

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL SPECIAL MEETING
NOVEMBER 4, 2019**

Mayor Tim Barker declared a Regular Meeting duly open for the transaction of business at 7:00 P.M at City Hall 120 E. Caney Street Wharton, TX. Councilmember Clifford Jackson led the opening devotion and Mayor Tim Barker led the pledge of allegiance.

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

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr, Assistant City Attorney Amy Rod, Finance Director Joan Anandel, City Secretary Paula Favors, TRMC, CPM, MMC, Public Works Director John Plaia, and Community Development Director Gwyn Teves.

Visitors present were: Jerome Zahradnik, Fred Ivy, Rosemary Rust, Rachel Rust and Albert Villegas with the Wharton Journal Spectator.

Roll Call and Excused Absences. All Councilmembers were present.

Public Comments. Mr. Fred Ivy stated his opposition to the proposed annexation of the Love's Truck Stop property which he stated was located in the Hungerford Municipal Utility District (MUD). Mr. Ivy said without the MUD being able to collect the property taxes on the truck stop the district would not be able to continue to provide service to them due to the cost of providing water and sewer services. Mr. Ivy stated the district annexed the truck stop property in 2015.

Wharton Moment. No comments were given.

Public Hearing

Mayor Tim Barker opened the Public Hearing at 7:05 p.m.

1. Public Hearing: Proposed annexation to enlarge and extend the boundary limits of said city for areas in the City of Wharton's Extra-Territorial Jurisdiction (ETJ) for Annexation:

An annexation measured from the southwestern corner of the intersection of US 59 and FM 1161 consisting of a 14.508 acre tract and the TxDOT right of way of US 59 and including approximately 10 acres at the northwest corner of the 380 acre property southeast of US 59 and FM 1161. The southernmost boundary line of the annexation is the northern most line of the area annexed in City of Wharton Ordinance No. 2019-25 and north of Ponderosa Road. The Northernmost line of the annexation is 1,200 feet north of the

northern most line of the area annexed in the City of Wharton Ordinance No. 2019-25 and south of FM 1161. To include any adjacent areas which will be considered by the Wharton City Council for annexation into the City of Wharton's corporate City limits.

Mr. Fred Ivy and Mr. Jerome Zahradnik with the Hungerford Municipal Utility District discussed annexing the Love's Truck Stop after they were petition by the business in 2015. Mr. Ivy discussed the cost to service the truck stop and that it would be to the detriment of the district if they were no longer able to collect property taxes from them.

There being no further comments, Mayor Tim Barker closed the Public Hearing at 7:11 p.m.

The first item on the agenda was to review and consider a request from the Wharton County Long Term Recovery Team for a temporary variance of Chapter 38 Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles. City Manager Andres Garza, Jr. stated that on October 29, 2019, Community Development Director Gwyn Teves received a request from the Wharton County Long Term Recovery Team requesting a temporary variance of Chapter 38 Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles. City Manager Garza stated the resident at 305 Black Street was approved for disaster construction through the recovery team and would be temporarily displaced. Mrs. Teves stated the Long-Term Recovery Team was requesting a variance until construction could be completed on their new home and the travel trailer would be placed at 305 Black Street. After some discussion, Councilmember Don Mueller moved to approve the request from the Wharton County Long Term Recovery Team for a temporary variance of Chapter 38 Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles for 305 Black Street for six months. Councilmember Russell Machann seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a Flood Mitigation Assistance Grant:

- A. Resolution: A resolution of the Wharton City Council awarding a contract for grant services for the Flood Mitigation Assistance Grant from the Texas Division of Emergency Management 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 engineering services for the Flood Mitigation Assistance Grant from the Texas Division of Emergency Management and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.

City Manager Andres Garza, Jr. stated the proposals were received on October 28, 2019 for the Flood Mitigation Assistance Grant Program for grant services and engineering services. City Manager Garza said that one proposal was received for the grant services and two proposals were

received for the engineering services. Community Development Director Gwyn Teves stated the proposals were as follows:

Grant Services:

1. GrantWorks, Inc.

Engineering Services:

1. Jones & Carter
2. BEFCO Engineering

Mrs. Teves stated the City Council Consultant Selection Committee met on November 4, 2019 at 6:00 p.m. and were recommending the City Council consider approving GrantWorks, Inc for the Grant Services and Jones and Carter, Inc. for the engineering services. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2019-118 and 2019-119, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2019-118**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR GRANT SERVICES FOR THE FLOOD MITIGATION ASSISTANCE GRANT FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT 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 Grant Services for the Flood Mitigation Assistance Grant from the Texas Division of Emergency Management with GrantWorks, Inc.; and,

WHEREAS, The City of Wharton and GrantWorks, 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 GrantWorks, Inc., for Grant Services for the FMA Grant from the Texas Division of Emergency Management.

Section II. The City of Wharton and GrantWorks, 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 4th day of November 2019.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2019-119**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR ENGINEERING SERVICES FOR THE FLOOD MITIGATION ASSISTANCE GRANT FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT 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 Engineering Services for the Flood Mitigation Assistance Grant from the Texas Division of Emergency Management with Jones & Carter, Inc.; 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 Engineering Services for the Flood Mitigation Assistance Grant from the Texas Division of Emergency Management.

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 4th day of November 2019.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The third item on the agenda was to review and consider a Pre-Disaster Mitigation Grant:

- A. Resolution: A resolution of the Wharton City Council awarding a contract for grant services for the Pre-Disaster Mitigation Grant (PDM) from the Texas Division of Emergency Management 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 engineering services for the Pre-Disaster Mitigation Grant from the Texas Division of Emergency Management and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.

City Manager Andres Garza, Jr. stated proposals were received on October 28, 2019 for the Pre-Disaster Mitigation Program for grant services and engineering services. City Manager Garza said that one proposal was received for the grant services and two proposals were received for the engineering services. Community Development Director Gwyn Teves stated the proposals were as follows:

Grant Services:

- 1. GrantWorks, Inc.

Engineering Services:

- 1. Jones & Carter
- 2. BEFCO Engineering

Mrs. Teves stated the City Council Consultant Selection Committee met on November 4, 2019 at 6:00 p.m. and were recommending the City Council consider approving GrantWorks, Inc for the Grant Services and Jones and Carter, Inc. for the engineering services. After some discussion,

Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2019-120 and 2019-121, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2019-120**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR GRANT SERVICES FOR THE PRE-DISASTER MITIGATION GRANT (PDM) FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT 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 Grant Services for the Pre-Disaster Mitigation (PDM) Grant from the Texas Division of Emergency Management with GrantWorks, Inc.; and,

WHEREAS, The City of Wharton and GrantWorks, 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 GrantWorks, Inc. for Grant Services for the PDM Grant from the Texas Division of Emergency Management.

Section II. The City of Wharton and GrantWorks, 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 4th day of November 2019.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2019-121**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR ENGINEERING SERVICES FOR THE PRE-DISASTER MITIGATION GRANT FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT 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 Engineering Services for the Pre-Disaster Mitigation (PDM) Grant from the Texas Division of Emergency Management with Jones & Carter, Inc.; 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 Engineering Services for the Pre-Disaster Mitigation Grant from the Texas Division of Emergency Management.

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 4th day of November 2019.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember Don Mueller seconded the motion. All voted in favor.

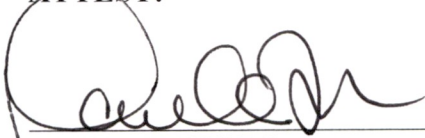
Adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Clifford Jackson seconded the motion. All voted in favor.

The meeting adjourned at 7:17 p.m.

CITY OF WHARTON, TEXAS

By: *Tim Barker*
TIM BARKER
Mayor

ATTEST:



PAULA FAVORS
City Secretary

