



**CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

**Monday, October 10, 2022
7:00 PM**


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

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

Notice is hereby given that a City Council Regular Meeting will be held on Monday, October 10, 2022 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 6th day of October 2022.


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 October 6, 2022, at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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

Dated this 6th day of October 2022.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
City Council Regular Meeting
Monday, October 10, 2022
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 September 12, 2022 and September 26, 2022.
2. Request from Mr. Haywood Ross for an extension of Variance for Temporary Placement of Travel Trailer for Temporary Housing for 517 Black Street.
3. Request by Ms. Faye Watson, with the Wharton County Recovery Team, for an extension of Variance for Temporary Placement of Travel Trailer for Temporary Housing for 1605 Goode Street.
4. Request by Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2022 Holiday Parade Chairman, for the Wharton Holiday Parade for the following:
 - A. Ordinance: An ordinance approving the 2022 Chamber of Commerce & Agriculture Holiday Parade Permit and authorizing the Wharton Police Department to redirect traffic.
 - B. The closure of State Highway 60 (Burleson Street and Milam Street) from its intersection at Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare it as a “No Parking Zone”.
 - C. City of Wharton to transport, set up and return five (5) portable lights for use during the parade.
5. Resolution: A resolution of the Wharton City Council adopting the City of Wharton Investment Policy after the Annual Review of City of Wharton Investment Policy and setting an effective date.
6. Request to rescind Surplus Auction vehicle and donate said unit to the Wharton County Junior College Law Enforcement Academy.

- [7.](#) Resolution: A resolution of the Wharton City Council awarding a contract for the Emergency Medical Services Ambulance Bay Roof Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
- [8.](#) Resolution: A resolution of the Wharton City Council approving Change Order No. 1 & Change Order No. 2, for additional costs with Underground Construction Solutions, LLC, for the F.M. 1301 Utility Relocation Project and authorizing the Mayor to execute all documents related to said change orders.
- [9.](#) Pay Request No. 8 from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction.
- [10.](#) Appointments, Resignations and Vacancies to the City of Wharton Boards, Commissions and Committees:
 - A. Appointments.
 - B. Resignations.
 - C. Vacancies.


Adjournment.

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

CITY COUNCIL COMMUNICATION

Meeting Date:	10/10/2022	Agenda Item:	Reading of the minutes from the regular meetings held September 12, 2022 and September 26, 2022.
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Attached you will find the draft minutes from the regular meetings held September 12, 2022 and September 26, 2022.

City Manager: Joseph R. Pace	Date: Thursday, October 6, 2022
Approval: 	
Mayor: Tim Barker	

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
SEPTEMBER 12, 2022**

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, Clifford Jackson, led the opening devotion and Mayor, Tim Barker, led the pledge of allegiance.

Councilmember’s present were: Mayor, Tim Barker and Councilmembers, Terry Freese; Don Mueller; Clifford Jackson; Larry Pittman and Steve Schneider.

Councilmember absent was: Russell Machann.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; City Finance Director, Joan Andel; City Secretary, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves, CPM; Assistant to the City Manager, Brandi Jimenez; Police Chief, Terry David Lynch; EMS Director, Christy Gonzales and Public Works Director, Anthony Arcidiacono.

Visitors present were: Ken Schott with Waterstone Development Group; Ron Sanders, Executive Director of the Wharton Chamber of Commerce; Kristi Kocian; Margaret Montgomery Kosta; and Joe Southern with the Wharton Journal Spectator.

Roll Call and Excused Absences.

After some discussion, Councilmember, Don Mueller, moved to excuse Councilmember, Russell Machann. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

Public Comments.

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

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments. No comments were given.

Public Hearing

- 1. Public Hearing #1: Proposed Annexation.

Mayor, Tim Barker, opened Public Hearing #1 at 7:11 p.m.

No comments were given.

Mayor, Tim Barker, closed Public Hearing #2 at 7:12 p.m.

2. Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2022 to September 30, 2023.

Mayor, Tim Barker opening the Public Hearing on the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2022 to September 30, 2023 at 7:12 p.m.

No comments were given.

Mayor, Tim Barker, closed the Public Hearing at 7:13 p.m.

Review and Consider:

The first item on the agenda was to review and consider action on changes to the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2022 to September 30, 2023. Finance Director, Joan Anandel, stated that during the August 22, 2022, Regular City Council meeting she presented under separate cover a copy of the Proposed Budget for the City of Wharton, Texas, Fiscal Year October 1, 2022 to September 30, 2023. Mrs. Anandel stated this item would allow the City Council to direct the City Staff to make any changes to the Proposed Budget prior to the formal adoption, which is scheduled for September 26, 2022. After some discussion, Councilmember, Don Mueller, moved to approve without changes the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2022 to September 30, 2023. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider reading of the minutes from the regular meetings held August 8, 2022 and August 22, 2022 and special meeting held August 9, 2022. City Secretary, Paula Favors, presented copies of the draft minutes from the regular meetings held August 8, 2022 and August 22, 2022 and special meeting held August 9, 2022. After some discussion, Councilmember, Terry Freese, moved to approve the minutes from the regular meetings held August 8, 2022 and August 22, 2022 and special meeting held August 9, 2022. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a resolution of the Wharton City Council approving a written service agreement with the property owners of W.A. Harrison Agriculture Ltd. for the provision of services under Local Government Code 43.0672; and authorizing the Mayor of the City of Wharton to execute all documents relating to said agreement. City Secretary, Paula Favors, presented a copy of a memorandum to City Manager, Joseph R. Pace, stating it was required that a City that wants to annex an area of land under Subchapter C-3. Annexation of Area on Request of Owners, under the Local Government Code, must first negotiate and enter into a written agreement with the owners of the land in the area. Mrs. Favors stated that W.A. Harrison Agriculture Ltd., had requested that a certain 0.420-acre tract of land located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167-acre tract as recorded in Volume 1000, Page 476 of the Deed of Records of Wharton County, Texas be considered for annexation within the City of Wharton. She said the property owners had also agreed to the City of Wharton Annexation Agreement of Services. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-85, which read as follows:

CITY OF WHARTON

RESOLUTION NO. 2022-85

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A WRITTEN SERVICE AGREEMENT WITH THE PROPERTY OWNERS OF W.A. HARRISON AGRICULTURE LTD. FOR THE PROVISION OF SERVICES UNDER LOCAL GOVERNMENT CODE 43.0672; AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID AGREEMENT.

WHEREAS, The City of Wharton wishes to enter into a written service agreement with the property owners of W.A. Harrison Agriculture for a certain 0.420-acre tract of land located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167-acre tract as recorded in Volume 1000, Page 476 of the Deed of Records of Wharton County, Texas; and,

WHEREAS, The City of Wharton under Local Government Code 43.0672, shall negotiate and enter into a written agreement with the owners of the land that is being requested to be annexed; and,

WHEREAS, The City of Wharton; and the owners of W.A. Harrison Agriculture for a certain 0.420 acre tract of land located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167 acre tract as recorded in Volume 1000, Page 476 of the Deed of Records of Wharton County, Texas, are in agreement with City of Wharton Annexation Agreement of Services, attached as Exhibit "A".

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

Section I. That the Wharton City Council hereby approves the written service agreement with the property owners of W. A. Harrison Agriculture LTD for the provision of services under Local Government Code 43.0672.

Section II. That Wharton City Council hereby approves the negotiated written agreement with the owners of said property.

Section III. That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned agreement.

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

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Don Mueller, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider an ordinance annexing the hereinafter described territory, owned by W. A. Harrison Agriculture, Ltd., Wharton County, Texas, and extending the boundary limits of said City so as to include said hereinafter described property within said City limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said City, and adopting a service plan. City Secretary, Paula Favors, stated that during the regular August 8, 2022, Regular Wharton City Council Meeting, the City Council accepted a petition for voluntary annexation from W. A. Harrison Agriculture Ltd. Mrs. Favors said the first and only Public Hearing was held during this regular September 12, 2022, Wharton City Council meeting and since the requirements of the Public Hearing had been satisfied, the City Council could consider the ordinance annexing the properties owned by W.A. Harrison Agriculture, Ltd., listed below:

1. 0.420 acre tract of land, located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167 acre tract as recorded in Volume 1000, Page 476 of the Deed Records of Wharton County, Texas.

After some discussion, Councilmember Don Mueller, moved to approve City of Wharton Ordinance No. 2022-14, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2022-14**

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY, OWNED BY THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY, AND ADOPTING A SERVICE PLAN.

WHEREAS, Article I. Incorporation; Form of Government; Corporate and General Powers of the City of Wharton City Charter; Section 8 Extending city limits upon petition and Section 9 Extending and fixing city limits by ordinance as restricted by law, of the City Charter, of the City of Wharton, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state; and,

WHEREAS, The procedures prescribed by the City Charter of the City of Wharton, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

1. 0.420 acre tract of land, located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167 acre tract as recorded in Volume 1000, Page 476 of the Deed Records of Wharton County, Texas. (Exhibit A).

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

Section I. That the heretofore described property is hereby annexed to the City of Wharton, Wharton County, Texas, and that the boundary limits of the above described territory within the city limits of the City of Wharton, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Wharton and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

Section II. A service plan for the area is adopted and attached as Exhibit B.

Section III. The City Secretary is hereby directed to file with the County Clerk of Wharton, Texas, a certified copy of this ordinance.

Section IV. This ordinance shall become effective immediately upon its passage.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Wharton, Texas, on the 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a request from the Monterey Square Business Association for the following for the Monterey Square Wine and Arts Fair on October 8, 2022:

- A. Close Fulton Street between Burleson Street and Milam Street as well as close Houston Street between Burleson Street and Hawes Street from 2:00 p.m. until 10:00 p.m. on Saturday, October 8, 2022.
- B. Provide six (6) generator lights for safety for the fair location and Guffey Park parking area.
- C. Allow open containers for the alcohol on City property on the exterior sides of the Monterey Square and approximately two adjoining blocks to include all participating businesses.
- D. Waive all local permits and fees.
- E. Provide trash cans and bags.

City Manager, Joseph R. Pace, presented a copy of the letter dated August 8, 2022, from Ms. Margaret Montgomery Kosta, Secretary of the Monterey Square Business Association, providing her request for the afore-mentioned items. After some discussion, Councilmember, Terry Freese, moved to approve A., C., D., and F. as presented and item B. having the City provide two (2) generator lights for the event. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider a request by Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce & Agriculture, for City of Wharton assistance by approving the following for the Party Under the Bridge to be held Thursday, October 20, 2022:

- 1. Closing to traffic from 4:00 p.m. to 8:00 p.m. a portion of Elm Street from Dinosaur Park to underneath the southbound lane of Business 59 and ending near the intersection with Polk Street.
- 2. Closing to traffic from 4:00 p.m. to 8:00 p.m. the Dinosaur Park parking lot and access roads.
- 3. Closing to traffic a portion of West Colorado Street from North Richmond Road southward to the end of Dinosaur Park.
- 4. Traffic control as needed, including for the route of a children's train.
- 5. Access to electrical power in close proximity as possible to the entrance to the park at Colorado Street.
- 6. Trash cans, and if possible, clean up assistance.
- 7. Request for mosquito spraying and fire ant treatment.

8. Allow open containers within the confines of the event area coordinated with the Wharton Police Department.
9. Labor and logistics to pick up, set up and return tables and chairs.
10. Picking up, setting up, operating, and returning two (2) generator light plants that the Chamber will rent.
11. Waive all fees.

City Manager, Joseph R. Pace, presented a copy of a letter dated August 24, 2022, from Wharton Chamber of Commerce Executive Director, Ron Sanders, regarding the Party Under the Bridge. Mr. Sanders stated the event would be on Thursday, October 20, 2022, from 5:00 p.m. to 8:00 p.m. After some discussion, Councilmember, Terry Freese, moved to approve the afore mentioned items. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The seventh item on the agenda was to review a consider a resolution of the Wharton City Council approving an amended contract between the City of Wharton and Wharton County for Emergency Medical Services for Ambulance Transports and authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. EMS Director, Christy Gonzales, presented a draft copy of the contract and draft resolution for Emergency Medical Services for Ambulance Transports between the City of Wharton and Wharton County. Mrs. Gonzales stated that there were two changes from the previous contract. (1) Exhibit A had been updated to reflect current Medicare allowable fees and (2) Ancillary supplies. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-86, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-86**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AMENDED CONTRACT BETWEEN THE CITY OF WHARTON AND WHARTON COUNTY FOR EMERGENCY MEDICAL SERVICES FOR AMBULANCE TRANSPORTS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.

WHEREAS, The City of Wharton wishes to enter into an amended contract with Wharton County for Emergency Medical Services for Ambulance Transports; and,

WHEREAS, The Wharton City Council and Wharton County wishes to be bound by the conditions as set forth in the contract; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of 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 the amended contract with Wharton County for Emergency Medical Services for Ambulance Transports.

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

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

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, 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 approving the purchase of a Contraband Team Inspection Kit for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said purchase. Chief, Terry David Lynch, stated that at the beginning of 2022, the Wharton Police Department received the Governor’s Lone Star Grant for the purpose of combatting human smuggling and contraband detection. Chief Lynch said the Police Department had been operational for a few months and they were requesting the purchase of a necessary tool which would be funded by the grant, a CT-40 Contraband Team Inspection Kit which included a Videoscope Inspection System used to probe fuel tanks and crevices for the detection of narcotics/contraband was needed. He said the kit would be purchased through CSECO (Campbell Security Equipment Company), who was the sole manufacturer/distributor of this product for \$19,074.00, which was 100% funded through the grant. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-87, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-87**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE OF A CONTRABAND TEAM INSPECTION KIT FOR THE WHARTON POLICE DEPARTMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The City of Wharton Police Department requests to purchase a Contraband Team Inspection Kit through the Governor’s Lone Star Grant; and,

WHEREAS, The Contraband Team Inspection Kit will be purchased through Campbell Security Equipment Company in the amount of \$19,074.00 and is 100% funded through the grant; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor 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. That the Wharton City Council hereby approves the purchase in the amount of \$19,074.00 to purchase a Contraband Team Inspection Kit for the Wharton Police Department.

Section II. That the Mayor of the City of Wharton is hereby authorized 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 September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The ninth item on the agenda was to review and consider resolution of the Wharton City Council approving a Professional Engineering Services Contract with Quiddity Engineering, LLC, for the Valhalla Water Well Rehabilitation 2022 and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Public Works Director, Anthony Arcidiacono, presented a copy of the Professional Engineering Services Contract with Quiddity Engineering for the Valhalla Water Well Rehabilitation 2022. Public Works Director, Arcidiacono, said that according to the last inspection, the pump was down 40% of its overall efficiency and needed

reworked. After some discussion, Councilmember, Don Mueller, moved to approve City of Wharton Resolution No. 2022-88, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-88**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH QUIDDITY ENGINEERING, LLC FOR THE VALHALLA WATER WELL REHABILITATION 2022 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to approve a Professional Engineering Services Contract between the City of Wharton and Quiddity Engineering, LLC, for the Valhalla Water Well Rehabilitation 2022; and,

WHEREAS, The City of Wharton and Quiddity Engineering, LLC wishes to be bound by the conditions as set forth in the 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 a contract between the City of Wharton and Quiddity Engineering, LLC, for the Valhalla Water Well Rehabilitation 2022.

