

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL MEETING  
DECEMBER 9, 2019**

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 Clifford Jackson led the opening devotion and Mayor Tim Barker led the pledge of allegiance.

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

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr, City Attorney Paul Webb, Finance Director Joan Anandel, Finance Director Joan Anandel, City Secretary Paula Favors, TRMC, CPM, MMC, Assistant to the City Manager Brandi Jimenez, EMS Director John Kowalik and Community Development Director Gwyn Teves.

Visitors present were: Steven L. Roberts, Ernest Joe "Spider" Macha and 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.

1. Mr. Ernest Joe "Spider" Macha stated he was satisfied that the City Council was not trying to annex Hungerford.
2. Mr. Steve Roberts stated that the City Council needed to keep in mind that not everyone could attend the Beautification Commission meetings and he had previously served on the Wharton Chamber of Commerce Board and if they could do a better job with the Beautification Commission to let him know.

**Wharton Moment.**

Councilmember Terry Freese thanked Facilities Maintenance Director Bob Baker on his staff's work on the lighting around the downtown area and that the holiday parade was well attended. Councilmember Russell Machann stated the City's welcome sign at Dennys was lighted and looked very nice. Councilmember Machann stated the Wharton Snow Day would be December 20<sup>th</sup>.

Mayor Tim Barker congratulated the East Bernard High School Varsity football team on their victorious season.

Councilmember Don Mueller stated that former City Councilmember Ray Linseisen had been having some health issues but was doing better.

City Manager Andres Garza, Jr. stated that City Employee Steve Salazar's wife had passed away and to keep him in everyone's prayers.

Councilmember Alice Heard-Roberts stated it was nice to see all the City employees who attended the funeral of Mr. Salazar's wife and the support they showed.

The first item on the agenda was to review and consider reading of the minutes from the regular meetings held November 12, 2019 and November 25, 2019 and special meetings held November 4, 2019 and November 18, 2019. After some discussion, Councilmember Steve Schneider moved to approve the reading of the minutes from the regular meetings held November 12, 2019 and November 25, 2019 and special meetings held November 4, 2019 and November 18, 2019. Councilmember Terry Freese seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a resolution of the Wharton City Council directing the City Manager to enter into discussions on a possible Strategic Partnership Agreement (SPA) with Hungerford Municipal Utility District (MUD) which is located in the City of Wharton's Extra-Territorial Jurisdiction (ETJ). City Manager Andres Garza, Jr stated the City Council had begun with annexation proceedings on territory north of the City that bordered FM 1161 included in this area is Loves Truck Stop and the City Staff had determined that Loves was in the Hungerford Municipal Utility District (MUD) and therefore would not be able to annex that piece of property. City Manager Garza said that there was a possibility that a Strategic Partnership Agreement (SPA) with Hungerford MUD could be entered into between the City of Wharton and Hungerford MUD. City Manager Garza presented a draft resolution which would authorize the City Manager to begin discussions with Hungerford MUD for the Strategic Partnership Agreement if allowed by law. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2019-136, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2019-136**

**A RESOLUTION OF THE WHARTON CITY COUNCIL DIRECTING THE CITY MANAGER TO ENTER INTO DISCUSSIONS ON A POSSIBLE STRATEGIC PARTNERSHIP AGREEMENT (SPA) WITH HUNGERFORD MUNICIPAL UTILITY DISTRICT (MUD) WHICH IS LOCATED IN THE CITY OF WHARTON'S EXTRA-TERRITORIAL JURISDICTION (ETJ).**

**WHEREAS,** The Wharton City Council has the authority to direct the City Manager to enter into discussions on a possible Strategic Partnership Agreement (SPA) with Hungerford Municipal Utility District (MUD); and,

**WHEREAS,** The Hungerford Municipal Utility District (MUD) is located in the City of Wharton's Extra-Territorial Jurisdiction (ETJ); and,

**WHEREAS,** A Strategic Partnership Agreement (SPA) would be for the benefit of both the City of Wharton and Hungerford Municipal Utility District (MUD).

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

- Section I.** The Wharton City Council has directed the City Manager to enter into discussions on a possible Strategic Partnership Agreement (SPA) with Hungerford Municipal Utility District (MUD).
- Section II.** The Hungerford Municipal Utility District (MUD) is located in the City of Wharton's Extra-Territorial Jurisdiction (ETJ).
- Section III.** The Wharton City Council feels a Strategic Partnership Agreement (SPA) would be for the benefit of both the City of Wharton and Hungerford Municipal Utility District (MUD).

**Passed, Approved, and Adopted** this the 9<sup>th</sup> day of December 2019.

**CITY OF WHARTON**

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

**ATTEST:**

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

Councilmember Alice Heard-Roberts seconded the motion. All voted in favor.

The third item on the agenda was AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY, IN WHARTON COUNTY TEXAS: A METES & BOUNDS DESCRIPTION OF A 34.52 ACRE TRACT OF LAND IN THE GEORGE SINGLETON SURVEY, ABSTRACT 58, WHARTON COUNTY, TEXAS AND BEING A STRIP OF LAND ALONG U.S. HIGHWAY 59 EXTENDING NORTHERLY FROM THE NORTHERN EXISTING CITY LIMITS OF THE CITY OF WHARTON TO F.M. HIGHWAY 1161, WITH ALL BEARING BASED UPON A PORTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 59 AS BEING NORTH 18 DEGREES 04 MINUTES 55 SECONDS EAST (CALLED NORTH 18 DEGREES 04 MINUTES 55 SECONDS EAST) IN WHARTON, COUNTY, TEXAS AS DESCRIBED IN THE METES AND BOUNDS ATTACHED HERETO AS EXHIBIT "A"; TO THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS,

ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY, AND ADOPTING A SERVICE PLAN. City Manager Andres Garza, Jr. presented a copy of the draft ordinances and maps for the City of Wharton Annexations. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Ordinance No. 2019-35, which read as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2019-35**

**AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY, IN WHARTON COUNTY TEXAS: A METES & BOUNDS DESCRIPTION OF A 34.52 ACRE TRACT OF LAND IN THE GEORGE SINGLETON SURVEY, ABSTRACT 58, WHARTON COUNTY, TEXAS AND BEING A STRIP OF LAND ALONG U.S. HIGHWAY 59 EXTENDING NORTHERLY FROM THE NORTHERN EXISTING CITY LIMITS OF THE CITY OF WHARTON TO F.M. HIGHWAY 1161, WITH ALL BEARING BASED UPON A PORTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 59 AS BEING NORTH 18 DEGREES 04 MINUTES 55 SECONDS EAST (CALLED NORTH 18 DEGREES 04 MINUTES 55 SECONDS EAST) IN WHARTON, COUNTY, TEXAS AS DESCRIBED IN THE METES AND BOUNDS ATTACHED HERETO AS EXHIBIT "A"; TO THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY, AND ADOPTING A SERVICE PLAN.**

**WHEREAS,** Article I. Incorporation; Form of Government; Corporate and General Powers of the City of Wharton City Charter; Section 9 Extending and fixing city limits by ordinance as restricted by law, of the City Charter, of the City of Wharton, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state; and,

**WHEREAS,** the procedures prescribed by the City Charter of the City of Wharton, Texas, and the laws of this state have been duly followed with respect to the territory described in the Exhibit "A" attached hereto.

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

**Section I.** That the heretofore described property is hereby annexed to the City of Wharton, Wharton County, Texas, and that the boundary limits of the territory described in the attached Exhibit "A," within the city limits of the City of Wharton, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Wharton and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

**Section II.** A service plan for the area is adopted and attached as Exhibit "B."

**Section III.** The City Secretary is hereby directed to file with the County Clerk of Wharton, Texas, a certified copy of this ordinance.

**Section IV.** This ordinance shall become effective immediately upon its passage.

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Wharton, Texas, on the 9<sup>th</sup> day of December 2019.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**PAUL WEBB**  
City Attorney

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

The fourth item on the agenda was to review and consider a request by the Wharton Long Term Recovery Team on behalf of Ms. Annie Allen to Re-Plat Cline Addition, Block 3, Lots 6 & 7 for residential reconstruction. City Manager Andres Garza, Jr. presented a request by the Wharton Long Term Recovery Team on behalf of Ms. Annie Allen to Re-Plat Cline Addition, Block 3, Lots 6 & 7 for residential reconstruction. Community Development Director Gwyn Teves stated the Planning Commission had met on December 9, 2019 and were recommending the City Council consider approving the request. After some discussion, Councilmember Alice Heard-Roberts moved to approve the request by the Wharton Long Term Recovery Team on behalf of Ms. Annie Allen to Re-Plat Cline Addition, Block 3, Lots 6 & 7 for residential reconstruction. Councilmember Clifford Jackson seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a request from Mr. Tom Cockerill of DRC Construction, LLC on behalf of Ms. Theresa Holmes of 217 Pecan Street, Harrison Addition, Block 10, Lot 6B for a front property line setback variance of 10', a side property line setback

variance of 2', a rear property line setback variance of 0' and a variance to build over a property line for new residential reconstruction. City Manager Andres Garza, Jr. presented a request from Mr. Tom Cockerill of DRC Construction, LLC on behalf of Ms. Theresa Holmes of 217 Pecan Street, Harrison Addition, Block 10, Lot 6B for a front property line setback variance of 10', a side property line setback variance of 2', a rear property line setback variance of 0' and a variance to build over a property line for new residential reconstruction. Community Development Director Gwyn Teves stated the Planning Commission had met on December 9, 2019 and were recommending the City Council consider approving the request. After some discussion, Councilmember Alice Heard-Roberts moved to approve the request from Mr. Tom Cockerill of DRC Construction, LLC on behalf of Ms. Theresa Holmes of 217 Pecan Street, Harrison Addition, Block 10, Lot 6B for a front property line setback variance of 10', a side property line setback variance of 2', a rear property line setback variance of 0' and a variance to build over a property line for new residential reconstruction. Councilmember Terry Freese seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider a resolution of the Wharton City Council approving an amended contract between the City of Wharton and Wharton County for Emergency Medical Services for ambulance transport and authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. City Manager Andres Garza, Jr. presented a draft copy of the contract and draft resolution for emergency medical services for ambulance transport between the City of Wharton and Wharton County. EMS Director John Kowalik stated the contract was for the transporting of Wharton County jail patients. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2019-137, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2019-137**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AMENDED CONTRACT BETWEEN THE CITY OF WHARTON AND WHARTON COUNTY FOR EMERGENCY MEDICAL SERVICES FOR AMBULANCE TRANSPORT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** The City of Wharton wishes to enter into an amended contract with Wharton County for emergency medical services for ambulance transports; and,

**WHEREAS,** The Wharton City Council and Wharton County wishes to be bound by the conditions as set forth in the contract; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to the contract.

**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 the amended contract with Wharton County for emergency medical services for ambulance transports.

**Section II.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the contract.

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

**Passed, Approved, and Adopted** this 9th day of December 2019.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

Councilmember Clifford Jackson seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider Hotel/Motel Funding Requests-FY 2020:

A. Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton, Wharton County, Texas, to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services for the October 1, 2019 to September 30, 2020 fiscal year.

B. Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton, Wharton County, Texas to execute an agreement with the Wharton Downtown Business Association for assistance with advertising, marketing and promotion of downtown area projects.

C. Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton, Wharton County, Texas to execute an agreement with The Plaza Theatre for HVAC improvements needed in the main auditorium.

City Manager Andres Garza, Jr. stated the City Council had approved allocating funds thru the Hotel/Motel tax revenue for the Plaza Theatre, The Chamber of Commerce and Wharton Downtown Business Association in the FY2020 Budget. City Manager Garza presented a draft Performance Agreements and an "Exhibit A" for each organization. Finance Director Joan Andel

stated the Performance Agreements had been reviewed by Assistant City Attorney Amy Rod and the funds would not be paid until the improvements and/or expenditures were completed and complete documentation was received. Mrs. Andel said the deadline for completion of the projects and request of the funds was September 30, 2020. After some discussion, Councilmember Russell Machann moved to approve the following with the provision that the Wharton Chamber of Commerce include all businesses within the City of Wharton in their visitor's guide, City of Wharton Resolution No. 2019-138, 2019-139 and 2019-140, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2019-138**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, TO EXECUTE AN AGREEMENT WITH THE CHAMBER OF COMMERCE AND AGRICULTURE FOR VISITOR AND CONVENTION BUREAU SERVICES FOR OCTOBER 1, 2019 TO SEPTEMBER 30, 2020 FISCAL YEAR.**

**WHEREAS,** The Wharton City Council hereby authorizes Mayor Tim Barker to execute an agreement with the Wharton Chamber of Commerce and Agriculture for visitor and convention bureau services; and,

**WHEREAS,** The City of Wharton and the Wharton Chamber of Commerce and Agriculture hereby agrees to be bound by the conditions as set forth in 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 Tim Barker, Mayor of the City of Wharton to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services for the October 1, 2019 to September 30, 2020 fiscal year.

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

**Passed, Approved, and Adopted** this 9th day of December 2019.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

**CITY OF WHARTON  
RESOLUTION NO. 2019-139**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, TO EXECUTE AN AGREEMENT WITH THE WHARTON DOWNTOWN BUSINESS ASSOCIATION FOR ASSISTANCE WITH ADVERTISING, MARKETING AND PROMOTION OF DOWNTOWN AREA PROJECTS.**

**WHEREAS,** The Wharton City Council hereby authorizes Mayor Tim Barker to execute an agreement with the Wharton Downtown Business Association for assistance with advertising, marketing and promotion of downtown area projects; and,

**WHEREAS,** The City of Wharton and the Wharton Downtown Business Association hereby agrees to be bound by the conditions as set forth in 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 Tim Barker, Mayor of the City of Wharton to execute an agreement with the Wharton Downtown Business Association for assistance with advertising, marketing and promotion of downtown area projects.

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

**Passed, Approved, and Adopted** this 9th day of December 2019.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

**CITY OF WHARTON**

**RESOLUTION NO. 2019-140**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, TO EXECUTE AN AGREEMENT WITH THE PLAZA THEATRE FOR HVAC IMPROVEMENTS NEEDED IN THE MAIN AUDITORIUM.**

**WHEREAS,** The Wharton City Council hereby authorizes Mayor Tim Barker to execute an agreement with The Plaza Theatre for HVAC improvements needed in the main auditorium; and,

**WHEREAS,** The City of Wharton and The Plaza Theatre hereby agrees to be bound by the conditions as set forth in 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 Tim Barker, Mayor of the City of Wharton to execute an agreement with The Plaza Theatre for HVAC improvements needed in the main auditorium.

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

**Passed, Approved, and Adopted** this 9th day of December 2019.

**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 the cancellation of the December 23, 2019 Regular Wharton City Council Meeting. City Manager Andres Garza, Jr. stated that due to the Holiday Season, he was requesting the Mayor and City Council consider canceling the December 23, 2019 Regular City Council Meeting and if it became necessary, a special meeting

would be scheduled. After some discussion, Councilmember Alice Heard-Roberts moved to approve the cancellation of the December 23, 2019 Regular Wharton City Council Meeting. Councilmember Clifford Jackson 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 submission of Hazard Mitigation Assistance Grant Applications and appointing the Mayor as the Chief Executive Officer and authorized representative to act in all matters in connection with the FEMA Mitigation Grant. City Manager Andres Garza, Jr. stated that on November 4th City Council approved contracts with GrantWorks, LLC and Jones and Carter to begin preparing for the 2019 Flood Mitigation Assistance (FMA) Program. City Manager Garza said the City staff had met with both consultants and designated 2 projects for application submission and the projects were as follows:

1. Pecan Acres Subdivision – Drainage improvements along Kinkaid, Delmas and Mahan.
2. Stavena Addition Subdivision – Drainage improvements along Stavena and Nelga.

City Manager Garza said the recommendation was for the City Council to consider approving the submission of 2 applications for the above projects to the 2019 FEMA FMA program. Community Development Director Gwyn Teves stated the project applications were due to the Texas Department of Emergency Management by December 13, 2019 and from the State to FEMA by January 31, 2020. Mrs. Teves said the FMA program also required a 25% match from the City for each application that was to be submitted. After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2019-141, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2019-141**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF HAZARD MITIGATION ASSISTANCE GRANT APPLICATIONS AND APPOINTING THE MAYOR AS THE CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS IN CONNECTION WITH THE FEMA MITIGATION GRANT.**

**WHEREAS,** The City of Wharton City Council is considering the submission of FEMA Hazard Mitigation Assistance grant applications for funding of drainage improvement projects in Pecan Acres and Stavena Addition Subdivisions; and,

**WHEREAS,** FEMA Mitigation Fund applicants are required to appoint an official to act as the Authorized Representative in all matters in connection with the Mitigation Grants.

