

**MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 28, 2011**

Mayor Domingo Montalvo, Jr. declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. Councilmember Jeff Gubbels led the opening devotion and led the pledge of allegiance.

Councilmember's present were: Mayor Domingo Montalvo, Jr., Councilmembers Al Bryant, Jeff Gubbels, Terry David Lynch, Russell Machann, Don Mueller, and Karen Schulz.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Anandel, City Secretary Paula Favors, Assistant to City Manager Jackie Jansky, Public Works Director Carter Miska, P.E., and Emergency Management Coordinator Jim Cooper.

Visitors present were: David Schroeder, Executive Director of Wharton Economic Development Corporation, Carlos Cotton P.E., with Jones and Carter, Keith Magee with Wharton Journal Spectator, I.O. Coleman, Jr., Paul Sherland, and Brandon Cruz.

The second item on the agenda was Roll Call and Excuses Absences. All Councilmembers were present. No action was taken.

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

The fourth item discussed on the agenda was the Wharton Moment. Councilmember Jeff Gubbels praised the Wharton High School football team for showing a spirit that hasn't been seen in years during the 2011 Football Playoffs. Mayor Domingo Montalvo, Jr. stated that the school had a great coach and a great awareness of community. Mayor Montalvo further stated that the coach and staff should be commended for their hard work and that he looked forward to the future.

The fifth item discussed on the agenda was to review and consider the City of Wharton Financial Report for the month of October 2011. Finance Director Joan Anandel presented the financial report for the month of October 2011. Mrs. Anandel stated that the total ad valorem taxes collected were \$7376.88 and the sales tax for the month of October 2011 was \$111,115.78. She further stated that the TexPool balance for October was \$169,982.39 with an average monthly yield of 0.08%. She said the Prosperity Bank balance for October 2011 was \$6,413,074.72 with an average monthly yield of 0.15%. Mrs. Anandel further stated that other investments included \$2,663.09 at TexasGulf Federal Credit Union in the debt fund, and \$255,902.63 at Capital One

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Marketing. After some discussion, Councilmember Don Mueller moved to approve the City of Wharton Financial Report for the month of October 2011. Councilmember Russell Machann seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider a request by Mr. Brandon Cruz on behalf of the Wharton Masonic Lodge #621 for the following:

- A. Use of Riverfront Park to hold a Bar-B-Que Cook-off Friday, January 27, 2012 beginning at 8:00 a.m. through Sunday, January 29, 2012 ending at 12:00 Noon.
- B. Variance from the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-2 and 54-8 Operating or parking motor vehicles in parks.
- C. Variance for the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-3 Hours of use of city parks.
- D. Waive applicable fees for the following:
  1. Use of Riverfront Park.
  2. Temporary permit for Possession/Consumption of Alcoholic Beverages in City Parks.

City Manager Andres Garza, Jr. presented a copy of the letter dated November 22, 2011 from Mr. Brandon Cruz requesting City Council approval of the afore-mentioned items for the Seventh Annual Masonic Lodge #621 Bar-B-Que Cook-Off. City Manager Garza stated the cook-off was scheduled to be held Friday, January 27<sup>th</sup> through Sunday, January 29<sup>th</sup>. Mr. Brandon Cruz, member of the Wharton Masonic Lodge #621 stated that the annual event had moved from their normal month of August to January due to the weather. Mr. Cruz further stated the only other change in the event would be that it now had a corporate sponsor, which would mean the event could draw additional cooks and could result in more scholarship funds being awarded. Mr. Cruz stated that the scholarships were being given to students that attended Wharton County Junior College. After some discussion, Councilmember Terry David Lynch moved to approve the request by Mr. Brandon Cruz on behalf of the Wharton Masonic Lodge #621 for the afore mentioned items. Councilmember Al Bryant seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider the Kansas City Southern 2011 Holiday Express Train Event to be held Tuesday, November 29, 2011 at 4:00 p.m. Assistant to City Manager Jackie Jansky presented a copy of the memorandum dated November 14, 2011 by City Manager Andres Garza, Jr. to the City Council providing information regarding the 2011 Kansas City Southern (KCS) Holiday Express Train. She stated the train would arrive in Wharton on Tuesday, November 29, 2011 at the City of Wharton Southern Pacific Railroad Depot, 100 North Sunset Street and the doors of the train would open at 4:00 p.m. to the public. City Manager Garza stated that the City Staff had been working to coordinate with the City of Wharton Facilities Maintenance and Public Safety Departments, Wharton County, Chamber of Commerce, Wharton Journal Spectator and KULP in an effort to make this a successful event. Mr. Garza praised Mrs. Jansky, William Locke, and Kansas City Southern for their hard work on the event. No action was taken.

