

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL MEETING  
NOVEMBER 9, 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 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 and Civic Center Manager Makyla Monroe. Via Zoom: Fire Chief Anthony Abbott, Assistant to the Building Official Claudia Velasquez and EMS Director John Kowalik.

Visitors present were:

**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. Councilmember Russell Machann congratulated Mayor Tim Barker and Councilmember Alice Heard-Roberts on their Election wins.

**Public Hearing**

Mayor Tim Barker stated that a Public Hearing needed to be set by the City Council.

1. Setting a public hearing date for the City of Wharton, Texas, Proposed Adoption of the Guidelines and Criteria for Granting Tax Abatements by the City of Wharton, Texas.

Finance Director Joan Andel stated a public hearing date for the City of Wharton, Texas, proposed adoption of the Guidelines and Criteria for Granting Tax Abatements by the City of Wharton,

Texas needed to be set to receive public comment in order for the City Council to adopt guidelines and criteria for granting tax abatements. Mrs. Anadel said the City Staff was recommending November 23, 2020. After some discussion, Councilmember Russell Machann moved to approve setting the public date for the City of Wharton, Texas, Proposed Adoption of the Guidelines and Criteria for Granting Tax Abatements by the City of Wharton, Texas for the November 23, 2020 regular City Council meeting at 7:00 p.m. Councilmember Steve Schneider seconded the motion. All voted in favor

**Review and Consider:**

The first item on the agenda to review and consider was the reading of the minutes from the regular meetings held October 12, 2020 and October 26, 2020. After some discussion, Councilmember Clifford Jackson moved to approve the minutes from the regular meetings held October 12, 2020 and October 26, 2020. Councilmember Russell Machann seconded the motion. All voted in favor.

The second item on the agenda is to review and consider Wharton Civic Center Improvements:

- A. Resolution: A resolution of the Wharton City Council awarding a contract for improvements to the Duncan Meeting Room in the Civic Center and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
- B. Resolution: A resolution of the Wharton City Council awarding a contract for Civic Center Improvements 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 a memorandum to him from Finance Director Joan Anadel regarding the improvements to the Wharton Civic Center. City Manager Garza stated the bids included removing all existing wallpaper in the Main Hall and the Pre-Function, painting the entire Main Hall including the ceiling, Pre-Function Area, office hallway, O'Quinn hallway, kitchen and back hallways and new cove base would be installed where needed. Mrs. Anadel stated the bid totals were as follows:

\$41,856.00 – Rosenberg Carpet & Flooring  
\$42,100.00 – Houston Painting S&S LLC  
\$41,675.00 – Martinez Painting and Contractors

Mrs. Anadel stated bids for the Duncan Auditorium, which included the removal of all wallpaper, sheetrock repair and fresh paint, where as follows:

\$7,450.00 – Rosenberg Carpet & Flooring  
\$8,700.00 – Houston Painting S&S LLC  
\$10,550.00 – Martinez Painting and Contractors

Civic Center Manager Makyla Monroe stated the City Council Finance Committee met on November 9, 2020 and were recommending the City Council consider awarding both contracts to Rosenberg Carpet & Flooring. After some discussion, Councilmember Alice Heard-Roberts moved to approve City of Wharton Resolution No. 2020-115 and 2020-116, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020-115**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDDING A CONTRACT FOR IMPROVEMNTS TO THE DUNCAN MEETING ROOM IN THE CIVIC CENTER AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton City Council wishes to enter into a contract for Improvements in the Duncan Meeting room in the Civic Center with Rosenberg Carpet & Flooring; and,

**WHEREAS,** The City of Wharton and Rosenberg Carpet & Flooring 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 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 of the City of Wharton to execute an agreement with Rosenberg Carpet & Flooring for Improvements in the Duncan Meeting room in the Civic Center.

**Section II.** The City of Wharton and Rosenberg Carpet & Flooring 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 9<sup>th</sup> day of November 2020.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

**CITY OF WHARTON  
RESOLUTION NO. 2020-116**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR CIVIC CENTER IMPROVEMNTS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton City Council wishes to enter into a contract for Civic Center Improvements with Rosenberg Carpet & Flooring; and,

**WHEREAS,** The City of Wharton and Rosenberg Carpet & Flooring 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 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 of the City of Wharton to execute an agreement with Rosenberg Carpet & Flooring for Civic Center Improvements.

**Section II.** The City of Wharton and Rosenberg Carpet & Flooring 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 9<sup>th</sup> day of November 2020.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

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

The third item on the agenda to review and consider was a resolution of the Wharton City Council adopting the City of Wharton Investment Policy after the Annual Review of City of Wharton Investment Policy and setting an effective date. City Manager Andres Garza, Jr. stated the City of Wharton Investment Policy must be reviewed and adopted annually. City Manager Garza presented a copy of a memorandum from Finance Director Joan Anandel of the current policy. Mrs. Anandel stated the City Council Finance Committee met on November 9, 2020 at 5:30 PM to discuss

the policy and were recommending the City Council consider approving the request. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-117, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020-117**

**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, 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 November 9, 2020.

