

**MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
JULY 10, 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. Mr. Fred Johnson 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, Don Mueller and Steven Schneider.

Councilmember absent was: Russell Machann.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Anandel, City Secretary Paula Favors, Assistant to City Manager Brandi Jimenez, Community Development Coordinator Gwyn Teves, City Attorney Paul Webb, Public Works Director Wade Wendt, Police Chief Terry Lynch, Airport Manager David Allen, Fire Inspector Amanda Lopez and Assistant to Building Official Claudia Velasquez.

Visitors present were: I.O. Coleman, Jr., Winnie Huerta, Conrad V. Huerta, Krista Spano, Cindy Kloesel, Roy Matthews, Fred Johnson, Jr., Fred Johnson, Bruce Spitzengel with Grantworks, Inc. and Evelyn Carriere with the Wharton Journal Spectator.

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

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

The fourth item on the agenda was the Wharton Moment. Mayor Tim Barker gave condolences to Councilmember Al Bryant on the passing of his sister Bessie Bryant. Councilmember Bryant thanked fellow Council and City Staff for their condolences. Councilmember Vincent Huerta announced his resignation from the City Council effective July 11, 2017. Councilmember Huerta thanked the City Council and City Staff for their service and leadership during his service on the City Council. Councilmember Huerta gave his recommendation to the Council for his replacement by introducing Mr. Fred Johnson.

City of Wharton  
Regular Council Meeting  
July 10, 2017

The fifth item on the agenda was to review and consider the reading of the minutes from the regular meetings held June 12, 2017 and June 26, 2017 and special meeting held on June 13, 2017. After some discussion, Councilmember Al Bryant moved to approve the reading of the minutes from the regular meeting held on June 12, 2017 and June 26, 2017 and special meeting held on June 13, 2017. Councilmember Steve Schneider seconded the motion. All voted in favor.

The sixth item discussed on the agenda was to review and consider a request from Mayor's Committee on People with Disabilities Committee Chairperson Krista Spano to address the City Council regarding the development of an ADA Ordinance for the City of Wharton. City Manager Andres Garza, Jr. presented a memo from Claudia Velasquez, Building Official Assistant, requesting on behalf of the Mayor's Committee on People with Disabilities Committee Chairperson Krista Spano to address the City Council regarding the development of an ADA Ordinance for the City of Wharton and a copy of a draft letter the Committee was planning to send to local businesses regarding accessibility to their establishments. Ms. Spano requested the City Council consider creating an Ordinance to enforce ADA building codes and standards to all buildings within the City. City Attorney Paul Webb stated that the City would not be able to create an Ordinance that mandates ADA requirements due to federal law. City Manager Garza stated the City Ordinances included ADA standards and requirements and any building that would be renovated or built in the City was required to meet code requirements. After some discussion, no action was taken.

The seventh item discussed on agenda was to review and consider a request by Mrs. Little Matthews, 219 N. Outlar, Outlar, Lot 7B for an interior side yard setback variance of 5'-0" from the required 5'-0" setback to build a 28' by 12' deck along the rear of the residence. Community Development Coordinator Gwyn Teves presented a request from Mrs. Little Matthews for an interior side yard setback variance of 5'-0" from the required 5'-0" setback to build a 28' by 12' deck along the rear of the residence at 219 N. Outlar, Outlar, Lot 7B. Mrs. Teves stated that the request was being presented to the City Council since it was over a 50% variance. After some discussion, Councilmember Al Bryant moved to approve the request from Mrs. Little Matthews for an interior side yard setback variance of 5'-0" from the required 5'-0" setback to build a 28' by 12' deck along the rear of the residence at 219 N. Outlar, Outlar, Lot 7B. Councilmember Vincent Huerta seconded the motion. All voted in favor.

The eighth item discussed on the agenda was to review and consider the United States Department of Agriculture Section 533 Housing Preservation Application:

A. **Resolution:** A resolution of the Wharton City Council awarding a contract for services to write and administer the USDA Section 533 Housing Preservation Application and grant 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 adopting and agreeing to Exhibit F-1 of the USDA Rules 1944-N and agreeing to comply with environmental review requirements and authorizing the Mayor of the City of Wharton to execute all documents related to said adoption.

City of Wharton  
Regular Council Meeting  
July 10, 2017

City Manager Andres Garza, Jr. stated that on June 26, 2017, the City Council authorized the City Staff to pursue proposals for a consultant for the U.S. Department of Agriculture Rural Housing Services 2017 Section 533 Housing Preservation Grant Application and Administration. Community Development Coordinator Gwyn Teves stated that proposals for the service were received on July 5, 2017. Mrs. Teves said the Consultant Selection Committee met on July 10, 2017 and was recommending the City Council consider awarding a contract to Grantworks, Inc. and adopt the USDA's Rules 1944-N concerning environmental review requirements. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-60 and 2017-61, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-60**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR SERVICES TO WRITE AND ADMINISTER THE USDA SECTION 533 HOUSING PRESERVATION APPLICATION AND GRANT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton City Council wishes to enter into a contract for the services to write and administer the USDA Section 533 Housing Preservation Application and Grant with Grantworks; and,

**WHEREAS,** It is necessary and prudent to initiate the implementation process at the earliest possible date; and,

**WHEREAS,** The Request for Proposal procedures were followed; and,

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

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

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

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an agreement with Grantworks to write and administer the USDA Section 533 Housing Preservation Application and Grant.

**Section II.** The City of Wharton and Grantworks are hereby bound by the conditions as set forth in the contract.

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

City of Wharton  
Regular Council Meeting  
July 10, 2017

**Passed, Approved, and Adopted** this 10<sup>th</sup> day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

**CITY OF WHARTON  
RESOLUTION NO. 2017-61**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING AND AGREEING TO EXHIBIT F-1 OF THE USDA RULES 1944-N AND AGREEING TO COMPLY WITH ENVIRONMENTAL REVIEW REQUIREMENTS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID ADOPTION.**

**WHEREAS,** The United States Department of Agriculture (USDA) has notified the public of a funding availability to benefit lower income residents of Rural Texas communities through the Home Preservation Grant (HPG); and,

**WHEREAS,** The City of Wharton City Council wishes to assist lower income homeowners while simultaneously enhancing the health, economic, and aesthetic quality of the community; and,

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

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

**Section I.** The City of Wharton City Council adopts and agrees to Exhibit F-1 of USDA rules 1944-N and will comply with environmental review requirements.

**Section II.** The City of Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents to said adoption.

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

**Passed, Approved, and Adopted** this 10<sup>th</sup> day of July 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 a resolution of the Wharton City Council awarding a contract for administration services for the USDA 2015 and 2016 CDBG-Disaster Recovery Fund through the General Land Office Community Development and revitalization application and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Manager Andres Garza, Jr. stated that on June 26, 2017, the City Council authorized the City Staff to pursue proposals for a consultant for the 2015 and 2016 CDBG -Disaster Recovery Fund through the General Land Office Community Development and Revitalization Application and Administration. Community Development Coordinator Gwyn Teves stated that proposals for this service were received on July 6, 2017 and the Consultant Selection Committee met on July 10, 2017 and was requesting the City Council consider awarding a contract to Grantworks, Inc. to write and administer the 2015 and 2016 CDBG – Disaster Recovery Fund. After some discussion, Councilmember Vincent Huerta moved to approve City of Wharton Resolution No. 2017-62, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-62**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR SERVICES TO WRITE AND ADMINISTER THE 2015 AND 2016 CDBG – DISASTER RECOVERY FUND THROUGH THE GENERAL LAND OFFICE COMMUNITY DEVELOPMENT AND REVITALIZATION APPLICATION AND ADMINISTRATION 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 enter into a contract for the services to write and administer the 2015 and 2016 CDBG – Disaster Recovery Fund through the General Land Office Community Development and Revitalization Application and Grant with Grantworks; and,

City of Wharton  
Regular Council Meeting  
July 10, 2017

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

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

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

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an agreement with Grantworks to write and administer the 2015 and 2016 CDBG – Disaster Recovery Fund through the General Land Office Community Development and Revitalization Application and Grant.

**Section II.** The City of Wharton and Grantworks 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 10<sup>th</sup> day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember Al Bryant seconded the motion. All voted favor.

The tenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the Mayor to submit a letter requesting a Project Partnership Agreement (PPA) for local construction of Phase 1 of the Levee System to the U.S. Army Corps of Engineers, Fort Worth District and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. City Manager Andres Garza, Jr. stated that on June 14, 2017, Mayor Barker, Wes Birdwell of Halff and Associates and himself met with Elston Eckhardt P.E. and Representatives of the Ft. Worth and Galveston District Office of the U.S. Corp of Engineers regarding the levee project. City Manager Garza said the Corp Representatives informed the City representatives that they had received a ruling from the Corp that instead of a Memorandum of Understanding (MOU) the City could move the project forward through a Project Participation Agreement (PPA). Community Development

City of Wharton  
Regular Council Meeting  
July 10, 2017

Coordinator Gwyn Teves stated that the Corp Representatives stated that a letter requesting a PPA needed to be sent to the Ft. Worth Corp District Office and the process could take three to four months. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-63, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-63**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR TO SUBMIT A LETTER REQUESTING A PROJECT PARTNERSHIP AGREEMENT (PPA) FOR LOCAL CONTRUCTION OF PHASE 1 OF THE LEVEE SYSTEM TO THE U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT 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 a request to execute a Project Partnership Agreement (PPA) for local construction of Phase 1 of the Levee System to the U. S. Army Corps of Engineers, Fort Worth District; and,

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

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

**SECTION I.** The Wharton City Council hereby approves the submission of a request to execute a Project Partnership Agreement (PPA) for local construction of Phase 1 of the Levee System to the U. S. Army Corps of Engineers, Fort Worth District.

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

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

**PASSED, APPROVED, and ADOPTED** this 10<sup>th</sup> day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

\_\_\_\_\_

**PAULA FAVORS**

City of Wharton  
Regular Council Meeting  
July 10, 2017

City Secretary

Councilmember Terry Freese 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 authorizing the Mayor of the City of Wharton to execute an interlocal agency agreement with the Wharton County Task Force regarding the dispensation of seized/forfeited funds and property. City Manager Andres Garza, Jr. stated that due to the newly elected Sheriff and the addition of Wharton County Constable Precinct 2 as a law enforcement partner, the Wharton County Task Force Interlocal Agency Agreement would need to be amended regarding the dispensation of seized/forfeited funds and property. Police Chief Terry David Lynch stated that City Attorney Paul Webb had reviewed the agreement and presented the recommended changes. Police Chief Lynch said the agreement would be beneficial to City of Wharton and requested City Council consider approving the agreement. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2017-64, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-64**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE AN INTERLOCAL AGENCY AGREEMENT WITH THE WHARTON COUNTY TASK FORCE REGARDING THE DISPENSATION OF SEIZED/FORFEITED FUNDS AND PROPERTY.**

**WHEREAS,** An Interlocal Agency Agreement establishes a task force to combat crime throughout the jurisdictional limits of cities and county; and,

**WHEREAS,** Due to the newly elected Sheriff and the addition of Wharton County Constable Precinct 2 as a law enforcement partner, the Wharton County Task Force Interlocal Agency Agreement will need to be amended regarding the dispensation of seized/forfeited funds and property; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor and the Chief of Police of the City of Wharton to execute the agreement; and,

**WHEREAS,** The Wharton City Council wishes this resolution to become effective immediately upon its passage.

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

**Section I.** The Wharton City Council hereby authorizes the Mayor and the Chief of Police of the City of Wharton to execute all documents related to said agreement.

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



City of Wharton  
Regular Council Meeting  
July 10, 2017

**Passed, Approved, and Adopted** this 10th day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**  
**City Secretary**

Councilmember Al Bryant seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider a resolution of the Wharton City Council awarding contracts for material for the 2017 Street Maintenance Program and authorizing the City Manager of the City of Wharton to execute all documents related to said contracts. City Manager Andres Garza, Jr. stated that bids were to be received for the material needed for the 2017 Street Maintenance Program on Monday, July 10, 2017 at 10 a.m. and the City Staff will make a recommendation to the City Council at the next regularly scheduled meeting. City Manager Garza requested that no action be taken and the item was pulled from the agenda. After some discussion, no action was taken.

The thirteenth item on the agenda was to review and consider Valhalla Water Well Rework Project:

- A. Pay Request No. 3 from Weisinger, Incorporated and Progress Report No. 3.
- B. Pay Request No. 4 from Weisinger, Incorporated and Progress Report No. 4.

City Manager Andres Garza, Jr. presented Pay Request No. 3 in the amount of \$21,185.00 and Pay Request No. 4 in the amount of \$60,776.25 from Weisinger, Incorporated for the Valhalla Water Well Rework Project. Public Works Director Wade Wendt stated that Progress Reports No. 3 for construction activities for the period of April 1, 2017 to April 30, 2017 and No. 4 for construction activities for the period of May 1, 2017 to June 30, 2017. After some discussion, Councilmember Al Bryant moved to approve Pay Request No. 3 in the amount of \$21,185.00 and Pay Request No. 4 in the amount of \$60,776.25 from Weisinger, Incorporated for the Valhalla Water Well Rework Project. Councilmember Terry Freese seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving agreement No. 2017-038 between the City of Wharton and Texas Department of Housing and Community Affairs Home Investment Partnerships Program (HOME) and Reservation System Participant Agreement and authorizing the Mayor of the City

City of Wharton  
Regular Council Meeting  
July 10, 2017

of Wharton to execute all documents relating to said agreement. City Manager Andres Garza, Jr. presented a copy of the agreement for the HOME Program funded by Texas Department of Housing and Community Affairs. Community Development Coordinator Gwyn Teves stated that the program would assist homeowners with disaster recovery from the flooding of 2015 & 2016 as well as low income homeowners throughout the City with home rehabilitation or rebuilding. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-66, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-66**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AGREEMENT NO. 2017-0038 BETWEEN THE CITY OF WHARTON AND TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) AND RESERVATION SYSTEM PARTICIPANT AGREEMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID AGREEMENT.**

**WHEREAS,** The City of Wharton wishes to enter into an agreement with Texas Department of Housing and Community Affairs Home Investment Partnerships Program (HOME) and Reservation System Participant Agreement for homeowner housing assistance; and,

**WHEREAS,** The Wharton City Council and the Texas Department of Housing and Community Affairs 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 all documents related to 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 approves an agreement with Texas Department of Housing and Community Affairs Home Investment Partnerships Program (HOME) and Reservation System Participant Agreement.

**Section II.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the agreement.

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

**Passed, Approved, and Adopted** this 10<sup>th</sup> day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

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

The fifteenth item on the agenda was to review and consider a resolution of the Wharton City Council adopting the Remembering When Program and authorizing the City of Wharton Code Enforcement Department to implement said program in the City of Wharton. City Manager Andres Garza, Jr. presented a memo from Fire Inspector Amanda Lopez regarding the Remembering When Program. Ms. Lopez stated that the Remembering Program was designed to prevent injuries among older adults and help them live safely at home. She said Remembering When would be presented during annual inspections of apartments, group homes, retirement homes and where requested. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2017-67, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-67**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE REMEMBERING WHEN PROGRAM AND AUTHORIZING THE CITY OF WHARTON CODE ENFORCEMENT DEPARTMENT TO IMPLEMENT SAID PROGRAM IN THE CITY OF WHARTON.**

**WHEREAS,** Statistics from the CDC show that falls are the leading cause of death from unemotional injury in the home; and,

**WHEREAS,** By focusing attention on these two serious issues, we can make a measurable improvement in the health and well-being of older adults, who are a rapidly growing segment of the population; and,

**WHEREAS,** Remembering When is designed to prevent injuries among older adults and help them live safely at home; and,

**WHEREAS,** Remembering When will be presented during annual inspections of apartments, group homes, retirement homes, and where requested; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City of Wharton Code Enforcement Department to implement said program in the City of Wharton.

City of Wharton  
Regular Council Meeting  
July 10, 2017

**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 City of Wharton Code Enforcement Department to implement said program in the City of Wharton.

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

**Passed, Approved, and Adopted** this 10th day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

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

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

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

After some discussion, no action was taken.

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

- A. Housing Committee meeting held June 19, 2017.
- B. Finance Committee meeting June 26, 2017.

After some discussion, no action was taken.

The eighteenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager of the City of Wharton to submit a letter to the Federal Aviation Administration (FAA) requesting an FAA safety study at the Wharton Regional Airport concerning the operation of hang gliders. City Manager Andres Garza, Jr. stated that

City of Wharton  
Regular Council Meeting  
July 10, 2017

the Wharton Regional Airport had a hang glider operation based at the airport and in the past there have been some incidents between the hang gliders and fixed wing aircraft operators that had the City Staff concerned with their safety. Airport Manager David Allen stated that the proposed letter was requesting the FAA conduct a safety study to determine the best solution to prevent an accident at the airport and with City Council approval the request would be submitted to the FAA for their assistance. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2017-68, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2017-68**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO SUBMIT A LETTER TO THE FEDERAL AVIATION ADMINISTRATION (FAA) REQUESTING THE FAA SAFETY STUDY AT THE WHARTON REGIONAL AIRPORT CONCERNING THE OPERATION OF HANG GLIDERS.**

**WHEREAS,** The Wharton Regional Airport has a hang glider operation based at the airport; and,

**WHEREAS,** In the past there have been some incidents between the hang gliders and fixed wing aircraft operators that has the City Staff concerned with their safety; and,

**WHEREAS,** The City Staff is requesting the FAA conduct a safety study to determine the best solution to prevent an accident at the airport.

**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 City of Wharton City Manager to submit a letter to the FAA requesting the FAA safety study at the Wharton Regional Airport.

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

**Passed, Approved, and Adopted** this 10th day of July 2017.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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City of Wharton  
Regular Council Meeting  
July 10, 2017

**PAULA FAVORS**

City Secretary

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

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

The meeting adjourned at 7:47 p.m.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**Tim Barker**  
Mayor

**ATTEST:**

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**Paula Favors**  
City Secretary