

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
SEPTEMBER 14, 2020**

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 Tim Barker led the pledge of allegiance.

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

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr, City Attorney Paul Webb, Finance Director Joan Andel, City Secretary Paula Favors, TRMC, CPM, MMC, Assistant to the City Manager Brandi Jimenez, Community Development Director Gwyn Teves, Public Works Director John Plaia and Airport Manager David Allen.

Visitors present were: Albert Villegas with the Wharton Journal Spectator, Wharton Chamber of Commerce Executive Director Ron Sanders and Natalie Frels-Busby with The County Gin.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

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

Wharton Moment.

Mayor Tim Barker called for Wharton Moments. No comments were made.

Public Hearing

Mayor Tim Barker opened the Public Hearing for the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2020 to September 30, 2021 at 7:06 p.m.

No comments were given. There being no further discussion, Mayor Tim Barker closed the Public Hearing at 7:07 p.m.

Review and Consider:

The first items on the agenda was to review and consider action on changes to the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2020 to September 30, 2021. After some discussion, Councilmember Don Mueller moved to approve the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2020 to September 30, 2021. Councilmember Terry Freese seconded the motion. Councilmember Alice Heard-Roberts voted against the motion. Mayor Tim Barker and Councilmembers Clifford Jackson, Don Mueller, Russell Machann, Terry Freese and Steve Schneider voted in favor of the motion. The motion carried.

The second item on the agenda was to review and consider the reading of the minutes from the regular meetings held August 10, 2020 and August 24, 2020 and special meeting held August 11, 2020. After some discussion, Councilmember Russell Machann moved to approve the minutes from the regular meetings held August 10, 2020 and August 24, 2020 and special meeting held August 11, 2020. Councilmember Steve Schneider seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a resolution authorizing Publication of Notice of Intention to Issue Certificates of Obligations. City Manager Andres Garza, Jr. stated the City staff had been working with Mr. James Gilley of U.S. Capital Advisors LLC, the City's financial advisor, and Tom Sage, bond counsel with Hunton Andrews Kurth LLP, regarding the intention to issue certificates of obligation for the State Infrastructure Bank (SIB) loan thru the Texas Department of Transportation (TxDOT) for the Extension of FM1301 from SH 60 to US 59 in Wharton. City Manager Garza said notice was required to be published once a week for two (2) consecutive weeks, the date of the first publication to be at least forty-six (46) days before the date of the passage of the ordinance authorizing the issuance of the certificates of obligation. Finance Director Joan Anandel stated that in order to have all of the funding in place to move forward with the implementation of the project, it was necessary to publish the notice of intent at with the first publication being on Saturday, September 19, 2020. City Manager Garza presented a draft resolution and notice of Intent to issue Certificates of Obligation prepared by Hunton Andrews Kurth LLP. Mrs. Anandel stated the Finance Committee met on September 14, 2020 and were recommending the City Council consider approving the publication of notice of intention to issue certificates of obligation. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-88, which read as follows:

RESOLUTION NO. 2020-88
RESOLUTION AUTHORIZING PUBLICATION OF NOTICE
OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

THE STATE OF TEXAS §
COUNTY OF WHARTON §
CITY OF WHARTON §

WHEREAS, the City Council of the City of Wharton, Texas (the "City"), deems it advisable to issue certificates of obligation of the City in accordance with the Notice hereinafter set forth; Now, Therefore

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

- Section 1.** The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.
- Section 2.** The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of intention to issue certificates of obligation (the "Notice").
- Section 3.** The Notice authorized in Section 2 above shall be published once a week for two (2) consecutive weeks in a newspaper which is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in said Notice for the passage of the ordinance authorizing the issuance of such certificates of obligation. Further, the Notice shall be continuously posted on the City's Internet website, for at least forty-five (45) days before the date tentatively set for the passage of the order or ordinance authorizing the issuance of the certificates.
- Section 4.** For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections.
- Section 5.** The Mayor, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.
- Section 6.** This resolution shall take effect immediately upon its passage.
- Section 7.** The Notice and agenda relating to this meeting and heretofore posted by the City Secretary, and the posting thereof, are hereby authorized, approved, and ratified.

PASSED AND APPROVED the 14th day of September, 2020.

