

**AGENDA  
REGULAR CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
619 MAIN STREET  
FRIONA, TEXAS  
MONDAY, MAY 13, 2019  
6:30 PM**

- ITEM 1           ROLL CALL
- ITEM 2           INVOCATION AND PLEDGE OF ALLEGIANCE
- ITEM 3           HEAR PUBLIC COMMENTS
- ITEM 4           MERITORIOUS SERVICE AWARD PRESENTATION

**REGULAR HEARINGS:**

- ITEM 5           CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE APRIL 10, 2019 REGULAR CITY COUNCIL MEETING AND APRIL 23, 2019 SPECIAL CALLED CITY COUNCIL MEETING
- ITEM 6           SWEAR-IN THREE ALDERMEN DECLARED ELECTED FOR 2019-2021
- ITEM 7           CONSIDER AND TAKE ACTION ON ELECTION OF MAYOR PRO TEM FOR 2019-2021
- ITEM 8           CONSIDER AND TAKE ACTION ON ORDINANCE NO. 19.05.13 GRANTING TO ATMOS ENERGY CORPORATION (A TEXAS AND VIRGINIA CORPORATION, WITH ITS PRINCIPAL OFFICE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS) THE FRANCHISE AND RIGHTS TO CONDUCT IN SUCH CITY THE BUSINESS OF ACQUIRING, MAINTAINING, CONSTRUCTING, LAYING, REPAIRING, REMOVING, REPLACING, INSTALLING, OPERATING AND DISPOSING OF A GAS SYSTEM FOR THE SALE, TRANSPORTATION, AND DISTRIBUTION OF NATURAL GAS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY AND TO THE RESIDENTS AND BUSINESSES LOCATED THEREIN FOR LIGHT, HEAT, POWER AND ANY OTHER PURPOSES AND THE RIGHT TO USE THE PRESENT AND FUTURE STREETS, ROADS, HIGHWAYS, ALLEYS, PUBLIC WAYS, AND REAL PROPERTY IN SUCH CITY AND OWNED OR CONTROLLED BY SUCH CITY FOR SUCH PURPOSES; PRESCRIBING THE TERMS AND CONDITIONS TO WHICH SUCH FRANCHISE AND RIGHTS ARE SUBJECT; AND PRESCRIBING THE TERM OF SUCH FRANCHISE AND RIGHTS
- ITEM 9           CONSIDER AND TAKE ACTION ON RESOLUTION NO 19.05.13 AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE FIRE, AMBULANCE AND SERVICES TRUCK FUND AND RESCINDING RESOLUTION NO 19.04.10A.
- ITEM 10          CONSIDER AND TAKE ACTION ON AN INTERLOCAL COOPERATION CONTRACT WITH PANHANDLE REGIONAL PLANNING COMMISSION UNDER THE INTERLOCAL COOPERATION ACT FOR GRANT APPLICATION RELATED TO THE TXCDBG FIRE, AMBULANCE, AND SERVICES TRUCK (FAST) PROGRAM
- ITEM 11          HEAR DEPARTMENTAL REPORT FROM THE FRIONA FIRE DEPARTMENT REGARDING BUDGET, EXPENSES, PERSONNEL, AND A REQUEST TO USE COUNTY SUBSIDIZED MONEY TO MAKE LEASE PAYMENTS ON A NEW FIRE TRUCK
- ITEM 12          HEAR DEPARTMENTAL REPORT FROM THE FRIONA POLICE DEPARTMENT REGARDING BUDGET, EXPENSES, PERSONNEL, AND UPCOMING EVENTS

**MOTION** Alderman Loflin made the motion to approve a contract with Johnny Alvarez for the renovation of the new EMS building with the exception of the installation of the bay doors. The second to the motion was made by Alderman Monroe and the motion passed with a vote of 4/0.

City Council discussed sub leasing the work on the EMS bay doors to J.E.M. Services, LLC.

**MOTION** Alderman Fleming made the motion to approve a contract with J.E.M. Services, LLC for the installation of the bay doors on the new EMS building. The second to the motion was made by Alderman Loflin and the motion passed with a vote of 4/0.

**ITEM 4 ADJOURNMENT**

With no further business at hand the meeting was adjourned at 8:07 p.m.

APPROVED:

ATTEST:

/s/ Rosa Mendez  
Rosa Mendez, City Secretary

/s/ Ricky White  
Ricky White, Mayor

- ITEM 13      CONSIDER AND TAKE ACTION ON APPROVAL OF AUDIT REPORT PRESENTED BY GAYLA FULLERTON, CPA FOR FISCAL YEAR OCTOBER 1, 2017 TO SEPTEMBER 30, 2018
- ITEM 14      CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR APRIL 2019
- ITEM 15      CONSIDER AND TAKE ACTION ON APPROVAL OF THE APRIL 2019 FINANCIAL STATEMENT
- ITEM 16      CONSIDER AND TAKE ACTION TO MOVE THE MONDAY, JULY 8, 2019 CITY COUNCIL MEETING TO TUESDAY, JULY 16, 2019
- ITEM 17      ADJOURNMENT

May 13, 2019

On this the 13th day of May, 2019 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  
 Leander Davila, City Manager

Others present included: Rosa Mendez, City Secretary  
 Jeannie Martin, EMS Director  
 Larry Martin, EMS ECA  
 Valentina Meza, EMS EMT  
 Michael Gonzales, Atmos Manager of Public Affairs  
 Rocky Favila, Atmos Operations supervisor  
 Gayla Fullerton, CPA, PLLC  
 Clint Mears, Friona Star, Editor  
 Isidro Jimenez, FPD Chief of Police  
 Andrew Aguirre, FPD Sergeant  
 Jonathan Marquez, FPD Officer  
 Jim Taylor, Fire Department  
 Paige Witthar, PRPC  
 Candice Schueler, citizen

Mayor White called the meeting to order.

**ITEM 1      ROLL CALL**

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

**ITEM 2      INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**ITEM 3      HEAR PUBLIC COMMENTS**

Candice Schueler briefly addresses council members about an interest in getting water from the City of Friona. Her request will be put on the June agenda.

**ITEM 4      MERITORIOUS SERVICE AWARD PRESENTATION**

Alderman Lewellen read the Meritorious Service Award Presented to Sergeant Aguirre.

**REGULAR HEARING:**

**ITEM 5      CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE APRIL 10, 2019 REGULAR CITY COUNCIL MEETING AND APRIL 23, 2019 SPECIAL CALLED CITY COUNCIL MEETING**

**MOTION**      The motion was made by Alderman Lewellen and a second by Alderman Loflin to approve the minutes of the April 10, 2019 Regular City Council meeting and the April 23, 2019 Special Called City Council meeting. The motion carried with a vote of 4/0.

**ITEM 6      SWEAR-IN THREE ALDERMEN DECLARED ELECTED FOR 2019-2021**

City Secretary Rosa Mendez administered the Statement of Officer and the Oath of Office to Alderman Bruce Fleming, Alderman Jeff Stowers and Alderman Alan Monroe.

**ITEM 7      CONSIDER AND TAKE ACTION ON ELECTION OF MAYOR PRO TEM FOR 2019-2021**

**MOTION**      Alderman Monroe made the motion to elect Alderman Lewellen Mayor Pro Tem for 2019-2021. Alderman Loflin made the second to the motion and the motion was passed with a unanimous vote of 5/0.

