

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
JUNE 22, 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 Don Mueller 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, Finance Director Joan Anandel, City Secretary Paula Favors, TRMC, CPM, MMC, Assistant to the City Manager Brandi Jimenez, Emergency Management Coordinator Steve Johnson, Assistant to the Building Official Claudia Velasquez, EMS Director John Kowalik and Community Development Director Gwyn Teves.

Visitors present were: Burnell Neal, Charles Jolivette, Brittany McMillian, Darrin Edwards, Richard Lockley, Chad Emmel, P.E. with BEFCO Engineering, Inc., Andy Struckhoff, Vice President of PGAV Planners, Chad Odom, Executive Director of Wharton Economic Development Corporation (WEDCo), Natalie Frels-Busby, Editor in Chief with The County Gin.

Roll Call and Excused Absences. All Councilmembers were present.

Public Comments. Mayor Tim Barker called for Public Comments. Mr. Andy Struckhoff, Vice President of PGAV Planners discussed a presentation that was presented to the Wharton Economic Development Corporation regarding the services his company offered helping communities determine what they want their future to be and how to make it happen.

Wharton Moment. No comments were given.

The first item on the agenda was to review and consider the COVID-19 Update. Emergency Management Coordinator Steve Johnson and EMS Director John Kowalik presented a COVID-19 Update to the City Council. After some discussion, no action was taken.

The second item on the agenda was to review and consider the City of Wharton Financial Report for May 2020. Finance Director Joan Anandel presented the financial report for the month of May 2020. Mrs. Anandel stated that the TexPool balance for May was \$268,385.52 with an average monthly yield of .27%. She said the Prosperity Bank balance for May 2020 was \$8,955,417.67

with an average monthly yield of 1.510%. After some discussion, Councilmember Russell Machann moved to approve the City of Wharton Financial Report for the month of May 2020. Councilmember Terry Freese seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request from Mr. Richard Lockley for a variance on the placement of an off-premise directional sign on an existing frame at the corner of Armstrong Street and Business 59. City Manager Andres Garza, Jr. presented a copy of a request from Mr. Richard Lockley for the placement of a sign at the corner of Armstrong and Business 59. City Manager Garza stated that Mr. Lockley was requesting a variance for the placement of the off-premise sign which had an existing sign that does not meet the setback requirements per the City ordinance. After some discussion, Councilmember Don Mueller moved to approve the variance on the placement of an off-premise directional sign on an existing frame at the corner of Armstrong Street and Business 59. Councilmember Clifford Jackson 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 approving auditing services with Harrison Waldrop & Uherek, LLP for the City of Wharton for a period of three years and authorizing the Mayor of the City of Wharton to execute all documents related to agreements on behalf of the City of Wharton. City Manager Andres Garza, Jr. presented a copy of a draft resolution approving an agreement with Harrison Waldrop & Uherek, LLP. for auditing services for the City of Wharton. Finance Director Joan Andel stated the agreement would be for a period of three years and the City Council Finance Committee reviewed the agreement on June 22, 2020 and were recommending the City Council consider approving it. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-52, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-52**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AUDITING SERVICES WITH HARRISON, WALDROP & UHEREK LLP FOR THE CITY OF WHARTON FOR A PERIOD OF THREE YEARS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO AGREEMENTS ON BEHALF OF THE CITY OF WHARTON.

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute an agreement with Harrison, Waldrop & Uherek, LLP to conduct the City of Wharton's Annual Financial Audit; and,

WHEREAS, The City of Wharton and Harrison, Waldrop & Uherek, LLP 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. That the Wharton City Council hereby authorizes the Mayor of the City of Wharton, Texas to execute an agreement with Harrison, Waldrop & Uherek, LLP to conduct the City of Wharton's Annual Financial Audit.

Section II. Harrison, Waldrop & Uherek, LLP and the City of Wharton are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this 22nd day of June 2020.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Terry Freese 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 submission of a letter to Texas Department of Transportation (TxDOT) requesting improvements to State Highway 60 and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. City Manager Andres Garza, Jr. presented a copy of a letter to him from Ms. Debra Medina, President of the Wharton Downtown Business Association, regarding the Texas Department of Transportation's resurfacing project for State Highway 60 starting in the Spring of 2020. City Manager Garza stated the City did submit a letter to TxDOT but the following were not included in the original letter to TxDOT:

1. Re-striping of State Highway 60 (Burluson Street) to a single lane allowing for a wider shoulder.
2. Crosswalks/Pedestrian Walks at the intersection of SH 60 and Milam.

City Manager Garza said the City Council Public Works Committee met on June 22, 2020 and were recommending the City Council consider approving the request. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-53, which read as follows:

CITY OF WHARTON
RESOLUTION NO. 2020-53

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE

SUBMISSION OF A LETTER TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) REQUESTING IMPROVEMENTS TO STATE HIGHWAY 60 AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.

WHEREAS, The City of Wharton finds it in the best interest of the citizens of City of Wharton to submit a request to the Texas Department of Transportation for improvements to State Highway 60; and,

WHEREAS, In the Spring of 2020, the Texas Department of Transportation has scheduled a resurfacing project for State Highway 60 that will affect the City of Wharton from the City Limits; and,

WHEREAS, The City Staff wishes to submit the following changes to the Texas Department of Transportation:

1. Re-striping of State Highway 60 (Burleson Street) to a single lane allowing for a wider shoulder.
2. Crosswalks/Pedestrian Walks at the intersection of SH 60 and Milam.

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

Section I. That the Wharton City Council hereby approves the submission of a letter to the Texas Department of Transportation for the above mentioned.

Section II. That the Wharton City Council authorizes the Mayor of the City of Wharton to execute all documents relating to said letter submission.

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

Passed, Approved, and Adopted this 22nd day of June 2020.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember Don Mueller 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 authorizing the request to apply to the EDA Cares Act Recovery Assistance Program as part of the FY 2020 Public Works and Economic Adjustment Assistance in support of the expansion of Prime Eco Fluids and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. City Manager Andres Garza, Jr. stated the EDA on May 7, 2020, Secretary Wilbur Ross made EDA's CARES Act Recovery Assistance funding available with the announcement that EDA had published an Addendum to its FY 2020 Public Works and Economic Adjustment Assistance Notice of Funding Opportunity. City Manager Garza said the EDA intended to deploy its CARES Act funding as quickly, effectively, and efficiently as possible, and in a manner that meets community's needs. Community Development Director Gwyn Teves stated the City Staff was requesting to submit applications to the EDA Cares Act Recovery Assistance Program as part of the FY 2020 Public Works and Economic Adjustment Assistance in support of the expansion of Prime Eco Group, Inc., located at 2933 Tx-60, Wharton, Texas. Mrs. Teves said the Finance Committee met on June 22, 2020 and were recommending the City Council consider approve the request. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-54, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-54**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE REQUEST TO APPLY TO THE EDA CARES ACT RECOVERY ASSISTANCE PROGRAM AS PART OF THE FY 2020 PUBLIC WORKS AND ECONOMIC ADJUSTMENT ASSISTANCE IN SUPPORT OF THE EXPANSION OF PRIME ECO FLUIDS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSIONS.

WHEREAS, The City of Wharton City Council wishes to submit applications to the EDA Cares Act Recovery Assistance Program as part of the FY 2020 Public Works and Economic Adjustment Assistance in support of the expansion of Prime Eco Fluids; and,

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

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

SECTION I. The Wharton City Council hereby approves for The City of Wharton staff to prepare applications for the EDA Cares Act Recovery Assistance Program as part of the FY 2020 Public Works and Economic Adjustment Assistance in support of the expansion of Prime Eco Fluids.

SECTION II. The City designates the Mayor as the person authorized to sign all forms related to the preparation of the application.