Mayor
City of Wharton, Texas

ATTEST:

City Secretary
City of Wharton, Texas

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Wharton, Texas (the "City"), will meet at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, 77488 at 7:00 p.m. on the 9th day of November, 2020, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's certificates of obligation, in the maximum aggregate principal amount of \$15,000,000 payable from ad valorem taxation and from a limited pledge of a subordinate lien on the net revenues of the City's waterworks and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council at the time of issuance, and maturing over a period of years not to exceed thirty (30) years from the date thereof, for the purpose of evidencing the indebtedness of the City to pay all or any part of the contractual obligations to be incurred for (i) the construction and rehabilitation of the extension of FM 1301 from State Highway 60 to U.S. 59 in Wharton to include a railroad overpass and drainage, (ii) utility relocation, (iii) engineering services, (iv) environmental services, (v) land and right of way acquisition, (vi) legal fees associated with the project and (vii) the cost of professional services or other expenses of issuing the Certificates.

It is estimated that the combined principal and interest required to pay the certificates is \$18,552,475. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of 1.76%. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in Resolution No. [88], dated September 14, 2020, which resolution is available from the City upon request) is \$11,885,275, and based on the City's expectations, as of the date of this notice the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$14,662,580. Such amounts are derived from projections obtained from the City's financial advisor based upon current market conditions and is provided from the City without assurance that such projections will be realized. The City cannot guarantee that such conditions will continue through the date of the sale of the Certificates.

WITNESS MY HAND this 14th day of September, 2020.

City Secretary
City of Wharton, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

Principal Amount Designated as Self Supporting	Series Designation
\$393,936	General Obligation Refunding Bonds, Series 2010
326,400	General Obligation Refunding Bonds, Series 2013
2,400,000	Tax and Revenue Certificates of Obligation, Series 2013
1,690,689	Tax and Revenue Certificates of Obligation, Series 2015
1,723,250	Tax and Revenue Certificates of Obligation, Series 2019
1,185,450	General Obligation Refunding Bonds, Series 2019
\$7,719,725	Total Principal Amount Designated as Self-Supporting

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

The fourth item on the agenda was to review and consider a resolution of the City Council of the City of Wharton, Texas, expressing intent to finance expenditures to be incurred. City Manager Andres Garza, Jr. stated the City issued Tax Anticipation Notes, Series 2019 on March 25, 2019 to be used to fund the acquisition of land or interest in land for the purpose of flood control and the cost of professional services incurred for the Lower Colorado River Basin Phase I, Texas Wharton Flood Risk Management Project in the amount of \$1,555,000. City Manager Garza said that at that time, the staff thought that amount would be sufficient to cover the necessary expenditures and to be reimbursed timely from the USACE but since the City was not receiving reimbursements timely from the USACE and was working diligently to provide all requested documentation and clarification of items to the USACE so that reimbursements could be made to the City, the City Staff felt the need to issue additional debt in the interim so that the project could move forward. Finance Director Joan Anandel stated the City staff had been working with James Gilley of U.S. Capital Advisors LLC, the City's financial advisor, to discuss additional funding for this project as well as any other funding needs that could be included. Mrs. Anandel said the City Staff was requesting that the City seek additional funding in the amount of \$5,000,000 to cover costs incurred for the levee project, HMGP drainage projects, and the auxiliary power project. She said Mr. Gilley recommended the City seek to obtain Tax Anticipation Notes for maximum period of 7 years with the option of having these callable at any time. City Manager Garza presented a draft reimbursement resolution prepared by Bond Counsel of Hunton Andrews Kurth LLP to be used to cover any expenses incurred sixty (60) days prior to the issuance of the Tax Anticipation Notes. Mrs. Anandel stated the Finance Committee meet on September 14, 2020 and were recommending the City Council considering approving the expressing intent to finance expenditures to be incurred. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-89, which read as follows:

RESOLUTION 2020-89

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS,
EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED.**

**THE STATE OF TEXAS §
CITY OF WHARTON §**

WHEREAS, the City of Wharton, Texas (the “City”), is a home rule city of the State of Texas, authorized to finance its activities by issuing obligations pursuant to the Texas Government Code and Texas Local Government Code, which may include obligations that qualify for an income tax credit or obligations the interest on which is excludable from gross income for federal income tax purposes (“tax-advantaged obligations”), pursuant to Section 103 of the Internal Revenue of 1986, as amended (the “Code”), or both; and

