

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
MARCH 13, 2017**

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 Vincent Huerta led the opening devotion and Mayor Barker led the pledge of allegiance.

Councilmember's present were: Mayor Tim Barker and Councilmembers Al Bryant, Terry Freese, Vincent Huerta and Don Mueller.

Councilmember absent was: Steven Schneider and Russell Machann.

Staff members present were: City Manager Andres Garza, Jr, City Secretary Paula Favors, Public Works Director Wade Wendt and Community Development Coordinator Gwyneth Teves.

Visitors present were: Wharton Economic Development Director Chad Odom, III, I.O. Coleman, Jr., Pastor Janice Blair, Blanche Allen, Cindy Kloesel, Trina Baldwin, Stella Sanders, Alice Humphrey, Ennis Humphrey, Jr. and Charlotte A. Bess.

The second item on the agenda was Roll Call and Excuses Absences. After some discussion, Councilmember Al Bryant moved to excuse Councilmember Steven Schneider and Councilmember Russell Machann. Councilmember Terry Freese seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. No comments were made.

The fourth item on the agenda was the Wharton Moment. Councilmember Terry Freese stated that the Wharton High School Girls' Basketball Varsity team lost in the 1st round of the state tournament but had an excellent season that they should be proud of. Councilmember Freese said other sports within the school district had begun which included golf, tennis, soccer, baseball and softball. Councilmember Vincent Huerta stated at local members of county and city government were invited by the Texas Legislature to a very informative meeting at the Capital in Austin. Councilmember Huerta stated that Wharton County was recognized and the County was blessed to have State Representative Phil Stephenson and Senator Lois W. Kolkhorst representing residents.

The fifth item on the agenda was to review and consider the reading of the minutes from the regular meetings held February 13, 2017 and February 27, 2017. After some discussion, Councilmember Al Bryant moved to approve the reading of the minutes from reading of the minutes from the regular meetings held February 13, 2017 and February 27, 2017. Councilmember Vincent Huerta 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 awarding a contract for the remodeling of the City Hall Council Chambers and authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. City Manager Andres Garza, Jr. stated that the City of Wharton Staff had begun a (3) Three Phase project for upgrades to the City of Wharton City Hall and staff had received (2) assessments to outline the needed improvements to the building as well as improvements to the security system. City Manager Garza said that both assessments highlighted needs that were from minor to major. City Secretary Paula Favors stated that Phase 1 of the project was the addition of the Audio/Visual upgrades to the Council Chambers, Phase II of the project would include new flooring for the Chamber as well as the raised City Council platform, which would help aid in sound distribution, painting of the walls and the construction of a new desk which would hold the Audio/Visual equipment as well as City Staff. She said the current surface top of the City Council desk would be replaced with a solid surface top which would wrap around to the new Audio/Visual desk. Mrs. Favors said Phase I of the project had been funded through the PEG fund and parts of Phase II would be as well. She stated that the bid received from Stockwell Construction, for Phase II of the project was \$19,224.34. City Manager Garza said that based on the information received and the estimate, the City Staff, was requesting the City Council's approval to accept Stockwell Construction for the remodeling of the City Council Chambers which would complete Phase II of the project. After some discussion, Councilmember Vincent Huerta moved to approve City of Wharton Resolution No. 2017-22, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-22**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE REMODELING OF THE CITY HALL COUNCIL CHAMBERS TO STOCKWELL CONSTRUCTION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, the City of Wharton wishes to make needed improvements to the City Council Chamber as Phase II of a (3) Phase project; and,

WHEREAS, Stockwell Construction was deemed to be the best qualified bid in the amount of \$19,224.34 as per bid specifications; and,

WHEREAS, the Wharton City Council and Stockwell Construction wishes to be bound by the conditions 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:

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Section I. That the City Council hereby awards a contract to Stockwell Construction for the City of Wharton City Hall Council Chambers Project in the amount of \$19,224.34 as per bid specifications.

Section II. That the City of Wharton and Stockwell Construction shall hereby be bound by the conditions set forth in said agreement.

Section III. That the Mayor of the City of Wharton is hereby authorized to execute the agreement.

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

Passed, Approved, and Adopted this 13th day of March, 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The seventh item on agenda was to review and consider the Texas Water Development Board State Revolving Funds Loans:

A. **Resolution:** A resolution of the Wharton City Council establishing a consultant selection committee and developing evaluation criteria for the selection of a consulting firm for the Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF) Loan Program for Bond Counsel for the Levee Project.

B. **Resolution:** A resolution of the Wharton City Council establishing a consultant selection committee and developing evaluation criteria for the selection of a consulting firm for the Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF) Loan Program for Financial Advisor for the Levee Project .

C. **Resolution:** A resolution of the Wharton City Council establishing a consultant selection committee and developing evaluation criteria for the selection of a consulting firm for the Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF) Loan Program for Engineering Services for the Levee Project.

D. **Resolution:** A resolution of the Wharton City Council establishing a consultant selection committee and developing evaluation criteria for the selection of a consulting firm for the Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF) Loan Program for Bond Counsel for the Water Well Plant Project.

E. **Resolution:** A resolution of the Wharton City Council establishing a consultant selection committee and developing evaluation criteria for the selection of a consulting firm for the Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF) Loan Program for Financial Advisor for the Water Well Plant Project.

F. **Resolution:** A resolution of the Wharton City Council establishing a consultant selection committee and developing evaluation criteria for the selection of a consulting firm for the Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF) Loan Program for Engineering Services for the Water Well Plant Project.

City Manager Andres Garza, Jr. stated that the aforementioned resolutions would allow the City to comply with the Texas Water Development Board's procurement requirements for the Levee Project and Water Well Plant Project. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-24, 2017-25, 2017-26, 2017-27, 2017-28 and 2017-29, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-24**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) CLEAN WATER STATE REVOLVING FUND (CWSRF) LOAN PROGRAM FOR BOND COUNSEL FOR THE LEVEE PROJECT.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Water Development Board and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2017-25**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) CLEAN WATER STATE REVOLVING FUND (CWSRF) LOAN PROGRAM FOR ENGINEERING SERVICES FOR THE LEVEE PROJECT.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Water Development Board and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2017-26**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) CLEAN WATER STATE REVOLVING FUND (CWSRF) LOAN PROGRAM FOR FINANCIAL ADVISOR FOR THE LEVEE PROJECT.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Water Development Board and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2017-27**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN PROGRAM FOR BOND COUNSEL FOR THE WATER WELL PLANT PROJECT.

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WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Water Development Board and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2017-28**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A
CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION**

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CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN PROGRAM FOR ENGINEERING SERVICES FOR THE WATER WELL PLANT PROJECT.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Water Development Board and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2017-29**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN PROGRAM FOR FINANCIAL ADVISOR FOR THE WATER WELL PLANT PROJECT.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Water Development Board and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

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

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council approving the establishment of a Consultant Selection Committee and developing evaluation criteria for the selection of consulting firm for the Texas Department of Housing and Community Affairs (TDHCA) Homeowner Rehabilitation Assistance (HRA) HOME Investments Partnership Program for Grant Management. City Manager Andres Garza, Jr. stated that on February 13, 2017, the City Council authorized the City Staff to pursue funding from TDHCA under the HRA HOME Investments Partnership Program for a HOME-DR Program Reservation agreement to assist residents of the City that had been affected by the floods of April and May 2016. City Manager Garza said the City Staff after reviewing TDHCA guidelines for the procurement of consulting services prepared and published the request for proposals for these services. He said the selection process would require the City to meet state and federal procurement guidelines in order for the services to be eligible for payment by the funds, if awarded. City Manager Garza presented a draft resolution that would establish a Consultant Selection Committee that would review and formulate a recommendation to the City Council on a consulting firm to assist the City with Management of the program. After some discussion, Councilmember Vincent Huerta moved to approve City of Wharton Resolution No. 2017-23, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2017-23**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A
CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION
CRITERIA FOR THE SELECTION OF A CONSULTING FIRM FOR THE TEXAS
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA)
HOMEOWNER REHABILITATION ASSISTANCE (HRA) HOME INVESTMENTS
PARTNERSHIP PROGRAM FOR GRANT MANAGEMENT.**

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the Texas Department of Housing and Community Affairs and provide recommendations to the entire City Council; and,

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

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

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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

Section I. That the Wharton City Council hereby establishes the City Council Consultant Selection Committee.

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

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of March 2017.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST: _____
PAULA FAVORS
City Secretary

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

The ninth item on the agenda was to review and consider Wharton Sidewalk Accessibility and Historic Streetscape Project:

A. Pay Request No. 7 to M & C Fonseca Construction Co., Inc.

City Manager Andres Garza, Jr. presented pay request No. 7 in the amount of \$107,554.20 from M & C Fonseca Construction Co., Inc. for the Wharton Sidewalk Accessibility and Historic Streetscape Project. After some discussion, Councilmember Al Bryant moved to approve Pay Request No. 7 to M& C Fonseca Construction Co., Inc. in the amount of \$107,554.20 for the Wharton Sidewalk Accessibility and Historic Streetscape Project. Councilmember Vincent Huerta seconded the motion. All voted in favor.

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

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- A. Building Standards Commission.
- B. Plumbing and Mechanical Board.

After some discussion, no action was taken.

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

- A. Wharton Economic Development Corporation meeting held February 20, 2017.

After some discussion, no action was taken.

The twelfth item on the agenda was adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Al Bryant seconded the motion. All voted in favor.

The meeting adjourned at 7:14 p.m.

CITY OF WHARTON, TEXAS

By: _____
Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary