



**CITY OF WHARTON
FINANCE COMMITTEE MEETING**

**Monday, February 14, 2022
5:30 PM**

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

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

Notice is hereby given that a Finance Committee Meeting will be held on Monday, February 14, 2022 at 5:30 PM at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

SEE ATTACHED AGENDA

Dated this 10th day of February 2022.

By: 
Joseph R. Pace, City Manager

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Finance Committee Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City or Town in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on February 10, 2022, at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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

Dated this 10th day of February 2022.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
Finance Committee Meeting
Monday, February 14, 2022
City Hall - 5:30 PM

Call to Order.

Roll Call.

Public Comments.

Review & Consider:

1. Minutes from the meeting held January 10, 2022.
2. Resolution: A resolution of the Wharton City Council amending fees for the City of Wharton Code of Ordinances, Chapter 18, Building and Construction, Article III. Construction Codes, in accordance with Section 18-68. Building Permit Fees and Inspection Fees.
3. FEMA DR4269-512 Public Assistance for Riverfront Park Update.
4. Resolution: A resolution of the Wharton City Council approving a contract for Administration Services in connection with the American Rescue Plan Act of 2021 (ARPA) and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
5. Resolution: A resolution of the Wharton City Council approving a contract for Administration Services in connection with the Texas Water Development Board Flood Infrastructure Fund (FIF) Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.

Adjournment.

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

FINANCE COMMITTEE

Meeting Date:	2/14/2022	Agenda Item:	Minutes from the meeting held January 10, 2022.
Attached are a copy of the draft minutes from the meeting held January 10, 2022.			
City Manager: Joseph R. Pace		Date: Thursday, February 10, 2022	
Approval: 			
Mayor: Tim Barker			

**MINUTES
OF
CITY OF WHARTON
FINANCE COMMITTEE MEETING
120 EAST CANEY STREET
WHARTON, TEXAS 77488
Monday, January 10, 2022–5:30 p.m.**

City Manager, Joseph R. Pace, declared a meeting of the City Council Finance Committee duly open for the transaction of business at 5:32 p.m.

Committee Members present were: Mayor, Tim Barker; Councilmember, Alice Heard-Roberts and Councilmember, Russell Machann.

Committee Member absent was: None.

City Council Member present was: Councilmember, Terry Freese.

Staff members present were: City Manager, Joseph R. Pace; Assistant to the City Manager, Brandi Jimenez; Finance Director, Joan Anandel and City Secretary Paula Favors.

Staff member absent was: None.

Visitors: None.

Public Comments. There were no public comments.

The first item on the agenda was to review and consider minutes from the meeting held November 22, 2021. Councilmember, Russell Machann, made a motion to approve the minutes as presented. Councilmember, Alice Heard-Roberts, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider Ordinance: An ordinance approving an amendment to the City of Wharton, Texas, Budget for the 2020-2021 Fiscal Year. Finance Director, Joan Anandel presented the Committee the budget adjustments for the 2020-2021 Fiscal Year. After some discussion, Councilmember, Russell Machann, made a motion to recommend to the City Council to approve the amendment to the City of Wharton, Texas, Budget for the 2020-2021 Fiscal Year. Councilmember, Alice Heard-Roberts, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider City of Wharton Personnel Policy Updates:

- A. Resolution: A resolution by the City Council of the City of Wharton, Texas implementing the requirements of HB 2073 and Chapter 180, Local Government Code establishing a paid quarantine leave policy for City of Wharton's peace officers, emergency medical technicians and/or paid firefighters; providing a severability clause and establishing an effective date.

City Secretary Paula Favors stated to the Committee that House Bill 2073 required municipalities to adopt a policy providing paid leave to peace officers, fire fighters, emergency medical technicians, and detention officers when the employee was ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. She stated that unlike SB 1359, HB 2073 was quite specific about the provisions necessary to include in the policy and included definitions for key terms. She stated that the proposed policy reflected these requirements and definitions. She stated that this bill went into effect immediately upon its passing, so it was important to expedite this policy. After some discussion, Mayor, Russell Machann, made a motion to recommend to the City Council to approve the resolution implementing the requirements of HB 2073 and Chapter 180, Local Government Code establishing a paid quarantine leave policy for City of Wharton's peace officers, emergency medical technicians and/or paid firefighters

providing a severability clause and establishing an effective date. Mayor Tim Barker, seconded the motion. All voted in favor.

- B. Resolution: A resolution by the City Council of the City of Wharton, Texas amending the City's personnel policy – leave time - to implement the requirements of SB 1359 and amendments section 614.015, Local Government Code, establishing a Mental Health Leave Policy for City of Wharton police officers; providing a severability clause and establishing an effective date. City Secretary Paula Favors stated to the Committee that Senate Bill 1359 required municipalities to adopt a policy providing for mental health leave for peace officers employed by the municipality who had experienced a traumatic event. She stated that the bill did not require any specificity with regard to the required policy—she presented a draft proposed policy with certain practical situations in mind. She stated that this bill went into effect September 1, 2021. After some discussion, Mayor, Russell Machann, made a motion to recommend to the City Council to approve the resolution amending the City's personnel policy – leave time - to implement the requirements of SB 1359 and amendments section 614.015, Local Government Code, establishing a Mental Health Leave Policy for City of Wharton police officers; providing a severability clause and establishing an effective date. Mayor Tim Barker, seconded the motion. All voted in favor.

The fourth item on the agenda was adjournment.

The meeting adjourned at 5:45 p.m.

Joseph R. Pace, City Manager

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

FINANCE COMMITTEE

Meeting Date:	2/14/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council amending fees for the City of Wharton Code of Ordinances, Chapter 18, Building and Construction, Article III. Construction Codes, in accordance with Section 18-68. Building Permit Fees and Inspection Fees.
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Attached you will find a memo from the Code Enforcement Department requesting to amend the schedule of fees pertaining to the City of Wharton Code of Ordinances, Chapter 18, Building and Construction for the following Article:

1. Article III- Construction Codes (Building):
 - Sec. 18-68. Modifying building permit fees and establishing civil fees.

Building Official, Ronnie Bollom, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, February 10, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: February 2, 2022
FROM: Ronnie Bollom, Building Official
TO: Joseph Pace, City Manager
SUBJECT: Code of Ordinance Chapter 18 Building and Construction

The Code Enforcement Department requests amending the schedule of fees pertaining to the City of Wharton Code of Ordinances, Chapter 18, Building and Construction for the following Article:

Article III- Construction Codes (Building)

- Sec. 18-68. Modifying building permit fees and establishing civil fees.

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

Plan Review Fee(s)

Information: Commercial	Current Fee(s):	Proposed Fee(s):
Plan Review <i>Fees due at time of submittal</i>	Fees due once plans have been approved.	No fee for projects valued \$1,000 and under, 25% for projects valued \$1,000.01 to \$499,999, & 50% for projects valued \$500,000 and over.
Each Subsequent after 2 nd Review <i>Fees due at time of submittal</i>	No fee	25% of plan review fee
EXAMPLE 1: *\$950,000 Project	\$0 Plan Review Fee \$0 Fee after 2 nd Plan Review	\$2,338 Plan Review Fee Due \$584.50 Fee after 2 nd Plan Review
EXAMPLE 2: *\$1,000,000 Project	\$0 Plan Review Fee \$0 Fee after 2 nd Plan Review	\$2,838 Plan Review Fee Due \$709.50 Fee after 2 nd Plan Review

**Note: Commercial Fees based on labor and materials*

Information: Residential	Current Fee(s):	Proposed Fee(s):
Plan Review <i>Fees due at time of submittal</i>	Fees due once plans have been approved.	25% of building permit fee.
Each Subsequent after 2 nd Review <i>Fees due at time of submittal</i>	No fee	25% of plan review fee
EXAMPLE 1: *Building Permit Fee \$1,170 (1300sqft)	\$0 Plan Review Fee \$0 Fee after 2 nd Plan Review	\$292.50 Plan Review Fee Due \$73.13 Fee after 2 nd Plan Review
EXAMPLE 2: *Building Permit Fee \$2,089.80 (2322sqft)	\$0 Plan Review Fee \$0 Fee after 2 nd Plan Review	\$522.45 Plan Review Fee Due \$130.62 Fee after 2 nd Plan Review

**Note: Residential Fees based square footage at .90sqft*

Plan Review Fee(s)

Information	Proposed Fee :
Commercial Plan Review Fee(s)	Civil Plan Review
Plan Review <i>Fees due at time of submittal</i>	<p>\$1,000.00 and less - No fee</p> <p>\$1,000.00 to \$50,000 - \$15.00 for the first \$1,000 plus \$5.00 for each additional thousand, to and including \$50,000.</p> <p>\$50,000.00 to \$100,000.00 - \$260.00 for first \$50,000.00 plus \$4.00 for each additional thousand, to and including \$100,000.00.</p> <p>\$100,000.00 to \$500,000.00 - \$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand, to and including \$500,000.00.</p> <p>\$500,000.00 and up - \$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand.</p>
Each Subsequent after 2nd Review <i>Fees due at time of submittal</i>	25% of initial plan review fee

Information	Proposed Fee:
Residential Plan Review Fee(s)	Civil Plan Review
Plan Review <i>Fees due at time of submittal</i>	Building Permit fee X 50% (or total divided by 2)
Each Subsequent after 2nd Review <i>Fees due at time of submittal</i>	25% of initial plan review fee

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

A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING FEES FOR THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 18, BUILDING AND CONSTRUCTION, ARTICLE III. CONSTRUCTION CODES, IN ACCORDANCE WITH SECTION 18-68. BUILDING PERMIT FEES AND INSPECTION FEES.

