



**CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

**Monday, October 09, 2023
7:00 PM**

***CITY HALL 120 EAST CANEY STREET
WHARTON, TEXAS 77488***

**NOTICE OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

Notice is hereby given that a City Council Regular Meeting will be held on Monday, October 09, 2023, at 7:00 p.m. at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

SEE ATTACHED AGENDA

Dated this 5th day of October 2023.

By: 
Tim Barker, Mayor

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council Regular Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City or Town in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on October 5, 2023, at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

The Wharton City Hall is wheelchair accessible. Access to the building and special parking is available at the primary entrance. Persons with disabilities, who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811 Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date. BRAILLE IS NOT AVAILABLE.

Dated this 5th day of October 2023.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
City Council Regular Meeting
Monday, October 09, 2023
City Hall - 7:00 PM

Call to Order –Opening Devotion –Pledge of Allegiance.

Roll Call and Excused Absences.

Public Comments.

Wharton Moment.

Proclamation

1. Proclamation: Domestic Violence.

Review and Consider:

1. Reading of the minutes from the regular meetings held September 11, 2023, and September 25, 2023.
2. Resolution: A resolution by the City Council of the City of Wharton, Texas, a Home Rule Municipality existing under the laws of the State of Texas, accepting a Public Improvement District (PID) Petition and setting a Public Hearing on the creation of a Public Improvement District as described in the attached Exhibit A.
3. Public Improvement District (PID) Consultant Services and Tax Increment Reinvestment Zone (TIRZ) Consultant Services:
 - A. Resolution: A resolution of the Wharton City Council accepting a proposal for Public Improvement District (PID) Administration Consultant Services 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 accepting a proposal for Tax Increment Reinvestment Zone (TIRZ) Consultant Services and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
4. Request from Ms. Sarah Shanks of Kapeesh Marketing, LLC, to have Wharton Harvest Day on October 28, 2023, and permission for the following:
 - A. Close Fulton Street between Burleson Street and Milam Street and close Houston Street between Burleson Street and Milam Street from 8:00 a.m. until 2:00 p.m. on Saturday, October 28, 2023. This includes time for set-up and tear-down for the vendors.
 - B. Provide barricades for street closures.
 - C. Use of the gazebo for a photo booth from 9:00 a.m. to 2:00 p.m.

- D. Waive all local permit fees for food trucks and food vendors for the day of the event.
 - E. Provide city blue barrel trash containers and bags.
5. Resolution: A resolution of the Wharton City Council awarding a contract for the construction of Wharton S. East Avenue Sanitary Sewer Rehabilitation Project Phase 1 and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
6. Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to submit a Letter of Intent for the City of Wharton’s participation in the Texas Water Development Board Drinking Water State Revolving Fund SFY 2021 Program by submitting an application for funding to be used for planning, design, and construction of the Mayfair/Linwood Waterline Replacement Project.
7. Resolution: A resolution of the Wharton City Council authorizing the submission of an application to the Economic Development Administration (EDA) FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance Programs in support of the future commercial development and expansion of Prime Eco Fluids and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.
8. Resolution: A resolution of the Wharton City Council authorizing and ratifying the City of Wharton to submit a Letter of Intent for the City of Wharton’s participation in the Houston Galveston Area Council Light Detection and Ranging (LiDAR) Data Program by submitting a Letter of Intent and Applicant Validation of Funding Partners for funding to be used to participate in the Acquisition & Production of Light Detection and Ranging (LiDAR) Data.
9. Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees:
- A. Resignations.
 - B. Appointments.
 - C. Vacancies.
10. City Council Boards, Commissions, and Committee Reports:
- A. Finance Committee meeting held September 25, 2023.

Adjournment.

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Proclamation: Domestic Violence.
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



**CITY OF WHARTON
OFFICE OF THE MAYOR
PROCLAMATION**

WHEREAS, Domestic violence remains a pervasive issue across Wharton, Wharton County, the United States, and the world with implications for personal and community health; and,

WHEREAS, Domestic violence does not discriminate and touches all communities regardless of age, race, disability, gender identity, or socioeconomic status; and,

WHEREAS, Domestic Violence Awareness Month is nationally recognized every October, and is an opportunity to help our community promote and protect the safety and freedom of all who seek refuge from this terrible crime; and,

WHEREAS, The Crisis Center of Matagorda and Wharton County is dedicated to helping victims of domestic violence by providing free and confidential services such as advocacy, education, shelter, and resources. In the past year, the Crisis Center has provided services to 425 clients of domestic violence and 6,319 nights of shelter to adults and children. Through these programs, individuals and families can feel a sense of hope, safety, and protection; and,

WHEREAS, Research shows incidents of domestic violence are reduced by creating communities where people are connected, supportive, and care for one another. The City of Wharton encourages members of the community to work together to increase domestic violence awareness; and,

WHEREAS, During October, the Crisis Center will promote public awareness of domestic violence. On October 19, 2023, citizens can participate in “Go Purple Day”, a National Day of Action during Domestic Violence Awareness Month, by wearing purple as a symbol of peace, courage, survival, honor, and personal dedication to domestic violence awareness. On October 18, 2023, the Center will host “Walk a Mile in Their Shoes” in support of victims and survivors.

NOW, THEREFORE, I, TIM BARKER, by the authority vested in me as Mayor of the City of Wharton, Texas, do hereby proclaim the month of October 2023 as

“Domestic Violence Awareness Month”

in the City of Wharton in recognition of the important work done by survivors, domestic violence programs and victim service providers, urge all citizens to actively participate in the scheduled activities and programs sponsored by “The Crisis Center of Matagorda and Wharton County” and other community organizations to work toward the elimination of domestic violence.

IN WITNESS THEREOF, I have set my hand and caused the seal of the City of Wharton to be affixed this 9th day of October, in the year of our Lord two thousand twenty-three A.D.

Tim Barker
Mayor, City of Wharton

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Reading of the minutes from the regular meetings held September 11, 2023, and September 25, 2023.
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Attached you will find the draft minutes from the regular meetings held September 11, 2023, and September 25, 2023.

City Manager: Joseph R. Pace	Date: Thursday, October 5, 2023
Approval: 	
Mayor: Tim Barker	

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
SEPTEMBER 11, 2023**

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.

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

Councilmembers absent were: None.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Andel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC; Assistant to the City Manager, Brandi Jimenez, Police Chief, Terry David Lynch, and Public Works Director, Roderick Semien.

Visitors present were: Chamber of Commerce Director, Ron Sanders; Walter Garrett; George Burns; John Herlitz; Stephanie Konvicka; Mark A. Evanson; Michael Beard; Timothy Pflughaupt, and Sam Scinta, Jr. with the Wharton Journal Spectator.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

Mayor, Tim Barker, called for Public Comments.

1. Mr. George Burns presented his request to not increase the City of Wharton tax rate and water rates.
2. Mr. Micheal Beard stated his opposition to the proposed I-69 overpass at the Wharton Regional Airport and requested the City Council listen to the concerns of the community.
3. Mr. Mark A. Evanson stated that he utilized the airport and he supported Micheal Beard's opposition to the proposed I-69 overpass at the Wharton Regional Airport.
4. Mr. Bill Kingray stated he served on the Airport Board and he was concerned about the height of the overpass and the flight approach.
5. Mr. Timothy Pflughaupt stated his concerns about the I-69 overpass at the Wharton Regional Airport and the possible loss of jet fuel traffic.
6. Mr. John Herlitz stated that as the owner of Carroll's Gun Shop, he would like to be kept informed about the I-69 overpass.

Wharton Moment.

Councilmember, Don Mueller, took a moment to remember two events that took place on this day, 9/11 and Hurricane Carla.

Public Hearing

1. Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024.

Mayor, Tim Barker, opened the Public Hearing at 7:21 p.m.

Mr. George Burns presented his request to not increase the City of Wharton tax rate and water rates.

Mayor, Tim Barker, closed the Public Hearing at 7:25 p.m.

Review and Consider:

The first item on the agenda was to review and consider action on changes to the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024. Finance Director, Joan Andel, presented a copy of the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024. After some discussion, Councilmember, Terry Freese, moved to approve the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a reading of the minutes from the regular meetings held August 14, 2023, and August 28, 2023, and the special meeting held August 7, 2023. City Secretary, Paula Favors, presented draft copies of the minutes from the regular meetings held August 14, 2023, and August 28, 2023, and the special meeting held on August 7, 2023. After some discussion, Councilmember, Russell Machann, moved to approve the reading of the minutes from the regular meetings held August 14, 2023, and August 28, 2023, and the special meeting held August 7, 2023. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request from Mr. Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C. City Secretary, Paula Favors, presented a copy of the request from Mr. Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C. Mrs. Favors stated the Planning Commission met on Monday, September 5, 2023, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Russell Machann, moved to approve with the contingency that an annexation request would be made per the Development Agreement before filing the from Mr. Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C.

The fourth item on the agenda was to review and consider a request from Ms. Clarice Ward of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for construction of a carport/storage building over an existing concrete driveway. City Secretary, Paula Favors, presented a copy of the request from Ms. Clarice Ward

of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for the construction of a carport/storage building over a existing concrete driveway. Mrs. Favors stated the Planning Commission met on Monday, September 5, 2023, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Terry Freese, moved to approve the request from Ms. Clarice Ward of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for construction of a carport/storage building over an existing concrete driveway. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a request by Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2023 Holiday Parade Chairman, for the Wharton Holiday Parade for the following:

- A. Ordinance: An ordinance approving the 2023 Chamber of Commerce & Agriculture Holiday Parade Permit and authorizing the Wharton Police Department to redirect traffic.
- B. The closure of State Highway 60 (Burlison Street and Milam Street) from its intersection at Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare it as a “No Parking Zone”.
- C. City of Wharton to transport, set up, and return five (5) portable lights for use during the parade.

City Manager, Joseph R. Pace, presented a copy of the request from Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2023 Holiday Parade Chairman, for the Wharton Holiday Parade. After some discussion, Councilmember, Russell Machann, moved to approve the aforementioned items B., and C., and City of Wharton Ordinance No. 2023-10, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2023-10**

AN ORDINANCE APPROVING THE 2023 CHAMBER OF COMMERCE & AGRICULTURE HOLIDAY PARADE PERMIT AND AUTHORIZING THE POLICE DEPARTMENT TO REDIRECT TRAFFIC.

WHEREAS, The Wharton Chamber of Commerce and Agriculture has filed an application for a parade permit with the City of Wharton Police Department as required under the City of Wharton Code of Ordinances, Chapter 82, Article III, Sec. 82-91; and,

WHEREAS, The requested parade route requires the City of Wharton to close State Highway 60 (Burlison Street and Milam Street) from its intersection with Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare a “no parking zone” for such; and,

WHEREAS, The closure of State Highway 60 will be for a time of less than four (4) hours; and,

WHEREAS, The closure will require the detouring of all traffic according to the map (Attachment A) attached to this ordinance; and,

WHEREAS, The routing of all traffic will include truck traffic to Alabama Road which is prohibited by ordinance; and,

WHEREAS, The City Council wishes to suspend for the duration of the parade the enforcement of said ordinance of trucks traveling on Alabama Road; and,

WHEREAS, If there are any other ordinances that would be violated because of the re-routing of all traffic their suspension is hereby authorized.

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

Section I. The parade permit for the Wharton Chamber of Commerce and Agriculture is hereby approved.

Section II. The parade route is hereby approved as detailed in the attached map (Attachment A) which is hereby made part of this ordinance.

Section III. The closure of all streets as indicated in said map identified in Section II is hereby authorized.

Section IV. The traffic detour plan as identified in Section III above is hereby approved.

Section V. The Chief of Police and City Staff are hereby authorized to make the necessary expenditures needed to ensure the safety of the public.

Section VI. This ordinance shall become effective on the 21st day of November 2023 and remain in effect until such time that the parade concludes.

Passed, Approved, and Adopted this 11th day of September 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 authorizing the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 & 2025 Solid Waste Grants Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. City Secretary, Paula Favors, stated the City Staff had been made aware of the Notice of Funding for the 2024 & 2025 HGAC Solid Waste Grants Program. Mrs. Favors said the program had funding available to assist with the local enforcement of solid waste/illegal dumping and the City Staff had met and discussed the opportunities available and would like to submit two (2) applications to the program. She said that one application would be for additional staff and a vehicle for the Code Enforcement Department to assist in the ongoing local enforcement and investigations of illegal dumping and the second application would be for additional camera/video equipment to assist in the enforcement and investigation of illegal dumping. Mrs. Favors stated the City could apply for up to 100% funding and would not be required to provide a monetary match for the program. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-73, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-73**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF ONE OR MORE APPLICATIONS TO THE HOUSTON GALVESTON AREA COUNCIL (HGAC) 2024 & 2025 SOLID WASTE GRANTS 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 the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 and 2025 Solid Waste Grants Program for Local Enforcement Staff and Equipment; 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 the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 and 2025 Solid Waste Grants Program for Local Enforcement Staff and Equipment.

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 11th day of September 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council approving Change Order No. 8, for additional contract time with Weisinger, Inc., for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said Change Order. City Secretary, Paula Favors, presented a copy of the Wharton Well & Water Plant – Contract #2 (Water Well), Change Order No. 8 from Weisinger, Inc., for additional time to the contract in the amount of 41 days. Mrs. Favors stated the extension was being requested due to multiple delays on the part of E-Contractors – Contract #1 and this would move the contract completion date to November 8, 2023. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2023-74, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-74**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 8, FOR ADDITIONAL CONTRACT TIME WITH WEISINGER, INC., FOR THE WHARTON WELL AND WATER PLANT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to approve Change Order No. 8, for additional contract time with Weisinger, Inc., for the Wharton Well and Water Plant Project; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the change order.

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 Change Order No. 8, for 41 additional days to the contract with Weisinger, Inc., for the Wharton Well and Water Plant Project.
- Section II.** The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.
- Section III.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 11th day of September 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Steve Schneider, seconded the motion. Councilmember, Russell Machann, and Councilmember, Don Mueller, voted against the motion. Councilmember, Burnell Neal, Councilmember, Terry Freese, Councilmember, Steve Schneider, and Councilmember, Larry Pittman, voted in favor. The motion carried.

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

- A. Finance Committee meeting held August 28, 2023.

After some discussion, no action was taken.

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

The meeting adjourned at 7:36 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

DRAFT

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

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

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

Councilmember absent was: None.

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

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

Roll Call and Excused Absences.

Public Comments.

Mayor, Tim Barker, called for Public Comments.

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

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments.

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

Public Hearing

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

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

No comments were given.

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

Review and Consider:

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

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

CITY OF WHARTON, TEXAS ORDINANCE NO. 2023-11

AN ORDINANCE ADOPTING THE FISCAL YEAR 2023-2024 ANNUAL BUDGET FOR THE CITY OF WHARTON, TEXAS; APPROPRIATING THE SUMS ESTABLISHED THEREIN; AND DIRECTING THE CITY SECRETARY TO FILE COPIES AS REQUIRED BY LAW.

WHEREAS, the City's Budget for the Fiscal Year ending September 30, 2024, which is attached hereto, was duly submitted to the City Council more than thirty (30) days prior to September 30, 2023; and,

WHEREAS, a Public Hearing was duly called and held on said Budget not less than seven days nor more than fourteen days after the date of publication giving notice of such meeting and prior to the time the City Council of the City of Wharton levied taxes for such current Fiscal Year; and,

WHEREAS, all parties desiring to participate and be heard at said Public Hearing having been heard until no more evidence was offered, and such hearing having been concluded, and the City Council of said City having made such changes in such Budget as in its judgment the law warrants and the best interest of the taxpayers of the City of Wharton, Texas, demand, said Budget with such changes being attached hereto, as aforesaid.

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

Section 1. **THAT** the findings set out in the preamble of this ordinance are true and correct.

Section 2. **THAT** the Budget of the City of Wharton, Texas for the Fiscal Year ending September 30, 2024, be and the same is hereby, in all respects, finally approved and adopted including any changes approved by the City Council; and the same shall be and is hereby filed with the City Secretary of the City.

Section 3. **THAT** the General Fund is hereby established to account for resources associated with traditional government activities, which are not required legally or by sound financial management to be accounted for in another fund. The General Fund is hereby approved with \$6,843,674 estimated revenues and \$8,362,734 in appropriations and with transfers-in approved at \$1,548,463 and transfers-out approved at \$29,403. The amounts are specified for departmental purposes named in said Budget and they are hereby appropriated to and for such purposes at the departmental level.

Section 4. **THAT**, the PEG (Public, Educational, Government television access) Fund is created to account for all funds received from the 1% franchise fee provided through the local cable provider. The PEG Fund is hereby approved with \$2,500 in estimated revenues and \$2,500 in appropriations.

Section 5. **THAT** the Hotel Motel Fund is created to account for the occupancy tax levied on hotel rooms within the City as adopted by City Ordinance and consistently with Chapter 351 of the Texas Tax Code. The Hotel Motel Fund is hereby approved with \$300,100 in estimated revenues which includes \$300,100 in appropriations including transfers-out approved at \$241,952 with a beginning fund balance of approximately \$65,228.

Section 6. **THAT** the Narcotics Seizure Fund is created to account for the resources and uses of assets seized in illegal narcotics activities. The uses are limited to law enforcement activities. The Narcotics Seizure Fund is hereby approved with \$4,700 estimated revenues, and \$4,700 appropriations with a beginning fund balance of approximately \$25,977.

Section 7. **THAT** the Debt Service Fund is hereby created to account for the accumulation of resources collected for Interest and Sinking requirements and for the disbursement of those resources for debt requirements. The Debt Service Fund is hereby

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

Section 8. **THAT** the Capital Improvement Fund is created to account for infrastructure improvements authorized by the City Council. The Capital Improvement Fund is approved with \$100,000 in estimated revenues and expenses. The estimated beginning fund balance is \$313,583.

Section 9. **THAT** the Water and Sewer Fund is created to account for the resources and uses associated with the delivery of utility services to citizens of Wharton as an enterprise fund. The Water & Sewer Fund is hereby approved with \$6,244,724 in estimated revenues. Water and sewer is approved with \$6,244,724 in appropriations, which includes a franchise fee of 8% of water and sewer sales are approximately \$487,738, and transfers-out approved at \$1,250,051.

Section 10. **THAT** the Solid Waste Fund is created to account for the financial activities of the City's solid waste collection contract and delivery to citizens of Wharton as an enterprise fund. The Solid Waste Fund is approved with \$1,793,195 in estimated revenues and \$1,793,195 in appropriations which includes a franchise fee of 6% of solid waste revenues or approximately \$101,123.

Section 11. **THAT** the Emergency Medical Services Fund is created to account for the financial activities of the emergency medical services provided to the city and surrounding areas as an enterprise fund. The Emergency Medical Services Fund is approved with \$2,832,344 in estimated revenues and \$2,832,344 in appropriations which includes transfers-out of \$98,412.

Section 12. **THAT** the Civic Center Fund is created to account for the financial activities of the Civic Center as an enterprise fund. The Civic Center is approved with \$331,781 in estimated revenues and \$331,781 in appropriations. Transfers-in are approved at \$258,355.

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

Section 14. **THAT** the City Secretary shall file copies of this Ordinance and of such Budget with the County Clerk of Wharton County, Texas.

PASSED AND APPROVED by a favorable majority of the members of the City Council of the City of Wharton, Texas, in Council Meeting, this 25th day of September 2023, duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

Tim Barker, Mayor	YES
Burnell Neal, Councilmember District 1	YES

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

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

CITY OF WHARTON

By: _____
Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Joseph R. Pace, City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anandel, Finance Director

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

The third item on the agenda was to review and consider an ordinance levying a tax rate for the City of Wharton, Texas, for the Tax Year 2023; directing the Tax Assessor-Collector to assess,

account for, and distribute the taxes as herein levied; and providing repealing and severability clauses. Finance Director, Joan Andel, presented a copy of the draft ordinance levying a tax rate for the City of Wharton, Texas, for the Tax Year 2023; directing the Tax Assessor-Collector to assess, account for, and distribute the taxes as herein levied; and providing repealing and severability clauses. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Ordinance No. 2023-12, which read as follows:

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

AN ORDINANCE LEVYING A TAX RATE FOR THE CITY OF WHARTON, TEXAS, FOR THE TAX YEAR 2023; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS, ACCOUNT FOR, AND DISTRIBUTE THE TAXES AS HEREIN LEVIED; AND PROVIDING REPEALING AND SEVERABILITY CLAUSES.

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

Section 1. **THAT** there be and is hereby levied for the year 2023 on all real and personal property within and all real and personal property and mineral royalties owned within the city limits of the City of Wharton, Texas for the year 2023, except so much thereof as may be exempt by the constitution and of the State of Texas and of the United States, the following:

Maintenance and Operations	.09431/\$100 valuation
For Debt Service Requirements	.35955/\$100 valuation
Total Tax Rate	.45386/\$100 valuation

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

and

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

Section2. **THAT** the Tax Assessor-Collector and/or Finance Director is hereby directed to assess, extend, and enter upon the certified tax rolls of the City of Wharton, Texas, for the current taxable year, as provided by the Wharton County Appraisal District, the amounts and rates as herein levied, to keep the correct amount of same, and when collected, to be distributed in accordance with this ordinance.

Passage and Approval

PASSED AND APPROVED by a favorable majority of the members of the City Council of the City of Wharton, Texas, in a Council Meeting, this 25th day of September 2023, duly assembled in accordance with Article VI of the Charter of the City of Wharton, Texas, by the following vote:

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

Separability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

CITY OF WHARTON

By: _____
Tim Barker, Mayor

ATTEST:

APPROVED FOR ADMINISTRATION:

Paula Favors, City Secretary

Joseph R. Pace, City Manager

APPROVED AS TO FORM:

APPROVED FOR FUNDING:

Paul Webb, City Attorney

Joan Anandel, Finance Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

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

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

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

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

CITY OF WHARTON

RESOLUTION NO. 2023-76

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, TO EXECUTE AN AGREEMENT WITH THE WHARTON CHAMBER OF COMMERCE AND AGRICULTURE FOR VISITOR AND CONVENTION BUREAU SERVICES FOR OCTOBER 1, 2023, TO SEPTEMBER 30, 2024, FISCAL YEAR.

WHEREAS, The Wharton City Council hereby authorizes Mayor Tim Barker to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services; and,

WHEREAS, The City of Wharton and the Wharton Chamber of Commerce and Agriculture hereby agree to be bound by the conditions as set forth in the agreement.

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

Section I. That the Wharton City Council hereby authorizes Tim Barker, Mayor of the City of Wharton to execute an agreement with the Wharton Chamber of Commerce and Agriculture for Visitor and Convention Bureau Services for the October 1, 2023, to September 30, 2024, Fiscal Year.

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

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

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER

Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED this 25th day of September 2023.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The tenth item on the agenda was to review and consider Wharton County Emergency Services District No. 3:

- A. Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement for Emergency Medical Services between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 and authorizing the Mayor of the City of Wharton to execute the agreement.
- B. Resolution: A resolution of the Wharton City Council approving an Interlocal Agreement for Administrative Services between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 and authorizing the Mayor of the City of Wharton to execute the agreement.

City Secretary, Paula Favors, presented a copy of a memorandum for the Wharton County Emergency Services District (ESD) No. 3's recommendation that both Items A & B above be considered for approval by the City Council. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-79 and 2023-78, which read as follows:

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

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES BETWEEN THE WHARTON COUNTY EMERGENCY SERVICES DISTRICT (ESD) NO. 3 AND THE CITY OF WHARTON EMERGENCY MEDICAL SERVICES DEPARTMENT.

WHEREAS, The Wharton County Emergency Services District (ESD) No. 3 Board has hereby authorized the ESD No. 3 President to execute an agreement with the City of Wharton for emergency medical services; and,

WHEREAS, The City of Wharton hereby wishes to enter into an Interlocal Agreement with the Wharton County Emergency Services District (ESD) No. 3 to provide Emergency Medical Services (EMS); and,

WHEREAS, The ESD No. 3 and the City of Wharton wishes to bound by the conditions as set forth in the agreement; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

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

Section I. That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an Interlocal Agreement between the City of Wharton and the Wharton County Emergency Services District (ESD) No. 3 for emergency medical services.

Section II. That the City of Wharton and the ESD No. 3 shall hereby be bound by the conditions as set forth in the agreement.

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

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

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT FOR ADMINISTRATIVE SERVICES BETWEEN THE WHARTON COUNTY EMERGENCY SERVICES DISTRICT (ESD) NO. 3 AND THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton County Emergency Services District (ESD) No. 3 Board has hereby authorized the ESD No. 3 President to execute an agreement with the City of Wharton for administrative services; and,

WHEREAS, The ESD No. 3 and the City of Wharton wishes to be bound by the conditions as set forth in the agreement; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

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

Section I. That Wharton City Council hereby approves an Interlocal Agreement between the City of Wharton and the Wharton County Emergency Services District No. 3 for administrative services.

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

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

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

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

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

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

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

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

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

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

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

WHEREAS, The City of Wharton and Ardurra wishes to be bound by the conditions as set forth in the agreement.

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

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

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

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

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

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

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

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

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

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

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

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

- A. Resignations.
- B. Appointments.

C. Vacancies.

After some discussion, Councilmember, Terry Freese, moved to accept the resignation of Ms. Lucy Alaniz from the Beautification Commission. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

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

- A. Wharton Economic Development Corporation Board of Directors Selection Committee meeting held September 11, 2023.

After some discussion, no action was taken.

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

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

After some discussion, no action was taken.

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

The meeting adjourned at 8:06 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

DRAFT

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Resolution: A resolution by the City Council of the City of Wharton, Texas, a Home Rule Municipality existing under the laws of the State of Texas, accepting a Public Improvement District (PID) Petition and setting a Public Hearing on the creation of a Public Improvement District as described in the attached Exhibit A.
<p>A petition was received for the creation of a Public Improvement District (PID) from the owner of 55.2061 acres of land located in the Extraterritorial Jurisdiction (ETJ) of the City of Wharton. The petition is a request for the City Council to consider holding a Public Hearing on the creation of the PID.</p> <p>Mr. Brian Jarrard, with Holcomb Properties Company, will be present to discuss the petition and the request.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

Phone (979) 532-2491° Fax (979) 532-
0181

MEMORANDUM

To: Mr. Joseph R. Pace
City Manager

From: Joan Andel

Date: October 3, 2023

Re: Public Improvement District (PID) Petition requesting the creation of a PID

A petition was received for the creation of a Public Improvement District (PID) from the owner of 55.2061 acres of land located in the Extraterritorial Jurisdiction (ETJ) of the City of Wharton. The petition is a request for the City Council to consider holding a Public Hearing on the creation of the PID. Mr. Brian Jarrard, with Holcomb Properties Company, will be present to discuss the petition and the request.

I would like to place this on the City Council agenda on Monday, October 9, 2023, for approval. Should you have any further questions, please contact me.

Thank you.

PETITION FOR THE CREATION OF A
PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF WHARTON, TEXAS

THE STATE OF TEXAS §

COUNTY OF WHARTON §

The undersigned petitioner (the "Petitioner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, hereby petitions and requests the City Council of the City of Wharton, Texas (the "City") to create a public improvement district (the "District") in the territory described in Exhibit A attached hereto located within the extra-territorial jurisdiction of the City, and in support of this petition the Petitioner would present the following:

Section 1. Standing of Petitioner. The Petitioner is (1) the owner of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) the record owner of real property liable for assessment under the proposal who: (a) constitutes more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (b) owns taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

Section 2. General nature of the proposed public improvements. The proposed public improvements (collectively, the "Authorized Improvements") include: (i) design, construction and other allowed costs related to street and roadway improvements, including related drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to storm drainage improvements, (iii) design, construction and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities, (iv) design, construction and other allowed costs related to parks, open space and recreational improvements including trails and landscaping related thereto; (v) design, construction and other allowed costs related to projects similar to those listed in sections (i) – (iv) above authorized by the Act, including similar of-site projects that provide a benefit to the property within the District; (vi) payment of expenses incurred in the establishment, administration, and operation; and (vii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with the issuance and sale of revenue bonds secured by assessments levied against the Property within the District and (viii) maintenance and operation expenses of the Authorized Improvements. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 3. Estimated cost of the proposed public improvements: The Petitioner estimates the cost to design, acquire and construct the Authorized Improvements is \$15,000,000.00.

Section 4. Boundaries. The proposed boundaries of the District are described in Exhibit A.

Section 5. Method of assessment. The City shall levy assessments on each residential lot within the District in a manner that results in imposing equal shares of the costs on property similarly benefitted. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the public improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the improvements and services, or (iii) any combination thereof.

Section 6. Apportionment of cost. The proposed apportionment of cost between the District and the City as a whole is as follows:

The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the District and from other sources of funds, if any, available to the Petitioner.

Section 7. Management of the District. The management of the District will be the ultimate responsibility of the City; provided that, to the extent allowed by law, the City may initially contract with a non-profit organization or private company to carry out all or a part of such City responsibilities, as well as the day-to-day management and administration of the District.

Section 8. Concurrence of the Petitioner. The Petitioner signing this petition concurs in and requests the establishment of the District.

Section 9. Advisory board. An advisory board is not required but may be established by the City to develop and recommend an improvement plan to the City Council of the City.

This petition shall be filed with the Secretary of the City in support of the creation of the District by the City Council of the City as herein provided. The undersigned request that the City Council grant its consent as above stated.

RESPECTFULLY SUBMITTED, on this 5th day of October, 2023.

[Signature on following page]

PETITIONER:

Wharton 55, LLC
a Texas limited liability company

By: B.M.J.
Brian M. Jarrard, Manager

Date: 10/5/2023

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on this the 5th day of October, 2023, by Brian M. Jarrard, manager of Wharton 55, LLC, a Texas limited liability company, on behalf of said limited liability company.

Deanna Meyer
Notary Public in and for the
State of T E X A S

(SEAL)



Exhibit A

LEGAL DESCRIPTION OF BOUNDARIES

BEGINNING AT A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY IN THE EAST RIGHT-OF-WAY OF SOUTH ALABAMA ROAD AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT SOUTH 70 DEGREES 36 MINUTES 45 SECONDS EAST A DISTANCE OF 2,008.10 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 18 DEGREES 06 MINUTES 50 SECONDS EAST ALONG THE EAST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 716.73 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE NORTH 19 DEGREES 19 MINUTES 17 SECONDS EAST CONTINUING ALONG THE EAST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 739.79 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY;

THENCE CONTINUING ALONG THE EAST LINE OF THE HEREIN DESCRIBED TRACT NORTH 16 DEGREES 40 MINUTES 53 SECONDS EAST A DISTANCE OF 33.43 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 70 DEGREES 28 MINUTES 27 SECONDS WEST ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 398.87 FEET TO A CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE NORTH 70 DEGREES 30 MINUTES 49 SECONDS WEST CONTINUING ALONG THE NORTHLINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 249.84 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE NORTH 16 DEGREES 22 MINUTES 11 SECONDS EAST A DISTANCE OF 347.14 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY;

THENCE NORTH 70 DEGREES 32 MINUTES 34 SECONDS WEST ALONG THE NORTH LINE A DISTANCE OF 59.77 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE SOUTH 16 DEGREES 22 MINUTES 11 SECONDS WEST A DISTANCE OF 350.00 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE NORTH 70 DEGREES 32 MINUTES 34 SECONDS WEST ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 180.00 FEET TO A CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE NORTH 16 DEGREES 22 MINUTES 11 SECONDS EAST A DISTANCE OF 290.00 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE NORTH 70 DEGREES 32 MINUTES 34 SECONDS WEST ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 443.19 FEET TO A 5/8 INCH CAPPED IRON

ROD STAMPED SOUTH TEXAS SURVEY SET FOR THE NORTHWEST LINE OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 16 DEGREES 22 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 538.37 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE SOUTH 16 DEGREES 45 MINUTES 03 SECONDS WEST CONTINUING ALONG THE WEST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 898.78 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT;

THENCE NORTH 73 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 727.10 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEY SET FOR ANGLE POINT LOCATED IN THE NORTHEAST RIGHT-OF-WAY OF SOUTH ALABAMA ROAD;

THENCE SOUTH 16 DEGREES 46 MINUTES 58 SECONDS WEST ALONG NORTHEAST RIGHT-OF-WAY OF SOUTH ALABAMA ROAD A DISTANCE OF 364.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 55.2061 ACRES (2,404,776 SQUARE FEET) OF LAND.

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

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, ACCEPTING A PUBLIC IMPROVEMENT DISTRICT (PID) PETITION AND SETTING A PUBLIC HEARING ON THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT AS DESCRIBED IN THE ATTACHED EXHIBIT A.

WHEREAS, The Wharton City Council received a Public Improvement District (PID) Petition requesting the creation of a PID; and,

WHEREAS, The City of Wharton wishes to set a Public Hearing on the creation of a Public Improvement District (PID); and,

WHEREAS, The Wharton City Council wishes to accept the Public Improvement District (PID) Petition and set the Public Hearing date for October 23, 2023, at 7:00 p.m. during the regular City Council meeting.

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

Section I. The Wharton City Council hereby accepts the Public Improvement District (PID) Petition requesting the creation of a PID.

Section II. The City of Wharton hereby wishes to set a Public Hearing on the creation of a Public Improvement District (PID) for October 23, 2023, at 7:00 p.m. during the regular City Council meeting.

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

Passed, Approved, and Adopted this 9th day of October 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Public Improvement District (PID) Consultant Services and Tax Increment Reinvestment Zone (TIRZ) Consultant Services: <ul style="list-style-type: none"> A. Resolution: A resolution of the Wharton City Council accepting a proposal for Public Improvement District (PID) Administration Consultant Services 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 accepting a proposal for Tax Increment Reinvestment Zone (TIRZ) Consultant Services and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
<p>A Request for Proposals was issued on September 27, 2023, for both a Public Improvement District (PID) Consultant as well as a Tax Increment Reinvestment Zone (TIRZ) Consultant. Proposals are to be received by Wednesday, October 4, 2023, at 4:00 p.m. The proposals will be reviewed, and a recommendation will be presented to the Finance Committee on Monday, October 9, 2023.</p> <p>Finance Director, Joan Andel, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

Phone (979) 532-2491° Fax (979) 532-
0181

MEMORANDUM

To: Mr. Joseph R. Pace
City Manager

From: Joan Andel

Date: October 3, 2023

Re: Public Improvement District (PID) Consultant Services and
Tax Increment Reinvestment Zone (TIRZ) Consultant Services

A request for proposals was issued on September 27, 2023 for both a Public Improvement District (PID) Consultant as well as a Tax Increment Reinvestment Zone (TIRZ) Consultant. Proposals are to be received by Wednesday, October 4, 2023 at 4:00 p.m. The proposals will be reviewed and a recommendation will be presented to the Finance Committee on Monday, October 9, 2023.

Please place this item on the Finance Committee for October 9, 2023 as well the City Council agenda for the same evening.

Should you have any further questions, please contact me.

Thank you.

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

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A PROPOSAL FOR PUBLIC IMPROVEMENT DISTRICT (PID) ADMINISTRATION CONSULTANT SERVICES AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to accept a proposal between the City of Wharton and _____ for Public Improvement District (PID) Administration Consultant Services; and,

WHEREAS, The City of Wharton and _____ 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 accepts a proposal between the City of Wharton and _____ for Public Improvement District (PID) Administration Consultant Services.

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 _____ 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 9th day of October 2023.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A PROPOSAL FOR TAX INCREMENT REINVESTMENT ZONE (TIRZ) CONSULTANT SERVICES AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to accept a proposal between the City of Wharton and _____ for Tax Increment Reinvestment Zone (TIRZ) Consultant Services; and,

WHEREAS, The City of Wharton and _____ 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 accepts a proposal between the City of Wharton and _____ for Tax Increment Reinvestment Zone (TIRZ) Consultant Services.

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 _____ 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 9th day of October 2023.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Request from Ms. Sarah Shanks of Kapeesh Marketing, LLC, to have Wharton Harvest Day on October 28, 2023, and permission for the following: A. Close Fulton Street between Burleson Street and Milam Street and close Houston Street between Burleson Street and Milam Street from 8:00 a.m. until 2:00 p.m. on Saturday, October 28, 2023. This includes time for set-up and tear-down for the vendors. B. Provide barricades for street closures. C. Use of the gazebo for a photo booth from 9:00 a.m. to 2:00 p.m. D. Waive all local permit fees for food trucks and food vendors for the day of the event. E. Provide city blue barrel trash containers and bags.
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Attached you will find the request from Ms. Sarah Shanks of Kapeesh Marketing, LLC, to have Wharton Harvest Day on October 28, 2023, from 9:00 a.m. to 2:00 p.m. Ms. Shanks has met with Lt. Ben Guanajuato regarding the logistics for the event and Ms. Makyla Monroe about use of the Gazebo.

Ms. Shanks will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, October 5, 2023
Approval: 	
Mayor: Tim Barker	

KAPEESH MARKETING, LLC

September 28, 2023

City Manager, Mayor & City Council
City of Wharton
120 E Caney St.
Wharton, Texas 77488

RE: Permission – Wharton Harvest Day 2023

Dear Council:

In continuation of the Wharton Chamber of Commerce's tourism efforts, we want to expand on Kapeesh Marketing's previous trick-or-treating events that have been successful in the past. We have planned a fall/Halloween Festival called Wharton Harvest Day around the square on Saturday, October 28th from 9am-2pm. Our aim with this event is to bring both locals and out of town visitors to the community in support of Wharton and our downtown. We hope to make this an annual event so our downtown can thrive. For this event, we've teamed up with the Farmer's Market who will move their market to the square for the day. We've offered space to Wharton SPOT and Friends of Wharton Animal Control for the monthly bake sale. We've requested to partner with our local HEB. Activities include shopping with local vendors and brick and mortar businesses, games for children, trick or treating and a scavenger hunt in the local businesses surrounding the square, a baking contest, face painting and pumpkin painting, and food trucks. We have already met with Ben Guanajuato regarding the logistics of the event and hope this will be successful with the City's collaboration.

We respectfully request from the city:

1. Close Fulton Street between Burleson Street and Milam Street. And close Houston Street between Burleson Street and Milam Street from 8am until 2pm on Saturday October 28, 2023. This includes time for set-up and tear-down for the vendors;
2. Provide barricades for street closures;
3. Use of the gazebo for a photo booth from 9am - 2pm (we have confirmed with Makyla Monroe there is not a conflict, but another reservation closer to 5pm);
4. Waive all local permit fees for food trucks and food vendors for the day; and
5. Provide city blue barrel trash containers and bags.

If there are additional requests we may be overlooking for an event like this, please advise. Please feel free to contact me in the event of any questions.

Respectfully,

Sarah Shanks
Kapeesh Marketing, LLC
247 W. Milam, Wharton, TX 77488
(713) 570-6603

MONTEREY SQUARE IN DOWNTOWN WHARTON, TEXAS



Saturday
Oct 28th
9AM-2PM

Family-friendly activities, photo booths, trick or treat, costumes, prizes, baking competition, Wharton County Farmer's Market, and more!

FREE TO THE PUBLIC
BRING THE WHOLE FAMILY
GAMES & PHOTO OPPORTUNITIES
COSTUME CONTEST

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council awarding a contract for the construction of Wharton S. East Avenue Sanitary Sewer Rehabilitation Project Phase 1 and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
<p>On September 21, 2023, proposals were received for the S. East Ave. Sanitary Sewer Rehabilitation Phase 1 Project for the remaining work to be completed. Quiddity Engineering has reviewed the submitted proposals and is recommending the contract be awarded to Texas Pride Utilities, LLC. Quiddity Engineering recommended that the referenced contract be awarded to Texas Pride Utilities, LLC, based on their base bid of \$184,140.00 plus alternate bid items A1 and A2 for the total amount of \$233,780.00.</p> <p>Attached is the recommendation letter.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: October 3, 2023
FROM: Gwyneth Teves, Director of Planning & Development
TO: Honorable Mayor and City Council
SUBJECT: Award of the Phase 1 S. East Ave. Sanitary Sewer Repairs

On September 21st, 2023, proposals were received for the S. East Ave. Sanitary Sewer Rehabilitation Phase 1 Project for the remaining work to be completed.

Quiddity Engineering has reviewed the submitted proposals and is recommending the contract be awarded to Texas Pride Utilities, LLC. Attached is the recommendation letter.

The recommended that the referenced contract be awarded to Texas Pride Utilities, LLC based on their base bid of \$184,140.00 plus alternate bid items A1 and A2 for the total amount of \$233,780.00.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.



2322 W Grand Parkway North, Suite 150
Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

Item-5.

September 22, 2023

Mr. Joseph R. Pace
City of Wharton
120 E. Caney Street
Wharton, Texas 77488

Re: S. East Avenue Sanitary Sewer Rehabilitation Phase I
City of Wharton
Quiddity Job No. 05135-0236-00
TXCDBG Contract No. 7220499

Dear Mr. Pace:

We received bids for the referenced contract in person on September 21, 2023, at 11:00 AM. Bids were publicly opened and read at that time.

Two contractors submitted proposals for this work. A summary tabulation of the bids is enclosed for your review. Texas Pride Utilities, LLC submitted the lowest base bid in the amount of \$184,140.00.

We have worked with Texas Pride Utilities, LLC in the past and find them to be an acceptable contractor. We recommend that the referenced contract be awarded to Texas Pride Utilities, LLC based on their base bid plus alternate bid items A1 and A2 in the total amount of \$233,780.00.

If you approve this award, please execute all copies of this letter and return them to our office for further processing.

Sincerely,

David A. Olf, PE
Project Engineer

Approved By: _____

Date: _____

MKB\

K:\05135\05135-0236-00 S. East Ave Sanitary Sewer Rehabilitatio\2 Design Phase\Bid Documents\Phase I\Rebid\05135-0236-00 Rebid S East Ave SS Rehab Phase I ROA.DOCX

Enclosure

cc: Texas Pride Utilities, LLC



BID TABULATION SHEET

BIDS WERE RECEIVED IN THE OFFICE OF

The City of Wharton
120 East Caney St.

S. East Avenue Sanitary Sewer Rehabilitation - Phase I

City of Wharton

Time:

11:00 AM

Public Bid

05135-0236-00

Date:

9/21/2023

BIDDERS

	Texas Pride Utilities, LLC	Cruz Tec, Inc.					
Base Bid	\$184,140.00	\$257,920.00					
Alternate Items	\$266,736.00	\$291,724.00					
Base Bid + Alternate	\$450,876.00	\$549,644.00					
Form 1295	✓	✓					
Bid Security	✓	✓					

* Denotes a calculation error by contractor

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

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE CONSTRUCTION OF WHARTON S. EAST AVENUE SANITARY SEWER REHABILITATION PROJECT PHASE 1 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Proposals were received for the Wharton S. East Avenue Sanitary Sewer Rehabilitation Project Phase 1 on September 21st, 2023; and,

WHEREAS, _____ was deemed the best lowest qualified bidder for the base bid amount and alternate 1 & 2 of \$ _____; and,

WHEREAS, The Wharton City Council wishes to award a contract to _____ for the base bid amount and alternate 1 & 2; and,

WHEREAS, The City of Wharton and _____ 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 S. East Avenue Sanitary Sewer Rehabilitation Phase 1 Project contract.

Section II. The City of Wharton and _____ 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 9th day of October 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to submit a Letter of Intent for the City of Wharton’s participation in the Texas Water Development Board Drinking Water State Revolving Fund SFY 2021 Program by submitting an application for funding to be used for planning, design, and construction of the Mayfair/Linwood Waterline Replacement Project.
<p>The City Staff received the attached invitation to apply to the SFY 2021 DWSRF for the Mayfair/Linwood Waterline Replacement Project that has been submitted under the program for the last eight years.</p> <p>The City needs to submit the Intent to Apply by October 16, 2023, and the full application will be submitted by November 17, 2023, with the intention to utilize the request for principal forgiveness.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: October 3, 2023

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Council

SUBJECT: Recommendation for authorization to submit intent to apply to the State Fiscal Year (SFY) 2021 Drinking Water State Revolving Fund (DWSRF)

The City Staff received the attached invitation to apply to the SFY 2021 DWSRF for the Mayfair/Linwood Waterline Replacement Project that has been submitted under the program for the last 8 years.

The City needs to submit the Intent to Apply by October 16, 2023, and the full application will be submitted by November 17, 2023, with the intention to utilize the request for principal forgiveness.

It is my recommendation that the City Council authorize the submission of the Intent to Apply for the project.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.

September 18, 2023

Mr. Joseph Pace
City Manager
City of Wharton
jpace@cityofwharton.com

Re: **State Fiscal Year 2021 Drinking Water State Revolving Fund (DWSRF)**
Application Invitation

Dear Mr. Pace:

Congratulations! We are pleased to notify you that the City of Wharton is hereby invited to submit an application for funding through the Texas Water Development Board's (TWDB) Drinking Water State Revolving Fund.

Your project is listed in the Intended Use Plan (IUP) as being eligible to receive funding as shown below:

Project Description	Mayfair/Linwood Waterline Replacement
Eligible Phases	Planning, Design & Construction
Project Information Form Number	13253
Eligible Project Cost	\$ 1,046,900

Principal Forgiveness Eligibility

Your project has been identified as eligible for principal forgiveness. This eligibility is subject to funding availability and the amount, depending on the funding option, may be dependent on others who may elect to apply. Final principal forgiveness eligibility is determined following a detailed review of the full application budget and will be documented in a Funding Determination Letter prior to the Board taking formal action on the funding request.

Our Mission

Leading the state's efforts
in ensuring a secure
water future for Texas

Board Members

Brooke T. Paup, Chairwoman | George B. Peyton V, Board Member | L'Oreal Stepney, P.E., Board Member
Jeff Walker, Executive Administrator

Required Documentation and Deadlines

To be considered for funding under the **SFY 2021 DWSRF** Program, please follow the requirements stated below:

- (1) **You must submit your Intent to Apply form to DWSRF@TWDB.TEXAS.GOV by 5:00 P.M., CST on October 16, 2023.** If you fail to fully complete and submit the Intent to Apply Form by the deadline, your project will not be considered for funding. This will allow the TWDB to invite in rank order additional projects on the lists if an invited entity does not wish to pursue SRF funding for their project at this time.
- (2) **If you intend to apply, your complete application must be received by TWDB no later than 5:00 P.M., CST on November 17, 2023.** Applications will not be accepted after the deadline. We encourage you to submit your application before the deadline, which will allow us to begin a review of your application earlier. Application materials, such as, submittal instructions, guidance documents, frequently asked questions, and a link to our online application portal may be found on our website at <http://www.twdb.texas.gov/financial/applications/>
- (3) **A pre-application meeting is required** for all DWSRF projects to ensure that the applicant and the corresponding TWDB staff discuss the project and ask initial questions prior to the application being submitted. If you submit an Intent to Apply, please contact Dain Larsen by phone at 512-463-1618 or by e-mail at WSI-RWPD-TEAM5@TWDB.TEXAS.GOV to schedule your pre-application meeting. They will be able to assist you with scheduling a meeting prior to your submission of the application.

To assist you in being successful, please take note of the following tips and reminders which are based on TWDB's experience reviewing prior SRF applications:

- Applicants that will be requesting a SRF loan will be selling bonds to the TWDB. As such, a financial advisor and bond counsel will be required. We highly encourage you to engage these consultants prior to submitting the application.
- Be sure any changes to the project amount are reflected in both the Intent to Apply Form and the application budget.
- For bond purposes only, TWDB SRF loan amounts must be rounded up to the nearest \$5,000. Please round up any loan numbers in the application budget and confirm the dollar amounts with your TWDB project team before passing resolutions to minimize adjustment during the review period.

Mr. Joseph Pace
September 18, 2023
Page 3

Item-6.

We look forward to working with the City of Wharton on its SRF project and are committed to providing excellent customer service and prompt responses to any questions as you complete your application. Should you have any questions or concerns, please contact Heather O'Keefe, Program Coordinator, by phone at (512) 475-1835 or by email at DWSRF@TWDB.TEXAS.GOV

Sincerely,



Marvin Cole-Chaney
Director, Program Administration and Reporting
Water Supply and Infrastructure

Attachment: Intent to Apply Form

cc: Matthew Breazeale, Quiddity Engineering, LLC, mbreazeale@jonescarter.com
RWPD Team 5, ws-rwpd-team5@twdb.texas.gov

Drinking Water State Revolving Fund SFY 2021 Intent to Apply

Instructions

Please indicate your intention to apply for funding from the Drinking Water State Revolving Fund in the amount listed in the 2021 IUP. **Deadline to submit is October 16, 2023.** Submit this document as an attachment to DWSRF@TWDB.TEXAS.GOV.

Failure to return this form by the deadline will be considered as no intention to apply and your project will not be considered for funding.

General Information

PIF #: Click or tap here to enter text.

Entity (Applicant) Name: Click or tap here to enter text.

Project Name: Click or tap here to enter text.

Intent to Apply

Entity intends to submit an application for this project: Yes No

Requested funding amount appearing in <year> IUP is confirmed: Yes No

If "No" above, please explain in the space provided below. Please note that due to limited program capacity, only decreases may be considered. TWDB staff may contact you to follow up on any requested adjustments:

Click or tap here to enter text.

Signature

Click or tap here to enter text.

Printed

Click or tap here to enter text.

Title

Click or tap here to enter text.

Email Address

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

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO SUBMIT A LETTER OF INTENT FOR THE CITY OF WHARTON’S PARTICIPATION IN THE TEXAS WATER DEVELOPMENT BOARD DRINKING WATER STATE REVOLVING FUND SFY 2021 PROGRAM BY SUBMITTING AN APPLCIATION FOR FUNDING TO BE USED FOR PLANNING, DESIGN, AND CONSTRUCTION OF THE MAYFAIR/LINWOOD WATERLINE REPLACEMENT PROJECT.

WHEREAS, The Wharton City Council wishes for certain improvements to be conducted in the Mayfair/Linwood subdivision; and,

WHEREAS, Said improvements would include the planning, design, and construction of waterline replacement; and,

WHEREAS, To fund the costs for said project, the Wharton City Council wishes to participate in the Texas Water Development Board Drinking Water State Revolving Fund Program, and to request Principal Forgiveness for the project; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to submit a Notice of Intent to apply to said program.

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

Section I. That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to submit a Notice of Intent to apply to the Texas Water Development Board Drinking Water State Revolving Fund Program to apply for funding for the planning, design, and construction of the Mayfair/Linwood Waterline Replacement Project.

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

Passed, Approved, and Adopted this the 9th day of October 2023.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the submission of an application to the Economic Development Administration (EDA) FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance Programs in support of the future commercial development and expansion of Prime Eco Fluids and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.
<p>The Economic Development Administration (EDA) has announced funding availability for its FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance Notice of Funding Opportunity.</p> <p>The City Staff is requesting authorization to apply for the FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance in support of the expansion of Prime Eco Fluids. The application would be for a 12-inch waterline extension from Kingston Drive to the Prime Eco site on SH 60. This would allow for future commercial development along the corridor and provide more capacity for additional production from Prime Eco and an additional 18-23 new employees over the next 2 years.</p> <p>The Wharton Economic Development Corporation has committed \$400,000.00 in matching funds for this funding opportunity if awarded.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: October 3, 2023
FROM: Gwyneth Teves, Director of Planning & Development
TO: Honorable Mayor and City Council
SUBJECT: FY 2023/2024 EDA Public Works and Economic Development Facilities and Economic Adjustment Assistance Programs

The Economic Development Administration (EDA) has announced funding availability for its FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance Notice of Funding Opportunity.

The City Staff is requesting authorization to apply for the FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance in support of the expansion of Prime Eco Fluids. The application would be for a 12-inch waterline extension from Kingston Dr. to the Prime Eco site on SH 60. This would allow for future commercial development along the corridor and provide more capacity for additional production from Prime Eco and an additional 18-23 new employees over the next 2 years.

The WEDC has committed \$400,000 in matching funds for this funding opportunity if awarded.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.



PWEAA2023
FY 2023 EDA Public Works and Economic Adjustment Assistance Programs
 Department of Commerce
 Economic Development Administration

GENERAL INFORMATION

Document Type:	Grants Notice
Funding Opportunity Number:	PWEAA2023
Funding Opportunity Title:	FY 2023 EDA Public Works and Economic Adjustment Assistance Programs
Opportunity Category:	Discretionary
Opportunity Category Explanation:	
Funding Instrument Type:	Cooperative Agreement Grant
Category of Funding Activity:	Other (see text field entitled "Explanation of Other Category of Funding Activity" for clarification)
Category Explanation:	The Economic Development Administration's (EDA's) mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for economic growth and success in the worldwide economy. EDA fulfills this mission through strategic investments and partnerships that create the regional economic ecosystems required to foster globally competitive regions throughout the United States. EDA supports development in economically distressed areas of the United States by fostering job creation and attracting private investment. Under this NOFO, EDA solicits applications from applicants in order to provide investments that support construction, non construction, planning, technical assistance, and revolving loan fund projects under EDA's Public Works program and EAA program (which includes Assistance to Coal Communities, Nuclear Closure Communities, and Biomass Closure Communities). Grants and cooperative agreements made under these programs are designed to leverage existing regional assets and support the implementation of economic development strategies that advance new ideas and creative approaches to advance economic prosperity in distressed communities, including those negatively impacted by changes to the coal economy and nuclear power plant closures.
Expected Number of Awards:	3000
CFDA Number(s):	11.300 -- Investments for Public Works and Economic Development Facilities 11.307 -- Economic Adjustment Assistance
Cost Sharing or Matching Requirement:	Yes
Version:	Synopsis 8
Posted Date:	Mar 14, 2023
Last Updated Date:	Apr 13, 2023
Original Closing Date for Applications:	There are no application submission deadlines. Applications will be accepted on an ongoing basis until the publication of a new PWEAA NOFO, cancellation of this PWEAA NOFO, or all available funds have been expended. EDA intends to review applications expeditiously upon receipt of the complete application.
Current Closing Date for Applications:	There are no application submission deadlines. Applications will be accepted on an ongoing basis until the publication of a new PWEAA NOFO, cancellation of this PWEAA NOFO, or all available funds have been expended. EDA intends to review applications expeditiously upon receipt of the complete application.
Archive Date:	
Estimated Total Program Funding:	
Award Ceiling:	\$30,000,000
Award Floor:	\$100,000

ELIGIBILITY

Item-7.

Eligible Applicants:

Native American tribal governments (Federally recognized)
Nonprofits that do not have a 501(c)(3) status with the IRS, other than institutions of higher education
Special district governments
Private institutions of higher education
Public and State controlled institutions of higher education
County governments
City or township governments
State governments
Others (see text field entitled "Additional Information on Eligibility" for clarification)
Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education

Additional Information on Eligibility:

Pursuant to Section 3(4) of PWEDA (42 U.S.C. § 3122(4)(a)) and 13 C.F.R. § 300.3 (Eligible Recipient), eligible applicants for EDA financial assistance under the Public Works and EAA programs include a(n): (i) District Organization of an EDA-designated Economic Development District; (ii) Indian Tribe or a consortium of Indian Tribes; (iii) State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (iv) institution of higher education or a consortium of institutions of higher education; or (v) public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State. Individuals and for-profit entities are not eligible for funding under this NOFO.

ADDITIONAL INFORMATION

Agency Name:

Economic Development Administration

Item-7.

Description:***NEW APPLICATION PROCESS - PLEASE READ***

EDA is excited to announce the launch of its new grants management platform: the **Economic Development Grants Experience (EDGE)**. EDGE was developed to streamline the application and grants management process by implementing a **single platform** with increased transparency, improved user experience, higher data quality, and more efficiency throughout the entire grant lifecycle.

As of April 6th, the PWEAA2020 NOFO is closed, and PWEAA2023 is open for applications. **Applications for PWEAA2023 will only be accepted through EDGE.** To apply for funding under this NOFO, please review the NOFO here on Grants.gov and go to: sfgrants.eda.gov to apply. More information on how to apply is provided in the full NOFO.

Program Overview:

EDA has authority to provide grants to meet the full range of communities' and regions' economic development needs from planning and technical assistance to construction of infrastructure. These grants are made through a series of Notices of Funding Opportunity (NOFOs) that can be found on EDA's website at <https://www.eda.gov/funding/funding-opportunities> and are designed to support the economic development activities most useful to a community based on its needs and circumstances. EDA funds community or regionally generated ideas and assists communities to advance to the next level of economic development.

This NOFO, which supersedes the FY20 PWEAA NOFO, sets out EDA's application submission and review procedures for two of EDA's core economic development programs authorized under the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 et seq.) (PWEDA): (1) Public Works and Economic Development Facilities (Public Works) and (2) Economic Adjustment Assistance (EAA).

EDA supports bottom-up strategies that build on regional assets to spur economic growth and resiliency. EDA encourages its grantees throughout the country to develop initiatives that present new ideas and creative approaches to advance economic prosperity in distressed communities.

Through this NOFO EDA intends to advance general economic development in accordance with EDA's investment priorities, but also to pursue projects that, where practicable, incorporate specific priorities related to equity, workforce development, and climate change resiliency so that investments can benefit everyone for decades to come.

Link to Additional Information: [EDGE Portal](#)**Grantor Contact Information:** If you have difficulty accessing the full announcement electronically, please contact:

If you have difficulty accessing the full announcement electronically, please contact your EDA representative for your state. A complete list of EDA representatives is available on EDA's website at <http://www.eda.gov/contact/>

Item-7.

<http://www.eda.gov/contact/>



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

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FY 2023/2024 PUBLIC WORKS AND ECONOMIC DEVELOPMENT FACILITIES AND ECONOMIC ADJUSTMENT ASSISTANCE PROGRAMS IN SUPPORT OF THE FUTURE COMMERCIAL DEVELOPMENT AND EXPANSION OF PRIME ECO FLUIDS 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 submit an application to the EDA FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance Programs in support of future commercial development and the expansion of Prime Eco Fluids; and,

WHEREAS, The City of Wharton City Council wishes to accept the Wharton Economic Development Corporations matching contribution of \$400,000.00 to the grant if awarded; 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 the City of Wharton Staff to prepare an application for the EDA FY 2023/2024 Public Works and Economic Development Facilities and Economic Adjustment Assistance in support of future commercial development and the expansion of Prime Eco Fluids.

SECTION II. The Wharton City Council hereby accepts the matching funds of the Wharton Economic Development Corporation in the amount of \$400,000.00, if awarded.

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

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

PASSED, APPROVED, and ADOPTED this 9th day of October 2023.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing and ratifying the City of Wharton to submit a Letter of Intent for the City of Wharton’s participation in the Houston Galveston Area Council Light Detection and Ranging (LiDAR) Data Program by submitting a Letter of Intent and Applicant Validation of Funding Partners for funding to be used to participate in the Acquisition & Production of Light Detection and Ranging (LiDAR) Data.
<p>The City Staff was made aware of an opportunity to participate with the Houston Galveston Area Council (HGAC) in the acquisition and production of Light Detection and Ranging (LiDAR) Data at the recent Bringing the Conversation to Wharton County Day hosted by HGAC. Due to the time-sensitive nature of the application for assistance for funding to the US Geological Survey (USGS) the items needed to be returned with signature by Friday, September 29, 2023, requiring the items to be ratified by the City Council.</p> <p>The Wharton Economic Development Corporation Director (WEDC) has also expressed interest in participating in the costs and will be taking the item to their board meeting on October 9th, 2023, at 12:00 p.m. The LiDAR information will be extremely valuable to the future planning, marketing, and grant opportunities for the City.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: October 3, 2023

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Council

SUBJECT: Recommendation for authorization and ratification of the submission of a Letter of Intent (LOI) and applicant validation of funding partners for the U.S. Geological Survey (USGS)

The City Staff was made aware of an opportunity to participate with the Houston Galveston Area Council (HGAC) in the acquisition and production of Light Detection and Ranging (LiDAR) Data at the recent Bringing the Conversation to Wharton County Day hosted by HGAC. Due to the time sensitive nature of the application for assistance for funding to the US Geological Survey (USGS) the items needed to be returned with signature by Friday, September 29, 2023, requiring the items to be ratified by the City Council.

The Wharton Economic Development Corporation Director (WEDC) has also expressed interest in participating in the costs and will be taking the item to their board meeting on October 9th, 2023 at 12pm. The LiDAR information will be extremely valuable to the future planning, marketing and grant opportunities for the City.

It is my recommendation that the City Council authorize and ratify the submission of a Letter of Intent (LOI) and applicant validation of funding partners for the U.S. Geological Survey (USGS).

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.



City of Wharton

120 E. Caney Street ° Wharton, TX 77488
Phone (979) 532-2491° Fax (979) 532-0181

September 28, 2023

2024 LiDAR Letter of Intent

The Houston-Galveston Area Council (H-GAC) and its Geographic Data Workgroup (GDW) are coordinating the acquisition, QA/QC, and production of LiDAR (Light Detection and Ranging) data. Under these agreements, costs are to be shared by H-GAC and its cost-share participant GDW or H-GAC members.

I hereby certify that City of Wharton is either a current member of the Houston-Galveston Area Council (H-GAC), the Geographic Data Workgroup (GDW) or is in association with one of the 13 counties within the H-GAC region, and seeks to purchase 2024 LiDAR data as previously requested at a cost of ca. \$200/mi² (4ppsm) or \$240/mi² (8ppsm), respectively. I understand that the quoted cost will be divided by the number of partners sharing overlapping areas (see breakdown in attachment).

I further certify that City of Wharton has budgeted funds for this project and will reimburse the Houston-Galveston Area Council for an amount not to exceed \$6,480.00 (see attachment).

Payment for 2024 LiDAR (select one):

- Invoice full amount upon contract award.
- Delay full invoice until funds become available in Month/Year.
- Invoice incrementally when H-GAC is invoiced by the contractor.
- Other: _____.

Participating Entity Information:

City of Wharton
Organization Name

Mayor Tim Barker
Name of Representative

120 E. Caney St.
Organization Mailing Address


Signature of Representative

Organization Mailing Address

979-532-2491
Phone Number

Wharton, Texas 77488
City, State, ZIP

tbarker@cityofwharton.com
E-Mail

U.S. Geological Survey
Data Collaboration Announcement (DCA) for 3D Elevation Program (3DEP)

3DEP-D: Applicant Validation of Funding Partners

Instructions: Project submission must include one form 3DEP-D for each funding partner.

Applicant Information:	First Name: Jochen	Last Name: Floesser
	Organization: Houston-Galveston Area Council (H-GAC)	
	Project Title: 2024 H-GAC Regional Lidar Program	

Proposed Funding Partner Information:	First Name: Tim	Last Name: Barker
	Organization: City of Wharton, TX	

Cooperative Agreement	This form acknowledges that our organization is a full and willing partner in the project referenced above. If project submission is selected, our organization has proposed a good faith contribution of \$ _____ towards the data acquisition costs of this project.
-----------------------	--

Geospatial Products and Services Contracts (GPSC)	This form acknowledges that our organization is a full and willing partner in the project referenced above. If project submission is selected, our organization has proposed a good faith contribution of \$ <u>6,480.00</u> towards the total cost of this project. The applicant recognizes that \$ <u>\$6,113.21</u> will be applied to the acquisition costs and 6% \$ <u>\$ 366.79</u> will be applied to cover the cost of DOI and USGS assessments.
---	--

Complete only ONE statement based on project approach.

Hit TAB to complete input.

As Stated in the Project Submission this Contribution is: <i>Select only one option</i>	<input checked="" type="checkbox"/> Guaranteed
	<input type="checkbox"/> Pending, with final funding decision expected on _____ <i>(Use: MMM.YYYY)</i>

Signature of Funding Partner: *Tim Barker* Tim Barker, Mayor

Date: 09/28/2023

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

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND RATIFYING THE CITY OF WHARTON TO SUBMIT A LETTER OF INTENT FOR THE CITY OF WHARTON'S PARTICIPATION IN THE HOUSTON GALVESTON AREA COUNCIL LIGHT DETECTION AND RANGING (LIDAR) DATA PROGRAM BY SUBMITTING A LETTER OF INTENT AND APPLICANT VALIDATION OF FUNDING PARTNERS FOR FUNDING TO BE USED TO PARTICIPATE IN THE ACQUISITION & PRODUCTION OF LIGHT DETECTION AND RANGING (LIDAR) DATA.

WHEREAS, The Wharton City Council wishes to authorize and ratify the submission of a Letter of Intent (LOI) and applicant validation of funding partners for the U.S. Geological Survey (USGS); and,

WHEREAS, Said LOI and Validation of Funding will allow the City to participate in the Acquisition and Production of Light Detection and Ranging (LiDAR) Data for the City; and,

WHEREAS, To fund the costs for said project, the Wharton City Council wishes to participate in the USGS Data Collection Announcement for 3D Elevation Program, collaborate with the Wharton Economic Development Corporation, and provide the remainder from the Planning and Development Budget; and,

WHEREAS, The Wharton City Council wishes to ratify and authorize the Mayor of the City of Wharton to submit a Letter of Intent to participate in said program.

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 and ratifies the submission, by the Mayor of the City of Wharton, of the Letter of Intent (LOI) and applicant validation of funding partners for the U.S. Geological Survey (USGS).

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

Passed, Approved, and Adopted this the 9th day of October 2023.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees: <ul style="list-style-type: none"> A. Resignations. B. Appointments. C. Vacancies.
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Attached is the list of people serving on the various City Boards, Commissions, and Committees. There are still vacancies that also need to be filled.

Resignations: Mr. Adraylle Watson from the Mayor’s Committee on People with Disabilities.

Appointments:

Vacancies:

- A. Beautification Commission.
- B. Building Standards Commission.
- C. Mayor’s Committee on People with Disabilities.
- D. Plumbing and Mechanical Board.

City Manager: Joseph R. Pace	Date: Thursday, October 5, 2023
Approval: 	
Mayor: Tim Barker	

**CITY OF WHARTON
BOARDS, COMMISSIONS, AND COMMITTEES**

WHARTON REGIONAL AIRPORT BOARD	TWO YEAR TERM	Reappointment
Jimmy Gardner	June 30, 2025	
Randy Rodriguez	June 30, 2025	
Bill Kingrey	June 30, 2025	
Larry David	June 30, 2024	
Jimmy Zissa	June 30, 2024	
Glenn Erdelt	June 30, 2024	

BEAUTIFICATION COMMISSION	TWO YEAR TERM	Reappointment
Nancy Mata	June 30, 2024	
Vacant	June 30, 2024	
Rachel Roberson	June 30, 2024	
Barbie Fortenberry	June 30, 2025	
Adraylle Watson	June 30, 2025	
Debbie Folks	June 30, 2025	
Sheryl Joost	June 30, 2025	

BUILDING STANDARDS COMMISSION	TWO YEAR TERM	Reappointment
Leonard Morales	June 30, 2025	
Vacant	June 30, 2025	
Vacant	June 30, 2025	
Paul Shannon	June 30, 2025	
Vacant	June 30, 2024	
Howard Singleton	June 30, 2024	
Shaun Stockwell	June 30, 2024	
Claudia Velasquez, Building Official - ExOfficio		
Jeff Gubbels - Health Officer-ExOfficio		
Hector Hernandez-Fire Marshall-ExOfficio		

ELECTRICAL BOARD	TWO YEAR TERM	Reappointment
Councilmember Burnell Neal	June 30, 2025	
Oscar Uribe	June 30, 2025	
Philip Hamlin	June 30, 2024	
Milton Barbee	June 30, 2024	
Hector Hernandez- Fire Marshal		

HOLIDAY LIGHT DECORATING CHAIRMAN	TWO YEAR TERM	Reappointment
Tim Barker	June 30, 2024	

MAYOR'S COMMITTEE ON PEOPLE WITH DISABILITIES	TWO YEAR TERM	Reappointment
Johnnie Gonzales	June 30, 2024	

Faye Evans	June 30, 2024	
Vacant	June 30, 2024	
Adraylle Watson	June 30, 2025	
Delia Gonzales	June 30, 2025	
Sheena Barbee	June 30, 2025	
Cheryl Lavergne	June 30, 2025	
Mayor Tim Barker- Ex Officio		
HEALTH OFFICER	TWO YEAR TERM	Reappointment
Dr. Jeff Gubbels, MD	June 30, 2024	
VETERINARIAN	TWO YEAR TERM	Reappointment
Dr. Cody Pohler, DVM	June 30, 2024	
MUNICIPAL COURT JUDGE	TWO YEAR TERM	Reappointment
Jared Cullar	June 30, 2025	
PLANNING COMMISSION	TWO YEAR TERM	Reappointment
Johnnie Gonzales	June 30, 2025	
Rob Kolacny	June 30, 2025	
Michael Quinn	June 30, 2025	
Marshall Francis	June 30, 2024	
Adraylle Watson	June 30, 2024	
Michael Wootton	June 30, 2024	
Joel Williams	June 30, 2024	
PLUMBING AND MECHANICAL BOARD	TWO YEAR TERM	Reappointment
A. J. Rath	June 30, 2024	
Vacant	June 30, 2025	
Vacant	June 30, 2024	
Robert Sanchez	June 30, 2025	
Vacant	June 30, 2024	
Claudia Velasquez, Building Official - ExOfficio		
Public Works Director Anthony Arcidiacono- Ex Officio		
Mayor Tim Barker - Ex Officio		
WHARTON ECONOMIC DEVELOPMENT CORPORATION	TWO YEAR TERM	Reappointment
Michael Wootton	September 30, 2024	
Alice Heard Roberts	September 30, 2024	
Freddie Pekar	September 30, 2024	
Larry Pittman (Councilmember)	September 30, 2024	
Russell Machann- (Councilmember)	September 30, 2025	
Andrew Armour	September 30, 2025	
Michael Roberson	September 30, 2025	

CITY COUNCIL COMMITTEES - Renew June 30th of Each Year

ANNEXATION COMMITTEE

Tim Barker
 Russell Machann
 Don Mueller

FINANCE COMMITTEE

Russell Machann
 Larry Pittman
 Tim Barker

HOUSING COMMITTEE

Terry Freese
 Russell Machann
 Burnell Neal

INTERGOVERNMENTAL RELATIONS COMMITTEE

Terry Freese
 Tim Barker
 Larry Pittman

LEGISLATIVE COMMITTEE

Tim Barker
 Larry Pittman
 Steven Schneider

PUBLIC HEALTH COMMITTEE

Terry Freese
 Larry Pittman
 Russell Machann

PUBLIC SAFETY COMMITTEE

Larry Pittman
 Terry Freese
 Don Mueller

PUBLIC WORKS COMMITTEE

Terry Freese
 Don Mueller
 Burnell Neal

TELECOMMUNICATIONS COMMITTEE

Burnell Neal
 Terry Freese
 Don Mueller

WHARTON ECONOMIC DEVELOPMENT CORP BOARD OF DIRECTORS SELECTION COMMITTEE

Tim Barker
 Steven Schneider
 Larry Pittman

ECONOMIC DEVELOPMENT COMMITTEE

Tim Barker
 Burnell Neal
 Russell Machann

PARKS AND RECREATION COMMITTEE

Steven Schneider
 Russell Machann
 Terry Freese



City of Wharton
120 E. Caney Street ° Wharton, TX 77488
Phone (979) 532-2491 °(979) 532-0181 FAX

Date: September 28, 2023
From: Claudia Velasquez, Building Official
To: Mayor's Committee on People with Disabilities
Subject: Resignation of Member

Commission Member Adraylle Watson advised he will be resigning his term on the Mayor's Committee on People with Disabilities effective September 2023.

If you have any questions, please contact me at City Hall (979) 532-4811, Ext. 232.

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	10/9/2023	Agenda Item:	City Council Boards, Commissions, and Committee Reports: A. Finance Committee meeting held September 25, 2023.
Attached you will find the reports from the above-mentioned Committees.			
City Manager: Joseph R. Pace		Date: Thursday, October 5, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

Phone (979) 532-2491° Fax (979) 532-
0181

MEMORANDUM

Date: September 26, 2023

From: City Council Finance Committee

To: Mayor & City Council

Subject: Report/Recommendations from the meeting held September 25, 2023

At the September 25, 2023, City Council Finance Committee Meeting, the Committee met and discussed the following items:

1. Review & Consider: Minutes from the meeting held August 28, 2023.
2. Review & Consider: City of Wharton Annual Financial Report for Fiscal Year October 1, 2021, to September 30, 2022, by Harrison, Waldrop & Uherek, L.L.P. The Committee voted to recommend this item to the City Council for consideration.
3. Review & Consider: Resolution: A resolution of the Wharton City Council approving a contract for administration services for the Regional Council of Governments Method of Distribution (COG-MOD) Program(s) funded and administered through the Texas General Land Office (GLO) and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. The Committee voted to recommend this item to the City Council for consideration.

Adjournment.