

August 8, 2022

On this the 8th day of August, 2022 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, 617 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:

Greg Lewellen, Mayor
 Bruce Fleming, Council Member
 Brent Loflin, Council Member
 Esmeralda Mills, Council Member
 Alan Monroe, Council Member
 Cindy Moreno, Council Member
 Leander Davila, City Manager

Others present included:

Rosa Mendez, City Secretary
 Sandra Busch, Assistant to the Manager
 Vince Viaille, Specialized Public Finance Inc.
 Aaron Rivera, AIA Architect Parkhill
 Chandler Cooke, Parkhill
 Pam Kendrick, Parmer Paws
 Lupe Salinas, Parmer Paws
 Jaquelyn Salinas, Parmer Paws
 Arianna Rocha, Parmer Paws
 Monica Perez, Parmer Paws
 Sophia Salinas, Parmer Paws
 Clint Mears, Friona Star
 Mercedes Williams, Parmer Paws
 Jackie Rivera, Parmer Paws
 Ashley Rivera, Parmer Paws
 Audrey Rivera, Parmer Paws
 Danny Campbell, FVFD Chief
 Bryan Guymon, Underwood Law Firm (virtual)

Mayor Lewellen called the meeting to order.

ITEM 1 ROLL CALL

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

ITEM 2 INVOCATION AND PLEDGE OF ALLEGIANCE.

Council Member Monroe gave the Invocation and Council Member Mills led the Pledge of Allegiance to the United States Flag.

ITEM 3 HEAR PUBLIC COMMENTS

No public present.

PUBLIC HEARING: (Public hearing opened at 6:31)

ITEM 4 PUBLIC HEARING REGARDING A RESIDENTIAL DEVELOPMENT PROJECT FOR LAND OR LOTS OF LAND LOCATED AT TOWNSHIP 1-4, LOT 2.07 AC E OF EUCLID & N OF 15TH OF SEC 31, ACRES 2.07 (FLIPPIN) ALSO KNOWN AS 2.07 AC E OF EUCLID & N OF 15TH OF SEC 31, FRIONA, TEXAS

No public present.

REGULAR HEARINGS: (Regular Hearing opened at 6:32)

ITEM 5 CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE JULY 11, 2022 REGULAR CITY COUNCIL MEETING AND THE JULY 12, 2022 JOINT SPECIAL CALLED MEETING OF THE FRIONA CITY COUNCIL AND FRIONA ECONOMIC DEVELOPMENT CORPORATION AND THE SPECIAL CALLED CITY COUNCIL MEETING ON JULY 21, 2022

The minutes to the July 12, 2022 were amended. Council Member Cindy Moreno recused herself from the meeting. She did join the meeting only to present her housing development proposal. With that amendment to the minutes, the minutes were approved.

MOTION A motion was made by Council Member Monroe to approve the minutes of the July 11, 2022 Regular City Council Meeting, the July 12, 2022 Joint Special Called Meeting of the Friona City Council. The second to the motion was made by Council Member Loflin. The City Council approved the minutes with a vote of 5/0.

ITEM 6 BRIEFING FROM PARMER PAWS REGARDING LAWS GOVERNING ANIMAL WELFARE, A NEW POUND AND OTHER ANIMAL CONTROL RECOMMENDATIONS

Pam Kendrick presented to council members what Parmer Paws has done and continues to do to prevent the cruelty and suffering of animals. Parmer Paws is asking for the City of Friona to build a new facility with 8-10 kennels. Pam would also like to have an Animal Control Officer hired who would stringently enforce codes and laws to protect animals. She will develop a quote of the overall cost of her recommendations. Pam will visit council again at a later date.

ITEM 7 BRIEFING AND DISCUSSION REGARDING AN UPCOMING BOND ELECTION AND AN OPINION OF PROBABLE COSTS ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF A NEW FIRE STATION AND TRAINING FACILITY (FRIONA FIRE & PARKHILL TO PRESENT)

Chandler Cooke reviewed and answered questions from council members on the two separate opinion cost, one for \$8.7 and the other for \$2.5 million. Danny will visit with the firemen to determine what is important to them and what they want in a firehouse. He will come back and address council at a later date.

ITEM 8 CONSIDER AND TAKE ACTION TO AWARD ONE OF TWO CONSTRUCTION COMPANIES A RESIDENTIAL DEVELOPMENT PROJECT FOR LAND OR LOTS OF LAND LOCATED AT TOWNSHIP 1-4, LOT 2.07 AC E OF EUCLID & N OF 15TH OF SEC 31, ACRES 2.07 (FLIPPIN) ALSO KNOWN AS 2.07 AC E OF EUCLID & N OF 15TH OF SEC 31, FRIONA, TEXAS

Trejo's Roofing & Construction was not able to attain a financing letter before the deadline. TW&M submitted their final proposal and all the required documents; taking into account the suggestions provided by the Friona EDC and Friona city council.

