

**MINUTES**  
**MEETING OF THE CITY COUNCIL**  
**OF THE CITY OF SAN SABA**  
**November 12, 2019**

Members in attendance were: Ken Jordan – Mayor  
Robert Whitten – Mayor Pro-Tem  
Shawn Oliver – Alderman  
Oleta Behrens - Alderman  
Marcus Amthor - Alderman  
Michael Nelson – Alderman  
Stan Weik – City Manager

Others present were: Sabrina Maultsby – City Secretary  
Charlene Lindsay – Finance Director  
Scott Glaze – City Employee  
Eugene Bessent – City Employee  
Billy Sutton – City Employee  
Donna Webb – San Saba News & Star  
Charlotte Berryhill – Citizen  
Tiffany Ware – Citizen  
Javier Baez – Citizen

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and Alderman Robert Whitten gave the invocation and pledges.

**PUBLIC COMMENTS:** Charlotte Berryhill addressed the Council and explained that she lives on West Commerce Street in San Saba and voiced her concern about the speeding cars on West Commerce. Ms. Berryhill asked about installing speed bumps, permanent or temporary, or maybe some kind of signage. City Manager Weik asked Scott Glaze, Public Works Director to get with Luis Rios, Street Department Supervisor and see what they might be able to do about the situation and he said he would also mention this to Chief Riggs. Mayor Jordan thanked Ms. Berryhill for taking the time to bring this to the City’s attention and we will see what we can do to resolve this matter.

**PRESENTATIONS:**

Billy Sutton, Parks Department was selected as the Employee of the Month for November. Eugene Bessent, Parks Department Supervisor and Alderman Robert Whitten presented Billy with a plaque with his name on it and a gift certificate to a local restaurant.

**CONSENT AGENDA:**

On a motion by Alderman Oliver, seconded by Alderman Whitten, Council unanimously approved the following: minutes from the October 8, 2019 Council Meeting; payment of bills; Approved Resolution No. 2019-47 waiving noise ordinance on November 23<sup>rd</sup>, 2019 at Risien Park.

**DISCUSSION/ACTION ITEMS:**

The first action item was to Discuss/Consider approval of Resolution No. 2019-48 approving the Budget Amendments for FY 2018-2019. On a motion by Alderman Michael Nelson and seconded by Alderman Shawn Oliver, Council unanimously approved Resolution No. 2019-48.

**RESOLUTION 2019-48**

STATE OF TEXAS	X
	X
COUNTY OF SAN SABA	X

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, APPROVING BUDGET AMENDMENTS FOR THE 2018-2019 FISCAL YEAR.**

WHEREAS, in order to provide for the necessary functions and operations of all City departments, line item amendments were needed;

WHEREAS, Texas law provides for expenditure amendments to amend the budget;

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

**That the City Council approves the budget amendments for the 2018-2019 fiscal year.**

Passed and approved this 12<sup>th</sup> day of November, 2019.

The second item was to Approve Resolution No. 2019-49 a Resolution regarding a Finance Contract for the Purpose of Procuring a "Police Vehicle" 2020 Police Ford Fusion Responder Hybrid. City Manager Weik explained that this was originally approved previously in the 2019-2020 Budget, but that Government Capital requires a Resolution for financing. On a motion by Mayor Pro-Tem Robert Whitten and seconded by Alderman Michael Nelson, Council unanimously approved Resolution No. 2019-49.

**RESOLUTION No. 2019-49**

**A RESOLUTION REGARDING A FINANCE CONTRACT FOR THE PURPOSE OF PROCURING A "POLICE VEHICLE".**

WHEREAS, contingent upon the approval of the Attorney of City of San Saba (the "Issuer"), the Issuer desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Police Vehicle". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

**NOW THEREFORE, BE IT RESOLVED BY CITY OF SAN SABA:**

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing a "Police Vehicle".

Section 2. That the Finance Contract by and between the City of San Saba and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer will designate the City Manager, or designee, as an authorized signer of the Finance Contract by and between the City of San Saba and GCC.

Section 4. That the City will use loan proceeds for reimbursement of expenditures related to the Property.

PASSED AND APPROVED by the City Council of the City of San Saba in a meeting held on the 12<sup>th</sup> day of November, 2019.

**The third item** was to Approve Resolution No. 2019-50 a Resolution regarding a Finance Contract for the Purpose of Procuring a "Public Works Vehicle" 2020 Chevrolet 1500 4x4 Crew Cab Short Box. City Manager Weik explained, again this was originally approved previously in the 2019-2020 Budget, but that Government Capital requires a Resolution for financing. On a motion by Alderman Shawn Oliver and seconded by Alderman Oleta Behrens, Council unanimously approved Resolution No. 2019-50.

**RESOLUTION No. 2019-50**

A RESOLUTION REGARDING A FINANCE CONTRACT FOR THE PURPOSE OF PROCURING A  
**"PUBLIC WORKS VEHICLE".**

WHEREAS, contingent upon the approval of the Attorney of City of San Saba (the "Issuer"), the Issuer desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Public Works Vehicle". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY CITY OF SAN SABA:

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing a "Public Works Vehicle".

Section 2. That the Finance Contract by and between the City of San Saba and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer will designate the City Manager, or designee, as an authorized signer of the Finance Contract by and between the City of San Saba and GCC.

Section 4. That the City will use loan proceeds for reimbursement of expenditures related to the Property.

PASSED AND APPROVED by the City Council of the City of San Saba in a meeting held on the 12<sup>th</sup> day of November, 2019.

**The fourth item** was to Discuss and Consider award of a Grant Administration Contract to Public Management, Inc. for and anticipated TPWD Park Grant. Jake McAdams with Public Management explained that this grant application is for the Splash Pad that the City will be applying for and Public Management will be administering the Grant, if awarded by the Council. He also explained, there will not be a fee for administration services if the TPWD Grant is not awarded. On a motion by Alderman Oleta Behrens and seconded by Alderman Michael Nelson, Council unanimously approved awarding the Grant Administration Contract to Public Management, Inc.

**The fifth item** was to Discuss and Consider adoption of Ordinance No. 2019-10, an Ordinance prohibiting drilling and mining in public Park Land in the City of San Saba. Jake McAdams with Public explained to the Council that passing this Ordinance is a requirement that the Texas Parks and Wildlife Department requires passage when applying for a TPWD Grant. Alderman Robert Whitten made the motion to approve Ordinance No. 2019-10 and seconded by Alderman Shawn Oliver, Council unanimously approved Ordinance No. 2019-10.

**CITY OF SAN SABA, TEXAS**

**ORDINANCE NO. 2019-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, PROHIBITING DRILLING AND MINING OR THE REOPENING OF AN ABANDONED WELL OR MINE IN ANY PUBLIC PARK LOCATED WITHIN THE CITY LIMITS OF SAN SABA, TEXAS.**

**WHEREAS**, the City of San Saba, Texas (“City”), is a Texas general law city possessing the power of local self-government pursuant to Texas law; and

**WHEREAS**, the City Council of the City of San Saba, Texas (“City Council”), has the authority to adopt rules and regulations that provide for the protection of City park property; and

**WHEREAS**, the City Council has determined that this Ordinance is necessary to provide for the health, safety, and welfare of the general public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF SAN SABA, TEXAS, THAT:**

**Section 1.** All forms of drilling and mining are permanently prohibited in any public park located within the City limits of San Saba, Texas.

**Section 2.** No previously drilled and abandoned well or mine may be reopened in any public park located within the City limits of San Saba, Texas.

**Section 3.** The City Council hereby finds and declares that the adoption, passage and implementation of this ordinance shall become effective immediately upon its adoption on the first reading.

PASSED, APPROVED AND ADOPTED this the 12<sup>th</sup> day of November, 2019.

**The sixth item** was to Discuss and Consider adoption of Resolution No. 2019-51, a Resolution authorizing the submission of a TPWD Park grant application and designating authorized representatives. Jake McAdams explained to the Council that again this is part of the process and that the Council must pass this Resolution before submitting the grant and the Resolution also designates the authorized representatives. On a motion by Alderman Robert Whitten and seconded by Alderman Michael Nelson, Council unanimously approved Resolution No. 2019-51.

# Local Park Grant Program Resolution Authorizing Application

## Resolution No. 2019-51

A resolution of the City of San Saba 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 to act for the Applicant in dealing with the Department for the purposes of the Program, and that Mayor 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 Mill Pond Park in the City of San Saba 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 12th day of November, 2019.

**The seventh item** was to Discuss and Consider awarding the Contract for TDA Project #7218429, Pump Station and Well Improvements to the low bidder, JS Haren Company of Athens, Tennessee submitting the low base bid of \$177,000.00. Jake McAdams, Public Management explained that he was standing in for Kay Howard to explain that JS Haren Company was the low bidder and with this bid, this will leave \$11,000.00 for contingencies. On a motion by Alderman Shawn Oliver and seconded by Alderman Robert Whitten, Council unanimously agreed to award the Contract for TDA Project #7218429, Pump Station and Well Improvements to the low bidder, JS Haren Company of Athens, Tennessee.

**The eighth item** was to Discuss/Consider and take necessary action to reaffirm Resolution No. 2019-52 Adopting necessary Civil Rights and Fair Housing Policies. The Civil Rights and Fair Housing Policies were first Adopted on January 14, 2019. Jake McAdams, Public Management explained to the Council that again he was standing in for Kay Howard and that this Resolution is for the Planning Grant and will need to be approved by the Council reaffirming the Adoption of necessary Civil Rights and Fair Housing Policies that were adopted back on January 14, 2019. On a motion by Alderman Michael Nelson and seconded by Alderman Oleta Behrens, Council unanimously approved Resolution No. 2019-52.

### **RESOLUTION No. 2019-52**

**A RESOLUTION ADOPTING AND REAFFIRMING THE ATTACHED POLICIES IN CONNECTION WITH THE CITY OF SAN SABA, TEXAS PARTICIPATION IN FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AND ADHERENCE TO THE REGULATIONS DESCRIBED THEREIN.**

Whereas, the City of San Saba, Texas, (hereinafter referred to as "City") has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as "TDA");

Whereas, the City of San Saba, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City of San Saba, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the City of San Saba, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

Whereas, the City of San Saba, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the City of San Saba, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

Whereas, the City of San Saba, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, the City of San Saba, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing;

Whereas, the City of San Saba, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TIIB CITY OF SAN SABA, TEXAS, that the CITY OF SAN SABA REAFFIRMS THE FOLLOWING:**

- 1. Citizen Participation Plan and Grievance Procedures;**
  - 2. Section 3 Policy;**
  - 3. Excessive Force Policy;**
  - 4. Section 504 Policy and Grievance Procedures;**
  - 5. Limited English Proficiency Plan;**
  - 6. Fair Housing Policy; and**
  - 7. Code of Conduct Policy**

**Passed and approved this 12th day of November, 2019.**

**CITY MANAGER’S REPORT: None**

**OTHER REPORTS**

Public Works Department Supervisor, Scott Glaze, reported that the Water Wheel at Mill Pond Park will be replaced due to the existing one being shot and was about to fall off; everyone can breathe easier since the Contractors replacing the water lines are gone; Contractors clipped a sewer line and didn't fix it so it backed up into the Police Station and was a mess; the Water Department fixed the line, even though we have a warranty, we have to wait on the Contractor to come back and repair and sometimes it is necessary to be repaired immediately due to the wait time; Christmas lights at Mill Pond Park will be turned on after Thanksgiving; possibility will be hosting the Dedication to James Reavis of the new Pavilion the morning of the Sip-N-Stroll event on December 14<sup>th</sup>; Sabrina Maulsby, City Secretary addressed the Council and explained that through March, several of the Council Members have asked to move the Council Meeting from the second Tuesday of the Month to the second Monday of the Month due to lack of a quorum and all of the Council Members agreed to moving the Council Meetings through March to the second Monday of the month.

As there was no further discussion, the meeting adjourned at 6:31 p.m. and the Council convened into Executive Session pursuant to Section 551.072, Texas Government Code, to discuss/deliberate Real Estate matters.

At 6:36 p.m., the City Council adjourned from Executive Session back into open session. No action was taken.

The meeting adjourned at 6:36 p.m.

**ATTEST:**

  
Sabrina Maulsby, City Secretary

  
Kenneth G. Jordan, Mayor