WHEREAS, The Wharton City Council wishes to amend building plan review fees and establish civil plan review fees; and

WHEREAS, The Wharton City Council wishes to authorize the Building Official and/or appointed representative to enforce said charges and the applicable fees.

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

Section I. The City Council of the City of Wharton hereby adopts the plan review fees as described (see attached).

Section II. The City Council of the City of Wharton hereby authorizes the Building Official and/or appointed representative to enforce charges and the applicable fees.

Section III. This resolution shall become effective at 12:01 a.m., February 15, 2022.

Passes, Approved, and Adopted this 14th day of February 2022.

CITY OF WHARTON, TEXAS

By: _____
Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary

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

FINANCE COMMITTEE

Meeting Date:	2/14/2022	Agenda Item:	FEMA DR4269-512 Public Assistance for Riverfront Park Update.
<p>During the flooding event in April 2016 Riverfront Park was damaged and public assistance was requested from FEMA for repairs in the amount of \$1,650,518.00 with additional mitigation funds of \$1,624,077.00. The assistance was only approved for \$158,577.14. The City Staff appealed the determination. On June 25, 2019, the appeal for the determination was approved and the staff has been working with FEMA and TDEM to get the funds obligated. During this process the City was notified the Wharton Levee had been funded and that the construction of the levee system could potentially impact access to the park.</p> <p>The City Staff was advised by FEMA that additional geotechnical studies of the area would be required to obligate the funds in 2021. The City Staff continued to work with FEMA to not needlessly spend additional time and money into the project and requested that FEMA obligate the funds to the City.</p> <p>On January 19, 2022, City Staff met with FEMA, TDEM and USACE to discuss the obligation of funds, the impacts the levee could have on the location and possible alternate uses for the funding. The Staff was advised on this call that FEMA would no longer require additional geotechnical studies to obligate the funds. Park access is also going to be impacted by the construction of the levee system and the space will not be accessible or usable unless the City builds new access over the levee system and will be required to go through the 408 permitting process with the USACE after construction of the levee system is complete. The City Staff was also advised on this call that the funds would only be available until 8 years after the disaster and that FEMA would close out the funding for that disaster at that time. This means the funds have to be expended by April 2024.</p> <p>The funds are obligated at a 25/75 percent split to the City. The mitigation funds are also approved conditionally pending the approval of a scope of work by FEMA. If alternate projects are selected the City would not be able to utilize the mitigation funds, only the initial public assistance funds of \$1,624,077.00. Some previously approved alternate project examples are:</p> <ul style="list-style-type: none"> • Repair, expand, mitigate, or construct a facility; • Demolish facilities; • Purchase capital equipment; • Fund project shortfalls due to mandatory flood insurance reductions taken from PA Program funding for repairs to buildings in SFHAs; • Supplement funds for an Improved Project; and, • Conduct cost-effective hazard mitigation measures. <p>It is the recommendation of the staff to utilize the available funds of \$1,624,077.00 for alternate projects at this time.</p>			
City Manager: Joseph R. Pace		Date: Thursday, February 10, 2022	
Approval: 			
Mayor: Tim Barker			



City of Wharton

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

MEMORANDUM

DATE: February 8, 2022
FROM: Gwyneth Teves, Director of Planning & Development
TO: Honorable Mayor and City Council
SUBJECT: FEMA DR4269-512 Public Assistance for Riverfront Park Update

During the flooding event in April 2016 Riverfront Park was damaged and public assistance was requested from FEMA for repairs in the amount of \$1,650,518.00 with additional mitigation funds of \$1,624,077.00. The assistance was only approved for \$158,577.14. City staff appealed the determination.

On June 25, 2019, the appeal for the determination was approved and the staff has been working with FEMA and TDEM to get the funds obligated. During this process the City was notified the Wharton Levee had been funded and that the construction of the levee system could potentially impact access to the park.

City staff was advised by FEMA that additional geotechnical studies of the area would be required to obligate the funds in 2021. City staff continued to work with FEMA to not needlessly spend additional time and money into the project and requested that FEMA obligate the funds to the City.

On January 19, 2022, City Staff met with FEMA, TDEM and USACE to discuss the obligation of funds, the impacts the levee could have on the location and possible alternate uses for the funding. Staff was advised on this call that FEMA would no longer require additional geotechnical studies to obligate the funds. Park access is also going to be impacted by the construction of the levee system and the space will not be accessible or usable unless the City builds new access over the levee system and will be required to go through the 408 permitting process with the USACE after construction of the levee system is complete.