MOTION Council Member Fleming made the motion to award TW&M the residential development project for land or lots of land located at Township 1-4, Lot 2.07 AC E of Euclid & N of 15th of Sec 31, Acres 2.07 (Flippin) also known as 2.07 AC E of Euclid & N of 15th of Sec 31, Friona, Texas. The second to the motion was made by Council Member Monroe and the motion passed with a vote of 4/0. Council Member Moreno recused herself from the vote.

ITEM 9 CONSIDER AND TAKE ACTION ON ORDER CALLING FOR CITY SPECIAL LOCAL OPTION ELECTION TO LEGALIZE THE SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES

CONSIDERAR Y TOMAR ACCIÓN SOBRE LA ORDEN QUE SOLICITA LA ELECCIÓN DE OPCIÓN LOCAL ESPECIAL DE LA CIUDAD PARA LEGALIZAR LA VENTA DE TODAS LAS BEBIDAS ALCOHÓLICAS, INCLUYENDO LAS BEBIDAS MEZCLADAS

Due to the fact that the require numbers of signatures was obtained, the Friona City Council can now order a Special Election to entertain the matter on November 8, 2022.

MOTION A motion was made by Council Member Fleming to approve the order calling for a city Special Local Option Election to legalize the sale of all alcoholic beverages including mixed beverages. The second to the motion came from Council Member Monroe and the motion passed with a vote of 5/0.

**ITEM 10 CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION 22.08.08
ORDERING A SPECIAL LOCAL OPTION ELECTION TO BE HELD ON
NOVEMBER 8, 2022**

A Special Local Option Election will be held on November 8, 2022 for the purpose of submitting to the qualified voters the question of whether or not to permit the legal sale of all alcoholic beverages including mixed beverages.

Resolution No. 22.08.08 will be amended to include that the county clerk also certified that the number of valid signatures found on the petition were sufficient for submission to the City Council.

RESOLUTION NO. 22.08.08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIONA ORDERING A SPECIAL LOCAL OPTION ELECTION TO BE HELD ON NOVEMBER 8, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER OR NOT TO PERMIT THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES, INCLUDING MIXED BEVERAGES; DESIGNATING LOCATIONS OF POLLING PLACES AS PRESCRIBED BY LAW FOR MAY ELECTIONS; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION.

WHEREAS, the registered voters of the City of Friona have submitted a petition containing the minimum number of required signatures to the City Secretary to hold a local option election to determine whether or not to permit the legal sale of all alcoholic beverages, including mixed beverages, within the City of Friona; and

WHEREAS, the City Council is required to order the local option election to be held on the issue set out in the petition if the petition is filed with the City Secretary not later than the 60th day after the date the petition is issued and bears the actual signatures of the number of qualified voters of the City equal to at least 35 percent of the registered voters in the political subdivision who voted in the most recent gubernatorial election less the number of voters included on the Suspense List ("S list"); and

WHEREAS, the City Secretary and County Clerk have certified that the that the number of valid signatures found on the petition are sufficient for submission to the City Council to order the Local Option Election; and

WHEREAS, the Texas Election Code establishes November 8, 2022 as a uniform election date;

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

SECTION 1: In accordance with the Constitution and laws of the State of Texas, the City Council hereby orders that a local option election be held on Tuesday, November 8, 2022, for the purpose of submitting to the qualified voters of the City of Friona the question of whether or not to permit the legal sale of all alcoholic beverages, including mixed beverages.

SECTION 2: That at said election, the following proposition shall be submitted in accordance with Section 501.035 of the Texas Election Code:

PROPOSITION

Shall the City of Friona permit the legal sale of all alcoholic beverages, including mixed beverages.

SECTION 3: The Election Day polling places where qualified voters shall cast ballots at such locations in the City of Friona, 2022 Special Municipal Election are as follows:

Polling Places

EARLY VOTING
City of Friona City Hall
619 Main Street
Friona, Texas

ELECTION DAY
City Council Chambers
619 Main Street
Friona, Texas

Election polls shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

SECTION 4: Early voting by personal appearance shall be available at the City of Friona City Hall, 619 Main Street, Friona, Texas beginning on Monday, October 24, 2022 through Tuesday, November 1, 2022 during the normal working hours of 8:00 a.m. to 5:00 p.m. with extended voting hours on Monday, October 31, 2022 and Tuesday, November 1, 2022 from 7:00 a.m. to 7:00 p.m. Applications for ballot by mail shall be requested from and mailed to the City of Friona, Attn: City Secretary, 623 Main Street, Friona, Texas 79035. Applications for ballots by mail must be received no later than 5:00 p.m. on Tuesday, October 11, 2022.

SECTION 5: That the official ballots to be used in such election shall be prepared in accordance with the Texas Election Code, as amended. Optical-scan voting machines or paper ballots shall be used in this election for early voting by personal appearance, by mail, and Election Day voting. The ballots shall permit the electors to vote "For" or "Against" the aforesaid proposition and shall be set forth in substantially the following form:

The legal sale of all alcoholic beverages, including mixed beverages.

FOR _____

AGAINST _____

SECTION 6: Rosa Mendez shall serve as the Early Voting Clerk

SECTION 7: The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. The notice of such election shall be published at least once not earlier than the 30th day or later than the 10th day before election day as provided in Section 4.003 of the Texas Election Code. The City of Friona shall designate the election judges for the election. The election, including providing notice of the election, shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the City shall be eligible to vote at the election.

SECTION 8: That the way and manner of holding said elections, the notice to be given therefore, the polling places, the personnel and the officers who are to hold same, and all details connected with the holding of the elections shall be provided for and arranged by the City Secretary; that the proper notice and publication of this notice, proclamation and resolution shall be only cumulative of and in addition to the statutory notice of said elections as herein provided; and that any omission or irregularity in this notice or in the publication or posting of this notice, proclamation and resolution, or in the signing of same, shall not in any way affect or invalidate such election.

SECTION 9: The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 10: This resolution shall take effect from and after its adoption.

DULY PASSED AND APPROVED by the City Council of the City of Friona, Texas, on this the ____ day of August, 2022.

/s/ Greg Lewellen
Greg Lewellen, Mayor

ATTEST:
/s/ Rosa Mendez
Rosa Mendez, City Secretary

MOTION The motion was made by Council Member Monroe to approve Resolution 22.08.08 Ordering a Special Local Option Election to be held on November 8, 2022. The second to the motion was made by Council Member Moreno and the motion passed with a unanimous vote of 5/0.

ITEM 11 DISCUSS REPORT FROM PARMER COUNTY APPRAISAL DISTRICT REGARDING THE 2022 EFFECTIVE TAX RATE AND CONSIDER AND TAKE ACTION ON THE PROPOSED 2022 TAX RATE AND SETTING DATES FOR REQUIRED PUBLIC HEARINGS IF NEEDED

MOTION Council Member Fleming made the motion to approve the proposed tax rate of \$0.4657/\$100 and Council Member Mills seconded the motion. The motion passed with a unanimous vote of 5/0. It was unanimously agreed that the Proposed Tax Rate Hearing will take place on Friday August 19, 2022 at 8:00 a.m.

ITEM 12 CONSIDER, DISCUSS, AND TAKE ACTION ON COUNCIL BUDGET WORKSHOP MONDAY, AUGUST 29, 2022 OR TUESDAY, AUGUST 30, 2022 OR WEDNESDAY, AUGUST 31, 2022

Council agreed to hold the budget workshop on Tuesday, August 30, 2022.

MOTION Council Member Loflin made the motion to approve the date of Tuesday, August 30, 2022 for the Budget Workshop. The second to the motion was made by Council Member Moreno and the motion passed with a vote of 5/0.

ITEM 13 CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR JULY 2022

City Secretary Mendez reviewed Accounts Payable with the City Council.

MOTION The motion was made by Council Member Monroe to approve the payables for July 2022. The second to the motion was made by Council Member Loflin and the motion passed with a vote of 5/0.

ITEM 14 CONSIDER AND TAKE ACTION ON APPROVAL OF THE FINANCIAL STATEMENT FOR JULY 2022

MOTION A motion was made by Council Member Fleming to approve the Financial Statement for July 2022. Council Member Moreno made the second to the motion and the motion passed with a unanimous vote of 5/0.

**ITEM 15 DISCUSSION REGARDING SETTING THE FISCAL YEAR 2022-2023
CITY COUNCIL PRIORITIES**

A public discussion was held as to what everyone's priorities are and decided what projects or items are most critical to the city as a group and determine which projects are most feasible for the upcoming year. The council had a total of 15 projects on the priority list.

ITEM 16 ADJOURNMENT

With no further business at hand, the meeting adjourned at 8:47 p.m.

APPROVED:

/s/ Greg Lewellen
Greg Lewellen, Mayor

ATTEST:

/s/ Rosa Mendez
Rosa Mendez, City Secretary