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council accepting a grant award from the Texas Department of Public Safety for funding under

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the State Homeland Security Program for the purchase of equipment for the City of Wharton Improved Communications Project and the City of Wharton Emergency Generator Project and authorizing the Mayor of the City of Wharton to execute all documents related to the Sub-Recipient Agreement(s) for said projects. City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 22, 2011 from Mr. Jim Cooper, Emergency Management Coordinator, to him regarding the Texas Department of Public Safety for funding under the Homeland Security Grant Program. City Manager Garza stated that Mr. Cooper indicated in his memorandum that the City had submitted an application to the State Homeland Security Office for funding for the City of Wharton Improved Communications Project and the Emergency Generator Project. Emergency Management Coordinator Jim Cooper stated that the City of Wharton was awarded funding in the amount of \$128,600.00, which would fund one (1) Mobile 60Hz-350kw diesel generator trailer mounted and complete with the transfer switch and fuel tank. Mr. Cooper further stated that it would also fund the purchase of one (1) bi-directional amplifier to enhance the radio communications at the Emergency Operations Center and throughout the Police Station. City Manager Garza presented a copy of the letter dated November 17, 2011 from Ms. Machele Pharr, Deputy Assistant Director for the Texas Homeland Security State Administrative Agency providing a copy of the required sub-recipient agreement. City Manager Garza stated that the City Staff was requesting City Council acceptance of the grant award and to authorize the Mayor of the City of Wharton to execute the agreement. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2011-87, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2011-87**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A GRANT AWARD FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR FUNDING UNDER THE STATE HOMELAND SECURITY PROGRAM FOR THE PURCHASE OF EQUIPMENT FOR THE CITY OF WHARTON IMPROVED COMMUNICATIONS PROJECT AND THE CITY OF WHARTON EMERGENCY GENERATOR PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO THE SUB-RECIPIENT AGREEMENT(S) FOR SAID PROJECTS.**

**WHEREAS,** In May 2011, the City of Wharton Emergency Management Department submitted and application for funding to the Texas Department of Public Safety State Homeland Security Program through the Houston-Galveston Area Council for funding for the City of Wharton Improved Communications Project and the Emergency Generator Project; and

**WHEREAS,** The City of Wharton was awarded funding in the amount of \$128,600.00 for said projects; and

**WHEREAS,** The Wharton City Council, on behalf of the City of Wharton, wishes to accept the grant award; and

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**WHEREAS,** The City of Wharton and the Texas Department of Public Safety State Homeland Security Agency wishes to be bound by the conditions set forth in the sub-recipient agreement; and

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

**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 accepts the Texas Department of Public Safety, State Homeland Security Agency grant award in the amount of \$128,600.00 for funding for the City of Wharton Improve Communications Project and the Emergency Generator Project.

**Section II.** That the City of Wharton and the Texas Department of Public Safety State Homeland Security Agency shall hereby be bound by the conditions set forth in the sub-recipient agreement. That the Wharton authorizes the Mayor of the City of Wharton t.

**Section III.** That the Mayor of the City of Wharton is hereby authorized to execute the contract amendment.

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of November 2011.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember Terry David Lynch seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider City of Wharton Road Materials:

A. Bid Tabulation.

**B. Resolution:** A resolution of the Wharton City awarding the bid for the City of Wharton Road Materials to Quality Hot Mix, Inc. for hot mix cold laid asphalt concrete pavement, pre-coated aggregate, aggregate, and dense-graded hot-mix asphalt and to Alamo Concrete Products for hydraulic cement concrete Class A, Class B, Class C, and Class S and authorizing the Mayor of the City of Wharton to execute the agreements.

