

July 10, 2023

On this the 10th day of July, 2023 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, Mayor Pro Tem
Cindy Moreno, Council Member

Others present:

Leander Davila, City Manager
Sandra Busch, Assistant to the Manager
Rosa Mendez, City Secretary
Salvador Garcia, Public Works Director
Jose Samarron, Water Superintendent
Clint Mears, Friona Star Editor
Emma Rector, FEDC Director
Adolfo Garcia, Hi-Plains Civil Engineer
Jori Speer, Llano Development
Sergio Mendez, citizen
Maria Mendoza, citizen
Mariza Licerio, Happy Tribe Academy

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 HEAR PUBLIC COMMENTS

No public present.

Public Hearing opened at 6:32 p.m.

PUBLIC HEARING:

ITEM 4 RECEIVE PUBLIC COMMENTS REGARDING THE 2022 CONSUMER CONFIDENCE REPORT (ANNUAL DRINKING WATER QUALITY REPORT)

Jose Samarron informed the council that the report was in good standing. Salvador also addressed the council and informed them that Jose does a great job keeping our drinking water safe.

No public comments were received.

Public Hearing closed at 6:36 p.m.

REGULAR HEARINGS:

ITEM 5 CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE JUNE 12, 2023 REGULAR CITY COUNCIL MEETING

MOTION Council Member Monroe made the motion to approve the minutes of the June 12, 2023 Regular City Council Meeting. Council Member Loflin made the second to the motion and the motion passed with a vote of 5/0.

ITEM 6 BRIEFING AND DISCUSSION FROM HI-PLAINS CIVIL ENGINEERS ON A NEW LEAD ANALYSIS MANDATE FOR CITY WATER LINES FROM THE ENVIRONMENTAL PROTECTION AGENCY

Adolfo informed the council of the mandate put out by EPA to eliminate lead-base pipe and tap hazards in housing. City lines must be test by November 2024. Homes built after 1988 will not have to be tested. Once identified, it will be required to replace 7% of the lines per year. EPA has not established who will pay for it.

Moved to Item 8

ITEM 8 DISCUSSION ON A 380 AGREEMENT TO DEED 4-WAY PUMP TO THE LLANO GROUP

Jori Speer was present to speak to council and address any questions or concerns. The city is still moving forward with the construction of a 380 agreement with the Llano group to develop the 4-Way property for economic development. Council member Fleming would like for city manager to ask attorney if we can put into the 380 agreements that a Dollar Tree and McDonalds be guaranteed. Property will be sold as is and purchase price set at \$100.00.

Moved to Item 7

ITEM 7 CONSIDER AND TAKE ACTION ON ACCEPTING PARTIAL PROPERTY FROM JASON GRIMSLEY

No action taken. To date, the amount of land needed by the Llano Group has not been identified; therefore, this item will be moved to the August 14, 2023 city council meeting.

Moved to Item 9

ITEM 9 CONSIDER AND TAKE ACTION ON REQUEST FOR FINANCIAL ASSISTANCE FROM HAPPY TRIBE ACADEMY FOR DAY CARE IN THE AMOUNT TO NOT EXCEED \$ 37,581.00

On June 13, 2023 Mariza Licerio presented a request for Happy Tribe Academy for day care startup cost in the amount of \$37,581 to the EDC Board. The board unanimously voted to approve the request.

MOTION Council member Fleming made the motion to approve the request for financial assistance from Happy Tribe Academy for day care in the amount of \$37,581. The second to the motion was made by Council member Moreno. The motion passed with a unanimous vote of 5/0.

Moved to Item 17

ITEM 17 CONSIDER AND TAKE ACTION ON APPROVAL OF REQUEST FOR FINANCIAL ASSISTANCE FROM FRANKLIN BAKER FOR RESTAURANT SUPPLIES NOT TO EXCEED THE AMOUNT OF \$1,440.73

The EDC Board met on July 6, 2023 and unanimously agreed to approve Mr. Baker's request for financial assistance with a 12 month, 0 interest forgivable loan. Mr. Baker's restaurant is Mexi-Q located at 1505 West 5th.

MOTION A motion was made by Council member Fleming to approve the request for financial assistance from Franklin Baker for restaurant supplies not to exceed the amount of \$1,440.73. Council member Monroe made the second to the motion and the motion was approved with a vote of 5/0.

Moved to Item 12

ITEM 12 CONSIDER AND TAKE ACTION ON A CARPORT VARIANCE BY SERGIO MENDEZ 307 GRAND STREET (HILLSIDE BLOCK 1, LOT 14) TO ENCROACH ON THE 3 FT. RULE BY 2 FEET

The applicant has gathered the appropriate signatures, as is required, to show there is no objection to encroaching on the 3 ft. rule by 2 feet. The Planning & Zoning Commission met on July 6, 2023 and approved the request.

MOTION The motion was made by Council member Monroe to approve a carport variance by Sergio Mendez, 307 Grand Street to encroach on the 3 ft. rule by 2 feet. Council member Loflin made the second to the motion and the motion passed with a vote of 5/0.

Moved to Item 10

ITEM 10 CONSIDER AND TAKE ACTION TO APPROVE A CONTRACT WITH NETDATA A MANAGEMENT SYSTEM FOR THE MUNICIPAL COURT

This item will be moved to the August 14, 2023 city council meeting due to the contract not finalized.

ITEM 11 CONSIDER AND TAKE ACTION TO CHANGE THE APPOINTMENT SCHEDULE TO JANUARY FOR ALL MEMBERS SERVING ON THE PLANNING AND ZONING COMMISSION FOR A TWO-YEAR TERM

The line item needs to be amended to include the words “staggered terms” for members serving on the Planning & Zoning commission for a two-year term. Planning & Zoning met on July 6, 2023 and unanimously agreed to change the appointment schedule to January.

MOTION Council member Fleming made the motion to approve to change the appointment schedule to January on a staggered term for all members serving on the Planning & Zoning Commission for a two-year term. The second to the motion was made by Council member Loflin and the motion passed with a vote of 5/0.

Moved to item 13

ITEM 13 DISCUSSION ON THE PROCESS OF SELLING CITY PROPERTY

Mr. Koen Ally is currently in the process of excavating his property located between Ashland and Woodland, south of 2nd Street and recently acquired about purchasing property owned by the city. The city had a general discussion regarding how city property is sold. It was agreed that the city will approve to solicit bids to sell the property at the August 14, 2023 meeting.

ITEM 14 CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR JUNE 2023

City Secretary Mendez reviewed Accounts Payable with the City Council.

MOTION Council member Fleming made the motion to approve Accounts Payable for June 2023. Council member Loflin made the second to the motion and the motion passed with a vote of 5/0.

ITEM15 CONSIDER AND TAKE ACTION ON APPROVAL OF THE FINANCIAL STATEMENT FOR JUNE 2023

MOTION Council member Monroe made a motion to approve the Financial Statement for June 2023. The second to the motion was made by Council Member Moreno and the motion passed with a vote of 5/0.

ITEM 16 CONSIDER AND TAKE ACTION ON APPROVAL OF THE 3RD QUARTERLY FINANCIAL STATEMENT BEGINNING APRIL 1, 2023 AND ENDING JUNE 30, 2023

MOTION Council member Fleming made a motion to approve the 3rd Quarterly Financial Statement Beginning April 1, 2023 and ending June 30, 2023. The second to the motion was made by Council member Monroe and the motion passed with unanimous vote of 5/0.

ITEM 18 CONSIDER AND TAKE ACTION TO APPROVE A RESOLUTION #23.07.10 OF THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS, DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT, FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM

**LOCAL PARK GRANT PROGRAM
RESOLUTION #23.07.10 AUTHORIZING APPLICATION**

A RESOLUTION OF THE CITY OF FRIONA AS HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS “DEPARTMENT,” FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING

THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the Mayor and City Manager to act for the Applicant in dealing with the Department for the purposes of the Program, and that Greg Lewellen and Leander Davila is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as Splashpad Project in the City of Friona or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

INTRODUCED, READ AND PASSED BY AN AFFIRMATIVE VOTE OF THE “APPLICANT” ON THIS 10 DAY OF JULY, 2023.

Signature of Local Government Official

Greg Lewellen, Mayor

Typed Name and Title

ATTEST:

Signature

Rosa Mendez, City Secretary Typed Name and Title

The City of Friona is applying for a Local Park Grant from Texas Parks & Wildlife for the upcoming Splashpad Project through the Panhandle Regional Planning Commission. The city would like to use the grant and 50% matching funds to create a splashpad.

MOTION Council member Moreno made the motion to approve Resolution #23.07.10 of the city council of the City of Friona, Texas designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks and Wildlife Department, for the purpose of participating in the local park grant program. The second to the motion was made by Council member Loflin and the motion passed with a vote of 5/0.

ITEM 19 ADJOURNMENT

With no further business at hand the meeting was adjourned at 8:17 P.M.

APPROVED:

Greg Lewellen, Mayor

ATTEST:

Rosa Mendez, City Secretary