

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
OCTOBER 16, 2017**

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. Pastor Janice Blair led the opening devotion and Mayor Barker led the pledge of allegiance.

Councilmember's present were: Mayor Tim Barker and Councilmembers Al Bryant, Terry Freese, Russell Machann, Don Mueller and Steven Schneider.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Anel, City Secretary Paula Favors, Assistant to the City Manager Brandi Jimenez, Community Development Coordinator Gwyn Teves, City Attorney Paul Webb, Police Chief Terry David Lynch and Public Works Director Wade Wendt.

Visitors present were: Pastor Janice Blair, Edward Gensler, Janet Gensler, Ora Deleon, Rey Becerra, Frank Solorzano, Mary A. Barnes, Gary Sistrunk, David Schroeder, and Wharton Economic Development Coordinator Chad Odom, II.

The second item on the agenda was Roll Call and Excuses Absences. All members were present.

The third item on the agenda was Public Comments. Mr. David Schroeder stated the need for a drainage district and requested the City Council consider submitting a resolution to the Wharton County Commissioners Court requesting the creation of a district which citizens would be able to vote on. Mr. Edward Gensler stated that he was a resident of 721 E Wayside and the tops of culverts in his neighborhood were even with the ditches and he felt that they needed to be dug out, along with Peach Creek and Baughman Slough. Mr. Gensler said he and his wife were unable to receive assistance from FEMA since they received assistance in 2001 and where non-compliant for not retaining Flood Insurance. Pastor Janice Blair stated that her motto was P.U.S.H. which stood for Pray Until Something Happens and she was on assignment from God and he has heard their cry. Pastor Blair said it was time for the City of Wharton to make their move. Mr. Gary Sistrunk stated that he lived on Wayside and a 2 foot wave came over his roadway flooding his home. Mr. Sistrunk stated that he was not notified of the impending flood.

The fourth item on the agenda was the Wharton Moment. Mayor Tim Barker stated on a positive note the City of Wharton did an excellent job overseeing the debris collection from

City of Wharton
Regular Council Meeting
October 16, 2017

Hurricane Harvey and stated that the debris collection would be coming to an end in the near future and a final sweep of the City would be completed. Councilmember Steve Schneider congratulated the Wharton High School Varsity Football team on their first district win of the year over Ingleside.

The fifth item on the agenda was to review and consider the reading of the minutes from the regular meetings held September 11, 2017 and September 25, 2017 and special meetings held September 7, 2017, September 19, 2017 and September 21, 2017. After some discussion, Councilmember Al Bryant moved to approve the reading of the minutes from the regular meetings held September 11, 2017 and September 25, 2017 and special meetings held September 7, 2017, September 19, 2017 and September 21, 2017. Councilmember Russell Machann seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider FY2017 Pre-Disaster Mitigation (PDM) Grant Program:

A. **Resolution:** A resolution of the Wharton City Council awarding a contract for administration services to write and manage the FY2017 Pre-Disaster Mitigation (PDM) Grant Program and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.

City Manager Andres Garza, Jr. stated that on August 28, 2017, the City Council authorized the City Staff to pursue proposals for Grant Application and Management Services for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program. Community Development Coordinator Gwyn Teves stated that proposals for the service were received on October 6, 2017 and were as follows:

1. TLC Engineering, Inc.
2. GrantWorks, Inc.

Mrs. Teves said the City Council Consultant Selection Committee had met and were recommending City Council consider awarding the contract to GrantWorks, Inc. for the administration of the Grant Application and Management Services for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2017-100, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-100**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR ADMINISTRATION SERVICES TO WRITE AND MANAGE THE FY2017 PRE-DISASTER MITIGATION (PDM) GRANT PROGRAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

City of Wharton
Regular Council Meeting
October 16, 2017

WHEREAS, The Wharton City Council wishes to enter into a contract for the administration services to write and administer the FY2017 Pre-Disaster Mitigation (PDM) Grant Program with GrantWorks, Inc.; and,

WHEREAS, The City of Wharton and GrantWorks, Inc. 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 said 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 of the City of Wharton to execute an agreement with GrantWorks, Inc. to write and manage the FY2017 Pre-Disaster Mitigation (PDM) Grant Program.

Section II. The City of Wharton and GrantWorks, 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 16th day of October 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

B. Resolution: A resolution of the Wharton City Council awarding a contract for application and project-related engineering services for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.