City Manager Andres Garza stated the City of Wharton Road Materials Bid was held November 17, 2011. City Manager Garza presented a copy of the bid tabulation and a copy of the memorandum dated November 21, 2011 from Mr. Carter Miska, P.E., Public Works Director, providing his recommendation to him regarding the contract awards for the road materials. Public Works Director Carter Miska stated that he was recommending that the City Council consider awarding the bids as indicated in memorandum. City Manager Garza further stated that he concurred with Mr. Miska's recommendation. After some discussion, Councilmember Terry David Lynch moved to approve City of Wharton Resolution No. 2011-88, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2011-88**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDED THE BID FOR THE CITY OF WHARTON ROAD MATERIALS TO QUALITY HOT MIX, INC. FOR HOT MIX COLD LAID ASPHALT CONCRETE PAVEMENT, PRE-COATED AGGREGATE, AGGREGATE, AND DENSE-GRADED HOT-MIX ASPHALT AND TO ALAMO CONCRETE PRODUCTS FOR HYDRAULIC CEMENT CONCRETE CLASS, A, CLASS B, CLASS C, AND CLASS S AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENTS.**

**WHEREAS**, competitive, sealed bids were received on November 17, 2011, for road materials for the fiscal year 2011-2012; and

**WHEREAS**, as per bid specifications, the following companies were deemed to be the best and lowest qualified bidders for the products listed respectively:

- A. Quality Hot Mix, Inc. for hot mix cold laid asphalt concrete pavement in the amount of \$78.00 per ton delivered and \$73.00 per ton pick-up; pre-coated aggregate in the amount of \$49.00 per ton delivered and \$44.00 per ton pick-up, aggregate in the amount of \$28.50 per ton delivered and \$30.00 per ton pick-up; and, dense-graded hot-mix asphalt pavement in the amount of \$65.00 per ton delivered and \$60.00 per ton pick-up.
- B. Alamo Concrete products for the hydraulic cement concrete Class A in the amount of \$71.00 per cubic yard, Class B in the amount of \$70.00 per cubic yard, Class C in the amount of \$77.50 per cubic yard, and Class S in the amount of \$78.00 per cubic yard.

**WHEREAS**, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the required agreements for the road materials; and

**WHEREAS**, this resolution is passed in accordance with this bid.

**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 awards contracts to the companies for road materials as per bid specifications for the products listed respectively as follows:
- A. Quality Hot Mix, Inc. for hot mix cold laid asphalt concrete pavement in the amount of \$78.00 per ton delivered and \$73.00 per ton pick-up; pre-coated aggregate in the amount of \$49.00 per ton delivered and \$44.00 per ton pick-up, aggregate in the amount of \$28.50 per ton delivered and \$30.00 per ton pick-up; and, dense-graded hot-mix asphalt pavement in the amount of \$65.00 per ton delivered and \$60.00 per ton pick-up.
  - B. Alamo Concrete products for the hydraulic cement concrete Class A in the amount of \$71.00 per cubic yard, Class B in the amount of \$70.00 per cubic yard, Class C in the amount of \$77.50 per cubic yard, and Class S in the amount of \$78.00 per cubic yard.
- Section II.** That the Mayor of the City of Wharton is hereby authorized to sign any and all documents related to the afore-mentioned contracts.
- Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28<sup>th</sup> of November 2011.

**CITY OF WHARTON, TEXAS**

**By:**

\_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

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

Councilmember Al Bryant seconded the motion. Councilmember Don Mueller abstained. Councilmembers Jeff Gubbels, Russell Machann and Karen Schulz voted in favor. Motion carried.

The tenth item on the agenda was to review and consider the City of Wharton Chemicals:

A. Bid Tabulation.

B. **Resolution:** A resolution of the Wharton City Council awarding the bid for the City of Wharton Public Works Department Chemicals to AOC for one ton chlorine gas cylinder, 150 lbs. chlorine gas cylinder, and granular calcium hypochlorite; to NAPCO Chemical Company for sodium bisulfite hypochlorite, and fluoride; and authorizing the Mayor of the City of Wharton to execute the agreements.

City Manager Andres Garza, Jr. stated that the City of Wharton Chemicals Bid was held November 17, 2011. City Manager Garza presented a copy of the bid tabulation and a copy of the memorandum dated November 21, 2011 from Mr. Carter Miska, P.E., Public Works Director, providing his recommendation to him, for contract awards, regarding the chemicals for use by the Public Works Department. Public Works Director Carter Miska stated that he was recommending that the City Council consider awarding the bids as indicated in memorandum. City Manager Garza further stated that he concurred with Mr. Miska's recommendation. After some discussion, Councilmember Karen Schulz moved to approve City of Wharton Resolution No. 2011-89, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2011-89**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING THE BID FOR THE CITY OF WHARTON PUBLIC WORKS DEPARTMENT CHEMICALS TO AOC FOR ONE TON CHLORINE GAS CYLINDER, 150 LBS. CHLORINE GAS CYLINDER, AND GRANULAR CALCIUM HYPOCHLORITE; TO NAPCO CHEMICAL COMPANY FOR SODIUM BISULFITE HYPOCHLORITE, AND FLUORIDE; AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENTS.**

**WHEREAS**, competitive, sealed bids were received on November 17, 2011, for use by the City of Wharton Public Works Department; and

**WHEREAS**, as per bid specifications, the following companies were deemed to be the best and lowest qualified bidders for the products listed respectively:

- A. AOC for one ton chlorine gas cylinder in the amount of \$635.00 per cylinder; 150 lbs. chlorine gas cylinder in the amount of \$95.00 per cylinder, and granular calcium hypochlorite 65% in the amount of \$145.00 per 100 lbs; and
- B. NAPCO Chemical Company, Inc. for sodium bisulfite hypochlorite in the amount of \$0.15 per pound and fluoride in the amount of \$5.75 per gallon.

**WHEREAS**, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the required agreements for the chemicals for the Public Works Department; and

**WHEREAS**, this resolution is passed in accordance with this bid.

**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 awards contracts to the companies for chemicals for the City of Wharton Public Works Department as per bid specifications for the products listed respectively as follows:

- A. AOC for one ton chlorine gas cylinder in the amount of \$635.00 per cylinder; 150 lbs. chlorine gas cylinder in the amount of \$95.00 per cylinder, and granular calcium hypochlorite 65% in the amount of \$145.00 per 100 lbs; and
- B. NAPCO Chemical Company, Inc. for sodium bisulfite hypochlorite in the amount of \$0.15 per pound and fluoride in the amount of \$5.75 per gallon.

**Section II.** That the Mayor of the City of Wharton is hereby authorized to sign any and all documents related to the afore-mentioned contracts.

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

**Passed, Approved, and Adopted** this 28<sup>th</sup> of November 2011.

**CITY OF WHARTON, TEXAS**

**By:**

\_\_\_\_\_  
**DOMINGO MONTALVO, JR.**  
Mayor

**ATTEST:**

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

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

The eleventh item on the agenda was to review and consider a Public Works Department request for City Council to approve payment in the amount of \$11,172.00 to Mercer Construction for emergency repairs that were conducted due to a cave in at the Hwy. 60 and Alabama Road intersection. City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 18, 2011 from Public Works Director Carter Miska, P.E. regarding a cave in that had developed at the intersection of Hwy. 60 and Alabama Road. Public Works Director Carter Miska, P.E. stated that the cavity was approximately 18' X 25' X 25' and developed due to drought conditions that caused a sewer plug to fail, which allowed sewer flow to wash the soil away under the roadway. Mr. Miska further stated that due to the threat this failure posed to the public, it was determined that an emergency repair was needed. Mr. Miska added that since the Public Works Department was not equipped to handle these types of failures, Mercer Construction Company was called to conduct the repairs, which cost the City \$11,172.00. After some discussion, Councilmember Al Bryant moved to approve the emergency repairs on the Highway 60 and Alabama Road intersection cave in and to pay Mercer Construction the



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\$11,172.00 for the repair costs. Councilmember Karen Schulz seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider the Texas Department of Transportation, Texas Transportation Forum that was scheduled for February 15 – 17, 2012 in San Antonio, Texas. City Manager Andres Garza, Jr. presented a copy of information regarding the Texas Department of Transportation, Texas Transportation Forum that would be held February 15-17, 2012 in San Antonio, Texas. City Manager Garza stated that City Council approval was required in accordance with the City of Wharton Travel Policy if the Mayor and/or Councilmembers wish to attend conferences. He also stated that Mayor Domingo Montalvo, Jr. was requesting approval from the City Council for the City to pay the registration fee only for the conference. After some discussion, Councilmember Jeff Gubbels moved to approve registration fees for Texas Department of Transportation, Texas Transportation Forum that would be held February 15-17, 2012 in San Antonio, Texas if the Mayor or any Councilmembers wished to attend. Councilmember Al Bryant seconded the motion. All voted in favor.

