

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
SEPTEMBER 24, 2018**

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. Councilmember Russell Machann 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, Alice Heard-Roberts, Don Mueller, Russell Machann and Steve Schneider.

Councilmember absent was: None.

Staff members present were: Finance Director Joan Andel, Community Development Coordinator Gwyneth Teves, Assistant to the City Manager Brandi Jimenez, Equipment Operator Steve Salazar, and Public Works Director Wade Wendt.

Visitors present were: Marshall Francis, Ali Kowaja, Chad Odom, III, Executive Director, Wharton Economic Development Corporation (WEDCo), Laura Clemons, Albert Villegas with the Wharton Journal Spectator.

The second item on the agenda was Roll Call and Excused Absences.

The third item on the agenda was Public Comments. Ms. Laura Clemons thanked the City Council for their assistance with the upcoming Monterey Square Wine & Arts Fair and the installation of the lights on the tops of the buildings as well as the donation of the stage. Ms. Clemons stated that she would be coming before the City Council at a future meeting, to discuss her project working with local high school students, the Boys and Girls Club and other youth organizations for a conversion of North Fulton Street from Boling Highway to the downtown square for a bike ride and jogging event to be held the day of the wine festival.

The fourth item on the agenda was the Wharton Moment. Councilmember Terry Freese congratulated the Wharton High School Varsity Football team on their victory over El Campo with a 27 to 21 win. Councilmember Freese stated the team would face off against one of the top ranked teams in the state on Friday, September 28th, 2018 at Tiger Stadium when they play Cuero. Mayor Tim Barker stated City Manager Andres Garza, Jr. was doing well after a recent procedure and would be returning to work in the next few weeks.

The fifth item on the agenda was to review and consider the City of Wharton Finance Report for August 2018. Finance Director Joan Andel presented the financial report for the month of August 2018. Mrs. Andel stated that the TexPool balance for August was \$913,825.16 with an average monthly yield of 1.92%. She said the Prosperity Bank balance for August 2018 was \$4,124,305.79 with an average monthly yield of .25%. After some discussion, Councilmember Al Bryant moved to approve the City of Wharton Financial Report for the month of August 2018. Councilmember Don Mueller seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider an ordinance adopting the fiscal year 2018-2019 Annual Budget for the City of Wharton, Texas; Appropriating the sums established therein; and directing the City Secretary to file copies as required by law. Finance Director Joan Andel stated that during the regular August 27, 2018 regular City Council meeting the City Council received under separate cover a copy of the proposed budget for the City of Wharton, Texas, Fiscal Year October 1, 2018 to September 30, 2019. Mrs. Andel said that during the regular City Council meeting held September 10, 2018 the City Council held the public hearing to receive public input regarding City of Wharton Annual Budget for Fiscal year 2018– 2019, in which no comments were given. After some discussion, Councilmember Russell Machann moved to approve the City of Wharton Ordinance No. 2018-08, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2018-08**

AN ORDINANCE ADOPTING THE FISCAL YEAR 2018-2019 ANNUAL BUDGET FOR THE CITY OF WHARTON, TEXAS; APPROPRIATING THE SUMS ESTABLISHED THEREIN; AND DIRECTING THE CITY SECRETARY TO FILE COPIES AS REQUIRED BY LAW.

WHEREAS, the City’s budget for the fiscal year ending September 30, 2019, which is attached hereto, was duly submitted to the City Council more than thirty (30) days prior to September 30, 2018.

WHEREAS, a public hearing was duly called and held on said budget not less than seven days nor more than fourteen days after date of publication giving notice of such meeting and prior to the time the City Council of the City of Wharton levied taxes for such current fiscal year; and

WHEREAS, all parties desiring to participate and be heard at said public hearing having been heard until no more evidence was offered, and such hearing having been concluded, and the City Council of said City having made such changes in such budget as in its judgment the law warrants and the best interest of the taxpayers of the City of Wharton, Texas, demand, said budget with such changes being attached hereto, as aforesaid.

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

Section 1. THAT the findings set out in the preamble of this ordinance are true and correct.

Section 2. THAT the budget of the City of Wharton, Texas for the fiscal year ending September 30, 2019, be and the same is hereby, in all respects, finally approved and adopted including any changes approved by the City Council; and the same shall be and is hereby filed with the City Secretary of the City.