City Manager Andres Garza, Jr. stated that on August 28, 2017, the City Council authorized the City Staff to pursue proposals for an Engineering Services Consultant for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program. Community Development Coordinator Gwyn

Teves stated that proposals for the service were received on October 6, 2017 and were as follows:

1. SAMES, Sam Engineering & Surveying
2. TLC Engineering
3. Jones & Carter
4. Befco Engineering, Inc.
5. Urban Engineering

Mrs. Teves said the City Council Consultant Selection Committee had met and were recommending City Council consider awarding the contract to Jones & Carter, Inc. for application and project-related engineering services for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2017-101, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-101**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR APPLICATION AND PROJECT-RELATED ENGINEERING SERVICES FOR THE FY2017 PRE-DISASTER MITIGATION (PDM) GRANT PROGRAM APPLICATION AND IMPLEMENTATION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to enter into a contract for application and project-related engineering services for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program with Jones and Carter, Inc.; and,

WHEREAS, The City of Wharton and Jones and Carter, Inc. 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 said 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 of the City of Wharton to execute an agreement with Jones and Carter, Inc. for application and project-related engineering services for the FY2017 Pre-Disaster Mitigation (PDM) Grant Program.

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

City of Wharton
Regular Council Meeting
October 16, 2017

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

Passed, Approved, and Adopted this 16th day of October 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The seventh item on agenda was to review and consider a resolution of the Wharton City Council approving a contract amendment between the City of Wharton and Ceres Environmental Services, Inc. for secondary debris clearance and removal services contract and authorizing the Mayor of the City of Wharton to execute all documents related to the agreement on behalf of the City of Wharton. City Manager Andres Garza, Jr. stated that the current contract with Cere's Environmental expired September 30th, 2017. Community Development Coordinator Gwyn Teves stated that an amendment would provide an extension until October 31st. 2017 or until the City is able to procure a new provider and add required Federal Regulation language as required by FEMA. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2017-102, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-102**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT AMMENDMENT BETWEEN THE CITY OF WHARTON AND CERES ENVIRONMENTAL SERVICES, INC. FOR SECONDARY DEBRIS CLEARANCE AND REMOVAL SERVICES CONTRACT EXTENSION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO THE AGREEMENT ON BEHALF OF THE CITY OF WHARTON.

WHEREAS, The Wharton City Council wishes to extend its contract with Ceres Environmental Services, Inc. for Secondary Debris Clearance and Removal Services until October 31st, 2017 or until such time as the City can solicit a bid/contract of our own; and,

WHEREAS, The City of Wharton and Ceres Environmental Services, Inc. wishes to be bound by the conditions 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 renewal agreement.

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

Section I. The Wharton City council hereby approves a contract extension agreement between the City of Wharton and Ceres Environmental Services, Inc.

Section II. The City of Wharton and Ceres Environmental Services, Inc. are hereby bound by the conditions set forth in the agreement.

Section III. The Mayor of the City of Wharton is hereby authorized to execute the agreement.

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

Passed, Approved, and Adopted this 16th day of October 2017.

CITY OF WHARTON, TEXAS

By:

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember Al Bryant 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 authorizing the purchase of three (3) patrol vehicles through Buyboard Cooperative Purchasing Program from Caldwell Country. City Manager Andres Garza, Jr. presented a copy resolution authorizing the Wharton Police Department to purchase three (3) patrol vehicles through Buyboard Cooperative Purchasing Program from Caldwell Country and a memo from Chief Terry Lynch requesting the replacement of three vehicles for the Wharton Police Department. Chief Lynch stated the purchase of all three (3) patrol vehicles plus graphics totaling \$114,548.00 with the purchase price of \$77,222.00 (\$38,411.00 each) for two (2) 2018 Chevrolet Tahoes and the purchase price of \$36,176.00 for one unmarked unit which was budgeted for in the 2017-2018 year which was approved by City Council. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-103, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-103**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF THREE (3) PATROL VEHICLES THROUGH BUYBOARD COOPERATIVE PURCHASING PROGRAM FROM DEFENDER SUPPLY.