Section II. The Wharton City Council hereby approves to authorize the Mayor of the City of Wharton to execute the contract.

Section III. The City of Wharton and Quiddity Engineering, LLC, are hereby bound by the conditions as set forth in the contract.

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

Passed, Approved, and Adopted this the 12th day of September 2022.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The tenth item on the agenda to review and consider a resolution Wharton County Emergency Services District No. 3:

- A. Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement for Emergency Medical Services between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 and authorizing the Mayor of the City of Wharton to execute the agreement.
- B. Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement for Administrative Services between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 and authorizing the Mayor of the City of Wharton to execute the agreement.

City Secretary, Paula Favors, presented a copy of a memorandum regarding the Wharton County Emergency Services District (ESD) No. 3's agreements with the City of Wharton. Mrs. Favors stated it was her recommendation that both Items A & B above be considered for approval by the City Council. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-90, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-90**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES BETWEEN THE WHARTON COUNTY EMERGENCY SERVICES DISTRICT (ESD) NO. 3 AND THE CITY OF WHARTON EMERGENCY MEDICAL SERVICES DEPARTMENT.

WHEREAS, The Wharton County Emergency Services District (ESD) No. 3 Board has hereby authorized the ESD No. 3 President to execute an agreement with the City of Wharton for emergency medical services; and,

WHEREAS, The City of Wharton hereby wishes to enter into an Interlocal Agreement with the Wharton County Emergency Services District (ESD) No. 3 to provide Emergency Medical Services (EMS); and,

WHEREAS, The ESD No. 3 and the City of Wharton wishes to 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.

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 execute an Interlocal Agreement between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 for emergency medical services.

Section II. That the City of Wharton and the ESD No. 3 shall hereby be 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 September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-89**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR ADMINISTRATIVE SERVICES BETWEEN THE WHARTON COUNTY EMERGENCY SERVICES DISTRICT (ESD) NO. 3 AND THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton County Emergency Services District (ESD) No. 3 Board has hereby authorized the ESD No. 3 President to execute an agreement with the City of Wharton for administrative services; and,

WHEREAS, The ESD No. 3 and the City of Wharton wishes to be bound by the conditions as set forth in the agreement; and,

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

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

Section I. That Wharton City Council hereby approves an Interlocal Agreement between the City of Wharton and the Wharton County Emergency Services District No. 3 for administrative services.

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the agreement.

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

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
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 Contract Agreements with the Texas Municipal League Health Benefits Pool (TML Health Benefits Pool):

- A. Resolution: A resolution of the Wharton City Council approving participation of Coverage with The Standard Insurance Company through the Texas Municipal League Health Benefits Pool (TML) Health Benefits Pool for long-term disability, life, accidental death and dismemberment for City employees; Authorizing the Mayor of the City of Wharton to execute all documents relating to said agreement.
- B. Resolution: A resolution of the Wharton City Council approving the TML Health Benefits Pool Flexible Spending Arrangement Service Agreement (FSA) a Section 125 Flexible Spending Arrangement (FSA) for the Flexible Spending benefits under Section 125 of the Internal Revenue Code of City Employees; Authorizing the Mayor of the City of Wharton to execute all documents relating to said agreement.
- C. Resolution: A resolution of the Wharton City Council approving the Texas Municipal League (TML) Health Benefits Pool COBRA Continuation of Coverage Administrative Agreement and; Authorizing the Mayor of the City of Wharton to execute all documents relating to said agreement.

City Secretary, Paula Favors, presented copies of memorandums and the Application for Participation in Coverage Through The Standard received from the TML Health Benefits Pool for the City of Wharton eligible employees long-term disability, life, accidental death and dismemberment coverage.; the Section 125 Flexible Spending Arrangement (FSA) Service Agreement from the Texas Municipal League (TML) Health Benefits Pool and an updated COBRA agreement. Mrs. Favors stated these would be updated participation applications with the only change from the current agreement being the COBRA fee structure change from a Per COBRA enrollee per month to a flat fee of \$80. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-91, 2022-92 and 2022-93, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-91**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING PARTICIPATION OF COVERAGE WITH THE STANDARD INSURANCE COMPANY THROUGH THE TEXAS MUNICIPAL LEAGUE HEALTH BENEFITS POOL (TML) HEALTH BENEFITS POOL FOR LONG-TERM DISABILITY, LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT FOR CITY EMPLOYEES; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID AGREEMENT.

WHEREAS, The City of Wharton received the application for participation in coverage through The Standard Insurance Co.; and,

WHEREAS, The City of Wharton contracts with the Texas Municipal League (TML) Health Benefits Pool for coverage for long-term disability, life, accidental death and dismemberment for City employees; and,

WHEREAS, The City of Wharton would like to continue to provide coverage through TML Health Benefits and The Standard Insurance Company.

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 application for participation in coverage with The Standard Insurance through the Texas Municipal League (TML) Benefits Pool.

Section II. That Wharton City Council hereby approves providing to each full-time eligible employee coverage of long-term disability, life, accidental death and dismemberment.

Section III. That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned agreement.

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

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-92**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE TML HEALTH BENEFITS POOL FLEXIBLE SPENDING ARRANGEMENT SERVICE AGREEMENT (FSA) A SECTION 125 FLEXIBLE SPENDING ARRANGEMENT (FSA) FOR THE FLEXIBLE SPENDING BENEFITS UNDER SECTION 125 OF THE INTERNAL REVENUE CODE OF CITY EMPLOYEES; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID AGREEMENT.

WHEREAS, The City of Wharton received the service agreement for the Section 125 Flexible Spending Arrangement; and,

WHEREAS, The City of Wharton Section 125 Flexible Spending Arrangement plan with Texas Municipal League (TML) Health Benefits Pool would allow eligible healthcare expense reimbursements as prescribed by Section 223 of the Internal Revenue Code; and,

WHEREAS, The City of Wharton would provide to each full time eligible employee with the Section 125 Flexible Spending Plan administered by the TML Health Benefits Pool.

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 Section 125 Flexible Spending Arrangement (FSA) Service Agreement with the Texas Municipal League (TML) Health Benefits Pool.

Section II. That Wharton City Council hereby approves the Section 125 Flexible Spending Arrangement plan for eligible healthcare expense reimbursements prescribed by Section 223 of the Internal Revenue Code.

Section III. That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned agreements.

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

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-93**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE TEXAS MUNICIPAL LEAGUE (TML) HEALTH BENEFITS POOL COBRA CONTINUATION OF COVERAGE ADMINISTRATIVE AGREEMENT AND; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID AGREEMENT.

WHEREAS, The City of Wharton received the service agreement from the Texas Municipal League (TML) Health Benefits Pool for the administration of COBRA Continuation of Coverage; and,

WHEREAS, The City of Wharton wishes to continue with the Texas Municipal League (TML) Health Benefits Pool for the administration of COBRA Continuation of Coverage; and,

WHEREAS, The City of Wharton would provide to each full time eligible employee with the TML Health Benefits Pool the option for the continuation of coverage.

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 COBRA Continuation of Coverage Administrative Agreement with the Texas Municipal League (TML) Health Benefits Pool.
- Section II.** That Wharton City Council hereby approves COBRA coverage for all eligible full-time employees through the Texas Municipal League (TML) Health Benefits Pool.
- Section III.** That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned agreements.
- Section IV.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, 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 Change Order No. 7 for cost increase due to the addition of a CenterPoint Transformer Pad and crane placement with E- Contractors for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said change order. Director of Planning & Development, Gwyn Teves, presented the Wharton Well & Water Plant – Contract #1 (General Construction), Change Order #7 from E-Contractors for a price increase due to the addition of a CenterPoint pad and crane placement. Mrs. Teves stated this would cover all cost associated with the work performed to accomplish building the transformer pad in order to get electricity to Wharton Water Plant #5 reduction to reimburse the City of Wharton for retests and canceled tests through March 18, 2022 and any retest or canceled test beyond this date the contractor would still be responsible for reimbursing the City of Wharton for their expenses. She said the Change Order was for an increase in the amount of \$10,000.00. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-94, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-94**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 7 FOR COST INCREASE DUE TO THE ADDITION OF A CENTERPOINT TRANSFORMER PAD AND CRANE PLACEMENT WITH E-CONTRACTORS FOR THE WHARTON WELL AND WATER PLANT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to approve Change Order No. 7 for cost increase due to the addition of a CenterPoint transformer pad and crane placement with E-Contractors for the Wharton Well and Water Plant Project; and,

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

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

Section I. The Wharton City Council hereby authorizes Change Order No. 7 for cost increase due to the addition of a CenterPoint transformer pad and crane placement with E-Contractors for the Wharton Well and Water Plant Project.

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

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

Passed, Approved, and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Don Mueller, seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council ratifying and approving Change Order # 1 for application #GLO17-04494-P and Change Order # 1 for application #GLO17-04579-P pertaining to the Community Development Block Grant Program (CDBG-DR) Contract Number 19-076-050-B703. Director of Planning & Development, Gwyn Teves, stated that after completing construction on the two applicants homes the cost for the required insurances came in below estimated cost and this had resulted in the need for change orders for application #GLO17-04494-P and for application #GLO17-04579-P. Mrs. Teves stated the change order for application #GLO17-04494-P was a reduction of \$1,646.75 and the change order for application #GLO17-04579-P was a reduction of \$3,244.00. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-95, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-95**

A RESOLUTION OF THE WHARTON CITY COUNCIL RATIFYING AND APPROVING CHANGE ORDER # 1 FOR APPLICATION #GLO17-04494-P AND CHANGE ORDER # 1 FOR APPLICATION #GLO17-04579-P PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG-DR) CONTRACT NUMBER 19-076-050-B703.

WHEREAS, The City of Wharton has received a Community Development Block Grant-Disaster Recovery award for damage sustained from 2016 Presidentially declared flooding; and,

WHEREAS, A change order has been provided to reduce the contract cost for application #GLO17-04494-P in the amount of \$1,646.75 and to reduce the contract cost for application #GLO17-04579-P in the amount of \$3,244.00; and,

WHEREAS, The Wharton City Council wishes to ratify and approve change order # 1 for application #GLO17-04494-P and change order # 1 for application #GLO17-04579-P pertaining to the Community Development Block Grant Program (CDBG-DR) contract number 19-076-050-B703; and,

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

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

Section I. The Wharton City Council hereby ratifies and approves change order # 1 for application #GLO17-04494-P and change order # 1 for application #GLO17-04579-P pertaining to the Community Development Block Grant Program (CDBG-DR) contract number 19-076-050-B703.

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

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

Passed, Approved and Adopted this 12th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary

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

The fourteenth item on the agenda was to review and consider Pay Request No. 4 from Aranda Industries for the Colorado River Flood Control Public Utility Abandonment Hughes Street. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 4 from Aranda Industries for the Colorado River Flood Control Public Utility Abandonment Hughes Street in the amount of \$279,896.72. After some discussion, Councilmember, Clifford Jackson, moved to approve Pay Request No. 4 from Aranda Industries for the Colorado River Flood Control Public Utility Abandonment Hughes Street in the amount of \$279,896.72. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider Official Ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. City Secretary, Paula Favors, presented a copy of the Official Ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. Mrs. Favors said the officials listed on the ballot had been nominated to serve a six-year term and it was City Staff's recommend the City Council cast its vote for the following:

- Place 6 - Allison Hayward
- Place 7 - Mary Dennis - Incumbent
- Place 8 - Marian Mendoza
- Place 9 - Opal Mauldin-Jones – Incumbent

After some discussion, Councilmember, Terry Freese, moved to approve the afore mentioned candidates for the Official Ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. Councilmember, Clifford Jackson, seconded the motion.

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

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

After some discussion, no action was taken.

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

- A. Finance Committee meeting held August 22, 2022.

After some discussion, no action was taken.

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

The meeting adjourned at 7:36 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
SEPTEMBER 26, 2022**

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. Adraylle Watson, led the opening devotion and Mayor, Tim Barker, led the pledge of allegiance.

Councilmember's present were: Mayor, Tim Barker and Councilmembers, Terry Freese; Russell Machann; Don Mueller; Clifford Jackson; Larry Pittman and Steve Schneider.

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; Assistant to the City Manager, Brandi Jimenez; Police Chief, Terry David Lynch and Assistant to the Building Official, Claudia Velasquez.

Visitors present were: Zack Pomeroy; Alberto Vasquez; Tammy Atkinoon; Margaret Montgomery Kosta; Ron Sanders, Executive Director of the Wharton Chamber of Commerce; Alejandro Vargas and Joe Southern 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.

City Manager, Joseph R. Pace, stated the 30th Annual Rotary Gala took place on Saturday, September 24, 2022 at the Wharton Civic Center and it was a huge success.

Review and Consider:

The first item on the agenda was to review and consider the City of Wharton Financial Report for August 2022. Finance Director, Joan Andel, presented the City of Wharton Financial Report for August 2022. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for August 2022. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item was to review and consider an ordinance adopting the Fiscal Year 2022-2023 Annual Budget for the City of Wharton, Texas; appropriating the sums established therein; and directing the City Secretary to file copies as required by law. Finance Director, Joan Andel, stated that during the Regular City Council meeting held on August 22, 2022, the City Council received under separate cover a copy of the proposed budget for the City of Wharton, Texas, Fiscal Year October 1, 2022 to September 30, 2023. Mrs. Andel said that during the Regular City Council meeting held September 12, 2022, the City Council held a Public Hearing to receive public input regarding the City of Wharton Annual Budget for Fiscal Year 2022–2023. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Ordinance No. 2022-15, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2022-15**

AN ORDINANCE ADOPTING THE FISCAL YEAR 2022-2023 ANNUAL BUDGET FOR THE CITY OF WHARTON, TEXAS; APPROPRIATING THE SUMS ESTABLISHED THEREIN; AND DIRECTING THE CITY SECRETARY TO FILE COPIES AS REQUIRED BY LAW.

WHEREAS, the City’s Budget for the Fiscal Year ending September 30, 2023, which is attached hereto, was duly submitted to the City Council more than thirty (30) days prior to September 30, 2022; and,

WHEREAS, a Public Hearing was duly called and held on said Budget not less than seven days nor more than fourteen days after date of publication giving notice of such meeting and prior to the time the City Council of the City of Wharton levied taxes for such current Fiscal Year; and,

WHEREAS, all parties desiring to participate and be heard at said Public Hearing having been heard until no more evidence was offered, and such hearing having been concluded, and the City Council of said City having made such changes in such Budget as in its judgment the law warrants and the best interest of the taxpayers of the City of Wharton, Texas, demand, said Budget with such changes being attached hereto, as aforesaid.

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

Section 1. THAT the findings set out in the preamble of this ordinance are true and correct.

Section 2. THAT the Budget of the City of Wharton, Texas for the Fiscal Year ending September 30, 2023, be and the same is hereby, in all respects, finally approved and adopted including any changes approved by the City Council; and the same shall be and is hereby filed with the City Secretary of the City.

Section 3. THAT the General Fund is hereby established to account for resources associated with traditional government activities, which are not required legally or by sound financial management to be accounted for in another fund. The General Fund is hereby approved with \$6,560,284 estimated revenues and \$7,665,930 in appropriations and with transfers-in approved at \$1,180,144 and transfers-out approved at \$74,498. The amounts are specified for departmental purposes named in said Budget and they are hereby appropriated to and for such purposes at the departmental level.

Section 4. THAT, the PEG (Public, Educational, Government television access) Fund is created to account for all funds received from the 1% franchise fee provided through the local cable provider. The PEG Fund is hereby approved with \$3,500 in estimated revenues and \$3,500 in appropriations.

Section 5. THAT the Hotel Motel Fund is created to account for the occupancy tax levied on hotel rooms within the City as adopted by City Ordinance and consistently with Chapter 351 of the Texas Tax Code. The Hotel Motel Fund is hereby approved with \$281,850 in estimated revenues which includes \$281,850 in appropriations including transfers-out approved at \$224,350 with a beginning fund balance of approximately \$76,252.

Section 6. THAT the Narcotics Seizure Fund is created to account for the resources and uses of assets seized in illegal narcotics activities. The uses are limited to law enforcement activities. The Narcotics Seizure Fund is hereby approved with \$5,700 estimated revenues, \$5,700 appropriations with beginning fund balance of approximately \$35,072.

Section 7. THAT the Debt Service Fund is hereby created to account for the accumulation of resources collected for Interest and Sinking requirements and for the disbursement of those resources for debt requirements. The Debt Service Fund is hereby approved with \$2,681,303 in estimated revenues and \$2,681,303 in appropriations. The estimated beginning fund balance is \$496,033.

Section 8. THAT the Capital Improvement Fund is created to account for infrastructure improvements authorized by the City Council. The Capital Improvement Fund is approved with \$100,000 in estimated revenues and expenses. The estimated beginning fund balance is \$219,345.

Section 9. THAT the Water and Sewer Fund is created to account for the resources and uses associated with the delivery of utility services to citizens of Wharton as an enterprise fund. The Water & Sewer Fund is hereby approved with \$6,032,900 in estimated revenues. Water and sewer is approved with \$6,032,900 in appropriations, which includes a franchise fee of 8% of water and sewer sales are approximately \$464,745, and transfers-out approved at \$1,181,732.

Section 11. **THAT** the Solid Waste Fund is created to account for the financial activities of the City’s solid waste collection contract and delivery to citizens of Wharton as an enterprise fund. The Solid Waste Fund is approved with \$1,691,349 in estimated revenues and \$1,691,349 in appropriations which includes a franchise fee of 6% of solid waste revenues or approximately \$86,007.

Section 12. **THAT** the Emergency Medical Services Fund is created to account for the financial activities of the emergency medical services provided to the city and surrounding areas as an enterprise fund. The Emergency Medical Services Fund is approved with \$2,657,636 in estimated revenues and \$2,657,636 in appropriations which includes transfers-out of \$98,412.

Section 13. **THAT** the Civic Center Fund is created to account for the financial activities of the Civic Center as an enterprise fund. The Civic Center is approved with \$314,524 in estimated revenues and \$314,524 in appropriations. Transfers-in are approved at \$244,098.

Section 14. **THAT** the Airport Fund is created to account for the financial activities of the Wharton Regional Airport as an enterprise fund. The Airport Fund is approved with \$378,410 in estimated revenues and \$378,410 in appropriations.

Section 15. **THAT** the City Secretary shall file copies of this Ordinance and of such Budget with the County Clerk of Wharton County, Texas.

PASSED AND APPROVED by a favorable majority of the members of the City Council of the City of Wharton, Texas, in Council Meeting, this 26th day of September 2022 duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor	YES
Clifford Jackson, Councilmember District 1	YES
Steven Schneider, Councilmember District 2	YES
Terry Freese, Councilmember District 3	YES
Donald Mueller, Councilmember District 4	YES
Russell Machann, Councilmember at Large Place 5	YES
Larry Pittman, Councilmember at Large Place 6	YES

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance invalid or unconstitutional any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

CITY OF WHARTON

By: _____
Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Joseph R. Pace, City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anadel, Finance Director

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

The third item on the agenda was to review and consider an ordinance levying a tax rate for the City of Wharton, Texas, for the Tax Year 2022; directing the Tax Assessor-Collector to assess, account for and distribute the taxes as herein levied; and providing repealing and severability clauses. Finance Director, Joan Anadel, presented a copy of the draft ordinance levying a tax rate for the City of Wharton, Texas, for the Tax Year 2022; directing the Tax Assessor-Collector to assess, account for and distribute the taxes as herein levied; and providing repealing and severability clauses. After some discussion, Councilmember, Don Mueller, moved to approve City of Wharton Ordinance No. 2022-16, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2022-16**

AN ORDINANCE LEVYING A TAX RATE FOR THE CITY OF WHARTON, TEXAS, FOR THE TAX YEAR 2022; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS, ACCOUNT FOR AND DISTRIBUTE THE TAXES AS HEREIN LEVIED; AND PROVIDING REPEALING AND SEVERABILITY CLAUSES.

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

Section 1. THAT there be and is hereby levied for the year 2022 on all real and personal property within and all real and personal property and mineral royalties owned within the city limits of the City of Wharton, Texas for the year 2022, except so

much thereof as may be exempt by the constitution and of the State of Texas and of the United States, the following:

Maintenance and Operations	.09739/\$100 valuation
For Debt Service Requirements	.32022/\$100 valuation
Total Tax Rate	.41761/\$100 valuation

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE

and

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.9 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(-2.33).

Section 2. **THAT** the Tax Assessor-Collector and/or Finance Director is hereby directed to assess, extend and enter upon the certified tax rolls of the City of Wharton, Texas, for the current taxable year, as provided by the Wharton County Appraisal District, the amounts and rates as herein levied, to keep correct amount of same, and when collected, to be distributed in accordance with this ordinance.

Passage and Approval

PASSED AND APPROVED by a favorable majority of the members of the City Council of the City of Wharton, Texas, in a Council Meeting, this 26th day of September, 2022, duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor	YES
Clifford Jackson, Councilmember District 1	YES
Steven Schneider, Councilmember District 2	YES
Terry Freese, Councilmember District 3	YES
Donald Mueller, Councilmember District 4	YES
Russell Machann, Councilmember at Large Place 5	YES
Larry Pittman, Councilmember at Large Place 6	YES

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance invalid or unconstitutional any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

CITY OF WHARTON

By: _____
Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Joseph R. Pace, City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anandel, Finance Director

Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The fourth item to review and consider on the agenda was a request from Mr. Alejandro Vargas, of 817 East Milam Street, Dickson Subd., Lots 21 & 22 for a variance to build over the property line between two lots for commercial building construction. Director of Planning & Development, Gwyn Teves, presented a request from Mr. Alejandro Vargas, of 817 East Milam Street, Dickson Subd., Lots 21 & 22 for a variance to build over the property line between two lots for commercial building construction. Mrs. Teves stated the Planning Commission met on September 19, 2022, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Russell Machann, moved to approve the the request with the replatting of the property to take place first. Councilmember, Terry Freese, seconded the motion. Councilmember, Machann, made a motion to resend the motion. Councilmember, Clifford Jackson, made a motion to approve the request from Mr. Alejandro Vargas, of 817 East Milam Street, Dickson Subd., Lots 21 & 22 for a variance to build over the property line between two lots for commercial building construction. Councilmember, Larry Pittman, seconded the motion. Councilmember, Terry Freese, opposed the motion. Councilmember, Steve Schneider; Councilmember, Don Mueller and Councilmember, Russell Machann, voted for the motion. The motion carried.

The fifth item on the agenda was to review and consider a request by Mr. Alberto Vasquez, for an extension of a Variance for Temporary Placement of Travel Trailer for Temporary Housing for 532 East Elm Street. Director of Planning & Development, Gwyn Teves, stated Mr. Alberto Vasquez, requested and received temporary variances of Chapter 38-Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes,

Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles for 532 East Elm Street. Mrs. Teves said the last variance expired May 31, 2022 and the City had provided multiple variances and extensions of these variances in an effort to assist residents while alternative housing arrangements are made. She said that Mr. Vazquez, was constructing his home at this location and he had been in his RV and working on construction since December 2020. After some discussion, Councilmember, Russell Machann, moved to approve the request by Mr. Alberto Vasquez, for an extension of a Variance of Temporary Placement of a Travel Trailer for Temporary Housing for 532 East Elm Street for six months which would end on March 26, 2023. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider a request from Mr. Aaron Drake, 1324 La Delle Street, Arnel Subd., Lot 11 for a 7-foot side property line setback variance for the placement of a permanent structure due to gas line conflict. Director of Planning & Development, Gwyn Teves, presented a copy of the request from Mr. Aaron Drake, 1324 La Delle Street, Arnel Subd., Lot 11 for a 7-foot side property line setback variance for the placement of a permanent structure due to gas line conflict. Mrs. Teves stated the Planning Commission met on September 19, 2022, 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. Aaron Drake, 1324 La Delle Street, Arnel Subd., Lot 11 for a 7-foot side property line setback variance for the placement of a permanent structure due to gas line conflict. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a request from First Baptist Church for the 2022 Harvest Festival for the following:

- A. Closure of Linn Street between North Houston Street and North Fulton Street.
- B. Provide the necessary barricades.

City Manager, Joseph R. Pace, presented a copy of a letter from Mr. Zack Pomeroy, of the First Baptist Church, requesting the above mentioned for the 2022 Harvest Festival being held on October 31, 2022, from 5:30 p.m. to 7:00 p.m. After some discussion, Councilmember, Russell Machann, moved to approve the request from First Baptist Church for the 2022 Harvest Festival for the closure of Linn Street between North Houston Street and North Fulton Street and to provide the necessary barricades. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider a request from the Monterey Square Business Association, for the following for the Monterey Square Wine and Arts Fair on October 8, 2022:

- A. Hang Wine Fair Banner across the intersection of Richmond Road and Boling Highway.

City Manager, Joseph R. Pace, presented a copy of a letter from Ms. Margaret Montgomery Kosta, Secretary of the Monterey Square Business Association, providing her request for the aforementioned item. After some discussion, Councilmember, Larry Pittman, moved to approve the

request from the Monterey Square Business Association, for the Monterey Square Wine and Arts Fair on October 8, 2022 to hang the Wine Fair Banner across the intersection of Richmond Road and Boling Highway. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider the resolution of the Wharton City Council authorizing the Mayor of the City of Wharton, Wharton County, Texas, to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services for the October 1, 2022 to September 30, 2023 Fiscal Year. Finance Director, Joan Andel, presented a copy of a draft agreement between the City of Wharton and the Chamber of Commerce & Agriculture for Visitor and Convention Bureau Services for the October 1, 2022 to September 30, 2023 Fiscal Year. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-96, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-96**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, TO EXECUTE AN AGREEMENT WITH THE CHAMBER OF COMMERCE AND AGRICULTURE FOR VISITOR AND CONVENTION BUREAU SERVICES FOR OCTOBER 1, 2022 TO SEPTEMBER 30, 2023 FISCAL YEAR.

WHEREAS, The Wharton City Council hereby authorizes Mayor Tim Barker to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services; and,

WHEREAS, The City of Wharton and the Wharton Chamber of Commerce and Agriculture hereby agrees to be bound by the conditions as set forth in the 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 Tim Barker, Mayor of the City of Wharton to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services for the October 1, 2022 to September 30, 2023 Fiscal Year.

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

Passed, Approved, and Adopted this 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

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 the 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. M2313WHRT, 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. Finance Director, Joan Anandel, presented a copy of the 2023 Routine Airport Maintenance Program (RAMP) Grant for the Wharton Regional Airport. Mrs. Anandel stated the City of Wharton had participated in the RAMP Program in the past years. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-97, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-97**

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. M2313WHRT 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 2023 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 2023 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 2023 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 26th day of September 2022.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The eleventh item on the agenda was to review and consider the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO) Consultant Selection Committee for Administration and Engineering Services:

- A. Resolution: A resolution of the Wharton City Council authorizing the City Staff to issue Requests for Proposals (RFP) for Administrative Services and establishing a Consultant Selection Committee and developing evaluation criteria for the selection of administrative services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO).
- B. Resolution: A resolution of the Wharton City Council authorizing the City Staff to issue Requests for Qualifications (RFQ) for Engineering Services and establishing a Consultant Selection Committee and developing evaluation criteria for the selection of engineering

services for the Regional Council of Governments method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO).

Director of Planning & Development, Gwyn Teves, stated that information was released through the Houston Galveston Area Council (HGAC) on September 7, 2022, in reference to the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO). Mrs. Teves said that this information advised applicable cities that the applications to use the money allocated to them would be due by January 9, 2023, by 5:00 p.m. She requested the City Council consider accepting to receive the allocation of \$4,360,800.00 on July 25, 2022. Mrs. Teves said that due to the extremely short turn around on the application period and the amount of funding it was her recommendation that the City Council authorize City Staff to issue Requests for Proposals (RFP) for Administrative Services and Requests for Qualifications (RFQs) for Engineering Services related to the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO) and establish Consultant Selection Committees for both Administrative Services and Engineering Services for the program. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-98 and 2022-99, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-98**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY STAFF TO ISSUE REQUESTS FOR PROPOSALS (RFP) FOR ADMINISTRATIVE SERVICES AND ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF ADMINISTRATIVE SERVICES FOR THE REGIONAL COUNCIL OF GOVERNMENTS METHOD OF DISTRIBUTION (COG-MOD) PROGRAM(S) FUNDED AND ADMINISTERED THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, The Wharton City Council wishes to authorize City Staff to issue Requests for Proposals (RFP) for Administrative Services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO); and,

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO) and provide recommendations to the entire City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the City Council Finance Committee along with the Finance Director and the Director of Planning & Development; and,

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

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

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

Section I. That the Wharton City Council hereby authorizes City Staff to issue Requests for Proposals (RFP) for Administrative Services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO).

Section II. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

Section III. That the Wharton City Council Consultant Selection Committee will consist of the City Council Finance Committee along with the Finance Director and the Director of Planning & Development.

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

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

Passed, Approved, and Adopted this 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-99**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY STAFF TO ISSUE REQUESTS FOR QUALIFICATIONS (RFQ) FOR ENGINEERING SERVICES AND ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND

DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF ENGINEERING SERVICES FOR THE REGIONAL COUNCIL OF GOVERNMENTS METHOD OF DISTRIBUTION (COG-MOD) PROGRAM(S) FUNDED AND ADMINISTERED THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, The Wharton City Council wishes to authorize City Staff to issue Requests for Qualifications (RFQ) for Engineering Services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO); and,

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO) and provide recommendations to the entire City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the City Council Public Works Committee along with the Public Works Director and the Director of Planning & Development; and,

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

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

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

Section I. That the Wharton City Council hereby authorizes City Staff to issue Requests for Qualifications (RFQ) for Engineering Services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO).