WHEREAS, the City has made, within the last 60 days, and will continue to make payments with respect to the acquisition of the projects listed on Exhibit A attached hereto (the “Financed Facilities and Improvements”); and

WHEREAS, the City reasonably expects to issue Tax-Advantaged Obligations to reimburse itself for the costs associated with the Financed Facilities and Improvements; and

WHEREAS, the City desires to reimburse itself for the costs associated with the Financed Facilities and Improvements from the proceeds of Tax-Advantaged Obligations to be issued subsequent to the date hereof; and

NOW, THEREFORE, be it resolved that:

The City hereby declares its intent to reimburse itself for all costs paid within the last 60 days and that will be paid subsequent to the date hereof in connection with the acquisition of the Financed Facilities and Improvements from the proceeds of Tax-Advantaged Obligations to be issued subsequent to the date hereof.

The City reasonably expects that the maximum principal amount of tax-advantaged obligations issued by the City to finance costs associated with the Financed Facilities and Improvements listed on Exhibit A and other improvements attached hereto will not exceed \$5,000,000.

This Resolution will be kept in the books and records maintained by the City with respect to the tax-advantaged obligations.

PASSED AND APPROVED this 14th day of September, 2020.

CITY OF WHARTON, TEXAS

By: _____
Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM

Hunton Andrews Kurth LLP, Bond Counsel

EXHIBIT A

Financed Facilities and Improvements

Item or Fund - - Described by Character, Type or Purpose

The acquisition, construction, furnishing, equipment, repair, renovation, expansion, and improvement of facilities and infrastructure in the City related to the Lower Colorado River Basin Phase I, Texas Wharton Flood Risk Management Project, HMGP DR-4332 City of Wharton Water Plant Generators, TWDB FIF City of Wharton Flood Protection Plan including, but not limited to:

1. Utility relocation
2. Engineering services
3. Environmental services
4. Land/right of way acquisition
5. Property management
6. Acquisition relocation
7. Auxiliary power implementation
8. Drainage studies
9. Drainage improvements
10. Legal fees associated with the project
11. The cost of professional services or other expenses of issuing the Certificates

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

The fifth item on the agenda was to review and consider the City of Wharton Housing Program:

- A. Resolution: A resolution of the Wharton City Council declaring certain City of Wharton properties as surplus properties and to designate these properties for affordable housing programs for City of Wharton residents.
- B. Resolution: A resolution of the Wharton City Council approving the transfer of the City of Wharton real properties to the Wharton County Recovery Team and authorizing the Mayor of the City of Wharton to execute all documents related to the property transfer.

City Manager Andres Garza, Jr. stated the City had received a request from the Wharton County Recovery Team for a parcel of property at 210 Wilkes from the City of Wharton for disaster related housing. Community Development Director Gwyn Teves said the City was requesting at

this time that the property be declared as surplus property and designated for affordable housing programs and request a transfer of the property to the Wharton County Recovery Team to meet this designation. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-90 and Resolution No. 2020-91, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-90**

A RESOLUTION OF THE WHARTON CITY COUNCIL DECLARING CERTAIN CITY OF WHARTON PROPERTIES AS SURPLUS PROPERTIES AND TO DESIGNATE THESE PROPERTIES FOR AFFORDABLE HOUSING PROGRAMS FOR CITY OF WHARTON RESIDENTS.

WHEREAS, The Wharton City Council received certain City of Wharton properties from taxing entities and the City Council determined that there was a need to declare certain City of Wharton properties for affordable housing; and,

WHEREAS, The City Council determined that certain properties could be utilized by the City of Wharton in a new construction housing development program; and,

WHEREAS, The properties identified to be included in the new construction housing development program are as follows:

JOHN HARRIS LOT 64D-8, 64D-9
Acres:0.2755
210 Wilkes St., Account #R015982

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 designates the afore-mentioned properties for affordable housing program.

Section II. That the Wharton City Council hereby authorizes that these properties be dedicated for the construction of affordable homes.

