

CITY OF WHARTON FINANCE COMMITTEE MEETING

Monday, July 24, 2023 6:00 PM

CITY HALL 120 EAST CANEY STREET WHARTON, TEXAS 77488

NOTICE OF CITY OF WHARTON FINANCE COMMITTEE MEETING

Notice is hereby given that a Finance Committee Meeting will be held on Monday, July 24, 2023, at 6:00 PM at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

SEE ATTACHED AGENDA

Dated this 20th day of July 2023.

By: Joseph R. Pace, City Manager

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Finance Committee Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City or Town in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on July 20, 2023, 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 20th day of July 2023.

CITY OF WHARTON

By: _ Yaula Farres

Paula Favors **City Secretary**



A G E N D A CITY OF WHARTON Finance Committee Meeting Monday, July 24, 2023 City Hall - 6:00 PM

Call to Order. Roll Call. Public Comments. Review & Consider:

- <u>1.</u> Minutes from the meeting held June 26, 2023.
- 2. Resolution: A resolution of the Wharton City Council approving Amendment No. 4 to the Franchise Agreement for Solid Waste Collection Services with Green For Life and authorizing the Mayor of the City of Wharton to execute the agreement.
- <u>3.</u> Resolution: A resolution of the Wharton City Council authorizing the City Staff to issue Requests for Proposals for a tax increment reinvestment zone administrator.

Adjournment.

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

FINANCE COMMITTEE

Meeting Date:	7/24/2023	Agenda Item:	Minutes from the meeting held June 26, 2023.	
Attached is	Attached is a copy of the draft minutes from the meeting held on June 26, 2023.			
City Manag	er: Joseph R. Pace		Date: Thursday, July 20, 2023	
Approval: Joseph R. Face				
Mayor: Tim Barker				

MINUTES OF CITY OF WHARTON FINANCE COMMITTEE MEETING 120 EAST CANEY STREET WHARTON, TEXAS 77488 Monday, June 26, 2023–6:00 p.m.

City Manager, Joseph R. Pace, declared a meeting of the City Council Finance Committee duly open for the transaction of business at 6:01 p.m.

Committee Members present:	Mayor, Tim Barker and Councilmember, Russell Machann.
Committee Members absent:	Councilmember, Larry Pittman.
City Council Members present:	Councilmember Burnell Neal and Councilmember Terry Freese
Staff members present:	City Manager, Joseph R. Pace; Assistant to the City Manager, Brandi Jimenez; Assistant City Manager, Paula Favors; Human Resources Generalist, Selena Rios, and Finance Director, Joan Andel.
Staff members absent:	None.
Visitors:	None.

Public Comments. There were no public comments.

The first item on the agenda was to review and consider minutes from the meeting held on May 22, 2023. Councilmember, Russell Machann, made a motion to approve the minutes as presented. Mayor, Tim Barker, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider the Extension of GFL Contract.

The third item on the agenda was to review and consider Resolution: A resolution of the Wharton City Council approving the Interlocal Agreement with the Texas Health Benefits Pool for medical, long-term disability, life, accidental death & dismemberment, flexible spending account, health reimbursement account, and voluntary vision plans for city employees for October 1, 2023, to September 30, 2024, Fiscal Year; and Sun Life Financial for voluntary dental coverage for City employees; authorizing the Mayor of the City of Wharton to execute all documents relating to said contracts. Assistant City Manager, Paula Favors, presented to the Committee the City of Wharton Texas Health Benefits Pool re-rate options for the 2023-2024 year. She stated that the recommendation from the City Staff was to consider TML Health Benefits Pool for the employee's health insurance plan and contribute the previous year's amount of \$1,250.00 to a Health Reimbursement Agreement (HRA) to offset the deductible or other medical expenses. She also stated that the City Staff was requesting to continue with the voluntary vision coverage and that there were no changes in the rate for the Voluntary Sun Life Financial Dental Coverage. After some discussion, Councilmember, Russell Machann, made a motion to recommend to the City Council to approve the resolution for the Interlocal Agreement with the Texas Health Benefits Pool for medical, long-term disability, life, accidental death & dismemberment, flexible spending account, health reimbursement account, and voluntary vision plans for city employees for October 1, 2023, to September 30, 2024, Fiscal Year; and Sun Life Financial for voluntary dental coverage for City employees pending appraisal value review. Mayor, Tim Barker, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and worker's compensation coverage for the City of Wharton; authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. Assistant City Manager, Paula Favors, presented to the Committee the Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and worker's compensation coverage for the City of Wharton. After

some discussion, Councilmember, Russell Machann, made a motion to recommend to the City Council to approve the resolution approving an Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and worker's compensation coverage for the City of Wharton. Mayor, Tim Barker, seconded the motion. All voted in favor.