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

PASSED, APPROVED, and ADOPTED this 22nd day of June 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 authorizing and providing for the incurrence of indebtedness for the purpose of providing for the cost of designing, land acquisition and construction of the FM 1301 and Railroad Overpass Project through the Texas Department of Transportation State infrastructure Bank Loan Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. City Manager Andres Garza, Jr. stated that on February 10, 2020, the City Council approved the submission of an application to the State Infrastructure Bank Transportation Loan Program through the Texas Department of Transportation for the FM 1301 and Railroad Overpass Project. City Manager Garza said that since that time the City Staff had met with James Gilley, Financial Advisor, Tom Sage, Bound Counsel, and a representative from TxDOT to discuss financing options for this project. He said that it was the recommendation that the project be financed through the use of Certificates of Obligation for a period of 30 years and through this option the City would be able to:

1. Incur no interest for years 1-3.
2. Capitalize interest for years 4-5.
3. 2% Principal payment only for years 1-5.
4. Principal and interest for years 6-30.

Finance Director Joan Andel stated it was the recommendation that the City Council pursue issuing the Certificates of Obligation to finance this project. After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2020-55, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 - 55**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING FOR THE COST OF DESIGNING, LAND ACQUISITION AND CONSTRUCTION OF THE FM 1301 AND RAILROAD OVERPASS PROJECT THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK LOAN PROGRAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.

WHEREAS, The City of Wharton City Council wishes to authorize and provide for the incurrence of indebtedness for the purpose of providing for the cost of designing, land acquisition and construction of the FM1301 and Railroad Overpass Project through the Texas Department of Transportation State Infrastructure Bank Loan Program; and,

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

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

SECTION I. The Wharton City Council hereby authorizes and provides for the incurrence of indebtedness for the purpose of providing for the cost of designing, land acquisition and construction of the FM1301 and Railroad Overpass Project through the Texas Department of Transportation State Infrastructure Bank Loan Program; and,

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

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

PASSED, APPROVED, and ADOPTED this 22nd day of June 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 eighth item on the agenda was to review and consider a resolution of the Wharton City Council approving a contract for Sanitation and Decontamination Services for City facilities, properties

and vehicles to be used in the event of an emergency and authorizing the Mayor of the City of Wharton to execute all documents related to said contract and setting an effective date. City Manager Andres Garza, Jr. stated that on March 23, 2020, the City Council approved the establishment of a Consultant Selection Committee and authorized the City Staff to go out for bid for Sanitation and Decontamination Services. Community Development Director Gwyn Teves stated bids were received at City Hall on June 2, 2020 at 2pm as follows:

1. US Ecology
2. The Cleaning Guys, LLC dba CGEnvironmental
3. Ambassador Services
4. Moak Developments, LLC dba Service Master Century
5. Horizon Environmental

Mrs. Teves stated the Consultant Selection Committee met on Monday, June 22, 2020 at 6:30pm and scored the proposals and were recommending the City Council consider approving US Ecology. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-56, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 - 56**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR SANITATION AND DECONTAMINATION SERVICES FOR CITY FACILITIES, PROPERTIES, AND VEHICLES TO BE USED IN THE EVENT OF AN EMERGENCY AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT AND SETTING AN EFFECTIVE DATE.

WHEREAS, The City of Wharton received sealed bids for a sanitation and decontamination service to be used in the event of an emergency on June 2, 2020 at 2pm; and,

WHEREAS, The Wharton City Council wishes to approve a contract between the City of Wharton and US Ecology for sanitation and decontamination services to be used in the event of an emergency; and,

WHEREAS, The City of Wharton and US Ecology 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 US Ecology for sanitation and decontamination services to be used in the event of an emergency.