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

**Passed, Approved, and Adopted** this 9<sup>th</sup> day of November 2020.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

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 Wharton City Council authorizing the purchase of five (5) UV\_C Air & Surface Disinfection Lamps from Frazer, twenty (20) radios from Motorola, three (3) laptop computers from Dell, Lucas Device from Stryker Medical, on-line permitting software from Tyler Technologies, Fire Marshall software from ESO, and three (3) tablets from Best Buy, plexiglass barrier from A&M Architectural Glass through the Coronavirus Relief Fund (CRF) that was enacted as part of the Coronavirus Aid, Relief and Economic Security (CARES) Act and authorizing the City Manager to execute all documents related to said purchase. City Manager Andres Garza, Jr. presented a copy of a memorandum to him from Finance Director Joan Andel regarding the items to be purchased with allowable Coronavirus Relief Funds (CRF). After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-118, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020-118**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF FIVE (5) UV\_C AIR & SURFACE DISINFECTION LAMPS FROM FRAZER, TWENTY (20) RADIOS FROM MOTOROLA, THREE (3) LAPTOP COMPUTERS FROM DELL, LUCAS DEVICE FROM STRYKER MEDICAL, ON-LINE PERMITTING SOFTWARE FROM TYLER TECHNOLOGIES, FIRE MARSHALL SOFTWARE FROM ESO, AND THREE (3) TABLETS FROM BEST BUY, PLEXIGLASS BARRIER FROM A&M ARCHITECTURAL GLASS THROUGH THE CORONAVIRUS RELIEF FUND (CRF) THAT WAS ENACTED AS PART OF THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** The Wharton Emergency Medical Services Department requests that the City Council approve the purchase of five (5) UV\_C Air & Surface disinfection lamps from Frazer, twenty (20) radios from Motorola, three (3) laptop computers from Dell, a Lucas device from Stryker Medica, an on-line permitting software from Tyler Technologies, fire marshall software from ESO, and three (3) tablets from Best Buy, plexiglass barrier from A&M Architectural Glass; and,

**WHEREAS,** The City of Wharton has received funding through the Texas Department of Emergency Management Coronavirus Relief Fund (CRF) through the Coronavirus Aid, Relief and Economic Security (CARES) Act; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to purchase five (5) UV\_C Air & Surface disinfection lamps from Frazer, twenty (20) radios from Motorola, three (3) laptop computers from Dell, a Lucas device from Stryker Medica, an on-line permitting software from Tyler Technologies, fire marshall software from ESO, and three (3) tablets from Best Buy, plexiglass barrier from A&M Architectural Glass.

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

**SECTION I.** The Wharton City Council hereby authorizes the purchase of five (5) UV\_C Air & Surface disinfection lamps from Frazer, twenty (20) radios from Motorola, three (3) laptop computers from Dell, a Lucas device from Stryker Medical, on-line permitting software from Tyler Technologies, fire marshall software from ESO, and three (3) tablets from Best Buy, plexiglass barrier from A&M Architectural Glass through the Texas Department of Emergency Management Coronavirus Relief Fund (CRF) through the Coronavirus Aid, Relief and Economic Security (CARES) Act.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute the purchase of five (5) UV\_C Air & Surface disinfection lamps from Frazer, twenty (20) radios from Motorola, three (3) laptop computers from Dell, a Lucas device from Stryker Medical, an on-line permitting software from Tyler Technologies, fire marshall software from ESO, and three (3) tablets from Best Buy, plexiglass barrier from A&M Architectural Glass.

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

**PASSED AND APPROVED** this 9<sup>th</sup> day of November 2020.

**CITY OF WHARTON**

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

**ATTEST:**

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

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 approving a contract with Jones & Carter, Inc., for Professional Engineering Services for the City of Wharton Risk & Resiliency Assessment and Emergency Response Plan 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 a memorandum to him from Public Works Director John Plaia regarding a contract with Jones & Carter, Inc., for Professional Engineering Services for the City of Wharton Risk & Resiliency Assessment and Emergency Response Plan. City Manager Garza stated that according to America's Water Infrastructure Act (AWIA) Section 2013 required community (drinking) water systems serving more than 3,300 connections to develop or update risk assessments and emergency response plans. City Manager Garza said the law specified that the components that the risk assessments and the emergency response plans must address and establish deadlines by which water systems must certify to EPA completion of the risk assessment and emergency response plans. Community Development Director Gwyn Teves said the Population Served category for the City of Wharton was 3,300 – 49,999, which meant that the City would need to complete the Risk and Resilience Assessment prior to June 30, 2021 and then prior to December 31, 2021 the City would need to submit an Emergency Response Plan. Mrs. Teves stated the City Council Public Works Committee met on November 9, 2020 and were recommending the City Council consider approving a contract with Jones and Carter, Inc. for the work. City Attorney Paul Webb stated that he had reviewed the contract and was recommending the City Council consider approving it as well. After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2020-119, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020-119**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT WITH JONES & CARTER, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CITY OF WHARTON RISK & RESILIENCY ASSESSMENT AND EMERGENCY RESPONSE PLAN AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton City Council wishes to enter into a contract with Jones & Carter, Inc., for Professional Engineering Services for the City of Wharton Risk & Resiliency Assessment and Emergency Response Plan; and,

**WHEREAS,** The City of Wharton and Jones & Carter, Inc., 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 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 of the City of Wharton to execute an agreement with Jones & Carter, Inc., for Professional Engineering Services for the City of Wharton Risk & Resiliency Assessment and Emergency Response Plan.



**Section II.** The City of Wharton and Jones & Carter, Inc., 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 9<sup>th</sup> day of November 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 sixth item on the agenda was to review and consider a resolution of the Wharton City Council accepting the award of a grant from the Texas Department of Agriculture for the 2019-2020 Community Development Block Grant Fund in the amount of \$350,000.00 and authorizing the Mayor of the City of Wharton to execute all documents related to said grant. City Manager Andres Garza, Jr. stated that on February 11, 2019 the Wharton City Council approved resolution number 2019-14 approving the City Staff to submit an application for the 2019-2020 Community Development Block Grant Fund. City Manager Garza said that on October 20, 2020 the Mayor was notified that the City had been awarded the Community Development Block Grant – Texas Department of Agriculture (CDBD-TDA) funds in the amount of \$350,000 dollars for the South East Avenue Sanitary Repairs and the City authorized a match of \$105,000 for a total project cost of \$455,000. Community Development Director Gwyn Teves stated the acceptance of the award of the grant from the Texas Department of Agriculture was required. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-120, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020 - 120**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING THE AWARD OF A GRANT FROM THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT FUND IN THE AMOUNT OF \$350,000.00 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID GRANT.**

**WHEREAS,** The City of Wharton City Council wishes to accept the award of a grant from the Texas Department of Agriculture for the 2019-2020 Community Development Block Grant Fund in the amount of \$350,000.00; and,

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

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

**SECTION I.** The Wharton City Council hereby approves the award of a grant from the Texas Department of Agriculture for the 2019-2020 Community Development Block Grant Fund in the amount of \$350,000.00.

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

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

**PASSED, APPROVED, and ADOPTED** this 9<sup>th</sup> day of November 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 a resolution of the Wharton City Council amending the agreement with SMC Consulting, Inc., for Professional Environmental Engineering Services-Rework and Alterations, Public Hearing Meetings and TxDOT Coordination/Report Revisions in Wharton, Texas Proposed City of Wharton/TxDOT FM 1301 Extension and Railroad Overpass Project and authorizing the Mayor or the City of Wharton to execute the amendment. City Manager Andres Garza, Jr. stated that on April 26, 2010, the Wharton City Council entered into an agreement with SMC Consulting, Inc. for Phase I Environmental Site Assessment & Preliminary Wetlands Delineation for the approximate 6,000 lineal foot segment of the proposed roadway between Owens Road and Wilke Road required for the City of Wharton Road Extension Project between FM 1301 and County Road 235. City Manager Garza said that on June 8, 2020 the first amendment was approved, and this amendment was to incorporate additional revisions and updates required by TxDOT for the prior Wetland Delineation and the Threatened and Endangered Species Evaluation in the amount of \$9,200.00.

Community Development Director Gwyn Teves stated the City staff had been working with TxDOT and IDCUS on moving forward with the project and the project required some additional environmental review and meetings and documentation updating, requiring additional services be provided by SMC Consulting. City Manager Garza presented a copy of the amendment and additional cost information to continue with the services and contract for these services. After some discussion, Councilmember Alice Heard-Roberts moved to approve City of Wharton Resolution No. 2020-121, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020 - 121**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING THE AGREEMENT WITH SMC CONSULTING, INC. FOR PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES-REWORK AND ALTERATIONS, PUBLIC HEARING MEETINGS AND TXDOT COORDINATION/REPORT REVISIONS IN WHARTON, TEXAS PROPOSED CITY OF WHARTON/TXDOT FM 1301 EXTENSION AND RAILROAD OVERPASS PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AMENDMENT.**

**WHEREAS,** On June 8, 2020 the Wharton City Council approved an amendment to the agreement with SMC Consulting, Inc. for Phase I Environmental Site Assessment & Preliminary Wetlands Delineation for the approximate 6,000 lineal foot segment of the proposed roadway between Owens Road and Wilke Road required for the City of Wharton Road Extension Project between FM 1301 and County Road 235; and,

**WHEREAS,** On November 9, 2020 the Wharton City Council considered an amendment to the agreement with SMC Consulting, Inc. for Professional Environmental Engineering Services-Rework and Alterations, Public Hearing Meetings and TxDOT Coordination/Report Revisions in Wharton, Texas SMC. 13000-2020 for additional revisions and updates required by TxDOT for the prior Wetland Delineation and the Threatened and Endangered Species Evaluation in the amount of \$9,200.00; and,

**WHEREAS,** The City of Wharton and SMC Consulting wishes to be bound by the conditions as set forth in the amendment; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute said contract amendment.

**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 amended agreement with SMC Consulting, Inc. for Professional Environmental Engineering Services-Rework and Alterations, Public Hearing Meetings and TxDOT Coordination/Report Revisions in Wharton, Texas SMC. 13000-2020 for additional revisions and updates required by TxDOT for the prior

Wetland Delineation and the Threatened and Endangered Species Evaluation in the amount of \$9,200.00.

**Section II.** The City of Wharton and SMC Consulting, Inc. are hereby bound by the conditions as set forth in the contract amendment.

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

**PASSED, APPROVED, and ADOPTED** this 9<sup>th</sup> day of November 2020.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

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

The eighth item on the agenda was to review and consider proposed write offs:

A. City of Wharton EMS

City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 4, 2020 from Finance Director Joan Anandel to him recommending the write offs for the EMS accounts.

B. Utilities

City Manager Andres Garza, Jr. presented a copy of the memorandum dated November 4, 2020 from Finance Director Joan Anandel to him that indicated the Utility Department's request for the uncollected balances for the 2019 – 2020 fiscal year be written off due to non-payment. Mrs. Anandel stated the City Council Finance Committee met on Monday, November 9, 2020 and reviewed the proposed write offs for the EMS and Utility Departments. She said the City Council Finance Committee were recommending the City Council consider approving the proposed write offs. After some discussion, Councilmember Clifford Jackson moved to approve both aforementioned items A. and B. for the uncollected balances for the 2019 – 2020 fiscal year to be written off due to non-payment. Councilmember Terry Freese seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager of the City of Wharton to execute a Performance Agreement with Wharton Economic Development Corporation regarding funding for the Mowing and Landscape Maintenance Agreement with Texas Department of Transportation of approximately 89 acres of land along Highway US 59 at its intersection with FM 102 and Highway 60. City Manager Andres Garza, Jr. presented a copy of a letter 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. City Manager Garza presented a copy of the Wharton Economic Development Corporation agreement along with a resolution that would authorize the City Manager to execute the agreement on behalf of the City. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-122, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2020 - 122**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE A PERFORMANCE AGREEMENT WITH WHARTON ECONOMIC DEVELOPMENT CORPORATION REGARDING FUNDING FOR THE MOWING AND LANDSCAPE MAINTENANCE AGREEMENT WITH 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 US 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 contract; 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 9th day of November 2020.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

**BY:** \_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

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

The tenth 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. Planning Commission.
- E. Plumbing and Mechanical Board.
- F. Housing Finance Corporation.

After some discussion, no action was taken.

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

- A. Finance Committee Meeting held October 26, 2020.
- B. Housing Committee Meeting held October 26, 2020.

After some discussion, no action was taken.

**Executive Session:**

1. City Council may adjourn into an Executive Session in accordance with Section 551.074 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision, or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.

Discussion:

A. Deliberation of Appointment of City Manager.

Mayor Tim Barker moved the meeting into Closed Session at 7:19 p.m.

**Return to Open Session:**

Action on items discussed in Executive Session:

A. Deliberation of Appointment of City Manager.

Mayor Tim Barker returned the meeting to Open Session at 7:55 p.m. Mayor Barker stated information only was received.

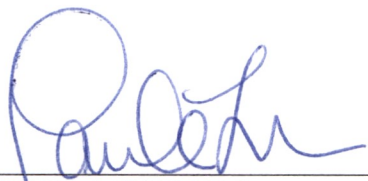
**Adjournment.** There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Clifford Jackson seconded the motion. All voted in favor.

The meeting adjourned at 7:55 p.m.

**CITY OF WHARTON, TEXAS**

By:   
**TIM BARKER**  
Mayor

**ATTEST:**

  
**PAULA FAVORS**  
City Secretary