The fifth item on the agenda was adjournment.

The meeting was adjourned at 6:41 p.m.

Joseph R. Pace, City Manager

FINANCE COMMITTEE

Meeting Date:	7/24/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council approving Amendment No. 4 to the Franchise Agreement for Solid Waste Collection Services with Green For Life and authorizing the Mayor of the City of Wharton to execute the agreement.
(GFL), in dra			ceived from Mr. David Selesky, with Green for Life as reviewed the documents and finds no issues. A
-	with Mr. Selesky, has bee cessary in regards to the a		for Thursday, July 20 at 3:00 p.m. to discuss any ciated with the exhibits.
Finance Director, Joan Andel, will be present to answer any questions.			
City Manage Approval:	er: Joseph R. Pace Joseph R. Face		Date: Thursday, July 20, 2023
Mayor: Tim	Barker		



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

MEMORANDUM

To: Mr. Joseph R. Pace City Manager

From: Joan Andel

Date: July 18, 2023

Re: Green for Life (GFL) 2nd Amendment

Attached is the 4th Amendment and Exhibits received from Mr. David Selesky, with Green for Life (GFL), in draft form. City Attorney, Paul Webb, has reviewed the documents and finds no issues. A draft resolution is also attached.

A meeting with Mr.Selesky, has been scheduled for Thursday, July 20 at 3:00 p.m. to discuss any changes necessary in regards to the amounts associated with the exhibits.

Please place this on the Finance Committee meeting for Monday, July 24, 2023, and if approved on the City Council agenda for July 24, 2023, also.

Please contact me should you have any questions in advance.

Option #1

Includes:

- 1. Residential pick-up as described below.
- 2. Commercial pick-up as described below.
- 3. Lease and operation of the transfer station the city's transfer station may be made available to the successful proposer for operation under a separate lease (see draft lease in Exhibit "C") to be further negotiated with the city and pursuant to any city-held permit for the processing of the solid waste in accordance with the TCEQ guidelines.
- 4. Provide up to twelve (12) roll-off containers at the city's discretion.

Summary of Service	Per Unit (Per Month)
RESIDENTIAL	
Curbside residential refuse collection service including garbage and	\$24.75
rubbish per residential unit for two (2) pick-ups per week for regular	(Amount in figures)
trash contained with Company provided 95-gallon cart and once	
weekly bulk/green waste collection by hand, not including Sunday,	Twenty four dollars &
also including:	Seventy five cents
Collection of bulky waste one (one)time per week.	
Collection of brush and tree limbs one (1) time per week.	(Amount in words)

COMMERCIAL

Commercial collection service including automated pick-up two (2) times per week, not including Sunday, includes trash contained within Company-provided 95-gallon cart only.

\$32.55 (Amount in figures)

Thirty two dollars and fifty five cents (Amount in words)

COMMERCIAL PRICE SCHEDULE FOR						
COMMERCIAL UNITS REQUIRING BIN SERVICE						
		F	requency per	Week		
Bin Size	1	2	3	4	5	Additional Pick-up
2 c.y.	\$69.95	\$125.53	\$161.51	\$222.93	\$277.71	\$76.35
In Words	Sixty nine dollars & ninety five cents	One hundred twenty five dollars & fifty three cents	One hundred sixty one dollars & fifty one cents	Two hundred twenty two dollars & ninety three cents	Two hundred seventy seven dollars & seventy one cents	Seventy six dollars & thirty five cents
3 c.y.	\$103.03	\$185.08	\$247.46	\$332.50	\$414.67	\$110.54
In Words	One hundred three dollars & three cents	One hundred eighty five dollars & eight cents	Two hundred forty seven dollars & forty six cents	Three hundred thirty two dollars & fifty cents	Four hundred fourteen dollars & sixty seven cents	One hundred ten dollars & fifty four cents
4 c.y.	\$128.86	\$225.15	\$319.21	\$442.06	\$551.62	\$138.91
ln Words	One hundred twenty eight dollars & eighty six cents	Two hundred twenty five dollars & fifteen cents	Three hundred nineteen dollars & twenty one cents	Four hundred forty two dollars & six cents	Five hundred fifty one dollars & sixty two cents	One hundred thirty eight dollars & ninety cents
6 c.y.	\$183.33	\$351.55	\$491.10	\$661.21	\$825.56	\$196.15
In Words	One hundred eighty three dollars & thirty three cents	Three hundred fifty one dollars & fifty five cents	Four hundred ninety one dollars & ten cents	Six hundred sixty one dollars & twenty one cents	eight hundred twenty five dollars & fifty six cents	One hundred ninety six dollars & fifteen cents
8 c.y.	\$227.36	\$424.34	\$634.64	\$880.33	\$1,099.46	\$240.68
ln Words	Two hundred twenty seven dollars and thirty six cents	Four hundred twenty four dollars & thirty four cents	Six hundred thirty four dollars & sixty four cents	Eight hundred eighty dollars & thirty three cents	One thousand ninety nine dollars & forty six cents	Two hundred forty dollars & sixty eight cents