Section 3. THAT the General Fund is hereby established to account for resources associated with traditional government activities, which are not required legally or by sound financial management to be accounted for in another fund. The General Fund is hereby approved with \$5,898,856 estimated revenues and \$6,811,569 in appropriations and with transfers-in approved at \$ 912,713. The amounts are specified for departmental purposes named in said budget and they are hereby appropriated to and for such purposes at the departmental level.

Section 4. THAT, the PEG (Public, Educational, Government television access) fund is created to account for all funds received from the 1% franchise fee provided through the local cable provider. The PEG Fund is hereby approved with \$ 7,000 in estimated revenues and \$7,000 in appropriations.

-Section 5. THAT the Hotel Motel Fund is created to account for the occupancy tax levied on hotel rooms within the City as adopted by city ordinance and consistently with Chapter 351 of the Texas Tax Code. The Hotel Motel Fund is hereby approved with \$ 285,600 in estimated revenues and \$285,600 in appropriations which includes transfers-out approved at \$210,600 with beginning fund balance of approximately \$123,710.

Section 6. THAT the Narcotics Seizure Fund is created to account for the resources and uses of assets seized in illegal narcotics activities. The uses are limited to law enforcement activities. The Narcotics Seizure Fund is hereby approved with \$10,750 estimated revenues, \$10,750 appropriations with beginning fund balance of approximately \$28,249.

Section 7. THAT the Debt Service Fund is hereby created to account for the accumulation of resources collected for Interest and Sinking requirements and for the disbursement of those resources for debt requirements. The Debt Service Fund is hereby approved with \$1,309,310 in estimated revenues and \$1,286,310 in appropriations. The estimated beginning fund balance is \$463,904.

Section 8. **THAT** the Capital Improvement Fund is created to account for infrastructure improvements authorized by the City Council. The Capital Improvement Fund is approved with \$350,000 in estimated revenues and expenses.

Section 9. **THAT** the Water and Sewer Fund is created to account for the resources and uses associated with the delivery of utility services to citizens of Wharton as an enterprise fund. The Water & Sewer Fund is hereby approved with \$4,353,566 in estimated revenues. Water and sewer is approved with \$4,353,566 in appropriations, which includes a franchise fee of 8% of water and sewer sales are approximately \$340,310, and transfers-out approved at \$914,301.

Section 11. **THAT** the Solid Waste Fund is created to account for the financial activities of the City's solid waste collection contract and delivery to citizens of Wharton as an enterprise fund. The Solid Waste Fund is approved with \$1,472,293 in estimated revenues and \$1,472,293 in appropriations which includes a franchise fee of 6% of solid waste revenues or approximately \$76,100, and transfers-out approved at \$65,000.

Section 12. **THAT** the Emergency Medical Services Fund is created to account for the financial activities of the emergency medical services provided to the city and surrounding areas as an enterprise fund. The Emergency Medical Services Fund is approved with \$2,283,924 in estimated revenues and \$2,283,924 in appropriations and includes transfers-out at \$98,412.

Section 13. **THAT** the Civic Center Fund is created to account for the financial activities of the Civic Center as an enterprise fund. The Civic Center is approved with \$283,576 in estimated revenues and \$283,576 in appropriations. Transfers-in are approved at \$200,600.

Section 14. **THAT** the Airport Fund is created to account for the financial activities of the Wharton Regional Airport as an enterprise fund. The Airport Fund is approved with \$304,423 in estimated revenues and \$304,423 in appropriations.

Section 15. **THAT** the City Secretary shall file copies of this Ordinance and of such budget with the County Clerk of Wharton County, Texas.

PASSED AND APPROVED by a favorable majority of the members of the City Council of the City of Wharton, Texas, in council meeting, this 24th day of September 2018 duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor

Voted

Yes

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Alfred Bryant, Councilmember District 1	Voted	Yes
Steven Schneider, Councilmember District 2	Voted	Yes
Terry Freese, Councilmember District 3	Voted	Yes
Donald Mueller, Councilmember District 4	Voted	Yes
Russell Machann, Councilmember at Large Place 5	Voted	Yes
Alice Heard - Roberts, Councilmember at Large Place 6	Voted	Yes

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance invalid or unconstitutional any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

CITY OF WHARTON

By: _____
Tim Barker., Mayor

ATTEST:

Paula Favors, City Secretary

APPROVED FOR ADMINISTRATION:

Andres Garza, Jr., City Manager

APPROVED AS TO FORM:

Paul Webb, City Attorney

APPROVED FOR FUNDING:

Joan Andel, Finance Director

Councilmember Don Mueller seconded the motion. Mayor Tim Barker, Councilmembers Al Bryant, Terry Freese, Steve Schneider, Don Mueller, Alice Heard-Roberts and Russell Machann all voted in favor.

