

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
APRIL 11, 2016**

Mayor Domingo Montalvo, Jr. 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. Pastor Don Hurley with College Heights Baptist Church led the opening devotion and Mayor Montalvo led the pledge of allegiance.

Councilmember's present were: Mayor Domingo Montalvo, Jr. and Councilmembers Tim Barker, Al Bryant, Jeff Gubbels, Vincent Huerta, Russell Machann and Steven Schneider.

Councilmember absent was: Don Mueller.

Staff members present were: City Manager Andres Garza, Jr, Finance Director Joan Anandel, City Secretary Paula Favors, City Attorney Paul Webb, Public Works Director Wade Wendt, Patrol Sergeant Vinson Valdez and Assistant to the City Manager Brandi Jimenez.

Visitors present were: Wharton Economic Development Director David Schroeder, Don Hurley, Rob Reyes, Shaina Bowen with the Wharton Journal Spectator and Carlos Cotton, P.E. with Jones and Carter, Inc.

The second item on the agenda was Roll Call and Excuses Absences. After some discussion, Councilmember Russell Machann moved to excuse Councilmember Don Mueller. Councilmember Al Bryant seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. No Public Comments were made.

The fourth item on the agenda was the Wharton Moment. Mayor Domingo Montalvo, Jr. congratulated the Wharton County S.P.O.T. for a successful and well attended 5k event. Mayor Montalvo stated that the event was dedicated to Dr. Amber Rachelle Hensarling who graduated from Wharton High School in 1999 and from there attended Texas A&M University receiving both her bachelor's degree in Animal Science and her master's degree in Agricultural Education. He said that Dr. Hensarling passed away tragically and her family was awarded her Doctor of Veterinary Medicine degree on her behalf in 2007. Councilmember Vincent Huerta said that the Wharton County Fair Tejano Dance was a well-attended event that raised money for students in Wharton County. Mayor Montalvo stated that April was also child abuse awareness month and a proclamation was given to honor it.

The fifth item on the agenda a proclamation recognizing April as Fair Housing Month. Mayor Domingo Montalvo, Jr. declared April as Fair Housing Month. The Proclamation read as follows:

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WHEREAS, Title VII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it is a national policy to provide, within constitutional limits, for fair housing in the United States; and,

WHEREAS, The principal of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and,

WHEREAS, The forty-eighth anniversary of this National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, I, Domingo Montalvo Jr., by the authority vested in me as Mayor of the City of Wharton, Texas, do hereby proclaim April as Fair Housing Month in the City of Wharton and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing Law.

IN WITNESS THEREOF, I have set my hand and caused the seal of the City of Wharton to be affixed this 11th day of April in the year of our Lord two thousand sixteen A. D.

Domingo Montalvo, Jr.
Mayor
City of Wharton, Texas

The sixth item on the agenda was to review and consider the reading of the minutes from the regular meeting held on March 14, 2016 and March 28, 2016. After some discussion, Councilmember Russell Machann moved to approve the reading of the minutes from the regular meeting held on February 8, 2016 and March 28, 2016. Councilmember Al Bryant seconded the motion. All voted in favor.

The seventh item on agenda was to review and consider City of Wharton 2016 Annual Budget Calendar for fiscal year 2016-2017. City of Wharton Finance Director Joan Anandel presented the proposed City of Wharton Budget Calendar for fiscal year 2016 – 2017. After some discussion, Councilmember Al Bryant moved to approve the City of Wharton 2016 Annual Budget Calendar for fiscal year 2016-2017. Councilmember Steven Schneider seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider City of Wharton 2016 City Street Improvements. City Manager Andres Garza, Jr. presented the proposed Street Improvement Program for 2016. City Manager Garza stated that the amount available to the City was approximately \$300,000.00 and the City staff had determined that a viable and sustainable street improvement program would need to be funded on a yearly basis to be able to maintain

