

**MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
JUNE 26, 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. Councilman Vincent Huerta 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, Vincent Huerta, Don Mueller, Russell Machann and Steven Schneider.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Anandel, City Secretary Paula Favors, TRMC, Assistant to the City Manager Brandi Jimenez, Public Works Director Wade Wendt, Police Sergeant Justin Moran and Community Development Coordinator Gwyn Teves.

Visitors present were: Pastor J. Simpson Blair, Mary A. Barnes, I.O. Coleman, Jr., Charlotte Bess and Evelyn Carriere with the Wharton Journal Spectator.

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

The third item on the agenda was Public Comments. Pastor Janice Simpson Blair stated that the City of Wharton had a population of over 8,000 residents and 2017 was the 8<sup>th</sup> year of the James Simmons, Jr. Juneteenth Festival. Pastor Blair said the festival drew more than 10,000 people and went off without incident which she believed showed that the African American population was valuable and viable to the community.

The fourth item on the agenda was the Wharton Moment. Councilmember Al Bryant stated that Mr. James Durley, a longtime teacher and administrator for the Wharton Independent School District passed away and would be greatly missed.

The fifth item on the agenda was to review and consider the City of Wharton Financial Report for May 2017. Finance Director Joan Anandel presented the financial report for the month of May 2017. Mrs. Anandel stated that the TexPool balance for May as \$1,165,804.82 with an average monthly yield of .77%. She said the Prosperity Bank balance for May 2017 was \$3,984,856.30 with an average monthly yield of .25%. After some discussion, Councilmember Al Bryant moved to approve the City of Wharton Financial Report for the

City of Wharton  
Regular Council Meeting  
June 26, 2017

month of April 2017. Councilmember Russell Machann seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider Texas Municipal League MultiState – Intergovernmental Employee Benefits Pool (TML MultiState IEBP):

A. **Resolution:** A resolution of the Wharton City Council approving the Interlocal Agreement with the Texas Municipal League Multistate Intergovernmental Employee Benefits Pool (TML-MULTISTATE-IEBP) for medical, long-term disability, life, accidental death & dismemberment, for flexible spending account and health reimbursement account plans for City employees for the October 1, 2017 to September 30, 2018 fiscal year; authorizing the City Manager of the City of Wharton to execute all documents relating to said agreements.

City Secretary Paula Favors stated that the City Staff was requesting the City Council consider approving the addition of a Health Reimbursement Agreement (HRA) to the TML-MULTISTATE-IEBP agreement. Mrs. Favors said the agreement would allow employees the ability to be able cover future medical expenses. City Manager Andres Garza, Jr. stated that the Finance Committee met on Monday, June 26, 2017 and was recommending the City Council consider approving the agreement as well as contributing \$500 to the employees Section 125 Flexible Spending Account (FSA) and \$750 to the HRA for the 2017-2018 Fiscal Year. After some discussion, Councilmember Russell Machann moved to approve Resolution No. 2017-55, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-55**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE MULTISTATE INTERGOVERNMENT EMPLOYEE BENEFITS POOL (TML MULTISTATE-IEBP) FOR MEDICAL, LONGTERM DISABILITY, LIFE, ACCIDENTAL DEATH & DISMEMBERMENT, FOR FLEXIBLE SPENDING ACCOUNT AND HEALTH REIMBURSEMENT ACCOUNT PLANS FOR CITY EMPLOYEES FOR THE OCTOBER 1, 2017 TO SEPTEMBER 30, 2018 FISCAL YEAR; AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID AGREEMENTS.**

**WHEREAS,** The City of Wharton received the renewal rate for medical, long-term disability, life, accidental death & dismemberment for city employees; and,

**WHEREAS,** The City of Wharton medical plan with Texas Municipal League MultiState-Intergovernmental Employee Benefits Pool would be renewed with an 8% increase; and,

City of Wharton  
Regular Council Meeting  
June 26, 2017

**WHEREAS,** The City of Wharton would provide to each full time employee a \$1,250 yearly contribution to the employee health accounts administered by the TML Multistate-IEBP; as follows:

- A. Health Reimbursement Account (HRA) - \$750.00
- B. Flexible Spending Account (FSA) - \$500.00

**WHEREAS,** The City Manager is hereby authorized to execute on behalf of the City of Wharton said agreements.

**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 approves of an interlocal contract with the Texas Municipal League MultiState - Intergovernmental Employee Benefits Pool for medical, long-term disability, life and accidental death & dismemberment coverage.

