

MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
June 9, 2015

Members in attendance were: Ken Jordan – Mayor
Oleta Behrens - Alderman
Charles Peeler - Alderman
Mark Amthor – Alderman
Shawn Oliver - Alderman
Stan Weik – City Manager

Others present were: Sabrina Maultsby – City Secretary
Charlene Lindsay – City Treasurer
Susie Jimenez – City Employee
Shayna Grant – City Employee
Tony Guidroz – City Employee
Denver Daniel – City Employee
Al Hamrick – City Employee
Jason Vogel – City Employee
Sergeant Misty Maldonado – City Employee
Farrel Whitley – City Employee
Juan Montoya – City Employee
Clifton Ott – City Employee
Norman Pierce – City Employee
Chuck Jennings – City Employee
Jerry Turner – City Employee
Chris Stewart – City Employee
Billy Sutton – City Employee
Spencer Carlisle – City Employee
Byron Theodosis – County Judge
Lisa Theodosis - Citizen
Alice Smith – San Saba News & Star
Kay Howard – A & J Howco Services, Inc., President
Keith Shahan – San Saba Pecan
Sam Murray – City National Bank, President
Lee Murray – City National Bank

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

INSTALLATION OF ELECTED OFFICIALS

County Judge Byron Theodosis was present to issue the Statement of Elected Officials and Oath of Office to re-elected Aldermen Mark Amthor, Alderman Shawn Oliver, and Alderman Charlie Peeler.

The fourth item on the agenda was to accept the Letter of Resignation from Alderman and Mayor Pro-Tem, Martha Leigh Whitten, effective as of June 1, 2015. Mayor Jordan read the letter and explained that Martha Leigh had been selected by the Governor of the State of Texas to serve on the

LCRA Board of Directors, following in her parents' legacy of this position. Mayor Jordan expressed his appreciation of Martha Leigh's many years of service as a Council Member.

The next item on the agenda was to elect an Alderman to serve as Mayor Pro-Tem. The Council unanimously elected Alderman Mark Amthor as Mayor Pro-Tem on a motion by Alderman Behrens, seconded by Alderman Oliver.

PUBLIC HEARING: None

PUBLIC COMMENTS:

First person signed up to speak was Kay Howard, President of A & J Howco Services, Inc. from Lubbock, Texas. She introduced herself to the Council and explained she is the new Grant Writer replacing Randy Randolph. Kay gave a brief up date regarding the Community Funding Grant for City of San Saba scoring and tying for fifth out of seventeen applicants and usually funds ten applicants. She also explained that she will be applying for a Downtown Revitalization Grant and is due October 2, 2015. Kay addressed the Council by saying how impressed she is with the town, how peaceful it is in San Saba, and is looking forward to working with the City officials.

Keith Shahan on behalf of San Saba Pecan was second to speak and gave a brief update regarding the newly installed and completed wastewater ponds at San Saba Pecan.

PRESENTATIONS:

Susie Jimenez, Utility Billing Coordinator Supervisor was selected as Supervisor of the Quarter for the second Quarter. Charlene Lindsay, City Treasurer and Supervisor, and Alderman Oliver presented Susie with a plaque with her name on it and a gift certificate to a local restaurant. Jerry Turner, Chris Stewart, Billy Sutton, and Spencer Carlisle, city employees working at the Golf Course were all selected as the Employee of the Month for May. Chuck Jennings, San Saba River Golf Course Pro, and Alderman Oliver presented the Golf Course Crew with a plaque with their name on it and a gift certificate to a local restaurant.

CONSENT AGENDA

On a motion by Alderman Peeler, seconded by Alderman Behrens, Council unanimously approved the following: minutes from the May 12, 2015 council meeting; payment of bills; Approved Resolution No. 2015-16 waiving noise ordinance on June 12th and 13, 2015 at Risien Park; Approved Resolution No. 2015-17 waiving noise ordinance on June 13, 2015 for a street Dance on the west side of the Courthouse; Approved Ordinance No. 2015-04 temporarily closing Cherokee Street from E. Wallace Street to E. Commerce Street on June 13, 2015; Approved Resolution No. 2015-18 waiving noise ordinance on June 13, 2015 at Mill Pond Park Pavilion; Approved Resolution No. 2015-19 waiving noise ordinance on June 27, 2015 at Mill Pond Park Pavilion; Approved Resolution No. 2015-20 waiving noise ordinance on June 27, 2015 at Risien Park Pavilion; Approved waiving ordinance prohibiting fireworks within the city limits for a Fourth of July Celebration.

RESOLUTION 2015-16

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Tony Guidroz, San Saba Economic Director, 303 S. Clear Street, San Saba, Tx**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at Risien Park on June 12th and June 13th, 2015 until 12:00 midnight for the Cow Camp Cook-off and Pecan Capital Rod Run.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 12th and June 13th, 2015 at Risien Park.

Passed and approved this 9th day of June, 2015.

RESOLUTION 2015-17

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Tony Guidroz with the Economic Development Committee, San Saba, Tx**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Street Dance located on the West side of the Courthouse on June 13th, 2015 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 13, 2015 at the Street Dance located on the West side of the Courthouse.

Passed and approved this 9th day of June, 2015.

ORDINANCE NO. 2015-04

AN ORDINANCE APPROVING A REQUEST SUBMITTED BY DIRECTOR REPRESENTING THE ECONOMIC DEVELOPMENT COMMITTEE TO TEMPORARILY CLOSE THE BLOCK OF CHEROKEE STREET BETWEEN EAST WALLACE STREET AND EAST COMMERCE STREET FROM THE HOURS OF 3:00 P.M. TO 1:00 A.M. ON JUNE 13, 2015.

WHEREAS, Tony Guidroz, Director of the Economic Development Committee, San Saba, Texas has requested from the City Council of the City of San Saba for permission to close the portion of Cherokee Street located between Wallace and Commerce Streets June 13, 2015 from 3:00 p.m. to 1:00 a.m.

WHEREAS, there are no homes located on this section of Cherokee Street that would be affected by this closure;

WHEREAS, the temporary closure of such street for public use will not harm public right of way uses by the City of San Saba nor hinder emergency services personnel from protecting the public.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA that this section of Cherokee Street be temporarily closed from the hours of 3:00 p.m. to 1:00 a.m. on June 13, 2015.

PASSED AND APPROVED this the 9th day of June, 2015.

RESOLUTION 2015-18

A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN ORDINANCE DEFINING NOISE NUISANCES

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Ramiro Cisneroz, 808 N. 9th Street, San Saba, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Gazebo at Mill Pond Park on June 13th, 2015 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 13, 2015 at the Gazebo at Mill Pond Park.

Passed and approved this 9th day of June, 2015.

RESOLUTION 2015-19

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Veronica Coronado, 335 CR 112A, San Saba, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Gazebo at Mill Pond Park on June 27th, 2015 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 27, 2015 at the Gazebo at Mill Pond Park.

Passed and approved this 9th day of June, 2015.

RESOLUTION 2015-20

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Vivian Casias, 1038 Iberis Road, Tuscola, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at Risien Park on June 27th, 2015 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 27, 2015 at Risien Park Pavilion.

Passed and approved this 9th day of June, 2015.

DISCUSSION/ACTION ITEMS:

The first action item was to consider and approve Ordinance No. 2015-05 an Ordinance declaring that an Alleyway has been abandoned as an alley and authorizing the purchase of said property. On a motion by Alderman Oliver and seconded by Mayor Pro-Tem Amthor, Ordinance No. 2015-05 was unanimously passed.

ORDINANCE NO. 2015-05

AN ORDINANCE DECLARING THAT AN ALLEYWAY HAS BEEN ABANDONED AS AN ALLEY AND AUTHORIZING THE PURCHASE OF SAID PROPERTY.

