
			49494.22		
Purchaser agrees that this Order includes all of the terms and conditions on both the face and reverse side hereof, that this Order cancels and supercedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matters covered hereby and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE. Purchaser by his execution of this Order acknowledges that he has read its terms and conditions and has received a true copy of this Order.					
PURCHASER'S SIGNATURE			ACCEPTED BY:		
			DEALER OR HIS AUTHORIZED REPRESENTATIVE		

85732**FORD-FI 06/14/2024 11:31 am

RETAIL ORDER FOR A MOTOR VEHICLE

DEAL# 1000838

WHARTON CHEVROLET GMC 1225 N RICHMOND RD WHARTON, TX 77488 (979)532-2150		08/14/2024 Date	
		CITY OF WHARTON Purchaser's Name	
		120 E OAKLEY STREET Street Address	
		WHARTON City	TX 77488 State Zip
		Res. Phone	Bus. Phone
SALES PERSON		<input type="checkbox"/> DEMO <input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED <input type="checkbox"/> CAR <input type="checkbox"/> TRUCK	YEAR 2024 MAKE CHEVROLET
MODEL/SERIES SILVERADO 1500	BODY TYPE PU	COLOR GAZ	SERIAL NUMBER
LIC. NO.		DEL. DATE 08/14/2024	STOCK NO. WC0249
License Exp. Date		Inspection Exp. Date	
Email Address			
**TRADE-IN INCLUDES MANUFACTURER'S REBATE OF \$ 5750.00 & ASSIGNED BY BUYER TO SELLER.			
LIEN TO:			
USED CAR TRADE-IN AND/OR OTHER CREDITS		SETTLEMENT	
MAKE OF TRADE-IN		PRICE OF UNIT	55915.03
YEAR MODEL BODY		TRADE-IN	N/A
SERIAL NO.		REBATES	5750.00
MILES COLOR LBSO.		DIFFERENCE	50165.03
BALANCE OWED ON TRADE IN \$ N/A		SALES TAX	N/A
LIEN TO		LICENSE/TRANSFER	153.00
ADDRESS		TITLE/SAFETY INSPECTION	35.00
GOOD UNTIL BY		DOCUMENTARY FEE	150.00
DOCUMENTARY FEE		DEALER'S INVENTORY TAX	N/A
<small>A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyer for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law.</small>		OTHER	N/A
<small>Un cargo documental no es un cargo oficial. La ley no exige que se pague un cargo documental pero este puede cobrarse a las compradoras por el manejo de los documentos en relación con la venta. Un cargo documental no puede exceder una cantidad razonable acordada por las partes. Esta notificación es obligatoria por ley.</small>		SUBTOTAL	50503.03
<small>DEALER'S INVENTORY TAX</small> <small>The dealer's inventory tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.</small>		N/A	N/A
<small>DISCLAIMER OF WARRANTIES</small> <small>Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the dealer neither assumes nor acknowledges any other liability in connection with the sale of said products.</small>		LIEN PAYOFF	N/A
<small>Purchaser agrees that this Order includes all of the terms and conditions on both the face and reverse side hereof, that this Order cancels and supercedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matters covered hereby and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE. Purchaser by his execution of this Order acknowledges that he has read its terms and conditions and has received a true copy of this Order.</small>		SUBTOTAL	50503.03
PURCHASER'S SIGNATURE		LESS DEPOSIT	N/A
		BALANCE DUE	50503.03
		OTHER CASH DOWN PAYMENT	N/A
		UNPAID BALANCE DUE ON DELIVERY	50503.03
		ACCEPTED BY:  DEALER OR HIS AUTHORIZED REPRESENTATIVE	

1037691*WCG-FI

RETAIL ORDER FOR A MOTOR VEHICLE

DEAL# 1000836

WHARTON CHEVROLET GMC

1225 N RICHMOND RD

WHARTON, TX 77488

(979)532-2150

06/14/2024

Date

CITY OF WHARTON

Purchaser's Name

120 E CANEY STREET

Street Address

WHARTON

City

TX

State

77488

Zip

Res. Phone

Bus. Phone

SALES PERSON

☐ DEMO☒ NEW☐ CAR

YEAR

MAKE

☐ USED☒ TRUCK

2024

CHEVROLET

MODEL/SERIES

BODY TYPE

COLOR

TRIM

SERIAL NUMBER

SILVERADO 1500

PU

GAZ

2GCUDDDED3R1133104

LIC. NO.

DEL. DATE 06/14/2024

MILES 100

STOCK NO. WC0147

License Exp Date

Inspection Exp. Date

Email Address

**TRADE-IN INCLUDES MANUFACTURER'S

REBATE OF \$ 5750.00 & ASSIGNED BY BUYER TO SELLER.

LIEN TO:

USED CAR TRADE-IN AND/OR OTHER CREDITS

SETTLEMENT

MAKE OF TRADE-IN

PRICE OF UNIT

55916.03

YEAR

MODEL

BODY

TRADE-IN

N/A

SERIAL NO.

REBATES

5750.00

MILES

COLOR

LIC.

DIFFERENCE

50166.03

BALANCE OWED ON TRADE IN

\$

N/A

SALES TAX

N/A

LIEN TO

LICENSE/TRANSFER

163.00

ADDRESS

TITLE/SAFETY INSPECTION

35.00

GOOD UNTIL

BY

DOCUMENTARY FEE

150.00

DEALER'S INVENTORY TAX

N/A

OTHER

N/A

SUBTOTAL

50503.03

N/A

N/A

LIEN PAYOFF

N/A

SUBTOTAL

50503.03

LESS DEPOSIT

N/A

BALANCE DUE

50503.03

OTHER CASH DOWN PAYMENT

N/A

UNPAID BALANCE DUE ON DELIVERY

50503.03

DOCUMENTARY FEE

A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyer for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law.

Un cargo documental no es un cargo oficial. La ley no exige que se imponga un cargo documental pero este podría cobrarse a los compradores por el manejo de la documentación en relación con la venta. Un cargo documental no puede exceder una cantidad razonable acordada por las partes. Esta notificación se exige por ley.

DEALER'S INVENTORY TAX

This dealer's inventory tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector is not a tax imposed on a consumer by the government, and is not required to be charged by this dealer to the consumer.

DISCLAIMER OF WARRANTIES

Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the Seller neither assumes nor authorizes any other to assume for it any liability in connection with the sale of said products.

Purchaser agrees that this Order includes all of the terms and conditions on both the face and reverse side hereof, that this Order cancels and supercedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matters covered hereby and that **THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE.** Purchaser by his execution of this Order acknowledges that he has read its terms and conditions and has received a true copy of this Order.

PURCHASER'S SIGNATURE

ACCEPTED BY:

DEALER OR HIS AUTHORIZED REPRESENTATIVE

10375911WCG-FI

DON DAVIS MOTOR CO., INC

2011 NORTH MECHANIC
EL CAMPO, TX 77437
713-223 5383

Item-9.

RETAIL PURCHASE AGREEMENT

Purchaser's Name(s): WHARTON COUNTY EMS

Address: 2010 N FULTON WHARTON, TX 77488

Telephone (1):

Telephone (2):

CUST#: 224223

Deal Number: 121628

Date: 05/29/2024

County:

DOB:

E-mail: cgonazales@cityofwharton.com

D.L./State I.D.#:

Issuing State:

Exp. Date:

The above Information has been requested so that we may verify your identity. By signing below, you represent that you are at least 18 years of age and have authority to enter into this Agreement. The Odometer Reading for the Vehicle you are purchasing is accurate unless indicated otherwise. Please refer to the Odometer Mileage Statement for full disclosure.