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 US Ecology 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 22nd day of June 2020.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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 supporting Wharton County's Application to the Texas Water Development Board for the study of the Waterhole Creek-Caney Creek Basin and committing funds over a two-year period and authorizing the Mayor of the City of Wharton to execute all documents related to said application. City Manager Andres Garza, Jr. stated Wharton County had submitted an application to the Texas Water Development Board (TWDB) for a study of the Waterhole Creek – Caney Creek Basin for a Flood Protection Planning Study and had requested a letter of support and a commitment of \$18,000 from the City. City Manager Garza said it would take over a period of two years to complete the study if the grant application was approved. He said the study would involve a complete H&H study of this entire watershed from the City of Wharton down to the Gulf Intracoastal Waterway and would include new field survey of all bridges and culverts, new hydrologic modeling, new unsteady hydraulic modeling, flood reduction/conveyance improvement alternative analysis, regional detention location analysis and development of an overall drainage master plan for all of Lower Caney Creek. City Manager Garza stated the study would be jointly funded by Wharton Co., Matagorda Co., TWDB (FIF Grant program), and possibly Matagorda Co. DD1. City Manager Garza said the Finance Committee met on June 22, 2020 and were recommending the City Council consider approving the request. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-57, which read as follows:

CITY OF WHARTON

RESOLUTION NO. 2020 - 57

A RESOLUTION OF THE WHARTON CITY COUNCIL SUPPORTING WHARTON COUNTY'S APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR THE STUDY OF THE WATERHOLE CREEK – CANEY CREEK BASIN AND COMMITTING FUNDS OVER A TWO-YEAR PERIOD AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID APPLICATION.

WHEREAS, The City of Wharton City Council wishes to ratify the letter of support to Wharton County in support of the submission of an application to the Texas Water Development Board (TWDB) for a study of the Waterhole Creek – Caney Creek Basin; and,

WHEREAS, The City of Wharton City Council wishes to commit funds over a two-year period to the study if the application is approved totaling \$18,000; and,

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

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

SECTION I. The Wharton City Council hereby approves the ratification of the letter of support to Wharton County in support of the submission of an application to the Texas Water Development Board (TWDB) for a study of the Waterhole Creek – Caney Creek Basin.

SECTION II. The City of Wharton City Council wishes to commit funds over a two-year period to the study if the application is approved totaling \$18,000.

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

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

PASSED, APPROVED, and ADOPTED this 22nd day of June 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 tenth item on the agenda was to review and consider a Community Development Block Grant-Mitigation (CDBG-MIT) Grant Programs:

- A. Resolution: A resolution of the Wharton City Council authorizing the request to apply to the Community Development Block Grant Mitigation (CDBG-MIT) Grant Programs administered by the Texas General Land Office (GLO) and authorizing the Mayor of the City of Wharton to execute all documents related to said submissions.

City Manager Andres Garza, Jr. stated the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs administered by the Texas General Land Office (GLO) had announced the notice of funding opportunity for this program and the applications are due October 28, 2020. City Manager Garza said the following application rounds were available:

1. 2015 Floods (\$46,096,950) and 2016 Floods (\$147,680,760) State Mitigation Competitions:
 - For the 2015 and 2016 Floods State Mitigation Competitions, each separate competition will provide funds to cities, counties, Indian tribes, and councils of governments (COG) to address risks in the 2015 and 2016 Floods HUD- and state-designated Most Impacted and Distressed (MID) areas.
2. Hurricane Harvey State Mitigation Competition Round 1 (\$1 billion of \$2,144,776,720 total)

Examples of projects for both include flood control and drainage improvements, infrastructure improvements, green infrastructure, public facilities and buyouts. Each proposed project must have a total proposed cost between \$3 million to \$10 million.

Community Development Director Gwyn Teves stated the City Council Finance Committee met on June 22, 2020 and were recommending the City Council consider approving the item as presented. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-58, 2020-59 and 2020-60, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-58**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE REQUEST TO APPLY TO THE COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO) AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSIONS.

WHEREAS, The City of Wharton City Council wishes to submit applications to the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs administered by the Texas General Land Office (GLO); and,

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

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

SECTION I. The Wharton City Council hereby approves for The City of Wharton staff to prepare applications for the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs administered by the Texas General Land Office (GLO).

