

**MINUTES
OF
CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING
NOVEMBER 16, 2020**

Mayor Tim Barker declared a Special Meeting duly open for the transaction of business at 7:03 P.M.

Councilmembers present were: Mayor Tim Barker and Councilmembers Terry Freese, Clifford Jackson, Russell Machann, Don Mueller, Steve Schneider and Alice Heard-Roberts.

Councilmember absent were: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Andel, City Secretary Paula Favors, Assistant to the City Manager Brandi Jimenez and Community Development Director Gwyn Teves.

Visitors present were: Albert Villegas with the Wharton Journal Spectator.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

Mayor Tim Barker called for Public Comments. No comments were made.

Wharton Moment.

No comments were made.

The first item on the agenda was to review and consider an ordinance canvassing the election returns and declaring the results of the City Officers' Election held November 3, 2020.

Ordenanza: Una ordenanza haciendo el escrutinio y declarando los resultados de la eleccion de concejales municipales que se celebros el 3 de noviembre de 2020.

City Manager Andres Garza, Jr. presented a copy of a draft ordinance canvassing the election returns and declaring the results of the City Officers' Election held November 3, 2020. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Ordinance No. 2020-20a and 2020-20-b, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2020-20a**

**AN ORDINANCE CANVASSING THE ELECTION RETURNS AND
DECLARING THE RESULTS OF THE CITY OFFICERS' ELECTION HELD ON
NOVEMBER 3, 2020**

BE IT ORDAINED by the City Council of the City of Wharton, Texas:

The City Council of the City of Wharton, Texas has canvassed the returns of the city officers' election held on the **3rd of November 2020**, and the City Council finds and declares that the election returns were duly and legally made, that all of the votes counted at the election were valid and legal, and that each of the candidates in the election received the following numbers of votes:

Election Returns Early Votes Election Day Absentee Provisional Total

Councilmember District No. 2 - Steve Schneider - Unopposed

Councilmember District No. 4 - Don Mueller - Unopposed

Councilmember District No. 6 – At Large

Alice Heard-Roberts	1,105	236	26	1	1,368
Larry Pittman	974	125	16	2	1,117

Mayor-At Large

Tim Barker	1,314	165	168	3	1,650
Marie Johnston	288	63	92	0	443
Steven Roberts	537	129	12	0	678

The City The Council further finds and declares that the election was duly called, that notice of the election was given in accordance with law, that the election was held in accordance with law, that **Steven Schneider** was elected Councilmember District No. 2, **Don Mueller** was elected Councilmember District No. 4, **Alice Heard-Roberts** was elected Councilmember District No. 6– At Large and **Tim Barker** was elected Mayor-At Large.

The City Council declares the above-named persons to be duly elected to the above-named offices, subject to the taking of their oaths of office as provided by the laws of the State of Texas and the charter of the City of Wharton, Texas.

Severability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this resolution is 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.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 16th of November **2020**.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

CIUDAD DE WHARTON, TEXAS
ORDENANZA NUMERO 2020-20b

UNA ORDENANZA HACIENDO EL ESCRUTINIO Y DECLARANDO LOS RESULTADOS DE LA ELECCIÓN DE FUNCIONARIOS MUNICIPALES QUE SE CELEBRO EL 3 DE NOVIEMBRE 2020

ASÍ SE ORDENA por el Consejo Municipal de la Ciudad de Wharton, Texas:

El Consejo Municipal de la Ciudad de Wharton, Texas, ha escudriñado los resultados de las elección de funcionarios municipales celebrada **el 3 de noviembre del 2020**, y el Consejo Municipal halla y declara que los resultados de la elección fueron debidamente y legalmente hechos, que todos los votos de la elección contados fueron validos y legales, y que cada uno de los candidatos en la elección recibieron los números de votos siguientes:

Resultados de la elección

Concejal para el Distrito No. 2

Steve Schneider - Sin oponente

Concejal para el Distrito No. 4

Don Mueller-Sin oponente

Votos anticipados Día de la elección Ausente provisional Total

Concejal para el Distrito No. 6 – de forma irrestricta

Alice Heard-Roberts	1,105	236	26	1	1,368
Larry Pittman	974	125	16	2	1,117

Alcalde – de forma irrestricta

Tim Barker	1,314	165	168	3	1,650
Marie Johnston	288	63	92	0	443
Steven Roberts	537	129	12	0	678

El Consejo Municipal también determina y declara que la elección fue debidamente convocada, que el aviso de la elección se dio de acuerdo con la ley, que la elección misma se celebró de acuerdo con la ley, que **Steven Schneider** fue elegido Concejal para el Distrito No. 2, **Don Mueller** fue elegido Concejal para el Distrito No. 4, **Alice Heard-Roberts** fue elegido Concejal para la Posición No. 6- de forma irrestricta, y que **Tim Barker** fue elegido Alcalde en forma irrestricta.

El Consejo Municipal declara que las personas arriba mencionadas han sido debidamente elegidas a los puestos arriba mencionados, pendiente que hagan sus juramentos de sus cargos como se requiere según las leyes del Estado de Texas y la carta constitutiva de la Ciudad de Wharton, Texas.

Divisibilidad

Si cualquier tribunal competente con jurisdicción declara cualquier sección, sub-sección, frase, clausula, frase, o parte de esta resolución invalida o no constitucional, dicha parte se considerará ser una disposición aparte, distinta, e independiente, y dicha decisión no afectará la validez de las disposiciones restantes.

Autorización y Aprobación

AUTORIZADA y APROBADA por el Consejo Municipal de la Ciudad de Wharton, Texas, el 16 de noviembre 2020.

CIUDAD DE WHARTON, TEXAS

Por: _____
TIM BARKER
Alcalde

ATESTIGADO POR:

PAULA FAVORS
Secretaria Municipal

APROBADO EN TANTO A FORMA:

PAUL WEBB
Abogado de la Ciudad

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

The second itme on the agenda was to administer: Oath of Office to Elected Officials: Councilmembers Steven Schneider, Don Mueller, Alice Heard-Roberts and Tim Barker. City Attorney Paul Webb administered Oath of Offices to Elected Officials as follows: Councilmembers Steven Schneider, Don Mueller, Alice Heard-Roberts and Tim Barker. After some discussion, no action was taken.

The third item on the agenda was Executive Session: City Council may adjourn into an Executive Session in accordance with Section 551.074 of the Local 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.

Discussion:

- A. Deliberation of Appointment of City Manager.

Mayor Tim Barker moved the meeting into Closed Session at 7:08 p.m.

The fourth item on the agenda was Return to Open Session:

Action on items discussed in Executive Session:

- A. Deliberation of Appointment of City Manager.

Mayor Tim Barker returned the meeting to Open Session at 8:15 p.m. Mayor Barker stated information only was received.


City of Wharton
Special City Council Meeting
November 16, 2020

Adjournment.

There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Terry Freese seconded the motion. All voted in favor.

The meeting was adjourned at 8:15 p.m.

CITY OF WHARTON, TEXAS

By: 
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