The seventh item on the agenda was to review and consider an Ordinance: Levying a Tax Rate for the City of Wharton, Texas, for the Tax Year 2018; directing the Tax Assessor-Collector to assess, account for and distribute the taxes as herein levied; and providing repealing and severability clauses. Finance Director Joan Anandel presented a draft ordinance levying a tax rate for the City of Wharton, Texas, for the Tax Year 2018; directing the Tax Assessor-Collector to assess, account for and distribute the taxes as herein levied; and providing repealing and severability clauses. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Ordinance No. 2018-09, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2018-09**

AN ORDINANCE LEVYING A TAX RATE FOR THE CITY OF WHARTON, TEXAS, FOR THE TAX YEAR 2018; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS, ACCOUNT FOR AND DISTRIBUTE THE TAXES AS HEREIN LEVIED; AND PROVIDING REPEALING AND SEVERABILITY CLAUSES.

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

Section 1. **THAT** there be and is hereby levied for the year 2018 on all real and personal property within and all real and personal property and mineral royalties owned within the city limits of the City of Wharton, Texas for the year 2018, except so much thereof as may be exempt by the constitution and of the State of Texas and of the United States, the following:

Maintenance and Operations	.09953/\$100 valuation
For Debt Service Requirements	.31641/\$100 valuation
Total Tax Rate	.41594/\$100 valuation

Section2. **THAT** the Tax Assessor-Collector and/or Finance Director is hereby directed to assess, extend and enter upon the certified tax rolls of the City of Wharton, Texas, for the current taxable year, as provided by the Wharton County Appraisal District, the amounts and rates as herein levied, to keep correct amount of same, and when collected, to be distributed in accordance with this ordinance.

Passage and Approval

Wharton City Council Regular Meeting
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PASSED AND APPROVED by a favorable majority of the members of the City Council of the City of Wharton, Texas, in a council meeting, this 24th day of September 2018, duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor	Voted	Yes
Alfred Bryant., Councilmember District 1	Voted	Yes
Steven Schneider., Councilmember District 2	Voted	Yes
Terry Freese, Councilmember District 3	Voted	Yes
Donald Mueller, Councilmember District 4	Voted	Yes
Russell Machann., Councilmember at Large Place 5	Voted	Yes
Alice Heard-Roberts, Councilmember at Large Place 6	Voted	Yes

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance invalid or unconstitutional any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

CITY OF WHARTON

By: _____
Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Andres Garza, Jr., City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anadel, Finance Director

Councilmember Terry Freese seconded the motion. Mayor Tim Barker, Councilmembers Al Bryant, Terry Freese, Steve Schneider, Don Mueller, Alice Heard-Roberts and Russell Machann all voted in favor.

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council accepting a Sanitary Sewer Easement Agreement between the City of Wharton and Texana Center and authorizing the Mayor of the City of Wharton to execute said agreement. Finance Director Joan Anadel stated the City Staff met with Texana Center regarding a proposed Sanitary Sewer Easement Agreement and the Texana Center had agreed to provide the City the necessary easement for the installation of a proposed sanitary sewer line. Mrs. Anadel presented a draft resolution and the draft Sanitary Sewer Easement Agreement. Public Works Director Wade Wendt stated that it was his recommendation that the City Council consider approving the agreement. After some discussion, Councilmember AL Bryant moved to approve City of Wharton Resolution No. 2018-75, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-75**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A
SANITARY SEWER EASEMENT AGREEMENT BETWEEN THE CITY OF
WHARTON AND TEXANA CENTER AND AUTHORIZING THE MAYOR OF THE
CITY OF WHARTON TO EXECUTE SAID AGREEMENT.**

WHEREAS, The Wharton City Council wishes to enter into a Sanitary Sewer Easement Agreement with Texana Center; and,

WHEREAS, The City of Wharton and Texana Center wish to be bound by the conditions as set forth in the said agreements; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the Sanitary Sewer Easement Agreement with Texana Center.

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 the Sanitary Sewer Easement Agreement with Texana Center.

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Section II. The City of Wharton and Texana Center are hereby bound by the conditions as set forth in said agreements.

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

Passed, Approved, and Adopted this 24th day of September 2018.