YEAR 2024	MAKE GMC	MODEL 1500 PICKUP	COLOR WHITE	STOCK NO. EC67376
VIN/SERIAL NO. 1GTPUAEK6RZ289140		ODOMETER READING <input type="checkbox"/> Not Accurate 74	SALESPERSON	
THE VEHICLE IS: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED		PRIOR USE DISCLOSURE: <input type="checkbox"/> DEMONSTRATOR <input type="checkbox"/> FACTORY OFFICIAL/EXECUTIVE <input type="checkbox"/> RENTAL <input type="checkbox"/> OTHER		
WARRANTY STATEMENT				
We are selling this Vehicle to you AS-IS and we expressly disclaim all warranties, express and implied, including any implied warranties of merchantability and fitness for a particular purpose, unless the box beside "USED VEHICLE LIMITED WARRANTY APPLIES" is marked below or we enter into a service contract with you at the time of, or within 90 days of, the date of this transaction. All warranties, if any, by a manufacturer or supplier other than our Dealership are theirs, not ours, and only such manufacturer or supplier shall be liable for performance under such warranties. We neither assume nor authorize any other person to assume for us any liability in connection with the sale of the Vehicle and related goods and services.				
CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY) The Information you see on the window form for this Vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale. <u>Traducción española: Vea el dorso.</u>				
<input type="checkbox"/> Used Vehicle Limited Warranty Applies. We are providing a Used Vehicle Limited Warranty in connection with this transaction. Any implied warranties apply for the duration of the Limited Warranty.				
TRADE-IN VEHICLE INFORMATION				
Year: N/A	Make: N/A	Model: N/A	Color: N/A	
VIN/Serial No: N/A		Odometer Reading: <input type="checkbox"/> Not Accurate N/A		
Trade-In Allowance: N/A		Balance Owed & Lienholder: N/A		
OTHER MATERIAL UNDERSTANDINGS AND INTEGRATED DOCUMENTS				
<input type="checkbox"/> IF BOX IS MARKED, PLEASE SEE THE DELIVERY CONFIRMATION				
<input type="checkbox"/> IF BOX IS MARKED, PLEASE SEE THE CONDITIONAL DELIVERY AGREEMENT				
Dealer's Inventory Tax: The Dealer's Inventory Tax charge is intended to reimburse the Dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the Dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the Dealer to the consumer.				
*Documentary Fee: A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law. Traducción española: Vea el dorso.				
CASH PRICE OF VEHICLE		48495.00		
OPTIONAL ACCESSORIES: <input type="checkbox"/> See attached Addendum Sticker		N/A		
N/A		N/A		
N/A		N/A		
N/A		N/A		
N/A		N/A		
TOTAL SELLING PRICE		48495.00		
LESS: TRADE-IN ALLOWANCE		N/A		
N/A		N/A		
SUBTOTAL		48495.00		
N/A		N/A		
SALES TAX		N/A		
DEALER'S INVENTORY TAX		85.69		
N/A		N/A		
DOCUMENTARY FEE *		150.00		
STATE INSPECTION FEE		7.00		
DEPUTY SERVICE FEE		N/A		
LICENSE FEE		169.10		
TITLE FEE		29.00		
N/A		N/A		
N/A		N/A		
TOTAL DUE		48935.79		
<input type="checkbox"/> DEPOSIT/ <input type="checkbox"/> DOWN PAYMENT If Deposit, see Deposit Receipt		N/A		
REBATE		4000.00		
N/A		N/A		
LESS CASH DUE AT DELIVERY		N/A		
AMOUNT TO BE FINANCED (See Paragraphs 12 and 17)		44935.79		

This Agreement and any documents which are part of this transaction or incorporated herein comprise the entire agreement affecting this Retail Purchase Agreement and no other agreement or understanding of any nature concerning the same has been made or entered into, or will be recognized. I have read all of the terms and conditions of this Agreement and agree to them as if they were printed above my signature. I further acknowledge receipt of a copy of this Agreement. This Agreement shall not become binding until signed and accepted by an Authorized Dealership Representative.

Purchaser

Accepted by Authorized Dealership Representative

Purchaser
DealerCAP

CATALOG #8963171
55777*1*DMC-FI

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- Page 70 -

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF TWO (2) VEHICLES FOR THE CITY OF WHARTON EMERGENCY MEDICAL SERVICES DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, Quotes were received for the purchase of two (2) vehicles for the Emergency Medical Services Department; and,

WHEREAS, _____ was deemed the best lowest qualified bidder in the amount of \$ _____; and,

WHEREAS, The Wharton City Council wishes to approve _____ for the purchase of two (2) vehicles for the Emergency Medical Services Department in the amount of \$ _____; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents related to said purchase.

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

SECTION I. The Wharton City Council hereby authorizes the City Manager to purchase two (2) vehicles for the Emergency Medical Services Department from _____ in the amount of \$ _____.

SECTION II. The Wharton City Council hereby authorizes the City Manager to execute all documents related to the purchase of the vehicles.

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

PASSED AND APPROVED this 8th day of July 2024.

CITY OF WHARTON


TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of a 2024 Gravely Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase.
<p>Attached you will find a memo from Public Works Director Roderick Semien regarding the purchase of a 2024 Gravely Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard in the amount of \$12,023.00.</p> <p>Also attached is the quote and resolution for the purchase.</p> <p>Mr. Semien will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			



City of Wharton
Public Works Department
1005 E. Milam Street ° Wharton, TX
77488
Phone (979) 532-2491 ext. 801 ° Fax
(979) 531-1744

MEMORANDUM

Date: July 1, 2024
To: Mr. Joseph R. Pace, City Manager
From: Roderick Semien, Public Works Director
Re: 2024 Gravely Pro-300 Zero-Turn Mower 60" Deck

Attached please find the quote for a 2024 Gravely Pro-300 Zero-Turn Mower from Schmidt Implement, a company affiliated with the BuyBoard. This new machine will replace the mower assigned to right-of-way mowing.

Schmidt Implement: \$12,023.00

I would like this placed on the City Council agenda for July 8, 2024.

Should you have any questions, please contact me. (979) 523-2491 Ext. 800

Thank you.

Schmidt Implement Inc.
 25160 US 59 Road
 979-543-2622
 El Campo, TX 77437
 Phone: (979) 543-2622 Fax: (979) 543-8777

Open Ticket / In Progress

Item-10.

Thank you for your business! We hope to see you again soon.
 OUR RETURN POLICY: Items must be unused & in original package to be eligible for return. A restocking fee of 25% will be applied to all returned parts.
 SALE OF ALL ELECTRICAL & SPECIAL ORDER PARTS IS FINAL & NONREFUNDABLE.

Bill To				Ship To		
City of Wharton 120 E. Caney Wharton, TX 77488						
Customer	Contact	Customer Tax Number	Phone	Cell Phone	Transaction	PO Number
1718	Semien, Roderick		(979) 532-3210	(979) 532-3210	Estimate	PT 360
Counter Person	Sales Person	Date Printed	Reference	Email Address		Department
Holly	Holly	05/14/24	116220	twittig@cityofwharton.com		Counter Sales

Model	Line	Description	Ordered	B/O'd	Shipped	List	Net	Amount
992526	GRAW	PRO-TURN 300 - 60" W/31 HP KAW FX921V	1		1	\$15,029.00	\$15,029.00	\$15,029.00

Description	Qty	Net Each	Amount
Factory Freight	1	\$0.00	\$0.00

Description	Line	Reference	Quantity	Net Each	Amount
DISCOUNT		FLEET/BID ASSIST	-1	\$3,006.00	(\$3,006.00)

Invoice Total	\$12,023.00
Sales Tax	\$0.00
Grand Total	\$12,023.00

Thank you for your business! We hope to see you again soon.

OUR RETURN POLICY: Items must be unused & in original package to be eligible for return. A restocking fee of 25% will be applied to all returned parts. SALE OF ALL ELECTRICAL & SPECIAL ORDER PARTS IS FINAL & NONREFUNDABLE.

Notes:



Customer acknowledges receipt thereof:

bjimenez@cityofwharton.com

From: Customer Care <info@schmidtimplement.com>
Sent: Tuesday, June 25, 2024 2:24 PM
To: rsemien@cityofwharton.com
Subject: PRO TURN 300

60" PRO-TURN 300

COMMERCIAL

ENGINE	31.0 HP Kawasaki FX921V
DECK	7 Gauge Steel with ¼" Spindle Reinforcement
BLADE SPEED	18000 FPM
DRIVE SYSTEM	Parker HTJ
SEAT	Suspension Plush Seat w/Arm Rests
FUEL CAPACITY	12.5 GAL
SPEED	11 MPH
WARRANTY	Unit: 5 Years/1,250 Hours, Engine: 2 Year Unlimited, Deck Shell & Frame: Limited Lifetime

Jun 25, 2024

992526

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A 2024 GRAVELY PRO-300 ZERO-TURN MOWER FROM SCHMIDT IMPLEMENT THROUGH BUYBOARD FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Public Works Department is requesting that the City Council approve the purchase of a 2024 Gravelly Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard; and,

WHEREAS, The total amount of said purchase is \$12,023.00; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to purchase of a 2024 Gravelly Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard.

