

October 13, 2020

On this the 13<sup>TH</sup> day of October, 2020 at 6:30 PM the City Council of the City of Friona, Texas, convened in regular session at the regular meeting place thereof, in the Friona City Council Chambers, 619 Main Street, the meeting being open to the public and notice of said meeting having been given as prescribed by Chapter 551 of the Government Code, with the members being present and in attendance, to wit:

Ricky White, Mayor  
Bruce Fleming, Alderman  
Greg Lewellen, Alderman  
Brent Loflin, Alderman  
Alan Monroe, Alderman

Others present included: Rosa Mendez, City Secretary  
Donald Klinger, City of Friona Medical Director  
Jeannie Martin, EMS  
John Taylor, FVFD  
Jim Taylor, FVFD  
Glenn Reeve, FVFD  
Randy McCasland, FVFD  
Danny Campbell, FVFD  
Terry Sharrock, FVFD  
Juan Samarron, FVFD  
J'Lond Jarecki, FVFD  
Adolfo Garcia, P.E. Brandt Engineers

Absent: Jeff Stowers, Alderman  
Leander Davila, City Manager

Mayor White called the meeting to order at 6:30 P.M.

**ITEM 1      ROLL CALL**

The Mayor called roll and announced that a quorum was present.

**ITEM 2      INVOCATION AND PLEDGE OF ALLEGIANCE**

Alderman Monroe gave the invocation and Mayor White led the Pledge of Allegiance to the United States Flag.

**ITEM 3      HEAR PUBLIC COMMENTS.**

No comments from the public.

**REGULAR HEARINGS: (6:32)**

**ITEM 4        CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES  
OF THE SEPTEMBER 14, 2020 REGULAR CITY COUNCIL  
MEETING**

**MOTION**     Alderman Fleming made the motion to approve the minutes of the September 14, 2020 Regular City Council meeting. Alderman Loflin made the second to the motion and the motion passed with a 4/0 unanimous vote.

**ITEM 5        BRIEFING AND INTRODUCTION OF DR. DONALD KLINGER,  
THE CITY'S NEW MEDICAL DIRECTOR**

Doctor Klinger is a licensed physician with the Texas Medical Board who has roots and past work experience in Friona. He has been in private practice for 20 years.

**ITEM 6        CONSIDER AND TAKE ACTION ON APPROVAL OF  
RESOLUTION NO. 20.10.13 AND PROPOSALS RECEIVED FOR  
ENGINEERING SERVICES FOR APPLICATION TO THE 2021-  
2022 TEXAS COMMUNITY DEVELOPMENT PROGRAM &  
ASSOCIATED ENGINEERING CONSIDERATION IF FUNDED**

**RESOLUTION NO. 20.10.13**

**WHEREAS**, the City of Friona is applying for grant assistance under the Texas Community Development Program operated by the Texas Department of Agriculture, and;

**WHEREAS**, the City of Friona has completed the Request for Proposals process required under the Professional Services Procurement Act, and has ranked those firms submitting proposals based upon qualifications and ability to perform, and;

**WHEREAS**, the City of Friona believes that BRANDT ENGINEERS is the most qualified of those proposing firms to perform the desired services, and;

**WHEREAS**, the City of Friona is desirous to use the services of BRANDT ENGINEERS to serve as project engineer for the Community Development Block Grant (CDBG) Application, and, if funded, further negotiations for project engineering will occur under this agreement.;

**WHEREAS**, the City of Friona and BRANDT ENGINEERS will enter into a contractual agreement for engineering services for the development of a CDBG Application and, if funded, further negotiations for project engineering will occur under this agreement.

**NOW THEREFORE BE IT RESOLVED** that the City of Friona has selected BRANDT ENGINEERS to provide engineering services for the City's participation in the CDBG Program and hereby authorizes the City Manager to execute any and all documents to effectuate said engineering services contract.

PASSED THIS 13<sup>th</sup> DAY OF October, 2020.

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Ricky White, Mayor  
Attest:

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Leander Davila, City Manager

**MOTION** The motion was made by Alderman Monroe to approve Resolution No. 20.10.13 and proposals received for engineering services for application to the 2021-2022 Texas Community Development Program & associated engineering consideration if funded. The second to the motion was made by Alderman Loflin and the motion was passed by a vote of 4/0.

**Note:** Agenda Items were taken out of order with Item 22 taken up first before returning to the regular order.

**EXECUTIVE SESSION:**

**ITEM 22 CITY COUNCIL WILL CONVENE INTO CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE 551.071 "CONSULTATION WITH ATTORNEY" AND GOVERNMENT CODE 551.072 "DELIBERATIONS ABOUT REAL PROPERTY" (CITY OWNED PROPERTY-60 ACRES ON HWY 60)**

**REGULAR HEARING:** (Resumed Regular Session at 6:50 p.m.)

**ITEM 23 CONSIDER AND TAKE ACTION IF ANY, ON ITEM 22 DISCUSSED IN EXECUTIVE SESSION**

**ITEM 7 CONSIDER AND TAKE ACTION ON APPROVAL OF RESOLUTION NO. 20.10.13(A) SUPPORTING THE PASSAGE OF LEGISLATION DURING THE 87TH REGULAR SESSION OF THE TEXAS LEGISLATURE (2021), TO ALLOW FOR THE EXPENDITURE OF MUNICIPAL HOTEL OCCUPANCY TAX REVENUE BY THE CITY FOR CONSTRUCTION OF IMPROVEMENTS IN MUNICIPAL PARKS**

**RESOLUTION NO 20.10.13(A)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS, SUPPORTING THE PASSAGE OF LEGISLATION DURING THE 87TH REGULAR SESSION OF THE TEXAS LEGISLATURE (2021), TO ALLOW FOR THE EXPENDITURE OF MUNICIPAL HOTEL OCCUPANCY TAX REVENUE BY THE CITY FOR CONSTRUCTION OF IMPROVEMENTS IN MUNICIPAL PARKS.**

**WHEREAS**, the City of Friona ("City") has adopted a municipal hotel occupancy tax ordinance in order to raise revenue for the promotion of tourism and the hotel and lodging industry in the City; and

**WHEREAS**, the City has determined that the City parks are popular attractions visited year- round by a significant number of tourists and visitors to the City and surrounding area; and

**WHEREAS**, the City parks are utilized for multiple large annual events and festivals that are attended by a significant number of tourists and visitors to the City and surrounding area; and

**WHEREAS**, the City parks are in need of additional improvements and amenities and connectivity to lodging establishments and tourist attractions, as the current demand for certain City park facilities and amenities frequently exceeds the operating capacity of said improvements and amenities, due to the large attendance at annual festivals, events, and related tourist activities held on City parks and would benefit from connectivity and additional public facilities; and

**WHEREAS**, the City's tourism and hotel and lodging industries would benefit from the expenditure of municipal hotel tax revenue on construction of improvements and connectivity to the City parks, as tourists and visitors frequently visit the City parks, and improvements to the City parks will increase the quality and number of amenities available at said City parks for use and enjoyment by tourists and visitors to the City and surrounding area; and

**WHEREAS**, the City's tourism and hotel and lodging industries would benefit from the expenditure of municipal hotel tax revenue on construction of trails and sidewalks that connect city parks to lodging establishments and other tourist attractions, which will increase the use and enjoyment by tourists and visitors of lodging establishments, parks, tourist attractions, and related public facilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS:**

**SECTION 1.** That the City Council adopts the findings and recitals set forth in the preamble of this Resolution.

**SECTION 2.** That the City Council supports the passage of legislation during the 87th Regular Session of the Texas Legislature (2021), that would allow for the expenditure of municipal hotel occupancy tax revenue by the City of Friona for construction of improvements in municipal parks and trails/sidewalks that connect parks, lodging establishments, and other tourist attractions, and related public facilities..

**PASSED AND APPROVED** by the City Council of the City of Friona, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Ricky White, Mayor

\_\_\_\_\_  
Rosa Mendez, City Secretary

**MOTION** A motion was made by Alderman Lewellen to approve Resolution No. 20.10.13(A) supporting the passage of legislation during the 87<sup>th</sup> regular session of the Texas Legislature (2021), to allow for the expenditure of municipal Hotel Occupancy Tax revenue by the city for construction of improvements in municipal parks. Alderman Monroe made the second to the motion and the motion was passed with a unanimous vote of 4/0.

**ITEM 8 CONSIDER AND TAKE ACTION ON APPROVAL OF RESOLUTION NO. 20.10.13(a) DESIGNATING THE FRIONA STAR AS THE CITY'S OFFICIAL NEWSPAPER**

**RESOLUTION NO. 20.10.13(B)**

**A RESOLUTION OF THE CITY OF FRIONA, TEXAS DESIGNATING THE FRIONA STAR AS THE OFFICIAL NEWSPAPER FOR THE CITY OF FRIONA, TEXAS AND ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 13, 2020**

**WHEREAS**, Chapter 52, Section 52.004, Texas Local Government Code requires that as soon as practicable after the beginning of each municipal year, the governing body of the municipality shall designate, by ordinance or resolution, a public newspaper to be the municipality's official newspaper until another newspaper is selected; and

**WHEREAS**, the public newspaper serving the City of Friona, Texas and the local area that is most widely read is the Friona Star; and

**WHEREAS**, the Friona Star meets all the requirements for service as the official newspaper of the City of Friona;

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS THAT:**

The City Council of the City of Friona hereby resolves that the Friona Star is the “Official Newspaper” of the City of Friona, Texas.

**PASSED AND APPROVED** this 13th day of October, 2020.

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Ricky White, Mayor

ATTES

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Rosa Mendez, City Secretary

**MOTION** The motion was made by Alderman Loflin to approve Resolution No. 20.10.13(B) designating the Friona Star as the city’s official newspaper. Alderman Lewellen seconded the motion and the motion passes with a vote of 4/0.

**ITEM 9** **CONSIDER AND TAKE ACTION ON APPROVAL OF RESOLUTION NO. 20.10.13(C) PROVIDING FOR AUTHORIZED SIGNATURES ON BANK ACCOUNTS AND INVESTMENT ACCOUNTS AND PROVIDING AN EFFECTIVE DATE**

**MOTION** Alderman Fleming made the motion to approve Resolution No. 20.10.13(C) Providing for Authorized Signatures on Bank Accounts and Investment Accounts and Providing an Effective Date. Alderman Loflin second the motion and the motion carried with a vote of 4/0.

**ITEM 10** **CONSIDER AND TAKE ACTION ON APPROVAL OF EXPENDITURE AUTHORIZED BY FRIONA ECONOMIC DEVELOPMENT CORPORATION TO FRIENDS OF THE LIBRARY FOR A \$25,000.00 FORGIVABLE LOAN**

**MOTION** Upon a motion by Alderman Fleming and a second by Alderman Lewellen approval was made of the expenditure authorized by Friona Economic Development Corporation to Friends of the Library for a \$25,000.00 forgivable loan. The motion was passed by a unanimous vote of 4/0.

**Note:** Agenda Items 11-14 were passed collectively.

**ITEM 11** **CONSIDER AND TAKE ACTION ON APPROVAL OF REQUEST FROM MARCO MALDONADO AT 905 VIRGINIA (ORIGINAL TOWN BLOCK 26, LOT 4) TO EXTEND HIS CARPORT TO THE LIMIT OF HIS PROPERTY**

**ITEM 12** **CONSIDER AND TAKE ACTION ON APPROVAL OF REQUEST FROM VICKIE VASQUEZ AT 510 EAST 9TH (ORIGINAL TOWN BLOCK 26, LOT 5-6) TO BUILD A CARPORT**

**ITEM 13      CONSIDER AND TAKE ACTION ON APPROVAL OF REQUEST FROM MISTY FRYE TO BUILD A CARPORT AT IVY COTTAGE 1100 PROSPECT (OTIS-FORD BLOCK 2, LOT 1)**

**ITEM 14      CONSIDER AND TAKE ACTION ON APPROVAL OF REQUEST FROM EVERARDO ACOSTA 1204 EUCLID (MCMILLIAN FERGUSON BLOCK 7 LOT 8-9) TO ENCROACH 12 FEET ON THE CITY EASEMENT TO BUILD A CARPORT**

**MOTION**      The motion was made by Alderman Fleming to approve the 4 carport request from Marco Maldonado, Vickie Vasquez, Misty Frye, and Everardo Acosta. The second to the motion was made by Alderman Monroe and the motions passed with a unanimous vote of 4/0.

**ITEM 15      CONSIDER AND TAKE ACTION ON A PLAN TO ADDRESS THE STREET DAMAGE TO WEST 8TH STREET BEHIND ALLSUPS**

Council members agreed to go with Option 3 to resolve the street damage to West 8<sup>th</sup> Street. Council did not see the need for the 132 foot proposed concrete median in the back. It was discussed that the higher the median, not to restrict visibility, would deter trucks from turning in. Final plan pending approval from TXDOT.

**MOTION**      A motion was made by Alderman Lewellen to take action on a plan to address the street damage to West 8<sup>th</sup> Street behind Allsup's. The second to the motion was made by Alderman Fleming and the motion passed with a vote of 4/0.

**ITEM 16      BRIEFING REGARDING A SIGN AT THE FRIONA CEMETERY AS RECOMMENDED BY THE FRIONA CEMETERY ASSOCIATION**

**ITEM 17      CONSIDER AND TAKE ACTION TO APPROVE THE CITY OF FRIONA'S ETHIC POLICY ADDENDUM AND CITY COUNCIL STANDARDS OF CONDUCT**

No action taken on Item 17. Alderman Fleming suggested that amendments be made to the documents before bring this Item before council next month.

**ITEM 18      DISCUSS AND CONSIDER THE UNITED STATES DEPARTMENT OF AGRICULTURE NATIONAL AGRICULTURAL STATISTICS SERVICE CASH RENTAL RATES AND CURRENT FARM LEASES**

Action will be taken at the meeting in November.

**ITEM 19      CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR SEPTEMBER 2020**

City Secretary reviewed Accounts Payable with the City Council.

**MOTION**      Alderman Fleming made the motion to approve the September 2020 Accounts Payable. The second to the motion was made by Alderman Loflin and the motion carried with a unanimous vote of 4/0.

**ITEM 20      CONSIDER AND TAKE ACTION ON APPROVAL OF THE FINANCIAL STATEMENT FOR SEPTEMBER 2020**

**MOTION**      A motion was made by Alderman Lewellen with a second by Alderman Monroe to approve the Financial Statement for September 2020. The motion passed unanimously with a vote of 4/0.

**ITEM 21      CONSIDER AND TAKE ACTION ON APPROVAL OF QUARTERLY FINANCIAL STATEMENT ENDING SEPTEMBER 2020**

**MOTION**      Alderman Lewellen made the motion to approve the Quarterly Financial Statement ending September 2020. Alderman Fleming made the second to the motion and the motion passed with a vote of 4/0.

**ITEM 24      ADJOURNMENT**

With no further business at hand the meeting was adjourned at 7:48 PM.

APPROVED:

ATTEST:

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Ricky White, Mayor

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Rosa Mendez, City Secretary