Section II. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

Section III. That the Wharton City Council Consultant Selection Committee will consist of the City Council Public Works Committee along with the Public Works Director and the Director of Planning & Development.

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

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

Passed, Approved, and Adopted this 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Clifford Jackson, 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 awarding a contract for the Waterline Improvements on Armstrong Street and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning & Development, Gwyn Teves, stated that on June 13, 2022, the Wharton City Council agreed to enter into an Infrastructure Improvement Agreement with the Wharton Economic Development Corporation for the waterline on Armstrong Street for the new construction of the Alamo Lumber Company. Mrs. Teves stated the agreement was to reimburse costs not to exceed \$198,000 for the improvements. She said proposals were received for the Waterline Improvements on Armstrong Street on September 26, 2022 and Quiddity Engineering was recommending the City Council consider awarding the contract to HTI Construction, Inc., in the amount of \$175,403.00. After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2022-100, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-100**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE WATERLINE IMPROVEMENTS ON ARMSTRONG STREET AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Proposals were received for the Waterline Improvements on Armstrong Street on September 26, 2022; and,

WHEREAS, HTI Construction, Inc., was deemed the best lowest qualified bidder for the base bid amount of \$175,403.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to HTI Construction, Inc, for the base bid amount of \$175,403.00; and,

WHEREAS, The City of Wharton and HTI Construction, Inc., 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 contract.

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

Section I. The Wharton City Council hereby authorizes the Mayor to execute the Waterline Improvements on Armstrong Street contract.

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

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

Passed, Approved, and Adopted this 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Don Mueller, seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider resolution of the Wharton City Council awarding a contract for the Waterline Improvements at Baird Subdivision and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning & Development, Gwyn Teves, stated that on August 11, 2022, the Wharton City Council approved entering into an Infrastructure Improvement Agreement with Mr. Russell Baird, for a waterline to be installed behind the Baird Subdivision buildings. Mrs. Teves said the agreement was to cover costs not to exceed \$50,000 for the improvements with proposals solicited from Branch Construction, Texas Pride Utilities and Ram Rod Utilities. She said it was the City Staff's recommendation to award the contract to Ram Rod Utilities for \$46,0550 who had provided the best and most qualified proposal. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2022-101, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-101**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE WATERLINE IMPROVEMENTS AT BAIRD SUBDIVISION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Proposals were solicited for the Waterline Improvements at Baird Subdivision; and,

WHEREAS, Ram Rod Utilities, was deemed the best lowest qualified bidder for the base bid amount of \$46,050.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to Ram Rod Utilities, for the base bid amount of \$46,050.00; and,

WHEREAS, The City of Wharton and Ram Rod Utilities, 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 contract.

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

Section I. The Wharton City Council hereby authorizes the Mayor to execute the Waterline Improvements at Baird Subdivision contract.

Section II. The City of Wharton and Ram Rod Utilities, are hereby bound by the conditions as set forth in the contract.

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

Passed, Approved, and Adopted this 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The fourteenth item on the agenda was to review and consider resolution of the Wharton City Council approving Change Order No. 4, for additional contract time with Weisinger, Inc., for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said change order. Director of Planning & Development, Gwyn Teves, presented a copy of the Wharton Well & Water Plant – Contract #2 (Water Well), Change Order No. 4 from Weisinger, Inc., for additional time to the contract in the amount of 93 days. Mrs. Teves stated this would move the contract completion date to November 30, 2022. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2022-102, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-102**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 4, FOR ADDITIONAL CONTRACT TIME WITH WEISINGER, INC. FOR THE WHARTON WELL AND WATER PLANT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to approve Change Order No. 4, for additional contract time with Weisinger, Inc. for the Wharton Well and Water Plant Project; and,

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

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

Section I. The Wharton City Council hereby authorizes Change Order No. 4, for 93 additional days to the contract with Weisinger, Inc. for the Wharton Well and Water Plant Project.

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

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

Passed, Approved, and Adopted this 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fifteenth item on the agenda was to review and consider Pay Request No. 6 and 6a, from Weisinger Inc., for the Wharton Well and Water Plant Contract No. 2 – Well Construction. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 6 in the amount of \$104,242.35 and 6a in the amount of \$25,905.61, from Weisinger Inc. for the Wharton Well and Water Plant Contract No. 2 – Well Construction. After some discussion, Councilmember, Clifford Jackson, moved to approve of Pay Request No. 6 in the amount of \$104,242.35 and 6a in the amount of \$25,905.61, from Weisinger Inc. for the Wharton Well and Water Plant Contract No. 2 – Well Construction. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The sixteenth 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 2023 General Assembly. City Secretary, Paula Favors, a copy of the letter dated September 7, 2022, 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 2023 General Assembly. Mrs. Favors stated Councilmember, Clifford Jackson, was serving as the City’s representative for the 2022 General Assembly and Councilmember, Russell Machann, was serving as the alternate representative. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-103, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-103**

A RESOLUTION DESIGNATING A CITY OF WHARTON REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2023 GENERAL ASSEMBLY.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS that Councilmember, Clifford Jackson, be and is hereby designated as its Representative to the General Assembly of the Houston-Galveston Area Council for the year 2023.

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 26th day of September 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

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

The eighteenth item on the agenda was to review and consider the update of City of Wharton on-going Projects. City Manager, Joseph R. Pace, presented a copy of his City of Wharton projects memorandum dated September 22, 2022, which read as follows:

FLOOD REDUCTION (LEVEE) PROJECT:

The U.S. Army Corp of Engineers (USACE) Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report is located at the Wharton County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>. The Project Participation Agreement (PPA) has been executed. The City has hired HDR for Right-of-Way Acquisition and Jones & Carter for City and private company utility relocations. The City has acquired all properties for the project. Utility relocations for City utilities is near completion and all private utilities have been relocated or abandoned. All asbestos abatement has been completed. Phase 1 was awarded on May 27th, but due to a complication the award was terminated, and the project will need to be rebid. USACE is currently anticipating going back out for procurement in November 2022 with an anticipated award in April 2023. Phase II Acquisition is tentatively anticipated to

be authorized by end of December 2022.

DRAINAGE:

1. Stavena Addition Drainage Project.

The design and construction plans are complete. The project is one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance.

2. Ahldag Ditch Improvement.

The project was approved by the City Council. The ditch improvements were proposed under the Texas General Land Office (GLO) Infrastructure Grant Program. The staff is currently working with an appraiser for ROW acquisition. The project is also listed as one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance. Project has currently been delayed due to environmental concerns with USACE permitting for jurisdictional waters.

3. On-going Drainage and Maintenance Program.

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

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

Installation of the drainage pipes was completed. The City Public Works Department will be regrading ditches to improve the drainage in the area. The project is listed as one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance.

WATER/SEWER IMPROVEMENTS:

1. On-going Water and Sewer Maintenance Program.

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

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

Monthly progress meetings are being held. Well drilling complete and pump being installed and set in October pending electrical service connection by CenterPoint. Ground storage tank construction complete. Plant construction still in progress.

STREET IMPROVEMENTS:

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. has submitted to TxDOT Yoakum District Office all required plans for the project. ROW is in process of being turned over to TxDOT for construction letting in October 2022.

2. I-69 Project.

The City submitted the comments as approved by the City Council to TxDOT. TxDOT

has informed the City that CivilCorp engineering has begun design and the City is involved in regular coordination meetings. City staff is coordinating with Quiddity Engineering on utility relocations of water and sewer lines along I-69 that will be impacted by the expansion. 3 easements will have to be acquired by City Staff to replace existing easements on US59 to relocate the existing sanitary sewer facilities. City Staff is working with TxDot and Quiddity to compose a reimbursement agreement to be brought to the City Council.

3. NanYa Exit Ramp Project.

TxDOT has been coordinating with NanYa and JM Eagle on the exit design. As of last coordination meeting the ramp has been implemented in the design with a turnaround under the FM 102 overpass to allow for easy access to the retail area on the alternate side of the Interstate.

After some discussion, no action was taken.

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

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

After some discussion, Councilmember, Terry Freese, moved to appoint the following:

- A. Appointments. – Planning Commission Term Expiring: June 30, 2023
Joel Williams

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

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

- A. Wharton Economic Development Corporation Board of Directors Selection Committee meeting held September 12, 2022.
- B. Beautification Commission meeting held September 14, 2022.

After some discussion, no action was taken.

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

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

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

After some discussion, no action was taken.

There being no further discussion, Councilmember, Don Mueller, moved to adjourn. Councilmember, Larry Pittman, seconded the motion. 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:	10/10/2022	Agenda Item:	Request from Mr. Haywood Ross for an extension of Variance for Temporary Placement of Travel Trailer for Temporary Housing for 517 Black Street.
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Mr. Haywood Ross, requested and received temporary variances of Chapter 38-Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles for 517 Black Street. The last variance expired February 10, 2022.

The City has provided multiple variances and extensions of these variances in an effort to assist residents while alternative housing arrangements are made. Mr. Ross, has not supplied any of the required utilities to the trailer as of this date and is requesting the Council to extend his variance.

Attached is the request from Mr. Ross.

Director of Planning & Development, Gwyn Teves, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, October 6, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: October 4, 2022

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Councilmembers
City Attorney Paul Webb

SUBJECT: Request for extension of Variance for Temporary Placement of Travel Trailer for Temporary Housing for 517 Black St.

Mr. Haywood Ross requested and received temporary variances of Chapter 38- Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles for 517 Black Street. The last variance expired February 10, 2022.

The city has provided multiple variances and extensions of these variances in an effort to assist residents while alternative housing arrangements are made. Mr. Ross has not supplied any of the required utilities to the trailer as of this date and is requesting the Council to extend his variance.

Attached is the request from Mr. Ross.

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

Attention Please Sir Mr. Jimmy F. Nickolyn
City of Wharton Code Enforcement Chief Officer
120 East Caney Street
Wharton, Texas 77488
Phone (979)532-2491
Fax (979)532-0181

****Hand delivered City Hall
September 23, 2022**

**Re: 517 Black Street-Legal: Wharton, Block 59, Lot 13E
Expiration of Variance By Wharton City Council to stay in
Recreational Vehicle**

Dear Mister: Please Sir Mr. Jimmy Nicholyn:

Respondent, Mr. Haywood Mack Ross, endorse Option B) and is responding by presenting this written letter within ten (days) of [Your correspondence dated September 21,2022]! Mr. Ross do hereby request that the Wharton City Council, particularly Councilman Mr. Clifford Jackson, grant an extension to remain at the above referenced lot which is in complete ownership of defendant Ross and is exempt from Property Tax In that old Ross is a disabled United States Military Veteran. This status as a United States Military Veteran afforded me the opportunity to obtain three (3) college degrees! Moreover, on Black Street my one and only neighbor who had two trailers on his land and who happens to be Mexican

American now lives in a spanking brand new house with what appears to be three (3) bed rooms. Trailers moved away! Furthermore, going east down Elm Street just after the Wharton County Jail and Black Street; Mr. Rusty Weaver lives in a trailer house, east of Weaver there is another family in a trailer and turning left off of Elm and East Avenue there are more trailers.

ARE THEY BEING TREATED LIKE A GOOD FOR NOTHING DOG LIKE ROSS?!

AND THEN THERE ARE SINGLE BLACK MEN AND WOMEN GRANTED BRAND NEW HOMES ON THE EASTSIDE AS WELL AS THE WESTSIDE WERE IT IS MORE PREDOMINATE GIFTS OF HOMES TO NOTHING NEGROES WHO HAVE NEVER BEEN IN THE MILITARY OR TO COLLEGE AND I WOULD NOT BE ASTONISHED IF SOME OF THESE FOLKS BEEN TO THE PENITENTIARY!

AUSTIN GET FEDERAL MONEY AND THEY CAN CARE LESS ABOUT HOW THEY DISBURSE IT !!!!!!!!!!!

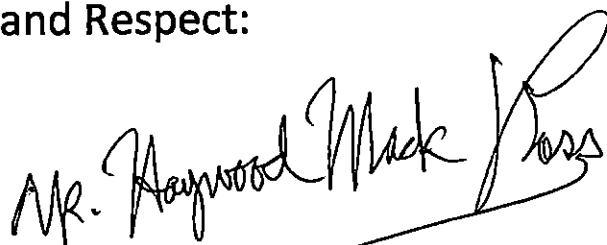
GENERAL LAND OFFICE _____

OFF THE TOP, I HAVE TWO FULL BLOOD BROTHERS SHOT TO DEATH IN WHARTON CITY AND COUNTY AND NOT A DAMN THING DONE ABOUT IT.....

Thinking seriously about leaving Wharton!

Extending Honor, Sincerety and Respect:

Mr. HAYWOOD MACK ROSS

A handwritten signature in black ink that reads "Mr. Haywood Mack Ross". The signature is written in a cursive style with a large, sweeping flourish at the end.



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

COPY

Item-2.

****Sent by regular and electronic certified, return-receipt mail****

9489 0090 0027 6463 0273 90

September 21, 2022

Haywood Ross
P.O. Box 2
Wharton, TX 77488

Re: 517 Black – Legal: Wharton, Block 59, Lot 13E
Expiration of variance by Wharton City Council to stay in Recreational Vehicle

Dear Mr. Ross:

This letter is to inform you that your time to live in the recreational vehicle that is placed on the property referenced above has expired. You have two options: A) Disconnect this recreational vehicle from all utilities and move it to an RV park. B) Present a hand written letter within ten (days) from the date of this letter to Wharton City Council requesting an extension to remain at the referenced lot above. If we do not hear from you within the ten (10) day period and you continue to remain on this lot, this case will then be presented to the Wharton Municipal Court for their consideration.

You are currently in violation the following:

The City of Wharton Code of Ordinances, Chapter 38 Manufactured Housing, Mobile Homes and Travel Trailers; Article II Requirements Concerning Mobile Homes, Manufactured Housing and Recreational Vehicles; Division 3 Recreational Vehicles; Section 38-119 Recreational vehicles outside parks states;

(a) A recreational vehicle may be parked or stored outside a mobile home or recreational vehicle park so long as no one occupies it for permanent use, no utilities are connected to the recreational vehicle, and the vehicle is not parked on or extending over public property, unless parked on the street in full compliance with the laws.

(b) An occupied recreational vehicle may be lawfully parked or temporarily placed on any private property for a period not to exceed seven (7) days in any consecutive six-month period.

Please contact me if you have any questions at 979-532-2491, ext. 235. Thank you in advance for your immediate attention in this matter.

Respectfully,

City of Wharton Code Enforcement Officer

Enclosed: Ordinance, photo

517 Black, Time to live in this RV has expired as per City of Wharton Code of Ordinances, 9/21/22, Photo by Jim Nickolyn



Interactive Map (<https://whartoncad.net/interactive-map/>)

Wharton CAD – Official Site

Property Search (<https://esearch.whartoncad.net/>)

Interactive Map (<https://whartoncad.net/interactive-map/>)



Wharton CAD – Official Site

Property Search (<https://esearch.whartoncad.net/>)

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

CITY COUNCIL COMMUNICATION


Meeting Date:	10/10/2022	Agenda Item:	Request by Ms. Faye Watson, with the Wharton County Recovery Team, for an extension of Variance for Temporary Placement of Travel Trailer for Temporary Housing for 1605 Goode Street.
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Ms. Faye Watson, with the Wharton County Recovery Team, requested and received temporary variances of Chapter 38-Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles for 1605 Goode Street for Mr. Doran Steele. The last variance expired April 10, 2022.