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

SECTION I. The Wharton City Council hereby authorizes the purchase of a 2024 Gravelly Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard in the amount of \$12,023.00.

SECTION II. The Wharton City Council hereby authorizes the City Manager to execute the purchase of a 2024 Gravelly Pro-300 Zero-Turn Mower from Schmidt Implement through BuyBoard.

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

PASSED AND APPROVED this 8th day of July 2024.

CITY OF WHARTON


TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council approving the purchase and installation of Michelin Mobility Intelligence Road Assessment Program Software for the City of Wharton and authorizing the Mayor of the City of Wharton to execute all documents related to said purchase and installation.						
<p>Attached you will find the presentation and price of the subscription to the Michelin Mobility Intelligence Road Assessment Program. This program is one of its kind and allows you to perform your own road assessment within the department. The data received from this program will be the first phase in the management and strategic planning of the Department of Public Works Street Program. The breakdown is as follows:</p> <table><tr><td>Pavement Assessment</td><td>\$4,650</td></tr><tr><td><u>Annual Subscription</u></td><td><u>\$1,550</u></td></tr><tr><td>Total</td><td>\$6,200</td></tr></table> <p>Director of Public Works Roderick Semien will be present to answer any questions.</p>				Pavement Assessment	\$4,650	<u>Annual Subscription</u>	<u>\$1,550</u>	Total	\$6,200
Pavement Assessment	\$4,650								
<u>Annual Subscription</u>	<u>\$1,550</u>								
Total	\$6,200								
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024						
Approval: 									
Mayor: Tim Barker									



City of Wharton
 Public Works Department
 1005 E. Milam Street ° Wharton, TX
 77488
 Phone (979) 532-2491 ext. 801 ° Fax
 (979) 531-1744

MEMORANDUM

Date: July 1, 2024

To: Mr. Joseph R. Pace, City Manager

From: Roderick Semien, Public Works Director

Re: Michelin Mobility Intelligence RoadBotics Road Assessment Program

Attached please find the presentation and price of the subscription to the Michelin Mobility Intelligence Road Assessment Program. This program is one of its kind and allows you to perform your own road assessment within the department. The data received from this program will be the first phase in the management and strategic planning of the Department of Public Works Street Program. The breakdown of the price listed is based on the 62 centerline miles (clm) of the roads responsible by city, whereas at 100\$ per clm, the pavement assessment is \$75/clm and the annual subscription is \$25/clm.

Pavement Assessment	\$4,650
<u>Annual Subscription</u>	<u>\$1,550</u>
Total	\$6,200

I would like this placed on the City Council agenda for July 8, 2024.

If you have any questions, please contact me at 979-532-2491 Ext. 800.

Thank you.

Wharton, TX - 2024 Pavement Assessment Official Quote

Wharton, TX
120 E Caney St
Wharton, TX 77488
United States

Michelin Mobility Intelligence Inc.
322 North Shore Drive Suite 200
Pittsburgh, PA 15212
United States

Prepared for: Roderick Semien
Public Works Director
rsemien@cityofwharton.com
9795322491

Prepared by: Glen Hutchinson
Business Development Manager
glen.hutchinson@michelin.com
(407) 910-5921

Quote Created: 07/02/2024

Expires: 08/01/2024

Total: \$6,200.00

PRODUCTS & SERVICES	SKU	QUANTITY	BILLING FREQUENCY	PRICE
Better Roads Centerline Mileage Charge	945908	62	One Time	\$4,650.00
Better Roads Annual Subscription	563312	62	Annual	\$1,550.00

TOTAL

\$6,200.00

Reference: Q-00497

Comments: This is an official Quote for 62 centerline miles for the City of Wharton. The map containing all the City's maintained roads have been confirmed by Roderick Semien and our Operations Team on 7/2/24.

Once approved, a Final Agreement will be created and sent for authorized signature.

There are 2-line items, the 1st is for the pavement assessment mileage and the 2nd is the subscription which gives you access to the data, unlimited technical support, unlimited user logins, and storage of all pavement assessment data. The Subscription will renew 1 year from the start date identified in the Billing Schedule located on the next page in the Purchase Terms.

Purchase Terms

This Statement of Work issued by Michelin Mobility Intelligence, Inc. ("Michelin Mobility Intelligence") and accepted by the ("Customer") is subject to, governed by, and incorporates by reference herein, the Michelin Mobility Intelligence Terms and Conditions located at www.roadbotics.com/contracts/terms-and-conditions (this Statement of Work and the Terms and Conditions, together, constituting the "Agreement"). Terms used herein and not otherwise defined have the meanings assigned to them in the Terms and Conditions. The Agreement supersedes any agreement or understanding made by the parties prior to the date hereof and constitutes the entire agreement between the parties with respect to the subject matter.

Deliverables:

Schedule Training

Both Parties are responsible. Deliverable date is within 14 Days of contract execution or mutually agreed upon date.

Data Collection

Customer is responsible. Under 150 centerline miles, the deliverable date is within 30 days of training completion. Over 150 centerline miles the deliverable date is within 40 days of training completion.

Assessment Delivery

Michelin Mobility Intelligence is responsible. Under 150 centerline miles, the deliverable date is within 30 days of data collection completion. Over 150 centerline miles the deliverable date is within 40 days of data collection completion. Any changes to the Deliverable Schedule must be mutually agreed to by both Parties in writing.

Term:

The Subscription Term is 12 months from date of Customer's receipt of Company Product(s) ("Delivery Date") unless otherwise mutually agreed in writing by the Parties. The Subscription, and resulting access to the platform, will expire at the end of this Term unless renewed by Customer.

Billing Schedule:

Customer will be invoiced upon Delivery Date. In the event of a Subscription renewal, customer will be invoiced upon date of Subscription Term start date **TBD**.

Payment Terms:

All amounts are due within Net 30 days from the date of the invoice.

No Signature Required for Quotes

Once the City has approved a Final Agreement will be created and does require an authorized signature.

To Whom It May Concern,

This letter confirms that Michelin Mobility Intelligence is the sole source provider of the Better Roads pavement assessment product. It is developed and distributed exclusively by Michelin Mobility Intelligence. No division of Michelin Mobility Intelligence nor any other company, makes a similar product, to the best of our knowledge.

Michelin Mobility Intelligence uses proprietary technology and methods to provide pavement assessments using machine vision and artificial intelligence. Michelin Mobility Intelligence also uses proprietary software to display the pavement assessment data through a web-based portal.

Michelin Mobility Intelligence currently has a patent pending for Systems and Methods for Assessing Infrastructure. Michelin Mobility Intelligence has already been awarded a patent for Systems and Methods for Creating and/or Analyzing Three-Dimensional Models of Infrastructure Assets.

Certificates of these patents can be provided upon request. Michelin Mobility Intelligence is not aware of other like products available for purchase that use the same proprietary technology and methods.

If you would like to receive additional information, please contact us. Thank you for your interest in our products.

Sincerely,



Erik Dietz
President and COO
Michelin Mobility Intelligence, North America

**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE AND INSTALLATION OF MICHELIN MOBILITY INTELLIGENCE ROAD ASSESSMENT PROGRAM SOFTWARE FOR THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE AND INSTALLATION.

WHEREAS, It is in the best interest of the City of Wharton to purchase and install Michelin Mobility Intelligence Road Assessment Program Software; and,

WHEREAS, The Wharton City Council wishes to approve funding in the amount of \$6,200.00 to be used to purchase and install said software; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute any and all documents related to said software's purchase and installation.

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

Section I. That the Wharton City Council hereby approves the purchase in the amount of \$6,200.00 to purchase and install the software.

Section II. That the Mayor of the City of Wharton is hereby authorized to execute any and all documents related to said software's purchase and installation.

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

Passed, Approved, and Adopted this 8th day of July 2024.

