

June 12, 2023

On this the 12<sup>th</sup> day of June, 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  
Leander Davila, City Manager

Others present included:

Rosa Mendez, City Secretary  
Sandra Bush, Assistant to Manager  
Clint Mears, Friona Star Editor  
Danny Campbell, Assistant Fire Chief/ Fire Marshall  
Emma Rector, FEDC Director  
Gary Stowers, Friona Fire Chief  
Vince Viaille, Specialized Public Finance Inc.  
Alex Guerrero, PRPC  
Ronda Wilkins, JP  
David Davila, citizen  
Emma Davila, citizen  
Lupe Duran, citizen  
Victoria Duran, citizen  
Ethan Johnson, P.E., OJD Engineering, LLC  
Tony Garcia, citizen  
Mel Garcia, citizen  
Tony Rios, citizen  
Erin Rios, citizen  
Robert Davila, citizen  
Cindy Davila, citizen  
Angel Samarron, citizen  
Matt Samarron, citizen  
Jennifer Gonzales, citizen  
Deborah Campbell, citizen  
Kim Kimbrough, citizen  
Trista Hickman, citizen  
Gilbert Davila, citizen  
Janie Martinez, citizen  
Mary Guzman, citizen  
Andrew Davila, citizen  
Junior Guzman, citizen  
Elena Ayala, citizen  
Jose Samarron, citizen

Josephine Solano, citizen  
Juan Samarron, citizen  
Jennifer Samarron, citizen

Mayor Lewellen called the meeting to order at 6:30.

**ITEM 1 ROLL CALL**

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

**ITEM 2 INVOCATION AND PLEDGE OF ALLEGIANCE.**

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

**ITEM 3 HEAR PUBLIC COMMENTS**

No public comments.

**ITEM 4 SWEARING IN OF THE MUNICIPAL COURT JUDGE**

Mayor Lewellen did the swearing in of Municipal Court Judge Marie Samarron.

**REGULAR HEARING:**

Mayor Lewellen opened up the regular hearing at 6:36 p.m.

**ITEM 5 CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE MAY 8, 2023 REGULAR CITY COUNCIL MEETING, THE MAY 25TH, 2023 SPECIAL CALLED MEETING AND THE MAY 30, 2023 SPECIAL CALLED MEETING**

With amendments made to the May 8, 2023 and May 25, 2023 the minutes were approved.

**MOTION** A motion was made by Council Member Fleming to approve the minutes of the May 8, 2023 Regular City Council Meeting, the May 25, 2023 Special Called Meeting and the May 30, 2023 Special Called Meeting. The second to the motion was made by Council Member Moreno and the motion was passed with a vote of 5/0.

**ITEM 6 PRESENTATION, DISCUSSION AND TAKE ACTION ON A MASTER AGREEMENT FROM NETDATA REGARDING A NEW DATA MANAGEMENT SYSTEM FOR THE FRIONA MUNICIPAL COURT**

The Friona Municipal Court is asking that city council consider a master agreement with NetData to improve the overall effectiveness of court operations. Judge Samarron stated that the simplicity of the program is

great. Justice of the Peace Ronda Wilkins addressed council on the benefits of having the NetData program. Amendments still need to be made to the agreement therefore, no action was taken on Item 6.

**ITEM 7            CONSIDER AND TAKE ACTION ON APPROVAL OF A BID FROM A QUALIFIED CONTRACTOR FOR THE CONSTRUCTION OF THE FRIONA COMMUNITY PARK REDEVELOPMENT PROJECT**

Ethan Johnson with OJD Engineering did an overview of the bid tabulation with council and handed out his letter of recommendation to award the bid to A&S General Contractors. City Manager Davila mentioned that the Visitor Impact Commission met on May 23, 2023 and approve the lowest bid contractors. Also, they agreed that the concrete paving could come later. Alex Guerrero from the Panhandle Regional Planning Commission recommended that council take action and get the project under way meanwhile soliciting donations. Unit price may increase the longer the project is delayed.

**MOTION**        The motion was made by Council Member Fleming to approve the bid from A&S General Contractors for the construction of the Friona Community Park Redevelopment Project. Council Member Loflin made the second to the motion and motion passed with a unanimous vote of 5/0.

**ITEM 8            CONSIDER AND TAKE ACTION AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS FOR THE FRIONA COMMUNITY CENTER BATHROOM REMODEL PROJECT**

The city would like to perform the bathroom renovations in conjunction with the community center exterior renovations. When the Visitor Impact Commission met, the group agreed that 4-bathroom stalls were adequate and maybe in lieu of the 5th stall they could have a dressing room. City Manager Davila also suggested possibly turning the 5th stall into a shower. By doing so, it would designate the community center a post disaster facility.

**MOTION**        Upon a motion from Council Member Monroe and a second by Council member Moreno it was approve to authorize the city manager to solicit bids for the Friona Community Center bathroom remodel project. The motion passed with a vote of 5/0.

**ITEM 9            CONSIDER AND TAKE ACTION AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS FOR A STREET CONSTRUCTION PROJECT ON 8TH STREET BETWEEN GRAND AND ASHLAND AVENUE**

The city now has the capital available to pave two streets. Therefore, City Manager Davila is requesting permission to solicit bids for a street construction project on 8<sup>th</sup> street between Grand and Ashland Avenue. Bermea Construction submitted a bid however it exceeded the spending budget.