SECTION II. The City designates the Mayor as the person authorized to sign all forms related to the preparation of the applications.

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

PASSED, APPROVED, and ADOPTED this 22nd day of June 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

- B. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee for the selection of an administrative consulting firm for administrative services related to the Community Development Block Grant-Mitigation (CDBG-MIT) Grant Programs administered by the Texas General Land Office (GLO) and establishing the criteria of selection.

**CITY OF WHARTON
RESOLUTION NO. 2020-59**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A
CONSULTANT SELECTION COMMITTEE FOR THE SELECTION OF AN
ADMINISTRATIVE CONSULTING FIRM FOR ADMINISTRATIVE SERVICES**

RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO) AND ESTABLISHING THE CRITERIA OF SELECTION.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for administrative services to provide administrative services related to the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs administered by the Texas General Land Office (GLO) and to provide recommendations to the entire City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the City Council Finance Committee along with the City Manager and Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is forwarded to the entire City Council; and,

WHEREAS, The Wharton City Council wishes to authorize the City staff to issue requests for proposals (RFP) for administrative services.

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 establishes the City Council Consultant Selection Committee.

Section II. That the Wharton City Council Consultant Selection Committee will consist of the City Council Finance Committee along with the City Manager and Finance Director.

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

Passed, Approved, and Adopted this 22nd day of June 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

- C. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee for the selection of an engineering firm for services related to the Community Development Block Grant-Mitigation (CDBG-MIT) Grant Programs administered by the Texas General Land Office (GLO) and establishing the criteria of selection.

**CITY OF WHARTON
RESOLUTION NO. 2020-60**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE FOR THE SELECTION OF AN ENGINEERING FIRM FOR SERVICES RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO) AND ESTABLISHING THE CRITERIA OF SELECTION.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of an engineering firm to provide services related to the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs administered by the Texas General Land Office (GLO) and to provide recommendations to the entire City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the City Council Public Works Committee along with the City Manager and Public Works Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is forwarded to the entire City Council; and,

WHEREAS, The Wharton City Council wishes to authorize the City staff to issue requests for qualifications (RFQ) for engineering services.

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 establishes the City Council Consultant Selection Committee.

Section II. That the Wharton City Council Consultant Selection Committee will consist of the City Council Public Works Committee along with the City Manager and Public Works Director.

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

Passed, Approved, and Adopted this 22nd day of June 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

Councilmember Don Mueller 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 awarding a contract for the 2020 Street Improvement Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Manager Andres Garza, Jr. stated that on Monday, June 15th, the City of Wharton received bids for the 2020 Street Program Improvements Project. City Manager Garza said there were five (5) bids received with base bids ranging from \$726,670.02 to \$919,310.73 and they were as follows:

1. Cornerstone Paving and Construction, LLC
2. Brannan Paving
3. Rexco, Inc.
4. James Construction Group
5. Fuquay

City Manager Garza stated the City Council Public Works Committee met on June 22, 2020 and were recommending the City Council consider approving Fuquay's bid. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-61, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-61**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE 2020 STREET IMPROVEMENT PROJECT AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Bids were received for the 2020 Street Improvement Project; and,

WHEREAS, Fuquay was deemed the best lowest qualified bidder in the amount of \$726,670.02; and,

WHEREAS, The Wharton City Council wishes to award a contract to Fuquay for the 2020 Street Improvement Project in the amount of \$726,670.02; and,

WHEREAS, The City of Wharton and Fuquay 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 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 to execute a contract for the 2020 Street Improvement Project to Fuquay in the amount of \$726,670.02.

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

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

Passed, Approved, and Adopted this 22nd day of June 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The twelfth 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 submit a formal letter to the Federal Aviation Administration requesting the Decommissioning of the Non-Directional Beacon located at the Wharton Regional Airport. City Manager Andres Garza, Jr. presented a memorandum from Wharton Regional Airport Manager David Allen regarding the

decommissioning of the Non-Directional Beacon located at the Wharton Regional Airport. After some discussion, Councilmember Terry Freese moved to approve City of Wharton Resolution No. 2020-62, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020-62**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO SUBMIT A FORMAL LETTER TO THE FEDERAL AVIATION ADMINISTRATION REQUESTING THE DECOMMISSIONING OF THE NON-DIRECTIONAL BEACON LOCATED AT THE WHARTON REGIONAL AIRPORT.

WHEREAS, On June 9, 2020, the Wharton Regional Airport Board voted to recommend the City Council decommissioning the Non-Directional Beacon (NDB) located at Wharton Regional Airport; and,

WHEREAS, The Wharton City Council feels it is in the best interest of the Wharton Regional Airport to move forward and begin the process to decommission the NDB; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager of the City of Wharton to submit a formal letter to the Federal Aviation Administration (FAA) requesting the NDB be decommissioned.

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

Section I. The Wharton City Council hereby authorizes the City Manager of the City of Wharton to submit a formal letter to the Federal Aviation Administration (FAA) requesting the NDB located at the Wharton Regional Airport to be decommissioned.

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

Passed, Approved, and Adopted this 22nd day of June 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 thirteenth item on the agenda was to review and consider Pay Request No. 1 and Final for the HMGP DR 4269 Warning Siren System to Wolfenson Electric, Inc. City Manager Andres Garza, Jr. presented a copy of Pay Request No. 1 and Final for the HMGP DR 4269 Warning Siren System to Wolfenson Electric, Inc. Community Development Director Gwyn Teves stated the City Council awarded a contract for construction with Wolfenson Electric, Inc. on February 10th, 2020 in the amount of \$178,844.00 and the work had been completed and signed off on by the engineer with BEFCO Engineering, Inc. After some discussion, Councilmember Clifford Jackson moved to approve Pay Request No. 1 and Final for the HMGP DR 4269 Warning Siren System to Wolfenson Electric, Inc. in the amount of \$178,844.00. Councilmember Don Mueller seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider the Wharton Economic Development Corporation Fiscal Year 2020-2021 Annual Budget. City Manager Andres Garza, Jr. presented a copy of the Wharton Economic Development Corporation Fiscal Year 2020-2021 Annual Budget. City Manager Garza said the City Council Finance Committee met on June 22, 2020 at 5:30 p.m. and were recommending the City Council consider approving the proposed Wharton Economic Development Corporation budget. After some discussion, Councilmember Alice Heard-Roberts moved to approve the Wharton Economic Development Corporation Fiscal Year 2020-2021 Annual Budget. Councilmember Clifford Jackson seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider an update of City of Wharton Grant Programs. City Manager Andres Garza, Jr. presented a copy of a memorandum dated June 16, 2020, from Community Development Director, Gwyn Teves, providing an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The sixteenth item on the agenda was to review and consider an update of City of Wharton on-going Projects. City Manager Andres Garza, Jr. presented a copy of his memorandum dated June 16, 2020 providing an update on the City of Wharton current projects as of May 31, 2020, which read as follows:

FLOOD REDUCTION (LEVEE) PROJECT

The U.S. Army Corp of Engineers (USACE) Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report is located at the Wharton County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>. The Project Participation Agreement (PPA) has been executed. The City has begun the process to acquire the property necessary to construct the project. The City has hired HDR for Right-of-Way Acquisition and Jones & Carter for City and private company utility relocations.

DRAINAGE:

1. Stavena Addition Drainage Project.

The design and construction plans are complete. The challenge on this project is to find locations to place approximately 35,000 cubic yards of soil. The ideal disposal site should be close to the project site to reduce the cost of construction.

2. Ahldag Ditch Improvement.

The project was approved by the City Council. Public Works Director is currently working out the details. The ditch improvements were proposed under the Texas General Land Office (GLO) Infrastructure Grant Program. The City is awaiting the approval of the grant request.

3. On-going Drainage and Maintenance Program.

The Public Works Department has continued working on cleaning residential draining ditches that have experienced poor drainage.

4. Pecan Acres (Mahann, Kinkaid, Delmas) Drainage Project.

Installation of the drainage pipes was completed. The City Public Works Department will be regrading ditches to improve the drainage in the area and installing additional storm sewer lines across the street to convey water to the Santa Fe Drainage Channel. The City Staff submitted this project to the Pre-Disaster Mitigation Grant Program being administered by FEMA.

WATER/SEWER IMPROVEMENTS:

1. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of May.

2. Water Well Repair Project-Cloud Street.

The project has been completed and the well is back in production.

3. Water Well and Water Plant Project – CR 222 (Halford).

Halff and Associates the City's engineering firm on the project are completing the plan and specifications for the project. The plans and specifications must be submitted to the USDA for review and approval. The City Staff anticipate the project to be out for bid by the third quarter of 2020 once USDA approves the plans and specifications.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. has submitted to TxDOT Yoakum District Office all required plans for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward. The City Staff is working on funding for the project.

2. I-69 Project.

The City submitted the comments as approved by the City Council to TxDOT. TxDOT has informed the City that an engineering firm has been selected to design the project from Highway 60 to FM 961.

3. NanYa Exit Ramp Project.

TxDOT has been coordinating with NanYa and JM Eagle on the exit design.

4. 2020 City Street Improvement Project.

The City has begun the planning process for the 2020 Street Improvement Project. The FEMA streets were re-bid and a contract was awarded for that phase and construction has been completed. The 2020 City Street Improvement Project Program has been approved by the City Council and implementation of the program has begun.

After some discussion, no action was taken.

The seventeenth item on the agenda was to review and consider appointments and resignations to the City of Wharton Boards, Commissions and Committees. City Manager Andres Garza, Jr. presented a list of persons serving on the various City Boards, Commissions and Committees that are up for re-appointment. Assistant to the City Manager Brandi Jimenez stated there were still vacancies that also need to be filled. After some discussion, Councilmember Clifford Jackson moved to approve the following:

Appointments:

Mayor's Committee on People with Disabilities:

1. Faye Evans.
2. Rebekah Kirschke.

Building Standards Committee:

1. Bryan Honeycutt.

Wharton Housing Finance Corporation:

1. Director Position 2 – District 2 Worthy Carpenter
2. Director Position 6 – District 6 At-Large Tonya Machann
3. Director Position 7 – Mayor At-Large Morrow Lou Sims

Councilmember Terry Freese seconded the motion. All voted in favor. Mrs. Jimenez stated there was one resignation as follows:

Resignations:

Wharton Housing Finance Corporation:

1. Director Position 4 – District 4 David Voulgaris

After some discussion, Councilmember Russell Machann moved to approve the resignation of Director Position 4 – District 4 David Voulgaris from the Wharton Housing Finance Corporation. Councilmember Clifford Jackson seconded the motion. All voted in favor.

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

- A. Wharton Economic Development Board meeting held May 18, 2020.
- B. Public Works Committee meeting held June 8, 2020.
- C. Public Safety Committee meeting held June 8, 2020.
- D. Airport Board meeting held June 9, 2020.

After some discussion, no action was taken.

The nineteenth item on the agenda was to review and consider City Manager's Reports:

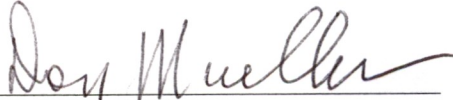
- A. City Secretary/Personnel.
- B. Code Enforcement.
- C. Community Services Department / Civic Center.
- D. Emergency Management.
- E. E. M. S. Department.
- F. Facilities Maintenance Department / Wharton Municipal Pool.
- G. Fire Department.
- H. Fire Marshal.
- I. Legal Department.
- J. Municipal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

After some discussion, no action was taken.


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

The meeting adjourned at 8:13 p.m.

CITY OF WHARTON, TEXAS

By: 
DON MUELLER
Mayor Pro-Tem

ATTEST:



PAULA FAVORS
City Secretary