Roll-Off Services

Roll-off services will be provided by the contractor on an exclusive franchise basis according to the rates identified below.			
SIZE	20 CUBIC YARD	30 CUBIC YARD	40 CUBIC YARD
Delivery Fee Per Roll Off	\$126.66	\$126.66	\$126.66
Monthly Rental	\$151.99	\$151.99	\$151.99
Pull Price (Per Roll Off)	\$337.00	\$337.00	\$337.00
Disposal Fee - Loose (Per Ton)	\$40.48	\$40.48	\$40.48
Disposal Fee - Compacted (Per Ton)	\$40.48	\$40.48	\$40.48
TOTAL CHARGE PER HAUL*	\$615.65	\$615.65	\$615.65

Total charge includes one (1) month rental, excluding disposal

PROPOSED RATE FOR OTHER SERVICES

A. Rate Schedule for Special Services: Rates for "Pay Pile" pick-ups not covered by Options 1 and 2 above such as brush and tree limbs at commercial units, construction debris at residential or commercial units, tree limbs greater than four (4) feet in length and other excessive amounts of solid waste.

Special Service	Hourly Rate	<u>Disposal Cost</u> (Per Cubic Yard)
Brush and Tree Limbs at Commercial Units	\$125.14 (Amount in figures)	\$8.74 (Amount in figures)
	One Hundred Twenty Five Dollars and fourteen cents	Eight Dollars and seventy four cents
	(Amount in words)	(Amount in words)
Construction Debris at Residential Units	\$125.14 (Amount in figures)	\$8.74 (Amount in figures)
	One Hundred Twenty Five Dollars and fourteen cents	Eight Dollars and seventy four cents
	(Amount in words)	(Amount in words)
Construction Debris at Commercial Units	\$125.14 (Amount in figures)	\$8.74 (Amount in figures)
	One Hundred Twenty Five Dollars and fourteen cents	Eight Dollars and seventy four cents
	(Amount in words)	(Amount in words)
Tree limbs greater than four (4) feet in length either at Residential or Commercial	\$125.14 (Amount in figures)	\$8.74 (Amount in figures)
Units	One Hundred Twenty Five Dollars and fourteen cents	Eight Dollars and seventy four cents
	(Amount in words)	(Amount in words)

Other Excessive amounts of garbage at Residential Units violating volume or weight limits	\$125.14 (Amount in figures) One Hundred Twenty Five Dollars and fourteen cents	\$8.74 (Amount in figures) Eight Dollars and seventy four cents
	(Amount in words)	(Amount in words)
Other Excessive amounts of garbage at Commercial Units violating volume or weight limits	\$125.14 (Amount in figures) One Hundred Twenty Five	\$8.74 (Amount in figures) Eight Dollars and
	Dollars and fourteen cents	seventy four cents
	(Amount in words)	(Amount in words)
Asphalt, dirt, sand, gravel, rock, concrete or similar excavation/demolition materials at any units	\$125.14 (Amount in figures)	\$8.74 (Amount in figures)
	One Hundred Twenty Five Dollars and fourteen cents (Amount in words)	Eight Dollars and seventy four cents (Amount in words)

FOURTH SECOND AMENDMENT TO SOLID WASTE COLLECTION AND DISPOSAL CONTRACT

This <u>Second Fourth</u> Amendment of the Solid Waste Collection and Disposal Service Contract (hereinafter referred to as "<u>Second Fourth</u> Amendment"), is made and entered into by and between the City of Wharton, Texas (the "City"), a municipal corporation, and Waste Corporation of Texas, L.P. DBA GFL Environmental ("Contractor").