WHEREAS, The Wharton Police Department wishes the City Council to approve the purchase of the three patrol vehicles through Caldwell Country; and,

WHEREAS, The City of Wharton is a member of and participates in the Buyboard Cooperative Purchasing Program; and,

WHEREAS, The Wharton City Council wishes to authorize the City Staff to purchase two (2) 2018 Chevrolet Tahoe patrol vehicles in the amount of \$77,222.00, and one (1) 2018 Chevrolet Tahoe in the amount of \$36,176.00 from Caldwell Country; and,

WHEREAS, The Wharton City Council wishes to authorize the Wharton Police Department to execute the agreement related to the purchase of the vehicles.

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

SECTION I. The Wharton City Council hereby authorizes the purchase of two (2) 2018 Chevrolet Tahoe patrol vehicles in the amount of \$77,222.00, and one (1) 2018 Chevrolet Tahoe in the amount of \$36,176.00 from Caldwell Country.

SECTION II. The Wharton City Council hereby authorizes the Wharton Police Department to execute the agreement related to the purchase of the vehicles.

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

PASSED AND APPROVED this 16th day of October 2017.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

City of Wharton
Regular Council Meeting
October 16, 2017

PAULA FAVORS
City Secretary

Councilmember Russell Machann 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 implementing the 2017-2018 employee salary adjustment approved in the City of Wharton 2017-2018 Fiscal Year Budget. City Manager Andres Garza, Jr. stated that on September 25, 2017, the Wharton City Council approved the 2017-2018 Fiscal Year Budget. City Manager Garza said the budget included a 3% increase in salary for city employees. Finance Director Joan Anadel stated the increase by percentage would be greater for employees who made \$14 or less per hour receiving a 4% increase and all other employees receiving a 3% increase in salary. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-104, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-104**

A RESOLUTION OF THE WHARTON CITY COUNCIL IMPLEMENTING THE 2017-2018 EMPLOYEE SALARY ADJUSTMENT APPROVED IN THE CITY OF WHARTON 2017-2018 FISCAL YEAR BUDGET.

WHEREAS, The Wharton City Council approved the 2017-2018 fiscal year budget; and,

WHEREAS, The budget allocated 3% increase for said adjustments; and,

WHEREAS, Employees making Fourteen (14) dollars per hour would receive a 4% increase and all other employees would receive a 3% increase; and,

WHEREAS, The Wharton City Council wished to set those adjustments.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON,
TEXAS:**

SECTION I. The Wharton City Council hereby authorizes the City of Wharton salary adjustment approved for the 2017-2018 fiscal year.

SECTION II. The Wharton City Council hereby authorizes the Wharton City Manager to implement adjustment on an increase by employees making Fourteen (14) dollars per hour would receive a 4% increase and all other employees would receive a 3% increase

SECTION III. The City Manager is authorized to adjust employee salaries.

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

PASSED AND APPROVED this 16th day of October 2017.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Terry Freese 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 setting a final date for the disaster debris removal to be placed at the curb for removal by Ceres Environmental and authorizing the City Manager of the City of Wharton to notify City of Wharton Citizens of said final date. City Manager Andres Garza, Jr. stated that the City Staff was requesting to set a final date for placement of disaster debris for pickup by Ceres Environmental due to Hurricane Harvey/Flood Event. City Manager Garza said the final date the City Staff was requesting the City Council consider approving. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2017-105, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-105**

A RESOLUTION OF THE WHARTON CITY COUNCIL SETTING A FINAL DATE FOR DISASTER DEBRIS TO PLACED AT THE CURB FOR REMOVAL BY CERES ENVIRONMENTAL AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO NOTIFY CITY OF WHARTON CITIZENS OF SAID FINAL DATE.

WHEREAS, The Wharton City Council wishes to set a final date for placement of disaster debris at the curb for pickup by Ceres Environmental; and,

WHEREAS, The Wharton City Council wishes to make the final date November 13, 2017 effective at 7:00 a.m.; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager of the City of Wharton to notify City of Wharton Citizens of said final date.

