

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
NOVEMBER 27, 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; Larry Pittman, and Steve Schneider.

Councilmember absent was: Don Mueller and Russell Machann.

Staff members present were: City Manager, Joseph R. Pace; Assistant City Manager, Paula Favors; Finance Director, Joan Andel; Director of Planning and Development, Gwyn Teves, CPM; Assistant to the City Manager, Brandi Jimenez; Patrol SGT., Stephen Jimenz and EMS Director, Christy Gonzales

Visitors present were: Jim Maddox, Alec Becker with Enterprise Fleet Management, Inc.; Brian Jarrard with Jarrard Development, LLC; David Pettit, David Pettit Economic Development, LLC, and Sam Scinta, Jr. with the Wharton Journal Spectator.

Roll Call and Excused Absences.

Councilmember, Terry Freese moved to excuse Councilmember, Don Mueller, and Councilmember, Russell Machann. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

Public Comments.

Mayor, Tim Barker, called for Public Comments.

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments.

1. City Manager, Joseph R. Pace, stated Dinosaur Park was voted on as the second-best park in Wharton County in the Wharton Journal Spectator's Best of the Best contest.
2. Councilmember, Burnell Neal, stated he was proud of Just Do It Now, Inc.'s freshman football team for their 18 to 0 win over Bellville in the Colorado River Valley Football Coalition Super Bowl.

Public Hearing

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

Public Hearing: Consider the advisability of the creation of Reinvestment Zone Number One, City of Wharton, Texas, located within the City limits and within the City's extraterritorial jurisdiction.

Mr. David Pettit, David Pettit Economic Development, LLC discussed what the creation of the Reinvestment Zone Number One would mean for the City of Wharton.

Mayor, Tim Barker, closed the Public Hearing at 7:20 p.m.

Review and Consider:

The first item on the agenda was to review and consider the City of Wharton Financial Report for October 2023. City of Wharton Finance Director, Joan Anel, presented the City of Wharton Financial Report for October 2023. After some discussion, Councilmember, Terry Freese, moved to approve the City of Wharton Financial Report for October 2023. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider an ordinance of the City Council of the City of Wharton, Texas, designating a contiguous geographic area within the City Limits and within the Extraterritorial Jurisdiction of the City as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number One, City of Wharton; describing the boundaries of the Zone; creating a Board of Directors for the Zone; establishing a Tax Increment Fund for the Zone; containing findings related to the creation of the Zone; providing a date for the termination of the Zone; providing that the Zone take effect immediately upon passage of the ordinance; providing a severability clause; and providing an effective date. Finance Director, Joan Anel, stated that with the upcoming development of Wharton Lakes Subdivision, it was necessary to designate a contiguous geographic area within the City Limits and within the Extraterritorial Jurisdiction of the City as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number One, City of Wharton; describing the boundaries of the Zone; creating a Board of Directors for the Zone; and establishing a Tax Increment Fund for the Zone. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Ordinance No. 2023-13, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2023-13**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS, DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY LIMITS AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER ONE, CITY OF WHARTON; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Wharton, Texas (the "City"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Act"), may designate a geographic area within the City or the extraterritorial jurisdiction (the "ETJ") of the municipality as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and,

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous geographic area that is in the corporate limits of the municipality or the extraterritorial jurisdiction (the "ETJ") of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and,

WHEREAS, the City Council desires to promote the development of a certain contiguous geographic area in the City limits and the City's ETJ, which is more specifically described in *Exhibits "A" and "B"* of this Ordinance (the "Zone"), through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and,

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number One, City of Wharton*, attached as *Exhibit C* (hereinafter referred to as the "Preliminary Project and Finance Plan") for a proposed tax increment reinvestment zone containing the real property within the Zone; and,

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on November 20, 2023, which date is before the seventh (7th) day before the public hearing held on November 27, 2023; and,

WHEREAS, at the public hearing on November 27, 2023, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and,

WHEREAS, evidence was received and presented at the public hearing on November 27, 2023, and in favor of the creation of the Zone; and,

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on November 27, 2023; and,

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas

Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and,

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and,

WHEREAS, a Preliminary Project and Finance plan has been prepared for the proposed reinvestment zone.

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

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Council, after conducting the above-described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearing on the expansion of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- (b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in *Exhibits "A" and "B"* will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and
- (c) That the proposed reinvestment zone, as defined in *Exhibits "A" and "B"*, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:
 - 1. It is a geographic area located within the City limits and the extraterritorial jurisdiction of the City; and
 - 2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City.
- (d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and

- (e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and
- (f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City; and
- (g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits "A" and "B" hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number One, City of Wharton, Texas (hereinafter referred to as the "Zone").

SECTION 4. BOARD OF DIRECTORS.

That a board of directors for the Zone ("Board") is hereby created. The Board shall consist of seven (7) members comprised of six (6) City Council members and the Mayor.

The Mayor shall serve as chairman of the Board and the Board may elect a vice chairman and such other officers as the Board sees fit. Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one member of the board. The number of directors on the Board of Directors shall be increased by one for each taxing unit that appoints a director to the board; provided, that the maximum number of directors shall not exceed fifteen (15).

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan and financing plan.

SECTION 3. DURATION OF THE ZONE.

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2058 (with the final year's tax increment to be collected by September 1, 2059); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 4. TAX INCREMENT BASE AND TAX INCREMENT.

That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2023, which is the year in which the Zone was designated as a reinvestment zone.

The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, (ii) fifty percent (50%) of the City's tax increment, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 5. TAX INCREMENT FUND.

That there is hereby created and established a "Tax Increment Fund" for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code.

SECTION 6. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

PASSED AND APPROVED ON this 27th day of November 2023.

CITY OF WHARTON

Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary

APPROVED AS TO FORM:

Paul Webb

APPROVED AS TO CONTENT:

Joseph R. Pace

City Attorney

City Manager

Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request by Wharton 55, LLC for voluntary annexation of 51.4210 acres. City Secretary, Paula Favors, stated the City Staff had received a Petition Requesting Annexation from Wharton 55, LLC for voluntary annexation of 51.4210 acres located at 0 S ALABAMA RD, WHARTON. Mrs. Favors said the property was described as a called 51.4210 tract of land, located within the A20036 ABST.36 TRACT 24-1,24-2,24-3,24-4,24-5,24-6 and presented of copy of the request for annexation, survey, and metes & bounds description. After some discussion, Councilmember, Terry Freese, moved to approve accepting the Wharton 55, LLC for voluntary annexation of 51.4210 acres. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from Ms. Terry Arceo of 515 Olive St., Barbee, Block 5, Lot 17, 8A, 8B & 9 for a 2-foot variance of the rear building line setback from the required 5-foot setback for construction of 16-foot by 40-foot prefab metal building. Director of Planning & Development, Gwyn Teves, presented a copy the request from Ms. Terry Arceo of 515 Olive St., Barbee, Block 5, Lot 17, 8A, 8B & 9 for a 2-foot variance of the rear building line setback from the required 5-foot setback for construction of 16-foot by 40-foot prefab metal building. Mrs. Teves stated the Planning Commission met on November 20, 2023, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Terry Freese, moved to approve from Ms. Terry Arceo of 515 Olive St., Barbee, Block 5, Lot 17, 8A, 8B & 9 for a 2-foot variance of the rear building line setback from the required 5-foot setback for construction of 16-foot by 40-foot prefab metal building. Councilmember, Larry Pittman, 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 authorizing the Mayor of the City of Wharton to enter into a lease agreement with Enterprise Fleet Management, Inc. for the Public Works Department, Code Enforcement Department, and Police Department and authorizing the Mayor to execute all documents related to said lease. Finance Director, Joan Andel, stated the City Staff had been working with Alec Becker with Enterprise Fleet Management, Inc. to lease the following vehicles:

1. Ford Escape – Code Enforcement Department
2. 2 --RAM 2500 4x2 Crew Cab – Public Works Department
3. Ford Expedition –Police Department
4. 2—Chevrolet Tahoe—Police Department

Mr. Alec Becker with Enterprise Fleet Management presented the information to the City Council on the lease agreement. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2023-102, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-102**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO ENTER INTO A LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC. FOR THE PUBLIC WORKS DEPARTMENT, CODE ENFORCEMENT DEPARTMENT, POLICE DEPARTMENT, AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.

WHEREAS, Quotes were received for lease of vehicles for the Public Works Department Code Enforcement Department, and Police Department; and,

WHEREAS, The Wharton City Council wishes to approve a lease agreement with Enterprise Fleet Management, Inc. for the lease of vehicles for the Public Works Department, Code Enforcement Department, and Police Department; 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. The Wharton City Council hereby authorizes the Mayor of the City of Wharton, Texas, to execute all documents related to the lease of vehicles for the Public Works Department, Code Enforcement Department, and Police Department.

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

Passed, Approved, and Adopted this 27th day of November 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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 the Annual Service Contract with Stryker Medical and authorizing the Mayor to execute

all documents related to said contract. E.M.S. Director, Christy Gonzales, presented a copy of a memorandum regarding the Annual Service Contract with Stryker Medical. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-103, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-103**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE ANNUAL SERVICE CONTRACT WITH STRYKER MEDICAL AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton Emergency Medical Services Department requests that the City Council approve the Annual Service Contract with Stryker Medical; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the Annual Service Contract.

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

SECTION I. The Wharton City Council hereby approves the Annual Service Contract with Stryker Medical.

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

PASSED AND APPROVED this 27th day of November 2023.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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 City Manager of the City of Wharton to execute a Performance Agreement

with the Wharton Economic Development Corporation regarding funding for the Mowing and Landscape Maintenance Agreement with the Texas Department of Transportation of approximately 89 acres of land along Highway 59 at its intersection with FM 102 and Highway 60. City Manager, Joseph R. Pace presented a copy of an agreement from Wharton Economic Development Corporation Executive Director, Josh Owens, regarding the Municipal Maintenance Performance Agreement that would fund the City's agreement with TxDOT for the Landscape and Maintenance Agreement the City had approved. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2023-104, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023 - 104**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE A PERFORMANCE AGREEMENT WITH THE WHARTON ECONOMIC DEVELOPMENT CORPORATION REGARDING FUNDING FOR THE MOWING AND LANDSCAPE MAINTENANCE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION OF APPROXIMATELY 89 ACRES OF LAND ALONG HIGHWAY 59 AT ITS INTERSECTION WITH FM 102 AND HIGHWAY 60.

WHEREAS, The Wharton City Council wishes to authorize a Municipal Maintenance Performance Agreement with the Wharton Economic Development Corporation for the maintenance of approximately 89 acres along Highway 59 at its intersection with FM 102 and Highway 60; and,

WHEREAS, The City of Wharton and Wharton Economic Development Corporation wishes to be bound by the conditions set forth in said agreement; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute the agreement; and,

WHEREAS, The Wharton City Council wishes this resolution to become effective immediately upon its passage.

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

Section 1. The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute a Municipal Maintenance Performance Agreement with Wharton Economic Development Corporation.

Section 2. The City of Wharton and Wharton Economic Development Corporation are hereby bound by the conditions set forth in the agreement.

Section 3. That this resolution shall become effective immediately upon its passage.

PASSED, APPROVED and ADOPTED this 27th day of November 2023.

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 a resolution of the Wharton City Council awarding a contract for the U.S. Hwy. 59/I-69 Water & Wastewater Utility Relocates Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning & Development, Gwyn Teves, stated that on November 13, 2023, proposals were received for the U.S. Hwy. 59/I-69 Water & Wastewater Utility Relocates. Mrs. Teves said that there were four proposals received and they were as follows:

1. Arranda Industries
2. Reddico Construction
3. Resicom Inc.
4. TLC Construction

Mrs. Teves stated Quiddity Engineering had reviewed the submitted proposals and was recommending the award of the contract to Reddico Construction. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-105, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-105**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE U.S. HWY. 59/I-69 WATER & WASTEWATER UTILITY RELOCATES PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Proposals were received for the U.S. Hwy. 59/I-69 Water & Wastewater Utility Relocates Project on November 13, 2023; and,

WHEREAS, Reddico Construction was deemed the best lowest qualified bidder for the base bid amount of \$6,783,569.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to Reddico Construction for the base bid amount of \$6,783,569.00; and,

WHEREAS, The City of Wharton and Reddico 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 the 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 the U.S. Hwy. 59/I-69 Water & Wastewater Utility Relocates Project contract.

Section II. The City of Wharton and Reddico Construction are hereby bound by the conditions as set forth in the contract.

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

Passed, Approved, and Adopted this 27th day of November 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The ninth item on the agenda was a resolution of the Wharton City Council approving a Contract for Construction Management Services for the Wharton Lakes Subdivision Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Secretary, Paula Favors, stated the item would be brought back for discussion at the next City Council meeting.

The tenth item on the agenda was to review and consider the cancellation of the December 25, 2023, Regular Wharton City Council Meeting. City Manager, Joseph R. Pace, stated that due to the Holiday Season, he was requesting the Mayor and City Council to consider canceling the December 25, 2023, Regular City Council Meeting. City Manager Pace stated that if it became necessary, a special meeting would be scheduled. After some discussion, Councilmember, Terry

The eleventh item on the agenda was to review and consider the update of City of Wharton Grant Programs. Director of Planning & Development, Gwyn Teves, provided an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The twelfth item on the agenda was to review and consider an update of City of Wharton on-going projects. City Manager, Joseph R. Pace, gave the City Council an update on the City of Wharton's on-going projects. After some discussion, no action was taken.

The thirteenth 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, no action was taken.

The fourteenth 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, Mayor, Tim Barker, moved to adjourn. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The meeting adjourned at 8:05 p.m.

CITY OF WHARTON, TEXAS

By: *Tim Barker*
TIM BARKER
Mayor

ATTEST:

Paula Favors
PAULA FAVORS
City Secretary