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

Passed, Approved, and Adopted this 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2020-91**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE TRANSFER OF THE CITY OF WHARTON REAL PROPERTIES TO THE WHARTON COUNTY RECOVERY TEAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO THE PROPERTY TRANSFER.

WHEREAS, The City of Wharton (“City”) desires to support the availability of affordable housing opportunities for residents and promote economic development within the community as public purposes; and,

WHEREAS, The Wharton City Council wishes to transfer the following properties located in the City of Wharton, Wharton County, Texas, to the Wharton County Recovery Team for the construction of new affordable housing; and,

JOHN HARRIS LOT 64D-8, 64D-9 Acres:0.2755 210 Wilkes St., Account #R015982
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WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to the property transfer.

NOW, THEREFORE, BE IT RESOLVED by the Wharton City Council that:

Section I. The Wharton City Council hereby approves the transfer of the aforementioned properties in the City of Wharton, Wharton County, Texas, to the Wharton County Recovery Team for the construction of new affordable housing; and

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said property transfer.

Section III. This resolution shall become effective immediately after its passage.

PASSED, APPROVED AND ADOPTED by the City of Wharton at a regular meeting held on the 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST

PAULA FAVORS
City Secretary

Councilmember Russell Machann 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 Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and worker's compensation coverage for the City of Wharton; authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. City Manager Andres Garza, Jr. presented a copy of the memorandum dated September 8, 2020 from City Secretary Paula Favors to him regarding the Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for Property & Casualty and Worker's Compensation coverage for the City of Wharton. City Manager Garza stated that the amount for coverage for 2020-2021 was \$291,536, General Liability \$6,899, Supplemental Sewage Backup \$2,833, Law Enforcement Liability \$16,345, Errors & Omissions \$12,411, Aviation \$3,504, Auto/APD \$64,126, Real and Personal Property \$74,984, Mobile Equipment \$8,888, and Crime \$1,106 for a total of \$191,096. Mrs. Favors stated the Workers Comp was \$100,440 for a grand total of \$291,536. After some discussion, Councilmember Alice Heard-Roberts moved to approve City of Wharton Resolution No. 2020-92, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-92**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE-INTERGOVERNMENTAL RISK POOL (TML-IRP) FOR PROPERTY & CASUALTY AND WORKERS' COMPENSATION COVERAGE FOR THE CITY OF WHARTON; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.

WHEREAS, The City of Wharton received the renewal rate for property and casualty and workers' compensation coverage; and,

WHEREAS, The Wharton City Council wishes to enter into an interlocal agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and workers' compensation coverage for the City of Wharton; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to said 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 approves an interlocal agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for Property & Casualty Coverage and Worker's Compensation Coverage for the City of Wharton for fiscal year October 1, 2020 to September 30, 2021.
- Section II.** That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned contracts.
- Section III.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The seventh item on the agenda was to review and consider the 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.
- 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.

City Manager Andres Garza, Jr. presented a copy of the memorandum from City Secretary Paula Favors to him 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. Ms. Favors stated both agreements were the same as the previous years with the exception of updated dates and costs. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-93 and Resolution No. 2020-94, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-93**

**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 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2020-94**

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 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The eighth item on the agenda was to review and consider the City of Wharton 2020 Street Improvement Project:

- A. Request from the City Staff for Change Order No. 1 to the 2020 Street Improvement Project.

City Manager Andres Garza, Jr. presented a copy of a memorandum from Public Works Director John Plaia to him regarding Change Order No. 1 to the contract for the 2020 Street Improvement Project. City Manager Garza stated the Change Order would add three (3) additional streets to the Program, which were as follows: 1. Alabama Road from Milam Street to FM 1301. 2. Briar Lane from the concrete pavement to Price Drive. 3. West Milam Street from Outlar Street to Ford Street. Mr. Plaia stated that also included in the Change Order is the restriping of Alabama Road with the total cost for these additions of \$126,166.58. City Manager Garza said the City Council Public Works Committee met on September 14, 2020 and were recommending the City Council consider approving the request. After some discussion, Councilmember Terry Freese moved to approve City of Wharton 2020 Street Improvement Project Change Order No. 1. 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 approving an agreement between the City of Wharton and the Texas Department of Transportation Aviation Division for the Routine Airport Maintenance Program, TxDOT CSJ No. M16M2113WHRT, for the Airport maintenance at the Wharton Regional Airport and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Manager Andres Garza, Jr. presented a copy of the 2021 Routine Airport Maintenance Program (RAMP) Grant for the Wharton Regional Airport. Airport Manager David Allen stated the City of Wharton had participated in the RAMP Program in the past years and he was requesting that the City Council consider approving the agreement. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-95, which read as follows:

CITY OF WHARTON

RESOLUTION NO. 2020-95

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT BETWEEN THE CITY OF WHARTON AND THE TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION, FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM, TXDOT CSJ NO. M16M2113WHRT FOR THE AIRPORT MAINTENANCE AT THE WHARTON REGIONAL AIRPORT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to conduct improvement to the Wharton Regional Airport under the 2021 Routine Airport Maintenance Program; and,

WHEREAS, The Texas Department of Transportation Aviation Division and the City of Wharton wishes to enter into an agreement under the 2021 Routine Airport Maintenance Program for airport maintenance at the Wharton Regional Airport; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor 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 a contract with the Texas Department of Transportation Aviation Division for the 2021 Routine Airport Maintenance Program.

Section II. That the Texas Department of Transportation Aviation Division and the City of Wharton are hereby bound by the conditions as set forth in the agreement.

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

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

Passed, Approved, and Adopted this 14th day of September 2020.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember Alice Heard-Roberts 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 approving an agreement between DBT Transportation Services LLC and the City of Wharton for the Wharton Regional Airport Automated Weather Operating System (AWOS) and authorizing the City Manager to execute all documents related to said agreement. City Manager Andres Garza, Jr. presented a copy of a memorandum to him from Finance Director Joan Anel regarding the Aviation Support and Maintenance Services Agreement from DBT Transportation Services LLC for the Wharton Regional Airport Automated Weather Operating System (AWOS). City Manager Garza stated the Airport currently had a contract with DBT, therefore this agreement was for a continuance of services for five (5) years beginning September 1, 2020. Mrs. Anel stated the amount per year was \$5,966.00 and 50% of the cost could be covered by the Routine Maintenance Airport Program (RAMP). After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2020-96, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-96**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT BETWEEN DBT TRANSPORTATION SERVICES LLC AND THE CITY OF WHARTON FOR THE WHARTON REGIONAL AIRPORT AUTOMATED WEATHER OPERATING SYSTEM (AWOS) AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.

WHEREAS, The Wharton City Council wishes to enter into an Aviation Support Maintenance Services Agreement with DBT Transportation Services LLC. for the Wharton Regional Airport Automated Weather Observing System (AWOS); and,

WHEREAS, The agreement is for a five (5) year period beginning September 1, 2020; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents related to this agreement.

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

Section I. The Wharton City Council hereby approves a five (5) year agreement with DBT Transportation Services LLC for the Wharton Regional Airport Automated Weather Observing System (AWOS).

Section II. The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute all documents related to the agreement.

Passed, Approved, and Adopted this 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

Councilmember Russell Machann seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider the Texas Department of Transportation (TxDOT) Aviation Division Capital Improvement Program (CIP), Project Number 19HGWHRTN:

- A. Resolution: A resolution of the Wharton City Council awarding a contract for the construction of two (2) new hangars, Project Number 19HGWHRTN, at the Wharton Regional Airport and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
- B. Pay Request from TxDOT Aviation.

City Manager Andres Garza, Jr. stated on April 8, 2019, the City Council approved a resolution authorizing the City to participate in the Texas Department of Transportation (TxDOT) Aviation Division Capital Improvement Program (CIP), Project Number 19HGWHRTN, by receiving funds to construct two new hangars at the airport. City Manager Garza said bids were received for the project and a total of two bids were received. Airport Manager David Allen stated the bids were from BLS Construction and KDW and the project had been approved by the Commission of TxDOT. Mr. Allen said the items being requested to move forward with the project were City