City of Wharton
Regular Council Meeting
October 16, 2017

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

- Section I.** The Wharton City council hereby to set a final date for placement of disaster debris at the curb for pickup.
- Section II.** The Wharton City Council wishes to make the final date November 13, 2017 effective at 7:00 a.m.
- Section III.** The City Manager of the City of Wharton is hereby authorized to notify City of Wharton Citizens of said final date.
- Section IV.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 16th day of October 2017.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

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 a resolution of the Wharton City Council expressing intent to finance expenditures to be incurred by the City of Wharton for: (i) the construction and rehabilitation of City streets and related drainage, including, without limitation, the acquisition of real estate necessary for streets and drainage; (ii) the purchase of street repair and auxiliary power equipment; (iii) the costs associated with Hurricane Harvey Recovery in include debris removal and monitoring; (iv) the construction and rehabilitation of City water and sewer systems; (v) the purchase of materials, supplies, equipment, machinery, in connection with any of the foregoing; (vi) the costs of professional services incurred in connection with any of the foregoing; and (vii) the costs and expenses of issuing the certificates of obligations and/or tax anticipation notes. City Manager Andres Garza, Jr. stated that the City Staff was working with its debris removal and monitoring contractors, Ceres Environmental, Tetra Tech and Debris Tech to finalize costs of debris removal. City Manager Garza said the City also experienced some utility line damage, street damage and other costs that must be paid and the City Staff was exploring the issuance of bonds and/or tax anticipation notes to cover the share of the cost. Finance Director Joan Anandel stated that FEMA had indicated a 90%-10% share, with the City picking up the 10% match but FEMA had become very strict on its

reimbursement and the resolution would allow the City to cover costs up to 60 days prior to its adoption. Mrs. Andel said that since the costs of the Hurricane were incurred after August 16, 2017, it would cover those costs associated with the floods. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-106,

**CITY OF WHARTON
RESOLUTION NO. 2017-106**

A RESOLUTION OF THE WHARTON CITY COUNCIL EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED BY THE CITY OF WHARTON FOR (i) THE CONSTRUCTION AND REHABILITATION OF CITY STREETS AND RELATED DRAINAGE, INCLUDING, WITHOUT LIMITATION, THE ACQUISITION OF REAL ESTATE NECESSARY FOR STREETS AND DRAINAGE; ii) THE PURCHASE OF STREET REPAIR AND AUXILIARY POWER EQUIPMENT; (iii) THE COSTS ASSOCIATED WITH HURRICANE HARVEY RECOVERY TO INCLUDE DEBRIS REMOVAL AND MONITORING; (iv) THE CONSTRUCTION AND REHABILITATION OF CITY WATER AND SEWER SYSTEMS; (v) THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT, MACHINERY, IN CONNECTION WITH ANY OF THE FOREGOING; (vi) THE COSTS OF PROFESSIONAL SERVICES INCURRED IN CONNECTION WITH ANY OF THE FOREGOING; AND (vii) THE COSTS AND EXPENSE OF ISSUING TAX-EXEMPT OBLIGATIONS.

WHEREAS, the City of Wharton, Texas (the "City"), is a home-rule city of the State of Texas, authorized to issue obligations to finance its activities pursuant to the Texas Government Code and other laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to (i) the construction and rehabilitation of City streets and related drainage, including, without limitation, the acquisition of real estate necessary for streets and drainage ; (ii) the purchase of street repair and auxiliary power equipment; (iii) the costs associated with Hurricane Harvey recovery to include debris removal and monitoring; (iv) the construction and rehabilitation of City water and sewer systems,; (v) the purchase of materials, supplies, equipment, machinery, in connection with any of the foregoing; (vi) the costs of professional services incurred in connection with any of the foregoing; and (vii) the costs and expenses of tax-exempt obligations.; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the projects listed on Exhibit A attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and

WHEREAS, the City reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the projects listed on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the projects listed on Exhibit A attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

Section 2. The City reasonably expects that the maximum reimbursement from the principal amount of tax-exempt obligations issued by the City for costs associated with the projects listed on Exhibit A attached hereto will not exceed \$350,000.

Section 3. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict only.

Section 4. If any word, phrase, clause, sentence, paragraph, section or other part of this resolution or the application thereof to any person or circumstance shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution and the application of such word, phrase, clause, sentence, paragraph, section, or other part of this resolution to any other person or circumstance shall not be affected thereby.