The City has provided multiple variances and extensions of these variances in an effort to assist residents while alternative housing arrangements are made.

Attached is the request from Ms. Watson, for a 6-month extension to the variance.

Director of Planning & Development, Gwyn Teves, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, October 6, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: October 4, 2022

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Councilmembers
City Attorney Paul Webb

SUBJECT: Request for extension of Variance for Temporary Placement of Travel Trailer for Temporary Housing for 1605 Goode St.

Ms. Faye Watson with the Wharton County Recovery Team requested and received temporary variances of Chapter 38-Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles for 1605 Goode Street for Mr. Doran Steele. The last variance expired April 10, 2022.

The city has provided multiple variances and extensions of these variances in an effort to assist residents while alternative housing arrangements are made.

Attached is the request from Ms. Watson for a 6 month extension to the variance.

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

September 28, 2022

To: Wharton City Council
 From: Faye Watson, Wharton County Recovery Team
 Re: Variance for Doran Steele
 1605 Goode Street

Doran Steele is an illiterate, mentally-challenged client of Wharton County Recovery Team (WCRT). He was left homeless by Hurricane Harvey and was forced to live on the front porch of a condemned house on Branch Street.

WCRT provided a RV for his use until permanent housing could be secured.


Mrs. Steele's initial disability claim was denied and will be appealed. He has applied for housing at the Meadows and Pecan Village. Eligibility for both places ^{is} dependent on approval of his disability claim.

I request a six-month extension of the variance to allow the RV to remain at 1605 Goode Street.

Faye Watson for Doran Steele

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

CITY COUNCIL COMMUNICATION

Meeting Date:	10/10/2022	Agenda Item:	Request by Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2022 Holiday Parade Chairman, for the Wharton Holiday Parade for the following: <ul style="list-style-type: none"> A. Ordinance: An ordinance approving the 2022 Chamber of Commerce & Agriculture Holiday Parade Permit and authorizing the Wharton Police Department to redirect traffic. B. The closure of State Highway 60 (Burleson Street and Milam Street) from its intersection at Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare it as a "No Parking Zone". C. City of Wharton to transport, set up and return five (5) portable lights for use during the parade.
Attached you will the request from Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2022 Holiday Parade Chairman, for the Wharton Holiday Parade. Also attached is a copy of the draft ordinance. Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce, will be present to answer any questions.			
City Manager: Joseph R. Pace		Date: Thursday, October 6, 2022	
Approval: 			
Mayor: Tim Barker			



225 N. Richmond Road, Wharton, Texas 77488
Ronald K. Sanders, Executive Director

979-532-1862

whartonchamber.com
Kristi Kocian, Board Chair

Monday, Oct. 3, 2022

Joseph Pace, City Manager
120 E. Caney St.
Wharton, TX 77488

Dear Mr. Pace,

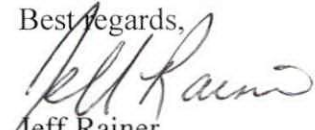
The 42nd Annual Chamber of Commerce Christmas Holiday Parade is scheduled for Tuesday, Nov. 22. Pre-parade activities will begin at 6 pm, and the parade at 7 pm. Again, the 2022 Parade Committee thanks the City of Wharton, which is instrumental to this event's success.

We hope you will again grant us a Parade Permit and authorize the Police Department to redirect traffic as you have done in years past. The requested parade route requires the City of Wharton to close State Highway 60 (Burlison Street and Milam Street) from its intersection with Alabama Road and Polk Street. The closure of State Highway 60 will be for a time of less than four (4) hours. We also request you to close the 100 blocks of South Fulton Street and South Houston Street from 5 pm to 9 pm and declare "no parking" zones and place temporary no parking signs.

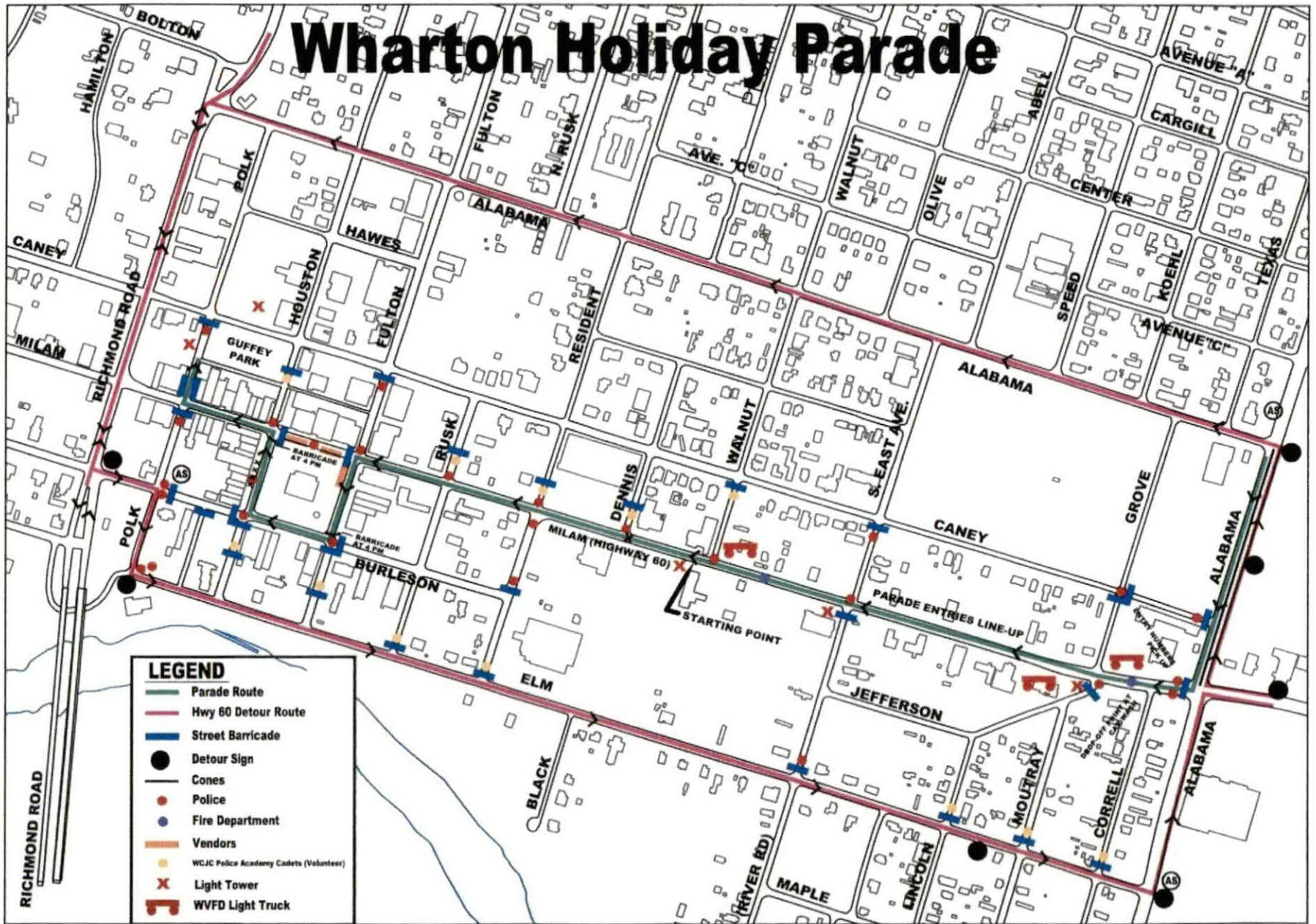
We also are asking the City to transport, set up and return five (5) tree lights that we can use at the line up point and pick up point. We would consider it an honor for you and the City Council to ride in the parade. If you should need additional information or have questions, please call me at 979-533-3157. Thank you again for your support.

We look forward to another wonderful holiday season in Wharton!

Best regards,


Jeff Rainer
2022 Parade Chair

Wharton Holiday Parade



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

AN ORDINANCE APPROVING THE 2022 CHAMBER OF COMMERCE & AGRICULTURE HOLIDAY PARADE PERMIT AND AUTHORIZING THE POLICE DEPARTMENT TO REDIRECT TRAFFIC.

WHEREAS, The Wharton Chamber of Commerce and Agriculture has filed an application for a parade permit with the City of Wharton Police Department as required under the City of Wharton Code of Ordinances, Chapter 82, Article III, Sec. 82-91; and,

WHEREAS, The requested parade route requires the City of Wharton to close State Highway 60 (Burlson Street and Milam Street) from its intersection with Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare a “no parking zone” for such; and,

WHEREAS, The closure of State Highway 60 will be for a time of less than four (4) hours; and,

WHEREAS, The closure will require the detouring of all traffic according to the map (Attachment A) attached to this ordinance; and,

WHEREAS, The routing of all traffic will include truck traffic to Alabama Road which is prohibited by ordinance; and,

WHEREAS, The City Council wishes to suspend for the duration of the parade the enforcement of said ordinance of trucks traveling on Alabama Road; and,

WHEREAS, If there are any other ordinances that would be violated because of the re-routing of all traffic their suspension is hereby authorized.

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

Section I. The parade permit for the Wharton Chamber of Commerce and Agriculture is hereby approved.

Section II. The parade route is hereby approved as detailed in the attached map (Attachment A) which is hereby made part of this ordinance.

Section III. The closure of all streets as indicated in said map identified in Section II are hereby authorized.

Section IV. The traffic detour plan as identified in Section III above is hereby approved.

Section V. The Chief of Police and City Staff are hereby authorized to make the necessary expenditures needed to ensure the safety of the public.

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

Section VI. This ordinance shall become effective on the 22nd day of November 2022 and remain in effect until such time that the parade concludes.

Passed, Approved and Adopted this 10th day of October 2022.

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:	10/10/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council adopting the City of Wharton Investment Policy after the Annual Review of City of Wharton Investment Policy and setting an effective date.
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The City of Wharton Investment Policy must be reviewed and adopted annually.

Attached is a memo from Finance Director, Joan Andel, regarding the current policy.

Finance Director, Joan Andel, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, September 22, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

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

MEMORANDUM

To: Mr. Joseph R. Pace
City Manager

From: Joan Andel

Date: October 3, 2022

Re: Investment Policy

I have submitted the current City of Wharton's Investment Policy to Mr. James Gilley Jr., Financial Advisor at U.S. Capital Advisors for his annual review. I have listed the statutory requirement of Chapter 2256 of the Public Funds Investment Act and have also listed the three Local Governmental Investment Pools to the List of Broker/Dealers. At this time, Mr. Gilley sees no other changes needed to the policy.

I would like to place this on the City Council agenda on Monday, October 10, 2022 for approval. Should you have any further questions, please contact me.

Thank you.

EXHIBIT A

CITY OF WHARTON INVESTMENT POLICY

INTRODUCTION

The purpose of this document is to set forth-specific investment policy and strategy guidelines for the City of Wharton in order to achieve the goals of safety, liquidity, yield, and public trust for all investment activity. The City Council of the City of Wharton shall review and adopt, by resolution, its investment strategies and policy not less than annually. The resolution shall include a record of changes made to either the investment policy or strategy. This policy serves to satisfy the statutory requirement (specifically the **Chapter 2256** Public Funds Investment Act, Article 342a-2 V.T.C.S. (the "Act) to define, adopt and review a formal investment strategy and policy.

INVESTMENT STRATEGY

The City of Wharton maintains portfolios, which utilize three specific investment strategy considerations, designed to address the unique characteristics of the fund groups represented in the portfolios:

- A. Investment strategies for operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure, which will experience minimal volatility during economic cycles. This may be accomplished by purchasing high quality, short- to medium-term securities and maintaining balances in investment pools.
- B. Investment strategies for debt service funds and debt service reserve funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date, which exceeds the debt service payment date.
- C. Investment strategies for special projects or special purpose fund portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. These portfolios should include at least 10% in highly liquid securities to allow for flexibility and unanticipated project outlays. The stated final maturity dates of securities held should not exceed the estimated project completion date.

INVESTMENT POLICY

I. SCOPE

This investment policy applies to all financial assets of the City of Wharton. These funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR) and include:

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Projects Funds
- Proprietary Funds
- All Other Funds

II. OBJECTIVES

The City of Wharton shall manage and invest its cash with four objectives, listed in order of priority: Safety, Liquidity, Yield, and Public Trust. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local law.

The City shall maintain a comprehensive cash management program, which includes collection of account receivable, vendor payment in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum yield on short-term investment of pooled idle cash.

Safety

The primary objective of the City's investment activity is the preservation of capital in the overall portfolio. Each investment transaction shall be conducted in a manner to avoid capital losses, whether they be from securities defaults or erosion of market value.

Liquidity

The City's investment portfolio shall be structured such that the City is able to meet all obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

Yield

The City's cash management portfolio shall be designed with the objective of regularly exceeding the average rate of return on U.S. Treasury Bills at a maturity level comparable to the City's weighted average maturity in days. The investment program shall seek to augment returns above this threshold consistent with risk limitations identified herein and prudent investment policies. The cash management portfolio yield objective shall in no way limit the investment at rates below

the portfolio-yield objective, consistent with prudent investment practices.

Public Trust

All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction, which might impair public confidence in the City's ability to govern effectively.

III. RESPONSIBILITY AND CONTROL

Investment Committee

An Investment Committee, consisting of the Director of Finance, the City Manager and the Finance and Budget Committee shall meet at least annually to determine operational strategies and to monitor results. The Investment Committee shall include in its deliberation such topics as: performance reports, economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized brokers and dealers, and the target rate of return on the investment portfolio.

Delegation of Authority and Training

Authority to manage the City's investment program is derived from a resolution of the City Council. The Director of Finance is designated as investment officer of the City and is responsible for investment decisions and activities. The Director of Finance shall establish written procedures for the operation of the investment program, consistent with this investment policy. The investment officer shall attend at least one training session relating to the officer's responsibility under the Act within 12 months after assuming duties. Training must be obtained not less than once every two years and receive 10 hours of training. Such training from an independent source shall be approved or endorsed by either the Government Finance Officers Association of Texas, the Government Treasurers Organization of Texas, the Texas Municipal League, or the North Central Texas Council of Governments, University of North Texas Center for Public Management.

Internal Controls

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The results of this review shall be reported to the City Council. The internal controls shall address the following points:

- A. Control of collusion.

- B. Separation of transaction authority from accounting and record keeping.
- C. Custodial safekeeping.
- D. Avoidance of physical delivery securities.
- E. Clear delegation of authority to subordinate staff members.
- F. Written confirmation for telephone (voice) transactions for investments and wire transfers.
- G. Development of a wire transfer agreement with the depository bank or third party custodian.