Council approval to award the contract in which TxDOT Aviation was recommending that the contract be awarded to BLS Construction in the amount of \$570,084.65. He said that City Council authorization being requested was to pay TxDOT \$29,073.00 for additional funding from the 2019 Bond funds. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-97, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-97**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE CONSTRUCTION OF TWO (2) NEW HANGARS, PROJECT NUMBER 19HGWHRTN, AT THE WHARTON REGIONAL AIRPORT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Bids were received for the construction of two (2) new hangars at the Wharton Regional Airport; and,

WHEREAS, BLS Construction was deemed the best lowest qualified bidder in the amount of \$570,084.65; and,

WHEREAS, The Wharton City Council wishes to award a contract to BLS Construction for the construction of two (2) new hangars at the Wharton Regional Airport in the amount of \$570,084.65; and,

WHEREAS, The City of Wharton and BLS Construction wish 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 all documents related to said contract.

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

Section I. The Wharton City Council hereby authorizes the Mayor to execute a contract for the construction of two (2) new hangars at the Wharton Regional Airport to BLS Construction in the amount of \$570,084.65.

Section II. The City of Wharton and BLS Construction are hereby 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 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The twelfth item on the agenda was to review and consider the City of Wharton Developer-Customer Utility Construction and Services Agreement with Wharton Group Limited Liability Company and Utility Easement Agreement:

- A. Resolution: A resolution of the Wharton City Council approving the Customer-Developer Utility Service Agreement with Wharton Group Limited Liability Company and the City of Wharton and authorizing the Mayor of the City of Wharton to execute the agreement.
- B. Resolution: A resolution of the Wharton City Council accepting an Utility Easement Agreement between the City of Wharton and Wharton Group Limited Liability Company and authorizing the Mayor of the City of Wharton to execute said agreement.

City Manager Andres Garza, Jr. stated the Wharton Group Limited Liability Company was constructing a Burger King at 123 West Boling Highway and they had requested city utility services. City Manager Garza said the developer would be installing the lines and turning them over to the City of Wharton. City Manager Garza presented draft copy of the Developer-Customer Utility Construction and Services Agreement and a Utility Easement Agreement designating a 15-foot public utility easement behind the development for the above-mentioned utilities. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2020-99, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-99**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING AN UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF WHARTON AND WHARTON GROUP LIMITED LIABILITY COMPANY AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE SAID AGREEMENT.

WHEREAS, The Wharton City Council wishes to enter into an Utility Easement Agreement with Wharton Group Limited Liability Company; and,

WHEREAS, The City of Wharton and Wharton Group Limited Liability Company 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 Utility Easement Agreement with Wharton Group Limited Liability Company.

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 Utility Easement Agreement with Wharton Group Limited Liability Company.

Section II. The City of Wharton and Wharton Group Liability Company 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 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council adopting the City of Wharton Internal Ethics and Compliance Policy and authorizing the Mayor of the City of Wharton to execute all documents relating to said adoption. City Manager Andres Garza, Jr. stated that after being contacted by TxDOT Compliance Specialist Omair Ansari, the City staff was made aware of the requirement to have an Internal Ethics and Compliance Policy in place. City Manager Garza said the City staff had created a policy and after review by TxDOT was advised to present the policy to our City Council for adoption. Community Development Director Gwyn Teves stated the City was required to have City Council adoption and approval before final submittal to TxDOT and the policy addressed internal ethics as well as laying out a compliance procedure for any occurrences should it be necessary. After some

discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2020-100, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 – 100**

A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE CITY OF WHARTON INTERNAL ETHICS AND COMPLIANCE POLICY AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID ADOPTION.

WHEREAS, Recipients of federal financial assistance are required to comply with various ethics laws and regulations; and,

WHEREAS, The City of Wharton's Internal Ethics and Compliance Policy has been established in accordance with all applicable federal and state laws, administrative rules, and ethics policies; and,

WHEREAS, The City of Wharton has prepared the Internal Ethics and Compliance Policy for adoption; and,

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

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

SECTION I. The Wharton City Council hereby approves the City of Wharton's Internal Ethics and Compliance Policy.