Section 5. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED AND APPROVED this 16th day of October 2017.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City of Wharton
Regular Council Meeting
October 16, 2017

City Secretary

Councilmember Steve Schneider 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 ratifying awarding the bid for the sewer line replacement at 301 Lazy Lane and authorizing the Mayor of the City of Wharton to execute all documents related to said ratification. City Manager Andres Garza, Jr. presented a memo from Public Works Director Wade Wendt regarding the sewer main line at 301 Lazy Lane and a letter of recommendation from Jones and Carter. City Manager Garza stated that the line had been problematic in the past and was in need of replacement. He said the line ran between 301 & 307 Lazy Lane. Mr. Wendt stated that a total of three (3) estimates were received. They are as follows:

1. Horseshoe Construction \$66,100.00
2. Menade/Wadecon \$29,690.00
3. CZ Construction, LLC \$17,800.00

Mr. Wendt stated the recommendation was for City Council to consider approving CZ Construction, LLC in the amount of \$17,800.00. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2017-107, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-107**

A RESOLUTION OF THE WHARTON CITY COUNCIL RATIFYING AWARDING THE BID FOR THE SEWER LINE REPLACEMENT AT 301 LAZY LANE AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID RATIFICATION.

WHEREAS, The City Staff received estimates for the sewer line replacement at 301 Lazy Lane; and,

WHEREAS, Three estimates were received and CZ Construction was deemed the lowest bidder in the amount of \$17,800.00; and,

WHEREAS, The City Staff wishes to ratify awarding the bids; and,

WHEREAS, The Wharton City Council wishes to enter into a contract with CZ Construction for the Lazy Lane Sewer Line Repair.

WHEREAS, The City of Wharton and CZ Construction 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 said contract.

City of Wharton
Regular Council Meeting
October 16, 2017

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 ratify the agreement with CZ Construction for the Lazy Lane Sewer Repair.

Section II. The City of Wharton and CZ Construction 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 16th day of October 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The thirteenth item on the agenda was to review and consider Pay Request No. 2 and No. 3 from Ceres Environmental. City Manager Andres Garza, Jr. presented a copy of Pay Request No. 2 in the amount of \$76,502.01 and Pay Request No. 3 in the amount of \$34,754.44 for debris removal services from Ceres Environmental. Community Development Coordinator Gwyn Teves stated the request was for the second and third invoice from Ceres Environmental. After some discussion, Councilmember Al Bryant moved to approve Pay Request No. 2 in the amount of \$76,502.01 and Pay Request No. 3 in the amount of \$34,754.44 for debris removal services from Ceres Environmental. Councilmember Don Mueller seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider the Wharton Sidewalk Accessibility and Historic Streetscape Project for the City of Wharton.

A. Final payment for M & C Fonseca.

City Manager Andres Garza, Jr. presented the final payment request for M & C Fonseca in the amount of \$3,700.00 from CivilCorp for the Wharton Sidewalk Accessibility and Historic Streetscape Project. Community Development Coordinator Gwyn Teves stated with the approval of the final payment request would close out the project. After some discussion,

City of Wharton
Regular Council Meeting
October 16, 2017

Councilmember Al Bryant moved to approve the final payment request from M & C Fonseca in the amount of \$3,700.00 from CivilCorp for the Wharton Sidewalk Accessibility and Historic Streetscape Project. Councilmember Steve Schneider seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider the Wharton Economic Development Corporation Fiscal Year 2017-2018 Amended Budget. City Manager Andres Garza, Jr. presented the Wharton Economic Development Corporation Fiscal Year 2017-2018 Amended Budget. Wharton Economic Development Corporation Executive Director Chad Odom stated the amendments included business recovery grants for those affected by Hurricane Harvey. After some discussion, Councilmember Al Bryant moved to approve the Wharton Economic Development Corporation Fiscal Year 2017-2018 Amended Budget. Councilmember Russell Machann seconded the motion. All voted in favor.

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

- A. Building Standards Commission.
- B. Mayor's Committee on People with Disabilities.
- C. Plumbing and Mechanical Board.

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. Wharton Economic Development Corporation meeting held September 18, 2017.
- B. Wharton Economic Development Corporation Board of Directors Selection Committee meeting held September 25, 2017.
- C. Wharton Economic Development Corporation meeting held September 26, 2017.
- D. Wharton Economic Development Corporation meeting held October 5, 2017.
- E. Wharton Regional Airport Board meeting held October 10, 2017.

After some discussion, no action was taken.

The eighteenth item on the agenda was adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Al Bryant seconded the motion. All voted in favor.

The meeting adjourned at 7:40 p.m.

CITY OF WHARTON, TEXAS

City of Wharton
Regular Council Meeting
October 16, 2017

By: _____
Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary