

December 12, 2022

On this the 12th day of December, 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, 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:

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

Mayor Lewellen 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

Mayor Lewellen gave the Invocation and Council Member Fleming led the Pledge of Allegiance to the United States Flag.

ITEM 3 POINT OF PRIVLEDGE- STUDENT RECOGNITION

On December 5, 2022, the Friona Chamber of Commerce and City of Friona held the Christmas in the park event. Christmas in the park is a family-oriented Christmas tradition of lights, trees and displays in the Friona city park. The event is sponsored by the Friona Chamber of Commerce to promote holiday spirit and allow businesses to showcase goods and services. the City of Friona assists with the preparations and running of the event.

There were 24 Friona Junior High students we had signed up to volunteer, there are 3 that the city would like to showcase for above and beyond. The students are Stevie Herring, Carlos Rios, and Alessander Hernandez.

ITEM 4 HEAR PUBLIC COMMENTS.

No public present.

REGULAR HEARINGS: (6:32)

ITEM 5 CONSIDER AND TAKE ACTION ON APPROVAL OF THE MINUTES OF THE NOVEMBER 14, 2022 REGULAR CITY COUNCIL MEETING AND THE NOVEMBER 28, SPECIAL CALLED MEETING

The minutes will be amended to include Sandra Busch, Assistant to the Manager, as member present at the November 14, 2022 Regular City Council Meeting.

MOTION Council Member Monroe made the motion to approve the minutes of the November 14, 2022 Regular City Council Meeting and the November 28, Special Called Meeting. Council Member Moreno made the second to the motion and the motion passed with a 5/0 vote.

ITEM 6 CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION NO. 22.12.12 A RESOLUTION OF THE CITY OF FRIONA DESIRE TO APPLY TO THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FOR INFRASTRUCTURE ASSISTANCE THROUGH THYE 2023/2024 TXCDBG COMMUNITY DEVELOPMENT FUND PROGRAM

RESOLUTION 22.12.12

WHEREAS, the City of Friona desires to apply to the Texas Department of Agriculture (TDA) for infrastructure assistance through the 2023/2024 TxCDBG Community Development Fund program, and;

WHEREAS, the Interlocal Cooperation Act included in Chapter 791 of the Texas Government Code provides for contractual agreements between governmental entities, and;

WHEREAS, 2 CFR 200.318(e) encourages the use of interlocal agreements from the federal level, and;

WHEREAS, the Texas Department of Agriculture has issued a recommendation that communities applying under the TxCDBG 2023/2024 TxCDBG Community Development Fund program consider contracting professional services for grant application preparation and potential grant administration (if funded) prior to application submission, and;

WHEREAS, the City of Friona desires to contract the grant application preparation and potential grant administration (if funded) of its 2023/2024 TxCDBG Community Development Fund application for Community Development Block Grant (TxCDBG) - Community Development Fund program funds through an interlocal cooperation contractual agreement with the Panhandle Regional Planning Commission (PRPC), and;

WHEREAS, the PRPC shall provide grant application preparation services related to the 2023/2024 TxCDBG Community Development Fund program at no cost, and;

WHEREAS, administrative fees related to project management of any funded 2023/2024 TxCDBG Community Development Fund project will be agreed to through an amendment to this interlocal agreement if City of Friona receives funding through the 2023/2024 TxCDBG Community Development Fund program, and;

NOW THEREFORE BE IT RESOLVED that the Mayor is authorized to execute an interlocal contract with the PRPC under the Interlocal Cooperation Act for grant application preparation and potential grant management (if funded) services for City of Friona's activities related to the 2023/2024 TxCDBG Community Development Fund program.

PASSED THIS 12th DAY OF DECEMBER, 2022.

Greg Lewellen, Mayor

Attest:

Rosa Mendez, City Secretary

MOTION Council Member Fleming made the motion to approve Resolution No. 22.12.12 a resolution of the City of Friona desire to apply to the Texas Department of Agriculture (TDA) for infrastructure assistance through the 2023/2024 TxCDBG Community Development Fund Program. Council Member Loflin made the second to the motion and the motion passed with a 5/0 vote.

ITEM 7 CONSIDER AND TAKE ACTION TO APPROVE AN INTERLOCAL AGREEMENT WITH PANHANDLE REGIONAL PLANNING COMMISSION FOR APPLICATION ASSISTANCE FOR 2023/2024 TXCDBG COMMUNITY DEVELOPMENT FUND PROGRAM & ASSOCIATED ADMINISTRATION CONSIDERATION IF FUNDED

MOTION The motion was made by Council Member Monroe to approve an interlocal agreement with panhandle regional planning commission for application assistance for 2023/2024 TxCDBG Community Development Fund Program & associated administration consideration if funded. Council

Member Loflin made the second to the motion and the motion passed with a 5/0 vote.