**MOTION**        The motion was made by Council Member Fleming authorizing the city manager to solicit bids for a street construction project on 8<sup>th</sup> Street between Grand and

Ashland Avenue. The second to the motion was made by Council Member Monroe and the motion passed with a vote of 5/0.

**ITEM 10      CONSIDER AND TAKE ACTION ON APPROVAL OF THE BUSINESS STORE FRONT APPLICATIONS**

**MOTION**      A motion was made by Council Member Moreno to approve the business store front applications. The second to the motion was made by Council Member Loflin and the motion passed with a vote of 3/0. Council Members Fleming and Council Member Mills abstained.

**ITEM 11      CONSIDER AND TAKE ACTION ON A CONTRACTOR BUILDING DEMOLITION AGREEMENT WITH WEST TEXAS PROTEIN AND THE CITY OF FRIONA FOR THE DEMOLITION OF A BUILDING LOCATED ON CITY OWNED PROPERTY AT 1400 US HIGHWAY 60, FRIONA, TEXAS**

The contract is contradicting as to who is responsible for the removal of the concrete. It has been recommended that the building be checked for asbestos. The date of commencement to proceed with the demolition is no later than June 15, 2023. The area will be taped off as a construction zone during the fireworks sale June 24, 2023 thru July 4, 2023. With the amendments being made, the council has agreed to approve the contract.

**MOTION**      Council Member Monroe approved the contractor building demolition agreement with West Texas Protein and the City of Friona for the demolition of a building located on city owned property at 1400 US Highway 60, Friona, Texas. The second to the motion was made by Council Member Moreno and the motion passed with a vote of 5/0.

**ITEM 12      CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR MAY 2023**

City Secretary Mendez reviewed Accounts Payable with City Council members.

**MOTION**      The motion was made by Council Member Fleming to approve the Accounts Payable for May 2023. 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 THE FINANCIAL STATEMENT FOR MAY 2023**

**MOTION**      A motion was made by Council Member Loflin to approve the Financial Statement for May 2023. The second to the motion was made by Council Member Monroe and the motion passed with a vote of 5/0.

**ITEM 14      CONSIDER AND TAKE ACTION ON ADOPTION OF RESOLUTION NO 23.06.12 DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF**

**OBLIGATION TO PROVIDE FUNDS FOR FIRE STATION IMPROVEMENT PROJECTS; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT**

**RESOLUTION NO. 23.06.12**

**RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION TO PROVIDE FUNDS FOR FIRE STATION IMPROVEMENT PROJECTS; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT**

**WHEREAS**, this City Council deems it advisable to authorize publication of notice of intent to issue certificates of obligation for the purposes hereinafter set forth; and

**WHEREAS**, the City of Friona (the "City") expects to pay expenditures in connection with the projects described in "Exhibit A" to this Resolution prior to the issuance of the certificates of obligation hereinafter described;

**WHEREAS**, this City Council hereby finds, considers and declares that the reimbursement of the payment by the City of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations, to reimburse itself for such payments at such time as it issues the hereinafter described certificates of obligation;

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. Attached hereto and marked "Exhibit A" is a form of notice, the form and substance of which are hereby passed and approved.

Section 2. The City Secretary shall cause said notice to be published in substantially the form attached hereto, in a newspaper, as defined by Subchapter C, Chapter 2051, Texas Government Code, of general circulation in the area of said City, once a week for two consecutive weeks, with the date of the first publication to be before the 45th day before the date tentatively set for the passage of the ordinance authorizing the issuance of the certificates, and, if the City maintains an Internet website, continuously on the City's website for at least 45 days before the date tentatively set for the passage of the ordinance authorizing the issuance of the certificates.

Section 3. All costs to be reimbursed pursuant hereto will be capital expenditures; the proposed certificates of obligation shall be issued within 18 months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the certificates of obligation will not be issued pursuant to this Resolution on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 4. This Resolution shall be effective immediately upon adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS, this 12th day of June, 2023.**

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Greg Lewellen, Mayor

ATTEST:

[CITY SEAL]

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

**MOTION** Council Member Monroe made the motion on adoption of Resolution No. 23.06.12 directing publication of notice of intent to issue combination tax and revenue certificates of obligation to provide funds for fire station improvement projects and resolving other matters relating to the subject. The second to the motion was made by Council Member Loflin and the motion passed with a unanimous vote of 5/0.

**ITEM 15 DISCUSSION AND VIDEO PRESENTATION BY CITY MANAGER TO DISCUSS THE NATIONAL FITNESS CAMPAIGN AND 2023 GRANT APPLICATION FOR AN OUTDOOR FITNESS COURT**

City Council would like for city manager to continue to explore the possibility of applying for the 2023 Wellness Grant.

**ITEM 16 DISCUSSION REGARDING THE FISCAL YEAR 2023-2024 CITY COUNCIL PRIORITIES**

Priority list will be discussed next month and decide what projects or items are the most critical to the city as a group and determine which projects are most feasible for the upcoming year.

**ITEM 17 ADJOURNMENT**

With no further business at hand the meeting was adjourned at 8:03 p.m.

APPROVED:

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Greg Lewellen, Mayor

ATTEST:

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Rosa Mendez, City Secretary