CITY OF WHARTON, TEXAS


By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council approving the repair of rotary screens and tank at Wastewater Treatment Plant No. 2 and authorizing the Mayor of the City of Wharton to execute all documents related to said repairs.
<p>Attached you will find the cost of repairs and a presentation on damages to the rotary screen and tank at Wastewater Treatment Plant No. 2. The rotary screens and tank are beyond their service life and due to the corrosive nature of wastewater, the concrete structure the screen rests on is eroding. This could potentially become a violation with TCEQ and without intervention, the drum screen structure will collapse into itself. The City Staff is recommending repairs to be completed by Branch Construction, who are a member of TiPS. Funding for repairs will be covered by ARPA. The total amount of the repairs are in the amount of \$665,946.00.</p> <p>Public Works Director Roderick Semien will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			



City of Wharton
Public Works Department
1005 E. Milam Street ° Wharton, TX
77488
Phone (979) 532-2491 ext. 801 ° Fax
(979) 531-1744

MEMORANDUM

Date: July 1, 2024
To: Mr. Joseph R. Pace, City Manager
From: Roderick Semien, Public Works Director
Re: Fine Screens and Tank Repair at Wastewater Treatment Plant # 2

Attached please find the estimated cost of repairs and presentation of damages for the fine screens and tank located at Wastewater Treatment Plant #2. The rotary screens and auger press are beyond their service life and due to the corrosive nature of wastewater, the concrete structure the screen rests on is eroding. This could potentially become a violation with TCEQ and without intervention, the drum screen structure will collapse into itself. I recommend repairs to be completed by Branch Construction, who are CO-OP with TiPS. Funding for repairs will be covered by ARPA.

Branch Construction Rotary Screen and tank repair: \$665,946.00

I would like this placed on the City Council agenda for July 8, 2024

If you have any questions, please contact me at 979-532-2491 Ext. 800.

Thank you.



Project Proposal

Company: City of Wharton

Name: Mr. Roderick Semien

Phone: 979-253-4817

Email: rsemien@cityofwharton.com

Date: July 2 ,2024

Reference: WWTP Rotary Screen & Tank Repair: 2319 HWY 59 Wharton TX 77488

SO# 2721

TIPS Contract Number-23010401

Scope

Supply labor, material, and equipment to install bypass system on WWTP rotary screen system. Fabricated trash screen to remain in place with all fittings for future bypass capabilities. Remove existing rotary screen system and repair concrete basin before placing new rotary screen system in place. Interior concrete repairs include up to an inch of repair on reachable areas only. All specifics on all equipment and material are as follows:

- Rotostrainer Drum Screens Model RSA2572U –quantity 2
- Trash Basket/ Adjustable Hoist/ Floor Socket
- Surface Preparation- Prepare specified concrete surfaces per SSPC-SP13 to achieve a minimum concrete surface profile of CSP-5 per ICRI.
- Resurfaces- Resurface specified interior concrete as needed with Tnemec Series 218 to fill voids, bug holes, or any surface defects to facilitate coating application.
- Finish- Apply 2 coats of Tnemec Series 435 Perma-Glaze at 16.0-20.0 mils DFT, per coat.
- Exterior/ Walkway- Surface preparation- Wet surfaces with a bleach solution. Allow the bleach to remain on the surface until dry. Pressure wash the complete exterior using a minimum of 3000 PSI to remove all mildew, grease, oil, any loose deleterious material and other surface contaminants.

Price **\$665,946**

- **Proposal is valid for 15 days from date of issuance.**
- Delays not caused by Branch Construction Group will be billed at the applicable rate.
- If non-standard working hours are requested additional charges will be applied unless previously agreed on. Definition - Night Work 5:30PM – 7AM or Weekend Work Saturday/Sunday at applicable rate.
 - Pricing does not include boring through rock, compensation for utility conflicts, locating services or delays not caused by Branch Construction Group. See unit pricing below for individual rates and charges.



Project Proposal

- Additional \$3.00/Lf will be charged for boring through rock, shale, slate, and similar materials
- Mobilization will be billed at \$2.50/mile for boring rig setup if applicable.
- Mobilization will be billed at \$1.50/mile for workforce mobilization if applicable

Assumptions

- Assumes that private utilities (e.g., sprinklers etc.) are marked by the customer; Branch Construction Group will use reasonable precautions but will not be responsible for damage to unmarked/incorrectly marked utilities.
- Customer responsible for all temporary/permanent fence removal/replacement.
- The job schedule must be mutually agreed upon.
- The work site will be cleaned by backhoe – will NOT include pressure wash/reclaimed water, street brush, etc.
- Well Point/Pump Systems not included; if necessary, incremental expense to be charged to customer.
- Branch Construction Group is not responsible for engineering drawings, city drawings, or any plans used for construction purposes. If there are errors or omissions and job cannot be completed – Branch Construction Group will receive payment for work completed.
- All work to be done during normal construction hours (M-F, 7AM-5:30PM)

Payment Terms

- 50% Upon Approval or PO Approved
- 50% Upon Completion of Project

Termination

- If the Client terminates this Contract after Branch Construction Group has commenced its work, the Client shall be responsible for the following:
 - The Client shall pay Branch Construction Group the Contract price of the fittings, or specialized materials once production has commenced or the items have been purchased.
 - The Client shall pay Branch Construction Group a 25% restocking fee in the event the job is cancelled for standard fittings have been ordered.
 - The Client shall reimburse Branch Construction Group for all reasonable out-of-pocket mobilization expenses incurred by Branch Construction Group (including travel and transportation costs for Branch Construction Group personnel to the job site and an hourly rate of \$95.00 for each person mobilized by Branch Construction Group if Branch Construction Group has mobilized its personnel or agents in connection with the project.



Project Proposal

- On certain occasions Branch Construction Group can return special or not normal size fittings. However, this will require 70% restocking fee if job cancels or pipe size changes after fittings are ordered.

Indemnification

- BRANCH CONSTRUCTION GROUP (HEREAFTER "BCG") SHALL INDEMNIFY CLIENT FOR DAMAGES ARISING OUT OF THE PERFORMANCE OF WORK, BUT ONLY TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS, ERRORS OR OMISSIONS OF BCG AND THE TOTAL LIABILITY TO CLIENT AND ANYONE CLAIMING BY, THROUGH, OR UNDER CLIENT FOR ANY COST, LOSS, LEGAL FEES, OR DAMAGES SHALL NOT EXCEED THE PERCENTAGE SHARE THAT BCG'S NEGLIGENCE BEARS TO THE TOTAL NEGLIGENCE OF CLIENT, BCG, AND ALL OTHER NEGLIGENT ENTITIES AND INDIVIDUALS.
- BY WAY OF FURTHER LIMITATION, BCG SHALL NOT BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, WHETHER GROUNDED IN TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR CONTRACT, AND UNDER NO CIRCUMSTANCES WILL BCG'S LIABILITY EXCEED THE PROJECT PROPOSAL PRICE CLIENT PAID BCG FOR THE GOODS OR SERVICES UPON WHICH LIABILITY IS CLAIMED. ANY ACTION FOR BREACH OF CONTRACT MUST BE COMMENCED WITHIN ONE (1) YEAR AFTER THE CAUSE OF ACTION HAS ACCRUED.

Accepted by:

Company Name: _____

Signature: _____

Name Printed: _____

Date: _____



Project Proposal

Waste Water Treatment Plant 2 Fine Screen

CITY OF WHARTON DEPARTMENT OF
PUBLIC PRESENTATION



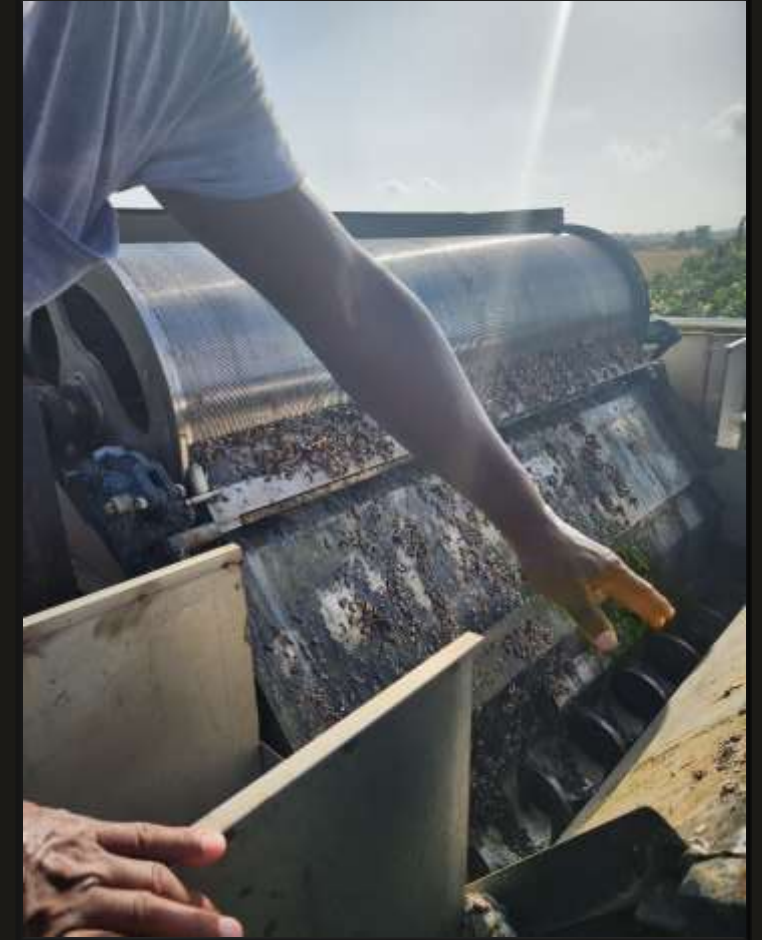
Overview

The rotary fine drum strainer, situated at WWTP #2, serves a vital role in the water treatment process. Each plant houses two of these components, which rest on a substantial concrete base tank structure. Positioned to intercept the influent (untreated raw sewage), it effectively removes non-organic waste and debris, thus serving as the final stage in the filtration process before contaminated water undergoes further treatment.



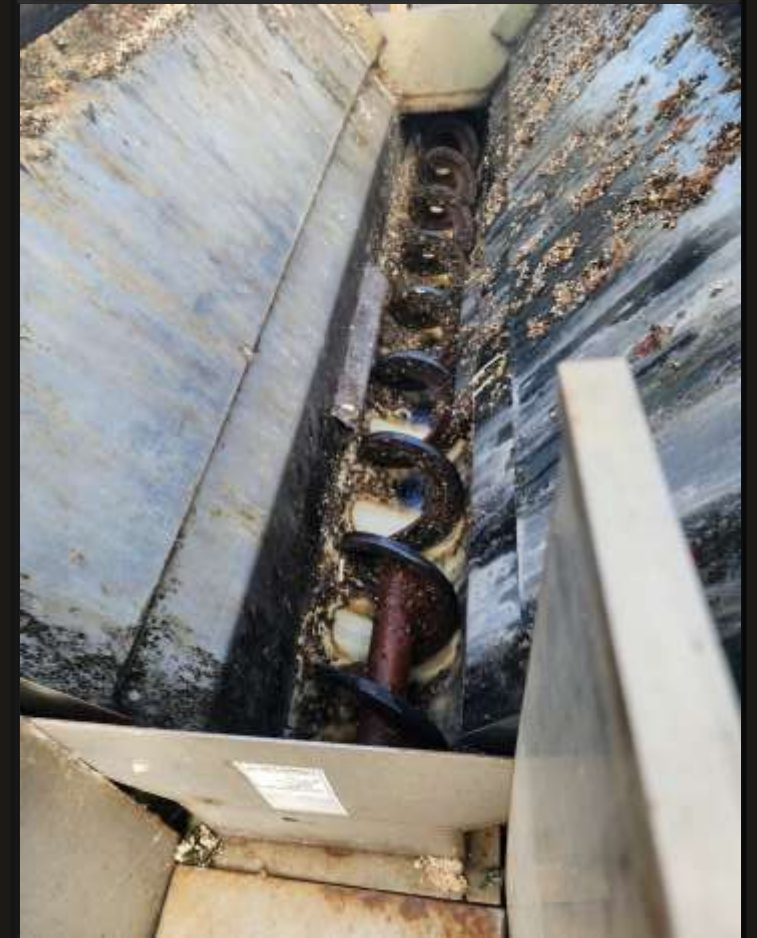
Fine Screen and component Breakdown

The apparatus comprises three primary components: the drum, the cleaning blade, and the auger press. The drum, a hollow stainless-steel screen, serves to filter out the finest grit from the water. However, certain perforations have deteriorated, allowing larger particulates to penetrate. The cleaning blade remains in constant contact with the drum, extricating larger materials from its surface. Subsequently, when the amassed debris reaches a critical mass, it dislodges from the blade and descends into the auger press.



Fine Screen and component Breakdown

When the waste material descends onto the auger press, the spiral motion of the auger efficiently transfers the material into the dumpster for removal by GFL.



Fine Screen and component Breakdown

This is the designated disposal site for nonorganic waste. The treatment plant cannot process such materials, hence they are deposited in the dumpster.



Presently, the primary concerns regarding this system are...

This is the second drum on the opposite side of Drum #1 it is nonoperational. The drum doesn't rotate and the blade and its mount are broken due to rusting out.



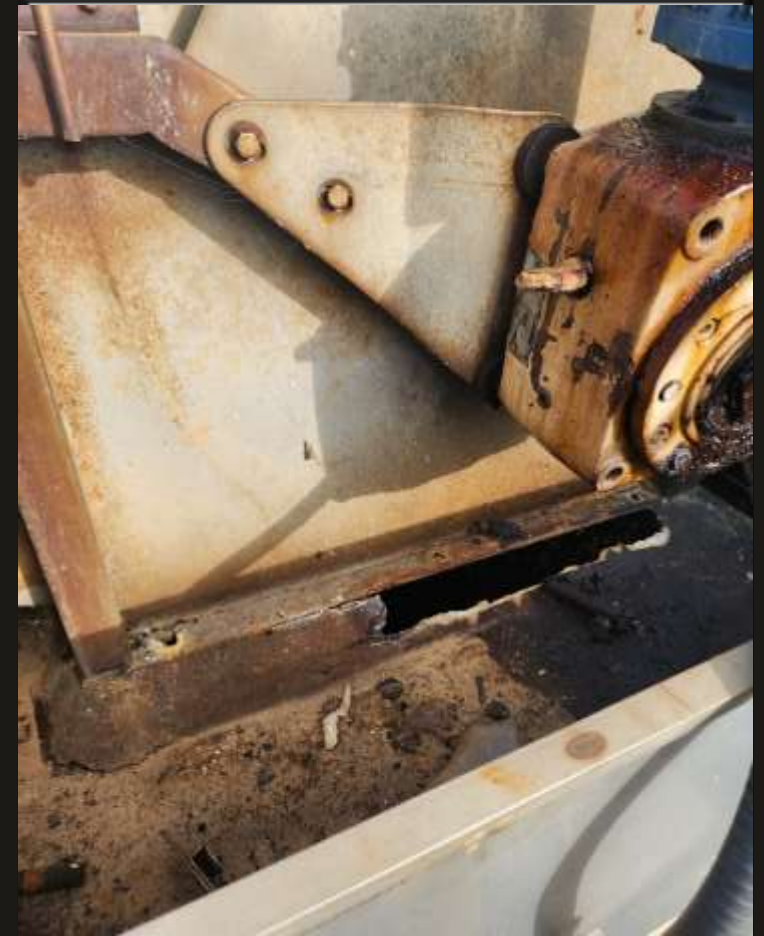
Broken mounting bracket

Inside the drum mounting bracket (it's like a rim spoke) is completely broken.



Tank erosion

But the worst situation is that the grouted part of the concrete base, that the drum sits on, is blowing out. The corrosive gases from the sewage have weakened the concrete. This appears all around the units, and eventually, it will collapse on its weight.