Prudence

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule, which states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- A. The investment of all funds, or funds under the City's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
- B. Whether the investment decision was consistent with the written investment policy of the City.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported immediately and that appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest

City staff involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. City staff shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City and they shall further disclose positions that could be related to the performance of the City's portfolio. City staff shall subordinate their personal financial transactions to those of the City, particularly with regard to timing of purchases and sales.

An investment officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity.

IV. REPORTING

Quarterly Reporting

The Director of Finance shall submit a signed quarterly investment report. The report shall summarize investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter.

Annual Report

Within 60 days of the end of the fiscal year, the Director of Finance shall present an annual report on the investment program and investment activity. This report may be presented as a component of the fourth quarter report to the City Manager and City Council.

Methods

The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner, which will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will be prepared in compliance with generally accepted accounting principles. The report will be provided to the City Manager and City Council. The report will include the following:

- A. A listing of individual securities held at the end of the reporting period. This list will include the name of the fund or pooled group fund for which each individual investment was acquired.
- B. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period. Market values shall be obtained from financial institutions or portfolio reporting services independent from the broker/dealer from which the security was purchased.
- C. Additions and changes to the market value during the period.
- D. Fully accrued interest for the reporting period.
- E. Average weighted yield to maturity of portfolio on entity investments as compared to applicable benchmarks.
- F. Listing of investments by maturity date.
- G. The percentage of the total portfolio which each type of investment represents.
- H. Statement of compliance of the City's investment portfolio with State Law and the

investment strategy and policy approved by the City Council.

V. INVESTMENT PORTFOLIO

Investments

Assets of the City of Wharton may be invested in the following instruments; provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized for investment under the Act, as the Act may from time to time be amended. The City is not required to liquidate investments that were authorized investments at the time of purchase.

Authorized

- A. Obligations of the United States of America, its agencies and instrumentalities, which have a liquid market with a readily determinable market value.
- B. Direct obligations of the State of Texas and agencies thereof.
- C. Other obligations, the principal of and interest on which are unconditionally guaranteed by the State of Texas or United States of America.
- D. Obligations of the States, agencies thereof, Counties, Cities, and other political subdivisions of any state having an underlying rating of not less than "A" or its equivalent. However, if the obligations are insured by municipal bonds insurance having a rating of "double-A" equivalent or higher, then the underlying rating of the obligations shall be not less than the lowest investment grade rating.
- E. Certificates of Deposit of state and national banks domiciled in Texas, a savings bank domiciled in Texas, or a state or federal credit union domiciled in Texas, which is:
 1. Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
 2. Secured by obligations described in A through D above, which are intended to include all direct agency or instrumentality issued mortgage backed securities rated AAA by a nationally recognized rating agency, or by Article 2529b-1, V.T.C.S., and that have a market value of not less than the principal amount of the certificates.
- F. Fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its agencies and instrumentalities pledged with a third party, selected by the Director of Finance, other than an agency for the pledgor. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a bank domiciled in Texas. A Master Repurchase Agreement must be signed by the bank/dealer prior to investment in a

repurchase agreement.

- G. Joint pools of political subdivisions in the State of Texas, which invest in instruments and follow practices allowed by current law. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.
- H. No-load money market mutual funds who are rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service, registered with the SEC, provide a prospectus, have a dollar-weighted average stated maturity of 90 days or less and includes in its investment objectives the maintenance of a stable net asset value of \$1 for each share. The City shall invest in the aggregate no more than 80 percent of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service in no-load money market mutual funds.

Not Authorized

The City's authorized investments options are more restrictive than those allowed by State law. State law specifically prohibits investment in the following investment securities.

- A. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- B. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.

Holding Period

The City of Wharton intends to match the holding periods of investment funds with liquidity needs of the City. In no case will the average maturity of investments of the City's operating funds exceed one year. The maximum final stated maturity of any investment shall not exceed five years.

Investments in all funds shall be managed in such a way that the market price losses resulting from interest rate volatility would be minimized by coupon income and current income received from the volume of the portfolio during a twelve-month period.

Risk and Diversification

The City of Wharton recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification, which shall be achieved by the following general guidelines:

- A. Risk of issuer default is controlled by limiting investments to those instruments allowed by the Act, which are described herein.
- B. Risk of market price changes shall be controlled by avoiding over-concentration of assets in a specific maturity sector, limitation of average maturity of operating funds investments to one year, and avoidance of over-concentration of assets in specific instruments other than U.S. Treasury Securities and Insured or Collateralized Certificates of Deposits.
- C. Risk of illiquidity due to technical complications shall be controlled by the selection of securities dealers as described herein.

VI. SELECTION OF BANKS AND DEALERS

Depository

A Depository shall be selected through the City's banking service procurement process, which shall include a formal request for proposal (RFP). In selecting a depository, the credit worthiness of institutions shall be considered, and the Director of Finance shall conduct a comprehensive review of prospective depositories credit characteristics and financial history. The term for depository contracts may be no longer than five years.

Certificates of Deposit

Banks seeking to establish eligibility for the City's competitive certificate of deposit purchase program shall submit for review annual financial statements, evidence of federal insurance and other information as required by the Director of Finance.

Securities Dealers

For brokers and dealers of government securities, the City shall select only those dealers that are adequately financed to conduct public business. Investment officials shall not knowingly conduct business with any firm with whom public entities have sustained losses on investments. All Securities dealers shall provide the City with references from public entities, which they are currently serving. The Investment Committee shall adopt and annually review a list of qualified brokers authorized to engage in investment transactions with the entity.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the following as appropriate:

- audited financial statements
- proof of Financial Industry Regulatory Authority (FINRA) certification
- proof of state registration

- completed broker/dealer questionnaire
- certification of having read the City's investment policy signed by a qualified representative of the organization
- acknowledgment that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization

Qualified representative means a person who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

- A. For a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the FINRA;
- B. For a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution; or
- C. For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the certification on behalf of the investment pool.

Investment Pools

A thorough investigation of the pool is required prior to investing, and on a continual basis. All investment pools must supply the following information in order to be eligible to receive funds.

- the types of investments in which money is allowed to be invested.
- the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool.
- the maximum stated maturity date of any investment security within the portfolio.
- the objectives of the pool.
- the size of the pool.
- the names of the members of the advisory board of the pool and the dates their terms expire.
- the custodian bank that will safekeep the pool's assets.
- whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation.
- whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment.
- the name and address of the independent auditor of the pool.
- the requirements to be satisfied for an entity to deposit funds in and withdraw funds

- from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool.
- the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.
 - a description of interest calculations and how interest is distributed, and how gains and losses are treated.

An annual review of the financial condition and registration of qualified bidders will be conducted by the Director of Finance.

VII. SAFEKEEPING AND CUSTODY

Insurance or Collateral

All deposits of City funds shall be secured by pledged collateral. When a pledge of collateral is necessary it must meet the following FIRREA requirements: (1) the collateral pledge agreement must be in writing, (2) the collateral pledge agreement must be approved by the depository's board of directors or loan committee, (3) the depository's approval of the collateral pledge agreement must be reflected in the minutes of the meeting of the depository's board or loan committee approving same, and (4) the collateral pledge agreement must be kept in the official records of the depository. The depository must provide the Investment Officer with written proof of the depository's approval of the pledge agreement as required herein in the form of a signed or certified copy of the minutes of the meeting of the depository's board or loan committee reflecting the approval.

In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC or FSLIC. Evidence of the pledged collateral shall be maintained by the Director of Finance or a third-party financial institution. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in each agreement. Collateral shall be reviewed weekly to assure that the market value of the pledged securities is adequate.

Safekeeping Agreement

Collateral pledged to secure deposits of the City shall be held by a safekeeping institution in accordance with a safekeeping agreement which clearly defines the procedural steps for gaining access to the collateral should the City of Wharton determine that the City's funds are in jeopardy. The safekeeping institution, or Trustee, shall be the Federal Reserve Bank or an institution not affiliated with the firm pledging the collateral. The safekeeping agreement shall include the signatures of authorized representatives of the City of Wharton, the firm pledging the collateral, and the Trustee.

Collateral Defined

The City of Wharton shall accept only the following securities as collateral:

All investments authorized in A-E of Section V of this investment policy.

Subject to Audit

All collateral shall be subject to inspection and audit by the Director of Finance or the City's independent auditors.

Delivery vs. Payment

Treasury Bills, Notes, Bonds, Repurchase Agreements and Government Agencies' securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the Trustee. The security shall be held in the name of the City or held on behalf of the City. The Trustee's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

VIII. INVESTMENT POLICY ADOPTION

The City of Wharton investment policy shall be adopted by resolution of the City Council. The policy shall be reviewed for effectiveness on an annual basis by the Investment Committee and any modifications will be recommended for approval to the City Council. The City Council shall review these investment policies and strategies not less than annually and approval must be reflected in the minutes of the meeting.

GLOSSARY of COMMON TREASURY TERMINOLOGY

Agencies: Federal agency securities.

Asked: The price at which securities are offered.

Bid: The price offered for securities.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in inter-dealer markets.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateral: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Comprehensive Annual Financial Report (CAFR): The official annual report for the City of Wharton. It includes six combined statements and basic financial statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

Coupon: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

Discount: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

Federal Funds Rate: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

Federal Home Loan Banks (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-avis member commercial banks.

Federal National Mortgage Association (FNMA): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development, HUD. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

Government National Mortgage Association (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA or FHM mortgages. The term pass-throughs is often used to describe Ginnie Maes.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

Local Government Investment Pool (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Master Repurchase Agreement: To protect investors, many public investors will request that repurchase agreements be preceded by a master repurchase agreement between the investor and the financial institution or dealer. The master agreement should define the nature of the transaction, identify the relationship between the parties, establish normal practices regarding ownership and custody of the collateral securities during the term of the investment, provide remedies in the case of default by either party and clarify issues of ownership. The master repurchase agreement protects the investor by eliminating the uncertainty of ownership and hence, allowing investors to liquidate collateral if a bank or dealer defaults during the term of the agreement.

Maturity: The date upon which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Open Market Operations: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy.

Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks and a few unregulated firms.

Prudent Person Rule: An investment standard. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Qualified Public Depositories: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Repurchase Agreement (RP or REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SEC Rule 15C3-1: See uniform net capital rule.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Treasury Bills: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

Treasury Bond: Long-term U.S. Treasury securities having initial maturities of more than ten years.

Treasury Notes: Intermediate term coupon bearing U.S. Treasury securities having initial maturities from one to ten years.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) Income Yield is obtained by dividing the current dollar income by the current market price of the security. (b) Net Yield or Yield to Maturity is the current income yield minus any premium above par.

Uniform Net Capital Rule: Securities and Exchange Commission requirement that member firms as well as nonmember broker dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one-reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

**List of Broker / Dealer
Local Governmental Investment Pools**

The following is a list of qualified brokers authorized to engage in investment transactions with the City of Wharton and Texas Local Governmental Investment Pools.

Mr. Wink Harvey
Deutsche Bank
700 Louisiana St.
Suite 1500
Houston, Texas 77002
832-239-3340

Ms. Polly Moore
Morgan Keegan & Co.
2801 Via Furtuna
Suite 650
Austin, Texas 78746
512-306-2514

Mr. Steve Zanone
FTN Financial Capital Markets
7500 College Blvd.
Suite 1170 Lighton Tower
Overland Park, KS 66210
913-339-5400

Texas Class LGIP

Tex Pool LGIP

Tex Star LGIP

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

A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE CITY OF WHARTON INVESTMENT POLICY AFTER THE ANNUAL REVIEW OF THE CITY OF WHARTON INVESTMENT POLICY, SETTING AN EFFECTIVE DATE.

WHEREAS, The Public Funds Investment Act, requires the City Council to review and adopt, by resolution, the investment policies and strategies for the City of Wharton on an annual basis; and,

WHEREAS, The City of Wharton designates the City Manager and the Finance Director as investment officers; and,

WHEREAS, The City of Wharton approves the training courses sponsored or endorsed by the Texas Municipal League, the Government Finance Officers Association of Texas, the Government Treasurers Organization of Texas, or the North Central Texas Council of Governments as adequate to meet the investment training requirements; and,

WHEREAS, The attached investment policy complies with the Public Funds Investment Act and authorizes the investment of City funds in safe and prudent investments.

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

Section I. The City of Wharton has complied with the requirements of the Public Funds Investment Act and the Investment Policy attached hereto as “Exhibit A” is hereby adopted as the Investment Policy of the City of Wharton effective October 10, 2022.

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

Passed, Approved, and Adopted this 10th day of October 2022.

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:	10/10/2022	Agenda Item:	Request to rescind Surplus Auction vehicle and donate said unit to the Wharton County Junior College Law Enforcement Academy.
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Attached you will find the request from Mr. Tim Guin, regarding the donation of a used Tahoe for the Wharton County Junior College Law Enforcement Academy. The Wharton Police Department upgrades their police vehicles on a rotational basis and there are several vehicles that have been or soon will be rotated out of the fleet.

Also, attached is a memo from Chief of Police, Terry David Lynch, requesting the City Council consider rescinding previous action to sell Unit 1177 through Surplus Auction and to now donate said unit to the Wharton County Junior College Law Enforcement Academy.

Chief of Police, Terry David Lynch, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, October 6, 2022
Approval: 	
Mayor: Tim Barker	



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

Wharton Police Department

MEMORANDUM

To: Joseph Pace

Date: 10/04/2022

Ref: WCJC Request for Surplus Vehicle

Wharton County Junior College has requested that they have an opportunity to obtain a surplus Patrol Unit (Tahoe) that the Police Department. Wharton Police Department has an excellent relationship with the WCJC Law Enforcement Academy. I can confirm that they have a definite need for a former police vehicle that is to be used for training purposes.

Unit #16-1177
2016 White Chevy Tahoe
TXLP 1217956
Vin #1GNLCDEC4GR251177
Milage 97859
Tire size P265/60R17 FS GT Pursuit
Needs a fuel pump
Driver seat is ripped

This particular unit has mechanical issues, but the WCJC Automotive Department will be able to repair it.

The City of Wharton City Council previously voted to designate former PD Unit #16-1177 as surplus and eligible to be auctioned. We are requesting that City Council rescind that designation and award it to WCJC for training purposes, if possible.

Please consider this request.

bjimenez@cityofwharton.com

From: T.D. Lynch <tdlynch@cityofwharton.com>
Sent: Thursday, September 22, 2022 11:50 AM
To: Joseph Pace
Cc: Brandi Jimenez
Subject: WCJC Tahoe Request
Attachments: WPD Request.pdf; Untitled attachment 00919.html

Mr Pace,

WCJC Law Enforcement Academy is requesting Council and your consideration for the donation of a used Tahoe that has been cycled out of our fleet for auction. We have Steve Johnson's old unit, that Anthony utilized temporarily, that is still sitting in the back of the police department.

Several years ago, the City of Wharton previously donated a Tahoe, solely for use in the Police Academy as a driver training tool. We should have a resolution on file at City Hall for that transaction.

The Tahoe in question needs some maintenance, but they think that the automotive department at the college can handle the repairs. They are requesting the unit, as is.

Personally, I feel that this will continue to reinforce the partnership between the City of Wharton, Wharton County Junior College and the WCJC Law Enforcement Academy.

Please consider this request.

T.D. Lynch
Sent from my iPhone

Begin forwarded message:

From: "Guin, Timothy" <GuinT@wcjc.edu>
Date: September 22, 2022 at 09:52:54 CDT
To: "T. D. Lynch" <tdlynch@cityofwharton.com>
Subject: Tahoe Request

Chief,

Please see attached.

Thank you again!!!

Tim

Timothy Guin



Wharton County Junior College

911 Boling Highway • Wharton, Texas 77488 • (979) 532-4560

September 21, 2022

Mr. Joseph Pace
City Manager
City of Wharton
120 East Caney Street
Wharton, Texas 77488

Dear Mr. Pace,

The Wharton County Junior College Police Academy and the City of Wharton Police Department have had a greatly valued longstanding relationship. There have been multiple Wharton Police Department Peace Officers, currently and formerly employed, that are graduates of the WCJC Police Academy.

The Texas Commission on Law Enforcement (TCOLE) is the governing body that oversees police academies in the State of Texas. According to Texas Administrative Code 215.2(c)(5), police academies are required to have law enforcement automobiles for training. The statute also requires that this vehicle meet the requirements of the Texas Transportation Code, 546.003 and 547.702.

Through our ongoing relationship, we are aware that the Police Department upgrades their police vehicles on a rotational basis, and there are several Police Interceptor Tahoe's have been or soon to be rotated out of the fleet. WCJC would greatly appreciate the City of Wharton assisting the Academy in obtaining one of the outgoing vehicles through donation.

Thank you for your consideration. We look forward to maintaining our relationship between WCJC and City of Wharton PD.


Sincerely,

A handwritten signature in blue ink that reads "Timothy Guin".

Timothy Guin
Police Academy Program Director

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

CITY COUNCIL COMMUNICATION

Meeting Date:	10/10/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council awarding a contract for the Emergency Medical Services Ambulance Bay Roof Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
<p>Attached are bids that the City Staff obtained for the roof replacement to Emergency Medical Services Ambulance Bay. The Emergency Medical Services Bay Roof is over thirty years old and has several leaks therefore is in need to be replaced. The following bids received are as follows:</p> <ol style="list-style-type: none"> 1. Cernosek Construction, Inc. \$20,467.00 2. C4 Construction Group, LLC \$30,300.00 3. Jaco Roofing & Construction, Inc. \$37,997.00 <p>Facilities Maintenance Director, Bob Baker, and EMS Director, Christy Gonzales, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 6, 2022	
Approval: 			
Mayor: Tim Barker			

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

Item-7.

INTERDEPARTMENTAL MEMO

DATE: OCTOBER 3, 2022
TO: JOSEPH PACE
FROM: CHRISTY GONZALES
RE: EMERGENCY MEDICAL SERVICE ROOF REPLACEMENT

Mr. Pace,

Attached are bids received by the City Staff for the roof replacement for the Emergency Medical Services Ambulance Bay. The Emergency Medical Services Bay Roof is over thirty years old and has several leaks therefore needs replacement. Cernosek Construction, Inc., provided a bid for removal and installation of a new roof, trim and insulation. Haul off of materials will be disposed of by utilizing a 40-yard dumpster provided by City of Wharton. Total cost \$20,467.00. The second bid received from Jaco Roofing & Construction, Inc., is for removal and installation of a new roof, trim, and instillation. Total cost \$37,997.00. The third bid was received by C4 Construction Group, LLC, for removal and installation of a new roof, trim, and insulation. Total cost \$30,300.00. My recommendation is Cernosek Construction, Inc.

I ask if we can place this on the Councils next agenda for their review. Should you have any questions please feel free to call.

Thank you,

Christy Gonzales

Christy Gonzales, Director EMS

Cernosek Construction Inc

Metal Building Specialist

PO Box 1111
 La Grange, TX 78945
 Cell-361-220-0312 Fax-979-247-4020
 Email: cernosekconstruction@ymail.com

DATE: September 22, 2022
FOR: Bid For Re-roof

Bill To:

Wharton County EMS (Contact: Bob Baker)
 9795331399
bob_baker10@yahoo.com

DESCRIPTION	AMOUNT
Re-Roofing existing building	
31'8"x72'	
Removing existing metal panels	
Removing existing foam insulation	
Installing New 3" VRR Insualtion	
Installing New 26ga. Galvalume metal	
Insatlling New Rake trim for both endwalls and high side	
Color: Light stone	
Will Re-use Existing Gutter	
Price to haul off Old Metal Panels and Foam insulation	
is NOT included in Price	
Materials and Labor	\$ 20,467.00
TOTAL	\$ 20,467.00

Make all checks payable to Cernosek Construction Inc

THANK YOU FOR YOUR BUSINESS!



Proposal - Based on Contract #21060302 with TIPS

September 19, 2022

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

Atn: Bob Baker

Re: EMS Reroof @ 2010 N. Fulton St., Wharton, TX – Approximately 2,304 Sq. Ft.

Jaco Roofing and Construction, Inc. proposes to furnish labor, material, equipment, supervision and insurance to remove and replace metal roof as follows:

- 1. Remove roof sheets, gutter, downspouts and trim.
- 2. New 26-gauge super span white roof panels with associated trim.
- 3. New 26-gauge gutter and downspouts.
- 4. Cleaning sub frame not included (sprayed foam).
- 5. Includes new 3" blanket insulation.
- 6. All demo materials to be removed by Jaco.
- 7. Includes bond.

TOTAL PROPOSAL \$37,997.00

Qualifications/Clarifications:

- 1. Permit is not included.
- 2. Sales tax is not included.
- 3. Quotation based on Jaco's Standard Insurance Limits; 1 Million General Liability, 2 Million General Aggregate with 5 Million Excess/Umbrella Liability, 1 Million Automobile Liability.
- 4. This pricing proposal was developed using Jaco's contract number 21060302 with the Interlocal Purchasing Systems (TIPS). If this proposal is accepted, the Jaco TIPS price schedule, terms and conditions will be applied. A purchase order, Notice to Proceed or AIA document will need to be sent to TIPS Purchasing @ tipspc@tips-usa.com.
- 5. Payment terms: All past due invoices shall bear interest at 10% per annum until paid. Buyer agrees to stated payment terms above and Buyer further agrees to pay Jaco Roofing & Construction Inc.'s legal cost or any collection agency fees incurred for collections of any past due invoices. Payment to be made upon completion in accordance with above specifications, payable to Jaco Roofing & Construction, Inc., P.O. Box 937, Clute, Brazoria County, Texas 77531.
- 6. Price subject to change if not accepted within 20 days of quote date due to fluctuation of material market.

Respectfully Submitted,

JACO ROOFING & CONSTRUCTION, INC.



Glen Christensen
President

Agreed and Accepted:

By: _____
 (Authorized Signing Officer)

 (Printed Name)

 (Date)

(979)265-6101
(979) 265-6448 Fax

Mailing Address:
P. O. Box 937
Clute, TX 77531

1-800-265-JACO



BOB BAKER

BID DATE: 09/08/2022

EMS BUILDING ROOF REPLACEMENT:

REMOVE EXISTING ROOF SHEETING AND BLOWN IN INSULATION. INSTALL 3" WHITE VINYL INSULATION, 26 GA. GALVALUME PBR ROOF, RAKE TRIM, EAVE TRIM, AND 6" ALUMINUM SEAMLESS GUTTERS FOR LONG LIFE AND NO LEAKS

1 YEAR WARRANTY ON WORKMANSHIP.

C4 CONSTRUCTION GROUP, LLC. TO PROVIDE PROOF OF THE FOLLOWING INSURANCES IF AWARDED THE PROJECT.

- \$1M GENERAL LIABILITY
- \$1M UMBRELLA
- WORKMAN'S COMPENSATION
- \$250K CONTRACTOR SERVICES BOND

MATERIAL AND LABOR TO BE PROVIDED IN THE SUM OF \$30,300.00

WITH RAPID CHANGING STEEL PRICES, THIS BID IS GOOD FOR 14 DAYS FROM BID DATE.

SINCERELY,

C4 CONSTRUCTION GROUP

Kyle Chandler

C4 Construction Group, LLC
PO BOX 1641
El Campo, TX 77437
979-758-3512

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

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE EMERGENCY MEDICAL SERVICES AMBULANCE BAY ROOF PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Bids were received for the Emergency Medical Services Ambulance Bay Roof Project; and,

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

WHEREAS, The Wharton City Council wishes to award a contract to _____ for the Emergency Medical Services Ambulance Bay Roof Project 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.

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

Section I. The Wharton City Council hereby authorizes the Mayor to execute a contract for the Emergency Medical Services Ambulance Bay Roof Project 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 10th day of October 2022.

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:	10/10/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council approving Change Order No. 1 & Change Order No. 2, for additional costs with Underground Construction Solutions, LLC, for the F.M. 1301 Utility Relocation Project and authorizing the Mayor to execute all documents related to said change orders.
<p>Attached you will find the F.M. 1301 Extension Utility Relocation Contract, Change Order No. 1 & No. 2 from Underground Construction Solutions, LLC.</p> <p>Change Order No. 1 is for an increase in the amount of \$7,350.00 for the addition of reconnection of the Mobile Home Park utilities after discovery that they were connected to the decommissioned portion of the abandoned line. Attached is a copy of the change order for review.</p> <p>Change Order No. 2 is for an increase in the amount of \$2,000.00 for the addition of an extra valve and avoidance of an unmarked gas line. Attached is a copy of the change order for review.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 6, 2022	
Approval: 			
Mayor: Tim Barker			



City of Wharton

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

MEMORANDUM

DATE: October 4, 2022

FROM: Gwyneth Teves, Director of Planning & Development

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

SUBJECT: FM 1301 Extension Utility Relocation Contract, Change Order #1 & #2

Attached please find the FM 1301 Extension Utility Relocation Contract, Change Order #1 & 2 from Underground Construction Solutions, LLC.

Change Order #1 is for an increase in the amount of \$7,350.00 for the addition of reconnection of the Mobile Home Park utilities after discovery that they were connected to the decommissioned portion of the abandoned line. Attached is a copy of the change order for review.

Change Order #2 is for an increase in the amount of \$2,000.00 for the addition of an extra valve and avoidance of an unmarked gas line. Attached is a copy of the change order for review.

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



2322 West Grand Parkway North, Suite 150

Katy, Texas 77449

Tel: 832.913.4000

Fax: 832.913.4001

www.quiddity.com**CHANGE ORDER NO. 001****DATE:** September 13, 2022**Project:** Construction of FM 1301 Utility Relocation**JC Job No.:** 05135-0230-01**Owner:** City of Wharton**Contractor:** Underground Construction Solutions, LLC

Description of Changes: The Contractor is directed to furnish all materials, labor and equipment to stub out from proposed 12" waterline in front of subway with a 12x12 tee, then bore across street with 2" HDPE line and reconnect line servicing the trailer park.

Reason for Changes: The current waterline that feeds the trailer park connects to the line that was being decommissioned.

Change in Contract price and time summary:

	<u>COST</u>	<u>TIME</u>
Original Contract:	\$130,920.00	60 Calendar Days
Net previous change(s):	\$0.00	0 Calendar Days
Contract prior to this change order:	\$130,920.00	60 Calendar Days
Net increase from this change order:	\$7,350.00	0 Calendar Days
Revised Contract Amount:	\$138,270.00	60 Calendar Days
Cumulative % Change in Contract:	5.61 %	0.00 %
Project Completion Date:	May 31, 2022	

APPROVED BY:

City of Wharton

Representative_____
Date**RECOMMENDED BY:**

Quiddity Engineering, LLC

Brian T., Geier, PE

9/22/22

Date**ACCEPTED BY:**

Underground Construction Solutions, LLC

Representative9/26/22

Date**Enclosures:** Attachment No. 001

K:\05135\05135-0230-01 FM 1301 Utility Relocation Additional Se\3 Construction Phase\Change Orders\CO 1\05135-0230-01 FM 1301 CO 1

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2022-937721

Date Filed:
09/26/2022

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Underground Construction Solutions LLC
Houston, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Wharton

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

05135-0230-01
FM 1301 Utility Relocation

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Juan E. Zamora, and my date of birth is 7/15/85.

My address is 5535 Memorial Dr #1212 Houston, TX, 77007, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of TX, on the 26th day of September, 2022.
(month) (year)

[Signature]
Signature of authorized agent or contracting business entry (Declarant)

**CHANGE ORDER 001
ATTACHMENT NO. 001**

CONSTRUCTION OF FM 1301 UTILITY RELOCATION

The Contractor is directed to furnish all materials, labor and equipment to stub out from proposed 12" waterline in front of subway with a 12x12 tee, then bore across street with 2" HDPE line and reconnect line servicing the trainer park.

To implement payment for this work, the following revision is made to the Item/Quantity Sheets:

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Revised Unit Price</u>	<u>Bid Quantity</u>	<u>Revised Quantity</u>	<u>Previous Amount</u>	<u>Revised Amount</u>	<u>Net Change</u>
26	2" long Service Reconnection	EA.	\$0.00	\$2,500.00	0	1	\$0.00	\$2,500.00	\$2,500.00
27	12" PVC C900	LF	\$0.00	\$125.00	0	20	\$0.00	\$2,500.00	\$2,500.00
28	Cap & 2" Blow Off	EA.	\$0.00	\$1,000.00	0	1	\$0.00	\$1,000.00	\$1,000.00
29	12x12 Tee RJ	EA.	\$0.00	\$450.00	0	1	\$0.00	\$450.00	\$450.00
30	12" 45 deg RJ	EA.	\$0.00	\$450.00	0	2	\$0.00	\$900.00	\$900.00
								\$7,350.00	
NET INCREASE IN CONTRACT PRICE									

There are zero (0) days added to the Contract Period of Performance.



Contractor:

Underground Construction Solutions
5535 Memorial Dr. #1212
Houston, TX 77007

Engineer:

Jones|Carter
6330 West Loop South, Suite 150
Bellaire, TX 77401

Contract:

FM 1301 Utility Relocation
J|C Job No. 05135-0230-01

Subject:

Addressing the water needs of the trailer park on Bernstein Dr.

Concerns:

The current WL that feeds the trailer park connects to the line we are decommissioning. (On the south side of Bernstein Dr.)

Action:

Stubbing out from proposed 12" in front of subway with a 12x12 tee.
Then boring across the street with a 2" HDPE line and reconnecting the service line serving the trailer park--outside the future road boundary.

Impact:

- 1) Additional cost of installing:
 - 1-2" Long Service reconnection @ \$2,500/EA
 - 20LF of 12" PVC C900 @\$125/LF ---per established pricing
 - 1-Cap & 2" blow off @\$1,000/EA --per established pricing
 - 1-12x12 Tee RJ @\$450/EA
 - 2-12" 45 deg RJ@450/EA---needed due to interference from ss, gas lines, telecom lines, and old WL. (see attached picture)

Total: \$7,350

Total Net Addition to the Contract: \$7,350

Results:

- 1) Overcome unforeseen WL disconnection of trailer park.
- 2) Service Continuity in line now, and in future when the new construction takes place. (No need to replace)
- 3) Added functionality to 12" line as once the new road is built, they will have a designated location to connect the new WL as opposed to having to cut into or utilizing a TS&V.