**ITEM 8      CONSIDER AND TAKE ACTION ON ORDINANCE NO. 19.05.13 GRANTING TO ATMOS ENERGY CORPORATION (A TEXAS AND VIRGINIA CORPORATION, WITH ITS PRINCIPAL OFFICE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS) THE FRANCHISE AND RIGHTS TO CONDUCT IN SUCH CITY THE BUSINESS OF ACQUIRING, MAINTAINING, CONSTRUCTING, LAYING, REPAIRING, REMOVING, REPLACING, INSTALLING, OPERATING AND DISPOSING OF A GAS SYSTEM FOR THE SALE, TRANSPORTATION, AND DISTRIBUTION OF NATURAL GAS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY AND TO THE RESIDENTS AND BUSINESSES LOCATED THEREIN FOR LIGHT, HEAT, POWER AND ANY OTHER PURPOSES AND THE RIGHT TO USE THE PRESENT AND FUTURE STREETS, ROADS, HIGHWAYS, ALLEYS, PUBLIC WAYS, AND REAL PROPERTY IN SUCH CITY AND OWNED OR CONTROLLED BY SUCH CITY FOR SUCH PURPOSES; PRESCRIBING THE TERMS AND**

**CONDITIONS TO WHICH SUCH FRANCHISE AND RIGHTS ARE SUBJECT; AND PRESCRIBING THE TERM OF SUCH FRANCHISE AND RIGHTS**

**ORDINANCE NO. 2019.05.13**

**ORDINANCE OF THE CITY OF FRIONA, TEXAS, GRANTING TO ATMOS ENERGY CORPORATION (A TEXAS AND VIRGINIA CORPORATION, WITH ITS PRINCIPAL OFFICE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS) THE FRANCHISE AND RIGHTS TO CONDUCT IN SUCH CITY THE BUSINESS OF ACQUIRING, MAINTAINING, CONSTRUCTING, LAYING, REPAIRING, REMOVING, REPLACING, INSTALLING, OPERATING, AND DISPOSING OF A GAS SYSTEM FOR THE SALE, TRANSPORTATION, AND DISTRIBUTION OF NATURAL GAS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY AND TO THE RESIDENTS AND BUSINESSES LOCATED THEREIN FOR LIGHT, HEAT, POWER, AND ANY OTHER PURPOSES AND THE RIGHT TO USE THE PRESENT AND FUTURE STREETS, ROADS, HIGHWAYS, ALLEYS, PUBLIC WAYS, AND REAL PROPERTY IN SUCH CITY AND OWNED OR CONTROLLED BY SUCH CITY FOR SUCH PURPOSES; PRESCRIBING THE TERMS AND CONDITIONS TO WHICH SUCH FRANCHISE AND RIGHTS ARE SUBJECT; AND PRESCRIBING THE TERM OF SUCH FRANCHISE AND RIGHTS.**

Mike Gonzales, Marketing Manager was present to brief council members and highlight some key points. Council members unanimously chose to execute Ordinance NO. 2019.05.13 for a 5 year period.

**MOTION** Alderman Monroe made the motion to approve Ordinance NO.19.05.13 Granting To Atmos Energy Corporation (A Texas and Virginia Corporation, with its principle office in the City of Dallas, Dallas County, Texas) the franchise rights to conduct in such city the business. The second to the motion was made by Alderman Lewellen and the motion passed with a vote of 5/0.

Moved to Item 13

**ITEM 13 CONSIDER AND TAKE ACTION ON APPROVAL OF AUDIT REPORT PRESENTED BY GAYLA FULLERTON, CPA FOR FISCAL YEAR OCTOBER 1, 2017 TO SEPTEMBER 30, 2018**

Gayla provided a summary of her financial report and suggestions to better manage financial oversight.

**MOTION** The motion was made by Alderman Fleming to approve the audit report presented by Gayla Fullerton, CPA for fiscal year October 1, 2017 to September 30, 2018. The second to the motion was made by Alderman Lewellen and the motion carried with a vote of 5/0.

Moved to Item 11

**ITEM 11 HEAR DEPARTMENTAL REPORT FROM THE FRIONA FIRE DEPARTMENT REGARDING BUDGET, EXPENSES, PERSONNEL, AND A REQUEST TO USE COUNTY SUBSIDIZED MONEY TO MAKE LEASE PAYMENTS ON A NEW FIRE TRUCK**

No action was taken on Item 11. City Manager will consult with Vince Viaille, Financial Advisor, and this Item will be brought back at the June City Council Meeting.

**ITEM 9 CONSIDER AND TAKE ACTION ON RESOLUTION NO 19.05.13 AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE FIRE, AMBULANCE AND SERVICES TRUCK FUND AND RESCINDING RESOLUTION NO 19.04.10A**

**RESOLUTION NO. 19.05.13**

**A RESOLUTION OF THE CITY COUNCIL OF FRIONA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE FIRE, AMBULANCE AND SERVICES TRUCK FUND; AND AUTHORIZING THE CITY MANAGER, TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**WHEREAS**, the City Council of Friona desires to enhance and continue to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to moderate income; and

**WHEREAS**, certain conditions exist which represent a threat to the public health and safety; and

**WHEREAS**, it is necessary and in the best interests of the City of Friona to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Fire, Ambulance and Services Truck Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Fire, Ambulance and Services Truck Fund.
3. That the application be for (up to \$500,000.00) of grant funds to provide a replacement fire engine and a replacement attack truck.
4. That the City Council directs and designates the City Manager the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that the City of Friona is committing \$5,000.00 from its (General Fund) as a cash contribution toward the administration activities of this replacement engine and attack truck project.

**PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE**

**CITY OF FRIONA, TEXAS, THIS 13 DAY OF May, 2019 .**

**CITY OF FRIONA, TEXAS**

By: /s/ Ricky White  
Mayor

**ATTEST:**

/s/ Rosa Mendez  
City Secretary

**MOTION** A motion was made by Alderman Monroe to approve Resolution 19.05.13 Authorizing the Submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture. The second to the motion was made by Alderman Fleming and the motion was approved by the city council with a vote of 5/0.

**ITEM 10      CONSIDER AND TAKE ACTION ON AN INTERLOCAL COOPERATION CONTRACT WITH PANHANDLE REGIONAL PLANNING COMMISSION UNDER THE INTERLOCAL COOPERATION ACT FOR GRANT APPLICATION RELATED TO THE TXCDBG FIRE, AMBULANCE, AND SERVICES TRUCK (FAST) PROGRAM**

**MOTION**      A motion was made by Alderman Lewellen to approve an Interlocal Cooperation Contract with Panhandle Regional Planning Commission under the Interlocal Cooperation Act for Grant Application related to the TXCDBG Fire, Ambulance, and Services Truck (FAST) Program. Alderman Monroe seconded the motion and the motion passed with a vote of 5/0.

**ITEM 12      HEAR DEPARTMENTAL REPORT FROM THE FRIONA POLICE DEPARTMENT REGARDING BUDGET, EXPENSES, PERSONNEL, AND UPCOMING ACTIVITIES AND EVENTS**

Chief Jimenez informed the City Council about the Police Department's April activities.

**ITEM 14      CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR APRIL 2019**

City Manager Davila reviewed and answered questions about Accounts Payable.

**MOTION**      The motion was made by Alderman Fleming and a second by Alderman Monroe to approve the April 2019 Accounts Payable. The motion carried with a vote of 5/0.

**ITEM 15      CONSIDER AND TAKE ACTION ON APPROVAL OF THE FINANCIAL STATEMENT FOR APRIL 2019**

**MOTION**      Upon a motion by Alderman Fleming and a second by Alderman Lewellen the Financial Statement for April 2019 was approved by a vote of 5/0 of the city council.

**ITEM 16      CONSIDER AND TAKE ACTION TO MOVE THE MONDAY, JULY 8, 2019 CITY COUNCIL MEETING TO TUESDAY JULY 16, 2019**

**MOTION**      The motion was made by Alderman Loflin to move the July 8, 2019 City Council Meeting to Tuesday July 16, 2019. The second to the motion was made by Alderman Lewellen and the motion passed with a vote of 5/0.

**ITEM 17      ADJOURNMENT**

With no further business at hand the meeting was adjourned at 7:54 p.m.

APPROVED:

ATTEST:

/s/ Rosa Mendez

Rosa Mendez, City Secretary

/s/ Ricky White

Ricky White, Mayor