RECITALS

WHEREAS, on October 1, 2018, the City and the Contractor executed the Solid Waste Collection and Disposal Services Contract, (hereinafter referred to as the "Agreement").

WHEREAS, Section 10 of the Agreement provides that after the initial term, the Agreement may be extended for one (1) five (5) year extension at the discretion of City Council.

NOW THEREFORE, in consideration of the foregoing, the Agreement between the City and the Contractor is hereby amended as follows:

General Specifications item 3.01 (a) is hereby deleted and substituted as follows:

(a) Contractor shall provide curbside collection service for the collection of residential refuse including garbage and rubbish for each residential unit two (2) times per week. All garbage and rubbish must be properly contained within the Contractor provided 96gallon container with the lid closed and shall be placed at curbside by 7:00 a.m. on the designated collection day.

General Specification item 3.02 (a) is hereby deleted and substituted as follows:

(a) contractor shall provide curbside collection service for the collection of commercial refuse including garbage and rubbish for each commercial unit requesting such service two (2) times per week. All garbage must be properly contained within the Contractor provided 96-gallon container with the lid closed and shall be placed at curbside by 7:00 a.m. on the designated collection day.

General Specifications item 3.04 (a) is hereby deleted and substituted as follows:

(a) Each residential 96-gallon cart shall be placed at curbside for collection. Curbside refers to that portion of public right-of-way adjacent to paved or traveled City roadways. Carts shall be placed as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians. When construction work is being performed in the right-of-way. Bins shall be placed as close as practicable to an access point for the collection vehicle. Bins should be a minimum of 4' distance on either side from any obstruction. General Specifications item 4.06 is hereby deleted and substituted as follows:

Office - The contractor shall maintain an office or such other facilities (toll free number and email) through which the contractor can be contacted. It shall be equipped with sufficient telephones and shall have a responsible person in charge from 8:00 a.m. to 5:00 p.m. Monday through Friday excluding holidays.

General Specifications item 4.11 (g) is hereby deleted and substituted as follows:

(g) In the event of sudden contractor equipment breakdowns, Contractor will make every effort to notify City staff if the service will be delayed or reschedule for another pick-up day.

Exhibit A is hereby deleted and substituted as attached.

Exhibit B is hereby deleted and substituted as attached.

This Second Fourth Amendment hereby extends the Agreement until September 30, 2028.

Except as modified herein, the Agreement remains in full force and effect and has not been modified or amended.

If there is conflict between this <u>Second Fourth</u> Amendment and the Agreement, the provisions of this Second Amendment shall prevail.

This <u>Second-Fourh</u> Amendment shall be effective October 1, 2023, and shall terminate on September 30, 2028.

EXECUTION

THE UNDERSIGNED OFFICER AND/OR AGENTS OF THE PARTIES HERETO ARE THE PROPERLY AUTHORIZED OFFICIALS AND HAVE THE NECESSARY AUTHORITY TO EXECUTE THIS AMENDMENT ON BEHALF OF THE PARTIES HERETO, AND EACH PARTY HEREBY CERTIFIES TO THE OTHER THAT ANY NECESSARY RESOLUTIONS AND/OR ORDERS EXTENDING SAID AUTHORITY HAVE BEEN DULY PASSED AND ARE NOW IN FULL FORCE AND EFFECT.

Executed as of the ____ day of _____, 2023.

City of Wharton

Tim Barker, Mayor

ATTEST:

Paula Favors, City Secretary Executed as of the ____ day of_____, 2023.

Waste Corporation of Texas, L.P. DBA GFL Environmental

This instrument was acknowledged before me on this _____ day of _____, 2023, by _____, as _____ of Waste Corporation of Texas, L.P. DBA GFL Environmental

WITNESS MY HAND AND SEAL OF OFFICE

NOTARY PUBLIC

ATTACHMENTS:

Amended Exhibit A and Exhibit B

CITY OF WHARTON RESOLUTION NO. 2023-XX

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AMENDMENT NO. 4 TO THE FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION SERVICES WITH GREEN FOR LIFE AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

- WHEREAS, On August 22, 2022, the Wharton City Council approved Resolution No. 2022-83 approving the franchise agreement between the City of Wharton and Waste Corporation of America to be effective October 1, 2022, and,
- **WHEREAS,** The Wharton City Council wishes to amend the following:

Section 3.01 (a) General Specifications Residential Services Provided of the franchise agreement to reflect the residential curbside collection service; Section 3.02 (a) General Specifications Commercial Services Provided to reflect the commercial collection service;

Section 3.04 (a) General Specifications Location of Bins and Bags for Collection to reflect placement of cart;

Section 4.06 General Specifications Office to reflect change of available office days;

Section 4.11 (g) General Specifications Contractor Performance Standards to reflect method to notify the City staff in regards to equipment breakdowns:

Exhibit A Option #1 change to residential and commercial cost per month to the City;

Exhibit B Proposed Rate for Other Services to reflect change in cost for Pay Pile pickups to the City: and,

- **WHEREAS,** GFL and the City of Wharton wishes to be bound by the conditions outlined in the agreement; and,
- **WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to the agreement; and,
- WHEREAS, This resolution is passed in accordance with said contract.

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

Section I. That the Wharton City Council hereby approves to amend the following: Section 3.01 (a) General Specifications Residential Services Provided of the franchise agreement to reflect the residential curbside collection service; Section 3.02 (a) General Specifications Commercial Services Provided to reflect the commercial collection service;

Section 3.04 (a) General Specifications Location of Bins and Bags for Collection to reflect placement of cart;

Section 4.06 General Specifications Office to reflect change of available office days;

Section 4.11 (g) General Specifications Contractor Performance Standards to reflect method to notify the City staff in regards to equipment breakdowns:

Exhibit A Option #1 change to residential and commercial cost per month to the City;

Exhibit B Proposed Rate for Other Services to reflect change in cost for Pay Pile pickups to the City, of the franchise contract between the City of Wharton and Green for Life.

- **Section III.** That the effective date of the amendment will be the 1st day of October 2023.
- **Section IV.** That the Mayor of the City of Wharton is hereby authorized to execute the contract amendment.

Passed, Approved, and Adopted this 24th day of July 2023.

CITY OF WHARTON, TEXAS

By: _

TIM BARKER Mayor

ATTEST:

PAULA FAVORS City Secretary

FINANCE COMMITTEE

Meeting Date:	7/24/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the City Staff to issue Requests for Proposals for a tax increment reinvestment zone administrator.		
-		-	ent of Wharton 55, LLC, the City Staff requests that stment Zone (TIRZ) administrator.		
	_	-	ponsible for are preparing a taxable value analysis, g plan as well as all necessary documentation.		
Finance Dire	ector, Joan Andel, will be p	present to ans	swer any questions.		
City Manag	ary Jacoph D. Daca		Data: Thursday, July 20, 2022		
Approval:	er: Joseph R. Pace Joseph R. Face		Date: Thursday, July 20, 2023		
Mayor: Tim Barker					



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

MEMORANDUM

To: Mr. Joseph R. Pace City Manager

From: Joan Andel

Date: July 19, 2023

Re: Proposals

With the progress being made with the development of Wharton 55, LLC, I am requesting that the City seek proposals for a Tax Increment Reinvestment Zone (TIRZ) administrator.

A few of the things the TIRZ administrator is responsible for are preparing a taxable value analysis, developing a cash flow model, preparing a financing plan as well as all necessary documentation.

Please place this on the Finance Committee agenda for Monday, July 24, 2023, and if approved forwarded to the City Council agenda for July 24, 2023.

CITY OF WHARTON RESOLUTION NO. 2023 - XX

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY STAFF TO ISSUE REQUESTS FOR PROPOSALS FOR A TAX INCREMENT REINVESTMENT ZONE ADMINISTRATOR.

- **WHEREAS,** The Wharton City Council wishes to authorize the City Staff to issue Requests for Proposals for the procurement of a consultant(s) to provide administrative duties for the tax increment reinvestment zone; and,
- **WHEREAS,** The Wharton City Council wishes to establish a Consultant Selection Committee to consist of the City Council Finance Committee, the Finance Director, and the Director of Planning & Development; and,
- **WHEREAS,** The Wharton City Council wishes this resolution to become effective immediately upon its passage.

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

- Section I. The Wharton City Council has authorized the City Staff to solicit Requests for Proposals for the procurement of a consultant(s) to provide administrative duties for the tax increment reinvestment zone.
- Section II. That this resolution should become effective immediately upon its passage.

Passed, Approved, and Adopted this 24th day of July 2023.

CITY OF WHARTON, TEXAS

By:

TIM BARKER Mayor

ATTEST:

PAULA FAVORS City Secretary