2322 West Grand Parkway North, Suite 150

Katy, Texas 77449

Tel: 832.913.4000

Fax: 832.913.4001

www.quiddity.com**CHANGE ORDER NO. 002****DATE:** September 13, 2022**Project:** Construction of FM 1301 Utility Relocation**JC Job No.:** 05135-0230-01**Owner:** City of Wharton**Contractor:** Underground Construction Solutions, LLC

Description of Changes: The Contractor is directed to furnish all materials, labor and equipment to install manholes after relocation of gas lines and to install additional valve for 2" trailer park service line.

Reason for Changes: There is interference between manholes and gas lines; an extra valve is needed on the 2" trailer park service line to help with isolation.

Change in Contract price and time summary:

	<u>COST</u>	<u>TIME</u>
Original Contract:	\$130,920.00	60 Calendar Days
Net previous change(s):	\$7,350.00	0 Calendar Days
Contract prior to this change order:	\$138,270.00	60 Calendar Days
Net increase from this change order:	\$2,000.00	0 Calendar Days
Revised Contract Amount:	\$140,270.00	60 Calendar Days
Cumulative % Change in Contract:	7.14 %	0.00 %
Project Completion Date:	May 31, 2022	

APPROVED BY:

City of Wharton

RECOMMENDED BY:

Quiddity Engineering, LLC

Brian T. Geier, PE

9/22/22

Representative

Date

Date

ACCEPTED BY:

Underground Construction Solutions, LLC

Representative

9/26/22
Date**Enclosures:** Attachment No. 001

K:\05135\05135-0230-01 FM 1301 Utility Relocation Additional Se\3 Construction Phase\Change Orders\CO 2\05135-0230-01 FM 1301 CO 2

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2022-937722

Date Filed:
09/26/2022

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Underground Construction Solutions, LLC
Houston, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Wharton

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
05135-0230-01
FM 1301 Utility Restoration

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

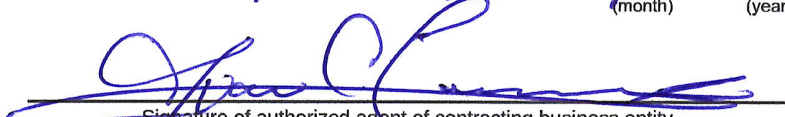
6 UNSWORN DECLARATION

My name is Juan C. Zamora, and my date of birth is 7/15/85.

My address is 5535 Memorial Dr #1202, Houston, TX, 77007, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of TX, on the 26th day of September, 2022.
(month) (year)


Signature of authorized agent of contracting business entity
(Declarant)

**CHANGE ORDER 002
ATTACHMENT NO. 001**

CONSTRUCTION OF FM 1301 UTILITY RELOCATION

The Contractor is directed to furnish all materials, labor and equipment to install manholes after relocation of gas lines and to install additional valve for 2" trailer park service line.

To implement payment for this work, the following revision is made to the Item/Quantity Sheets:

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Revised Unit Price</u>	<u>Bid Quantity</u>	<u>Revised Quantity</u>	<u>Previous Amount</u>	<u>Revised Amount</u>	<u>Net Change</u>
31	Re-Mobilization	EA.	\$0.00	\$1,250.00	0	1	\$0.00	\$1,250.00	\$1,250.00
32	Extra excavation	CY	\$0.00	\$25.00	0	10	\$0.00	\$250.00	\$250.00
33	2" Cut off valve	EA.	\$0.00	\$250.00	0	1	\$0.00	\$250.00	\$250.00
34	Valve Box	EA.	\$0.00	\$250.00	0	1	\$0.00	\$250.00	\$250.00
									\$2,000.00
								NET INCREASE IN CONTRACT PRICE	

There are zero (0) days added to the Contract Period of Performance.



Texas Board of Professional Engineers and Land Surveyors Registration Nos. F-23290 & 10046100

Contractor:

Underground Construction Solutions
5535 memorial Dr. #1212
Houston, TX 77007

Engineer:

Jones|Carter
6330 West Loop South, Suite 150
Bellaire, TX 77401

Contract:

FM 1301 Utility Relocation
J|C Job No. 05135-0230-01

Subject:

- Addressing the interference between MH's and gas lines.
- Additional valve for 2" trailer park service line

Concerns:

- Current plans call for the installation of two manholes that interfere with gas lines.
- No issues with installing 2" valve

Action:

- MH1- Relocate gas line, via extra excavation
- MH2- Must be moved by Center point as the gas line is 1ft above and runs parallel with SS (see attached picture)
Once gas line is moved we will move back on site and install per agreement.

Impact:

- 1) Additional cost of installing MH1&2:
 - 1-Re-Mobalization @ \$1,250/EA
 - 10CY-Extra excavation @ \$25/CY
 - Total: \$1,500**
- 2) Additional cost of installing cut off valve and valve box:
 - 1-2" cut off valve @ 250/EA
 - 1-valve box @ 250/EA
 - Total: \$500**

Total Net Addition to the Contract: \$2,000.00

Results:

- 1) Overcome unforeseen gas line interference.
- 2) Serviceability on 2" service line as valve will help with the isolation

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

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 1 & CHANGE ORDER NO. 2, FOR ADDITIONAL COSTS WITH UNDERGROUND CONSTRUCTION SOLUTIONS, LLC FOR THE F.M. 1301 UTILITY RELOCATION PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDERS.

WHEREAS, The Wharton City Council wishes to approve Change Order No. 1, for an increase in the amount of \$7,350.00 for the addition of reconnection of the Mobile Home Park utilities after discovery that they were connected to the decommissioned portion of the abandoned line; and,

WHEREAS, The Wharton City Council wishes to approve Change Order No. 2, for an increase in the amount of \$2,000.00 for the addition of an extra valve and avoidance of an unmarked gas line; and,

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

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 Change Order No. 1, for an increase in the amount of \$7,350.00 for the addition of reconnection of the Mobile Home Park utilities after discovery that they were connected to the decommissioned portion of the abandoned line.

Section II. The Wharton City Council hereby authorizes Change Order No. 2, for an increase in the amount of \$2,000.00 for the addition of an extra valve and avoidance of an unmarked gas line.

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

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

Passed, Approved, and Adopted this 10th day of October 2022.

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:	10/10/2022	Agenda Item:	Pay Request No. 8 from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction.
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Attached you will find Pay Request No. 8 in the amount of \$30,821.99 from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction.

Director of Planning & Development, Gwyn Teves, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, October 6, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: October 4, 2022

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. 8 – June & July 2022

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

Pay Estimate No. 8 has been sent and recommendation for payment by the engineer is attached.

It is my recommendation that the City Council approve the invoice in the amount of \$30,821.99 and recommend payment.

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



September 21, 2022

AVO31934.001

Mr. Anthony Arcidiacono
City of Wharton
120 E. Caney Street
Wharton, TX, 77488

**RE: Wharton Well and Water Plant
Contract No. 1 – General Construction
Pay Estimate No. 8 - Monthly Pay App**

Dear Mr. Arcidiacono,

E-Contractors has submitted the following pay estimate for the above-referenced project:

Pay Estimate No.: 8
Dated: 8/10/2022
For Work Period: 06/22-07/22
Balance Due: \$30,821.99

Halff Associates reviewed the estimate and recommend it for payment.

Please call me at 832-600-8663 if you have any questions or comments.

Sincerely,
HALFF ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Vincent M. Peña, PE".

Vincent M. Peña, PE
Construction Manager

cc: Gwyneth Teves, City of Wharton
Amy Horelica, City of Wharton
Megan Morris, USDA
Eric Caudill, City Inspector
Tim Lackey, Halff Project Manager



Contractor's Application for Payment No.

8

To (Owner): City of Wharton	Application Period: 07/01/2022 - 07/30/2022	Application Date: 9/16/2022
Project: Wharton Well and Water Plant	From (Contractor): E Contractor USA, LLC	Via (Engineer): Haliif Associates, Inc.
Owner's Contract No.: CFDA No. 10.760	Contract: Contract 1	Contractor's Project No.: 20-0200
		Engineer's Project No.: 31934

Application For Payment Change Order Summary

Number	Additions	Deductions
CO #1	\$23,424.98	
CO #2	\$92,059.89	
CO #3	\$66,639.30	
TOTALS \$182,124.17		
NET CHANGE BY CHANGE ORDERS		\$182,124.17

1. ORIGINAL CONTRACT PRICE.....	\$	\$2,600,000.00
2. Net change by Change Orders.....	\$	\$182,124.17
3. Current Contract Price (Line 1 ± 2).....	\$	\$2,782,124.17
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$	\$2,515,765.58
5. RETAINAGE:		
a. <input checked="" type="checkbox"/> 5% Work Completed.....	\$	\$125,788.35
b. <input checked="" type="checkbox"/> 5% Stored Material.....	\$	
c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$125,788.35
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$2,389,977.23
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$2,359,155.24
8. AMOUNT DUE THIS APPLICATION.....	\$	\$30,821.99
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$	\$392,146.94

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: Irfan Abji Date: 9/16/2022

Payment of: \$ 30,821.99
(Line 8 or other - attach explanation of the other amount)

is recommended by: Vincent M. Perea, PE 09/21/2022
(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)

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

CITY COUNCIL COMMUNICATION

Meeting Date:	10/10/2022	Agenda Item:	Appointments, Resignations and Vacancies to the City of Wharton Boards, Commissions and Committees: <ul style="list-style-type: none"> A. Appointments. B. Resignations. C. Vacancies.
Attached you will find the list of persons serving on the various City Boards, Commissions and Committees. There are still vacancies that also need to be filled. <p><u>Appointments:</u> None.</p> <p><u>Resignations:</u> None.</p> <p><u>Vacancies:</u></p> <ul style="list-style-type: none"> 1. Building Standards Commission. 2. Plumbing and Mechanical Board. 			
City Manager: Joseph R. Pace		Date: Thursday, October 6, 2022	
Approval: 			
Mayor: Tim Barker			

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

WHARTON REGIONAL AIRPORT BOARD	TWO YEAR TERM	Reappointment
Jimmy Gardner	June 30, 2023	
Randy Rodriguez	June 30, 2023	
Bill Kingrey	June 30, 2023	
Larry David	June 30, 2024	
Jimmy Zissa	June 30, 2024	
Glenn Erdelt	June 30, 2024	

BEAUTIFICATION COMMISSION	TWO YEAR TERM	Reappointment
Nancy Mata	June 30, 2024	
Lucy Cruz Alanis	June 30, 2024	
Rachel Roberson	June 30, 2024	
Stephanie Konvicka	June 30, 2023	
Adraylle Watson	June 30, 2023	
Debbie Folks	June 30, 2023	
Kenneth Dimmick	June 30, 2023	

BUILDING STANDARDS COMMISSION	TWO YEAR TERM	Reappointment
Leonard Morales	June 30, 2023	
Burnell Neal	June 30, 2023	
Vacant	June 30, 2023	
Paul Shannon	June 30, 2023	
Vacant	June 30, 2024	
Howard Singleton	June 30, 2024	
Vacant	June 30, 2024	
Ronnie Bollom, Building Official - ExOfficio		
Jeff Gubbels - Health Officer-ExOfficio		
Hector Hernandez-Fire Marshall-ExOfficio		

ELECTRICAL BOARD	TWO YEAR TERM	Reappointment
Councilmember Clifford Jackson	June 30, 2023	
Zac Henson	June 30, 2023	
Philip Hamlin	June 30, 2024	
Milton Barbee	June 30, 2024	
Hector Hernandez- Fire Marshal		

HOLIDAY LIGHT DECORATING CHAIRMAN	TWO YEAR TERM	Reappointment
Tim Barker	June 30, 2024	

MAYOR'S COMMITTEE ON PEOPLE WITH DISABILITIES	TWO YEAR TERM	Reappointment
Johnnie Gonzalez	June 30, 2024	

Faye Evans	June 30, 2024
Rebekah Kirschke	June 30, 2024
Adraylle Watson	June 30, 2023
Marilyn Sebesta	June 30, 2023
Sandy Wilkins	June 30, 2023
Cheryl Lavergne	June 30, 2023
Mayor Tim Barker- Ex Officio	

HEALTH OFFICER	TWO YEAR TERM	Reappointment
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Dr. Jeff Gubbels, MD	June 30, 2024
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VETERINARIAN	TWO YEAR TERM	Reappointment
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Dr. Cody Pohler, DVM	June 30, 2024
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MUNICIPAL COURT JUDGE	TWO YEAR TERM	Reappointment
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Jared Cullar	June 30, 2023
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PLANNING COMMISSION	TWO YEAR TERM	Reappointment
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Burnell Neal	June 30, 2023
Rob Kolacny	June 30, 2023
Michael Quinn	June 30, 2023
Marshall Francis	June 30, 2024
Adraylle Watson	June 30, 2024
Michael Wootton	June 30, 2024
Joel Williams	June 30, 2024

PLUMBING AND MECHANICAL BOARD	TWO YEAR TERM	Reappointment
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A. J. Rath	June 30, 2024
Tom Faust	June 30, 2023
Vacant	June 30, 2024
Robert Sanchez	June 30, 2023
Vacant	June 30, 2024

Ronnie Bollom, Building Official - ExOfficio

Public Works Director Anthony Arcidiacono- Ex Officio

Mayor Tim Barker - Ex Officio

WHARTON ECONOMIC DEVELOPMENT CORPORATION	TWO YEAR TERM	Reappointment
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Michael Wootton	September 30, 2024
Alice Heard Roberts	September 30, 2024
Freddie Pekar	September 30, 2024
Clifford Jackson (Councilmember)	September 30, 2024
Russell Machann- (Councilmember)	September 30, 2023
Andrew Armour	September 30, 2023
Michael Roberson	September 30, 2023

CITY COUNCIL COMMITTEES - Renew June 30th of Each Year

ANNEXATION COMMITTEE

Tim Barker
 Russell Machann
 Don Mueller

FINANCE COMMITTEE

Russell Machann
 Larry Pittman
 Tim Barker

HOUSING COMMITTEE

Terry Freese
 Russell Machann
 Clifford Jackson

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
 Don Mueller

PUBLIC WORKS COMMITTEE

Terry Freese
 Don Mueller
 Clifford Jackson

TELECOMMUNICATIONS COMMITTEE

Clifford Jackson
 Terry Freese
 Don Mueller

WHARTON ECONOMIC DEVELOPMENT CORP BOARD OF DIRECTORS SELECTION COMMITTEE

Tim Barker
 Steven Schneider
 Clifford Jackson

ECONOMIC DEVELOPMENT COMMITTEE

Tim Barker
 Clifford Jackson
 Russell Machann

PARKS AND RECREATION COMMITTEE

Steven Schneider
 Russell Machann
 Terry Freese