ITEM 8 CONSIDER AND TAKE ACTION TO APPOINT ESMERALDA MILLS TO REPRESENT PARMER COUNTY ON THE PANHANDLE COMMUNITY SERVICES' BOARD OF DIRECTORS

A motion was made by Council Member Fleming to appoint Esmeralda Mills to represent Parmer County on the Panhandle Community Services' Board of Directors. The second to the motion was made by Council Member Monroe and the motion passed with a unanimous vote of 5/0.

ITEM 9 CONSIDER AND TAKE ACTION ON APPROVING MEDIATION BETWEEN THE MUNICIPAL COURT AND THE JUSTICE OF THE PEACE COURT

City Attorney Slater is looking into cost of having a mediator visit with Municipal Judge Deborah Campbell and Justice of the Peace Ronda Wilkins to suggests ways to work together and get along. If there will be a cost involved the council has recommended not spending more than \$2,500.00 The City of Canyon has offered their judge at no cost to facilitate a meeting with both judges.

MOTION Council Member Fleming made the motion to approve mediation between the Municipal Court and the Justice of the Peace Court. A second to the motion was made by Council Member Loflin and the motion was passed with a vote of 5/0.

ITEM 10 REVIEW AND CONSIDER AND TAKE ACTION ON THE PARMER COUNTY COMMISSIONERS COURT & FRIONA CITY COUNCIL SHARED COURT COMPLEX AGREEMENT OVERVIEW

City Manager Davila will schedule a meeting in the near future to review the agreement and find a mediator.

MOTION Upon a motion from Council Member Fleming and a second from Council Member Monroe, the council will take action to review the Parmer County Commissioners Court & Friona city council shared court complex agreement overview. The motion was passed with a vote of 5/0.

ITEM 11 CONSIDER AND TAKE ACTION TO APPROVE BRENT LOFLIN MEMBER AND ESMERALDA MILLS AS VICE CHAIR TO THE BUILDING STANDARDS COMMISSION

The Building Standards Commission consist of three members of the city council and all cases regarding building violations will be heard by said commission. the commission members shall be appointed by the mayor to serve one-year terms. The mayor shall also appoint any substitute panel member when necessary or convenient. The city secretary will be an ex officio, nonvoting member and the secretary of the commission.

MOTION The motion was made by Council Member Fleming to approve Brent Loflin member and Esmeralda Mills as vice chair to the Building Standards Commission. Council Member Monroe made the second to the motion and the motion was passed with a vote of 5/0.

ITEM 12 DISCUSSION AND UPDATE ON SEVEN PROPERTIES IN FRIONA CONSIDERED BY THE BUILDING AND STANDARDS COMMISSION BOARD TO BE SUBSTANDARD AND A PUBLIC NUISANCE

Mayor Lewellen updated the council on all 7 properties. A public hearing date will be set and the Building Standards Commission will meet after the hearing to take action on the properties. City Manager has requested quotes from Trejo Construction for cost of demolishing these properties.

ITEM 13 DISCUSSION AND UPDATE ON CITY VACANCIES INCLUDING CHAMBER OF COMMERCE/ EDC DIRECTOR

City Manager informed council that currently EMS and the Friona Library are fully staffed. Public Works has hired two new employees; Efrain Rocha and Mario Vega. The police department has Pedro Sanchez, Jesus San Miguel and Bobby Martinez with the county. Danny Campbell will occupy the position of Fire Marshall/Code Enforcement and Lupe Salinas will fill the position of Animal Control. Interviews will take place this week to fill the FEDC/ chamber of commerce position. Currently there are three applicants.

ITEM 14 CONSIDER AND TAKE ACTION ON AN ANNUAL SOFTWARE ADJUSTMENT WITH TYLER TECHNOLOGIES IN AN AMOUNT NOT TO EXCEED \$3,500.00

The software that will be purchased is giving customers the option to pay bill online and via phone after hours. There will be a service charge of 3% - 5%. Cost involved include a one-time setup fee of \$1,800.00 and a yearly fee of \$1,100. Currently we estimate that we have 480 customers that pay with a credit card.

MOTION A motion was made by Council Member Monroe to approve an annual software adjustment with Tyler Technologies in an amount not to exceed

\$3,500.00. The second to the motion was made by Council Member Loflin and the motion was passed with a vote of 5/0.

ITEM 15 CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR NOVEMBER 2022

City Secretary Mendez reviewed payables with council.

MOTION Council Member Monroe made the motion to approve accounts payable as presented and Council Member Loflin made the second to the motion. The motion was passed with a unanimous vote of 5/0.

ITEM 16 CONSIDER AND TAKE ACTION ON APPROVAL OF THE FINANCIAL STATEMENT FOR NOVEMBER 2022

MOTION The motion was made by Council Member Fleming to approve the Financial Statement for November 2022. The second to the motion was made by Council Member Monroe and the motion was passed by a vote of 5/0.

ITEM 17 CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION NO. 22.12.12A AUTHORIZING THE SUBMISSION OF A REGIONAL SOLID WASTE GRANT PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION FOR THE RECYCLING CENTER SECURITY UPGRADE PROJECT AND AUTHORIZING THE CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION

RESOLUTION NO. 20.12.12A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS, AUTHORIZING THE SUBMISSION OF A FY 2023 REGIONAL SOLID WASTE GRANTS PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION (PRPC) AND AUTHORIZING THE CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION

WHEREAS, the citizens of the State of Texas, either directly or indirectly, pay into a state- managed solid waste tipping fee fund which provides the Texas Commission on Environmental Quality (TCEQ) the funding to administer a variety of programs designed to afford the state a higher degree of environmental protection; and

WHEREAS, a portion of these TCEQ-administered tipping fee funds have been made available to the state's local governments through the regional councils of governments of Texas to provide grants for regional/local solid waste management

projects; and

WHEREAS, the primary intent of these grant funds is that they be used to implement/ enhance programs at the regional/local level which promote the management goals of the regional and state solid waste plans; and

WHEREAS, the City is eligible to receive these funds and desires to undertake a program which advances the solid waste management goals and objectives of the state solid waste management plan and the Panhandle Regional Solid Waste Management Plan.

NOW THEREFORE, be it resolved by the Board of Trustees of the City of Anywhere, Texas:

1. That the City Council has reviewed the project details and has duly authorized the submission of a related grant application to the PRPC.
2. That City is applying for funds to equip and implement a program to be known as the **City of Friona Recycling Center Security Upgrade Project**.
3. That the City Council designates the City Manager to act as it's duly authorized representative in all matters pertaining to this application.
4. That any grant funds received will be used for their intended purpose.
5. That as a condition of funding, the City agrees to provide the necessary certifications and assurances required by the TCEQ.

CONSIDERED AND APPROVED THIS _____ DAY OF _____, 2022

Greg Lewellen, Mayor

ATTEST:

Rosa Mendez, City Secretary

MOTION A motion was made Council Member Fleming to approve Resolution No. 22.12.12A authorizing the submission of a Regional Solid Waste Grant Program Application to the Panhandle Regional Planning Commission for the recycling center security upgrade project and authorizing the city manager to represent the city in all matters pertaining to this application. The second to the motion was made by Council

ITEM 18 CONSIDER AND TAKE ACTION TO APPROVE RESOLUTION NO. 22.012.12B AUTHORIZING THE SUBMISSION OF A REGIONAL SOLID WASTE GRANT PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION

**FOR THE PAINT RECYCLING PROJECT AND AUTHORIZING
THE CITY MANAGER TO REPRESENT THE CITY IN ALL
MATTERS PERTAINING TO THIS APPLICATION**

RESOLUTION NO. 20.12.12B

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIONA,
TEXAS, AUTHORIZING THE SUBMISSION OF A FY 2023 REGIONAL SOLID
WASTE GRANTS PROGRAM APPLICATION TO THE PANHANDLE
REGIONAL PLANNING COMMISSION (PRPC) AND AUTHORIZING THE
CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS
PERTAINING TO THIS APPLICATION.**

WHEREAS, the citizens of the State of Texas, either directly or indirectly, pay into a state- managed solid waste tipping fee fund which provides the Texas Commission on Environmental Quality (TCEQ) the funding to administer a variety of programs designed to afford the state a higher degree of environmental protection; and

WHEREAS, a portion of these TCEQ-administered tipping fee funds have been made available to the state's local governments through the regional councils of governments of Texas to provide grants for regional/local solid waste management projects; and

WHEREAS, the primary intent of these grant funds is that they be used to implement/ enhance programs at the regional/local level which promote the management goals of the regional and state solid waste plans; and

WHEREAS, the City is eligible to receive these funds and desires to undertake a program which advances the solid waste management goals and objectives of the state solid waste management plan and the Panhandle Regional Solid Waste Management Plan.

NOW THEREFORE, be it resolved by the Board of Trustees of the City of Anywhere, Texas:

1. That the City Council has reviewed the project details and has duly authorized the submission of a related grant application to the PRPC.
2. That City is applying for funds to equip and implement a program to be known as the **City of Friona Paint Recycling Project**.
3. That the City Council designates the City Manager to act as it's duly authorized representative in all matters pertaining to this application.
4. That any grant funds received will be used for their intended purpose.
5. That as a condition of funding, the City agrees to provide the necessary certifications and assurances required by the TCEQ.

CONSIDERED AND APPROVED THIS _____ DAY OF _____, 2022

Greg Lewellen, Mayor

ATTEST:

Rosa Mendez, City Secretary

MOTION Council Member Fleming made the motion to approve Resolution No. 22.012.12B authorizing the submission of a Regional Solid Waste Grant Program application to the Panhandle Regional Planning Commission for the Paint Recycling Project and authorizing the city manager to represent the city in all matters pertaining to this application. The second to the motion was made by Council Member Loflin and the council voted unanimously 5/0.

ITEM 19 ADJOURNMENT

With no further business at hand the meeting was adjourned at 7:58 p.m.

APPROVED:

Greg Lewellen, Mayor

ATTEST:

Rosa Mendez, City Secretary