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

**SECTION I.** The Wharton City Council hereby authorizes the submission of applications for FEMA's Hazard Mitigation Assistance Program; and

**SECTION II.** The City designates the Mayor as the Chief Executive Officer and Authorized Representative to act on behalf of the City in all matters in connection with the FEMA Mitigation Grants.

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

**PASSED, APPROVED, and ADOPTED** this 9<sup>th</sup> day of December 2019.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

Councilmember Don Mueller 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 committing the City of Wharton to provide local matching funds to secure and complete the FEMA Hazard Mitigation Assistance Grants. City Manager Andres Garza, Jr. stated that on November 4th the City Council approved contracts with GrantWorks, LLC and Jones and Carter to begin preparing for the 2019 Flood Mitigation Assistance (FMA) Program. City Manager Garza said the City staff had met with both consultants and designated 2 projects for application submission and the projects were as follows:

1. Pecan Acres Subdivision – Drainage improvements along Kinkaid, Delmas and Mahan
2. Stavena Addition Subdivision – Drainage improvements along Stavena and Nelga

City Manager Garza stated the recommendation was for the City Council to consider approving the submission of 2 applications for the above projects to the 2019 FEMA FMA program. He said the project applications were due to the Texas Department of Emergency Management by December 13, 2019 and from the State to FEMA by January 31, 2020. Community Development Director Gwyn Teves stated the FMA program also required a 25% match from the City for each application that was to be submitted. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2019-142, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2019-142**

**A RESOLUTION OF THE WHARTON CITY COUNCIL COMMITTING THE CITY OF WHARTON TO PROVIDE LOCAL MATCHING FUNDS TO SECURE AND COMPLETE THE FEMA HAZARD MITIGATION ASSISTANCE GRANTS.**

**WHEREAS,** The City of Wharton City Council has applied for FEMA Hazard Mitigation Assistance funds to provide the City with funding for funding drainage improvement projects in Pecan Acres and Stavena Addition Subdivisions.

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

**SECTION I.** The Wharton City Council hereby commits to providing the 25% or more local share for the FEMA Hazard Mitigation Assistance Projects.

**SECTION II.** CDBG-DR, CDBG-MIT or all possible funding sources identified or not identified at this time that are acceptable sources of match for HMA.

**SECTION III.** Should other funds not be available for whatever reason, the City will pay its local share from the general fund.

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

**PASSED, APPROVED, and ADOPTED** this 9<sup>th</sup> day of December 2019.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember Clifford Jackson seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider a pay request from Dream Maker Construction for the renovation of office space at City Hall. City Manager Andres Garza, Jr. presented of copy of pay request from Dream Maker Construction for the renovation of office space at City Hall in the amount of \$15,449.50. Community Development Director Gwyn Teves stated all inspection had been completed and it was her recommendation that the City Council consider approving the request. After some discussion, Councilmember Terry Freese moved to approve the pay request from Dream Maker Construction for the renovation of office space at City Hall in the amount of \$15,449.50. Councilmember Alice Heard-Roberts seconded the motion. All voted in favor.

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

1. Appointments:

- A. Beautification Commission.
- B. Building Standards Commission.
- C. Plumbing and Mechanical Board.

City Manager Andres Garza Jr. stated the Beautification Commission had been having quorum issues and the City Council had previously voted to reduce the number of members from 9 to 7 in the hopes of curtailing the problem. City Manager Garza said the reduction in the number of members did not solve the issue and City Staff was recently approached by the Downtown Merchants Association and their desire to join the Beautification Commission. He said that the City Staff would be working on presenting the City Council with a plan to help include the Downtown Merchants Association and the Wharton Chamber of Commerce on the Beautification Commission. After some discussion, no action was taken.

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

- A. Finance Committee meeting held November 25, 2019.

After some discussion, no action was taken.

**Adjournment.** There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Clifford Jackson seconded the motion. All voted in favor.

The meeting adjourned at 7:41 p.m.

**CITY OF WHARTON, TEXAS**

By: *Tim Barker*  
**TIM BARKER**  
Mayor

**ATTEST:**

*Paula Favors*  
**PAULA FAVORS**  
City Secretary