the City streets system. He said the Public Works Committee met on April 5, 2016 and voted to recommend to the City Council Phase I of the 2016 Street Improvement Program as presented. Public Works Director Wade Wendt stated that streets needing the repair had been identified and additional streets would be improved after the City staff explored opportunities for additional funding. After some discussion, Councilmember Tim Barker moved to approve the City of Wharton 2016 City Street Improvements. Councilmember Vincent Huerta seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council approving a Professional Engineering Services Agreement between the City of Wharton and Jones and Carter, Inc. for the Vahalla Well Rehabilitation Project and authorizing the Mayor of the City of Wharton to execute the agreement. City Manager Andres Garza, Jr. stated that the City staff had determined that the Vahalla Water Well (No. 4) was in need of rehabilitation and the staff requested from the City Attorney a ruling on whether such repairs need to be advertised for bids, the determination was that the repairs should be solicited for bid since the estimated cost would exceed \$50,000.00 and it was not an immediate emergency. City Manager Garza said the bid specifications would have to be developed by an engineer and Jones & Carter had done the engineering work on the well when it was previously rehabilitated. City Manager Garza presented Jones & Carter's proposal and stated that the City staff was recommending the contract be approved. He said that the City Council Public Works Committee had met and reviewed the rehabilitation work needed on the well. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2016-20, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2016-20**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF WHARTON AND JONES & CARTER FOR THE VAHALLA WELL REHABILITATION PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton City Council wishes to engage the services of Jones & Carter, Inc. to provide professional engineering services in connection with said project; and,

WHEREAS, Jones & Carter, Inc. wishes to provide said services for the Vahalla Well Rehabilitation Project; and,

WHEREAS, The City of Wharton and Jones & Carter, Inc. wishes to be bound by the conditions of said professional engineering services agreement; and,

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

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a professional engineering services agreement with Jones & Carter, Inc. for the Vahalla Well Rehabilitation Project.

Section II. The City of Wharton and Jones & Carter, Inc. 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 11th day of April 2016.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Tim Barker seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider a resolution of the Wharton City Council approving a Fixed Base Operator Hanger Lease Agreement between the City of Wharton and Jimmie Gardner and authorizing the Mayor of the City of Wharton to execute the agreement. City Manager Andres Garza, Jr. presented a draft of a Fixed Base Operator Hangar Lease Agreement between the City of Wharton and Mr. Jimmie Gardner. Finance Director Joan Andel stated that the City of Wharton Airport Board met and were recommending City Council consider approving the agreement. Councilmember Tim Barker requested that the rates be reevaluated before the next budget year. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2016-21, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2016-21**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A FIXED BASE OPERATOR HANGAR LEASE AGREEMENT BETWEEN THE CITY OF

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WHARTON AND JIMMIE GARDNER AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, the City of Wharton City Council wishes enter into an agreement with Mr. Jimmie Gardner; and,

WHEREAS, the City of Wharton and Mr. Jimmie Gardner 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 the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a Fixed Base Operator Hangar Lease Agreement for the large commercial hangar located at the Wharton Regional Airport between the City of Wharton and Mr. Jimmie Gardner.

Section II. That the City of Wharton and Mr. Jimmie Gardner 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 11th day of April 2016.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Al Bryant seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider Wastewater Treatment Plant No. 1 Improvements for the City of Wharton:

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A. Request Payment No. 6 from B-5 Construction.

City Manager Andres Garza, Jr. presented a pay request No. 6 from B-5 Construction for the Wastewater Treatment Plant No. 1 Improvement Project in the amount of \$48,205.37 and the Construction Progress Report No. 6 that covered construction for the period of March 1, 2016 to March 31, 2016. Carlos Cotton, P.E. with Jones and Carter, Inc. stated that the project was moving along smoothly. After some discussion, Councilmember Al Bryant moved to approve Wastewater Treatment Plant No. 1 Improvements for the City of Wharton in the amount of \$48,205.37. Councilmember Vincent Huerta seconded the motion. All voted in favor.

The twelfth item on the agenda was City Manager Travel Reimbursement. City Manager Andres Garza, Jr. presented his request for travel reimbursement. After some discussion, Councilmember Tim Barker moved to approve the City Manager Travel Reimbursement request. Councilmember Al Bryant seconded the motion. All voted in favor.

The thirteenth item discussed on the agenda to review and consider was appointments to the City of Wharton Boards, Commissions and Committees:

A. Building Standards Commission.

After some discussion, no action was taken.

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

A. Public Works Committee meeting held on April 5, 2016.

B. Airport Board meeting held on April 5, 2016.

After some discussion, no action was taken.

The fifteenth item on the agenda was adjournment. There being no further discussion, Councilmember Al Bryant moved to adjourn. Councilmember Steven Schneider All voted in favor.

The meeting adjourned at 7:17 p.m.

CITY OF WHARTON, TEXAS

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

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Paula Favors
City Secretary