**Section II.** The City of Wharton would provide to each full time employee a \$1,250 yearly contribution to the employee health accounts administered by the TML Multistate-IEBP; as follows:

- A. Health Reimbursement Account (HRA) - \$750.00
- B. Flexible Spending Account (FSA) - \$500.00

**Section III.** That the City Manager of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned agreements.

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

**Passed, Approved, and Adopted** this 26th day of June 2017.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**PAULA FAVORS**

City of Wharton  
Regular Council Meeting  
June 26, 2017

City Secretary

Councilmember Al Bryant seconded the motion.

The seventh item on the agenda was to review and consider United States Department of Agriculture (USDA) 2017 Section 533 Housing Preservation Grant Application:

A. **Resolution:** A resolution of the Wharton City Council authorizing the submission of an application to the U.S. Department of Agriculture Rural Housing Services for the 2017 Section 533 Housing Preservation Grant Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.

B. **Resolution:** A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a consulting firm for the U.S. Department of Agriculture Rural Housing Services 2017 Section 533 Housing Preservation Grant Application and Services.

City Manager Andres Garza, Jr. stated that the Texas Department of Agriculture Rural Housing Services had announced to the public that funding was available to benefit lower income residents of Texas communities through the Section 533 Housing Preservation Grant. City Manager Garza said the city staff had identified significant housing needs in the City of Wharton, particularly for the rehabilitation and reconstruction of owner occupied houses. Community Development Coordinator Gwyn Teves stated that the City of Wharton Housing Committee met on June 19, 2017 and voted to recommend to the City Council the approval of the submittal to the United States Department of Agriculture for the 2017 Section 533 Housing Preservation Grant Application. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-56 and 2017-57, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017 - 56**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF AGRICULTURE RURAL HOUSING SERVICES FOR THE 2017 SECTION 533 HOUSING PRESERVATION GRANT PROGRAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.**

**WHEREAS,** The City of Wharton City Council wishes to submit an application to the United States Department of Agriculture Rural Housing Services for the 2017 Section 533 Housing Preservation Grant Program; and,

City of Wharton  
Regular Council Meeting  
June 26, 2017

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents relating to said grant application.

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

**SECTION I.** The Wharton City Council hereby approves the submittal of the application to the United States Department of Agriculture Rural Housing Services for the 2017 Section 533 Housing Preservation Grant Program.

**SECTION II.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said grant application.

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

**PASSED, APPROVED, and ADOPTED** this 26<sup>th</sup> day of June 2017.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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

**CITY OF WHARTON  
RESOLUTION NO. 2017 - 57**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE U.S. DEPARTMENT OF AGRICULTURE RURAL HOUSING SERVICES 2017 SECTION 533 HOUSING PRESERVATION GRANT APPLICATION AND ADMINISTRATION SERVICES.**

**WHEREAS,** The Wharton City Council wishes to establish a Consultant Selection Committee for the U.S. Department of Agriculture Rural Housing Services 2017 Section 533 Housing Preservation Grant Application and Administration and provide recommendations to the entire City Council; and,

City of Wharton  
Regular Council Meeting  
June 26, 2017

**WHEREAS,** The Wharton City Council wishes the Consultant Selection Committee to consist of the City Council Housing Committee along with the City Manager and Finance Director; and,

**WHEREAS,** The Wharton City Council wishes for this Committee to exist until a recommendation is forwarded to the entire City Council; and,

**WHEREAS,** The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

**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 establishes the City Council Consultant Selection Committee.

**Section II.** That the Wharton City Council Consultant Selection Committee will consist of the City Council Housing Committee along with the City Manager and Finance Director.

**Section III.** That the criteria as set forth in Attachment A is hereby approved.

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

**Passed, Approved, and Adopted** this 26th day of June 2017.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:** \_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

Councilmember Terry Freese seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider 2015 and 2016 Texas General Land Office Disaster Funding Application:

A. **Resolution:** A resolution of the Wharton City Council authorizing the submission of an application to the General Land Office for 2015 and 2016 CDBG-Disaster Recovery Funds

City of Wharton  
Regular Council Meeting  
June 26, 2017

through the General Land Office Community Development and Revitalization Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.

City Manager Andres Garza, Jr. stated that the General Land Office's Community Development and Revitalization (GLO-CDR) program would oversee administration of \$50,696,000 in Community Development Block Grant Disaster Recovery (CDBG-DR) funds provided by the U.S. Department of Housing and Urban Development (HUD) for recovery from the storms and flooding events in 2015. City Manager Garza said that there were 116 Texas counties eligible for recovery funding as a result of receiving a Presidential Disaster Declarations in 2015 and cities, counties, and housing authorities in the declared areas were eligible to apply.

**B. Resolution:** A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a consulting firm for the 2015 and 2016 CDBG-Disaster Recovery Fund through the General Land Office Community Development and Revitalization Application and Administration Services.

City Manager Garza stated that the General Land Office's Community Development and Revitalization (GLO-CDR) program would oversee administration of \$222.2 million in Community Development Block Grant Disaster Recovery (CDBG-DR) funds provided by the U.S. Department of Housing and Urban Development (HUD) for recovery from the storms and flooding events in 2016 and there were 71 Texas counties eligible for recovery funding as a result of receiving a Presidential Disaster Declarations in 2016 and cities, counties, and housing authorities in the declared areas were eligible. He said the City of Wharton was eligible under both rounds of funding. Community Development Coordinator Gwyn Teves stated the City of Wharton Housing Committee met on June 19, 2017 and voted to recommend the City Council consider approving the submittal to the General Land Office for the 2015 and 2016 Texas General Land Office Disaster Funding Application. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-58 and 2017-59, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017 - 58**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE GLO FOR 2015 AND 2016 CDBG – DISASTER RECOVERY FUNDS THROUGH THE GENERAL LAND OFFICE COMMUNITY DEVELOPMENT AND REVITALIZATION PROGRAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.**

City of Wharton  
Regular Council Meeting  
June 26, 2017

**WHEREAS,** The City of Wharton City Council wishes to submit applications to the General Land Office for the 2015 and 2016 CDBG – Disaster Recovery Funds through the General Land Office Community Development and Revitalization Program; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents relating to said grant applications.

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

**SECTION I.** The Wharton City Council hereby approves the submittal of the applications to the General Land Office for the 2015 and 2016 CDBG – Disaster Recovery Funds through the General Land Office Community Development and Revitalization Program.

**SECTION II.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said grant applications.

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

**PASSED, APPROVED, and ADOPTED** this 26<sup>th</sup> day of June 2017.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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

**CITY OF WHARTON  
RESOLUTION NO. 2017 - 59**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE 2015 AND 2016 CDBG – DISASTER RECOVERY FUND THROUGH THE GENERAL LAND OFFICE COMMUNITY DEVELOPMENT AND REVITALIZATION APPLICATION AND ADMINISTRATION SERVICES.**



City of Wharton  
Regular Council Meeting  
June 26, 2017

**WHEREAS,** The Wharton City Council wishes to establish a Consultant Selection Committee for the 2015 and 2016 CDBG -Disaster Recovery Fund through the General Land Office Community Development and Revitalization Application and Administration and provide recommendations to the entire City Council; and,

**WHEREAS,** The Wharton City Council wishes the Consultant Selection Committee to consist of the City Council Housing Committee along with the City Manager and Finance Director; and,

**WHEREAS,** The Wharton City Council wishes for this Committee to exist until a recommendation is forwarded to the entire City Council; and,

**WHEREAS,** The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

**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 establishes the City Council Consultant Selection Committee.

**Section II.** That the Wharton City Council Consultant Selection Committee will consist of the City Council Housing Committee along with the City Manager and Finance Director.

**Section III.** That the criteria as set forth in Attachment A is hereby approved.

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

**Passed, Approved, and Adopted** this 26th day of June 2017.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:** \_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

City of Wharton  
Regular Council Meeting  
June 26, 2017

Councilmember Vincent Huerta seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider Update of City of Wharton Grant Programs. City Manager Andres Garza, Jr. presented a copy of a memorandum dated June 12, 2017, from Community Development Coordinator, Gwyn Laney, providing an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The tenth item on the agenda was to review and consider update of City of Wharton on-going Projects. City Manager Andres Garza, Jr. presented a copy of the memorandum dated June 21, 2017 providing an update on the City of Wharton current projects as of May 31, 2017.

### **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.cityofwharton.com/information-a-notices/lcrb-feasibility-study>. The City Council authorized the submission of a loan application to the Texas Water Development Board (TWDB) for the first phase of the levee project. The City Staff re-submitted the project to Texas Water Development Board for the 2017 Program Year under the Clean Water State Revolving Fund for loan forgiveness consideration. The City has also submitted a memorandum of understanding (MOU) to the U.S. Corp of Engineers in order to move the project forward.

### **DRAINAGE:**

#### **1. Stavena Addition Drainage Project.**

The design and construction plans are complete. The challenge on this project is to find locations to place approximately 35,000 cubic yards of soil.

#### **2. Ahldag Ditch Improvement.**

The project was approved by the City Council. Public Works Director is currently working out the details.

#### **3. On-going Drainage and Maintenance Program.**

The Public Works Department has continued working on cleaning residential draining ditches that have experienced poor drainage.

#### **4. Pecan Acres (Mahann, Kinkaid, Delmas) Drainage Project.**

The project area has been surveyed and an improvement plan has been developed by Schibe Engineering. The City Staff has contacted property owners for the necessary easements needed to install the drainage pipes.

## **WATER/SEWER IMPROVEMENTS:**

### **1. On-going Water and Sewer Maintenance Program.**

Water leaks and sewer failures are still being seen in the month of March.

### **2. Alabama Street Sewer Line Project.**

The bid has been awarded to JTM Construction and the City is awaiting the executed contracts in order to schedule the pre-construction conference.

### **3. Wastewater Treatment Plant No. 1 Improvement Project.**

The project is moving forward. Updates are being provided by Jones & Carter on a monthly basis when pay request are sent. The project is substantially complete and the clarifier is in service. The City Staff is awaiting the final pay request from B-5 Construction.

## **STREET IMPROVEMENTS**

### **1. FM 1301 Extension and Overpass Project Progress Report.**

IDC Inc. has submitted to TxDOT Yoakum District Office all required plans for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward. The City is awaiting TxDOT announcement of the project to be funded in Wharton County.

### **2. I-69 Project.**

The City submitted the comments as approved by the City Council to TxDOT.

### **3. NanYa Exit Ramp Project.**

TxDOT has been coordinating with NanYa on the exit design.

### **4. 2016 City Street Improvements.**

The Old Lane City Overlay Project has been completed by Cornerstone Paving.

### **5. Wharton Sidewalk Accessibility and Historic Streetscape Project.**

M.C. Fonseca Construction finished the project

## **WHARTON REGIONAL AIRPORT**

### **1. Hangar Construction Project.**

This project is completed. The hangars have been leased.

After some discussion, no action was taken.

City of Wharton  
Regular Council Meeting  
June 26, 2017

The eleventh item on the agenda was Appointments to the City of Wharton Boards, Commissions and Committees:

City Manager Andres Garza, Jr. presented a list of persons serving on the various City Boards, Commissions and Committees. City Manager Garza stated that there were still vacancies that need to be filled.

**1. Appointments:**

- A. Beautification Commission.
- B. Building Standards Commission.
- C. Mayor's Committee on People with Disabilities.
- D. Planning Commission.
- E. Plumbing and Mechanical Board.
- F. City Council Committees:
  - 1. Annexation Committee.
  - 2. Finance Committee.
  - 3. Housing Committee.
  - 4. Intergovernmental Relations Committee.
  - 5. Legislative Committee.
  - 6. Public Health Committee.
  - 7. Public Safety Committee.
  - 8. Public Works Committee.
  - 9. Telecommunications Committee.
  - 10. City Council Economic Development Committee.
  - 11. Parks and Recreation Committee.

After some discussion, Councilmember Al Bryant moved to approve reappointing Committee and Board members to their current positions, which were as follows:

- A. Beautification Commission.

Alice Heard June 30, 2019

- D. Planning Commission.

Michael Quinn June 30, 2019

Councilmember Terry Freese seconded the motion. All voted in favor.

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

- A. Public Works Committee meeting held June 8, 2017.

City of Wharton  
Regular Council Meeting  
June 26, 2017

- B. Public Safety Committee meeting held June 12, 2017.
- C. Beautification Commission meeting held June 14, 2017.
- D. Building Standards Commission meeting held June 15, 2017.

After some discussion, no action was taken.

The thirteenth item on the agenda was City Manager's Reports:

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

After some discussion, no action was taken.

The fourteenth 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 7:22 p.m.

**CITY OF WHARTON, TEXAS**

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

**Tim Barker**  
**Mayor**

**ATTEST:**

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