March 11, 2019

On this the 11th day of March, 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 prescribed by Chapter 551 of the Government Code, with the members being present and in attendance, to wit:

Ricky White, Mayor
Greg Lewellen, Alderman
Brent Loflin, Alderman
Bruce Fleming, Alderman
Allen Monroe, Alderman
Leander Davila, City Manager

Absent: Nancy Davis, Alderman

Others present included:
Rosa Mendez, City Secretary
Isidro Jimenez, Chief Friona PD
Andrew Aguirre, Friona Police Officer
John Torres, Friona Police Officer
Clint Mears, Friona Star Editor
Tanya Hollabaugh, Data Billing
Deanna Curtis, Parmer CAD
David Curtis, citizen
Cindy Moreno, citizen
Johnny Trevino, Proprietor, TW&M LLC
Juan R. Trevino, citizen
Mayra Chico, citizen
Esmeralda Garza, citizen
Silvia Trevino, citizen
Hitesh Bhatcke, Proprietor, Friona Inn
Marisela Padilla, Proprietor, Lowe's
Yolanda Legarreta, citizen
Jackie Rivera, Lowe's
Ou Senh, Proprietor, Hunan's
Dusty Hansard, Proprietor, Hansard Family Funeral Home
Melodee Hansard, Proprietor, Hansard Funeral Home
Jiselle Hand, Proprietor, Malouf's
Danny Hand, citizen
Daniela Saucedo, West Texas A&M Student

Mayor called the meeting to order at 6:30 p.m.

ITEM 1 ROLL CALL

Mayor called roll and announced that a quorum was present.

ITEM 2 INVOCATION AND PLEDGE OF ALLEGIANCE

Alderman Lewellen led the Pledge of Allegiance to the flag of the United State of America and Alderman Monroe gave the invocation.

ITEM 3 HEAR PUBLIC COMMENTS

No comments from the public

ITEM 4 PROCLAMATION "FRIONA BUSINESS MONTH"

Alderman Lewellen read the Proclamation declaring the month of March 2018 as "Friona Business Month".

ITEM 5 PROCLAMATION "REDEDICATION OF THE FRIONA COMMUNITY CENTER"

Mayor White read the Proclamation declaring the Friona Community Center as a hub to promote tourism, local festivals, and conventions, and the hotel industry on today, May 11, 2019

REGULAR HEARINGS:

ITEM 6 CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE FEBRUARY 13, 2019 REGULAR CITY COUNCIL MEETING

MOTION Upon a motion by Alderman Fleming and a second to the motion by Alderman Monroe the minutes of the February 13, 2019 Regular City Council Meeting were approved. The motion passed with a unanimous vote of 4/0.

ITEM 7 BRIEFING AND DISCUSSION FROM TANYA HOLLABAUGH FROM DATA BILLING COMPANY REGARDING EMS PAYMENT COLLECTIONS

ITEM 8 CONSIDER AND TAKE ACTION ON RESOLUTION NO. 19.03.11 DECLARING THAT EACH CANDIDATE WHOSE NAME IS TO APPEAR ON THE BALLOT IS UNOPPOSED: THAT NO PROPOSITION APPEARS ON THE BALLOT; DECLARING THAT EACH UNOPPOSED CANDIDATE IS ELECTED TO THAT OFFICE; AND RESCINDING THE RESOLUTION CALLING FOR THE MAY 4, 2019 ELECTION

RESOLUTION #19.03.11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS DECLARING THAT EACH CANDIDATE WHOSE NAME IS TO APPEAR ON THE GENERAL ELECTION BALLOT IS UNOPPOSED, THAT NO PROPOSITION APPEARS ON THE BALLOT; DECLARING THAT EACH UNOPPOSED CANDIDATE IS ELECTED TO THAT OFFICE; AND RESCINDING THE RESOLUTION CALLING FOR THE MAY 4, 2019 GENERAL ELECTION.

WHEREAS, on the 13th day of February 2019, the City Council of the City of Friona, Texas duly called for an election to be held on May 4, 2019 for the election of three Aldermen; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's regular municipal election has expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code has certified in writing to the City Council that Bruce Fleming, Alan Monroe, and Jeff Stowers are unopposed for three Alderman positions; and

WHEREAS, the Friona City Council hereby finds and determines that the candidates whose names are to appear on the ballot in said election for three Aldermen are unopposed, there are no declared write-in candidates, and there are no propositions to appear on the ballot for said May 4, 2019 election;

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

That pursuant to Section 2.053(b), Texas Election Code, the regular municipal election for three Aldermen heretofore called and ordered for May 4, 2019 shall not be held and is hereby canceled.

That in accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates: Bruce Fleming, Alan Monroe and Jeff Stowers are duly elected to serve as Aldermen on the City Council of the City of Friona, Texas and shall be issued a certificate of election following the date on which the regular municipal election for Aldermen for the City of Friona was to have been held.

That the City Secretary is hereby directed to cause a copy of this Resolution to be posted on Election Day, same being May 4, 2019 at each of the polling places that would have been used in the election.

PASSED AND APPROVED, THIS THE 11TH DAY OF MARCH 2019.

_____
Ricky White, Mayor

_____
Rosa Mendez, City Secretary

MOTION Alderman Lewellen made the motion to approve Resolution #19.03.11 declaring that each candidate whose name is to appear on the ballot is unopposed: that no proposition appears on the ballot; declaring that each unopposed candidate is elected to that office; and rescinding the Resolution calling for the May 4, 2019 Election. Alderman Loflin made the second to the motion and the motion passed with a vote of 4/0 of the City Council members.

ITEM 9 CONSIDER AND TAKE ACTION ON RESOLUTION NO. 19.03.11A APPOINTING THE ELECTION OFFICIALS FOR THE MAY 4, 2019 FRIONA SCHOOL BOARD ELECTION SETTING THE RATE OF PAY FOR THE ELECTION OFFICIALS, THE MAXIMUM NUMBER OF ELECTION CLERKS FOR THE POLLING PLACE AND DESIGNATION OF THE EARLY VOTING BALLOT BOARD

RESOLUTION #19.03.11A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS, APPOINTING THE ELECTION OFFICIALS FOR THE MAY 4, 2019 FRIONA SCHOOL BOARD ELECTION, SETTING THE RATE OF PAY FOR THE ELECTION OFFICIALS, THE MAXIMUM NUMBER OF ELECTION CLERKS FOR THE POLLING PLACE, AND DESIGNATION OF THE EARLY VOTING BALLOT BOARD.

WHEREAS, on February 13, 2019, the City Council of the City of Friona, Texas, ordered an election to be held on Saturday, May 4, 2019, for the purpose of electing three (3) Alderman for the Friona City Council;

WHEREAS, The City in accordance with Section 2.052, Texas Election Code has certified in writing to the City Council that Bruce Fleming, Alan Monroe and Jeff Stowers are unopposed for the three Aldermen positions; and the City Election is canceled.

WHEREAS, on February 11, 2019, the Friona Independent School District order an election to be held on Saturday, May 4, 2019, for the purpose of electing two (2) at large school board trustee;

WHEREAS, the Joint Election Agreement signed by the City of Friona and the Friona Independent School District on February 13, 2019 appoints the Election Administrator, who shall be the City Secretary to coordinate and supervise all aspects of administering the election;

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

Section 1. Wendy Samarron, 1007 Columbia, Friona, Texas, will serve as Presiding Judge and Pam Mercado, 602 Arrah, Friona, Texas, will serve as Alternate Presiding Judge and the clerks of the election will be appointed by the Presiding Judge in a number not to exceed four (4).

Section 2. In accordance with Section 32.091 of the Texas Election Code, the judges shall be paid at the rate of $12.00 per hour and shall receive an additional $25 for delivery of the returns of the election. The election clerks shall be paid at the rate of $10.00 per hour.

Section 3. Claudia Castillo, Superintendent Secretary of the Friona Independent School District, will serve as election clerk for the early voting to be held at the Friona Independent School District Administration Building at 909 E 11th Street, Friona, Texas.