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

- A. Beautification Commission:
  - 1. City Council acceptance of the resignation of Ms. Doris Teague.
  - 2. Vacant Position(s).

Assistant to City Manager Jackie Jansky presented a copy of the letter dated November 21, 2011 from Ms. Doris Teague resigning her position on the City of Wharton Beautification Commission. She stated that City Council action accepting her resignation was required. She also said that the Wharton City Council may make recommendations to appoint members to the Beautification Commission, as well as the Boards and Commissions listed below.

- B. Building Standards Commission.
- C. Holiday Light Decorating Chairman
- D. Mayor's Committee on People with Disabilities.

After some discussion, Councilmember Don Mueller moved to accept the resignation of Ms. Doris Teague from her position of the City of Wharton Beautification Commission. Councilmember Terry David Lynch seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider the status report on City of Wharton Projects. City Manager Andres Garza, Jr. presented a copy of his memorandum dated November 28, 2011 providing a status report on the ongoing City of Wharton Projects to the City Council providing an update on the City of Wharton on-going projects, 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.swf.usace.army.mil/pubdata/notices/LowerColorado/>.

The City Staff continues to work with the USACE and Halff Associates in obtaining the required ROE agreements and engineering data. The agreement for the Third and Restated Agreement between the City of Wharton and the Lower Colorado River Authority (LCRA) has been submitted to LCRA for execution. The amendment will incorporate Segment 1(a) into the project, which is the extension of the levee along FM 102.

#### **DRAINAGE:**

##### 1. Santa Fe Outfall Channel.

The Public Works Department has finished excavation up to Alabama Road. The Public Works Department will now focus on installing grade stabilization structures and installing other best management practices needed to control erosion.

##### 2. Highway 60 & Old Lane City Road Drainage Improvements

The construction plans have been approved by the TxDOT Yoakum District Office. City Staff has acquired the needed drainage right of way from Edwin Kostka. In addition to the drainage right of way an aerial easement will also be required. City Staff, Jones & Carter Inc., and Centerpoint Energy are working to finalize the aerial easement so that the poles can be moved. The Public Works Director has provided a set of construction plans to and met with AT&T and Texas Mid Gulf Cable as well. Staff is currently in the process of resolving all utility conflicts. City Staff has had trouble getting AT&T to respond. The Public Works Department will be contacting AT&T to inform them that due to the lack of response the City intends to go forward with construction if response is not given within the next 30 days. Construction will begin once the utility issues have been cleared.

#### **WATER/SEWER IMPROVEMENTS:**

##### 1. Water Storage Tank Maintenance Program.

The City of Wharton has awarded the rehab and painting contract to M.K. Painting, Inc. in the amount of \$284,000.00. The Alabama Ground Storage Tank is currently being rehabilitated. Currently the contractor is sandblasting the tank. Completion is expected sometime toward the end of December. The Vahalla Ground Storage Tank will follow. Construction should be complete by February.

##### 2. Pressure Switches at City Water Plants

This project is complete; however, the Public Works Staff continues to monitor the system to insure that it is working properly. Barbee Electric recently installed temperature control devices in the pressure switch boxes to create a controlled environment and help reduce problems with the switches. The temperature control devices seem to be eliminating most of our overflow problems. Staff will continue to monitor the situation.

### 3. Energy Efficiency Audit

Siemens Industry and Jones & Carter, Inc. presented an overview of their plan to help the City increase energy efficiency. The presentation was made at the Public Works Committee meeting on November 21, 2011.

### 4. Wastewater Treatment Plant No. 1 Rehabilitation Proposal

Jones & Carter, Inc. has completed their rehabilitation proposal and will be presenting it to the appropriate Council committees in the near future.