At a regular meeting of the City Council of the City of San Saba, Texas held on the 9th day of June, 2015, after proper notice, at which a quorum was present.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS:

That the following property described in Exhibit A, located in the City of San Saba, San Saba County, Texas, was formerly designated as an alleyway which divided property owned by Bertha Griffay, Deceased. Annagene Griffay Mickleson is in favor of the discontinuance of such alleyway for public use; and that said portion is not now opened or has ever been opened and is of no beneficial use to the City of San Saba, Texas, nor to the public as a whole; that the closing of the alleyway would make it possible of the owner to protect itself and its property from injury and damage; that the public interest would be served by discontinuing said alleyway, between Blocks Four (4) and Fifteen (15) of the Lindley Addition, City of San Saba, San Saba County, Texas, to the public; and that the alleyway being 10' in width and 200' in length, more fully described in the Exhibit A which is attached hereto, incorporated herein by reference and made a part hereof for the description of the property, is hereby abandoned as an alleyway and all of the City's interest in said alleyway is sold to Annagene Griffay Mickleson, Independent Executrix of the Estate of Bertha Griffay, Deceased, the current owner of the all the property surrounding the alleyway being abandoned, for a total amount of \$167.50.

PASSED AND APPROVED this 9th day of June, 2015.

EXHIBIT A

All that certain lot, tract or parcel of land lying and being situated in San Saba County, Texas, and being an alley show on the Plat of the Lindley Addition to the town of San Saba, more fully described as follows, to-wit:

BEGINNING at the Northeast corner of Lot 4 of Block 5 of the Lindley Addition to the town of San Saba, Texas;

THENCE South 200 feet along the West line of said alley to the Southeast corner of Lot 4 of Block 5;

THENCE East 10 feet to the Southwest corner of Lot 4 of Block 14 of said Lindley Addition;

THENCE North 200 feet along the East line of said alley to the Northwest corner of Lot 1 of Block 14;

THENCE West 10 feet to the place of beginning, and containing 2,000 square feet.

The second action item was to consider and approve Ordinance No. 2015-06 an Ordinance of the City of San Saba, Texas, Amending Chapter 2, Animal Control; Providing Additional Definitions; Providing Regulations and Prohibitions; Providing for an Effective Date; Providing a Savings Clause, Severability Clause and Effective Date. On a motion by Alderman Oliver and seconded by Alderman Peeler, Ordinance No. 2015-06 was unanimously passed.

ORDINANCE NO. 2015-06

AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS, AMENDING CHAPTER 2, ANIMAL CONTROL; PROVIDING ADDITIONAL DEFINITIONS; PROVIDING REGULATIONS AND PROHIBITIONS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE AND EFFECTIVE DATE.

Whereas, the proper care, regulation and control of animals, fowl and livestock running at large is necessary for the health, safety and quality of life of the citizens of the City of San Saba, Texas (herein the "City");

Whereas, the establishment of reasonable requirements for the care and control of dogs, cats, animals, fowl and livestock is necessary to protect such animals and the general public;

Whereas, it is necessary for the City to amend such requirements and regulations which will enable the officers and employees of the City to respond in a manner consistent with State law to unusual circumstances and conditions that arise from time to time with respect to certain animals, fowl and livestock for the protection of the public health, safety and welfare; and

Whereas, the rules, regulations and requirements established by ordinance may not be inconsistent with State law;

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

Section 1. Amendment of Chapter 2, Animal Control, Article 2.01, General Provisions, Section 2.01.001, Definitions and 2.01.011, Public Nuisances. The City of San Saba's Code of Ordinance, Article 2.01, Animal Control, Section 2.01.001 and 2.01.011, Public Nuisances are hereby amended with the following provisions:

* * * * *

ARTICLE 2.01 GENERAL PROVISIONS*

Sec. 2.01.001 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned animal. Any animal that has not been provided with one or more of the necessities of life including air, food, water or protection from the sun and other elements of nature or has been left in the custody of another person without their consent.

Adult animal. Any animal that is six months of age or older.

Animal. Any live, vertebrate creature, domestic or wild.

Animal control facility. A facility operated by the city for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

Animal control officer. The officer and person designated by the city as the animal control authority, whether one or more, or his designee.

At large. That an animal is:

- (1) On the premises of owner and is not restrained securely by a substantial fence of sufficient strength and height to prevent the animal from escaping from there;
- (2) Off premises where any animal is not on a leash or under the immediate control of a person physically capable of restraining the animal.

Cat. A domesticated animal that is a member of the feline family (*Felis domesticus*).

Commercial animal establishment. Any pet shop, auction, riding school or stable, zoological park, circus, recurring animal exhibition or kennel.

Commercial breeder. Any person who:

- (1) Breeds dogs or cats;
- (2) Sells or otherwise transfers possession of the offspring of a breeding dog or cat to another person for the purpose of breeding, show, personal pet or resale to a third person; and
- (3) Sells or otherwise transfers possessions of more than 12 dogs or 12 cats, or more than two litters (whichever is greater) or any combination within any 12-month period for a purpose as described in the definition of dangerous animal.

Dangerous animal. Any animal that attacks or injures any person or animal subject to the further provisions hereof.

Dog. A domesticated animal that is a member of the canine family (*Canis familiaris*).

Enforcement officer. Any person designated by the city to represent and act for the city in the impounding of animals, controlling of animals running at large and as otherwise required to enforce the provisions of this chapter and to enforce all regulations relating to animals as authorized by the state. This person will be a member of the animal control authority or any member of the police department of the city.

Feral cat. A cat that is:

- (1) Born in the wild or is the offspring of an owned or feral cat and is not socialized;
- (2) Is a formerly owned cat that has been abandoned and is no longer socialized; or
- (3) Lives on a farm.

Feral cat caretaker. A person other than the owner who provides food, water or shelter to, or otherwise cares for, a feral cat.

Feral cat colony. A group of cats that congregates, more or less, together as a unit. Although not every cat in a colony may be feral, any non-feral cats that congregate with a colony shall be deemed to be a part of it.

Feral pigeon (*Columba livia domestica*). A city pigeons, or street pigeons, derived from the domestic pigeon that has returned to the wild. Not included is the homing or carrier pigeon.

Feral pigeon flock. A group of feral pigeons that congregate, more or less, together as a unit.

Kennel.

- (1) Any lot, building, structure, enclosure or premises where five or more adult animals are kept; and
- (2) Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs, cats, or other animals.

Livestock. All domesticated animals, including but not limited to horses, cows, mules, goats, sheep, pigs, hogs, rabbits, and pigeons, and does not include dogs and cats.

Owner. Any person, trust, partnership, corporation, or any other entity owning, keeping, or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three consecutive days or more.

Pet. Any animal kept for pleasure rather than utility.

Restraint. Kept in a secure enclosure which must have at least 100 square feet of space for each dog six months of age or older.

Secure enclosure. A fenced pen, kennel or structure that is locked, and is capable of preventing the entry of the general public, including children; is capable of preventing the escape or release of an animal; is clearly marked as containing a quarantined/dangerous animal; and is in conformance with any additional requirements for enclosures, as established and provided in writing to the owner by the animal control authority.

Tract. A contiguous parcel of land under common use or ownership.

Undeveloped property. Any land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school, or governmental facilities or other structures or improvement intended for human use occupancy and the grounds maintained in association therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

Vaccination. An injection of United States Department of Agriculture approved rabies vaccine administered every 12 months or as prescribed by the Texas Board of Health by a licensed veterinarian, or 36 months if a 36-month vaccine is used.

Veterinary hospital/clinic. Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

Wild/prohibited animal. Any live animal, other than a common domestic species, regardless of the state or duration of captivity which can be normally found in the wild state, or may pose a potential physical or disease threat to the public or that is protected by international, federal, or state regulations, including those listed in V.T.C.A., Health and Safety Code section 822.101 and the following if not so listed:

(1) Class Reptillia. Family Heldermatidea (venomous lizards); Family Viperidae (rattlesnakes, copperheads, cottonmouths, other pit vipers and true vipers); Family Elapidae (coral snakes, cobras, mambas, and other elapids); the following listed species of Family Colubridae Dispholidus typus (boomslang), Hydrodynastes gigas (watercobra), Bioga (mangrove snake), and Thelotornis (African twig snake) only; Order Phidia, Family Boidae (racers, boas, water snakes, and pythons); and Order Crocaddilla (crocodiles, alligators, caimans, and gavials).

(2) Class Aves. Order Falconiforms (such as hawks, eagles, and vultures); Subdivision Ratitae (such as ostriches, rheas, cassowaries, and emus); and Order Strigiforms (such as owls).

(3) Class Mammalia. Order Carnivora, Family Felidae (such as ocelots, margays, tigers, jaguars, leopards, and cougars), except commonly accepted domesticated cats; Family Canidae (such as wolves, wolf-dog, hybrids, dingos, coyotes, and jackals), except domesticated dogs; Family Mustelidae (such as weasels, skunks, martins, mink, and badgers) except domestic ferrets (*Mustela putorius furo*); Family Procyonidae (raccoon); Family Ursidae (such as bears); Order Marsupialia (such as kangaroos, wallabies and common opossums); Order Edentata (such as sloths, anteaters, and armadillos); Order Proboscidea (elephants); Order Primata (such as monkeys, chimpanzees, and gorillas); Order Rodentia (such as porcupines); and Order Ungulata (such as antelope, deer, bison, and camels), unless the Order Ungulata are located on premises which meet the definition of the farm/ranch.

(4) Animals not listed. The animal control officer may declare any species of animal not listed in this subsection as “prohibited” if the confinement of the animal within the city can be shown to constitute a threat to public health and safety; and does not mean any bird kept in a cage or aviary that is not regulated by international, federal, or state law, or a gerbil, hamster, guinea pig, or laboratory mouse or rat.

(Ordinance 2013-04, sec. 1, adopted 6/11/13)

Sec. 2.01.011 Public nuisances

(a) It shall be unlawful and constitute a public nuisance for any person to maintain any animal or fowl in such a manner or allow any pen, enclosure, yard or similar place used for the keeping of animals or fowl to become unsanitary, offensive by reason of odor, or create a condition that is a breeding place for fleas or other vector and which is offensive to persons of ordinary sensibilities residing in the vicinity thereof or is determined to be a public nuisance by any enforcement officer.

(b) It shall be unlawful and constitute a public nuisance for any person to maintain any animal or fowl which repeatedly roams at large in violation of this chapter on public or private property, attacks another animal or damages public or private property.

(c) It shall be unlawful and constitute a public nuisance for the owner of any animal to allow any excreta deposited by his animal to remain on public or private property. The creation of any condition injurious to public health caused by the lack of or improper disposal of animal waste will also be considered a violation of this section.

(d) Subject to the noise ordinance of the city, it shall be unlawful and constitute a public nuisance to keep any animal which, by causing frequent or long continued barking, howling, crowing, meowing, or other noise shall disturb any person of ordinary sensibilities residing in the vicinity of the premises where the animal is kept, housed or harbored.

(e) It shall be unlawful and constitute a public nuisance to keep bees in such a manner as to deny the lawful use of adjacent property or endanger personal health, safety, and welfare. Upon determination that a bee colony situated within the city is not being kept in compliance with this section, animal control may order the bees to be removed from the city or destroyed.

(f) It shall be unlawful for any owner or person to allow any animal to remain a public nuisance as defined herein.

(g) It shall constitute a public nuisance to keep or allow feral pigeons or feral pigeon flocks to roam throughout the city in such a manner to endanger personal health, safety and welfare. Upon a determination that a feral pigeon flock situated within the city has become injurious to the public health, including but not limited to the deposit and/or disposal of any excreta from such feral pigeon, animal control may order the feral pigeon or feral pigeon colony to be removed from the city or destroyed. Upon a determination that a feral pigeon flock has become injurious to the public health, animal control shall encourage all businesses to take steps to cover sources of food, place signs to reduce incidents of feeding of such feral pigeons or feral pigeon flocks, or to remove nests and/or cover locations on buildings with some type of material to reduce nesting or roosting.

* * * * *

Section 2. Amendment Of Ordinances. All ordinances of the City of San Saba or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. All sections or parts of any ordinance which is being amended or modified and is not addressed hereby remains in full force and effect. In the event of a conflict or inconsistency between this ordinance and any other ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 3. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 9th day of June, 2015.

The third action item was to discuss and consider approval of Depository Bid for fiscal year beginning October 1, 2015 through September 30, 2020 for the City of San Saba. Mr. Weik explained to the Council after reviewing the two bids turned in from eligible financial institutions, he found there to be minimal difference between the two. He recommended that the city depository remain with City National Bank along with the CD's that are currently in place and San Saba Economic Development remain with Commercial National Bank and the City of San Saba's 2010 Electric Reserve Money Market Account and 2010 Electric Reserve CD remain with Commercial National Bank. On a motion by Alderman Behrens and seconded by Alderman Oliver, the Council unanimously agreed that the city depository remain with City National Bank along with the CD's that are currently in place and San Saba Economic Development remain with Commercial National Bank and the City of San Saba's 2010 Electric Reserve Money Market Account and 2010 Electric Reserve CD remain with Commercial National Bank.

The last action item was to consider approval of Resolution No. 2015-21 approving the Borrowing of \$58,030.17 by San Saba Economic Development Corporation to Finance Playground equipment for Mill Pond Park, Council to Adopt by Certificate for Resolution by vote. On a motion by Mayor Pro-Tem Amthor and seconded by Alderman Peeler, Resolution No. 2015-21 approving the Borrowing of \$58,030.17 by the San Saba Economic Development Corporation to Finance Playground equipment for Mill Pond Park, and Council to Adopt by Certificate for Resolution by vote was unanimously approved by a 4 to 0 vote in favor.

CERTIFICATE FOR RESOLUTION

STATE OF TEXAS
COUNTY OF SAN SABA
SAN SABA ECONOMIC DEVELOPMENT CORPORATION

We, the undersigned officers and members of the City Council of the City of San Saba, Texas (the "City"), hereby certify as follows:

1. The City Council of the City of San Saba, Texas, convened in regular session on the 9th day of June, 2015, at the San Saba City Hall, and the roll was called of the duly constituted officers and members of the City and all of said persons were present except: N/A, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION APPROVING THE BORROWING OF \$58,030.17 BY SAN SABA ECONOMIC DEVELOPMENT CORPORATION TO FINANCE PLAYGROUND EQUIPMENT

was duly introduced for the consideration of the City Council and read in full. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

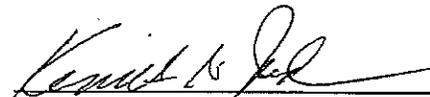
AYES: 4
NOES: 0

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Resolution has been duly recorded in the official minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the official minutes of said meeting pertaining to the adoption of the Resolution; that each of the City Council members was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that the Resolution would be introduced and considered for passage at said meeting, that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551 of the *Texas Government Code*, as amended.

3. The Mayor of the City has approved and hereby approves the Resolution; that the Mayor and the City Secretary of the City have duly signed the Resolution; and that the Mayor and the City Secretary of the City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of the Resolution for all purposes.

SIGNED AND SEALED as of the 9th day of June, 2015.


City Secretary


Mayor

(SEAL)



RESOLUTION NO. 2015-21

RESOLUTION APPROVING THE BORROWING OF \$58,030.17 BY SAN SABA ECONOMIC DEVELOPMENT CORPORATION TO FINANCE PLAYGROUND EQUIPMENT

WHEREAS, San Saba Economic Development Corporation ("Corporation") desires to borrow the sum of \$58,030.17 (evidenced by the "2015 Note") to finance improvements to Mill Pond Park (the "Project").

WHEREAS, the City Council of the City of San Saba, Texas (the "City") desires to approve said Project, the 2015 Note, and the Resolution of the Corporation providing for the issuance of the Note, and a Sales Tax Remittance Agreement to be entered between the City and the Corporation through this Resolution;

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

Section 1. The facts and matters contained in the preamble are hereby found to be true and correct as if set forth herein at length.

Section 2. The City Council hereby approves (i) the Project, as defined above, as a valid project of the City in accordance with the requirements of Chapter 501 and Chapter 505 of the *Texas Local Government Code* (the "Act"), (ii) the 2015 Note, (iii) the resolution of the City approving the issuance of the 2015 Note, and (iv) a Sales Tax Remittance Agreement between the City and the Corporation.

Section 3. All resolutions or parts of resolutions that contradict or conflict with this resolution are hereby repealed to the extent of such conflict or contradiction.

Section 4. That it is officially found and determined that this approval is given solely to satisfy the requirements of the Act (particularly Section 501.204 of the *Texas Local Government Code*) and for no other purpose whatsoever. In particular, the City shall have no liability whatsoever in regard to the Note, it being understood that the Note is solely the obligation of the Corporation and not the obligation of the City.

Section 5. The Mayor, City Manager and/or City Secretary are hereby authorized to sign such documents as are necessary to carry out the intents and purposes of this Resolution.

Section 6. That it is officially found and determined that this meeting was open to the public as required by law, and that notice of the time, place and subject matter of this meeting (including this Resolution) was posted in the manner required by law.

CITY MANAGER'S REPORT

City Manager Weik reported on the following activities in the City of San Saba: Another great month; Police Department almost complete; a lot of activity going on at Mill Pond Park; Sunny Beach had a lot of visitor from out of town including Llano; the Gazebo and Joe Ragsdale Pavilion staying rented out; a lot of paddle boats and kayaks on the water; Park Staff working on new water features; Had a meeting last week regarding the Old Gas Station and the EDC and the Chamber may be working together in the building, but will need a new contract in place before they start on the project; the Attorney is currently working on this contract; there is a need for more housing; there in an indication more lodging is needed due to the success of events; the Dofflemyer Hotel a huge success; the Nursing Home is making progress toward starting the project.

OTHER REPORTS

Tony Guidroz, EDC Director, reported the on upcoming events such as the return of the Cow Camp Cook-off and Rod Run; had a conference call at the last EDC meeting with the Project Manager of the new nursing home and they are ready to get started, but no permits have pulled to date.

As there was no further discussion, the meeting adjourned at 6:57 p.m. to the Budget Workshop.

Council members took a brief recess and Mayor invited everyone to enjoy refreshments in honor of the newly elected officials before beginning the Budget Workshop. Clifton Ott presented the budget for the Street Department, Jason Vogel presented Animal Control Department, and Al Hamrick presented the budget for Code Enforcement Department.

The Street Department budget shows an increase in the total budget of \$100.00.

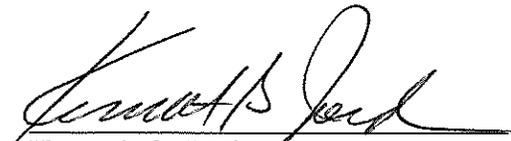
The Code Enforcement/Animal Control budget shows a decrease in expenses of \$2,464.00 due to automobile expenses being paid off on 04/28/15.

The next Budget Workshop is scheduled for Tuesday, June 16, 2015 at 5:00 p.m.

The meeting adjourned at 7:35 p.m.

ATTEST:


Sabrina Maulsby, City Secretary


Kenneth G. Jordan, Mayor