Section 4. Early voting, both by personal appearance and by mail shall be by paper ballots and shall be canvassed by an Early Voting Ballot Board. Wendy Samarron shall serve as Presiding Judge and Pam Mercado shall serve as Alternate Presiding Judge, and counting officers at the regular polling place in the City Council Chambers located at 619 Main Street, shall serve as clerks. They are hereby appointed the Early Voting Ballot Board for said election.

PASSED, APPROVED AND ADOPTED this 11th day of March, 2019.

APPROVED:

_____
Ricky White, Mayor

ATTEST:

_____
Rosa Mendez, City Secretary

MOTION The motion was made by Alderman Monroe to approve Resolution #19.03.11A Appointing the Election Officials for the May 4, 2019 Friona School Board Election setting the rate of pay for the Election Officials, the maximum number of Election Clerks for the polling place and designation

of the early voting ballot board. Alderman Loflin made the second to the motion and the motion passed with a vote of 4/0.

ITEM 10 CONSIDER AND TAKE ACTION ON RESOLUTION NO. 19.03.11B SETTING FORTH PAST AND PRESENT USE OF FRIONA COMMUNITY CENTER AS A CONVENTION CENTER FACILITY, AS WELL AS THE USE OF HOTEL OCCUPANCY TAX REVENUE TO IMPROVE, ENLARGE, EQUIP, REPAIR, MAINTAIN AND OPERATE THE CONVENTION CENTER

RESOLUTION NO. 19.03.11B

A RESOLUTION OF THE CITY OF FRIONA, TEXAS ACKNOWLEDGING AND SUPPORTING THE HISTORICAL AND FUTURE USE OF THE FRIONA COMMUNITY CENTER AS A CONVENTION CENTER, AS WELL AS THE USE OF HOTEL OCCUPANCY TAX REVENUE TO IMPROVE, ENLARGE, EQUIP, REPAIR, MAINTAIN AND OPERATE THE FACILITY AS A CONVENTION CENTER

WHEREAS, the City of Friona has long used the Friona Community Center as a gathering place for public, private and social gatherings for local, regional and interstate persons;

WHEREAS, the Friona Community Center and surrounding park areas serve as a location to host educational programs, community activities, recreational events, and regional conventions that attract residents and visitors alike;

WHEREAS, the Friona Community Center has, and will continue to have in the future, the facilities necessary to make it a destination for convention traffic;

WHEREAS, the Friona Community Center draws out of town visitors to the City of Friona, Texas where they spend money with local businesses, including hotels;

WHEREAS, the City Council of the City of Friona desires to continue to improve the Friona Community Center as a convention destination to enhance the lives of local citizens, as well as to draw visitors from out of town; and

WHEREAS, this dedication reaffirms the Friona Community Center as a regional convention center and visitor information center.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS HEREBY ADOPTS THE FOLLOWING RESOLUTION THAT:

Section 1. The City of Friona, Texas supports the continued use of the Friona Community Center as a convention destination.

Section 2. The City of Friona, Texas supports the use of public funds, including the Hotel Occupancy Tax, to support, improve, enlarge, equip, repair, maintain and operate the facility as a convention center.

Section 3. This resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this_____ day, 2019, by a vote of _____to_____ of the City Council of Friona, Texas.

ATTEST:

_____ _____

City Secretary, Rosa Mendez Ricky White, Mayor

MOTION Alderman Monroe made the motion to approve Resolution No. 19.03.11B Acknowledging and Supporting the Historical and Future use of the Friona Community Center as a Convention Center. The second to the motion was made by Alderman Lewellen and the motion passed with a vote of 4/0.

ITEM 11 CONSIDER AND TAKE ACTION ON APPROVAL TO AWARD THE BID FOR THE 2019 SEAL COAT PROJECT

The sole contractor who placed a bid on the project was G&G Operators from Dumas and they have committed to completing the project within 90 calendar days. Total cost will be $106,380.93.

MOTION Upon a motion by Alderman Lewellen and a second b Alderman Loflin it was approved to award the bid for the 2019 Seal Coat Project to G&G Operators. The motion passed with a vote of 4/0.

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

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

ITEM 13 CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR FEBRUARY 2019

City Manager Davila reviewed Accounts Payable with the City Council.

MOTION Alderman Fleming made the motion to approve Accounts Payable for February 2019. The second to the motion was made by Alderman Monroe and the motion passed with a unanimous vote of 4/0.

ITEM 14 CONSIDER AND TAKE ACTION ON APPROVAL OF THE FEBRUARY 2019 FINANCIAL STATEMENT

MOTION The motion was made by Alderman Loflin to approve the February 2019 Financial Statement and a second to the motion was made by Alderman Lewellen. The motion passed with a vote of 4/0.

ITEM 15 CONSIDER AND TAKE ACTION ON ORDINANCE NO. 19.03.11 APPROVING THE SALE AND PURCHASE OF THE PARMER COUNTY APPRAISAL DISTRICT BUILDING

ORDINANCE NO. 19.03.11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIONA, TEXAS, APPROVING THE SALE AND PURCHASE OF THE PARMER COUNTY APPRAISAL DISTRICT BUILDING; ADOPTING A PROPOSED RATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE PARMER COUNTY APPRAISAL DISTRICT

WHEREAS, the Texas Property Tax Code, Chapter 6, Subchapter A, Section 6.051(b) states the acquisition or conveyance of real property must be approved by the governing bodies of three-fourths of the taxing units entitled to vote on the appointment of board members; and

WHEREAS, the Chief Appraiser shall notify the presiding officer of each governing body entitled to vote on the approval of the proposal by delivering a copy of the board's resolution, together with information showing the costs of other available alternatives to the proposal; and

WHEREAS, the Parmer County Appraisal District has outgrown its current building and seeks to sale the current building located at 305 3rd Street, Bovina, Texas 79009; and

WHEREAS, the Parmer County Appraisal District seeks to purchase the Sherley Anderson Building located at 907 West Highway 86, Bovina, Texas 79009; and

WHEREAS, the Parmer County Appraisal District Board of Directors unanimously voted to sale the existing building located at 305 3rd Street, Bovina, Texas 79009 and proceed with purchasing the old Sherley Anderson Building located at 907 West Highway 86, Bovina, Texas 79009 on February 19, 2019.

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That the City Council finds the proposed rate of $7,617.50 in total to be paid by the City of Friona that is attached hereto and incorporated herein as Attachment A, over a four-year period to be just and reasonable and are hereby adopted.

Section 3. That said annual payment amount be reduced in later years once the actual cost is known without Council approval but would require Council approval should the amount be increased.

Section 4. That to the extent any Resolution or Ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 5. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 7. That a copy of this Ordinance shall be sent to the Parmer County Appraisal District, care of Jill D. Timms, Chief Appraiser, P.O. Box 864, Bovina, Texas 79009.

PASSED AND APPROVED this _____ day of _____, 2019.

Mayor Ricky White

ATTEST:

APPROVED AS TO FORM:

City Secretary, Rosa Mendez

City Attorney, Slater Elza

ATTACHMENT A

	OCTOBER 1, 2019
CBV	$1,614.75
CFR	$7,617.50
CFW	$2,192.25
GPA	$30,403.75
RFM	$7,571.75
HBC	$1,556.25
HFW	$394.50
HPC	$12,156.00
SBV	$9,809.00
HEREFORD (SFR)	$1,034.50
SFR	$37,218.25
SFW	$23,567.00
SLZ	$6,183.25
WHP	$556.25
	$141,875.00

MOTION The motion was made by Alderman Fleming to approve Ordinance No. 19.03.11 Approving the Sale and Purchasing of the Parmer County Appraisal District Building. The second to the motion came from Alderman Lewellen and the motion passed with a vote of 3/0. Alderman Monroe abstained due to a conflict of interest. He is a Parmer CAD Board Member.

ITEM 16 ADJOURNMENT

With no further business at hand the meeting was adjourned at 7:41 PM.

APPROVED:

_____
Ricky White, Mayor

ATTEST:

_____
Rosa Mendez, City Secretary