City staff was also advised on this call that the funds would only be available until 8 years after the disaster and that FEMA would close out the funding for that disaster at that time. This means the funds have to be expended by April 2024.

The funds are obligated at a 25/75 percent split to the City. The mitigation funds are also approved conditionally pending the approval of a scope of work by FEMA. If alternate projects are selected the City would not be able to utilize the mitigation funds, only the initial public assistance funds of \$1,624,077.00. Some previously approved alternate project examples are:

- Repair, expand, mitigate, or construct a facility;

- Demolish facilities;
- Purchase capital equipment;
- Fund project shortfalls due to mandatory flood insurance reductions taken from PA Program funding for repairs to buildings in SFHAs;
- Supplement funds for an Improved Project; and,
- Conduct cost-effective hazard mitigation measures.

It is the recommendation of the staff to utilize the available funds of \$1,624,077.00 for alternate projects at this time.

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

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

FINANCE COMMITTEE

Meeting Date:	2/14/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council approving a contract for Administration Services in connection with the American Rescue Plan Act of 2021 (ARPA) and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
<p>The City Council approved the establishment of a Consultant Selection Committee on July 26, 2021 and authorized the City Staff to go out for administration services for the American Rescue Plan Act of 2021 (ARPA).</p> <p>Proposals were received at City Hall on February 1, 2022.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, February 10, 2022	
Approval: 			
Mayor: Tim Barker			



City of Wharton

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

MEMORANDUM

DATE: February 7, 2022
FROM: Gwyneth Teves, Director of Planning & Development
TO: Honorable Mayor and City Council
SUBJECT: Consultant Selection Committee for American Rescue Plan Act of 2021 (ARPA) Administration

The City Council approved the establishment of a Consultant Selection Committee on July 26, 2021 and authorized the City Staff to go out for administration services for the American Rescue Plan Act of 2021 (ARPA).

Proposals were received at City Hall on February 1, 2022.

The CSC Committee will meet on Monday, February 14, 2022, to score the proposals and provide a recommendation to the City Council at the meeting at 7pm.

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

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

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR ADMINISTRATION SERVICES IN CONNECTION WITH THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA) 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 contract between the City of Wharton and _____ for administration services in connection with the American Rescue Plan Act of 2021 (ARPA); and,

WHEREAS, The City of Wharton and _____ wishes 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. The Wharton City Council hereby approves a contract between the City of Wharton and _____ for administration services in connection with the American Rescue Plan Act of 2021 (ARPA).

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

Section III. The City of Wharton and _____ are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this the 14th day of February 2022.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

FINANCE COMMITTEE

Meeting Date:	2/14/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council approving a contract for Administration Services in connection with the Texas Water Development Board Flood Infrastructure Fund (FIF) Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
<p>The City Council approved the establishment of a Consultant Selection Committee on July 26, 2021 and authorized the City Staff to go out for administration services for the Texas Water Development Board Flood Infrastructure Fund (FIF). The City of Wharton has been approved for funding to complete a citywide drainage study and construction projects.</p> <p>Proposals were received at City Hall on February 1, 2022.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, February 10, 2022	
Approval: 			
Mayor: Tim Barker			



City of Wharton

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

MEMORANDUM

DATE: February 7, 2022

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Council

SUBJECT: Consultant Selection Committee for Texas Water Development Board
Flood Infrastructure Fund (FIF) Administration

The City Council approved the establishment of a Consultant Selection Committee on July 26, 2021 and authorized the City Staff to go out for administration services for the Texas Water Development Board Flood Infrastructure Fund (FIF). The City of Wharton has been approved for funding to complete a citywide drainage study and construction projects.

Proposals were received at City Hall on February 1, 2022.

The CSC Committee will meet on Monday, February 14, 2022, to score the proposals and provide a recommendation to the City Council at the meeting at 7pm.

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

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

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR ADMINISTRATION SERVICES IN CONNECTION WITH THE TEXAS WATER DEVELOPMENT BOARD FLOOD INFRASTRUCTURE FUND (FIF) PROJECT 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 contract between the City of Wharton and _____ for administration services in connection with the Texas Water Development Board Flood Infrastructure Fund (FIF) Project; and,

WHEREAS, The City of Wharton and _____ wishes 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. The Wharton City Council hereby approves a contract between the City of Wharton and _____ for administration services in connection with the Texas Water Development Board Flood Infrastructure Fund (FIF) Project.

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

Section III. The City of Wharton and _____ are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this the 14th day of February 2022.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary