

**MINUTES  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN SABA  
February 8, 2016**

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

Charles Peeler, Alderman, was absent.

Others present were: Sabrina Maultsby – City Secretary  
Charlene Lindsay – Finance Director  
Scott Glaze – City Public Works Director  
Denver Daniel – Electric Department Supervisor  
Jake Lackey – Assistant Parks Department Supervisor  
Tony Guidroz – EDC Director  
Sergeant Misty Maldonado – San Saba Police Department  
Officer Charles Marker – San Saba Police Department  
Alice Smith – San Saba News & Star  
Deryl Hoyt, Jr. – Citizen  
Peter Hald - Citizen

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and Alderman Whitten led the Invocation and Pledges.

**PUBLIC COMMENTS:**

Peter Hald signed up to speak pleading his case requesting once again to swim at Mill Pond Park. Mr. Weik thanked him, but explained that this is a police matter and Chief Riggs made a decision not to allow him to swim based upon the multiple warnings and the Council would not override his decision.

**PRESENTATIONS:**

Jake Lackey, Assistant Parks Department Supervisor, was selected as the Employee of the Month for February. Scott Glaze and Mayor Pro-Tem Amthor presented Jake with a plaque with his name on it and a gift certificate to a local restaurant.

Sergeant Misty Maldonado introduced the new Police Officer, Charles Todd Marker hired with the City of San Saba Police Department as of February 1<sup>st</sup> to the Council, City Employees, and Citizens.

Denver Daniel, Electric Department Supervisor, was selected as the Supervisor of the First Quarter. City Manager Stan Weik and Mayor Pro-Tem Amthor Presented Denver 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 Behrens, Council unanimously approved the following: minutes from the January 12, 2016 council meeting; payment of bills; approved Joint Election Agreement with SSISD; approved Notice of Joint School & City Election; approved Order of Election; approved Resolution No. 2016-03 waiving noise ordinance on March 5, 2016 at Mill Pond Park Gazebo.

**JOINT ELECTION AGREEMENT**

This Agreement is entered into between the City of San Saba acting herein by and through its City Council, and the San Saba Independent School District acting by and through its Board of Trustees for the purpose of conducting joint elections for members of their respective governing bodies, do hereby agree as follows:

1. The San Saba Independent School District and City of San Saba mutually agree to conduct a joint election at the City Council Chambers at 303 S. Clear Street, San Saba, Texas on May 7, 2016 and;
2. The San Saba Independent School District will authorize the City of San Saba to appoint Election Officials and set compensation at an hourly rate not less than the federal minimum hourly wage, and
3. The San Saba Independent School District will reimburse the City of San Saba one-half (1/2) of all costs incurred from joint election, and;
4. In the event either entity is not required to hold an election, the entity conducting an election will be responsible for all election expenses; and
5. The San Saba Independent School District will authorize the City of San Saba to conduct all aspects of the early voting and will reasonably compensate the City of San Saba for rental of council chambers to conduct the early voting and election day, and;
6. Each entity will provide its own ballot box, its own ballots, canvass their own election results, and issue certificates of election to candidates elected, and;
7. Each entity will be the custodian for their election records.
8. Per Section 141.040 of the Election Code, the City Secretary will prepare the joint filing period notice to be posted at each filing authority entity.
9. The City of San Saba will publish the joint applicable Notice of Election in the San Saba News & Star.

**PASSED AND APPROVED THE  
8<sup>TH</sup> DAY OF FEBRUARY, 2016**

**PASSED AND APPROVED THE  
10<sup>TH</sup> DAY OF FEBRUARY, 2016**

\_\_\_\_\_  
**Kenneth G. Jordan, Mayor**  
City of San Saba

\_\_\_\_\_  
**Kevin Shahan, President**  
San Saba ISD Board of Trustees

**NOTICE OF JOINT SCHOOL AND CITY ELECTION  
La NOTA DE la ELECCION CONJUNTA de la ESCUELA Y la CIUDAD**

To the Registered Voters of San Saba, Texas:  
(*A los votantes registrados del San Saba, Texas;*)

Notice is hereby given that the polling place listed below will be open from 7:00 a.m. to 7:00 p.m., on May 7, 2016, for voting in a joint school/city election to elect two (2) School Board Trustees for a term of three (3) years each, and a Mayor and two (2) City Council Aldermen for a term of two (2) years each.

Advierta por la presente es dado que el centro electoral listó estará abajo abierto de 7:00 de la mañana a 7:00 de la tarde, en el 7 de mayo de 2016, para votar en una escuela conjunta/la elección de la ciudad para elegir dos (2) Fideicomisarios de la Tabla de la Escuela para un término de tres (3) años cada y Un Alcalde y dos (2) Regidores de ayuntamiento para un término de los (2) años cada.

**LOCATION OF POLLING PLACES:**

**La UBICACION DE CENTROS ELECTORALES:**

City of San Saba's Council Chambers

*Ciudad de San Saba Council Chambers*

Early voting by personal appearance will be conducted each weekday at:

Votando temprano por la apariencia personal será conducido cada día laborable en:

City of San Saba's Council Chambers

*Ciudad de San Saba Council Chambers*

Beginning on April 25<sup>th</sup>, 2016 and ending on May 3<sup>rd</sup>, 2016. Early voting hours are as follows:

April 25<sup>th</sup> and April 26<sup>th</sup> 7 a.m. to 7 p.m. April 27<sup>th</sup> to May 3<sup>rd</sup> 8 a.m. to 5 p.m.

El principio en el 25<sup>th</sup> de abril de 2016 y la conclusion en el 3<sup>rd</sup> de mayo de 2016. Primeras horas de votacion son los siguientes: de abril 25<sup>th</sup> el 7 a.m. y 7 p.m. de abril 26<sup>th</sup> el 7 a.m. y 7 p.m.; de abril 27<sup>th</sup> - de mayo 3<sup>rd</sup> el 8 a. m. y 5 p.m.

Applications for ballot by mail shall be mailed to:

Las aplicaciones para la votación por el correo serán enviadas a:

**Mrs. Sabrina Maultsby**

**San Saba City Hall, 303 S. Clear, P.O. Box 788**

(Address) (Direccion)

**San Saba, Texas 76877**

(City) (Ciudad) (Zip Code) (Zona Postal)

**Applications for ballots by mail must be received no later than the close of business on April 26, 2016.**

**Las aplicaciones para votaciones por el correo se deben recibir no luego que el cerrar del negocio en el 26th de abril de 2016.**

Issued this the 10th of February, 2016

Publicado este el 10th de febrero, 2016

**Kevin Shahan**

Signature of San Saba I.S.D.'s Presiding Officer

La firma de la San Saba I.S.D.'s que Preside A Oficial

Issued this the 8th of February, 2016

Publicado este el 8th de febrero, 2016

**Kenneth G. Jordan**

Signature of City of San Saba's Presiding Officer

Ciudad de San Saba es Presidir a Oficial

# ORDER OF ELECTION

An election is hereby ordered to be held on May 7, 2016 for the purpose of:

*Electing two (2) School Board Trustees for a term of three (3) years each, and two (2) City Council Aldermen and a Mayor for a term of two (2) years each.*

Early voting by personal appearance will be conducted each weekday at:

The San Saba City Hall Council Chambers, 303 S. Clear Street

Beginning on April 25<sup>th</sup> and ending on May 3<sup>rd</sup> early voting hours are as follows: April 25<sup>th</sup> – April 26<sup>th</sup> 7 a.m. to 7 p.m.; April 27<sup>th</sup> – May 3<sup>rd</sup> 8 a.m. to 5 p.m.

Applications for ballot by mail shall be mailed to:

Mrs. Sabrina Maultsby

San Saba City Hall, 303 S. Clear Street, P.O. Box 788

San Saba, Texas 76877

Applications for ballots by mail must be received no later than the close of business on April 26<sup>th</sup>, 2016.

Issued this the 8<sup>th</sup> of February, 2016

Issued this the 10<sup>th</sup> of February, 2016

\_\_\_\_\_  
Signature of Presiding Officer-  
City of San Saba

\_\_\_\_\_  
Signature of Presiding Officer -  
San Saba ISD

## La ORDEN DE la ELECCION

Una elección por la presente se ordena ser tenido en el 7 de mayo de 2016 para el propósito de:

*Elegir a dos (2) Fideicomisarios de la Tabla de la Escuela para un término de tres (3) años cada, y un Alcalde y dos (2) Regidores de ayuntamiento para un término de dos (2) años cada.*

Votando temprano por la apariencia personal será conducido cada día laborable en:

Ciudad de San Saba Council Chambers, 303 S. Clear Street

El principio en el 25<sup>th</sup> de abril de 2016 y la conclusion en el 3<sup>rd</sup> de mayo de 2016.

Primeras horas de vatacion son los siguientes:

de abril 25<sup>th</sup> el 7 a.m. y 7 p.m. - de abril 26<sup>th</sup> el 7 a.m. y 7 p.m.;

de abril 27<sup>th</sup> - de mayo 3<sup>rd</sup> el 8 a.m. y 5 p.m.

**Senora Sabrina Maultsby**  
**San Saba City Hall, 303 S. Clear, P.O. Box 788**  
**San Saba, TX 76877**

**Las aplicaciones para votaciones por el correo se deben recibir no luego que el cerrar del negocio en: el 26 de abril de 2016**

Publicado este el 8<sup>th</sup> Febrero, 2016

Publicado este el 10<sup>th</sup> Febrero, 2016

\_\_\_\_\_  
La firma de la Ciudad de San Saba es Presidir a Oficial

\_\_\_\_\_  
La firma de San Saba I.S.D.'s que Preside a Oficial

**RESOLUTION 2016-03**

**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**, **Jaime Rocha, 220 Riverview, 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 March 5<sup>th</sup>, 2016 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 March 5, 2016 at the Gazebo at Mill Pond Park.

Passed and approved this 8<sup>th</sup> day of March, 2016.

**DISCUSSION/ACTION ITEMS:**

**The first discussion/action item** was to discuss and consider approving Resolution No. 2016-04 a Resolution authorizing Heath Eckermann to combine Lot 16, located at 1902 W. Brown Street, and Lot 17, located at 1904 W. Brown Street, in the Allison Sisters Subdivision for the purpose of building one (1) residence on the two adjacent lots as described. City Manager Weik explained to the Council that due to the boundary lines of Lot 16, located at 1902 W. Brown Street, is too narrow on the street front and therefore Mr. Eckermann would not be able to stay within the guidelines of the Building Codes per the City of San Saba. On a motion by Alderman Whitten and seconded by Mayor Pro-Tem Amthor, Resolution No. 2016-04 was unanimously passed.

**RESOLUTION 2016-04****A RESOLUTION OF THE CITY OF SAN SABA, TEXAS SUPPORTING AN AMENDMENT TO THE ORIGINAL AGREEMENT ON THE 20<sup>TH</sup> DAY OF NOVEMBER, 2009 FOR LOTS 16 AND 17 LOCATED IN THE ALLISON SISTERS SUBDIVISION CONVEYED TO JAMES I. WRIGHT AND WIFE, PATTI WRIGHT**

**WHEREAS**, the City of San Saba has been made aware that Lot 16, located at 1902 W. Brown Street, due to the layout of the boundary lines of said lot, it is impossible to meet and follow the Building Codes and Regulations required per the City of San Saba Building Code Ordinance.

**WHEREAS**, the Original Agreement set forth on the 20<sup>th</sup> day of November, 2009 states, James I. Wright and wife, Patti Wright, as Buyers, agree and covenant that a residence will be erected on each lot herein conveyed, and in the event Buyers herein sell any of the subject property before a residence is erected on any lot sold, the conveyance will be subject to a provision that a residence will be placed on such lot.

**WHEREAS**, Heath Eckermann, 503 Anita Drive, San Saba, Texas, new owner of said property, has asked the City Council to consider approving to combine two (2) lots, Lot 16 located at 1902 W. Brown Street and Lot 17 located at 1904 W. Brown Street, San Saba, Texas for the purpose of erecting one residence.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of San Saba is hereby authorizing Heath Eckermann, 503 Anita Drive, San Saba, Texas, new owner of said property, to combine two (2) lots, Lot 16 located at 1902 W. Brown Street and Lot 17 located at 1904 W. Brown Street, San Saba, Texas for the purpose of erecting one residence amending the provisions set forth in the original agreement on the 20<sup>th</sup> Day of November, 2009, for Lots 16 and 17 exclusively.

Passed and approved this 8<sup>th</sup> day of February, 2016.

**The second discussion/action item** was to discuss and consider approval of Revision to Administration & Engineering Contract with Jacob & Martin, LLC and A&J Howco Services, Inc. to include and correct Equal Opportunity Clause in accordance with Executive Order No. 11246, effective 01/11/16. City Manager Weik explained to the Council that A&J Howco Services, Inc. is requesting the Amendment be signed to adhere to the latest revisions to the TDA Implementation manual. He also explained that they want to ensure they provide the Council with the most current and accurate documentation pertaining to TxCDBG Contract No. 7215460. On a motion by Alderman Oliver and seconded by Mayor Pro-Tem Amthor Council unanimously passed approval of Revision to Administration & Engineering Contract with Jacob & Martin, LLC and A&J Howco Services, Inc. to include and correct Equal Opportunity Clause in accordance with Executive Order No. 11246, effective 01/11/16.

## MANAGEMENT SERVICES AGREEMENT

TxCDBG CONTRACT NO. 7215460

## AMENDMENT #1

WHEREAS, the City of San Saba, Texas, hereafter called the "City", and A & J Howco Services, Inc., hereafter called the "Firm", entered into the Agreement dated December 8, 2015 for administrative services in conjunction with the City's 2015 Texas Community Development Block Grant Program; and

WHEREAS, the City desires to amend the Part IV Terms and Conditions, Federal Civil Rights Compliance, 14. Equal Opportunity Clause,

THEREFORE, the City and Firm agree to amend said Agreement as follows:

(a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

(c) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information. [NEW]

(d) The contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(e) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(f) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(g) In the event of the contractor's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(h) The contractor will include the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: *Provided*, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

All other provisions of the Agreement entered into on December 8, 2015 shall remain in full force and effect, except as supplemented here. All obligations of City and Firm as specified in the Agreement shall apply to this supplement. It being the express intent of the both parties that this amendment be read as an integral whole with the original Agreement.

IN WITNESSETH HEREOF, the parties have hereunto set their hands and seals.

Signed this 9th day of February 2016.

CITY OF SAN SABA

FIRM: A & J HOWCO SERVICES, INC.

BY:   
Kenneth G. Jordan  
Mayor

BY:   
Anita Kay Howard  
President



**The third discussion/action item** was to discuss and consider approval of Resolution No. 2016-05 a Resolution confirming the support of proposed Cottages at San Saba development located at approximately 206 North Harkey Street, San Saba, Texas with the TDCA Application No 16130. On a motion by Mayor Pro-Tem Amthor and seconded by Alderman Behrens, Resolution No 2016-05 was unanimously passed.

### RESOLUTION NO. 2016-05

**WHEREAS, THF San Saba, Ltd.** has proposed a development for affordable rental housing located at approximately **206 North Harkey St.** being named the **Cottages at San Saba in the City of San Saba;** and

**WHEREAS, THF San Saba, Ltd.** has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2016 Competitive 9% Housing Tax Credits for the Cottages at San Saba.

**NOW THEREFORE BE IT RESOLVED,** that the **City of San Saba,** acting through its governing body, hereby confirms that it **supports** the proposed **Cottages at San Saba development located at approximately 206 North Harkey St, San Saba, Texas with TDHCA Application No. 16130** and that this formal action has been taken to put on record the opinion expressed by the City of San Saba on February 8, 2016, and furthermore agrees to provide support from the city in a form to be determined later and in an amount with a value greater than \$100 or such greater amount as determined to be de minimis by the Texas Department of Housing and Community Affairs.

**FURTHER RESOLVED,** that for and on behalf of the Governing Body, **Ken Jordan, Mayor** is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Passed and approved this 8<sup>th</sup> day of February, 2016.

**The final discussion/action item** was to discuss and consider approval of the Financial Audit. A copy of the Audit was provided to the Council Members along with Council packets. Kevin Shahan presented the audit findings to the Council and answered questions. Mr. Shahan gave the City a "clean opinion" stating that the City was in good financial shape did not identify any deficiencies in internal control. Mr. Shahan also stated the City was very physically responsible thank the Council and stated he enjoyed working with everyone. A copy of the Financial Statement Summary is included with these minutes. Council unanimously approved the Financial Audit on a motion by Alderman Whitten and seconded by Alderman Behrens.

### CITY MANAGER'S REPORT

City Manager Weik gave a brief report on the following activities in the City of San Saba: January came and went; Left the downtown lights on; The Parks Department has completed the sidewalk and the retaining area around the new playground equipment and are repainting the existing playground equipment and working on the fall zone; New Apartments seem to be a reality and should know something by March; Shayna turned in a grant for the Governor's award and should know by next month; March 9<sup>th</sup> the LCRA Grant Board will meet in San Saba; Parson's Roofing has been asked for

a bid for the Old Butane Building; Animal Control building is expanding with five new outside pens; Animal Control has continued to remain busy picking up animals and Friends for Animals adopts almost all out to new owners.

**OTHER REPORTS**

Sabrina Maulsby, City Secretary reminded the Council of the Hazard Mitigation Plan meeting and she had given each of the Council Members a copy of the Plan on a thumb drive, but if they plan to attend, she will make a hard copy for those attending.

As there was no further discussion, the meeting adjourned at 7:18 p.m. and the Council took a short break before Convening into Executive Session.


At 7:26 p.m., the City Council convened into Executive Session pursuant to Section 551.071, Texas Government Code, and Rule a.05, Texas Code of Professional Conduct, to discuss update on TCEQ Issues, Claims, Possible Litigation, Negotiations, and Attorney Relations.

At 8:07 p.m., the City Council adjourned from Executive Session back into open session. No action was taken.

The meeting was adjourned at 8:08 p.m.

**ATTEST:**

  
Sabrina Maulsby, City Secretary

  
Kenneth G. Jordan, Mayor