Different angles



Different angles



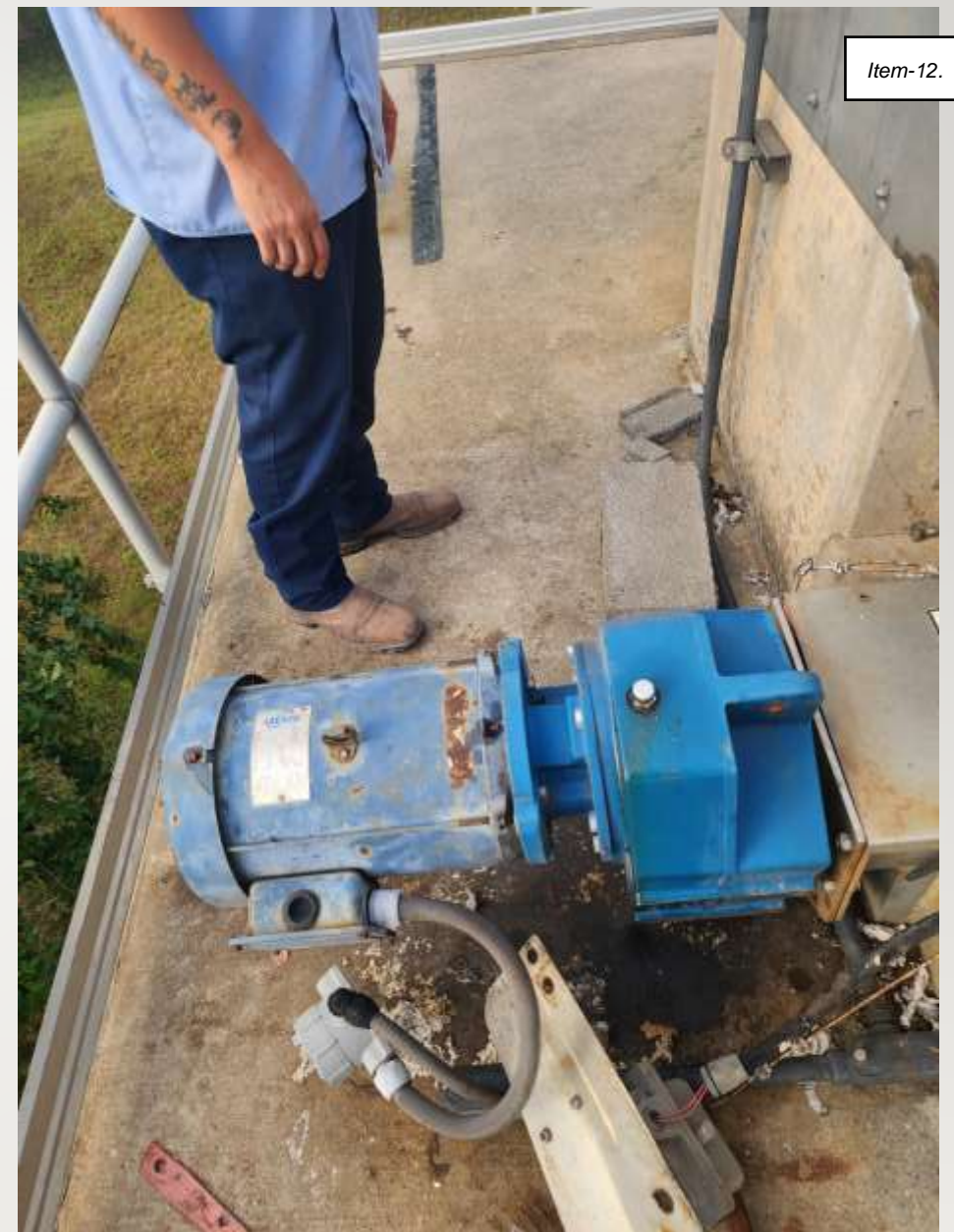
Structure failure imminent

This image shows the inner wall of the concrete tank. Once a smooth surface, the gases from the influent (untreated raw sewage) have eroded, exposing the aggregate in the concrete pour.



Auger Press failure

This is the auger press motor the shaft has snapped and now trash is to be pushed down by hand.



Thank You

For taking the time to review this presentation.



**CITY OF WHARTON
RESOLUTION NO. 2024-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE REPAIR OF ROTARY SCREENS AND TANK AT WASTEWATER TREATMENT PLANT NO. 2 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.

WHEREAS, Wastewater Treatment Plant No. 2 is in need of repairs on the rotary screens and tank; and,

WHEREAS, Branch Construction is a member of TiPS Purchasing Cooperative Program; and,

WHEREAS, Said repairs will be covered by ARPA Funds; and,

WHEREAS, The Wharton City Council wishes to approve said repairs at Wastewater Treatment Plant No. 2 with Branch Construction, in the amount of \$665,946.00; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to said repairs.

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

SECTION I. The Wharton City Council hereby approves said repair at Wastewater Treatment Plant No. 2 with Branch Construction in the amount of \$665,946.00.

SECTION II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the repairs at Wastewater Treatment Plant No 2.

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

PASSED AND APPROVED this 8th day of July 2024.

CITY OF WHARTON


TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Pay Request No. 2 from Reddico Construction Company for the U.S. 59 Water and Wastewater Utility Relocations.
<p>Attached is Pay Request No. 2 from Reddico Construction Company for the U.S. 59 Water and Wastewater Utility Relocations in the amount of \$1,529,739.27.</p> <p>Director of Planning & Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: July 2, 2024

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Council

SUBJECT: Recommendation for payment to Reddico Construction Company for Pay Estimate No. 2 for the US 59 Water & Wastewater Utility Relocations

The City Council awarded a contract for construction to Reddico Construction Company for the US 59 Water & Wastewater Utility Relocations.

Pay Estimate No. 2 has been sent and a recommendation for payment by the engineer is attached.

It is my recommendation that the City Council approve Pay Estimate 2 for \$1,529,739.27 and issue payment.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.



June 24, 2024

Ms. Gwyneth Teves
Director of Planning & Development
City of Wharton
120 E. Caney Street
Wharton, Texas 77488

Re: US 59 Water and Wastewater Utility Relocations
City of Wharton
State Infrastructure Bank (SIB) Loan and TxDOT Relocation Reimbursement
TIN: 74-6002557

Dear Ms. Teves:

Enclosed is Application and Certificate for Payment No. 2 from Reddico Construction Company, Inc. for the referenced project. This application covers construction activities for the referenced project during the period from May 1, 2024 to May 31, 2024. During this period, the Contractor installed sanitary sewer force mains and gravity lines by open cut and trenchless, installed waterline by open cut and trenchless, and installed flush valves. The estimate is in order and we recommend payment in the amount of \$1,529,739.27 to Reddico Construction Company, Inc.

The Contractor did not request impact days for the current payment period. However, we did note one (1) impact day during this period.

The project is now 50% complete by total contract value and 52% complete by total contract time. The current contractual Substantial Completion date is September 9, 2024.

Sincerely,

A handwritten signature in blue ink that reads 'Matthew W. Matula'.

Matthew W. Matula, PE, ENV SP

MWM:dbm

K:\05135\05135-0239-00 US 59 Public Utility Relocations\3 Construction Phase\Pay Estimates\02

Enclosure

cc: Mr. Steve Redd – Reddico Construction Company, Inc.
Mr. Ryan Redd – Reddico Construction Company, Inc.
Mr. Joseph Pace – City of Wharton
Mr. Rodrick Semien – City of Wharton

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER/CLIENT:

City of Wharton
120 E Caney Street,
Wharton, Texas 77488 United States

PROJECT:

City of Wharton US 59 Water &
Wastewater Utility Relocations
U.S. 59
Wharton, Texas 77488

APPLICATION NO: 02

INVOICE NO: 02

DISTRIBUTION TO:

PERIOD: 5/1/2024 – 5/31/2024

PROJECT NOs: 05135-0239-00

FROM CONTRACTOR:

Reddico Construction Company, Inc.
10083 Airport Rd,

Conroe, Texas 77303 United States

VIA ENGINEER

Matthew Matula - Quiddity Engineering,
LLC
1575 Sawdust Road
Suite 400
The Woodlands, Texas 77380-4241

CONTRACT DATE:

2/2/2024

CONTRACT FOR: Construction of US 59 Water and Wastewater Utility Relocates

CONTRACTOR'S APPLICATION FOR PAYMENT

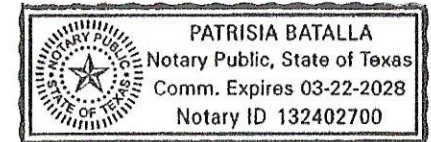
Application is made for payment, as shown below, in connection with the Contract, Continuation sheet is attached.

1.	Original Contract Sum	\$6,783,569.00
2.	Net change by change orders	\$0.00
3.	Contract sum to date (line 1 ± 2)	\$6,783,569.00
4.	Total completed and stored to date (Column G on detail sheet)	\$3,396,258.90
5.	Retainage	
	a. 10.00% of completed work	\$339,625.89
	b. 10.00% of stored material	\$0.00
6.	Total earned less retainage (Line 4 less Line 5 Total)	\$3,056,633.01
7.	Less previous certificates for payment (Line 6 from prior certificate)	\$1,526,893.74
8.	Current payment due	\$1,529,739.27
9.	Balance to finish, including retainage (Line 3 less Line 6)	\$3,726,935.99

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:		\$0.00	\$0.00
Total approved this Month:		\$0.00	\$0.00
Totals:		\$0.00	\$0.00
Net changes by change order:		\$0.00	

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Reddico Construction Company, Inc.

By: *[Signature]*

Date: 06-24-2024

Subscribe and swear to before me, the undersigned on this 24th
day of June, 2024.

ENGINEER'S CERTIFICATE FOR PAYMENT

Notary Public for the State of TX

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Engineer's knowledge, information and belief that Work is in accordance with the Contract documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$1,529,739.27


ENGINEER: *[Signature]*By: *[Signature]*

Date: 06/24/2024

This certificate is not negotiable. The amount certified is payable only to the contract named herein. Issuance, payment, and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Pay Request No. 1 from Capital Underground Utilities for the Titus Express Carwash Waterline Extension.
<p>Attached is Pay Request No. 1 from Capital Underground Utilities for the Titus Express Carwash Waterline Extension in the amount of \$96,084.00.</p> <p>Director of Planning & Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: July 2, 2024

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Council

SUBJECT: Recommendation for payment to Capital Underground Utilities for Pay Estimate No. 1 for the Titus Express Carwash Waterline Extension

The City Council awarded a contract for construction Capital Underground Utilities for the Titus Express Carwash Waterline Extension.

Pay Estimate No. 1 has been sent and a recommendation for payment by the engineer is attached.

It is my recommendation that the City Council approve Pay Estimate 1 for \$96,084.00 and issue payment.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.



6330 West Loop South, Suite 150
Bellaire, Texas 77401
Tel: 713.777.5337
www.quiddity.com

June 25, 2024

Ms. Gwyneth Teves
Director of Planning & Development
City of Wharton
120 E. Caney Street
Wharton, Texas 77488

Re: Construction of Titus Express Car Wash Waterline Extension
City of Wharton

Dear Ms. Teves:

Enclosed is Application and Certificate for Payment No. 1 from Capital Underground Utilities, LLC for the referenced project. This application covers construction activities for the referenced project during the period from May 7, 2024 to June 15, 2024. During this period, the Contractor installed 12-inch, 6-inch, and 2-inch waterline by trenchless construction, installed the 8-inch waterline by open cut, and installed associated waterline components including gate valves, fittings and joints. The estimate is in order and we recommend payment in the amount of \$96,084.00 to Capital Underground Utilities, LLC.

The Contractor has not submitted a request for any impact days for the current payment period. However, we did note one (1) impact day during this period.

The project is now 71% complete by total contract value and 65% complete by total contract time. The current contractual Substantial Completion date is July 6, 2024.

Sincerely,

A handwritten signature in blue ink that reads "Brian T. Geier".

Brian T. Geier, PE

BTG:dbb

K:\05135\05135-0257-01 Titus Car Wash Waterline Extension\3 Construction Phase\Pay Estimates\Pay Estimate 1

Enclosure

cc: Mr. Joseph Pace – City of Wharton
Mr. Rodrick Semien – City of Wharton
Mr. Horacio Luna – Capital Underground Utilities, LLC

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER/CLIENT:

City of Wharton
120 E Caney Street,
Wharton, Texas 77488 United States

PROJECT:

Titus Express Car Wash Waterline
Extension
1601 N Richmond Road
Wharton, Texas 77488

APPLICATION NO: 01

INVOICE NO: 01

DISTRIBUTION TO:

PERIOD: 5/7/2024 – 6/15/2024

PROJECT NOS: 05135-0257-01

FROM CONTRACTOR:

Capital Underground Utilities, LLC
918 Tassell St,

Houston, Texas 77076 United States

VIA ENGINEER

Brian Geier - Quiddity Engineering, LLC
6330 W Loop South
Suite 150
Bellaire, Texas 77401

CONTRACT DATE:

4/30/2024

CONTRACT FOR: Construction of Titus Express Car Wash Waterline Extension

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Continuation sheet is attached.

1.	Original Contract Sum	\$145,000.00
2.	Net change by change orders	\$5,850.00
3.	Contract sum to date (line 1 ± 2)	\$150,850.00
4.	Total completed and stored to date (Column G on detail sheet)	\$106,760.00
5.	Retainage	
	a. 10.00% of completed work	\$10,676.00
	b. 10.00% of stored material	\$0.00
6.	Total earned less retainage (Line 4 less Line 5 Total)	\$96,084.00
7.	Less previous certificates for payment (Line 6 from prior certificate)	\$0.00
8.	Current payment due	\$96,084.00
9.	Balance to finish, including retainage (Line 3 less Line 6)	\$54,766.00

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Capital Underground Utilities, LLC

By:



Date:

6/25/24

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Engineer's knowledge, information and belief that Work is in accordance with the Contract documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$96,084.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$0.00	\$0.00
Total approved this Month:	\$5,850.00	\$0.00
Totals:	\$5,850.00	\$0.00
Net changes by change order:	\$5,850.00	

ENGINEER:

By:




Date: 6/25/24

This certificate is not negotiable. The amount certified is payable only to the contract named herein. Issuance, payment, and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Pay Request No. 1 from Alsay Incorporated for the Valhalla Water Well Rehabilitation 2023.
<p>Attached is Pay Request No. 1 from Alsay Incorporated for the Valhalla Water Well Rehabilitation 2023 in the amount of \$60,980.50.</p> <p>Director of Planning & Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: July 2, 2024

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Council

SUBJECT: Recommendation for payment to Alsay Incorporated for Pay Estimate No. 1 for the Valhalla Water Well Rehabilitation 2023

The City Council awarded a contract for construction Alsay Incorporated for the Valhalla Water Well Rehabilitation 2023 project.

Pay Estimate No. 1 has been sent and a recommendation for payment by the engineer is attached.

It is my recommendation that the City Council approve Pay Estimate 1 for \$60,980.50 and issue payment.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.



June 24, 2024

Ms. Gwyneth Teves
Director of Planning & Development
City of Wharton
120 E. Caney Street
Wharton, Texas 77488

Re: Construction of Valhalla Water Well Rehabilitation 2023
City of Wharton
TIN: 74-6002557

Dear Ms. Teves:

Enclosed is Application and Certificate for Payment No. 1 from Alsay Incorporated for the referenced project. This application covers construction activities for the referenced project during the period from March 4, 2024 to May 31, 2024. During this period, the Contractor obtained bonds and insurance, mobilized, removed the existing well pump and associated equipment, televised the well, and wire brushed the well screens. The estimate is in order and we recommend payment in the amount of \$60,980.50 to Alsay Incorporated

The Contractor has not submitted a request for any impact days for the current payment period. We did not note any impact days for the current period.

The project is now 21% complete by total contract value and 73% complete by total contract time. The current contractual Substantial Completion date is July 2, 2024.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stephanie S. Kaspar'.

Stephanie S. Kaspar, PE

SSK:dbf

K:\05135\05135-0109-00 Valhalla Water Well Rehabilitation 2022\3 Construction Phase\Pay Estimates\01

Enclosure

cc: Mr. Joseph Pace – City of Wharton
Mr. Rodrick Semien – City of Wharton
Mr. Joe Salvik – Alsay Incorporated

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER/CLIENT:

City of Wharton
120 E Caney Street,
Wharton, Texas 77488 United States

PROJECT:

Construction of Valhalla Water Well
Rehabilitation 2023
1819 Valhalla Dr
Wharton, Texas 77488

APPLICATION NO: 01

INVOICE NO: 01

DISTRIBUTION TO:

PERIOD: 3/4/2024 – 5/31/2024

PROJECT NOS: 05135-0109-00

FROM CONTRACTOR:

Alsay Incorporated
6615 Gant Rd,

Houston, Texas 77066 United States

VIA ENGINEER

Stephanie S. Kaspar, P.E. - Quiddity
Engineering, LLC
6330 W Loop South
Suite 150
Bellaire, Texas 77401

CONTRACT DATE:

9/20/2023

CONTRACT FOR: Construction of Valhalla Water Well Rehabilitation 2023

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Continuation sheet is attached.

1.	Original Contract Sum	\$303,547.00
2.	Net change by change orders	\$0.00
3.	Contract sum to date (line 1 ± 2)	\$303,547.00
4.	Total completed and stored to date (Column G on detail sheet)	\$64,190.00
5.	Retainage	
	a. 5.00% of completed work	\$3,209.50
	b. 5.00% of stored material	\$0.00
6.	Total earned less retainage (Line 4 less Line 5 Total)	\$60,980.50
7.	Less previous certificates for payment (Line 6 from prior certificate)	\$0.00
8.	Current payment due	\$60,980.50
9.	Balance to finish, including retainage (Line 3 less Line 6)	\$242,566.50

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Alsay Incorporated

By: *Maggie Denena*

Date: 6/27/24

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Engineer's knowledge, information and belief that Work is in accordance with the Contract documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$60,980.50

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$0.00	\$0.00
Total approved this Month:	\$0.00	\$0.00
Totals:	\$0.00	\$0.00
Net changes by change order:	\$0.00	

ENGINEER:


By: *[Signature]*

Date: 6/26/24

This certificate is not negotiable. The amount certified is payable only to the contract named herein. Issuance, payment, and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees: A. Resignations. B. Appointments. C. Vacancies.
<p>Attached is the list of people serving on the various City Boards, Commissions, and Committees. There are still vacancies that also need to be filled.</p> <p><u>Resignations:</u> None.</p> <p><u>Appointments:</u> None.</p> <p><u>Vacancies:</u></p> <ul style="list-style-type: none">A. Beautification Commission.B. Building Standards Commission.C. Mayor’s Committee on People with Disabilities.D. Planning Commission.E. Plumbing and Mechanical Board.F. Wharton Economic Development Corporation.			
City Manager: Joseph R. Pace			Date: Wednesday, July 3, 2024
Approval: 			
Mayor: Tim Barker			

**CITY OF WHARTON
BOARDS, COMMISSIONS, AND COMMITTEES**

WHARTON REGIONAL AIRPORT BOARD	TWO YEAR TERM	Reappointment
Eric Nelson	June 30, 2025	
Randy Rodriguez	June 30, 2025	
Bill Kingrey	June 30, 2025	
Larry David	June 30, 2026	
Jimmy Zissa	June 30, 2026	
Glenn Erdelt	June 30, 2026	

BEAUTIFICATION COMMISSION	TWO YEAR TERM	Reappointment
Vacant	June 30, 2026	
Vacant	June 30, 2026	
Vacant	June 30, 2026	
Amanda Gonzales	June 30, 2025	
Adraylle Watson	June 30, 2025	
Debbie Folks	June 30, 2025	
Sheryl Joost	June 30, 2025	

BUILDING STANDARDS COMMISSION	TWO YEAR TERM	Reappointment
Leonard Morales	June 30, 2025	
Vacant	June 30, 2025	
Vacant	June 30, 2025	
Paul Shannon	June 30, 2025	
Vacant	June 30, 2026	
Howard Singleton	June 30, 2024	
Shaun Stockwell	June 30, 2024	
Claudia Velasquez, Building Official - ExOfficio		
Jeff Gubbels - Health Officer-ExOfficio		
Hector Hernandez-Fire Marshall-ExOfficio		

ELECTRICAL BOARD	TWO YEAR TERM	Reappointment
Councilmember Burnell Neal	June 30, 2025	
Oscar Uribe	June 30, 2025	
Philip Hamlin	June 30, 2026	
Milton Barbee	June 30, 2026	
Hector Hernandez- Fire Marshal		

HOLIDAY LIGHT DECORATING CHAIRMAN	TWO YEAR TERM	Reappointment
Tim Barker	June 30, 2026	

MAYOR'S COMMITTEE ON PEOPLE WITH DISABILITIES	TWO YEAR TERM	Reappointment
Johnnie Gonzales	June 30, 2026	

Vacant	June 30, 2026	
Vacant	June 30, 2026	
Kaitlyn Humberson	June 30, 2025	
Delia Gonzales	June 30, 2025	
Sheena Barbee	June 30, 2025	
Cheryl Lavergne	June 30, 2025	
Mayor Tim Barker- Ex Officio		
HEALTH OFFICER	TWO YEAR TERM	Reappointment
Dr. Jeff Gubbels, MD	June 30, 2026	
VETERINARIAN	TWO YEAR TERM	Reappointment
Dr. Cody Pohler, DVM	June 30, 2026	
MUNICIPAL COURT JUDGE	TWO YEAR TERM	Reappointment
Jared Cullar	June 30, 2025	
PLANNING COMMISSION	TWO YEAR TERM	Reappointment
Johnnie Gonzales	June 30, 2025	
Rob Kolacny	June 30, 2025	
Michael Quinn	June 30, 2025	
Vacant	June 30, 2026	
Adraylle Watson	June 30, 2026	
Michael Wootton	June 30, 2026	
Joel Williams	June 30, 2026	
PLUMBING AND MECHANICAL BOARD	TWO YEAR TERM	Reappointment
Vacant	June 30, 2026	
Vacant	June 30, 2025	
Vacant	June 30, 2026	
Robert Sanchez	June 30, 2025	
Vacant	June 30, 2026	
Claudia Velasquez, Building Official - ExOfficio		
Public Works Director Roderick Semien- Ex Officio		
Mayor Tim Barker - Ex Officio		
WHARTON ECONOMIC DEVELOPMENT CORPORATION	TWO YEAR TERM	Reappointment
Michael Wootton	September 30, 2024	
Vacant	September 30, 2024	
Freddie Pekar	September 30, 2024	
Larry Pittman (Councilmember)	September 30, 2024	
Russell Machann- (Councilmember)	September 30, 2025	
Andrew Armour	September 30, 2025	
Michael Roberson	September 30, 2025	

CITY COUNCIL COMMITTEES - Renew June 30th of Each Year

ANNEXATION COMMITTEE

Tim Barker
Russell Machann
David Voulgaris

FINANCE COMMITTEE

Russell Machann
Larry Pittman
Tim Barker

HOUSING COMMITTEE

Terry Freese
Russell Machann
Burnell Neal

INTERGOVERNMENTAL RELATIONS COMMITTEE

Terry Freese
Tim Barker
Larry Pittman

LEGISLATIVE COMMITTEE

Tim Barker
Larry Pittman
Steven Schneider

PUBLIC HEALTH COMMITTEE

Terry Freese
Larry Pittman
Russell Machann

PUBLIC SAFETY COMMITTEE

Larry Pittman
Terry Freese
David Voulgaris

PUBLIC WORKS COMMITTEE

Terry Freese
David Voulgaris
Burnell Neal

TELECOMMUNICATIONS COMMITTEE

Burnell Neal
Terry Freese
David Voulgaris

WHARTON ECONOMIC DEVELOPMENT CORP BOARD OF DIRECTORS SELECTION COMMITTEE

Tim Barker
Steven Schneider
Larry Pittman

ECONOMIC DEVELOPMENT COMMITTEE


Tim Barker
Burnell Neal
Russell Machann

PARKS AND RECREATION COMMITTEE

Steven Schneider
Russell Machann
Terry Freese


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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	<p>City Council may adjourn into an Executive Session in accordance with Sections 551.071 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision, or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.</p> <p>Discussion:</p> <p>A. Consultation with the City Attorney regarding pending or contemplated litigation.</p>
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			

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

CITY COUNCIL COMMUNICATION

Meeting Date:	7/8/2024	Agenda Item:	Action on items discussed in Executive Session: A. Consultation with the City Attorney regarding pending or contemplated litigation.
City Manager: Joseph R. Pace		Date: Wednesday, July 3, 2024	
Approval: 			
Mayor: Tim Barker			