### 5. On-going Water and Sewer Maintenance Program

Due to extreme drought conditions, the Water and Sewer Department has been working seven days a week. The force of the ground shrinking has caused an unusual amount of water leaks and sanitary sewer issues. Currently the City is averaging about five water leaks a day and around twice the problems normally associated with the sanitary sewer collection system.

## **STREET IMPROVEMENTS**

### 1. FM 102 Relocation and/or FM 1301

#### A. Progress Report on Project.

IDC Inc. continues to work with City Staff in an effort to develop preliminary engineering for the project. The City is submitting a funding request to the US DOT TIGER III Discretionary Grant Program.

#### B. Update on status of Advance Funding Agreement (AFA) between the City of Wharton and the Texas Department of Transportation (TxDOT).

TxDOT has agreed to amend the AFA with an increase of \$200,000 making the States total support toward the project \$3,700,000 for construction. City Council passed a resolution accepting this amendment to the AFA. City Council also passed a resolution amending the professional engineering services agreement between the City of Wharton and IDC Inc. to include the basic engineering services for the environmental assessment for the City of Wharton FM 102 Relocation, FM 1301 Road Extension to US 59 with service road and entrance ramp (east side) and Railroad Overpass. These adopted resolutions will allow City Staff to have better control over the environmental portion of the project and result in a more timely completion of the final engineering plans.

### 2. 2011 Street Improvement Program

Public Works Staff is currently identifying and preparing cost estimates for possible street improvements in 2011-2012.

3. Wharton Sidewalk Accessibility and Historic Streetscape Project

City Staff, BEFCO Engineering, Stern and Bucek Architects and TxDOT are working together to ensure this project is a success. Currently BEFCO Engineering is surveying and developing some of the preliminary designs. David Bucek is consulting with BEFCO and City Staff on various issues including historical aspects of the project. City Staff will meet with BEFCO Engineering and Stern and Bucek Architects on December 6, 2011 at 8:00 am to discuss the project and move forward.

4. On-going Street and Drainage Maintenance Program

The extreme drought is keeping the Street and Drainage crew very busy. The force of the ground shifting is causing numerous failures in the City's streets and storm sewers. Many of the failures must be fixed immediately since they pose a threat to the public's safety.

**OTHER PROJECTS**

1. Fire Station Expansion Project

The Public Works Department and the Facilities Maintenance Department have completed the project.

The Public Works Department has obtained quotes for building a concrete dumpster drive and pad for the fire station. The pad will accommodate two dumpsters. The low quote was from Angel Concrete at \$3,450.00. The Public Works Department will proceed with the project upon approval of the City Manager and the Fire Chief.

**WHARTON REGIONAL AIRPORT**

1. Capital Improvement Drainage Project.

O'Malley Engineers have submitted the preliminary plans to the City of Wharton for the project. City Staff met with O'Malley Engineers on September 14, 2011 to discuss and comment on the plans. O'Malley is currently making the necessary changes. This project should be bid closer toward the end of the year.

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

- A. City Council Public Works Committee meeting held November 21, 2011.
- B. Wharton Economic Development Corporation meeting held November 21, 2011.

City Manager Andres Garza, Jr. presented a copy of the report to the City Council. After some discussion, no action was taken.

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The sixteenth item discussed on the agenda was to review and consider the City's Reports:

- |  |                                |
|--|--------------------------------|
| A. City Secretary/Personnel.                       | I. Legal Department.           |
| B. Code Enforcement.                               | J. Municipal Court.            |
| C. Community Services Department<br>/Civic Center. | K. Police Department           |
| D. Emergency Management.                           | L. Public Works Department.    |
| E. E.M.S. Department.                              | M. Water/ Sewer Department.    |
| F. Engineer/Planning Department.                   | N. Weedy Lots/ Sign Ordinance. |
| G. Facilities Maintenance Department.              | O. Wharton Municipal Pool.     |
| H. Fire Department.                                | P. Wharton Regional Airport.   |

City Manager Andres Garza, Jr. presented the reports to the City Council. No action was taken.

The seventh item on the agenda was adjournment. After some discussion, Mayor Domingo Montalvo, Jr. made the motion to adjourn. Councilmember Karen Schulz seconded the motion. All voted in favor.

The meeting adjourned at 7:31 p.m.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**Domingo Montalvo, Jr.**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Paula Favors**  
**City Secretary**