CITY OF WHARTON, TEXAS

By:

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Alice Roberts-Heard 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 authorizing the purchase of a vehicle for the Facilities Maintenance Department from Caldwell Country through the Buyboard Cooperative Purchasing Program. Finance Director Joan Andel presented a draft resolution authorizing the Facilities Maintenance Department to purchase a vehicle from Caldwell Country through Buyboard Cooperative Purchasing Program and a memorandum from Facilities Maintenance Director Bob Baker requesting the replacement of the vehicle for the Facilities Maintenance Department. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2018-76, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-76**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE FACILITIES MAINTENANCE DEPARTMENT FROM CALDWELL COUNTRY THROUGH BUYBOARD COOPERATIVE PURCHASING PROGRAM.

WHEREAS, The Facilities Maintenance Department wishes that the City Council to approve the purchase of a vehicle from Caldwell Country through Buyboard Cooperative Purchasing Program; and,

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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 a vehicle for the Facilities Maintenance Department from Caldwell Country through Buyboard Cooperative Purchasing Program; and,

WHEREAS, The Wharton City Council wishes to authorize the Facilities Maintenance Department to execute the agreement related to the purchase of the vehicle.

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

SECTION I. The Wharton City Council hereby authorizes the purchase of a vehicle from Caldwell Country through Buyboard Cooperative Purchasing Program.

SECTION II. The Wharton City Council hereby authorizes the Facilities Maintenance Department to execute the agreement related to the purchase of the vehicle.

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

PASSED AND APPROVED this 24th day of September 2018.

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 Wharton County Emergency Services District No. 3:

A. Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement for Emergency Medical Services between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 and authorizing the Mayor of the City of Wharton to execute the agreement.

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B. Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement for Administrative Services between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 and authorizing the Mayor of the City of Wharton to execute the agreement.

Finance Director Joan Andel presented a copy of the memorandum dated September 18, 2018 from City Secretary Paula Favors to her providing the Wharton County Emergency Services District (ESD) No. 3's recommendation that both Items A & B above be considered for approval by the City Council. Mrs. Favors stated both agreements respectively would remain the same as the previous fiscal year. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2018-77 and City of Wharton Resolution No. 2018-78, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-77**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES BETWEEN THE WHARTON COUNTY EMERGENCY SERVICES DISTRICT (ESD) NO. 3 AND THE CITY OF WHARTON EMERGENCY MEDICAL SERVICES DEPARTMENT.

WHEREAS, The Wharton County Emergency Services District (ESD) No. 3 Board has hereby authorized the ESD No. 3 President to execute an agreement with the City of Wharton for emergency medical services; and,

WHEREAS, The City of Wharton hereby wishes to enter into an Interlocal Agreement with the Wharton County Emergency Services District (ESD) No. 3 to provide Emergency Medical Services (EMS); and,

WHEREAS, The ESD No. 3 and the City of Wharton wishes to bound by the conditions as set forth in the agreement; and,

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

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

Section I. That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an Interlocal Agreement between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 for emergency medical services.

Section II. That the City of Wharton and the ESD No. 3 shall hereby be bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this 24th day of September 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2018-78**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR ADMINISTRATIVE SERVICES BETWEEN THE WHARTON COUNTY EMERGENCY SERVICES DISTRICT (ESD) NO. 3 AND THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton County Emergency Services District (ESD) No. 3 Board has hereby authorized the ESD No. 3 President to execute an agreement with the City of Wharton for administrative services; and,

WHEREAS, The ESD No. 3 and the City of Wharton wishes to be bound by the conditions as set forth in the agreement; and,

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

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

Section I. That Wharton City Council hereby approves an Interlocal Agreement between the City of Wharton and the Wharton County Emergency Services District No. 3 for administrative services.

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the agreement.

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

Passed, Approved, and Adopted this 24th day of September 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The eleventh item on the agenda was to review and consider a request by Ali Khowaja for recommendation of approval of a Preliminary/Final Re-Plat of Hawes 3rd, Block 1, Lots 4, 5, 6 & 30 for construction of a convenience store. Finance Director Joan Andel stated the Planning Commission was requesting consideration of an approval of a preliminary/final replat by Ali Khowaja for of approval of a Preliminary/Final Re-Plat of Hawes 3rd, Block 1, Lots 4, 5, 6 & 30 for construction of a convenience store. Community Development Coordinator Gwyn Teves stated the request would allow four lots to become one for the construction of a convenience store. After some discussion, Councilmember Al Bryant moved to approve the request by Ali Khowaja for recommendation of approval of a Preliminary/Final Re-Plat of Hawes 3rd, Block 1, Lots 4, 5, 6 & 30 for construction of a convenience store. Councilmember Terry Freese seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider a request by Mr. Larry Sitka for 0' Setback Variance at 1924 N. Fulton St., Wm. Kincheloe, Block 58A-1 & 58A-2 to place a new sign for Wharton Economic Development Corporation at the property line and to waive the \$250 sign variance fee. Finance Director Joan Andel stated the Planning Commission was requesting consideration of approval of a request by Mr. Larry Sitka for 0' Setback Variance at 1924 N. Fulton St., Wm. Kincheloe, Block 58A-1 & 58A-2 to place a new sign for Wharton Economic Development Corporation at the property line and to waive the \$250 sign variance fee. Community Development Coordinator Gwyn Teves stated Mr. Sitka did not obtain a permit or a variance before the sign was installed. After some discussion, Councilmember Al Bryant moved to approve the request by Mr. Larry Sitka for 0' Setback Variance at 1924 N. Fulton St., Wm. Kincheloe, Block 58A-1 & 58A-2 to place a new sign for Wharton Economic Development Corporation at the property line and to waive the \$250 sign variance fee. Councilmember Terry Freese seconded the request. All voted in favor.

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of an administrative consulting firm to provide assistance and oversight for the 2019-2020 Community Development Block Grant Applications and Funds Management and provide recommendations to the entire City Council. Finance Director Joan Andel stated the City staff would advertise for administrative services to provide assistance and oversight for the 2019-2020 Community Development Block Grant Applications and Funds Management Assistance and provide recommendations to the entire City Council for upcoming funding opportunities. Community Development Coordinator Gwyneth Teves stated an administrative consulting firm would be able to assist with CDBG applications. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2018-79, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-79**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF AN ADMINISTRATIVE CONSULTING FIRM FOR THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS AND FUNDS MANAGEMENT ASSISTANCE AND ESTABLISH THE CRITERIA OF SELECTION.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for administrative services to provide assistance and oversight for the 2019-2020 Community Development Block Grant Applications and Funds Management Assistance 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 Finance 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.

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Section II. That the Wharton City Council Consultant Selection Committee will consist of the City Council Finance 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 24th day of September 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

Councilmember Steve Schneider seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider was an update of City of Wharton Grant Programs. Community Development Coordinator Gwyn Teves presented an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The fifteenth item on the agenda was the update of City of Wharton on-going Projects. Finance Director Joan Andel presented City Manager Andres Garza, Jr.'s memorandum dated September 9, 2018 providing an update on the City of Wharton current projects as of August 31, 2018.

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 of Wharton was informed by the USACE that the federal legislation passed in Congress provided funding for the project. The City Staff is working with the Fort Worth District and Galveston District Office regarding the Project Participation Agreement (PPA) that must be signed by the City and the USACE. The USACE is developing the guidance on the process to move this project forward. The City is expecting the PPA from the USACE soon.

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. All four (4) property owners have executed the drainage agreements and have been accepted by the City Council. The Public Works Department is working with the contractor for installation of 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 August.

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. 2017-2018 City Street Improvements.

The City 2017-2018 Street Improvement Program was approved by the City Council on April 9, 2018. The City Public Works Department has begun the Street Improvement Project. Monthly updates will be submitted to the Mayor and City Council as the project progresses.

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After some discussion, no action was taken.

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

- A. Beautification Commission.
- B. Building Standards Commission.
- C. Plumbing and Mechanical Board.
- D. Mayor's Committee on People with Disabilities.
- E. Wharton Economic Development Corporation.

After some discussion, Councilmember Al Bryant moved to approve the following:

- A. Beautification Commission.

Kate Harrell

- E. Wharton Economic Development Corporation.

Resignation
Term Expiring

Freddie Pekar

September 30, 2020

Mike Wootton

September 30, 2020

Bill Ansley

September 30, 2020

Councilmember Steve Schneider seconded the motion. All voted in favor.

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

- A. Airport Board meeting held September 4, 2018.
- B. Parks and Recreation meeting held September 10, 2018.
- C. Mayor's Committee on People with Disabilities held September 12, 2018.
- D. Beautification Commission meeting held September 12, 2018.
- E. Planning Commission meeting held September 17, 2018.

After some discussion, no action was taken.

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

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

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After some discussion, no action was taken.

The nineteenth 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 7:35 p.m.

CITY OF WHARTON, TEXAS

By: _____

Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary