



**CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING**

**Tuesday, November 12, 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 Tuesday, November 12, 2024, at 7:00 p.m. 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 7th day of November 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 November 7, 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 7th day of November 2024.

**CITY OF WHARTON**

By:   
Paula Favors  
City Secretary



**A G E N D A**  
**CITY OF WHARTON**  
**City Council Regular Meeting**  
**Tuesday, November 12, 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 October 14, 2024, and October 28, 2024.
2. Request from Ms. Kristi Bybee to address the City Council regarding higher water/sewer bill.
3. Request for disannexation of a 14.76 ac. tract of land, situated in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas.
4. Ordinance: An ordinance to disannex certain territory from the corporate limits of the City of Wharton to wit: 14.76 acres in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas, and as described in the attached Exhibit "A"; finding that all required legal conditions have been satisfied; terminating the rights and privileges conferred on the property from the City of Wharton; providing for amending and correcting the official boundaries of the City of Wharton, Texas, as heretofore adopted; authorizing the City Manager to undertake certain actions relative to said disannexation; providing a severability clause; providing a repealer clause; and providing for said ordinance to take effect and be in force from and after its passage.
5. Resolution: A resolution of the Wharton City Council authorizing the purchase of a Drive on Four (4) Post Lift for the Public Works Department from Vehicle Service Group (VSG) through the H-GAC Cooperative Program and authorizing the City Manager to execute all documents related to said purchase.
6. Resolution: A resolution of the Wharton City Council authorizing the purchase of a 2025 Flatbed Trailer for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase.
7. Resolution: A resolution of the Wharton City Council authorizing the purchase of a truck mounted crane lift for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase.


- [8.](#) Resolution: A resolution of the Wharton City Council approving the roof repairs at Hased House located at 413 W. Colorado Street and authorizing the Mayor of the City of Wharton to execute all documents related to said repairs.
- [9.](#) Resolution: A resolution of the Wharton City Council accepting, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant.
- [10.](#) Resolution: A resolution of the Wharton City Council accepting a grant through the Governor's Office Criminal Justice Division to replace body-worn cameras for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant.
- [11.](#) Resolution: A resolution of the Wharton City Council authorizing the submission of an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.
- [12.](#) Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to submit three (3) Notices of Intent for the City of Wharton's participation in the Texas General Land Office Disaster Recovery Reallocation Program.
- [13.](#) Pay Request No. 16 and Final from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction.
- [14.](#) Pay Request No. 5 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations.
- [15.](#) Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees:
  - A. Resignations.
  - B. Appointments.
  - C. Vacancies.
- [16.](#) City Council Boards, Commissions, and Committee Reports:
  - A. Finance Committee meeting held October 28, 2024.

## **Adjournment.**



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

## CITY COUNCIL COMMUNICATION

Meeting Date:	11/12/2024	Agenda Item:	Reading of the minutes from the regular meetings held October 14, 2024, and October 28, 2024.
<p>Attached, you will find the draft minutes from the regular meetings held October 14, 2024, and October 28, 2024.</p>			
City Manager: Joseph R. Pace		Date: Thursday, November 7, 2024	
Approval: 			
Mayor: Tim Barker			

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
OCTOBER 14, 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, Russell Machann, 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: Assistant City Attorney, Amy Rod; Finance Director, Joan Andel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC, IPMA-CP; Director of Planning and Development, Gwyn Teves; Assistant to the City Manager, Brandi Jimenez; Police Chief, Terry David Lynch; Public Works Director, Roderick Semien; Fire Chief, Hector Hernandez; Emergency Management Coordinator, Ben Guanajuato; Assistant to the Building Official, Shelby Robertson; Building Official, Claudia Velasquez, and Airport Manager, Dwayne Pospisil.

Visitors present were: Ryan Salazar; Larry Sitka; Ashley Danna; Tammy Garcia; Sarah Hudgins, and Colby Primeaux with the Wharton Journal Spectator.

**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.

1. Councilmember, Russell Machann, said the 100 Club Skeet Shoot would be held October 19<sup>th</sup> at the Wharton County Fairgrounds.
2. Police Chief, Terry David Lynch, congratulated Patrol Sergeant, Anthony Rome, and Patrol Sergeant, Marshall Johnson on completing the Sergeant Academy. Chief Lynch also congratulated Detective, David Hunter, on his completion of the Trilogy Award.
3. Mayor, Tim Barker, thanked everyone who made the Wine Fair a successful event which had a great turnout. He also reminded everyone the Party Under the Bridge event would be held on Thursday, October 17, 2024, at Riverfront Park.

4. Mayor, Tim Barker, gave his condolences to the family of former Councilmember, Lewis Fortenberry, who served on the City Council from May 2008 to February 2011.

**Proclamation**

1. Proclamation: Domestic Violence Awareness Month.

Mayor, Tim Barker, presented a proclamation as follows:

**CITY OF WHARTON  
OFFICE OF THE MAYOR  
PROCLAMATION**

**WHEREAS**, Domestic violence remains a pervasive issue across Wharton, Wharton County, the United States, and the world with implications for personal and community health; and,

**WHEREAS**, Domestic violence does not discriminate and touches all communities regardless of age, race, disability, gender identity, or socioeconomic status; and,

**WHEREAS**, Domestic Violence Awareness Month is nationally recognized every October, and is an opportunity to help our community promote and protect the safety and freedom of all who seek refuge from this terrible crime; and,

**WHEREAS**, The Crisis Center of Matagorda and Wharton County is dedicated to helping victims of domestic violence by providing free and confidential services such as advocacy, education, shelter, and resources. In the past year, the Crisis Center has provided services to 438 clients of domestic violence and 6,938 nights of shelter to adults and children. Through these programs, individuals and families can feel a sense of hope, safety, and protection; and,

**WHEREAS**, Research shows incidents of domestic violence are reduced by creating communities where people are connected, supportive, and care for one another. The City of Wharton encourages members of the community to work together to increase domestic violence awareness; and,

**WHEREAS**, Research shows incidents of domestic violence are reduced by creating communities where people are connected, supportive, and care for one another. The City of Wharton encourages members of the community to work together to increase domestic violence awareness; and

**WHEREAS**, During October, the Crisis Center will promote public awareness of domestic violence. On October 17th, citizens can participate in “Go Purple Day,” a National Day of Action during Domestic Violence Awareness Month, by wearing purple to symbolize peace, courage, survival, honor, and personal dedication to domestic violence awareness. On October 24th, the Center will host “Walk a Mile in Their Shoes,” a one-mile walk from the Center on Fulton Street to the County Courthouse in support of victims and survivors.

**NOW, THEREFORE, I, TIM BARKER**, by the authority vested in me as Mayor of the City of Wharton, Texas, do hereby proclaim the month of October 2024 as

***“Domestic Violence Awareness Month”***

in the City of Wharton in recognition of the important work done by survivors, domestic violence programs, and victim service providers, urge all citizens to actively participate in the scheduled activities and programs sponsored by “The Crisis Center of Matagorda and Wharton County” and other community organizations to work toward the elimination of domestic violence.

**IN WITNESS THEREOF**, I have set my hand and caused the seal of the City of Wharton to be affixed this 14<sup>th</sup> day of October, in the year of our Lord two thousand twenty-four A.D.

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Tim Barker  
Mayor, City of Wharton

**Review and Consider:**

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held September 9, 2024, and September 23, 2024. After some discussion, Councilmember, Terry Freese, moved to approve the reading of the minutes from the regular meetings held September 9, 2024, and September 23, 2024. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from the Daughters of the American Revolution Comfort Wood Chapter to hold a Scholarship 5K Run/Walk for the following:

- A. Use of Guffey Park on October 26, 2024, from 7:00 a.m. to 10:00 a.m.
- B. Wharton Police Department assistance at street crossings for the event.

Ms. Sarah Hudgins presented a request from the Daughters of the American Revolution Comfort Wood Chapter to hold a 5K Run/Walk to raise money to give scholarships to Wharton County graduating Seniors. Ms. Hudgins stated the Event was on October 26, 2024, with sign-in beginning at 7:30 a.m. and the race starting at 8:30 a.m. She said no road closures were needed, and volunteers would help along the route. After some discussion, Councilmember, Russell Machann, moved to approve the request from the Daughters of the American Revolution Comfort Wood Chapter to hold a Scholarship 5K Run/Walk. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request from Edwards Ministerial Association, Inc., to hold a 5K Walk-Roll-Stroll event on October 19, 2024, for the following:

- A. Waive all local fees for the event.

- B. Provide six (6) blue barrel trash containers and extra liners.
- C. Have EMS on standby for the event.

Assistant City Manager, Paula Favors, presented an Edwards Ministerial Association, Inc. request to hold a 5K Walk-Roll-Stroll event on October 19, 2024, at Guffey Park. Mrs. Favors stated Lt. Guanajuato had reviewed the request and approved it. After some discussion, Councilmember, Burnell Neal, moved to approve the request from Edwards Ministerial Association, Inc., to hold a 5K Walk-Roll-Stroll event on October 19, 2024. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from Mr. Larry Sitka, for (1) a front setback variance on Fulton St. of 25' from the required 50', (2) a variance to allow more than 1 free-standing commercial sign on the same property, and (3) have a separation of less than 500 feet between off-premise signs on the same side of a public street. Director of Planning and Development, Gwyn Teves, presented a copy of the request from Mr. Larry Sitka, for (1) a front setback variance on Fulton St. of 25' from the required 50', (2) a variance to allow more than 1 free-standing commercial sign on the same property, and (3) have a separation of less than 500 feet between off-premise signs on the same side of a public street. Mrs. Teves stated the Planning Commission met and discussed the request and Mr. Sitka was present to provide information. She said Commissioner Gary Nunez motioned to recommend that the Council not approve the request from Mr. Sitka, however, the item did not have a second. After some discussion, Councilmember, Terry Freese, moved to deny the request. Councilmember, Steve Schneider, seconded the motion. Councilmember, Russell Machann; Councilmember, Burnell Neal, and Councilmember, Larry Pittman, voted against the motion. Councilmember, Terry Freese; Councilmember, Steve Schneider, and Councilmember, David Voulgaris, voted in favor of the motion. Mayor, Tim Barker, made the tie-breaking vote against the motion. The motion did not carry.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager to approve concrete repairs at the Wharton Fire Station and authorizing the City Manager to execute all documents related to said repairs. Fire Chief, Hector Hernandez, presented a copy of a memorandum from him regarding concrete repairs at the Wharton Fire Station. Fire Chief Hernandez stated he solicited quotes for the concrete work and three (3) quotes were received as follows:

1. JJ Construction-\$17,500.00
2. Total Outdoor Solutions-\$14,858.00
3. Cuevas Renovations and Construction-\$17,800.00

Chief Hernandez said funds to pay for the concrete repairs had been included in the Fiscal Year 2024-2025 Fire Department Budget. Assistant City Manager, Paula Favors, stated the Finance Committee met on October 14, 2024, and recommended the City Council consider approving the request authorizing the work to be completed with Total Outdoor Solutions. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-101, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-101**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER TO APPROVE CONCRETE REPAIRS AT THE WHARTON FIRE STATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.**

**WHEREAS,** The Wharton City Council has appropriated funds for the repair of the concrete at the Wharton Fire Department; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to approve the concrete repairs at the Wharton Fire Department from Total Outdoor Solutions in the amount of \$14,858.00; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to execute all documents related to the said concrete repairs.

**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 approve the concrete repairs at the Wharton Fire Department from Total Outdoor Solutions in the amount of \$14,858.00.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to the concrete repair.

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

**PASSED AND APPROVED** this 14th day of October 2024.

**CITY OF WHARTON**

\_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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

Councilmember, Larry Pittman, 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 adopting the City of Wharton Policy for Social Media Use by City of Wharton Committees, Commissions, & Boards. Assistant to the Building Official, Shelby Robertson, stated the Code

Enforcement Department requested that the City Council consider adopting the proposed Social Media Policy for the City of Wharton Committees, Commissions, & Boards. Ms. Robertson said that the policy would provide clear guidelines for the responsible and ethical use of social media while ensuring that the City communicated effectively with the public. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2024-102, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-102**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE CITY OF WHARTON POLICY FOR SOCIAL MEDIA USE BY CITY OF WHARTON COMMITTEES, COMMISSIONS, & BOARDS.**

**WHEREAS,** The City of Wharton wishes to adopt The City of Wharton Policy for Social Media Use by City of Wharton Committees, Commissions, & Boards to provide clear guidelines for the responsible and ethical use of social media; and,

**WHEREAS,** The City Council will review and adopt, by this resolution, The City of Wharton Policy for Social Media Use by the City of Wharton Committees, Commissions, & Boards; and,

**WHEREAS,** The Wharton City Council wishes to adopt said policy and authorize the City Manager to sign said policy.

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

**Section I.** The City of Wharton City Council hereby approves The City of Wharton Policy for Social Media Use by City of Wharton Committees, Commissions, & Boards.

**Section II.** The Wharton City Council hereby authorizes the City Manager to sign said policy.

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

**Passed, Approved, and Adopted** this 14<sup>th</sup> day of October 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

Councilmember, Burnell Neal, 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 approving an agreement between the City of Wharton and the Texas Department of Transportation Aviation Division for the Routine Airport Maintenance Program, TXDOT CSJ NO. M16M2513WHRT for the airport maintenance at the Wharton Regional Airport and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Airport Manager, Dwayne Pospisil, presented a copy of the Texas Department of Transportation Routine Airport Maintenance Program (RAMP) form for Fiscal Year 2024 – Project ID: M16M2513WHRT. Airport Manager Pospisil stated the program allowed the airport to be reimbursed for ninety percent (90%) of the eligible project costs or \$100,000, whichever was less, per fiscal year and subject to availability of state appropriations. The airport has participated in this grant program for many years. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-103, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-103**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT BETWEEN THE CITY OF WHARTON AND THE TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM, TXDOT CSJ NO. M16M2513WHRT FOR THE AIRPORT MAINTENANCE AT THE WHARTON REGIONAL AIRPORT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton City Council wishes to conduct maintenance to the Wharton Regional Airport under the 2025 Routine Airport Maintenance Program; and,

**WHEREAS,** The Texas Department of Transportation Aviation Division and the City of Wharton wishes to enter into an agreement under the 2025 Routine Airport Maintenance Program for airport maintenance at the Wharton Regional Airport; and,

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

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



**Section I.** That the Wharton City Council hereby approves a contract with the Texas Department of Transportation Aviation Division for the 2025 Routine Airport Maintenance Program.

**Section. II.** That the Texas Department of Transportation Aviation Division and the City of Wharton are hereby bound by the conditions as set forth in the agreement.

**Section III.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the contract.

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

**Passed, Approved, and Adopted** this 14<sup>th</sup> day of October 2024.

**CITY OF WHARTON**

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

**ATTEST:**

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

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

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a 2026 International HV607 4x2 with a 6–8-yard Dump Body Truck for the Public Works Department from Santex Truck Centers, LTD through the HGACBuy Cooperative Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, stated the City Staff received a quote for the purchase of a 2026 International HV607 4x2 with a 6-8-yard dump body truck for the Public Works Department from Santex Truck Centers, LTD, in the amount of \$123,870.00. Public Works Director Semien said the City was a member of and participated in the HGACBuy Cooperative Purchasing Program. Assistant City Manager, Paula Favors, stated the Finance Committee met on Monday, October 14, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2024-104, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-104**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE**

**PURCHASE OF A 2026 INTERNATIONAL HV607 4X2 WITH A 6-8-YARD DUMP BODY TRUCK FOR THE PUBLIC WORKS DEPARTMENT FROM SANTEX TRUCK CENTERS, LTD THROUGH THE HGACBUY COOPERATIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a 2026 International HV607 4x2 with 6-8 Yard dump body truck for the Public Works Department; and,

**WHEREAS,** The City of Wharton is a member of and participates in the HGACBuy Cooperative Purchasing Program; and,

**WHEREAS,** Santex Truck Centers, LTD submitted a quote in the amount of \$123,870.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Santex Truck Centers, LTD for the purchase of a 2026 International HV607 4x2 with 6-8 yard dump body in the amount of \$123,870.00 for the Public Works Department; 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 a 2026 International HV607 4x2 with 6-8 yard dump body truck for the Public Works Department from Santex Truck Centers, LTD through the HGACBuy Cooperative Purchasing Program in the amount of \$123,870.00

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

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

**PASSED AND APPROVED** this 14th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, David Voulgaris, seconded the motion. Councilmember, Russell Machann, voted against the motion. Councilmember, Steve Schneider; Councilmember, Terry Freese, and Councilmember, Larry Pittman voted in favor. The motion carried.

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a Netzsch Nemo Progressing Cavity Pump for the Public Works Department from Odessa Pumps & Equipment, Inc. through the Buyboard Cooperative Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, stated the City Staff received a quote for the purchase of a Netzsch Nemo Progressing Cavity Pump for the Public Works Department in the amount of \$25,986.00. Public Works Director Semien said the City was a member and participated in the BuyBoard Cooperative Purchasing Program. Assistant City Manager, Paula Favors, stated the Finance Committee met on Monday, October 14, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-105, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-105**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A NETZSCH NEMO PROGRESSING CAVITY PUMP FOR THE PUBLIC WORKS DEPARTMENT FROM ODESSA PUMPS & EQUIPMENT, INC. THROUGH THE BUYBOARD COOPERATIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a Netzsch Nemo Progressing Cavity Pump for the Public Works Department; and,

**WHEREAS,** The City of Wharton is a member of and participates in the BuyBoard Cooperative Purchasing Program; and,

**WHEREAS,** Odessa Pumps & Equipment, Inc. submitted a quote in the amount of \$25,986.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Odessa Pumps & Equipment, Inc. for the purchase of a Netzsch Nemo Progressing Cavity Pump in the amount of \$25,986.00 for the Public Works Department; 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 a Netzsch Nemo Progressing Cavity Pump for the Public Works Department from

Odessa Pumps & Equipment, Inc., through the BuyBoard Cooperative Purchasing Program in the amount of \$25,986.00.

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

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

**PASSED AND APPROVED** this 14th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

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

The tenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing and ratifying the emergency rental and replacement of the submersible pump at the Milam Street Lift Station and authorizing the City Manager of the City of Wharton to execute all documents related to said repairs. Public Works Director, Roderick Semien, stated that on September 26, 2024, during a routine Water Department inspection, it was discovered that the wet well of the Milam Street Lift Station was at a high level of wastewater. Public Works Director Semien said that further investigation revealed that one of the submersible pumps was broken beyond repair. He said it was decided to contact Greens Pump and Supply to remove the broken pump and install a rental pump with the cost of the new pump being \$14,134.85. After some discussion, Councilmember, Terry Freese, moved to approve the City of Wharton Resolution No. 2024-106, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-106**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND  
RATIFYING THE EMERGENCY RENTAL AND REPLACEMENT OF THE**

**SUBMERSIBLE PUMP AT THE MILAM STREET LIFT STATION AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.**

**WHEREAS,** Emergency removal and replacement was needed on the submersible pump at the Milam Street Lift Station; and,

**WHEREAS,** Said pump was broken beyond repair and a rental pump was installed while the replacement was on order; and,

**WHEREAS,** The City of Wharton engaged the services of Greens Pump and Supply to remove and install said pump; and,

**WHEREAS,** The total cost of the removal and replacement pump was in the amount of \$14,134.85; and,

**WHEREAS,** The Wharton City Council ratifies the removal and installation of the submersible pump at the Milam Street Lift Station and wishes to authorize the City Manager of the City of Wharton to execute all documents.

**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 to execute all documents related to the removal and replacement of the submersible pump at the Milam Street Lift Station.

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

**Passed, Approved, and Adopted** this 14th day of October 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 eleventh item on the agenda was to review and consider a resolution of the Wharton City Council approving a contract with Unifirst Corporation for Public Works Employee uniforms and other supplies through the Sourcewell Cooperative and authorizing the City Manager of the City of Wharton to execute all documents relating to said contract. Director of Public Works, Roderick Semien, stated the Public Works Department received services from Cintas Corporation for the Public Work Employee uniforms. Director of Public Works Semien said that upon the expiration of the current Cintas uniform contract in February 2025, the City Staff requested to terminate services with Cintas Corporation and engage the services of Unifirst Corporation for uniform services. He said Unifirst Corporation is available through the SourceWell Cooperative. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-107, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-107**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT WITH UNIFIRST CORPORATION FOR PUBLIC WORKS EMPLOYEE UNIFORMS AND OTHER SUPPLIES THROUGH SOURCEWELL COOPERATIVE AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** The City of Wharton is currently receiving services from Cintas Corporation for Public Works employee uniforms and other supplies; and,

**WHEREAS,** With the expiration of the Cintas Contract in February 2025, the City Staff wishes to engage the services of Unifirst Corporation for the employee uniforms; and,

**WHEREAS,** Unifirst Corporation is a vendor through the SourceWell Cooperative; and,

**WHEREAS,** The City Council of the City of Wharton has determined that is in the best interest to enter into an agreement with Unifirst Corporation for Public Works employee uniforms and other supplies.

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

**Section I.** That Unifirst Corporation is a vendor through the Sourcewell Cooperative.

**Section II.** That the City of Wharton hereby approves a contract with Unifirst Corporation to provide uniform services and other supplies for the Public Works Department.

**Section III.** That the City Manager is hereby authorized to sign any documents relating to the aforementioned contract.

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

**PASSED, APPROVED, and ADOPTED** this 14<sup>th</sup> day of October 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 twelfth item on the agenda was to review and consider a resolution of the Wharton City Council approving an Interlocal Agreement for the Municipally Owned Building Energy Efficiency Retrofits Program with the State Energy Conservation Office (SECO) and authorizing the City Manager of the City of Wharton to execute all documents related to said agreement. Assistant City Manager, Paula Favors, stated the item would be brought back for discussion at a future meeting.

The thirteenth item on the agenda was to review and consider designating a representative to the Houston-Galveston Area Council Advisory (H-GAC) Committee-Regional Flood Management Council. Assistant City Manager, Paula Favors, presented a copy of a letter from the Houston-Galveston Area Council regarding the re-nomination of a primary representative and alternate representative to the H-GAC Regional Flood Management Council. Mrs. Favors stated the purpose of the Council was to assist and advise elected officials in the decision-making responsibilities regarding flood management issues. She said the current City representatives on the committee were Director of Planning & Development Gwyn Teves and Building Official Claudia Velasquez. After some discussion, Councilmember, Terry Freese, moved to appoint Director of Planning & Development Gwyn Teves and Building Official Claudia Velasquez to the Houston-Galveston Area Council 2025 Committee-Regional Flood Management Council. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider a resolution of the Wharton City Council designating a City of Wharton Representative and Alternate to the Houston-Galveston Area Council 2025 General Assembly. Assistant City Manager, Paula Favors, presented a copy of the letter dated September 19, 2024, to Mayor Tim Barker from Mr. Chuck Wemple of the Houston-Galveston Area Council (H-GAC) requesting the City of Wharton to designate a City of Wharton representative and alternate representative to the H-GAC 2025 General Assembly. Mrs. Favors stated the previous representatives were Councilmember, Clifford Jackson, and Councilmember, Russell Machann. She said the City Staff recommended appointing

Councilmember, Burnell Neal, and Councilmember, Russell Machann. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-108, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-108**

**A RESOLUTION DESIGNATING A CITY OF WHARTON REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2025 GENERAL ASSEMBLY.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS,** that Councilmember Burnell Neal, be, and is hereby designated as its Representative to the General Assembly of the Houston-Galveston Area Council for the year 2025.

**FURTHER,** that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is Councilmember Russell Machann.

**THAT,** the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

**Passed, Approved, and Adopted** this 14th day of October 2024.

**CITY OF WHARTON, TEXAS**

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

**TIM BARKER**  
Mayor

**ATTEST:**

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

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

The fifteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving a Professional Engineering Services Agreement with Quiddity Engineering, LLC, to develop and maintain the City of Wharton GIS Field Verification and Utility Migration Network and authorizing the Mayor of the City of Wharton to execute all documents related to



said agreement. Director of Planning & Development, Gwyn Teves, stated the City Staff had been working on upgrading the current streamlined data available within the City departments using new software and GIS programs. Director of Planning and Development Teves said as the programs were being implemented, accurate field verification and data needed to be obtained for the City's infrastructure. She said Quiddity Engineering had provided the proposal to perform these services, as the equipment, training, and manpower to complete this was out of the current staff's capabilities. Mrs. Teves stated this proposal was discussed and approved in the 2024/2025 budget utilizing Option 3 of the 60-month payout for a total agreement of \$116,924.78 total cost. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-110, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-110**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH QUIDDITY ENGINEERING, LLC, TO DEVELOP AND MAINTAIN THE CITY OF WHARTON GIS FIELD VERIFICATION AND UTILITY MIGRATION NETWORK AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.**

**WHEREAS,** The Wharton City Council wishes to engage the services of Quiddity Engineering, LLC, to provide professional engineering services for the development and maintenance of the City of Wharton GIS Field Verification and Utility Network Migration System; and,

**WHEREAS,** Quiddity Engineering, LLC, wishes to provide said services for the development and maintenance of the City of Wharton GIS Field Verification and Utility Network Migration System; and,

**WHEREAS,** The City of Wharton and Quiddity Engineering, LLC, wishes to be bound by the conditions of said Professional Engineering Services Agreement; and,

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

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

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a Professional Engineering Services Agreement with Quiddity Engineering, LLC, for the development and maintenance of the City of Wharton GIS Field Verification and Utility Network Migration System.

**Section II.** The City of Wharton and Quiddity Engineering, LLC, 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 14th day of October 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 sixteenth item on the agenda was to review and consider Pay Request No. 3 and Final from Capital Underground Utilities for the Titus Express Carwash Waterline Extension. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 3 and Final from Capital Underground Utilities for the Titus Express Carwash Waterline Extension in the amount of \$17,606.60. Director of Planning & Development Teves stated it was the City Staff's recommendation for the City Council to consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve Pay Request No. 3 and Final from Capital Underground Utilities for the Titus Express Carwash Waterline Extension in the amount of \$17,606.60. Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider Pay Request No. 4 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations and reduction of retainage to 5%. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 4 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations and reduction of retainage to 5%. Director of Planning and Development Teves stated that Pay Estimate No. 4 has been sent, and there was a recommendation for payment by the engineer. Mrs. Teves said the contractor had also requested that the retainage be reduced to 5% and payment of half of the current retainage be made. She said the City Staff had addressed this with the City Attorney and had received the agreement that reducing the retainage was in line with the current code. After some discussion, Councilmember, Russell Machann, moved to approve Pay Estimate 4 for \$602,384.35, approving reducing the contract retainage to 5%, and paying half of the retainage in the amount of \$280,428.00. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The eighteenth item on the agenda was to review and consider rescheduling the November 11, 2024, Regular City Council Meeting. Assistant City Manager, Paula Favors, stated the City would be closed for Veteran's Day which fell on a City Council meeting date. She requested the City Council consider moving the meeting date to November 12, 2024. After some discussion, Councilmember, Terry Freese, moved to approve rescheduling the November 11, 2024, Regular City Council Meeting to November 12, 2024. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The nineteenth 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.

Assistant City Manager, Paula Favors, stated Mr. Johnnie Gonzales requested to be appointed to the Beautification Commission. After some discussion, Councilmember, Russell Machann, moved to approve the following:

B. Appointments.	<u>Beautification Commission.</u>	<u>Term Ending:</u>
Johnnie Gonzales		June 30, 2026

Councilmember, Burnell Neal, seconded the motion. All voted in favor.

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

- A. Finance Committee Meeting held September 23, 2024.

After some discussion, no action was taken.

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 7:43 p.m.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**  
**City Secretary**

DRAFT

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
OCTOBER 28, 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, Russell Machann, 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; Steve Schneider; Larry Pittman, and David Voulgaris.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; Finance Director, Joan Andel; City Secretary, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves, CPM; Building Official, Claudia Velasquez; Police Sgt., Stephen Jimenez; Public Works Director, Roderick Semien, and EMS Director, Christy Gonzales.

Visitors present were: Wharton Chamber of Commerce Executive Director, Karen Smith; Ryan Salazar; Michael Roberson; Ray Roberson; Don Mueller; Traci Myers, Director of the WCJC Senior Citizens Program, and Colby Primeaux with the Wharton Journal Spectator.

**Roll Call and Excused Absences.**

All Councilmembers were present.

**Public Comments.**

Mayor, Tim Barker, called for Public Comments.

**Wharton Moment.**

Mayor, Tim Barker, called for Wharton Moments.

1. Councilmember Burnell Neal publicly apologized for an altercation he had with the Animal Control Officer Jackie Jurasek regarding a neighbor's issue with his dog. Councilmember Neal stated Police Chief, Terry David Lynch, defused the situation and he thanked him for doing that.
2. The mayor, Tim Barker, invited everyone to the Mayor's Committee on People with Disabilities Halloween dance, held on October 31, 2024, at the Wharton Civic Center.
3. Mr. Don Mueller stated he attended the Wharton Police Department's Blue Santa fundraiser and he really enjoyed it.

**Review and Consider:**

The first item on the agenda was to review and consider the City of Wharton Financial Report for September 2024. Finance Director, Joan Andel presented the City of Wharton Financial Report for September 2024. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Finance Report for September 2024. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from Ms. Traci Myers, Director of the WCJC Senior Citizens Program, to host a WCJC 5K Stride and Stroll on December 7, 2024, at the Riverfront Park Central Pavilion and assistance with the following:

- A. To post the event (WCJC 5K Stride and Stroll 2024) on the Digital Billboard on Highway 59 by La Casona/Walmart.
- B. Close part of Elm Street between Breitling Street and Fulton Street from 6:30 a.m. to 12:00 p.m.
- C. To use city-owned barricades for the street closures at Elm Street and Breitling Street, Elm Street and Resident Street, Elm Street and Rusk Street, and Elm Street and Fulton Street.
- D. To have ten (10) trash barrels and extra liners provided.
- E. To waive all fees that may apply to this event.

Ms. Myers presented her request to host a WCJC 5K Stride and Stroll on December 7, 2024, at the Riverfront Park Central Pavilion. After some discussion, Councilmember, Terry Freese, moved to approve the request from Ms. Traci Myers, Director of the WCJC Senior Citizens Program, to host a WCJC 5K Stride and Stroll on December 7, 2024, at the Riverfront Park Central Pavilion and aforementioned times A. through E. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request from Mr. Michael Roberson on behalf of Roberson Properties Inc., 200 E. Milam St. & 105 S. Rusk St., Wharton, Block 6, Lots 1, 2A & 2 for:

- A. Variance to build across property lines.
- B. Zero setback variance to the building line setback on the side adjoining Block 6, Lots 3 & 4.
- C. Variance to match existing adjacent building elevation.

Director of Planning & Development, Gwyn Teves, presented a copy of the request from Mr. Michael Roberson on behalf of Roberson Properties Inc., 200 E. Milam St. & 105 S. Rusk St., Wharton, Block 6, Lots 1, 2A & 2 to have a variance to build across property lines with a zero-setback variance to the building line setback on the side adjoining Block 6, Lots 3 & 4 and a variance to match existing adjacent building elevation. Mrs. Teves stated the Planning Commission met on October 21, 2024, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Terry Freese, moved to approve the request from Mr. Michael Roberson on behalf of Roberson Properties Inc., 200 E. Milam St. &

105 S. Rusk St., Wharton, Block 6, Lots 1, 2A & 2 for the aforementioned items A. through C. Councilmember, Russell Machann, 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 a 2024 Case CX37C Mini Excavator ROP for the Public Works Department from Associated Supply Company, Inc., through the Buyboard Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, stated the City Staff received a quote for the purchase of a 2024 Case CX37C Mini Excavator ROP for the Public Works Department from Associated Supply Company, Inc., in the amount of \$47,192.50. Mr. Semien said the City was a member of and participated in the Buyboard Cooperative Purchasing Program. He said the Finance Committee met on Monday, October 28, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2024-111, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-111**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A 2024 CASE CX37C MINI EXCAVATOR ROP FOR THE PUBLIC WORKS DEPARTMENT FROM ASSOCIATED SUPPLY COMPANY, INC., THROUGH THE BUYBOARD COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a 2024 Case CX37C Mini Excavator ROP for the Public Works Department; and,

**WHEREAS,** The City of Wharton is a member of and participates in the Buyboard Cooperative Purchasing Program; and,

**WHEREAS,** Associated Supply Company, Inc., submitted a quote in the amount of \$47,192.50; and,

**WHEREAS,** The Wharton City Council wishes to approve Associated Supply Company, Inc., for the purchase of a 2024 Case CX37C Mini Excavator ROP in the amount of \$47,192.50 for the Public Works Department; 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 a 2024 Case CX37C Mini Excavator ROP for the Public Works Department Associated Supply Company, Inc., through the Buyboard Cooperative Purchasing Program in

the amount of \$47,192.50.

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

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

**PASSED AND APPROVED** this 28th day of October 2024.

**CITY OF WHARTON**

\_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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

Councilmember, David Voulgaris, 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 approving the Annual Service Contract with Stryker Medical and authorizing the Mayor to execute all documents related to said contract. E.M.S. Director, Christy Gonzales, presented a copy of her memorandum regarding the Annual Service Contract with Stryker Medical. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Resolution No. 2024-112, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-112**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE ANNUAL SERVICE CONTRACT WITH STRYKER MEDICAL AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton Emergency Medical Services Department requests that the City Council approve the Annual Service Contract with Stryker Medical; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor to execute all documents related to the Annual Service 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 approves the Annual Service Contract with Stryker Medical.

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

**Passed, Approved, and Adopted** this 28th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, Larry Pittman, 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 approving the purchase of a Power-Load System, Stretcher, Stair Chair, and Power-Load ProCare from Stryker Medical and authorizing the City Manager to execute all documents related to said purchase. EMS Director, Christy Gonzales, presented a copy of a quote provided by Stryker Medical for the purchase of a Power-Load System, Stretcher, and Stair Chair. Director Gonzales stated Stryker Medical had reported equipment involved in an ambulance fleet was required to be replaced, although there was a service agreement with Stryker Medical and the Power-Load System and Stretcher did not have any physical damage, they were to be replaced at the owner's expense. Mrs. Gonzales said TML had declined coverage for the Power-Load System and Stretcher due to no physical damage. She presented quote 10966528 in the amount of \$85,892.58 which included a Power-Load System, Stretcher, Stair Chair, and ProCare Services. She said Stryker Medical was offering a trade-in of the current Power-Load System and Stretcher, with a credit of \$6,500.00, that would be applied towards the purchase. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-113, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-113**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE OF A POWER-LOAD SYSTEM, STRETCHER, STAIR CHAIR, AND POWER-LOAD PROCARE FROM STRYKER MEDICAL AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** The Wharton Emergency Medical Services Department wishes to purchase a Power-Load System, Stretcher, Stair Chair, and Power-Load ProCare from Stryker Medical; and,

**WHEREAS,** Said purchase is in the amount of \$85,892.58; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Staff to purchase a Power-Load System, Stretcher, Stair Chair, and Power-Load ProCare from Stryker Medical; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager 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 approves the purchase of a Power-Load System, Stretcher, Stair Chair, and Power-Load ProCare from Stryker Medical.

**SECTION III.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to said purchase.

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

**Passed, Approved, and Adopted** this 28th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, David Voulgaris, 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 authorizing the purchase of an electronic sign for the Wharton Civic Center from Core Displays through the TIPS Cooperative Program and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. Civic Center Manager Makyla Monroe obtained a proposal from Core Displays for a lighted, two-sided sign for the Civic Center. Finance Director, Joan Andel, stated the current sign needed to be replaced due to age, sun exposure, and wear in the informational section area. Mrs. Andel said Core Displays was a member of the TIPS Cooperative Program and the cost submitted by Core Displays for a 6mm Ultra-High-Resolution sign was \$61,785.00 and funds to pay for the sign would be through the American Rescue Plan Act. She stated the Finance Committee met on Monday, October 28, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-114, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-114**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF AN ELECTRONIC SIGN FOR THE WHARTON CIVIC CENTER FROM CORE DISPLAYS, THROUGH THE TIPS COOPERATIVE PROGRAM 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 Core Displays for the purchase of a sign at the Wharton Civic Center in the amount of \$61,785.00; and,

**WHEREAS,** The City of Wharton is a member of and participates in the TIPS Cooperative Program; and,

**WHEREAS,** The Wharton City Council wishes to approve Core Displays for the purchase of an electronic sign in the amount of \$61,875.00 for the Wharton Civic Center; 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 purchase an electronic sign from Core Displays through the TIPS Cooperative Program for the Wharton Civic Center in the amount of \$61,785.00.

**Section II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to the purchase of the equipment.

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

**Passed, Approved, and Adopted** this 28th day of October 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

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

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of an air conditioning unit for the Council Chambers and an air conditioning unit for the City Manager's Office area of City Hall and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. Finance Director, Joan Anel, stated the City Staff received quotes for the replacement of an air conditioning unit for the Council Chambers and the City Manager's office in City Hall. Mrs. Anel said the Council Chamber unit was non-operational and the unit in the City Manager's Office was manufactured in 1990. She presented quotes were received as follows:

	<u>Council Chambers</u>	<u>City Manager's Office</u>
Roberson Air Conditioning	\$18,922.00	\$8,574.00
E.B. Air	\$19,995.00	\$9,750.00
Eldridge A/C	\$24,648.21	\$8,763.70

Finance Director Anel stated the Finance Committee met on Monday, October 28, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-115, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-115**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE  
PURCHASE OF AN AIR CONDITIONING UNIT FOR THE COUNCIL CHAMBERS AND  
AN AIR CONDITIONING UNIT FOR THE CITY MANAGER'S OFFICE AREA OF CITY**

**HALL 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 the purchase of an air conditioning unit for the Council Chambers and an air conditioning unit for the City Manager's office of City Hall from E.B. Air Conditioning in the amount of \$29,745; 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 E.B. Air Conditioning for an air conditioning unit for the Council Chambers and an air conditioning unit for the City Manager's office of City Hall in the amount of \$29,745;

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

**Passed, Approved, and Adopted** this 28th day of October 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 ninth item on the agenda was to review and consider a resolution of the Wharton City Council approving an Interlocal Agreement for the Municipally Owned Building Energy Efficiency Retrofits Program with the State Energy Conservation Office (SECO) and authorizing the City Manager of the City of Wharton to execute all documents related to said agreement. Finance Director, Joan Andel, stated that on July 26, 2024, the City Staff submitted an application to the State Energy Conservation Office (SECO) for new energy efficiency retrofit equipment for the Wharton Civic Center in the amount of \$250,000.00. Mrs. Andel said the improvements included six (6) air conditioning units, the replacement of fourteen (14) windows, and weatherstripping on approximately six (6) doors. She said on August 28, 2024, the Staff was notified that the application had been approved for funding and City Attorney Paul Webb had reviewed the

agreement. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2024-108, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-108**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR THE MUNICIPALLY OWNED BUILDING ENERGY EFFICIENCY RETROFITS PROGRAM WITH THE STATE ENERGY CONSERVATION OFFICE (SECO) AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.**

**WHEREAS,** On August 28, 2024, the City of Wharton received notification that the application for new energy efficiency retrofit equipment at the Wharton Civic Center from the State Energy Conservation Office had been selected to receive funding in the amount of \$250,000; and,

**WHEREAS,** The Wharton City Council wishes to accept the Interlocal Agreement in the amount of \$250,000.

**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 Interlocal Agreement for the Municipally Owned Building Energy Efficiency Retrofit Program with the State Energy Conservation Office and authorizes the City Manager of the City of Wharton to execute on behalf of the City of Wharton, all documents related to said agreement.

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

**Passed, Approved, and Adopted** this 28th day of October 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

\_\_\_\_\_

**PAULA FAVORS**  
City Secretary

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

The tenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the replacement of the roof and gutters at the Public Works Department from Monument Roofing Systems through the TIPS Cooperative Program and authorizing the City Manager to execute all documents related to said purchase. Finance Director, Joan Anandel, stated that on September 17, 2024, the City Staff requested proposals from three roofing vendors for the Public Works Department Roof. Mrs. Anandel said that one proposal was received from Monument Roofing Systems in the amount of \$57,000.00 with an option to remove and replace approximately 300 feet of gutter and downspouts for an additional \$13,000.00. She said Monument Roofing Systems was a vendor in the TIPS Cooperative Program of which the City of Wharton is a member and it was the recommendation of the City Staff to accept the proposal from Monument Roofing Systems and also approve the option of including the gutter and downspouts for the total cost of the project of \$70,000.00. Finance Director Anandel stated the money to pay for the project would be funded through the FEMA Alternate River Project; City Attorney, Paul Webb, had reviewed the proposal, and the Finance Committee met on Monday, October 28, 2024, and the recommendation was for City Council to consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-116, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-116**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE REPLACEMENT OF THE ROOF AND GUTTERS AT THE PUBLIC WORKS DEPARTMENT FROM MONUMENT ROOFING SYSTEMS THROUGH THE TIPS COOPERATIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A proposal was received for the replacement of the roof and gutters at the Public Works Department; and,

**WHEREAS,** Monument Roofing Systems submitted a proposal in the amount of \$70,000.00; and,

**WHEREAS,** The City of Wharton is a member of and participates in the TIPS Cooperative Purchasing Program; and,

**WHEREAS,** The Wharton City Council wishes to approve Monument Roofing Systems for the replacement of the roof and gutters at the Public Works Department; 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 accept the proposal from Monument Roofing Systems for the roof and gutter replacement at the Public Works Department through the TIPS Cooperative Purchasing Program in the amount of \$70,000.00.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to said project.

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

**PASSED AND APPROVED** this 28th day of October 2024.

**CITY OF WHARTON**

\_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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

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

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager to Docu-Sign the Texas Department of Transportation Airport Project Participation Agreement for design services to rehabilitate Runway 14/32 and Taxiway A, B, C, and D at the Wharton Regional Airport. Finance Director, Joan Anandel stated that on June 10, 2024, the City Council approved Resolution 2024-55 authorizing the Mayor to submit a Letter of Intent for the City of Wharton's Participation in the Texas Department of Transportation Aviation Division Capital Improvement Program for funding cost for design and rehabilitation of the Runway, Parallel Alpha, and Connector Taxiways to include construction phase services. Mrs. Anandel said the City Staff received an Airport Project Participation Agreement from the Texas Department of Transportation requesting the City Manager to Docu-Sign the agreement which states the amount estimated from the City was \$17,500.00 which was ten (10) percent of the total projected cost of the design, \$175,000.00. Finance Director, Joan Anandel, stated the maximum obligation of the United States payable under this offer for the design services would be \$157,500.00 or ninety (90) percent of \$175,000.00. Mrs. Anandel said any amount over



\$175,000.00 total cost would be the City's responsibility. She said the agreement further stated during the design phase, that if the estimated eligible construction project costs exceed \$2,600,000.00, the City may request the State to void the agreement. Finance Director Andel stated this request must be made in writing, dated, and if required by the State, the City shall reimburse the State for funds expended on the project and shall assume responsibility for any future expenses for contracted services or materials related to the project prior to the request by the City to void the agreement. She said City Attorney, Paul Webb, had reviewed the agreement and recommended the City Council consider approving it to allow the City Manager to Docu-Sign the agreement. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-117, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-117**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER TO DOCU-SIGN THE TEXAS DEPARTMENT OF TRANSPORTATION AIRPORT PROJECT PARTICIPATION AGREEMENT FOR DESIGN SERVICES TO REHABILITATE RUNWAY 14/32 AND TAXIWAY A, B, C, AND D AT THE WHARTON REGIONAL AIRPORT.**

**WHEREAS,** On June 10, 2024, the City Council approved Resolution 2024-55 authorizing the Mayor to submit a letter of intent for the City of Wharton's Participation in the Texas Department of Transportation Aviation Division Capital Improvement Program for funding cost for design and rehabilitation of the runway, Parallel Alpha, and Connector Taxiways to include construction phase; and,

**WHEREAS,** The City of Wharton has received from the Texas Department of Transportation an Airport Project Participation Agreement requesting the agreement for design services to rehabilitate Runway 14/32 and taxiway A, B, C, and D at the Wharton Regional Airport, to be Docu-Signed by the City Manager; and,

**WHEREAS,** Total project costs for the design phase are estimated to be \$175,000.00, and the City of Wharton would be responsible for 10% which is currently estimated to be \$17,500.00. The City of Wharton would also be responsible for any amount over the estimated cost of \$175,000.00 for the design; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager of the City of Wharton to Docu-Sign the Project Participation Agreement.

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

**Section I.** That the Wharton City Council hereby authorizes the City Manager of the City of Wharton to Docu-Sign the Project Participation Agreement.

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

**Passed, Approved, and Adopted** this the 28<sup>th</sup> day of October 2024.

**CITY OF WHARTON**

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

**ATTEST:**

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

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

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

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

The fourteenth 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, Councilmember, Russell Machann, moved to appoint the following:

B. Appointments      Mayors Committee on People with Disabilities      Term Ending:  
Karen Smith      June 30, 2026

Councilmember, Burnell Neal, seconded the motion. All voted in favor.

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

A. Finance Committee meeting held October 14, 2024.

After some discussion, no action was taken.

The sixteenth item on the agenda was to review and consider the 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.

There being no further discussion, Councilmember, David Voulgaris, moved to adjourn. All voted in favor.

The meeting adjourned at 7:28 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:	11/12/2024	Agenda Item:	Request from Ms. Kristi Bybee to address the City Council regarding higher water/sewer bill.
Attached is the request from Ms. Kristi Bybee.			
City Manager: Joseph R. Pace		Date: Thursday, November 7, 2024	
Approval: 			
Mayor: Tim Barker			

**[bjimenez@cityofwharton.com](mailto:bjimenez@cityofwharton.com)**

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**From:** Kristi Bybee  
**Sent:** Monday, November 4, 2024 12:14 PM  
**To:** Bjimenez@cityofwharton.com  
**Subject:** Water/sewage bill


I would like to address the city council about the higher water/sewage bill.

Sincerely,  
Kristi Bybee

Sent from my iPhone

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

## CITY COUNCIL COMMUNICATION

Meeting Date:	11/12/2024	Agenda Item:	Request for disannexation of a 14.76 ac. tract of land, situated in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas.
<p>Attached is a request for disannexation.</p> <p>Since the City’s Charter is silent on disannexation, the Council could vote on whether to grant the request and pass an ordinance or deny the request.</p> <p><a href="#">Sec. 43.148</a> requires a City that disannexes an area to refund the owner for property taxes in certain instances.</p> <p>See below:</p> <p>Sec. 43.148. REFUND OF TAXES AND FEES. (a) If an area is disannexed, the municipality disannexing the area shall refund to the landowners of the area the amount of money collected by the municipality in property taxes and fees from those landowners during the period that the area was a part of the municipality less the amount of money that the municipality spent for the direct benefit of the area during that period.</p> <p>(b) A municipality shall proportionately refund the amount under Subsection (a) to the landowners according to a method to be developed by the municipality that identifies each landowner's approximate pro rata payment of the taxes and fees being refunded.</p> <p>(c) A municipality required to refund money under this section shall refund the money to current landowners in the area not later than the 180th day after the date the area is disannexed. Money that is not refunded within the period prescribed by this subsection accrues interest at the rate of:</p> <p>(1) six percent each year after the 180th day and until the 210th day after the date the area is disannexed; and (2) one percent each month after the 210th day after the date the area is disannexed.</p> <p>The total amount the City would have to refund the property owner would be \$1582.41. The Finance Department does not have an issue with the refund.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			



**PETITION REQUESTING DISANNEXATION BY AREA LANDOWNERS**

TO THE MAYOR OF THE GOVERNING BODY OF WHARTON, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition your honorable Body to disannex the property from the present city limits from the City of Wharton, Texas, the following described territory, to wit:

(Here describes the territory covered by the petition)

We certify that the above-described tract of land is in the city limits of the City of Wharton, Texas, and that this petition is signed and duly acknowledged by everyone having an interest in said land.

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

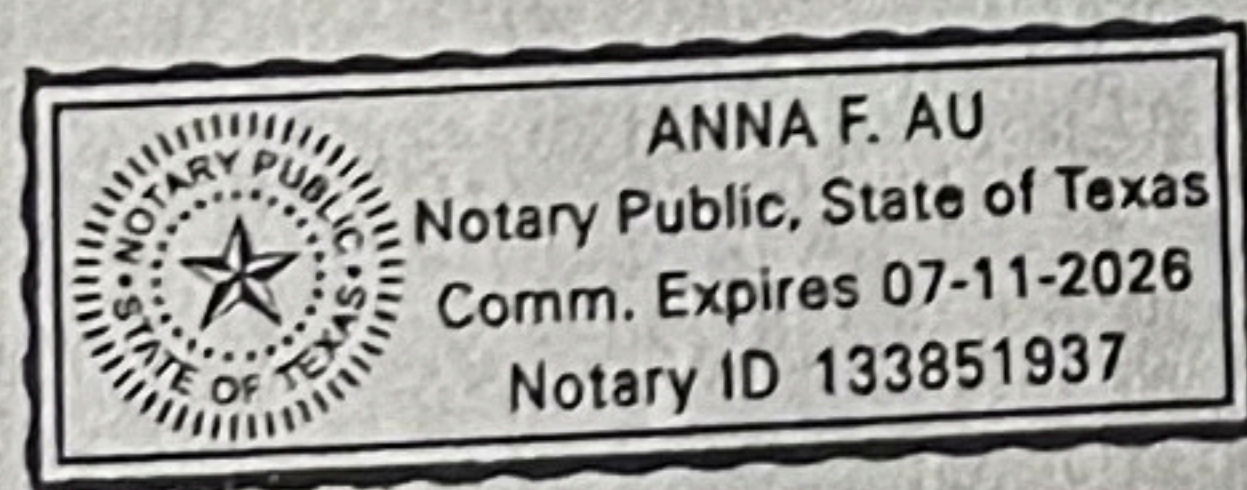
Signed: \_\_\_\_\_

THE STATE OF TEXAS

COUNTY OF WHARTON

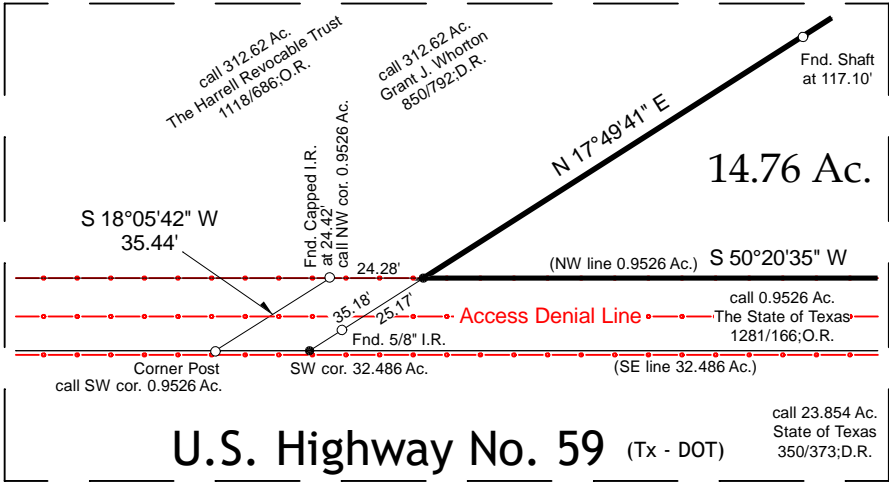
BEFORE ME, the undersigned authority, on this day personally appeared WEI-HUA JIANG, \_\_\_\_\_, and \_\_\_\_\_, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 5<sup>th</sup> day of November, 2024.



\_\_\_\_\_  
Notary Public in and for  
HARRIS County, Texas.

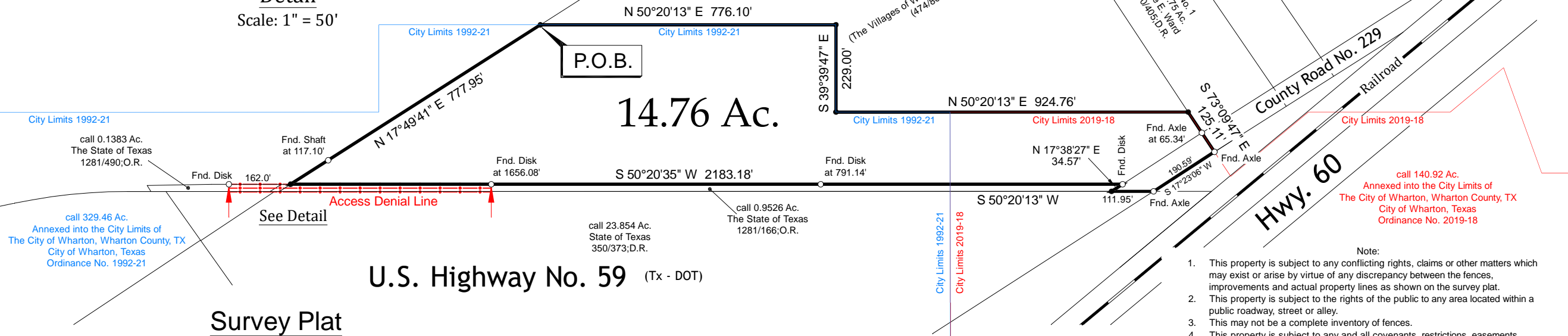




Detail  
Scale: 1" = 50'



Item-3.



Survey Plat

A 14.76 AC. TRACT OF LAND, SITUATED IN THE A. JACKSON TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS, BEING A PORTION OF TWO PARCELS: 1) THAT CERTAIN CALLED 329.46 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 1992-21; AND 2) THAT CERTAIN CALLED 140.92 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 2019-18; SAID 14.76 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.

NOTE: Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

I, Robert W. Kolacny, Registered Professional Land Surveyor No. 5319, do hereby certify that the foregoing Plat correctly describes results of a Survey made under my supervision on the ground, October 30, 2024.



*[Signature]*  
Robert W. Kolacny  
Registered Professional Land Surveyor No. 5319  
Ph. (979) 532-8056

FILE: Garden De-annexation.dwg  
PROJECT: W:\Hungerford\Rural\Barnes  
CRD: Barnes.CRD  
BY: PV Arriaga

**ROBERT W. KOLACNY**  
AND ASSOCIATES, LLC  
RPLS#5319 FIRM# 10107000

140 S. HOUSTON STREET | WHARTON TEXAS 77488 | 979.532.8056

- Registered Professional Land Surveyor -

OFFICE (979) 532-8056 - kolacny.survey@gmail.com

- Page 44 -

- Note:
- This property is subject to any conflicting rights, claims or other matters which may exist or arise by virtue of any discrepancy between the fences, improvements and actual property lines as shown on the survey plat.
  - This property is subject to the rights of the public to any area located within a public roadway, street or alley.
  - This may not be a complete inventory of fences.
  - This property is subject to any and all covenants, restrictions, easements, conditions and ordinances which may be applicable.
  - Title: This survey is not a Land Title Survey - no Title Commitment was provided to Surveyor. No attempt was made by Surveyor to independently research or locate easements that may or may not affect Subject Tract.
  - Property owners must call the pipeline's owner or an official notification center for a precise physical location of all pipelines.



A 14.76 AC. TRACT OF LAND, SITUATED IN THE A. JACKSON TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS, BEING A PORTION OF TWO PARCELS: 1) THAT CERTAIN CALLED 329.46 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 1992-21; AND 2) THAT CERTAIN CALLED 140.92 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 2019-18; SAID 14.76 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FOR REFERENCE begin at an old Ford Axle called & found in the East line of a called 312.62 Ac. tract of land conveyed to Grant. J. Whorton (Vol. 850, Pg. 792; D.R.) for the Northwest corner of a called 32.486 Ac. tract of land conveyed to Van Gogh RV Garden LLC (Vol. 1320, Pg. 368; O.R.);

THENCE South 17 Deg. 49 Min. 41 Sec. West (called South 20 Deg. 00 Min. West), with the common line between said 312.62 Ac. tract and said 32.486 Ac. tract, 1292.30 ft. to a point in the Northwest line of said 329.46 Ac. City Limits tract for the **Northwest** and BEGINNING corner hereof;

THENCE with the Northwest line of the City Limits of Wharton County, Texas, the following:  
North 50 Deg. 20 Min. 13 Sec. East (call & meas.), 776.10 ft. to a corner of said 329.46 Ac. City Limits tract, same being a **corner** hereof;

South 39 Deg. 39 Min. 47 Sec. East, 229.00 ft. (call & meas.) to an interior corner of said 329.46 Ac. City Limits tract, same being an **interior corner** hereof;

North 50 Deg. 20 Min. 13 Sec. East (call & meas.), at 300 ft. pass the Northeast corner of said 329.46 Ac. City Limits tract, same being the Northwest corner of said 140.92 Ac. City Limits tract, and in all, 924.76 ft. to a point in the Southwest line of a called 3.75 Ac. tract of land referred to as Tract No. 1, conveyed to Willie E. Ward (Vol. 290, Pg. 405; D.R.), same being in the North line of said 32.486 Ac. tract for a corner of said 140.92 Ac. City Limits tract, same being a **corner** hereof;

South 73 Deg. 09 Min. 15 Sec. East (call & meas.), with the Northeast line of said 140.92 Ac. City Limits tract, at 65.34 ft. pass an old Ford Axle called & found in the West margin of COUNTY ROAD NO. 229 (meas. 60 ft. wide), and in all, 125.11 ft. to an old Ford Axle called & found in the East line of COUNTY ROAD NO. 229, for the Northeast corner of said 32.486 Ac. tract, same being the **Northeast corner** hereof;

THENCE South 17 Deg. 23 Min. 06 Sec. West (called South 19 Deg. 40 Min. West), with the West line of COUNTY ROAD NO. 229, 190.59 ft. (called 190.8 ft.) to an old Ford Axle called & found at its intersection with the Northwest line of U.S. HIGHWAY NO. 59 (Tx-Dot), in the Northwest line of a called 23.854 Ac. tract of land conveyed to the State of Texas (Vol. 350, Pg. 373; D.R.) for the Southeast corner of said 32.486 Ac. tract, same being the **Southeast corner** hereof;

THENCE South 50 Deg. 20 Min. 13 Sec. West (call & meas.), with the Northwest line of said 23.854 Ac. tract, same being with the Southeast line of said 32.486 Ac. tract, and with the Northwest line of said HIGHWAY, 111.95 ft. to a point for the Southeast corner of a called 0.9526 Ac. tract of land conveyed to the State of Texas (Vol. 1281, Pg. 166; O.R.), same being a **corner** hereof;

THENCE North 17 Deg. 38 Min. 27 Sec. East, 34.57 ft. (call & meas.) to a Tx-Dot Disk called & found for the Northeast corner of said 0.9526 Ac. tract, same being an **interior corner** hereof;

THENCE South 50 Deg. 20 Min. 35 Sec. West (call & meas.), with the Northwest line of said 0.9526 Ac. tract, passing Tx-Dot Disks at 791.14 ft. and 1656.08 ft., and in all, 2183.18 ft. (called 2207.46 ft.) to a point in the common line between said 312.62 Ac. tract and said 32.486 Ac. tract for the true Northwest corner of said called 0.9526 Ac. tract, same being the **Southwest corner** hereof; from which corner, a capped iron rod found, that is called to be the Northwest corner of said 0.9526 Ac. tract, bears, South 50 Deg. 20 Min. 35 Sec. West, 24.42 ft.; also from which corner, a 5/8 inch iron rod called & found on the common line between said 312.62 Ac. tract and said 32.486 Ac. tract bears, South 17 Deg. 49 Min. 41 Sec. West, 25.17 ft.;

THENCE North 17 Deg. 49 Min. 41 Sec. East (called North 20 Deg. 00 Min. East), with the common line between said 312.62 Ac. tract and said 32.486 Ac. tract, at 117.10 ft. pass an old iron shaft, and in all, 777.95 ft. to the PLACE OF BEGINNING and containing 14.76 Ac. of land.

NOTE: A Plat accompanies this Metes & Bounds description.

Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

Unless this Metes and Bounds Description (Field Note Description), including preamble, seal and signature, appears in its entirety, and in its original form, Surveyor assumes no responsibility or liability for its accuracy.

I, Robert W. Kolacny, Registered Professional Land Surveyor No. 5319, do hereby certify that the foregoing Field Note Description correctly describes results of a Survey made under my supervision on the ground, October 30, 2024.



Robert W. Kolacny, RPLS No. 5319



**Wharton County Tax Office**

P.O. BOX 189  
WHARTON, TX 77488  
979-532-3312

**Duplicate Receipt**

Item-3.

Property Account Number:

**R058742**

**Statement Date:** 09/30/2024  
**Owner:** VAN GOGH RV GARDEN LLC  
**Mailing Address:** HOUSTON GREENSTONE LLC  
5714 CHIMNEY ROCK  
HOUSTON TX 77081

**Property Location:** 0000000 HWY 59  
**Acres:** 18.0334  
**Legal:** A20034 ABST.34 TRACT EAST PT 83A  
84 18.0334 AC

Receipt #: 3600461

Deposit #: 202101159938-2020/cindy

YEAR	TAXING ENTITIES	TAXABLE VALUE	TAX RATE PER \$100	DATE PAID	BASE TAX PAID	PENALTY & INTEREST PAID
2020	COASTAL BEND GRWATER DIST	\$32,842.00	0.007990	01/14/2021	\$2.62	\$0.00
2020	CITY OF WHARTON	\$32,842.00	0.437260	01/14/2021	\$143.60	\$0.00
2020	WHARTON CO EMERG DIST#1	\$32,842.00	0.050000	01/14/2021	\$16.42	\$0.00
2020	FMLR	\$32,842.00	0.047430	01/14/2021	\$15.58	\$0.00
2020	WHARTON CO JR COLLEGE	\$32,842.00	0.136840	01/14/2021	\$44.94	\$0.00
2020	Wharton County Tax Office	\$32,842.00	0.411260	01/14/2021	\$135.07	\$0.00
2020	WHARTON I.S.D.	\$32,842.00	1.286400	01/14/2021	\$422.48	\$0.00
2020	EMERG SERVICES DIST#3	\$32,842.00	0.083580	01/14/2021	\$27.45	\$0.00

**BASE TAX \$808.16****TOTAL PAID \$808.16**

Remitted By: HOUSTON GREENSTONE LLC  
5714 CHIMNEY ROCK  
HOUSTON TX 77081

Payment Type: CHECK  
Check #: 1347

**Remaining Amount Due As of 09/30/2024**  
**0.00**

**\$1582.41**

**Receipt 2020 Tax Year**  
**09/30/2024**

HOUSTON GREENSTONE LLC  
5714 CHIMNEY ROCK  
HOUSTON TX 77081

**Wharton County Tax Office**

P.O. BOX 189

WHARTON, TX 77488

979-532-3312

**Duplicate Receipt**

Item-3.

Property Account Number:

**R058742**

Statement Date: 09/30/2024

Owner: VAN GOGH RV GARDEN LLC

Mailing Address: WEIHUA JIANG  
1205 MULBERRY LN  
BELLAIRE TX 77401

Property Location: 0000000 HWY 59

Acres: 18.0334

Legal: A20034 ABST.34 TRACT EAST PT 83A  
84 18.0334 AC

Receipt #: 3600460

Deposit #: 202201063371-2021/Kristen.bart

YEAR	TAXING ENTITIES	TAXABLE VALUE	TAX RATE PER \$100	DATE PAID	BASE TAX PAID	PENALTY & INTEREST PAID
2021	COASTAL BEND GRWATER DIST	\$32,906.00	0.007100	01/06/2022	\$2.34	\$0.00
2021	CITY OF WHARTON	\$32,906.00	0.419170	01/06/2022	\$137.93	\$0.00
2021	WHARTON CO EMERG DIST#1	\$32,906.00	0.049680	01/06/2022	\$16.35	\$0.00
2021	FMLR	\$32,906.00	0.043980	01/06/2022	\$14.47	\$0.00
2021	WHARTON CO JR COLLEGE	\$32,906.00	0.131770	01/06/2022	\$43.36	\$0.00
2021	Wharton County Tax Office	\$32,906.00	0.380810	01/06/2022	\$125.31	\$0.00
2021	WHARTON I.S.D.	\$32,906.00	1.313400	01/06/2022	\$432.19	\$0.00
2021	EMERG SERVICES DIST#3	\$32,906.00	0.087450	01/06/2022	\$28.78	\$0.00

**BASE TAX \$800.73****TOTAL PAID \$800.73**Remitted By: WEIHUA JIANG  
RUI LU  
1205 MULBERRY LN  
BELLAIRE TX 77401

Payment Type: CHECK

Check #: 1039

**Remaining Amount Due As of 09/30/2024**  
**0.00**Receipt 2021 Tax Year  
09/30/2024WEIHUA JIANG  
RUI LU  
1205 MULBERRY LN  
BELLAIRE TX 77401



**Wharton County Tax Office**

P.O. BOX 189  
WHARTON, TX 77488  
979-532-3312

**Duplicate Receipt**

Item-3.

Property Account Number:

**R058742**

**Statement Date:** 09/30/2024  
**Owner:** VAN GOGH RV GARDEN LLC  
**Mailing Address:** WEIHUA JIANG  
1205 MULBERRY LN  
BELLAIRE TX 77401

**Property Location:** 0000000 HWY 59  
**Acres:** 18.0334  
**Legal:** A20034 ABST.34 TRACT EAST PT 83A  
84 18.0334 AC

Receipt #: 3600457

Deposit #: 202302016140-2022/Kristen.bart

YEAR	TAXING ENTITIES	TAXABLE VALUE	TAX RATE PER \$100	DATE PAID	BASE TAX PAID	PENALTY & INTEREST PAID
2022	COASTAL BEND GRWATER DIST	\$142,426.00	0.006640	01/31/2023	\$9.46	\$0.00
2022	CITY OF WHARTON	\$142,426.00	0.417610	01/31/2023	\$594.79	\$0.00
2022	WHARTON CO EMERG DIST#1	\$142,426.00	0.047670	01/31/2023	\$67.89	\$0.00
2022	FMLR	\$142,426.00	0.040460	01/31/2023	\$57.63	\$0.00
2022	WHARTON CO JR COLLEGE	\$142,426.00	0.129850	01/31/2023	\$184.94	\$0.00
2022	Wharton County Tax Office	\$142,426.00	0.350100	01/31/2023	\$498.63	\$0.00
2022	WHARTON I.S.D.	\$142,426.00	1.275100	01/31/2023	\$1,816.07	\$0.00
2022	EMERG SERVICES DIST#3	\$142,426.00	0.083770	01/31/2023	\$119.31	\$0.00

**BASE TAX \$3,348.72****TOTAL PAID \$3,348.72**

Remitted By: WEIHUA JIANG  
RUI LU  
1205 MULBERRY LN  
BELLAIRE TX 77401

Payment Type: CHECK  
Check #: 1105

**Remaining Amount Due As of 09/30/2024**  
**0.00**

**Receipt 2022 Tax Year**  
**09/30/2024**

WEIHUA JIANG  
RUI LU  
1205 MULBERRY LN  
BELLAIRE TX 77401

**Wharton County Tax Office**

P.O. BOX 189

WHARTON, TX 77488

979-532-3312

**Duplicate Receipt**

Item-3.

Property Account Number:

**R058742**

Statement Date: 09/30/2024

Owner: VAN GOGH RV GARDEN LLC

Mailing Address: WEIHUA JIANG  
1205 MULBERRY LN  
BELLAIRE TX 77401

Property Location: 0000000 HWY 59

Acres: 18.0334

Legal: A20034 ABST.34 TRACT EAST PT 83A  
84 18.0334 AC

Receipt #: 3600456

Deposit #: 202401188476-2023/Kristen.bart

YEAR	TAXING ENTITIES	TAXABLE VALUE	TAX RATE PER \$100	DATE PAID	BASE TAX PAID	PENALTY & INTEREST PAID
2023	COASTAL BEND GRWATER DIST	\$155,574.00	0.006150	01/08/2024	\$9.57	\$0.00
2023	CITY OF WHARTON	\$155,574.00	0.453860	01/08/2024	\$706.09	\$0.00
2023	WHARTON CO EMERG DIST#1	\$155,574.00	0.048490	01/08/2024	\$75.44	\$0.00
2023	FMLR	\$155,574.00	0.037820	01/08/2024	\$58.84	\$0.00
2023	WHARTON CO JR COLLEGE	\$155,574.00	0.127700	01/08/2024	\$198.67	\$0.00
2023	Wharton County Tax Office	\$155,574.00	0.326360	01/08/2024	\$507.73	\$0.00
2023	WHARTON I.S.D.	\$155,574.00	1.084400	01/08/2024	\$1,687.04	\$0.00
2023	EMERG SERVICES DIST#3	\$155,574.00	0.086890	01/08/2024	\$135.18	\$0.00

**BASE TAX \$3,378.56****TOTAL PAID \$3,378.56**Remitted By: WEIHUA JIANG  
RUI LU  
1205 MULBERRY LN  
BELLAIRE TX 77401


Payment Type: CHECK

Check #: 1163

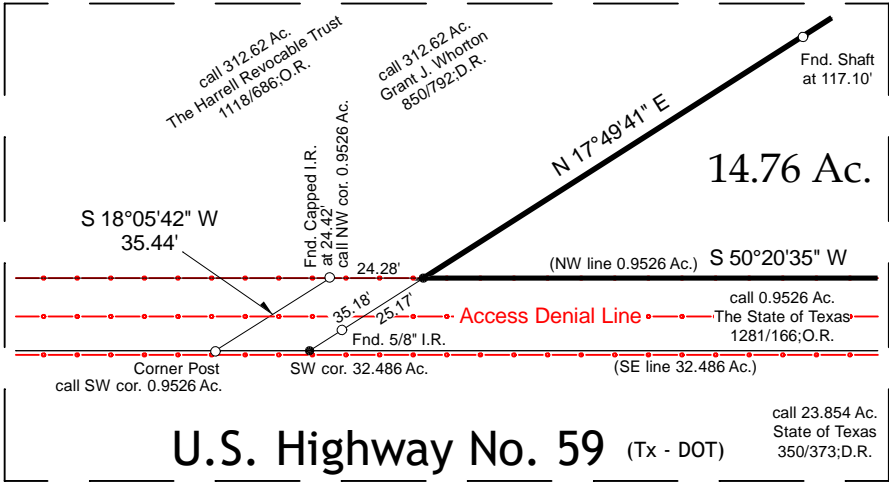
**Remaining Amount Due As of 09/30/2024**  
**0.00**Receipt 2023 Tax Year  
09/30/2024WEIHUA JIANG  
RUI LU  
1205 MULBERRY LN  
BELLAIRE TX 77401

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

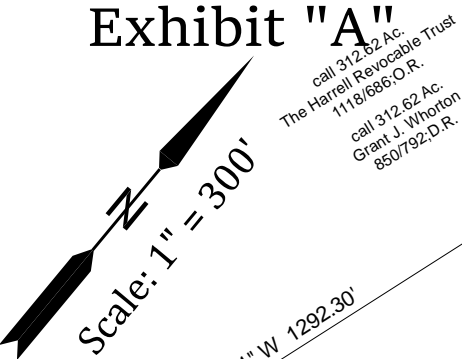
## CITY COUNCIL COMMUNICATION

Meeting Date:	11/12/2024	Agenda Item:	Ordinance: An ordinance to disannex certain territory from the corporate limits of the City of Wharton to wit: 14.76 acres in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas, and as described in the attached Exhibit "A"; finding that all required legal conditions have been satisfied; terminating the rights and privileges conferred on the property from the City of Wharton; providing for amending and correcting the official boundaries of the City of Wharton, Texas, as heretofore adopted; authorizing the City Manager to undertake certain actions relative to said disannexation; providing a severability clause; providing a repealer clause; and providing for said ordinance to take effect and be in force from and after its passage.
Since the City's Charter is silent on disannexation, the Council could vote on whether to grant the request and pass an ordinance or deny the request. If approved, the disannexation would be effective immediately.			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			

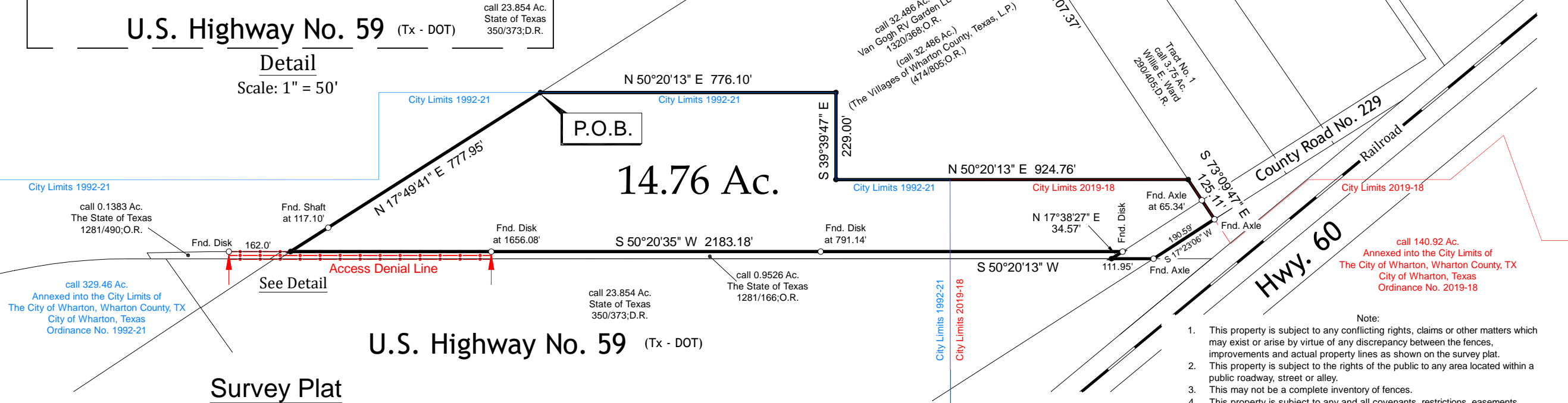




Detail  
Scale: 1" = 50'



Item-4.



Survey Plat

A 14.76 AC. TRACT OF LAND, SITUATED IN THE A. JACKSON TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS, BEING A PORTION OF TWO PARCELS: 1) THAT CERTAIN CALLED 329.46 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 1992-21; AND 2) THAT CERTAIN CALLED 140.92 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 2019-18; SAID 14.76 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.

NOTE: Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

I, Robert W. Kolacny, Registered Professional Land Surveyor No. 5319, do hereby certify that the foregoing Plat correctly describes results of a Survey made under my supervision on the ground, October 30, 2024.



*[Signature]*  
Robert W. Kolacny  
Registered Professional Land Surveyor No. 5319  
Ph. (979) 532-8056

FILE: Garden De-annexation.dwg  
PROJECT: W:\Hungerford\Rural\Barnes  
CRD: Barnes.CRD  
BY: PV Arriaga

**ROBERT W. KOLACNY**  
AND ASSOCIATES, LLC  
RPLS#5319 FIRM# 10107000

140 S. HOUSTON STREET | WHARTON TEXAS 77488 | 979.532.8056

- Registered Professional Land Surveyor -

OFFICE (979) 532-8056 - kolacny.survey@gmail.com

Item-4.

- Page 52 -

- Note:
- This property is subject to any conflicting rights, claims or other matters which may exist or arise by virtue of any discrepancy between the fences, improvements and actual property lines as shown on the survey plat.
  - This property is subject to the rights of the public to any area located within a public roadway, street or alley.
  - This may not be a complete inventory of fences.
  - This property is subject to any and all covenants, restrictions, easements, conditions and ordinances which may be applicable.
  - Title: This survey is not a Land Title Survey - no Title Commitment was provided to Surveyor. No attempt was made by Surveyor to independently research or locate easements that may or may not affect Subject Tract.
  - Property owners must call the pipeline's owner or an official notification center for a precise physical location of all pipelines.



A 14.76 AC. TRACT OF LAND, SITUATED IN THE A. JACKSON TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS, BEING A PORTION OF TWO PARCELS: 1) THAT CERTAIN CALLED 329.46 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 1992-21; AND 2) THAT CERTAIN CALLED 140.92 AC. TRACT OF LAND ANNEXED INTO THE CITY LIMITS OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS BY CITY OF WHARTON, TEXAS ORDINANCE NO. 2019-18; SAID 14.76 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FOR REFERENCE begin at an old Ford Axle called & found in the East line of a called 312.62 Ac. tract of land conveyed to Grant. J. Whorton (Vol. 850, Pg. 792; D.R.) for the Northwest corner of a called 32.486 Ac. tract of land conveyed to Van Gogh RV Garden LLC (Vol. 1320, Pg. 368; O.R.);

THENCE South 17 Deg. 49 Min. 41 Sec. West (called South 20 Deg. 00 Min. West), with the common line between said 312.62 Ac. tract and said 32.486 Ac. tract, 1292.30 ft. to a point in the Northwest line of said 329.46 Ac. City Limits tract for the **Northwest** and BEGINNING corner hereof;

THENCE with the Northwest line of the City Limits of Wharton County, Texas, the following:  
North 50 Deg. 20 Min. 13 Sec. East (call & meas.), 776.10 ft. to a corner of said 329.46 Ac. City Limits tract, same being a **corner** hereof;

South 39 Deg. 39 Min. 47 Sec. East, 229.00 ft. (call & meas.) to an interior corner of said 329.46 Ac. City Limits tract, same being an **interior corner** hereof;

North 50 Deg. 20 Min. 13 Sec. East (call & meas.), at 300 ft. pass the Northeast corner of said 329.46 Ac. City Limits tract, same being the Northwest corner of said 140.92 Ac. City Limits tract, and in all, 924.76 ft. to a point in the Southwest line of a called 3.75 Ac. tract of land referred to as Tract No. 1, conveyed to Willie E. Ward (Vol. 290, Pg. 405; D.R.), same being in the North line of said 32.486 Ac. tract for a corner of said 140.92 Ac. City Limits tract, same being a **corner** hereof;

South 73 Deg. 09 Min. 15 Sec. East (call & meas.), with the Northeast line of said 140.92 Ac. City Limits tract, at 65.34 ft. pass an old Ford Axle called & found in the West margin of COUNTY ROAD NO. 229 (meas. 60 ft. wide), and in all, 125.11 ft. to an old Ford Axle called & found in the East line of COUNTY ROAD NO. 229, for the Northeast corner of said 32.486 Ac. tract, same being the **Northeast corner** hereof;

THENCE South 17 Deg. 23 Min. 06 Sec. West (called South 19 Deg. 40 Min. West), with the West line of COUNTY ROAD NO. 229, 190.59 ft. (called 190.8 ft.) to an old Ford Axle called & found at its intersection with the Northwest line of U.S. HIGHWAY NO. 59 (Tx-Dot), in the Northwest line of a called 23.854 Ac. tract of land conveyed to the State of Texas (Vol. 350, Pg. 373; D.R.) for the Southeast corner of said 32.486 Ac. tract, same being the **Southeast corner** hereof;

THENCE South 50 Deg. 20 Min. 13 Sec. West (call & meas.), with the Northwest line of said 23.854 Ac. tract, same being with the Southeast line of said 32.486 Ac. tract, and with the Northwest line of said HIGHWAY, 111.95 ft. to a point for the Southeast corner of a called 0.9526 Ac. tract of land conveyed to the State of Texas (Vol. 1281, Pg. 166; O.R.), same being a **corner** hereof;

THENCE North 17 Deg. 38 Min. 27 Sec. East, 34.57 ft. (call & meas.) to a Tx-Dot Disk called & found for the Northeast corner of said 0.9526 Ac. tract, same being an **interior corner** hereof;

THENCE South 50 Deg. 20 Min. 35 Sec. West (call & meas.), with the Northwest line of said 0.9526 Ac. tract, passing Tx-Dot Disks at 791.14 ft. and 1656.08 ft., and in all, 2183.18 ft. (called 2207.46 ft.) to a point in the common line between said 312.62 Ac. tract and said 32.486 Ac. tract for the true Northwest corner of said called 0.9526 Ac. tract, same being the **Southwest corner** hereof; from which corner, a capped iron rod found, that is called to be the Northwest corner of said 0.9526 Ac. tract, bears, South 50 Deg. 20 Min. 35 Sec. West, 24.42 ft.; also from which corner, a 5/8 inch iron rod called & found on the common line between said 312.62 Ac. tract and said 32.486 Ac. tract bears, South 17 Deg. 49 Min. 41 Sec. West, 25.17 ft.;

THENCE North 17 Deg. 49 Min. 41 Sec. East (called North 20 Deg. 00 Min. East), with the common line between said 312.62 Ac. tract and said 32.486 Ac. tract, at 117.10 ft. pass an old iron shaft, and in all, 777.95 ft. to the PLACE OF BEGINNING and containing 14.76 Ac. of land.

NOTE: A Plat accompanies this Metes & Bounds description.

Bearings are based on the Texas Coordinate System of 1983, Texas South-Central Zone.

Unless this Metes and Bounds Description (Field Note Description), including preamble, seal and signature, appears in its entirety, and in its original form, Surveyor assumes no responsibility or liability for its accuracy.

I, Robert W. Kolacny, Registered Professional Land Surveyor No. 5319, do hereby certify that the foregoing Field Note Description correctly describes results of a Survey made under my supervision on the ground, October 30, 2024.



Robert W. Kolacny, RPLS No. 5319



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

**AN ORDINANCE TO DISANNECX CERTAIN TERRITORY FROM THE CORPORATE LIMITS OF THE CITY OF WHARTON TO WIT: 14.76 ACRES IN THE A. JACKSON TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS, AND AS DESCRIBED IN THE ATTACHED EXHIBIT “A”; FINDING THAT ALL REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; TERMINATING THE RIGHTS AND PRIVILEGES CONFERRED ON THE PROPERTY FROM THE CITY OF WHARTON; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL BOUNDARIES OF THE CITY OF WHARTON, TEXAS, AS HERETOFORE ADOPTED; AUTHORIZING THE CITY MANAGER TO UNDERTAKE CERTAIN ACTIONS RELATIVE TO SAID DISANNECXATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.**

**WHEREAS,** The City of Wharton, Texas (“City”) is a home-rule city possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of the Texas Local Government Code, and the home Rule Charter for the City of Wharton, Texas; and,

**WHEREAS,** Effective November 12, 2024, the City of Wharton agrees to disannex the 14.76-acre tract described by metes and bounds in the attached Exhibit “A”; and,

**WHEREAS,** Pursuant to the authority granted in Section 43.142 of the Texas Local Government Code, a municipality may disannex an area from the municipality “as may be provided by the charter of the municipality and not inconsistent with the procedural rules prescribed by [Chapter 43 of the Texas Local Government Code]”; and,

**WHEREAS,** Article I, Section 9 of the City of Wharton Charter authorizes the City to fix or adjust its boundaries; and,

**WHEREAS,** The City, pursuant to Chapter 43 of the Texas Local Government Code, as amended, has instituted proceedings to disannex the Property from the City; and,

**WHEREAS,** All statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been published, delivered, or otherwise accomplished.

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

**Section I.** The facts and recitations in the preamble and recitals of this ordinance are found and declared to be true and correct and adopted as part of this ordinance for all purposes.

**Section II.** The property that is the subject of the agreement referenced above and that is described in Exhibit “A”, attached to this Ordinance and incorporated herein for all purposes, is hereby disannexed from the corporate limits of the City of Wharton, Wharton County, Texas, and the same is no longer a party of the City.

- Section III.** All rights, privileges, and responsibilities previously conferred on the property described in the attached Exhibit “A” and any citizens and inhabitants of that property are immediately terminated, and are of no force and effect, immediately upon the disannexation of the property from the City of Wharton.
- Section IV.** The official map and boundaries of the City heretofore adopted and amended are hereby amended to exclude the area described in Exhibit “A” so as to accurately reflect that said area no longer is a part of the City of Wharton, Wharton County, Texas.
- Section V.** The City Manager is directed and authorized to perform or cause to be performed all acts necessary to effectuate this Ordinance, including but not limited to any corrections to the official map of the City of Wharton so as to accurately reflect the City’s boundaries, and to delete the area hereby disannexed as required by law.
- Section VI.** The City Manager is directed and authorized to file a certified copy of this Ordinance with any and all necessary governmental agencies or entities so affected by the acts described herein, including the United States Department of Justice.
- Section VII.** It is the intent of the City Council to disannex from the corporate limits of the City of Wharton the entirety of the property described in Exhibit “A” attached hereto, and the City Council hereby finds and determines that the provisions of Chapter 43 of the Texas Local Government Code have been fully complied with in effecting this disannexation. It is not the intent of the City of Wharton to disannex any territory that it has no legal right to disannex; rather, it is the intent of the City Council and the City of Wharton to disannex only such territory as may be legally disannexed by the City within the limits of the described property.
- Section VIII.** It is hereby declared to be the intention of the City Council that if any word, phrase, clause, sentence, paragraph, or section of this Ordinance is declared to be illegal, invalid, or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such adjudication shall not affect the application of any remaining word, phrase, clause, sentence, paragraph, or section of this Ordinance. Similarly, the City Council declares this if a court of competent jurisdiction determines that any portion of said properties is incapable of being annexed by the City, the City Council would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part and the invalid properties, and to this end, the provisions of this Ordinance are declared to be severable.
- Section IX.** Any provision of any prior ordinance of the City, whether codified or uncoded, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section X.** This Ordinance shall take effect and be in full force immediately from and after its passage as the law in such case provides.

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Wharton, Texas, on the 12th day of November 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**


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

**APPROVED AS TO FORM:**

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

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

## CITY COUNCIL COMMUNICATION

Meeting Date:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of a Drive on Four (4) Post Lift for the Public Works Department from Vehicle Service Group (VSG) through the H-GAC Cooperative Program and authorizing the City Manager to execute all documents related to said purchase.
<p>The City Staff received a quote for the purchase of a Drive on Four (4) Post Lift for the Public Works Department from VSG in the amount of \$46,934.91. The City is a member of and participates in the H-GAC Cooperative Purchasing Program.</p> <p>The Finance Committee will meet on Tuesday, November 12, 2024, and will formulate a recommendation for City Council consideration.</p> <p>Public Works Director Roderick Semien will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 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:** November 6, 2024  
**To:** Mr. Joseph R. Pace, City Manager  
**From:** Roderick Semien, Public Works Director  
**Re:** Authorize the Purchase of a Drive on 4 Post Lift 30,000 lb. Capacity

Attached please find the quote for a Drive on 4 post Lift from VSG. This vendor is affiliated with the H-GAC Cooperative, and the equipment will be bought with FEMA Alternate River Project Funds. The total price will cover the lift, rolling jack stands, shipment cost, and installation. The installation will be performed by Arnold Oil.

Total cost for purchase, freight, and installation: \$46,934.91

I would like this placed on the City Council agenda for November 12, 2024.

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

Thank you.

## Rotary Lift HGAC Equipment Quotation

Quote # : 2024644

Date: 10/28/2024

Requested By: Roderick

Quote Expires: 2/25/2025

Payment Terms: NET 60

Warranty: 1yr. Parts &amp; Labor

Prepared By: Tammy Boldery

\*If completion of installation is delayed more than one month due to governmental entity delays (i.e. electrical, etc.), Rotary can request partial payment for work completed. (both equipment and installation).



Note: Quote for Equipment &amp; Installation

Project Name: City of Wharton, TX

Model No.	Description	Per Unit Price	Qty.	Extended Price
SM30N010	Drive on 4-Post lift 30,000 lb capacity	\$ 28,301.56	1	\$ 28,301.56
RJ9100Y-2	Rolling Jack for Passenger Cars & Trucks	\$ 5,433.27	2	\$ 10,866.54
XXX82	Freight	\$ 2,172.88	1	\$ 3,916.81
XXX01CTT	Installation	\$ 3,850.00	1	\$ 3,850.00
	**Does not include any applicable fees or taxes			

TOTAL PRICE: \$ 46,934.91

**ADDITIONAL TERMS AND CONDITIONS:** By submitting a purchase order to Vehicle Service Group, LLC. (VSG), customer accepts and agrees to these terms and conditions as additional terms to the existing agreement between the parties referenced on the face of this quotation (Existing Agreement), notwithstanding anything to the contrary contained therein. All additional or different terms and conditions contained in Customer's purchase order are hereby rejected. No additional or different terms or conditions, or any modifications, changes, or amendments to these terms of the existing agreement shall be binding on VSG, unless expressly accepted by VSG in writing.

**DISCLAIMER:** Notwithstanding anything to the contrary in the Existing Agreement, VSG shall not be liable for any loss, damage or additional costs arising from unforeseen conditions affecting installation, including but not limited to contaminated soil, bed rock, in-floor heating system, high water conditions, or any othertype of in-ground conditions. Customer acknowledges and agrees that Customer shall be responsible for any additional costs due to such conditions, in addition to the installation price set forth herein.

**DELAY:** Notwithstanding anything to the contrary in the Existing Agreement, if delivery of the equipment or completion of the work is delayed by more than thirty (30) days due to the acts or omission of Customer or any third party other than VSG or its sub-contractors, VSG may require Customer to render payment for equipment manufactured or delivered, and portions of the work completed, within thirty (30) days from the date of VSG's invoice, in the amounts set forth in such invoice.

\*Cancelled orders are subject to 20% restocking fee.

HGAC Contract # FL03-21

Contract Period 2/28/2025

CAGE#: 7K311

Tax ID # 90-0501347

DUNS #: 00-638-2634

Rotary Lift

2700 Lanier Dr.

Madison, IN 47250

Tammy Boldery, Government Sales Leader

800.445.5438 x 5655

[tboldery@rotarylif.com](mailto:tboldery@rotarylif.com)



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

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A DRIVE ON FOUR (4) POST LIFT FOR THE PUBLIC WORKS DEPARTMENT FROM VEHICLE SERVICE GROUP (VSG) THROUGH THE H-GAC COOPERATIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a Drive on Four (4) Lift for the Public Works Department; and,

**WHEREAS,** The City of Wharton is a member of and participates in the H-GAC Cooperative Purchasing Program; and,

**WHEREAS,** VSG submitted a quote in the amount of \$46,934.91; and,

**WHEREAS,** The Wharton City Council wishes to approve VSG for the purchase of a Drive on Four (4) Post Lift in the amount of \$46,934.91 for the Public Works Department; 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 a Drive on Four (4) Post Lift for the Public Works Department from VSG through the H-GAC Cooperative Purchasing Program in the amount of \$46,934.91.

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

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

**PASSED, APPROVED, and ADOPTED** this 12th day of November 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:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of a 2025 Flatbed Trailer for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase.						
<p>Attached is a memo from Public Works Director Roderick Semien regarding the purchase of a 2025 Flatbed Trailer for the Public Works Department. The City Staff solicited quotes, and three (3) quotes were received.</p> <p>They are as follows:</p> <table><tr><td>1. Trailer Place/Star Truck Equipment</td><td>\$10,150.00</td></tr><tr><td>2. B&amp;V Enterprises</td><td>\$10,399.00</td></tr><tr><td>3. Country Boy Trailers, Inc.</td><td>\$9,795.00</td></tr></table> <p>The Finance Committee will meet on November 12, 2024, and will formulate a recommendation for City Council consideration.</p> <p>Mr. Semien will be present to answer any questions.</p>				1. Trailer Place/Star Truck Equipment	\$10,150.00	2. B&V Enterprises	\$10,399.00	3. Country Boy Trailers, Inc.	\$9,795.00
1. Trailer Place/Star Truck Equipment	\$10,150.00								
2. B&V Enterprises	\$10,399.00								
3. Country Boy Trailers, Inc.	\$9,795.00								
City Manager: Joseph R. Pace			Date: Thursday, November 7, 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:** November 6, 2024  
**To:** Mr. Joseph R. Pace, City Manager  
**From:** Roderick Semien, Public Works Director  
**Re:** Authorize the purchase of a 2025 Flatbed Trailer

Attached please find three bids for a 2025 Flatbed Trailer. The purpose will be to transport the Case CX 37C mini excavator and other equipment to the assigned job sites. The trailer will have a GVWR of 16000 lbs. making it capable of hauling the machine and equipment. The following three bids are:

Trailer Place/Star Truck Equipment	\$10,150.00-local pickup
B&V Enterprises	\$10,399.00-excludes shipping
Country Boy Trailers, INC.	\$ 9,795.00-excludes shipping

I recommend purchasing the trailer from Trailer Place/Star Truck Equipment.

I would like this placed on the City Council agenda for November 12, 2024.

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

Thank you.



# INVOICE

Item-6.

Trailer Place / Star Truck Equipment

2507 CR 231 Wharton, TX 77488

Phone: (979) 532-1487 Fax: () -

Salesperson: Clifford Cater

Deal #: -101292

Delivery Date:

## Buyer Name(s) & Information

Buyer: CITY OF WHARTON

Co-Buyer:

Address: 120 E CANEY

City, State Zip: Wharton, TX 77488

Phone (Home):

Phone (Cell): (979) 943-6275

Email:

Cust. Number: 1002473

### Retail Unit

Description (Year/Manufacturer/Make/Model) N/U/D: NEW  
2025 DIAM Diamond C FB Type: Flat Bed Trailer  
VIN: 46UBT2023S1292972 Odometer:  
Color: BLACK GVW: 16000  
Stock Number: 92972 Price: \$ 10150.00

### Trade 1

Description (Year/Manufacturer/Make/Model)  
VIN: Type:  
Color: Odometer:  
Payoff Name: GVW:  
Payoff Address:  
Phone: Amt Owed: \$ 0.00

### Trade 2

Description (Year/Manufacturer/Make/Model)  
VIN: Type:  
Color: Odometer:  
Payoff Name: GVW:  
Payoff Address:  
Phone: Amt Owed: \$ 0.00

### Retail Lienholder

Name:  
Address:  
Phone: Account #:

### Insurance

Company: Policy #:  
Agent: Phone:  
Eff. Date: Exp. Date:

### Comments

2025 Baseline 82"x20' Equipment Tilt Trailer  
2-7k Drop Axles  
Electric Brakes  
6 Leaf Slipper Spring Suspension  
3" I Beam Cross Members on 16" Centers  
8" I Beam Frame  
4' Stationary Deck/ 16' Tilt Bed  
Hydraulic Dampened Tilt (Gravity)  
Diamond Plate Fenders  
2 5/16 Demco Ez Latch Adjustable Coupler  
Chain Tray in Tongue  
12k Drop Leg Jack  
Rub Rail w/ Stake Pockets  
4 D-Ring Tie Downs

### Itemization

Base Selling Price: 10150.00

N/A

N/A

N/A

N/A

N/A

N/A

N/A

Total Accessories: N/A

Retail Discount: N/A

SUBTOTAL: 10150.00

State Tax: N/A

County Tax: N/A

City Tax: N/A

Total Sales Tax: N/A

SUBTOTAL: 10150.00

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

Total Fees: N/A

SUBTOTAL: 10150.00

N/A

N/A

N/A

N/A

N/A

N/A

N/A

Total Products: N/A

SUBTOTAL: 10150.00

Trade Allowance: N/A

Amount Owed On Trade: N/A

Net Trade: N/A

Manufacturer Rebate: N/A

Cash Down Payment: N/A

Cash On Delivery: N/A

Total Down Payment: N/A

TOTAL BALANCE DUE: 10150.00

10/29/2024

10/29/2024

- Page 64 -

Buyer

Date

Co-Buyer

Date

Dealer/Agent

Date

**B&V Enterprises**

Phone: 5414409942

4666 NE Stephens St

Roseburg, OR

Email: Alicia@yourtrailer.com

Item-6.



## 2025 BASELINE Diamond C Trailers 82" X 20' HYDRAULICALLY DAMPENED SPLIT-TILT Equipment Trailer

Stock#: S1292903

VIN#: 46UBT2026S1292903

Year: 2025

Manufacturer: Diamond C Trailers

Width: 82" or 6'10"

Length: 240" or 20'0"

Color: BLACK

#Axles: 2

URL: <https://yourtrailer.com/2025-baseline-diamond-c-trailers-82-x-20-hydraulically-dampened-split-tilt-equipment-trailer-Hybr.html>

Price
\$10,399.00

### Description

2025 BASELINE Diamond C Trailers 82" X 20' HYDRAULICALLY DAMPENED SPLIT-TILT 14K Equipment Trailer

- 14K
- 20' LONG X 82" WIDE
- 4' STATIONARY + 16' TILT
- 12K DROP-LEG JACK
- 16" STEEL LOCKING TONGUE BOX
- 6 D-RINGS
- 21K DEMCO EZ-LATCH COUPLER
- 10 PLY TIRES
- STAKE POCKET, RUB RAIL
- LED LIGHTS
- DM POWDER COATED ONYX BLACK

**COUNTRY BOY TRAILERS, INC.**

Phone: 7708878508

1550 ATLANTA HWY.

Cumming, GA

Email: parts@countryboy-trailers.com;treid@countryboy-trailers.com;sales@countryboy-trailers.com

**Diamond C Baseline 82"x20' 2025 Tilt Equipment Trailer HTL207**

Stock#: 92240 / HTL207 82x20 BaseLine	VIN#: 46UBT202XS1292240	Year: 2025
Manufacturer: Diamond C Trailers	Width: 82" or 6'10"	Length: 240" or 20'0"
Weight: 3550	GVWR: 14000	Payload: 10450
Color: BLACK	#Axles: 2	Axle Capacity: 7000.00
URL: <a href="https://countryboy-trailers.com/diamond-c-baseline-82-x20-2025-tilt-equipment-trailer-htl207-YsSq.html">https://countryboy-trailers.com/diamond-c-baseline-82-x20-2025-tilt-equipment-trailer-htl207-YsSq.html</a>		

<b>MSRP</b>	<b>\$10,995.00</b>
<b>Price</b>	<b>\$9,795.00</b>

**Description**

Our Price is for cash or check only. Please add 3% for credit cards.

**2025 Diamond C Baseline Trailer - Hydraulically Dampened Tilt**

HTL207 20X82

82" Wide 20' Long (4' Stationary Deck, 16' Tilt Bed)

2- 7000 lb Axles with EZ Lube Hubs

14 ga. Fender

Electric Brakes

14000 lb GVWR

12000 lb Drop-Leg Jack

2 5/16" Coupler

Bolt-On Diamond Plate Fenders

Chain Tray in Tongue

ST235/80R16 10-Ply Radial Tires

2" Treated Wood Floor

Spare Tire Mount

Rub Rail with Stake Pockets

4- D-Rings

LED Lights

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

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF  
A 2025 FLATBED TRAILER FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING  
THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** Quotes were received for the purchase of a 2025 Flatbed Trailer for the Public Works Department; and,

**WHEREAS,** The Wharton City Council wishes to purchase a 2025 Flatbed Trailer for the Public Works Department from \_\_\_\_\_ in the amount of \$\_\_\_\_\_; and,

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

**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 2025 Flatbed Trailer for the Public Works Department from \_\_\_\_\_ in the amount of \$\_\_\_\_\_.

