

**NOTICE OF MEETING OF THE  
GOVERNING BODY OF  
CITY OF WHARTON**

Notice is hereby given that a Regular meeting of the governing body of the City of Wharton will be held on the 14th day of January 2013 at 7:00 p.m., at City Hall located at 120 East Caney Street

Wharton, Texas, at which time the following subjects will be discussed, to-wit: \_\_\_\_\_  
**See Attached Agenda**

Dated this 11th day of January 2013

By: \_\_\_\_\_

**Domingo Montalvo, Jr., Mayor**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Wharton 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 in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on January 11, 2013, at 4:30 p.m., and remained so posted continuously for at least 72 hours preceding the schedule time of said Meeting.

The City of Wharton City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are 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 11th day of January 2013

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_

**Paula Favors, City Secretary**

**AGENDA**  
**CITY OF WHARTON**  
**Regular City Council Meeting**  
**Monday, January 14, 2013**  
**City Hall - 7:00 p.m.**

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Review & Consider:** Reading of the minutes from the regular meeting held December 10, 2012.
6. **Review & Consider:** City of Wharton Financial Report for November 2012.
7. **Review & Consider:** **Ordinance:** An ordinance approving amendments to the City of Wharton, Texas, Budget for the 2011-2012 Fiscal Year.
8. **Review & Consider:** Request by Ms. Doris Teague to address the City Council regarding drainage issue(s) in the Chapel Heights/ Willowbend area.
9. **Review & Consider:** Request by Ms. Cindy Cerny, President of S.P.O.T. Wharton County, for City of Wharton participation in the Spay-Neuter Assistance Program (SNAP) Mobile Spay-Neuter Unit by providing funding assistance.
10. **Review & Consider:** Request by Ms. Teresa Rosales, Property Owner of Sols, Block 1, Lot 3; 201 Mays Street for the City Council to consider approving the following:
  - A. Waiver of the residential set back variance fee.
  - B. To place a 12'0" x 41'0" carport with attached storage building one (1) foot from the interior side yard property line on the existing carport slab.
11. **Review & Consider:** Recommendation by the Planning Commission for City Council consideration of the request by Mr. C.

E. Muegge of CE Muegge Real Estate for approval of a Preliminary/Final Replat of Abst. 19, Tract 5A RR; 3214 FM 1301.

**12. Review & Consider:**

City of Wharton Emergency Medical Services (EMS) Department:

- A. Acceptance of funding from the Wharton County Emergency Services District (ESD No. 3) for the purchase of four (4) Stryker Load, Power Loading Cot Fastener System from Stryker EMS.
- B. **Resolution:** A resolution of the Wharton City Council approving the purchase of four (4) Stryker Power Load, Power-Loading Cot Fastener Systems from Stryker EMS, a sole source distributor; and, authorizing the Mayor of the City of Wharton to execute any and all documents related to said purchase.

**13. Review & Consider:**

**Resolution:** A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to execute the Texas Emergency Medical Task Force Resource Memorandum of Agreement with the SouthEast Texas Regional Advisory Council, a Department of State Health Services Designated Lead Regional Advisory Council, for the City of Wharton EMS Department to participate as a member of the Emergency Medical Task Force (EMTF) in Region 6 and authorizing the Mayor of the City of Wharton to execute the agreement.

**14. Review & Consider:**

**Resolution:** A resolution of the Wharton City Council authorizing the City of Wharton's submission of an application for funding to the Texas Department of Agriculture under the Texas Capital Fund Program in an effort to assist with the funding efforts of Ballygle, Inc. for infrastructure improvements for the proposed Wharton Ballygle, Inc. Rehabilitation Facility and authorizing the Mayor of the City of Wharton to execute any and all documents related to said application.

**15. Review & Consider:**

**Ordinance:** An ordinance authorizing the Mayor of the City of Wharton to execute an Economic

Development Agreement and related Personal Property Bill of Sale, to transfer City surplus fill dirt to Wharton Dental, in support of the proposed development of a new dental facility along FM 102 that will increase local sales and property tax base and create area employment.

**16. Review & Consider:**

**Resolution:** A resolution of the Wharton City Council authorizing the City of Wharton's participation as a member of the Texas Coast Utilities Coalition (TCUC) Legislative Initiative on City's Original Jurisdiction.

**17. Executive Session:**

City Council may adjourn into an Executive Session in accordance with Section 551.071 and 551.074 of the Government Code, Revised Civil Statutes of Texas. Final action, decision or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.

**A. Discussion:** Cause No. 44746; William King Satterwhite v. Larry Robert Guerrero, et al in the District Court of Wharton County, Texas; 329th Judicial District.

**B. Discussion:** Appointment of a temporary Municipal Court Judge.

**18. Return to Open Meeting:**

Action on items discussed in Executive Session:

**A. Review & Consider:** Cause No. 44746; William King Satterwhite v. Larry Robert Guerrero, et al in the District Court of Wharton County, Texas; 329th Judicial District.

**B. Review & Consider:** Appointment of a temporary Municipal Court Judge.

**19. Review & Consider:**

**Resolution:** A resolution of the Wharton City Council approving a Joint Election Agreement with Wharton County Elections Department for the City Election; and Authorizing the Mayor of the City of Wharton to execute the agreement.

**20. Review & Consider:**

Texas Municipal League Elected Officials' Conference to be held February 1-3, 2013 and the

Texas Municipal League Legislative Briefing to be held February 4, 2013, both in Austin, Texas.

- 21. Review & Consider:** City Manager’s request for Travel Reimbursement.
- 22. Review & Consider:** Appointments to the City of Wharton Boards, Commissions and Committees:
- A. Holiday Light Decoration Chairman.
  - B. Mayor’s Committee on People with Disabilities.
- 23. Review & Consider:** City Council Boards, Committees and Commissions reports:
- A. Wharton Economic Development Corporation meeting held December 17, 2012.
  - B. City Council Finance Committee meeting held January 8, 2013.
  - C. City Council Beautification Commission meeting held January 9, 2013.
- 24. Adjournment.**