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

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

PASSED, APPROVED, and ADOPTED this 14th day of September 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fourteenth item on the agenda was to review and consider an ordinance declaring a Public Necessity for the acquisition of below listed properties located in Wharton Texas, for a public purpose, for the GLO-Funded Buyout Program to assist property owners whose property or homes are situated in high-risk area affected by Hurricane Harvey, and that have been determined to be the most susceptible to future natural disasters; ratifying and affirming all prior acts and proceedings done or initiated by attorneys and employees of the City to acquire such property; authorizing all other lawful action necessary or incidental to such acquisitions. City Manager Andres Garza, Jr. stated that on October 10, 2018, the City was awarded Community Development Block Grant - Disaster Recovery (CDBG-DR) funds for Hurricane Harvey under the method of distribution created by HGAC, as follows: • Buyouts - \$1,693,784.00. City Manager Garza said the City received approval from the GLO for the Buyout Guidelines and had moved forward with acquisition talks with the property owner. Community Development Director Gwyn Teves stated it was a requirement for acquisition if the property owner was not willing to negotiate with the City and condemnation needed to proceed that the City had a Public Purpose Ordinance in place. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Ordinance No. 2020-13, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2020-13**

AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF BELOW LISTED PROPERTIES LOCATED IN WHARTON, TEXAS, FOR A PUBLIC PURPOSE, FOR THE GLO-FUNDED BUYOUT PROGRAM TO ASSIST PROPERTY OWNERS WHOSE PROPERTY OR HOMES ARE SITUATED IN HIGH-RISK AREAS AFFECTED BY HURRICANE HARVEY, AND THAT HAVE BEEN DETERMINED TO BE THE MOST SUSCEPTIBLE TO FUTURE NATURAL DISASTERS; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS AND EMPLOYEES OF THE CITY TO ACQUIRE SUCH PROPERTY; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS.

WHEREAS, the City of Wharton, Texas, has determined that the tract(s) or parcel(s) of land, hereinafter described, are required for the GLO-Funded Buyout Program; and

WHEREAS, the City may be unable to acquire or purchase fee simple interest in said parcel(s) by negotiation and the City would then be compelled to exercise its power of eminent domain; now

BE IT ORDAINED BY THE WHARTON CITY COUNCIL that:

SECTION I. AUTHORIZATION. GrantWorks, Inc. is hereby authorized and funded to prepare appropriate legal documents and enter appropriate negotiations for the acquisition of the properties described in Exhibit "A". Failing such final attempt at negotiation, City Attorney and Special Legal Counsel is hereby authorized to initiate eminent domain condemnation proceedings in a court of competent jurisdiction in Wharton County, Texas on behalf of the City to obtain fee simple ownership of said parcel(s). Additionally, the City is authorized to retain the professional services of an appraiser, to value the subject tract(s).

SECTION II. PUBLIC NECESSITY The City Council of Wharton, Wharton County, Texas, declares that a public necessity exists for the City of Wharton to acquire the real property located in Wharton County, Texas, and described in Exhibit "A" attached hereto and made a part hereof. The City Attorney, Paul Webb, and Special Legal Counsel, Davidson, Troilo, Ream & Garza P. C., are hereby directed to finally determine the owner(s) of said real property, coordinate with the Wharton City Manager in an attempt to finally negotiate the purchase or grant of a fee simple interest in and to said properties in Exhibit "A"; and failing such effort at final negotiation, to institute and prosecute to conclusion, an eminent domain condemnation suit against the known and/or unknown owner(s) of said property and against any and all other person(s) and legal entities who own or claim any interest in said lands; and to acquire the real estate for the GLO-Funded Buyout Program.

SECTION III. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Ordinance are true and correct and incorporates such recitals as findings of fact.

SECTION IV. SEVERABILITY. If any provision of this Ordinance or the application hereof to any circumstance shall ever be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the governing body hereby declares that this Ordinance would have been enacted without such invalid provision; and that in lieu of each clause or provision of this Ordinance that is deemed invalid, illegal, or unenforceable, there then will be added by the Mayor as necessary, with the approval of the City Manager and City Attorney as to form and legality, and as a part of the Ordinance, a substitute or additional clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be legally possible, valid and enforceable.

SECTION V. EFFECTIVE DATE. This Ordinance shall become effective immediately following its passage.

SECTION VI. OPEN MEETINGS The City finds that this Ordinance was discussed, considered, and appropriate action was taken upon it in accordance with the

Texas Open Meetings Act requirements of Texas law, set forth in Tex. Gov't Code Ann. as amended, Title 5, Chapter Sec. 551.001 et seq.

PASSED AND ADOPTED this the 14th day of September 2020.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

Exhibit "A"

R015792	GRAHAM BLOCK 60 EXT. LOT 27A CANEY CREEK PARK #1
R015779	GRAHAM BLOCK 1 LOT 1,2 CANEY CREEK PARK #3

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

The fifteenth item on the agenda was to review and consider the Official Ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. City Manager Andres Garza, Jr. presented a copy of the Official Ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. City Manager Garza stated the officials listed on the ballot had been nominated to serve a six-year term and he recommended the City Council cast its vote for the following: Place 1-Robert T. Herrera (Incumbent), Place 2-John W.

(Buzz) Fullen (Incumbent), Place 3-Jeffrey Snyder (Incumbent) and Place 4-Robert S. Hauck (Incumbent). After some discussion, Councilmember Steve Schneider moved to approve casting the City of Wharton vote on the Official Ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election for the following: Place 1-Robert T. Herrera (Incumbent), Place 2-John W. (Buzz) Fullen (Incumbent), Place 3-Jeffrey Snyder (Incumbent) and Place 4-Robert S. Hauck (Incumbent). Councilmember Clifford Jackson seconded the motion. All voted in favor.

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

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

City Manager Andres Garza, Jr. presented the list of persons serving on the various City Boards, Commissions and Committees that were up for re-appointment. Assistant to the City Manager Brandi Jimenez stated that there were still vacancies that needed to be filled but there were not any appointments or resignations. City Manager Garza stated the City Council Wharton Economic Development Corporation Board of Directors Selection Committee would meet on September 14, 2020 to review applications for the positions which term will expire on September 30, 2020. He said the Committee would submit a recommendation at the September 28, 2020 regular City Council meeting.

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

- A. Finance Committee Meeting held August 24, 2020.
- B. Public Works Committee Meeting held August 24, 2020.

After some discussion, no action was taken.

The eighteenth item on the agenda was Executive Session:

City Council may adjourn into an Executive Session in accordance with Section 551.072 and 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:

1. Deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:

- A. Acquisition of Real Property- Wharton Flood Reduction Project-Levee.
- B. Acquisition of Real Property-FM 1301 and Railroad Overpass Project.
- C. WHARTON BLOCK 56 LOT 6 Acres: 0.2357 and WHARTON BLOCK 56 LOT 3 Acres: 1.094.

2. City Manager's Letter of Retirement.

Mayor Tim Barker moved the meeting into Executive Session at 7:54 p.m.

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

Action on items discussed in Executive Session:

1. Deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:
 - A. Acquisition of Real Property-Wharton Flood Reduction Project-Levee.
 - B. Acquisition of Real Property-FM 1301 and Railroad Overpass Project.
 - C. WHARTON BLOCK 56 LOT 6 Acres: 0.2357 and WHARTON BLOCK 56 LOT 3 Acres: 1.094.

Mayor Tim Barker returned the meeting to Open Session at 8:57 p.m. City Attorney Paul Webb stated it was his recommendation the City Council consider approving afore mentioned item C. and have the City Staff to pursue the donation of the property and possible land swap. After some discussion, Councilmember Alice Heard-Roberts moved to approve the City Staff to pursuing the donation of the property and possible land swap of 1. C.WHARTON BLOCK 56 LOT 6 Acres: 0.2357 and WHARTON BLOCK 56 LOT 3 Acres: 1.094. Councilmember Russell Machann seconded the motion. All voted in favor.

2. City Manager's Letter of Retirement.

After some discussion, Councilmember Alice Heard-Roberts moved to approve 2. City Manager's Letter of Retirement and have the City Staff proceed with recruitment of a new City Manager. Councilmember Clifford Jackson seconded the motion. All voted in favor.

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

The meeting adjourned at 9:00 p.m.

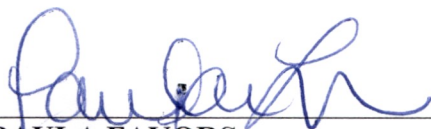
CITY OF WHARTON, TEXAS

By: _____
TIM BARKER

Mayor



ATTEST:



PAULA FAVORS
City Secretary