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

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

**PASSED, APPROVED, and ADOPTED** this 12th day of November 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:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the purchase of a truck mounted crane lift for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase.						
<p>Attached is a memo from Public Works Director Roderick Semien regarding the purchase of a truck mounted crane lift for the Public Works Department. The City Staff solicited quotes, and they are as follows:</p> <table><tr><td>1. Trailer Place/Star Truck Equipment</td><td>\$17,380.00</td></tr><tr><td>2. B&amp;B Truck Crane</td><td>\$16,128.00</td></tr><tr><td>3. General Truck Body</td><td>no response</td></tr></table> <p>The Finance Committee will meet on November 12, 2024, and will formulate a recommendation for City Council consideration.</p> <p>Mr. Semien will be present to answer any questions.</p>				1. Trailer Place/Star Truck Equipment	\$17,380.00	2. B&B Truck Crane	\$16,128.00	3. General Truck Body	no response
1. Trailer Place/Star Truck Equipment	\$17,380.00								
2. B&B Truck Crane	\$16,128.00								
3. General Truck Body	no response								
City Manager: Joseph R. Pace			Date: Thursday, November 7, 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:** November 6, 2024  
**To:** Mr. Joseph R. Pace, City Manager  
**From:** Roderick Semien, Public Works Director  
**Re:** Authorize the purchase of a Truck Mounted Crane Lift

Attached, please find three bids to replace the out-of-service truck mount crane that is attached to a Water Dept. Truck, unit number 7767 (2017 Ford F550). The purpose of this equipment is to extract submersible pumps and other heavy assets throughout the Public Works Department as needed without hiring outside services to complete the task. The following bids are presented below:

Trailer Place/Star Truck Equipment	\$17,380.00-local pickup
B&B truck crane	\$16,128.00-shipping not included
General Truck Body	no response

I recommend purchasing the Crane from Trailer Place/Star Truck Equipment.

I would like this placed on the City Council agenda for November 12, 2024.

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

Thank you.

Trailer Place / Star Truck Equipment

2507 CR 231  
Wharton, TX 77488 US  
+19795321486  
jcochrum@hotmail.com  
www.startruckequipment.com



Estimate

ADDRESS	SHIP TO	ESTIMATE	1476
City of Wharton, TX	City of Wharton, TX	DATE	10/18/2024
120 E Caney St	120 E Caney St		
Wharton, TX 77488	Wharton, TX 77488		

PURCHASE ORDER  
Crane Repair

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Parts - Retail	Liftmoore - 3612REE-15	1	17,380.00	17,380.00
		-12,000 ft.-lb. moment rating and 3,600 lb. max capacity			
		-Power elevation from -5 degrees to + 75 degrees.			
		-Power rotation is unlimited.			
		-Power extension from 7 ft.-11 ft. with a 4 ft. pull out to 15 ft. is standard.			
		-A load sensor & anti two-block is standard.			
		-Cylinders have a integral counterbalance valve for safety, this valve holds the load in the event of hose failure and controls the rate of boom decent.			
		-2,000 lb. single line capacity planetary gear winch with 2.7 Hp motor.			
		-62 ft. of 1/4" galvanized aircraft cable is standard. -Minimum breaking strength is 7,000 lbs.			
		-Wireless radio controls - proportional			
		Installation not included			

SUBTOTAL	17,380.00
TAX	0.00
TOTAL	\$17,380.00

Accepted By

Accepted Date

Item-7.

\*After 7 working days, all deleted truck beds will accrue storage charges at the rate of \$10



---

**Fwd: Estimate from B & B Truck Crane Repair**

---

From Jason Miller <jmiller@cityofwharton.com>

Date Tue 10/22/2024 2:14 PM

To Daniel <dchapa@cityofwharton.com>; Roderick At Work <rsemien@cityofwharton.com>; Amy Horelica <ahorelica@cityofwharton.com>

----- Forwarded message -----

From: B & B Truck Crane <no\_reply@intuit.com>

Date: Oct 22, 2024 2:01 PM

Subject: Estimate from B & B Truck Crane Repair

To: jmiller@cityofwharton.com

Cc:



**Your estimate is ready!**

Total Estimate

**\$16,128.00**

**Estimate #11754**

**B & B Truck Crane**

320989002

\$13,149.00

1 X \$13,149.00

Item-7.

**Miscellaneous**

\$1,500.00

1 X \$1,500.00

**715064020**

\$479.00

1 X \$479.00

**Total \$16,128.00**

Dear City of Wharton,

Below are your estimate details. To move forward with this estimate, please review and select **Review and Accept** and B & B Truck Crane will reach out with next steps.

There are various payment methods available, including the option to pay monthly.

### Explore ways to pay:

**From \$543/mo**

for 36 months with personal loan\*

[Learn more](#)

Powered by

**INTUIT**  
**creditkarma**

Powered by **INTUIT**  
**creditkarma**

[Review and accept](#)

[Request a change](#)

\* Terms and eligibility depending on your credit profile. Payment example reflects the lowest monthly payment available based on a \$16,128.00 loan with 12.96% APR over 36 months. Interest & fees apply. Approval is not guaranteed. Your actual rate and loan terms will be determined based on your credit, income, loan term and certain other information provided in your loan application. Not all applicants will qualify for the full loan amount.

If you receive an email that seems fraudulent, please check with the business owner before paying.



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

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A TRUCK MOUNTED CRANE LIFT FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** Quotes were received for the purchase of a truck mounted crane lift for the Public Works Department; and,

**WHEREAS,** The Wharton City Council wishes to purchase a truck mounted crane lift for the Public Works Department from \_\_\_\_\_ in the amount of \$\_\_\_\_\_; and,

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

**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 truck mounted crane lift for the Public Works Department from \_\_\_\_\_ in the amount of \$\_\_\_\_\_.

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

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

**PASSED, APPROVED, and ADOPTED** this 12th day of November 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:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council approving the roof repairs at Hased House located at 413 W. Colorado Street and authorizing the Mayor of the City of Wharton to execute all documents related to said repairs.						
<p>Attached is a memo from Public Works Director Roderick Semien regarding the roof repairs at Hased House located at 413 W. Colorado Street. The property sustained significant damage to the roof because of Hurricane Beryl. The necessary repairs will be covered by the City’s insurance provider. Additionally, the City holds lessor responsibilities for the roof repairs. Out of the three quotes solicited, two have submitted quotes, which are outlined below:</p> <table><tr><td>Rick’s Roofing</td><td>\$12,500.00</td></tr><tr><td>Priority Roofing and Construction</td><td>\$ 9,750.00</td></tr><tr><td>Weather Guard Roofing</td><td>no response</td></tr></table> <p>The Finance Committee will meet on November 12, 2024, and will formulate a recommendation for City Council consideration.</p> <p>Mr. Semien will be present to answer any questions.</p>				Rick’s Roofing	\$12,500.00	Priority Roofing and Construction	\$ 9,750.00	Weather Guard Roofing	no response
Rick’s Roofing	\$12,500.00								
Priority Roofing and Construction	\$ 9,750.00								
Weather Guard Roofing	no response								
City Manager: Joseph R. Pace			Date: Thursday, November 7, 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:** November 6, 2024  
**To:** Mr. Joseph R. Pace, City Manager  
**From:** Roderick Semien, Public Works Director  
**Re:** Authorization for roof repair at the Hesed House, 413 W. Colorado St.

Attached please find bids for the roof repair at the Hesed House located at 413 W. Colorado St. The property sustained significant damage to the roof as a result of Hurricane Beryl. The necessary repairs will be covered by the City's insurance provider. Additionally, the City holds lessor responsibilities for the roof repairs. Out of the three bidders solicited, two have submitted bid quotes, which are outlined below:

Rick's Roofing	\$12,500.00
Priority Roofing and Construction	\$ 9,750.00
Weather Guard Roofing	no response

I recommend Priority Roofing and Construction.

I would like this placed on the City Council agenda for November 12, 2024.

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

Thank you.



**RICK'S ROOFING**  
AND RESTORATION, LLC

Proud to be Locally Owned and Operated

Date \_\_\_\_\_

Order # \_\_\_\_\_

Material Location \_\_\_\_\_

Customer Name \_\_\_\_\_

Project Address, City, State, Zip 413 W Colorado St, Wharton, Tx 77488

Phone #'s \_\_\_\_\_ Email Address \_\_\_\_\_

- ☐ New Roof    ☒ Re-Roof    ☐ Repair  
☒ Tear Off Existing Roof - Type Comp # of Layers 1  
☒ Re-Deck 3 sheets  
☒ Plywood Type OSD  
☒ Underlayment Type Synthetic  
☒ Valley System Ice & water Barrier  
☒ Drip Edge - Size 2x4 Color \_\_\_\_\_  
☒ Roofing Nails - Size 1 1/4" Handnail  
☒ Ridge Cap Type Standard  
☐ Reflash Skylights(s) # \_\_\_\_\_ Size(s) \_\_\_\_\_  
☐ Reflash Chimney - Type \_\_\_\_\_  
☒ Ventilation System Wind Turbine  
☒ Reflash Pipe Jack # All ☒ Painted Bulletboot  
☒ Reseal HVA Vent Painted

- ☒ Thorough Job Site Cleanup \_\_\_\_\_  
☒ Magnetic Yard Sweep \_\_\_\_\_  
☒ Shingle Brand/Type Tamko Titan  
☒ Shingle Color \_\_\_\_\_  
☒ Manufacturer Warranty Limited Lifetime  
☒ Labor Warranty 5 year  
 Other \_\_\_\_\_

Proposal Amount \$ 12,500

Down Payment \$ 6,250

Completion Amount \$ 6,250

Additional Notes \_\_\_\_\_

**Insurance Proceeds Option:** If you file an insurance claim and select this option, you and Rick's Roofing and Restoration, LLC agree that Rick's Roofing and Restoration, LLC will perform the repair or replacement to your roof that the carrier authorizes, according to the insurance company's authorized specifications, for the price equal to the total replacement cost value that the insurance company determines (before any deductions for the deductible, which you must pay). You understand the Rick's Roofing will only be required to perform the work and furnish the material authorized by the insurance carrier if you select this option. If you select this option, and the insurance company denies your claim, the Contract will terminate and Neither You nor Rick's Roofing and Restoration, LLC will have any further obligations to each other.

TEXAS LAW REQUIRES A PERSON INSURED UNDER A PROPERTY INSURANCE POLICY TO PAY ANY DEDUCTIBLE APPLICABLE TO A CLAIM MADE UNDER THE POLICY. IT IS A VIOLATION OF TEXAS LAW FOR A SELLER OF GOODS OR SERVICES WHO REASONABLY EXPECTS TO BE PAID WHOLLY OR PARTLY FROM THE PROCEEDS OF A PROPERTY INSURANCE CLAIM TO KNOWINGLY ALLOW THE INSURED PERSON TO FAIL TO PAY, OR ASSIST THE INSURED PERSON'S FAILURE TO PAY, THE APPLICABLE INSURANCE DEDUCTIBLE.

Accepted: Homeowner \_\_\_\_\_ Homeowner \_\_\_\_\_ Date \_\_\_\_\_

#### CONTRACT AGREEMENT ACCEPTANCE

UPON ACCEPTANCE BY YOU, THIS PROPOSAL WILL BECOME A LEGALLY BINDING "CONTRACT" INCLUDING ALL THE PROVISIONS ON THE REVERSE SIDE. ALL SUPPLEMENTS RECEIVED BY INSURANCE COMPANIES WILL BE AWARDED TO RICK'S ROOFING AND RESTORATION, LLC.

All terms and conditions of the above contract have been agreed upon by (print name) X  
and Rick's Roofing and Restoration, LLC: Any changes made to this contract must be made in writing.

Homeowner X \_\_\_\_\_ Date X \_\_\_\_\_

Rick's Roofing and Restoration Representative \_\_\_\_\_ Date \_\_\_\_\_

P O Box 685, Rosenberg, Texas 77471, Phone 832-401-5259, [ricksmithroofing@yahoo.com](mailto:ricksmithroofing@yahoo.com)

Form Dated 05.04.21

**PRIORITY ROOFING AND CONSTRUCTION**

707 E. Milam  
WHARTON, TX 77488  
979-533-2227

"Your roof is our priority"



Date: 10/23/2024

Job # \_\_\_\_\_

Order #: \_\_\_\_\_

**Customer Name & Address****Job Address**

Name	City Of Wharton Hessed House	Street
Address	413 W Colorado St	City, State, Zip
City, State, Zip	Wharton, Texas 77488	Work/Mobile
Phone #	979-253-4817 Work	Material Location
Email		

Priority Roofing proposes to perform the work and furnish the materials below for the price stated in this contract to \_\_\_\_\_ ("You")

- |                                                                       |                                                                            |                                                     |                                                                                                                     |
|-----------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Residential-Lump Sum              | <input type="checkbox"/> Commercial                                        | <input type="checkbox"/> Wind Turbines _____        | <input type="checkbox"/> 12x12 Roof Vent _____                                                                      |
| <input type="checkbox"/> New Roof                                     | <input checked="" type="checkbox"/> Re-roof                                | <input type="checkbox"/> Repair                     | <input checked="" type="checkbox"/> Paint all vents to match shingles                                               |
| <input checked="" type="checkbox"/> Tear off existing roof            | 1 Layer                                                                    |                                                     | <input checked="" type="checkbox"/> Pipe Jacks                                                                      |
| <input type="checkbox"/> 15# Felt                                     | <input type="checkbox"/> 30# Felt                                          | <input checked="" type="checkbox"/> Roofer's Select | <input type="checkbox"/> 1 1/2" <input type="checkbox"/> 2" <input type="checkbox"/> 3" <input type="checkbox"/> 4" |
| <input checked="" type="checkbox"/> Plywood                           | Type                                                                       | 1/2" OSB                                            | <input checked="" type="checkbox"/> Thorough Jobsite Clean-up                                                       |
| <input checked="" type="checkbox"/> Number of Plywood sheets provided | 2                                                                          |                                                     | <input checked="" type="checkbox"/> Magnetic sweep                                                                  |
| <input checked="" type="checkbox"/> Drip Edge                         | <input type="checkbox"/> 1 1/2" <input checked="" type="checkbox"/> 2"     | Color                                               | <input checked="" type="checkbox"/> Seal Code                                                                       |
| <input type="checkbox"/> Open Valley                                  |                                                                            | n/a                                                 | HVA vents                                                                                                           |
| <input checked="" type="checkbox"/> Roofing Nails                     | <input checked="" type="checkbox"/> 1 1/4" <input type="checkbox"/> 1 1/2" |                                                     | <input checked="" type="checkbox"/> Ice and water shield/Wintergard                                                 |
| <input checked="" type="checkbox"/> Install Matching Ridge            |                                                                            |                                                     | <input checked="" type="checkbox"/> Shingle Color                                                                   |
| <input type="checkbox"/> Reflash Chimney                              | <input type="checkbox"/> Type                                              | aluminum                                            | Onyx Black                                                                                                          |
| <input type="checkbox"/> Reflash Skylight(s)                          |                                                                            |                                                     | <input checked="" type="checkbox"/> Shingle Brand                                                                   |
|                                                                       |                                                                            |                                                     | Owens Corning                                                                                                       |
|                                                                       |                                                                            |                                                     | <input checked="" type="checkbox"/> Shingle Type                                                                    |
|                                                                       |                                                                            |                                                     | 30 yr                                                                                                               |
| <input checked="" type="checkbox"/> Algae Resistant Shingles          | \$                                                                         | no charge                                           | <input checked="" type="checkbox"/> Labor Warranty                                                                  |
|                                                                       |                                                                            |                                                     | 5 years                                                                                                             |
|                                                                       |                                                                            |                                                     | <input type="checkbox"/> High profile ridge                                                                         |
|                                                                       |                                                                            |                                                     | <input type="checkbox"/> Other                                                                                      |
|                                                                       |                                                                            |                                                     | Ridge Vent                                                                                                          |

**Additional Comments**

Salesman's Signature \_\_\_\_\_

Please Print Michael Evans Phone: 979-533-2227

Contract Price \$ \$9,750.00

Down Payment \$ \$0.00

Completion Amount \$ \$9,750.00

Estimates Good for 30 Days

☐ **Insurance Proceeds Option**

If you file an Insurance claim and select this option. You and Priority Roofing agree that Priority Roofing will perform the repair or replacement to your roof that the carrier authorizes, according to the insurance company authorized specifications, for a price equal to the total replacement cost value that the insurance company determines (before any deduction for your deductible, which you must pay). You understand that Priority Roofing will only be required to perform the work and furnish the materials authorized by the insurance carrier if you select this option. If you select this option, and the Insurance company denies your claim, this Contract will terminate and Neither You nor Priority Roofing will have any further obligations to each other.

Accepted: Homeowner \_\_\_\_\_ Homeowner: \_\_\_\_\_

Date \_\_\_\_\_

UPON ACCEPTANCE BY YOU. THIS PROPOSAL WILL BECOME A LEGALLY BINDING "CONTRACT" INCLUDING ALL THE PROVISIONS ON THE REVERSE SIDE.

**Contract Agreement Acceptance**

All terms and conditions of above contract have been agreed upon by \_\_\_\_\_ and Priority Roofing:

Any Changes made to this contract have to be made in writing.

Homeowner \_\_\_\_\_ Date \_\_\_\_\_ Priority Roofing Representative \_\_\_\_\_

Date \_\_\_\_\_

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

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE ROOF REPAIRS AT HESED HOUSE LOCATED AT 413 W. COLORADO STREET AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.**

**WHEREAS,** Quotes were received for the roof repairs at Hesed House located at 413 W. Colorado Street; and,

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

**WHEREAS,** The Wharton City Council wishes to award an agreement to \_\_\_\_\_ for the roof repairs at Hesed House in the amount of \$\_\_\_\_\_; and,

**WHEREAS,** The City of Wharton and \_\_\_\_\_ 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 the agreement.

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

**SECTION I.** The Wharton City Council hereby authorizes the Mayor to execute an agreement for the roof repairs at Hesed House to \_\_\_\_\_ in the amount of \$\_\_\_\_\_.

**SECTION II.** The City of Wharton and \_\_\_\_\_ 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 12th day of November 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:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council accepting, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant.
<p>In October 2021, the Wharton Police Department applied for the Operation Lone Star Grant through the Office of the Governor. The Department was awarded the grant. The grant was a two-year grant and expired on August 31, 2023. The Department then applied for another Operation Lone Star Grant but, at that time, was denied.</p> <p>The Department has been awarded another grant from the Office of the Governor. The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star, including the facilitation of direct actions to deter and interdict criminal activity and detain non-citizen inmates. The new grant covers the period from 09/01/2024 to 08/31/2025, or one year.</p> <p>Approval is needed from the Council to accept the award of the grant. The grant in 2021 was awarded in the amount of \$180,176.26, which funded a part-time sworn officer position and multiple pieces of equipment, including the Flock LPR cameras. The new grant application, in the amount of \$209,454.87, would fund a full-time sworn officer position, a vehicle, and all associated equipment. There is no city match.</p> <p>Chief Terry D. Lynch will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			



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

*Wharton Police Department*

**MEMORANDUM**

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To: Joseph R. Pace

Date: 11/5/2024

Ref: Governor's Grant – Operation Lone Star

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In October 2021, we first applied for a grant through the Office of the Governor, Operation Lone Star. We were awarded the grant at that time. The grant was a two-year grant. The grant expired on August 31, 2023. We applied for another Operation Lone Star grant at that time but were denied.

We have recently been awarded another grant from the Office of the Governor. The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star, including the facilitation of direct actions to deter and interdict criminal activity and detain non-citizen inmates. The new grant covers the period from 09/01/2024 to 08/31/2025, or one year.

We will now need to go back to the Council for acceptance. The grant in 2021 was awarded in the amount of \$180,176.26, which funded a part-time sworn officer position and multiple pieces of equipment, including the Flock LPR cameras. The new grant application, in the amount of \$209,454.87, would fund a full-time sworn officer position, a vehicle, and all associated equipment. There is no city match.

Please consider placing on the agenda for presentation at the nearest Council meeting.

## 2024 Operation Lone Star

### Project Summary:

This project includes creating a new full-time position criminal interdiction officer in the City of Wharton Police Department. We would like to hire or promote an officer as a Texas Peace Officer to enforce state laws within city limits and to work with the Governor's initiative with Border Patrol, with a focus on criminal interdiction of narcotics trafficking, human trafficking, and money laundering. The proposed activities include working with other local agency criminal interdiction officers and task force(s), building working relationships with confidential informants, professional relationships with members of HIDTA, US Border Patrol, and the DEA, and effectively interdict the large volume of criminal activity coming into Texas from Mexico, specifically on the 59 corridor that runs through the City of Wharton.

### Problem Statement:

A rural county with a population of about 41,500, located approximately one and a half hours southwest of the larger Houston metropolitan area. Interstate Highway 59 is a large highway from Dallas all the way to the southern Texas border, and it passes through the heart of the county with a large Bucee's rest stop located in Wharton; it is a common pathway from Houston to Mexico. Wharton County is a predominately agricultural county with numerous exempt taxpayers (farmers). Approximately 7% of the county is developed land, and 90% is forest, shrubs, pasture, grasslands, barren lands, and cultivated crops. The median household income is about \$42,555.00, one of the lowest median household incomes in the region. The major cities are Wharton, El Campo, and East Bernard. The City of Wharton has a population of 8,627 (according to the 2020 Census).

The City of Wharton has a 10.6-mile stretch of US Hwy 69 (US 59), a major highway with a direct pathway from Houston down to the Texas-Mexico border. The City of Wharton also has State Highway 60, a direct path to and from the border, that connects to 59 in the City of Wharton. Contained within city limits are a large Bucee's gas station, an adjacent Wal-Mart, and an abandoned parking lot near a Holiday Inn, all at the same exit in Wharton. Wharton is a natural stopping point about 1½ hours south of Houston and 4 hours from the Texas-Mexico border in Laredo. The 59 Corridor also connects to Highway 281 and Highway 77, both direct paths north from the border towns of McAllen and Brownsville, respectively.

The rural areas outside of Houston make highway criminal activity easier because there are long stretches along the 59 Corridor that pass-through jurisdictions of 1 or 2-man law enforcement agencies that do not have the manpower to monitor Highway 59 for human trafficking, drug/weapon smuggling, and money laundering.

The Wharton County Sheriff's Office currently has one criminal interdiction officer position participating in a Narcotics Task Force based out of Victoria, Victoria County, Texas. An additional criminal interdiction officer would be a force multiplier for our area. Wharton is not a HIDTA member and, therefore, does not have federal funds for criminal interdiction activities.

The local District Attorney receives numerous calls a month regarding undocumented immigrants traveling through the county, being stopped during a traffic stop by either a DPS Highway Patrol or Wharton County Sheriff's Office Criminal Interdiction Officer, and a regular occurrence is the presumably undocumented immigrants disperse into the rural areas, agricultural fields, and undeveloped private property. It is not uncommon for local law enforcement to be dispatched to a property because illegal

immigrants were discovered hiding in a barn or shed. Border Patrol will not travel north of Jackson County to retrieve undocumented immigrants, and the officials from Houston will not travel south to our area to retrieve the undocumented immigrants unless there is a large group (e.g., a group of 30 or more people). This problem leaves local law enforcement at a loss: unless the officers can find proof of financial gain or if the trafficked people are physically hidden, there is insufficient evidence to make an arrest on state charges. Additionally, there are many reports involving people evading on foot (in multiple directions) into the rural area of our county.

Criminal activity headed south on 59 towards Mexico typically travels through Fort Bend County before reaching Wharton. Fort Bend County shared its criminal interdiction statistics with us in anticipation of our application for this grant. Highway 59 continues from Wharton County into Fort Bend County (and onward into Houston, Harris County). To describe a few highlights, in 2022, the Fort Bend County Narcotics Interdiction team made 108 arrests, seized 638 lbs. of marijuana, 399 kilos of cocaine, 119 kilos of meth, and seized over \$2.39 million in assets. These are all significant increases from the previous years, indicating a significant increase in trafficking and the need for interdiction. In 2021, the Fort Bend interdiction team made 90 arrests, seized 158 kilos of cocaine, 25 kilos of meth, and \$3.6 million in assets. In 2020, the Fort Bend interdiction team made 26 arrests, seized 388 lbs. of marijuana, 25 kilos of meth, 41 kilos of cocaine, and \$1.6 million in assets. In 2019, the Fort Bend interdiction team made 40 arrests, seized 40.8 kilos of cocaine, 36 kilos of meth, and \$824,000 in assets. We suspect that Fort Bend's numbers represent a small fraction of the overall criminal activity that travels this pathway.

#### **Existing Capability Levels:**

We currently have a patrol officer working in this capacity on a very limited basis. His primary role and assignment is uniform patrol for the City of Wharton. This officer, due to regular work requirements, is unable to work enough hours to be effective, hence the request for a full-time position. However, we realize the importance of this initiative and are thus seeking this grant. The Wharton Police Department has 12 patrol officers and 3 criminal investigation division detectives. The Wharton County Sheriff's Office has one criminal interdiction position.

#### **Capability Gaps:**

Wharton County is a predominately agricultural county with numerous exempt taxpayers (farmers). Approximately 7% of the county is developed land, and 90% is forest, shrubs, pasture, grasslands, barren lands, and cultivated crops. The median household income is about \$42,555.00, one of the lowest median household incomes in the region. The major cities are Wharton, El Campo, and East Bernard. The City of Wharton has a population of 8,627 (according to the 2020 Census). Wharton County has very limited resources to provide a large interdiction team. Currently, the Sheriff's Office has one filled interdiction officer position that works largely with a Narcotics Task Force out of Victoria, Victoria County, Texas. This project could supply a dedicated interdiction officer to the 10.6-mile stretch of Highway 59 in the City of Wharton, containing a large Bucee's and multiple known meeting points for narcotics and human trafficking and trading.

#### **Impact Statement:**

The objectives of this project include enforcing state laws on the major roadways in Wharton, Texas, with a specific aim at criminal interdiction of narcotics trafficking to/from Houston/Mexico, human trafficking



to/from Houston/Mexico, and money laundering to/from Houston/Mexico. We anticipate this project, a criminal interdiction officer for the City of Wharton, to be a force multiplier for the region. Currently, there are capability gaps between El Campo (another city in Wharton County) and the county line of Wharton County and Fort Bend County (our adjacent county before entering the larger Houston area). The City of Wharton has a 10.6-mile stretch of U.S. Highway 69 (59); this project could supply a dedicated interdiction officer in crucial areas within the City of Wharton, including the large Bucee's gas station, a minor bustling metropolis itself, a known meeting place for narcotic and human trafficking exchanges.

### **Homeland Security Priority Action:**

#### **Goal 1: Prevent:**

1.2.1 Conduct and support integrated multi-agency, multi-jurisdictional investigation to disrupt and dismantle domestic and transnational drug trafficking organizations operating in Texas.

1.2.2 Expand and enhance statewide law enforcement efforts to combat human trafficking, to include joint operations against human trafficking organizations, specific training for agents and officers, and information sharing with public and private partners.

#### **Target Group:**

The target group that is expected to benefit from this project is the City of Wharton, the County of Wharton, and the greater southwest Houston metropolitan area generally.

#### **Long-Term Approach:**

The City of Wharton is dedicated to reinvesting any asset seizures back into this project, such as the purchase of additional license plate readers and future fiscal year salary for the criminal interdiction officer. It is our goal that the full-time criminal interdiction officer will begin to "pay for itself" after a year or two of consistent asset seizure and forfeiture. We would also continue to cooperate with other agencies of local law enforcement. The City of Wharton does not have the funds to continue this project independent of federal or state funds. The City of Wharton is exploring other grant opportunities to cover additional or ongoing expenses that pertain to vehicles, tools, and other equipment.

#### **Activities:**

The criminal interdiction officer will effectively enforce state laws as it relates to human smuggling and human trafficking. The criminal interdiction officer will also enforce state laws as they relate to drug trafficking and support multi-agency and multi-jurisdictional investigations to disrupt drug trafficking.

#### **Measures:**

Equipment or technology: Individuals/operators equipped: 1

Number of adult apprehensions (transferred to USBP custody) made by grant-funded peace officers: 25

Number of arrests (felony) made by grant-funded officers supporting the border initiative: 25

Number of arrests (misdemeanor) made by grant-funded officers supporting the border initiative: 50

Number of minor/juvenile apprehensions (transferred to USBP custody) made by grant-funded peace officers: 10

Number of weapons seized by grant-funded officers supporting the border initiative: 10

Value of all forfeitures (cash and other assets) attributed to grant-funded officers supporting the border initiative: \$10,000.00

**Budget:**

Certified Peace Officer: \$83,140.87

TCOLE Certified Peace Officer (\$63,949.60), with Benefits, Itemized with Cost Based on Percentage of Salary (life insurance 0.46% (\$294.17); health insurance 13.00% (\$8,313.45); workman's compensation 2.77% (\$1,771.40); retirement 6.13% (\$3,920.11) and Social Security/Medicare 7.65% (4,892.14).

Overtime: \$25,000.00

This line item is simply to assist and even supplement the full-time position. This type of work is dangerous, and a degree of safety can be achieved by utilizing a secondary officer in an overtime position.

Training and Travel: \$5,000.00

In-State Registration Fees, Training, and/or Travel.

Vehicle: \$85,000.00

Police / Sheriff Department Vehicle (from a single vendor with law enforcement equipment installed).

Radio/Uniforms: \$6,314.00

Motorola portable radio.

Vehicle Operating Costs: \$5,000.00

Fuel for police unit as well as expected and unexpected maintenance costs.

Total Grant = \$209,454.87

Updated Officer Salary on February 27<sup>th</sup> to include the last 3% raise.

New total for certified peace officer and the new grant total:

Officer: \$80,728.04-\$83,140.87

Grand Total: \$209,454.87

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

**A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING, THROUGH THE OFFICE OF THE GOVERNOR, THE OPERATION LONE STAR GRANT FOR THE WHARTON POLICE DEPARTMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID GRANT.**

**WHEREAS,** The City of Wharton City Council wishes to accept, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department; and,

**WHEREAS,** The purpose of the grant is to enhance interagency border security operations supporting Operation Lone Star, including the facilitation of direct actions to deter interdict criminal activity and detain non-citizen inmates; and,

**WHEREAS,** The grant would be for the time period of September 1, 2024, to August 31, 2025, or one year; and,

**WHEREAS,** Said total of the grant is in the amount of \$209,454.87 with no match from the City; and,

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

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

**SECTION I.** The Wharton City Council hereby accepts, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department.

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

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

**PASSED, APPROVED, and ADOPTED** this 12<sup>th</sup> day of November 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:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council accepting a grant through the Governor’s Office Criminal Justice Division to replace body-worn cameras for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant.
<p>The Wharton Police Department has been awarded a grant through the Governor’s Office – Criminal Justice Division to replace our current body-worn cameras. The cameras the department currently has are nearing the end of life. The new cameras are improved, enhancing operability, especially with the Municipal Court and the District Attorney’s Office.</p> <p>The grant includes purchasing twenty-two (22) body-worn cameras, a new server, maintenance, and warranty, totaling \$56,565.00. There is a 25% match for this grant. If awarded at the max requested, the City’s portion of this grant would be \$14,628.75. This total includes approximately \$11,700.00 (in-kind match) for the trade-in of old cameras, bringing the City’s cash match to approximately \$2,928.75.</p> <p>Chief of Police Terry David Lynch will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			



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

*Wharton Police Department*

**MEMORANDUM**

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To: Joseph R. Pace

Date: 11/5/2024

Ref: Governor's Grant – Body Worn Cameras

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The Wharton Police Department has been awarded a grant through the Governor's Office – Criminal Justice Division to replace our current body-worn cameras. The cameras we currently have are nearing the end of life. The new cameras are improved, enhancing operability, especially with municipal court and the district attorney's office.

We now need council approval to accept the grant. The grant includes the purchase of 22 body-worn cameras, a new server, maintenance, and warranty, totaling \$56,565.00. There is a 25% match for this grant. If awarded at the max requested, the City's portion of this grant would be \$14,628.75. This total includes approximately \$11,700.00 (in-kind match) for the trade-in of old cameras, bringing the City's cash match to approximately **\$2,928.75**.

The grant start date is 9/1/2024 and is for one year.

Please consider placing on the agenda for presentation at the nearest council meeting.

## 2024 Body Worn Camera Grant

### Project Abstract:

The Wharton Police Department looks to deploy 22 body-worn cameras (BWC) to all sworn officers in the department. We anticipate that the initial purchase and setup will cost approximately \$58,515.00. This cost includes the actual body-worn cameras, a transfer station, a raid server for storage, maintenance, license fees, and a warranty. The Wharton Police Department understands that the Office of the Governor BWC Grant will support body-worn cameras for front-line police officers. We have 26 sworn officers in our department, but the Chief, Assistant Chief, Emergency Manager, and Crime Victim Liaison Officer do not typically respond to calls for service or assistance from the public. The Wharton Police Department does currently have a bodycam system (Watchguard); however, all our devices are at the end of their life and need to be replaced. The maintenance costs and downtime for the equipment are increasing and we simply do not have the funds to start over. We are barely able to repair and replace items as they are needed. The initial program was funded through a grant from the Governor's Office. The City of Wharton is just south of Houston and is a direct line from Houston to Mexico. The City of Wharton has a population of approximately 8,600. Overall, the Department's use of force statistics suggests that officers are using force in an appropriate manner. However, we continue to strive to reduce any use of force. The body-worn camera footage is reviewed by a supervisor regularly to ensure policy compliance and general appropriateness, and a second level is then conducted at the command level. The Wharton Police Department seeks to secure funding to provide its officers with the technology needed to perform their jobs safely and effectively.

We have applied through the Criminal Justice (JAG) program to replace and upgrade our existing in-car cameras. We are in the same position with these cameras. They are near the end of their life, and we do not have the funds to purchase new cameras. These were also purchased via a grant through the Governor's office in 2016.

### Problem Statement:

The events in Ferguson, Missouri, Staten Island, and Baltimore, Maryland, over the last few years have strained the relationship between law enforcement and the communities they serve. The Wharton Police Department is committed to building that trust back up with our citizens through community-oriented policing and the use of technology. The goal of this project is to improve and update our current BWC system by integrating the advanced technology of new body-worn cameras. The City of Wharton plans to purchase 26 body-worn cameras for all sworn officers, focusing on the front-line officers and having backups for when their issued BWC goes down. The Police Department will use these body-worn cameras to retain a more accurate assessment of officer and suspect contact. The body-worn camera will instantly capture every point of view in which the officer is facing. Body-worn cameras are worn and utilized by officers and supervisors 100% of the time. All recorded footage will be saved and stored as evidence for at least 90 days. The body camera has been proven to decrease the number of use-of-force incidents, lessen citizen complaints, reduce the time and cost related to use-of-force court cases, and increase officer accountability and public trust. The Wharton Police Department seeks to make the most of the latest video system technology to assist in chronicling incidents where police force is subject to be read.

## Supporting Data:

The Department documented 28 uses of force in 2023, documenting 42 different uses of force. Each use of force incident may involve multiple officers, multiple subjects, and multiple types of force. The suspect was not injured in any of these incidents. Viewing this data from the perspective of a twelve-month period in a city of approximately 8,600 residents, coupled with varying levels of activity by day of week and time of day, the data appears reasonable. Additionally, a supervisor and then a command staff officer review all uses of force, including reviewing body cam footage for policy compliance and general appropriateness.

During the calendar year 2023, the Department investigated 8 formal and informal complaints. These complaints ranged from rudeness to, truthfulness to department vehicle crashes. Again, the command staff believes these numbers appear to be reasonable.

The Wharton Police Department Staff believe that with the continued use of body-worn cameras and the use of newer, improved cameras, these numbers will stay low and help us to foster a better, deeper relationship with our community.

## Project Approach & Activities:

The Wharton Police Department plans to upgrade and continue to implement an effective body-worn camera program to assist with building community trust, reducing the use of force incidents and officer complaints, and as part of our commitment to transparency. The program has dedicated department staff to perform research on body-worn cameras, facilitate field testing of the cameras, develop a body-worn camera policy, and secure body-worn cameras and storage space that will meet or exceed the needs of the BWC program. All staff have received training on the use of the existing cameras and will receive continuing education on the new cameras and new software storage with Texas Commission of Law Enforcement guidelines.

## Capacity & Capabilities:

The Wharton Police Department is more than capable of implementing and sustaining a successful body-worn camera program, as evidenced by our existing program. All our patrol units (vehicles) have "WatchGaurd" in-car cameras. The body cameras we are looking to purchase act as an extension of this in-car unit and supplement these systems. All supervisors and command staff members have been trained in the use of the back-end storage system and have been thoroughly trained in reviewing and retrieving any video footage. Additionally, this camera footage has been used in municipal court cases as well as County and District Courts, aiding in successfully prosecuting defendants.

## Performance Management:

- \* Deploy new body-worn cameras to all officers as soon as the items are purchased and delivered.
- \* Train all staff in any new technology or improvements on the new cameras that are different than what we are currently using.
- \* Train all staff in the storage, review, and retrieval of footage from a cloud-based server. We currently use an on-location server that is nearing capacity.
- \* Continue to collect data on all officer interactions
- \* Continue to conduct routine reviews of all interactions, ensuring policy compliance.
- \* Expected results:
  - + Increased officer performance through accountability.

- + Improved and expedited Use of Force investigations.
- + Improved officer performance through training and proper use of BWC.
- + Decrease in use of force incidents and citizen complaints.
- + Help to improve documentation of encounters between the police and the public.

#### Target Group:

The Wharton Police Department primarily provides services to the residents of the City of Wharton. However, we are routinely called to assist outside our jurisdiction by neighboring cities as well as the Wharton County Sheriff's Department. The City of Wharton is in the United States of America. The city is entirely in Wharton County. As of the latest census, the city has a population of approximately 8,630. 2020 demographics indicate a very diverse population that is spread out throughout the 7.2 square miles. The latest demographics show The City of Wharton has a population of 25% white, 29% black, 44% Hispanic, and 1% Asian.

#### Evidence-Based Practices:

The Rialto Police Department was the first police department in the country to participate in a randomized controlled trial of police body-worn cameras. That study, known as the "Rialto experiment," was first published in 2014. The police profession pushed for the mass rollout of body-worn cameras as a strategy to reduce some of the tensions with minority groups that recently surfaced, as well as to provide much-needed evidence on police-public encounters.

The Rialto Experiment provided evidence of the benefits of body-worn cameras in three major ways: the study suggested that using body-worn cameras causes a reduction of about 50% in the use of police force compared with control conditions. It also suggested a dramatic reduction in complaints lodged against Rialto police officers compared with the year prior to the experiment. Finally, the study suggested that the benefits of the equipment justify the costs.

The Rialto study suggests that when officers and citizens are aware that their actions are being recorded, their behavior is modified. The result is that both may be less likely to engage in the type of conduct that leads to complaints. The use of BWC by the Wharton Police Department is expected to yield similar results. Moreover, the presence of BWC has the potential to foster a culture of more polite and respectful interactions between the police and the public.

#### Activities:

Purchase and assign 22 body-worn cameras to officers to assist them in performing their duties. Officers would utilize body-worn cameras to record all interactions with the public to safeguard all parties involved. Body worn cameras serve as a deterrent against fraudulent complaints on officers while at the same time cutting down on possible officer misconduct. This same footage would then help with the investigation and successful prosecution of reported crimes.

#### Budget:

22 Watchguard V700 body-worn cameras (Verizon ready) (\$28,380.00). We have a total of 26 sworn officers, but the Chief, Assistant Chief, Emergency Manager, and Crime Victim Liaison Officer do not typically respond directly to calls for service or assistance from the public. V300 Transfer station (1)



(\$1,495), V300 USB dock (22) (\$4,400), V300 in Wi-fi base (10) (\$5,450), V300 locking Molle mount (22) (\$0), V700 battery (22) (\$0), HDD raid server (1) (\$11,095). Remote Deployment, configuration and project management (1) (\$2,200), HD Video Manager video storage (12 TB) (\$9,720), Integration Manager (1) (\$0), On-site/premise site license key (1) (\$1,000), Extended rack server warranty (1 year) (\$235), Body worn camera annual license fee (1 year) (22) (\$4,290), Video manager in-car annual license and support fee (10) (1 year) (\$1,950). Trade-in of old body cameras (-\$11,700 credit) (In-Kind Match). The trade-in would happen at the onset of this project and would be completed as the purchase of the new units is being conducted.

See attached quote.

Total Grant: \$56,565.00

OOG Funds: \$41,936.25

Cash Match: \$2,928.75

In-Kind Match: \$11,700.00 (Trade-In of old cameras)

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

**A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A GRANT THROUGH THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION TO REPLACE BODY-WORN CAMERAS FOR THE WHARTON POLICE DEPARTMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID GRANT.**

**WHEREAS,** The City of Wharton City Council wishes to accept a grant from the Governor's Office Criminal Justice Division to replace current body-worn cameras; and,

**WHEREAS,** The total amount of said grant is in the amount of \$56,565.00 and requires a 25% match or \$14,628.75; however, there is an in-kind match for the trade-in of the cameras that would bring the City's match to approximately \$2,928.75; and,

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

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

**SECTION I.** The Wharton City Council hereby approves the grant from the Governor's Office Criminal Justice Division to replace current body-worn cameras.

**SECTION II.** The City designates the Mayor as the person authorized to sign all forms related to the grant.

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

**PASSED, APPROVED, and ADOPTED** this 12th day of November 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:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the submission of an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.
<p>The Wharton Police Department is requesting to submit an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the purpose of catalytic converter theft aversion. This grant would provide for the installation of five (5) additional Flock Cameras to be used in conjunction with the nine (9) units that are currently in use. This means that there will be a total of fourteen (14) additional sets of eyes working 24/7/365. It is a force multiplier for the safety and security of our community.</p> <p>The total for the grant is \$21,250.00. The breakdown is as follows:</p> <ul style="list-style-type: none"><li>• Recurring Annual: \$15,000.00</li><li>• City Match: \$3,542.00</li><li>• Total Grant Request: \$21,250.00</li></ul> <p>The cost of this project for the first year is \$21,250.00. It is a 20% match. After one year, it will be an annual \$15,000.00 recurring cost.</p> <p>The Department has been advised by Flock Safety that there is a potential opportunity for all 14 units to be covered by an additional grant in the amount of \$40,000.00 (9-\$25,000.00 &amp; 5-\$15,000.00).</p> <p>Chief of Police Terry David Lynch will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			



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

*Wharton Police Department*

**MEMORANDUM**

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To: Joseph R. Pace

Date: 11/05/2024

Ref: FY25 Flock Safety – Automated License Plate Reader (ALPR) Network  
SB224 Catalytic Converter Theft Grant

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We have been provided the opportunity to apply for another Flock Safety Grant for the purpose of Catalytic Converter Theft Aversion. This grant would provide for the installation of 5 additional Flock Cameras, to be used in conjunction with our 9 additional units that are currently in use.

The total for grant request is in the amount of \$21,250.00. The breakdown is as follows:

- Recurring Annual: \$15,000.00
- City Match: \$3,542.00 (covered via PD funds)
- Total Grant Request: \$21,250.00

The cost of this project for the first year is \$21,250.00. **It is a 20% match.** After one year, it will be an annual \$15,000.00 recurring cost.

This means that we will have a total of 14 additional sets of eyes working 24/7/365. **It is a Force Multiplier for the safety and security of our community.**

We have been advised by Flock Safety that there is a potential opportunity for all our 14-unit recurring costs of \$40,000.00 (9-\$25,000.00 & 5-\$15,000.00) to be covered via an additional grant.

Please consider placing this project on the agenda for presentation to the council.

## Senate Bill 224 Grant Application for 2025

Request for Application (RFA)Primary Agency / Grantee Legal Name: *City of Wharton*Organization Type: *Law Enforcement*Organization ORI (if applicable): *TX2410200: WHARTON PD***Program Title** Please enter a short description of the proposed program that can be used as the title.**Wharton LPR Program****Application Category** (See **Request for Applications [RFA]** for category details and descriptions RFA Priority Funding Section):

- ☐ **Continued Grant** - Only available to agencies that have a 2024 grant. These are annual competitive grants for the program described in the application. The program must be submitted for substantially the same program as the previous year. The requested funds, match funds, and in-kind match must be within 5% of the previous year but in any event may not go below the 20% minimum cash match requirement. The number of staff positions must be within 5% of the total positions. Awarded activities are funded on a reimbursement basis.
- ☐ **Modified Grant** - Only available to agencies that have a 2024 grant. The grantee will only enter the portion with a difference more or less than 5% of their current grant. These are annual competitive grants that require a minimum cash match of 20% for the program described in the application. Awarded activities are funded on a reimbursement basis

**MVCPA Program Category** (see **RFA** and **TAC 43, 3 §57.14**). Check all that apply.

- ☒ **Law Enforcement, Detection and Apprehension**
- ☐ Prosecution, Adjudication and Conviction
- ☒ **Reduction of the Theft of Catalytic Converters**
- ☐ Education Programs and Marketing

**Taskforce Grant Participation and Coverage Area****Provide a General Description of the Participating and Coverage Area of this Grant Application**

Coverage area includes the City of Wharton as well as access points into the city.

**Define in the tables below the grant relationships and geographic area of the Catalytic Converter program:**

Applicant will add the participating and coverage agencies from the ORI list below. If an agency is not in the ORI list, please include the agency and role in the general description above. Make sure to follow the definitions below and select an agency in the dropdown. Use the *Add as Participating Agency* or *Add as Coverage Agency* button to populate the list.

**Participating Agencies** are agencies that materially participate in the grant application through the exchange of funds for reimbursement and cash match. Participating agencies are defined after the grant award by interlocal/interagency agreements. Each applicant must select their own agency first. Then select agencies that will receive or provide funding and/or resources. [Note: Interlocal/interagency agreements do not need to be submitted with the application. Interlocal agreements will need to be executed prior to the first payment being made if selected for a grant. Letters of support with the application from the participating agencies are strongly recommended.]

**Coverage Agencies** are agencies that provided some level of coverage, assistance or support by this grant application but will not materially exchange funds as cash match or reimbursement. The coverage is not supported by an after the award with interlocal/interagency agreements. Coverage agencies as law enforcement agencies may have jurisdictional coverage agreements unrelated to the grant (Ex. City Y is within County X or vice versa). Agencies selected in this list include agencies that will be covered or where the agency indicates that their agency will coordinate or call upon the program. Letters of support with the application from the participating agencies are strongly recommended.

**Participating Agencies****Coverage Agencies**

☐ **Other Coverage** (Use if ORI not listed or explanation is necessary.):  
No text provided.

- ☐ **National Insurance Crime Bureau (NICB)** Used as Match (Documentation and time certification required.)
- ☒ **Texas Department of Public Safety (DPS)**
- ☐ **Other State or Federal Agency** (specify:)

**Resolution:** Complete a Resolution and submit to local governing body for approval. *Sample Resolution* is found in the Request for Application or send a request for an electronic copy to [grantsMVCPA@txdmv.gov](mailto:grantsMVCPA@txdmv.gov). The completed and executed Resolution must be attached to this on-line application.

#### Grant Budget Form

MVCPA recommends that the applicant complete the total costs (MVCPA and Cash Match combined) for this program. The applicant can then enter the desired amount of Cash Match (not less than 20% per TAC Title 43, Â§57.36). The system will then calculate the correct grant and match amounts.

#### Budget Entry Option:

- ☒ Enter Total and let system calculate MVCPA Funds and Cash Match, Match Percentage: 20%
- ☐ Enter MVCPA and Cash Match Amounts

Click on category name to edit budget detail for that category.

Budget Category	MVCPA Expenditures	Cash Match Expenditures	Total Expenditures	In-Kind Match
Personnel				
Fringe				
Overtime				
Professional and Contract Services				
Travel				
Equipment				
Supplies and Direct Operating Expenses (DOE)	\$17,708	\$3,542	\$21,250	
Total	\$17,708	\$3,542	\$21,250	
Cash Match Percentage		20.00%		

Description	Subcategory Pct Time	MVCPA Funds	Cash Match	Total	In-Kind Match
Personnel					
Total Personnel					
Fringe					
Total Fringe					
Overtime					
Total Overtime					
Professional and Contract Services					
Total Professional and Contract Services					
Travel					
Total Travel					
Equipment					
Total Equipment					
Supplies and Direct Operating Expenses (DOE)					
Installation of 5 cameras (1)		\$5,208	\$1,042	\$6,250	
Use of 5 Flock Falcon cameras (1)		\$12,500	\$2,500	\$15,000	
Total Supplies and Direct Operating Expenses (DOE)		\$17,708	\$3,542	\$21,250	



**F. Equipment**

The equipment totals above include five (5) Flock Safety Falcon LPR cameras and the installation of all cameras.

**Revenue**

Indicate Source of Cash and In-Kind Matches for the proposed program. Click on links to go to match detail pages for entry of data.

**Cash Match****Source of Cash Match**

General Fund

Grantee

\$3,542

**Total Cash Match**

\$3,542

**In-Kind Match****Statistics to Support Grant Problem Statement**

Reported Cases	2023	2024
Jurisdiction	Catalytic Converter Theft	Catalytic Converter Theft
City of Wharton	2	0

*Add/Edit Statistics***Application Narrative****Grant Introduction (Executive Summary) and General Information**

1.1 Briefly describe the organization and program operation. Provide a high level summary to the application and how it will affect the local community. (500 words or less)

The Wharton Police Department is a full-service police department in Wharton County. In 2023 the department installed 9 Flock LPR cameras to aid in the apprehension of suspects committing crimes in our city. These cameras have led to a number of arrests and assisted our criminal investigation unit in investigating crimes, arrest suspects and locate persons of interest. The Wharton Police Department seeks to secure funding to provide its officers the technology needed to perform their jobs safely and effectively. The Wharton Police Department looks to purchase and deploy 5 additional Flock LPR cameras. We anticipate that the initial Purchase and setup will cost approximately \$21,250.00. This cost includes the Flock Safety Falcon camera as well as the installation of all cameras.

1.2 Describe the taskforce governing, organization and command structures. Include a description of the nature of support and agreements that will be in place if the grant is awarded. Provide any details unique to the taskforce organization or geographical target area. Describe whether any part of this grant will be directed to serve a specific target population (or subset of the community)?

The police department will administer the grant with the coverage area being within the city limits of Wharton. A police Lieutenant will serve as the administrator of the program and will direct enforcement activities. The City of Wharton is just south of Houston and includes US Highway 59 and is a direct line from Houston to Mexico. As of the latest census, the city has a population of approximately 8,630. 2020 demographics indicate a very diverse population that is spread out throughout the 7.2 square miles.

**Grant Problem Statement**

2.1 Provide an assessment of the Catalytic Converter Theft problem in the coverage area of this application. Include loss data consistent with the reported incident numbers above.

The police department's coverage includes a number of shopping centers, to include Walmart and Bucees, hotel and apartment complexes and the Wharton ISD school district. Over the last three years we have had 26 incidents of catalytic converter theft. In a city of only 7 square miles and a population of roughly 8,600 that number is large.

**Grant Goals and Activities**

There are two parts to this section: 1) Functions of Proposed Program and 2) Goals Strategies and Activities (GSA). In the following boxes, describe the functions of the proposed program and then complete a fillable form called GSA.

MVCPA programs must completely describe the actions, methods and tactics that law enforcement and civilian staff will perform for each of the categories below. Describe the reliance on technology or other program elements to solve the problem statement above and goals below. Functions must be detailed and consistent with the requested budget. If a grant is awarded, funds expended towards activities not described in this section will result in the reimbursement being denied.

**Part 1**

3.1 Functions of the proposed program related to Catalytic Converter Theft from a motor vehicle.



Our program has a goal of using the LPR cameras to reduce and prevent incidents of catalytic converter theft within the city. department will utilize intelligence bulletins and other data to create a hotlist of automobile and catalytic converter theft suspects. Information will be loaded in the Flock system enabling officers to quickly identify these suspects and assist our detectives in investigating these crimes.

Item-11.

### 3.4 Functions of the proposed program related to preventing Catalytic Converter Theft

The installation of additional LPR cameras will alert officers to the presence of theft suspects and/or stolen vehicles.

### 3.6 Collaboration Effort -- Describe the taskforce method to collaborate, and not duplicate existing activities. Describe the cross boundaries regional approach to grant activity implementation. Describe how the applicant staff and jurisdiction will coordinate with other taskforces and law enforcement agencies to implement this program.

The department will share LPR hits with all surrounding agencies. The Wharton Sheriff's Department and the City of El Campo also have LPR cameras to assist, County wide.

### 3.7 If the proposed application requests any exceptions or deviation from any general grant rules, RFA conditions or grant administrative policy, please indicate in the section below. Indicate the section of the specific issue and citation that you are asking the MVCPA to consider and the rationale for the request.

N/A

## Part II

### Goals, Strategies, and Activities

Select Goals, Strategies, and Activity Targets for the proposed program described in the application.

Click on the link above to open a new table called Goals, Strategies, and Activity. Applicants will review the statutory and optional activities. The first section is the statutory measures. Grantees may not provide targets for this section but need to review the descriptions to ensure that they understand the statutory minimum requirements associated with this grant. Applicants will then review the other items and estimate targets for only the activities that the applicant has described and plans to complete under this application.

ID	Activity	Measure	Target
<b>Measures for Grantees. Add Target values for those that you will measure.</b>			
1	<b>Goal 1: Reduce the Incidence of Catalytic Converter Theft through Enforcement Strategies</b>		
1.1	<b>Strategy 1: Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Catalytic Converter Theft</b>		
1.1.1	Identify groups of catalytic converter theft offenders through intelligence gathering, crime analysis and the use of informants	Number of catalytic converter theft groups identified. Include gangs, cartels or other criminal enterprise with two or more members	2
1.1.2	Identify and document/record prolific Catalytic Converter Theft offenders [Prolific is defined as "linked to Catalytic Converter Theft offenses three or more times"]	Number identified/documented offenders	2
1.1.5	Conduct inspections of local businesses related to vehicle enterprise (transportation code or occupation code authorized companies such as salvage yard, repair shop, parts recycling center, used car dealership, salvage rebuilder, title service company, other).	Number of businesses inspected	0
1.1.6	Conduct bait vehicle operations that target Catalytic Converter Theft offenders	Number of bait vehicle deployments. Include Catalytic Converter Theft bait operations here.	0
1.1.8	Deploy license plate readers (LPR)	Number of times LPR deployed. Deploy: If stationary unit then total number of days or partial days unit was operable and on. Mobile unit number of days the unit was on and operable.	365
1.1.9	Respond to taskforce license plate reader (LPR) alert notifications	Number of times investigators responded to taskforce LPR alert notifications regardless of whether vehicle was located	25
1.1.12	Conduct covert operations targeting Catalytic Converter Theft offenders	Number of covert operations	1
1.1.13	Conduct warrant "round-up" operations targeting catalytic converter crime offenders, including people wanted for Catalytic Converter Theft	Number of warrant round-up operations performed Catalytic Converter Theft	0
1.1.15	Increase the recovery rate of stolen motor vehicle Catalytic Converter	Report the number of Catalytic Converters recovered by taskforce	



ID	Activity	Measure	Item-11.
	Theft		
1.1.16	Increase the clearance rate of Catalytic Converter Theft	Report the number of Catalytic Converter Theft cases cleared	2
1.1.17	Increase the number of persons arrested for Catalytic Converter Theft	Report the number of persons arrested for Catalytic Converter Theft by taskforce	2
1.2	<b>Strategy 2: Conduct Collaborative Efforts that Result In Reduction of Incidents of Catalytic Converter Theft</b>		
1.2.1	Provide Agency Assists for Catalytic Converter Theft	Number of agency assists related to catalytic converter theft. <b>Assist means responding or answering questions via phone, e-mail, or in person. Providing recommendation, guidance, strategy, support or information that other LEOs will use to resolve their cases. The assist generally does not have the direct responsibility for an investigation nor uses LEO authority. The assist helps another LEO or agency investigate cases. Analysts and civilian employees will record their assists to outside LEOs and agencies met here along with officers.</b>	2
1.2.2	Collaborate with other units or divisions (i.e. homicide, vice, narcotics, etc.) within the taskforce department(s) where there were crimes involving catalytic converter theft. Include all participating jurisdiction departments here.	Number of times collaborated within departments or SOs participating in taskforce related to Catalytic Converter Theft. Collaboration means physically using law enforcement resources, tactics and authority to perform activity on cases that draw upon or aid in the investigation intended to further the resolution of any case, identify parties to crime, identify vehicles, interview witnesses/suspects and apprehend suspects. Collaboration will include any help, recommendation, contribution or support requested from or provided to another unit or offered by the taskforce that aids in the furtherance of Catalytic Converter Theft investigations.	1
1.2.3	Collaborate with all other outside LE agencies and other organizations that assist in the reduction of Catalytic Converter Theft. Include all coverage jurisdictions here	Number of times collaborated with coverage area agencies or other law enforcement agencies and organizations that assist in the reduction of Catalytic Converter Theft. Collaboration means physically using law enforcement resources, tactics and authority to perform activity on cases that draw upon or aid in the investigation intended to further the resolution of any case, identify parties to crime, identify vehicles, interview witnesses/suspects and apprehend suspects. Collaboration will include any help, recommendation, contribution or support requested from or provided to another unit or offered by the taskforce that aids in the furtherance of Catalytic Converter Theft investigations	1
1.2.5	Conduct intelligence information-sharing (Personal attendance)	Number of intelligence meetings attended ( <b>include attending as presenter, participant or attendee</b> )	2
1.2.6	Conduct intelligence information-sharing (Written information)	Crime analysis bulletins disseminated ( <b>include information distributed to law enforcement agencies via text, e-mail, or intra-net communications</b> )	2
1.2.7	Collaborate with other MVCPA taskforces	Number of times collaborated with other MVCPA taskforces that assist in the reduction in Catalytic Converter Theft	1
3	<b>Goal 3: Educate/Train Citizens and Qualified Personnel in Detection and Prevention of Catalytic Converter Theft</b>		
3.1	<b>Strategy 1: Conduct Public Awareness Related Activities Used to Educate Citizens</b>		
3.1.1	Conduct educational outreach events (include trade show, exhibits, booths at community events, vehicle displays, brochures, etc.)	Number of outreaches	0
3.1.2	Conduct educational presentations to the public	Number of presentations. Presentation means in person, on-line, original written document, article, or webpage.	0
3.1.4	Conduct vehicle identification initiative/event	Number of etching events. Including catalytic converters.	0
3.1.4.1	Conduct vehicle identification initiative/event	Number of Participants/Attendees Catalytic Converters Marked)	0
3.1.5	Purchase advertisements in local outlets	Number of advertisements purchased or provided complimentary for taskforce. Include all types of media purchased or provided free (social, tv, utility inserts, billboards, transportation, etc.)	0
3.1.7	Utilize social media outlets (Facebook, Twitter, Instagram, etc.)	Number of postings in social media outlets	0
3.1.8	Deploy outdoor public notification signage	Number of deployments per month (if sign remains several months, count as 1 deployment per month)	0
3.1.10	Conduct media outreach, including, public service announcements, press releases, and interviews	Number of outreaches	0
3.2	<b>Strategy 2: Conduct Law Enforcement Training Activities to Educate Officers on Recognition and Apprehension of Stolen Vehicles and Property</b>		
3.2.1	Conduct law enforcement training (TCOLE)	Number of classes provided for TCOLE credit	1
3.2.3	Conduct vehicle crimes presentations to law enforcement agencies (non	Number of classes or presentations. Presentations may include electronic roll call documents, shift BOLOs and other written or presented materials based on	1

TCOLE)

practices.

**Grant Evaluation**

- 4.1 Describe the local method and/or practice used to collect the data for reporting Goals, Strategies, and Activities and to evaluate the grant program effectiveness. Describe management and staff participation. Include descriptions of systems (forms and software) that will be used to ensure reliable and accurate data is collected and reported. Describe any other evaluation methods used in the applicant agency to determine effectiveness or cost efficiency of the program.

The Wharton Police Department intends to conduct activities that result in the arrest, clearance, prevention and recoveries of catalytic converter theft. The department will collect monthly data using RMS data and arrest/incident reports and use the information to complete a monthly grant activities report. We will also track the number of hours used to conduct grant-related activities. A Lieutenant will be responsible for collection of this data. We will educate our officers in the detection and prevention of catalytic converter theft. The department will also train officers in the use of license plate reader technology.

- 4.2 Provide any other suggested measures that would better reflect the law enforcement or prevention work that the proposed program will perform. If the suggested measure fits into one of the stated goals above please indicate.

N/A

**TxGMS Standard Assurances by Local Governments**

- ☒ We acknowledge reviewing the *TxGMS Standard Assurances by Local Governments* as promulgated by the Texas Comptroller of Public Accounts and agree to abide by the terms stated therein.

Print

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## MOTOR VEHICLE CRIME PREVENTION AUTHORITY



### **Fiscal Year 2025 Request for Applications, 2<sup>nd</sup> Solicitation – SB 224 Catalytic**

#### **Converter Grant**

**September 16, 2024**

### **Notice of Request for Applications**

The Motor Vehicle Crime Prevention Authority (MVCPA) has authorized the issuance of the Fiscal Year 2025 (FY 2025) **Request for Applications (RFA)**. Senate Bill 224 provides that, “The money deposited to the credit of the general revenue fund for coordinated regulatory and law enforcement activities intended to detect and prevent catalytic converter theft in this state... may be appropriated to the Authority for the activities required by this section.” To implement SB 224, the MVCPA is providing grants to local law enforcement taskforces and agencies to combat Catalytic Converter Theft. Eligible applicants may request funds for program operation by submission of an application consistent with the information, including the requirements and conditions stated in this RFA. This RFA is posted in the Texas Register for at least thirty (30) days prior to the due date for Applications.

All applications submitted will be for FY 2025. If awarded an FY 2025 SB 224 Catalytic Converter Grant, the MVCPA may provide a FY 2026 grant subject to availability of funding and grantees’ positive program performance. The MVCPA may use the same FY 2025 application and prorated budget values as originally submitted for the additional period. Any ongoing program (scope) changes or budget changes will be submitted by grantees through the grant adjustment process after the creation of the second-year grants.

### **Due Date**

Grant Applications from eligible applicants must be completely submitted on-line at <https://MVCPA.tamu.edu> on or before **5:00 PM, November 12, 2024. First**

**time applicants must establish an account and perform account setup steps prior to an application being able to be submitted.**

The required Resolution and any optional supporting documents must be scanned and submitted as attachments to the application at <https://MVCPA.tamu.edu> on or before **5:00 PM, November 12, 2024.**

### **Applicable Authority and Rules**

Motor Vehicle Crime Prevention Authority grant programs are governed by the following statutes, rules, standards, and guidelines:

- Texas Transportation Code Chapter 1006  
(<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.1006.htm>)
- Texas Administrative Code (TAC): Title 43; Part 3; Chapter 57  
([https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=3&ti=43&pt=3](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=43&pt=3))
- Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts  
(<https://comptroller.texas.gov/purchasing/grant-management/>)
- The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and any subsequent adopted grantee instruction manuals  
([https://www.txdmv.gov/sites/default/files/body-files/MVCPA\\_FY20\\_Grant\\_Admin\\_Manual.pdf](https://www.txdmv.gov/sites/default/files/body-files/MVCPA_FY20_Grant_Admin_Manual.pdf))
- This Request for Applications issued on **September 16, 2024.**

### **Eligible Applicants.**

Only Texas law enforcement agencies through their city or county are eligible to apply for the FY 2025 SB 224 Catalytic Converter Grant funding.

### **Application Category**

New Grant – These are potentially annual grants subject to available legislative funding. A 20 % Cash Match is required for this application. Applicants meeting

the eligibility requirements may submit a new grant application to the priority established by the MVCPA in the FY 2025 RFA. New applicants shall email MVCPA at GrantsMVCPA@txdmv.gov from an official governmental agency email account to request an account and that access be established.

### **Grant Type**

Reimbursement – This is a total program budget reimbursement grant. Applicants that are awarded grants will expend local (agency) funds and then will be reimbursed quarterly, subject to compliance with standard and special conditions as contained in the Statement of Grant Award (SGA), at the agreed rate for all allowable, reasonable, and necessary program costs incurred.

### **Grant Term**

The FY 2025 grant cycle is a one (1) year funding cycle to begin on **Signing Date of Resolution by Authorized Official, 2024, and end August 31, 2025**. Subject to availability of funding and grantees' positive program performance the MVCPA may provide a FY 2026 grant using the same on-line application systems and prorated budget values as originally submitted. No obligations or expenses may be incurred or made outside of the grant period(s).

### **Method of Application**

Grant Applications from eligible applicants shall be submitted on-line at <https://MVCPA.tamu.edu> **on or before 5:00 PM, November 12, 2024**. All forms will be completed on-line. The Resolution and all supporting documents must be submitted as attachments.

### **Resolution Required**

A Resolution (Order or Ordinance) by the applicant governing body is required to make application for these funds. The resolution shall provide that the governing body applies for the funds for the purpose provided in statute (SB 224 and this RFA) and agrees to return the grant funds in the event of loss or misuse and

designate the officials that the governing body chooses as its agents to make uniform assurances and administer the grant if awarded.

Only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions in multi-agency taskforces shall agree and commit to the grant through Interlocal Cooperation Contract or agreements as provided under Texas Local Government Code Chapter 362, Texas Government Code Chapter 791, and TxGMS.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff or other official, then applicants must submit on-line a copy of the delegation order (documentation) along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

### **Program Category**

To be eligible for consideration for funding, a law enforcement taskforce grant application must be designed to support one or more of the following MVCPA program categories (43 TAC §57.14):

**Law Enforcement, Detection, and Apprehension** - provide financial support to law enforcement agencies for catalytic converter theft and crime enforcement teams (referred to as taskforces). Taskforces will develop organized methods to combat catalytic converter theft through the enforcement of applicable law. This may include recovery of vehicles, clearance of cases, arrest of law violators, and disruption of organized motor vehicle crime. This category includes development of uniform programs to prevent stolen catalytic converters from entering Mexico or being removed from Texas through outbound seaports.

**Prosecution/Adjudication/Conviction** - provide financial support for taskforces to work with prosecutors and the judiciary to implement programs designed to reduce the incidence of catalytic converter theft.

**Prevention, Anti-Theft Devices and Automobile Registration** - provide financial support for taskforces to work with organizations and communities to reduce the incidence of catalytic converter theft. The application shall demonstrate how financial support will assist motor vehicle owners to reduce catalytic converter theft.

**Reduction of the Sale of Stolen Vehicles or Parts** - provide financial support for taskforces to work with businesses, organizations, and communities to reduce the sale of catalytic converters. Applicants will develop organized methods to combat the sale of stolen catalytic converters using any of the following: vehicle identification number (VIN) inspections; inspections of motor vehicle part and component distribution enterprises; parts labeling and etching methods; and means to detect the fraudulent sale of stolen catalytic converters.

**Educational Programs and Marketing** – provide financial support for taskforces to work with individuals, businesses, organizations, and communities to assist motor vehicle owners in detecting and preventing catalytic converter theft. Develop and provide specialized training or education program(s) to the public on detecting and preventing catalytic converter theft, law enforcement on interdiction and prosecution, and government officials on detecting and preventing catalytic converter theft in this state.

### **Priority Funding**

The MVCPA enabling statute provides that “The authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, and the number of fraud-related motor vehicle crimes committed in the state rather than based on geographic distribution.” (TTC Section 1006.151(c); SB 224). In addition, the following grant features will be given priority consideration in evaluating new grant applications:

**Continuing Funded Programs in Compliance with MVCPA Grant**

**Conditions** - Applications that provide for the continuation of existing programs that currently meet the program and fiscal reporting conditions of the MVCPA grant program. Applicants must provide the ongoing need and their progress and impactful performance toward detecting and preventing catalytic converter theft.

The applicant must describe the experience and qualifications of investigators used in the program and how utilization of grant inventory and resources for continued operation of these specialized investigative grant programs are useful for state and local governments.

**Programs to Combat Organized Catalytic Converter Crime –**

Applications for detecting and preventing catalytic converter theft enforcement teams that introduce, increase, or expand efforts to detect and prevent theft of catalytic converters by organized crime.

**Border and Port Security** – Applications that provide specific initiatives to identify and prevent stolen catalytic converters from crossing the border with Mexico using automatic license plate readers, training of local state and federal personnel in the identification of stolen vehicles, and bridge and port inspections.

**Use of Technology** – Applications that incorporate automatic license plate reader programs, surveillance equipment, and other uses of technology to increase the number of stolen catalytic converters recovered and the number of persons arrested for catalytic converter crimes.

**Theft of Parts from a Motor Vehicle** – Applications that incorporate a reasonable, objective plan to combat and prevent the theft of catalytic converters.



**Dedicated Prosecutors** – Applications that incorporate a dedicated prosecutor to increase the priority of catalytic converter theft prosecutions and decrease the number of repeat offenders through successful and timely prosecution efforts.

### **Supporting Documents**

Documents that provide evidence of local support or commitment from other officials or agencies for the application may be submitted following the same instructions as the Resolution. Interagency agreements shall be submitted prior to payments being authorized if an award is made. MVCPA recommends that interagency agreements be completed after award determinations are made to ensure correct amounts are reflected in those agreements. All interagency agreements must meet the conditions and elements required in the TxGMS.

### **Supplanting Prohibited**

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state, or local funds that otherwise would be available for the same purposes (43 Texas Administrative Code §57.9). Supplanting means the replacement of other funds with MVCPA grant funds. This shall include using existing resources already available to a program activity as cash match.

**NICB** – Applicants may enter into formal agreements with the National Insurance Crime Bureau (NICB) to work on grant funded activities. The amount of salary and other direct costs related to the work on grant activity provided by the NICB may be reported. Time certifications are required to be made by the employee for these positions as required by TXGMS.

### **In-Kind Match**

Only include in-kind match if necessary for the local jurisdiction. In-kind match may be used to: 1) reflect the total level of jurisdictions' effort/costs to combat catalytic converter theft; 2) reflect how the grant program fits into jurisdictions' operation; 3) effectively operate a single program with multiple funding streams;

and/or 4) contributions from the applicant or third parties that are for grant funded activity. Costs in detail line items shall not be split between in-kind match and grant funding. For example, the entire salary of an officer shall be placed in one expense type rather than split between grant and in-kind.

### **Reporting and Webinar Attendance Requirements**

Applicants that are awarded grants will be required to provide:

**Quarterly Progress Reports** - The MVCPA requires the submission of quarterly progress reports to demonstrate progress toward meeting goals and activities provided in the grant application. These include: 1) Monthly progress toward meeting statutorily required performance measures; 2) Monthly progress recorded on the Goals, Strategies and Activities report; and 3) Quarterly Summary and Success section. Grantees designated as Border/Port Security grants are required to complete additional sections required by the Texas Legislature.

**Quarterly Financial Reports** – Reports of actual expenses incurred are required to request funds. All expenditures must be in accordance with local policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed, and maintain documentation that is accurate and complete. All expenses must be supported by appropriate documentation.

**Webinar Attendance:** One grant financial representative from the applicant agency is required to attend a monthly session via teleconference or webinar that includes information on MVCPA grant administration.

One law enforcement officer is required to attend the information sharing and networking sessions on a monthly session via teleconference or webinar that includes law enforcement issues and other MVCPA issues critical to the successful operation of MVCPA taskforces.

## **Funding Requirements and Conditions:**

**State Funds Availability** – All awards by the MVCPA are subject to availability of state funds.

**Right of Refusal** – The Authority reserves the right to reject any or all the applications submitted.

**Awards** – Publishing the RFA does not legally obligate the Authority to fund any programs.

**Partial Funding** – The Authority may choose to offer funds for all, or any portion of a program submitted in an application.

**Substitution** – The Authority may offer alternative funding sources, special conditions, or alternative program elements in response to submitted Applications.

**Application Required** – Registration for on-line access is required. The MVCPA is not responsible for applicants that cannot complete the registration and application process on time.

**No Alternative Application Submission** – Paper applications and requests for funding are not accepted in lieu of the on-line grant application process.

**Review Criteria** – Authority staff and any designated MVCPA Board member(s) will review each grant using subjective and objective tools and comparative analysis. The weight given to each section or combination of sections is at the sole discretion of the Authority.

**Questions and Clarification** – During the review period, the applicant may be contacted by Authority staff to answer questions or to seek clarification regarding information provided in the application. Failure to promptly respond will not disqualify an applicant, but information that is submitted after the review period may not be considered.

**Final Selection** – The Authority may select and award programs that best meet the statutory and legislative purposes of SB 224 and that reflect its current priorities. No appeal may be made regarding the Authority's decisions.

**Changes in Application** – If an applicant proposes changes to be made in the program type or participation of jurisdictions after an award is determined, then the Authority will review the changes and may make modifications (including the amount) or cancel the award as deemed appropriate by the Authority.

**Delayed Start** – An applicant that is awarded a grant and does not begin operations within 30 days of the issuance of the Statement of Grant Award is considered terminated.

**Application instructions** – the MVCPA will provide additional details and instructions in the on-line application system that are incorporated by reference as part of this RFA and which must be followed during the application and award process.

**Program Income** – is defined in the TxGMS. Current grantees carrying forward program income to future years will follow the new rules established by the Texas Comptroller and MVCPA Grant Administrative Manual.

**TCOLE Certifications Required** – All law enforcement agencies regulated by Chapter 1701, Occupations Code must certify that they are in compliance with the Texas Commission on Law Enforcement standards or provide a certification from the Texas Commission on Law Enforcement that states that the requesting agency is in the process of achieving compliance with said rules.

#### **Selection Process:**

Eligible applications will be reviewed. Grant award decisions by MVCPA are final and not subject to judicial review.

Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified within ten (10) working days after the due date.

#### **Application Workshop**

**Potential applicants are requested to attend the on-line “Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant Application Workshop” which has been scheduled for: Wednesday November 20, 2024 (1:30 PM to 3:00 PM). Join by using the following links:**

**THIS MEETING WILL BE HELD REMOTELY VIA MICROSOFT TEAMS MEETING**

Join on your computer, mobile app or room device.

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_M2lwNjI4MWYtNTQxYy00YTM5LTlkMTUtYWU2YTY2YzUzZWx%40thread.v2/0?context=%7b%22Tid%22%3a%2272719f70-3533-46b3-9456-ec1235143768%22%2c%22Oid%22%3a%22a810f53f-9b01-49b0-9a51-e2652a0e7c64%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2lwNjI4MWYtNTQxYy00YTM5LTlkMTUtYWU2YTY2YzUzZWx%40thread.v2/0?context=%7b%22Tid%22%3a%2272719f70-3533-46b3-9456-ec1235143768%22%2c%22Oid%22%3a%22a810f53f-9b01-49b0-9a51-e2652a0e7c64%22%7d)

Meeting ID: 299 797 027 424

Passcode: 5nydFF

Download Teams (<https://www.microsoft.com/en-us/microsoft-teams/download-app>)

Join on the web (<https://www.microsoft.com/microsoft-teams/join-a-meeting>)

### **Or call in (audio only)**

+1 737-787-8456,, 138752901# United States, Austin

Phone Conference ID: 138 752 901#

### **MVCPA Application Checklist**

Each Applicant must:

- 1) Complete the on-line Application on or before **5:00 PM, November 12, 2024.**
- 2) Complete the Resolution with the city or county and attach with other supporting documents on or before **5:00 PM, November 12, 2024.**

2025 Blank City / County Resolution or Order or Ordinance

**Motor Vehicle Crime Prevention Authority**

2025 Blank City / County Resolution

**FY 25 SB 224 Catalytic Converter Grant Program**

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement taskforces and agencies for economic motor vehicle theft, including catalytic converter theft; and

WHEREAS this grant program will assist this jurisdiction to combat catalytic converter theft; and

WHEREAS, [ GOVERNMENTAL ENTITY] has agreed that in the event of loss or misuse of the grant funds, [ GOVERNMENTAL ENTITY] agrees and assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

NOW THEREFORE, BE IT RESOLVED and ordered that [NAME], [TITLE], is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that [Name] is designated as the Program Director and [Name] is designated as the Financial Officer for this grant.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
NAME

TITLE: County Judge /Mayor/ City Manager



## **Flock Safety + TX - Wharton PD**

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Flock Group Inc.  
1170 Howell Mill Rd, Suite 210  
Atlanta, GA 30318

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**MAIN CONTACT:**  
Joseph Napolitano  
joseph.napolitano@flocksafety.com  
9412248556

Created Date: 10/14/2024  
Expiration Date: 11/02/2024  
Quote Number: Q-104177  
PO Number:

**flock safety**

# flock safety

## Budgetary Quote

This document is for informational purposes only. Pricing is subject to change.

Bill To: 1407 N Richmond Rd Wharton, Texas 77488

Ship To: 1407 N Richmond Rd Wharton, Texas 77488

Billing Company Name: TX - Wharton PD

Billing Contact Name:

Billing Email Address:

Billing Phone:

Subscription Term: 12 Months

Payment Terms: Net 30

Retention Period: 30 Days

Billing Frequency: Annual Plan - First Year Invoiced at Signing.

### Hardware and Software Products

Annual recurring amounts over subscription term

Item	Cost	Quantity	Total
<b>Flock Safety Platform</b>			<b>\$15,000.00</b>
<b>Flock Safety LPR Products</b>			
Flock Safety Falcon ® -	Included	5	Included

### Professional Services and One Time Purchases

Item	Cost	Quantity	Total
<b>One Time Fees</b>			
<b>Flock Safety Professional Services</b>			
Professional Services - MASH Tested Pole Implementation Fee - Non-Coastal Region -	\$1,250.00	5	\$6,250.00

**Subtotal Year 1:** \$21,250.00

**Annual Recurring Subtotal:** \$15,000.00

**Estimated Tax:** \$0.00

**Contract Total:** \$21,250.00

*Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This is not an invoice – this document is a non-binding proposal for informational purposes only. Pricing is subject to change.*



Billing Schedule	Amount (USD)
Year 1	
At Contract Signing	\$21,250.00
Annual Recurring after Year 1	\$15,000.00
Contract Total	\$21,250.00

\*Tax not included

**Product and Services Description**

FlockOS Features	Description
Flock Safety Falcon ® -	Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users.
Professional Services - MASH Tested Pole Implementation Fee - Non-Coastal Region -	MASH tested pole that meets DOT crashworthiness requirements. Includes materials, installation, and maintenance.

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

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY FOR THE FY 2025 SB 224 CATALYTIC CONVERTER GRANT FOR THE WHARTON POLICE DEPARTMENT 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 submit an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department; and,

**WHEREAS,** Under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat motor vehicle burglary in the jurisdiction; and,

**WHEREAS,** Said grant program will assist this jurisdiction in combating catalytic converter theft; and,

**WHEREAS,** The City of Wharton has agreed that in the event of loss or misuse of the grant funds, the City of Wharton assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority; and,

**WHEREAS,** Lance A. Bothell, Lieutenant, is designated as the Program Director, and Joan Anandel, Finance Director, is designated as the Financial Officer for this grant; and,

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

**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 Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department.

**SECTION II.** The City designates Tim Barker, Mayor, as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant and designates Lance A. Bothell, Lieutenant, as the Program Director and Joan Anandel, Finance Director, as the Financial Officer for this grant.

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

**PASSED, APPROVED, and ADOPTED** this 12th day of November 2024.

**CITY OF WHARTON, TEXAS**

**By:**

\_\_\_\_\_  
**TIM BARKER**  
Mayor


**ATTEST:**

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

DRAFT

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

## CITY COUNCIL COMMUNICATION

Meeting Date:	11/12/2024	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to submit three (3) Notices of Intent for the City of Wharton’s participation in the Texas General Land Office Disaster Recovery Reallocation Program.
<p>The City Staff received the attached information for the Texas General Land Office Disaster Recovery Reallocation Program.</p> <p>The City needs to submit the Intent to Apply by November 21, 2024 and the full applications, if approved, will be submitted February-April 2025. There is no required match for the program, but putting in a match can increase the scoring.</p> <p>It is the Staff’s recommendation that applications be submitted for a street improvement program, permanently affixed emergency telecommunications equipment and water and wastewater improvements.</p> <p>The Finance Committee will meet on November 12, 2024, and will formulate a recommendation for City Council consideration.</p> <p>Director of Planning &amp; Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			





# City of Wharton

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

## MEMORANDUM

**DATE:** November 6, 2024

**FROM:** Gwyneth Teves, Director of Planning & Development

**TO:** Honorable Mayor and City Council

**SUBJECT:** Recommendation for authorization to submit 3 intents to apply to the Texas General Land Office Disaster Recovery Reallocation Program

---

The City Staff received the attached information for the Texas General Land Office Disaster Recovery Reallocation Program.

The City needs to submit the Intent to Apply by November 21, 2024 and the full applications, if approved, will be submitted February-April 2025. There is no required match for the program, but putting in a match can increase the scoring.

It is recommended that applications be submitted for a street improvement program, permanently affixed emergency telecommunications equipment and water and wastewater improvements.

It is my recommendation that the City Council authorize the submission of the Intents to Apply for the projects.

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



# Disaster Recovery Reallocation Program (DRRP)

COMMISSIONER DAWN BUCKINGHAM, M.D.

The Disaster Recovery Reallocation Program (DRRP) will utilize remaining program funds from *six action plans*:

Disaster	Budget	Minimum Allocation	Maximum Allocation
Hurricanes Ike and Dolly 2008	\$20,500,000	\$500,000	\$20,000,000
2015 Floods and Storms	\$4,000,000	\$500,000	\$2,000,000
2016 Floods and Storms	\$5,500,000	\$500,000	\$2,000,000
Hurricane Harvey \$5.6B 2017	\$84,500,000	\$500,000	\$20,000,000
2018 South Texas Floods	\$6,000,000	\$500,000	\$2,000,000
2019 Disasters	\$14,500,000	\$500,000	\$2,000,000

**The GLO will hold a call for projects from **October 21 to November 21, 2024, by 5:00 p.m.**, with each entity permitted to submit a maximum of three eligible projects across all grants. Only projects submitted by the deadline will be eligible for scoring and funding consideration.**

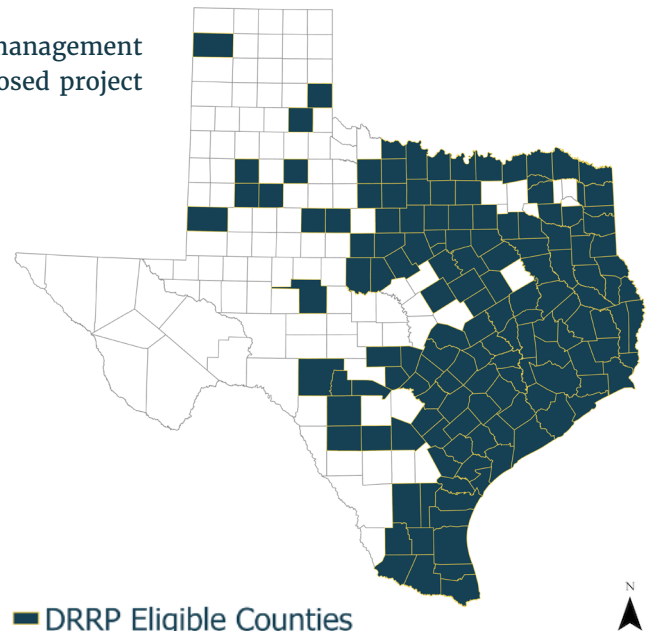
**Eligible entities are:**

- Units of local government (cities and counties);
- Indian Tribes; and
- Public Housing Authorities.

Project eligibility evaluation criteria will include the financial management of the applying entity and the feasibility of completing the proposed project within the two-year time frame.

**Eligible Activities will be limited to:**

- Flood and drainage improvements;
- Water and wastewater improvements;
- Street improvements;
- Rehabilitation, reconstruction, and new construction of affordable multifamily projects; and
- Permanently affixed emergency communication equipment.



For additional information, please visit the **CDR GIS HUB** <https://gis-glo-cdr.hub.arcgis.com> or use the QR code.



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

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO SUBMIT THREE (3) NOTICES OF INTENT FOR THE CITY OF WHARTON'S PARTICIPATION IN THE TEXAS GENERAL LAND OFFICE DISASTER RECOVERY REALLOCATION PROGRAM.**

**WHEREAS,** The Wharton City Council wishes for recovery projects to be conducted in the City of Wharton; and,

**WHEREAS,** Said recovery projects would include a street improvement project, permanently affixed emergency communications equipment and water and wastewater improvements; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to submit three (3) Notices 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 three (3) Notices of Intent to participate in the Texas General Land Office Disaster Recovery Reallocation Program to apply for funding to be used for a street improvement project, permanently affixed emergency communications equipment and water and wastewater improvements.

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

**Passed, Approved, and Adopted** this the 12<sup>th</sup> day of November 2024.

**CITY OF WHARTON**


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

**ATTEST:**

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

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

## CITY COUNCIL COMMUNICATION

Meeting Date:	11/12/2024	Agenda Item:	Pay Request No. 16 and Final from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction.
<p>Attached you will find Pay Request No. 16 and Final from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction in the amount of \$140,433.27.</p> <p>Director of Planning &amp; Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace			Date: Thursday, November 7, 2024
Approval: 			
Mayor: Tim Barker			



# City of Wharton

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

## MEMORANDUM

**DATE:** November 6, 2024

**FROM:** Gwyneth Teves, Director of Planning & Development

**TO:** Honorable Mayor and City Council

**SUBJECT:** Recommendation for payment to E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction Pay Estimate No. 16-FINAL

---

The City Council awarded a contract for construction to E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction.

The Final Pay Estimate No. 16 has been sent and recommendation for payment by the engineer is attached.

It is my recommendation that the City Council consider approval of the invoice in the amount of \$140,433.27 and recommend payment of the invoice to finalize the project and close out the contract. All punch list items have been remedied and final walkthrough completed with staff and inspector. All operations and maintenance manuals and as-builts have been provided.

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





August 28, 2024  
AVO 31934.001

Mr. Roderick Semien  
City of Wharton  
120 E. Caney Street  
Wharton, TX, 77488

**RE: Wharton Well and Water Plant**  
**Contract No. 1**  
**Pay Estimate No. 16 – June 2024-July 2024**

Dear Mr. Semien,

E-Contractor USA, LLC has submitted the following pay estimate for the above-referenced project:

Pay Estimate No.: 16  
Dated: 8/27/2024  
For Work Period: Retainage  
Balance Due: \$140433.27

Halff reviewed the estimate and recommend it for payment. Estimate was for approved change orders late in the project

Please call me at 713-380-4358 if you have any questions or comments.

Sincerely,  
HALFF ASSOCIATES, INC.

Jim Miller, PE  
Team Leader

A handwritten signature in black ink, appearing to read "Jim Miller", is written over a horizontal line.

cc: Gwyneth Teves, City of Wharton  
Amy Horelica, City of Wharton  
Megan Morris, USDA  
Eric Caudill, City Inspector  
Jim Miller P.E., Halff Construction Manager



## Contractor's Application for Payment No.

16

Application Period: 06/21/2024-07/20/2024		Application Date:
To (Owner): City of Wharton	From (Contractor): E Contractor USA, LLC	Via (Engineer): Haliff Associates, Inc.
Project: Wharton Well and Water Plant	Contract: Contract 1	
Owner's Contract No.: CFDA No. 10 760	Contractor's Project No.: 20-0200	Engineer's Project No.: 31934

## Application For Payment

## Change Order Summary

Approved Change Orders			1. ORIGINAL CONTRACT PRICE.....	\$ 2,600,000.00
Number	Additions	Deductions	2. Net change by Change Orders.....	\$ 208,663.20
CO #1	\$23,424.98		3. Current Contract Price (Line 1 ± 2).....	\$ 2,808,663.20
CO #2	\$92,059.89		4. TOTAL COMPLETED AND STORED TO DATE	
CO #3	\$66,639.30		(Column F total on Progress Estimates).....	\$ 2,808,663.20
CO #4	\$23,004.00	\$13,004.00	5. RETAINAGE:	
CO #5	\$19,249.89	\$2,710.86	a. X 5% Work Completed.....	\$
			b. X 5% Stored Material.....	\$
			c. Total Retainage (Line 5.a + Line 5.b).....	\$
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$ 2,808,663.20
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$ 2,668,229.93
			8. AMOUNT DUE THIS APPLICATION.....	\$ 140,433.27
			9. BALANCE TO FINISH, PLUS RETAINAGE	
			(Column G total on Progress Estimates + Line 5.c above).....	\$
TOTALS				
NET CHANGE BY				
CHANGE ORDERS				

## Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By: LORENZO MARTINEZ Date: 082724

Payment of: \$ 140,433.27  
(Line 8 or other - attach explanation of the other amount)

is recommended by: [Signature] 8/28/2024  
(Engineer) (Date)

Payment of: \$ \_\_\_\_\_  
(Line 8 or other - attach explanation of the other amount)

is approved by: \_\_\_\_\_  
(Owner) (Date)

Approved by: \_\_\_\_\_  
Funding or Financing Entity (if applicable) (Date)

**TO OWNER/CLIENT:**

City of Wharton  
120 East Caney Street  
Wharton, Texas 77488

**PROJECT:**

COW-Wharton Well & Water Plant  
240 CR 222  
Wharton, Texas 77488

APPLICATION NO: 16

INVOICE NO: 16 Ret

PERIOD: 06/21/24 - 07/20/24

PROJECT NO: 20-0200

CONTRACT DATE: 07/20/2021

PURCHASE ORDER NO: CFDA No. 10.760

**FROM CONTRACTOR:**

E Contractors USA LLC  
16554 Creek Bend Drive Suite 200  
Sugar Land, Texas 77478

**VIA ARCHITECT/ENGINEER:**

CONTRACT FOR: COW-Wharton Well &amp; Water Plant Prime Contract

**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	\$ 2,600,000.00
2.	Net change by change orders	\$ 208,663.20
3.	Contract sum to date (line 1 ± 2)	\$ 2,808,663.20
4.	Total completed and stored to date (Column G on detail sheet)	\$ 2,808,663.20
5.	Retainage:	
	a. 0.00% of completed work:	\$ 0.00
	b. 0.00% of stored material:	\$ 0.00
	Total retainage (Line 5a + 5b or total in column I of detail sheet)	\$ 0.00
6.	Total earned less retainage (Line 4 less Line 5 Total)	\$ 2,808,663.20
7.	Less previous certificates for payment (Line 6 from prior certificate)	\$ 2,668,229.93
8.	Current payment due:	\$ 140,433.27
9.	Balance to finish, including retainage (Line 3 less Line 6)	\$ 0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$ 224,378.06	(\$15,714.86)
Total approved this Month:	\$ 0.00	\$ 0.00
Totals:	\$ 224,378.06	(\$ 15,714.86)
Net change by change orders:	\$ 208,663.20	

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.

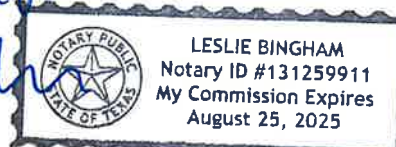
CONTRACTOR: E Contractors USA LLC

By: Leslie BinghamDate: 08-09-24State of: TexasCounty of: Fort Bend

Subscribed and sworn to before

me this

day of

August, 2024Notary Public: Leslie BinghamMy commission expires: 8/25/25**ARCHITECT'S/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 Architect's/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:

\$ 140,433.27

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to confirm to the amount certified)

ARCHITECT/ENGINEER:


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

Date: \_\_\_\_\_

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:	11/12/2024	Agenda Item:	Pay Request No. 5 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations.
<p>Attached you will find Pay Request No.5 from Reddico Construction Company for the U.S. 59 Water &amp; Wastewater Utility Relocations in the amount of \$364,467.00.</p> <p>Director of Planning &amp; Development Gwyn Teves will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, November 7, 2024	
Approval: 			
Mayor: Tim Barker			



# City of Wharton

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

## MEMORANDUM

**DATE:** November 6, 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. 5 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. 5 has been sent and a recommendation for payment by the engineer is attached.

It is my recommendation that the City Council approve Pay Estimate 5 for \$364,467.00.

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



October 29, 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. 5 from Reddico Construction Company, Inc. for the referenced project. This application covers construction activities for the referenced project during the period from September 1, 2024, to September 30, 2024. During this period, the Contractor installed the 24-inch effluent line, 10-inch sanitary line, 10-inch waterline, and 14-inch force main by open cut and trenchless construction. The Contractor also installed and coated manholes, removed existing force main and effluent lines, performed waterline connections and performed some site restorations. The estimate is in order, and we recommend payment in the amount of \$364,467.00 to Reddico Construction Company, Inc.

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

The project is now 88% complete by total contract value and 110% complete by total contract time. The current contractual Substantial Completion date is September 9, 2024.

Please note the retainage has been reduced to 5% of the Total Work Completed as of Pay App No. 5 per the Client's direction. Attached is the Consent of Surety to Reduction in or Partial Release of Retainage.

Sincerely,

  
Matthew W. Matula, PE, ENV SP

MWM:dbm

K:\05135\05135-0239-00 US 59 Public Utility Relocations\3 Construction Phase\Pay Estimates\05

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: 05

## INVOICE NO: 05

PERIOD: 9/1/2024 – 9/30/2024

PROJECT NOs: 05135-0239-00

## DISTRIBUTION TO:

## 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)	\$5,992,218.70
5.	Retainage	
	a. 5.00% of completed work	\$299,610.48
	b. 5.00% of stored material	\$0.00
6.	Total earned less retainage (Line 4 less Line 5 Total)	\$5,692,608.22
7.	Less previous certificates for payment (Line 6 from prior certificate)	\$5,328,141.22
8.	Current payment due	\$364,467.00
9.	Balance to finish, including retainage (Line 3 less Line 6)	\$1,090,960.78

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:



Date: 10/29/2024

## 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:

\$364,467.00

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:




Date: 10/30/2024

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:	11/12/2024	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><b><u>Resignations:</u></b> None.</p> <p><b><u>Appointments:</u></b> None.</p> <p><b><u>Vacancies:</u></b></p> <ul style="list-style-type: none"> <li>A. Beautification Commission.</li> <li>B. Building Standards Commission.</li> <li>C. Mayor's Committee on People with Disabilities.</li> <li>D. Planning Commission.</li> <li>E. Plumbing and Mechanical Board.</li> </ul>			
City Manager: Joseph R. Pace		Date: Thursday, November 7, 2024	
Approval: 			
Mayor: Tim Barker			

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

<b>WHARTON REGIONAL AIRPORT BOARD</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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	
<b>BEAUTIFICATION COMMISSION</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
Johnnie Gonzales	June 30, 2026	
Vacant	June 30, 2026	
Vacant	June 30, 2026	
Amanda Gonzales	June 30, 2025	
Adraylle Watson	June 30, 2025	
Vacant	June 30, 2025	
Sheryl Joost	June 30, 2025	
<b>BUILDING STANDARDS COMMISSION</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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, 2026	
Shaun Stockwell	June 30, 2024	
Claudia Velasquez, Building Official - ExOfficio		
Jeff Gubbels - Health Officer-ExOfficio		
Hector Hernandez-Fire Marshall-ExOfficio		
<b>ELECTRICAL BOARD</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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		
<b>HOLIDAY LIGHT DECORATING CHAIRMAN</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
Tim Barker	June 30, 2026	
<b>MAYOR'S COMMITTEE ON PEOPLE WITH DISABILITIES</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
Johnnie Gonzales	June 30, 2026	

Karen Smith	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	

<b>HEALTH OFFICER</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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Dr. Jeff Gubbels, MD	June 30, 2026
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<b>VETERINARIAN</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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Dr. Cody Pohler, DVM	June 30, 2026
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<b>MUNICIPAL COURT JUDGE</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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Jared Cullar	June 30, 2025
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<b>PLANNING COMMISSION</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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Johnnie Gonzales	June 30, 2025
Rob Kolacny	June 30, 2025
Michael Quinn	June 30, 2025
Gary Nunez	June 30, 2026
Adraylle Watson	June 30, 2026
Michael Wootton	June 30, 2026
Vacant	June 30, 2026

<b>PLUMBING AND MECHANICAL BOARD</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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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

<b>WHARTON ECONOMIC DEVELOPMENT CORPORATION</b>	<b>TWO YEAR TERM</b>	<b>Reappointment</b>
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Michael Wootton	September 30, 2026
David Joost	September 30, 2026
Freddie Pekar	September 30, 2026
Larry Pittman (Councilmember)	September 30, 2026
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:	11/12/2024	Agenda Item:	City Council Boards, Commissions, and Committee Reports: A. Finance Committee meeting held October 28, 2024.
Attached you will find the reports from the above-mentioned Committees.			
City Manager: Joseph R. Pace		Date: Thursday, November 7, 2024	
Approval: 			
Mayor: Tim Barker			





# City of Wharton

120 E. Caney Street ° Wharton, TX  
77488

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

## MEMORANDUM

Date: October 29, 2024

From: City Council Finance Committee

To: Mayor & City Council

Subject: Report/Recommendations from the meeting held October 28, 2024

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At the October 28, 2024, City Council Finance Committee Meeting, the Committee met and discussed the following items:

1. Review & Consider: Minutes from the meeting held October 14, 2024.
2. Review & Consider: Resolution: A resolution of the Wharton City Council authorizing the purchase of an electronic sign for the Wharton Civic Center from Core Displays through the TIPS Cooperative Program and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. The Committee voted to recommend this item to the City Council for consideration.
3. Review & Consider: Resolution: A resolution of the Wharton City Council authorizing the purchase of a 2024 Case CX37C Mini Excavator ROP for the Public Works Department from Associated Supply Company, Inc., through the Buyboard Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. The Committee voted to recommend this item to the City Council for consideration.
4. Review & Consider: Resolution: A resolution of the Wharton City Council authorizing the replacement of the roof and gutters at the Public Works Department from Monument Roofing Systems through the TIPS Cooperative Program and authorizing the City Manager to execute all documents related to said purchase. The Committee voted to recommend this item to the City Council for consideration.
5. Review & Consider: Resolution: A resolution of the Wharton City Council authorizing the purchase of an air conditioning unit for the Council Chambers and an air conditioning unit for the City Manager's Office area of City Hall and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. The Committee voted to recommend this item to the City Council for consideration.

6. Review & Consider:

Resolution: A resolution of the Wharton City Council authorizing the City Manager to Docu-Sign the Texas Department of Transportation Airport Project Participation Agreement for design services to rehabilitate Runway 14/32 and Taxiway A, B, C, and D at the Wharton Regional Airport. The Committee voted to recommend this item to the City Council for consideration.

Adjournment.