

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
SEPTEMBER 25, 2023**

Mayor, Tim Barker, declared a Regular Meeting duly open for the transaction of business at 7:08 P.M. at City Hall 120 E. Caney Street Wharton, TX. Councilmember, Burnell Neal, led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Burnell Neal; Russell Machann; Don Mueller; Larry Pittman, and Steve Schneider.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; Assistant City Attorney, Amy Rod; Assistant City Manager, Paula Favors; Finance Director, Joan Andel; Director of Planning and Development, Gwyn Teves, CPM; Police Lt., Lance Bothell; Emergency Management Coordinator, Ben Guanajuato; EMS Director, Christy Gonzales; Finance Accountant, London Davis, and Police Chief, Terry David Lynch.

Visitors present were: Micheal Beard; Lawrence Armour; Mindi Snyder with Ardurra; Bill Kingrey; Glenn Erdelt; Gloria Milsap; Melissa Terry with Harrison, Waldrop & Uherek, L.L.P.; David Allen; Timothy Pflughaupt, and Sam Scinta, Jr. with the Wharton Journal Spectator.

Roll Call and Excused Absences.

Public Comments.

Mayor, Tim Barker, called for Public Comments.

1. Mr. Timothy Pflughaupt requested that the City Council consider the future I-69 overpass to be placed at County Road 423. He stated he felt it would give the City the option to expand to the southwest side of the airport.

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments.

Councilmember, Don Mueller, gave his condolences to the family of Mr. Ray Williamson who had recently passed away. Councilmember Mueller stated that Mr. Williamson had done more for the City of Wharton than anyone he ever met by dedicating his time to the City of Wharton as a Councilmember and Wharton Volunteer Fire Department Fire Chief.

Public Hearing

1. Public Hearing: A Public Hearing on the proposed tax rate for the 2023 tax year.

Mayor, Tim Barker, opened Public Hearing #1 at 7:08 p.m.

No comments were given.

Mayor, Tim Barker, closed Public Hearing #1 at 7:09 p.m.

Review and Consider:

The first item on the agenda was to review and consider City of Wharton Annual Financial Report for Fiscal Year October 1, 2021, to September 30, 2022, by Harrison, Waldrop & Uherek, L.L.P. Finance Director, Joan Andel, presented the City of Wharton Annual Financial Report for Fiscal year October 1, 2021, to September 30, 2022, by Harrison, Waldrop & Uherek, L.L.P. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Annual Financial Report for Fiscal Year October 1, 2021, to September 30, 2022, by Harrison, Waldrop & Uherek, L.L.P. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider an ordinance adopting the Fiscal Year 2023-2024 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 City Council meeting held on August 28, 2023, the City Council received under separate cover copy of the proposed budget for the City of Wharton, Texas, Fiscal Year October 1, 2023, to September 30, 2024. Mrs. Andel said that during the Regular City Council meeting held September 11, 2023, the City Council held a Public Hearing to receive public input regarding the City of Wharton's Annual Budget for Fiscal Year 2023–2024. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Ordinance No. 2023-11, which reads as follows:

CITY OF WHARTON, TEXAS ORDINANCE NO. 2023-11

AN ORDINANCE ADOPTING THE FISCAL YEAR 2023-2024 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, 2024, which is attached hereto, was duly submitted to the City Council more than thirty (30) days prior to September 30, 2023; and,

WHEREAS, a Public Hearing was duly called and held on said Budget not less than seven days nor more than fourteen days after the 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, 2024, 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 \$6,843,674 estimated revenues and \$8,362,734 in appropriations and with transfers-in approved at \$1,548,463 and transfers-out approved at \$29,403. 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 \$2,500 in estimated revenues and \$2,500 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 \$300,100 in estimated revenues which includes \$300,100 in appropriations including transfers-out approved at \$241,952 with a beginning fund balance of approximately \$65,228.

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 \$4,700 estimated revenues, and \$4,700 appropriations with a beginning fund balance of approximately \$25,977.

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 \$2,684,587 in estimated revenues and \$2,684,587 in appropriations. The estimated beginning fund balance is \$301,032.

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 \$100,000 in estimated revenues and expenses. The estimated beginning fund balance is \$313,583.

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 \$6,244,724 in estimated revenues. Water and sewer is approved with \$6,244,724 in appropriations, which includes a franchise fee of 8% of water and sewer sales are approximately \$487,738, and transfers-out approved at \$1,250,051.

Section 10. **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 \$1,793,195 in estimated revenues and \$1,793,195 in appropriations which includes a franchise fee of 6% of solid waste revenues or approximately \$101,123.

Section 11. **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 \$2,832,344 in estimated revenues and \$2,832,344 in appropriations which includes transfers-out of \$98,412.

Section 12. **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 \$331,781 in estimated revenues and \$331,781 in appropriations. Transfers-in are approved at \$258,355.

Section 13. **THAT** the Airport Fund was created to account for the financial activities of the Wharton Regional Airport as an enterprise fund. The Airport Fund is approved with \$374,969 in estimated revenues and \$374,969 in appropriations.

Section 14. **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 25th day of September 2023, duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor YES

Burnell Neal, Councilmember District 1 YES

Steven Schneider, Councilmember District 2	YES
Terry Freese, Councilmember District 3	YES
Donald Mueller, Councilmember District 4	YES
Russell Machann, Councilmember at Large Place 5	YES
Larry Pittman, Councilmember at Large Place 6	YES

Separability

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

CITY OF WHARTON

By:

Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Joseph R. Pace, City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anandel, Finance Director

Councilmember, Russell Machann, seconded a motion. All voted in favor.

The third 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 2023; 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 Andel, presented a copy of the draft ordinance levying a tax rate for the City of Wharton, Texas, for the Tax Year 2023; 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, Terry Freese, moved to approve City of Wharton Ordinance No. 2023-12, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2023-12**

AN ORDINANCE LEVYING A TAX RATE FOR THE CITY OF WHARTON, TEXAS, FOR THE TAX YEAR 2023; 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 2023 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 2023, 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	.09431/\$100 valuation
For Debt Service Requirements	.35955/\$100 valuation
Total Tax Rate	.45386/\$100 valuation

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE

and

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.5 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$3.18.

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 the correct amount of same, and when collected, to be distributed in accordance with this ordinance.

Passage and Approval

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 25th day of September 2023, duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor	YES
Burnell Neal, Councilmember District 1	YES
Steven Schneider, Councilmember District 2	YES
Terry Freese, Councilmember District 3	YES
Donald Mueller, Councilmember District 4	YES
Russell Machann, Councilmember at Large Place 5	YES
Larry Pittman, Councilmember at Large Place 6	YES

Separability

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

CITY OF WHARTON

By: _____
Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Joseph R. Pace, City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anandel, Finance Director

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

The fourth item on the agenda was to review and consider the City of Wharton Financial Report for August 2023. City of Wharton Finance Director, Joan Anandel, presented the City of Wharton Financial Report for August 2023. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for August 2023. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council adopting the City of Wharton Investment Policy after the Annual Review of the City of Wharton Investment Policy and setting an effective date. City of Wharton Finance Director, Joan Anandel, presented the City of Wharton Investment Policy. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-75, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-75**

A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE CITY OF WHARTON INVESTMENT POLICY AFTER THE ANNUAL REVIEW OF THE CITY OF WHARTON INVESTMENT POLICY AND SETTING AN EFFECTIVE DATE.

WHEREAS, The Public Funds Investment Act, requires the City Council to review and adopt, by resolution, the investment policies and strategies for the City of Wharton on an annual basis; and,

WHEREAS, The City of Wharton designates the City Manager and the Finance Director as investment officers; and,

WHEREAS, The City of Wharton approves the training courses sponsored or endorsed by the Texas Municipal League, the Government Finance Officers Association of Texas, the Government Treasurers Organization of Texas, or the North Central Texas Council of Governments as adequate to meet the investment training requirements; and,

WHEREAS, The attached investment policy complies with the Public Funds Investment Act and authorizes the investment of City funds in safe and prudent investments.

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

Section I. The City of Wharton has complied with the requirements of the Public Funds Investment Act and the Investment Policy attached hereto as "Exhibit

A” is hereby adopted as the Investment Policy of the City of Wharton effective September 25, 2023.

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

Passed, Approved, and Adopted this 25th day of September 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider a request from First Baptist Church for the 2023 Harvest Festival for the following:

- A. Closure of Linn Street between North Houston Street and North Fulton Street.
- B. Provide the necessary barricades.

City Manager, Joseph R. Pace, presented a copy of a letter from Ms. Stacey Owens, of the First Baptist Church, requesting the abovementioned for the 2023 Harvest Festival being held on October 31, 2023. After some discussion, Councilmember, Russell Machann, moved to approve the request from First Baptist Church for the 2023 Harvest Festival for the closure of Linn Street between North Houston Street and North Fulton Street and to provide the necessary barricades. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider 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 October 1, 2023, to September 30, 2024, Fiscal Year. City Manager, Joseph, R. Pace, presented a copy of a draft agreement between the City of Wharton and the Chamber of Commerce & Agriculture for Visitor and Convention Bureau Services for October 1, 2023, to September 30, 2024, Fiscal Year. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-76, which read as follows:

CITY OF WHARTON

RESOLUTION NO. 2023-76

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 OCTOBER 1, 2023, TO SEPTEMBER 30, 2024, 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 agree 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, 2023, to September 30, 2024, Fiscal Year.

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

Passed, Approved, and Adopted this 25th day of September 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER

Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider a request from Mr. Michael Beard to address the City Council regarding the placement of the I-69 Overpass near the Wharton Regional Airport. Mr. Beard presented his request for the City Council to reconsider the placement of the I-69 Overpass at the Wharton Regional Airport and support an Overpass at County Road 423. He discussed what he felt would be the advantages of having the Overpass at CR 423 with the City Council. Mr. Lawerance Armour stated his concerns with the safety of the Overpass at the airport entrance. He requested that the City Council abide by the Federal Aviation Administration (FAA)'s recommendation. Mr. Beard requested that the City Council place on a future agenda a resolution in support of a turnaround at County Road 423 if they still wanted to support the overpass at the Wharton Regional Airport entrance. City Manager, Joseph R. Pace, directed Mr. Beard to go to the Wharton County Commissioner's Court and request the same from them as well. After some discussion, no action was taken.

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council accepting grant funding from The M.G. and Lillie A. Johnson Foundation. EMS Director, Christy Gonzales, presented a copy of the letter dated August 14, 2023, from Mr. Robert Halepeska, Executive Vice President of the M.G. and Lillie A. Johnson Foundation, Inc. awarding the City of Wharton EMS Department a grant in the amount of \$100,000.00. Mrs. Gonzales stated the City Council's acceptance of the grant was required. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-77, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-77**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING GRANT FUNDING FROM THE M.G. AND LILLIE A. JOHNSON FOUNDATION.

WHEREAS, On August 14, 2023, the City of Wharton received notification that a grant in the amount of \$100,000.00 was awarded to the City of Wharton Emergency Medical Service Department from the M.G. and Lillie A. Johnson Foundation; and,

WHEREAS, The Wharton City Council wishes to accept said grant in the amount of \$100,000.00.

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

SECTION I. The Wharton City Council hereby accepts said grant in the amount of \$100,000.00 from the M.G. and Lillie A. Johnson Foundation for the City of Wharton Emergency Medical Services Department.

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

PASSED AND APPROVED this 25th day of September 2023.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, 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.
- 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 Secretary, Paula Favors, presented a copy of a memorandum for 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. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-79 and 2023-78, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-79**

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 25th day of September 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2023-78**

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 25th day of September 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council approving a contract for administration services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO) and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning & Development, Gwyn Teves, stated the City Council approved the establishment of a Consultant Selection Committee (CSC) on July 24, 2023, and authorized the City Staff to go out for administration services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered

through the Texas General Land Office (GLO). Mrs. Teves said the proposals were received at City Hall on September 7, 2023 from the following:

1. Ardurra
2. Langford Community Management Services
3. Public Management
4. GrantWorks

Mrs. Teves said the CSC Committee met on Monday, September 25, 2023, to score the proposals and were recommending the City Council consider Ardurra. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2032-80, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-80**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR ADMINISTRATION SERVICES FOR THE REGIONAL COUNCIL OF GOVERNMENTS METHOD OF DISTRIBUTION (COG-MOD) PROGRAM(S) FUNDED AND ADMINISTERED THROUGH THE TEXAS GENERAL LAND OFFICE (GLO) AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to approve a contract between the City of Wharton and Ardurra for administration services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO); and,

WHEREAS, The City of Wharton and Ardurra wishes 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. The Wharton City Council hereby approves a contract between the City of Wharton and Ardurra for administration services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO).

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

Section III. The City of Wharton and Ardurra are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this the 25th day of September 2023.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider Pay Request No. 6 from CF McDonald Electric, Inc. for the Texas HMGP Project DR-4332-0105 COW Critical Facility Generators. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 6 from CF McDonald Electric, Inc. for the Texas HMGP Project DR-4332-0105 COW Critical Facility Generators in the amount of \$455,192.10. After some discussion, Councilmember, Russell Machann, moved to approve Pay Request No. 6 from CF McDonald Electric, Inc. for the Texas HMGP Project DR-4332-0105 COW Critical Facility Generators in the amount of \$455,192.10. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider Pay Request No. 5 from C3 Constructors for the WWTP #1 Coarse Screen Project. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 5 from C3 Constructors for the WWTP #1 Coarse Screen Project in the amount of \$125,184.66. After some discussion, Councilmember, Larry Pittman, moved to approve Pay Request No. 5 from C3 Constructors for the WWTP #1 Coarse Screen Project in the amount of \$125,184.66. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider an update of City of Wharton Grant Programs. Director of Planning & Development, 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 to review and consider an update of the City of Wharton ongoing projects. City Manager, Joseph R. Pace presented an update on the City of Wharton's ongoing projects. After some discussion, no action was taken.

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

- A. Resignations.
- B. Appointments.

C. Vacancies.

After some discussion, Councilmember, Terry Freese, moved to accept the resignation of Ms. Lucy Alaniz from the Beautification Commission. Councilmember, Larry Pittman, 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. Wharton Economic Development Corporation Board of Directors Selection Committee meeting held September 11, 2023.

After some discussion, no action was taken.

The eighteenth item on the agenda was to review and consider Department Head Reports:

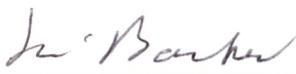
- A. City Secretary/Personnel.
- B. Code Enforcement.
- C. Community Services Department/Civic Center.
- D. Emergency Management.
- E. E. M. S. Department.
- F. Fire Department.
- G. Fire Marshal.
- H. Legal Department.
- I. Municipal Court.
- J. Police Department.
- K. Public Works Department.
- L.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

After some discussion, no action was taken.

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

The meeting adjourned at 8:06 p.m.

CITY OF WHARTON, TEXAS

By: 
TIM BARKER
Mayor

ATTEST:



PAULA FAVORS
City Secretary

