

**MINUTES  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN SABA  
March 14, 2016**

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

Others present were: Sabrina Maulsby – City Secretary  
Charlene Lindsay – Finance Director  
Scott Glaze – City Employee  
Sergeant Misty Maldonado – City Police  
Denver Daniel – City Employee  
Tony Guidroz – City Employee  
Alice Smith – San Saba News & Star

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

**PUBLIC HEARING:**

A public hearing was opened to hear comments from the public on granting a zoning change for property containing 4.06 acres located at 206 N. Harkey Street, San Saba, Texas owned by The City of San Saba, under contract with the Texas Housing Foundation, currently zoned (A-1) Agricultural Residence District to (R-4) Multi-Family Residence District in order to:

- 1) Build a Multi-Family Housing Complex.

The Planning & Zoning Commission met in Open Session on March 9, 2016 to consider this zoning change. The Planning and Zoning Commission recommended by 4 to 0 vote that the City Council of the City of San Saba, approve to change the zoning from A-1 to R-4 for property located at 206 N. Harkey Street, San Saba, Texas.

No one was present to speak.

The public hearing was closed at 6:02 p.m.

**PUBLIC COMMENTS:** None

**PRESENTATIONS:**

Kim Wilson, city employee working in the Utility Department, was selected as the Employee of the Month for March. Charlene Lindsay, Finance Director, and Alderman Peeler presented Kim with a plaque with her 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 February 8, 2016 council meeting; payment of bills; approved Proclamation declaring March, 2016 as Youth Art Month; approved Proclamation declaring April 5<sup>th</sup> Mayor's Day of Recognition for National Service; and approved Proclamation declaring April Fair Housing Month in the Central Texas Region.

## **MAYORAL PROCLAMATION**

**WHEREAS**, YOUTH ART MONTH has been observed nationally and in many foreign countries since 1961 and has gained wide acceptance, and

**WHEREAS**, childhood is the time to develop interests, skills, and aptitudes that will last a lifetime, and

**WHEREAS**, through meaningful art activities, children develop initiative, self-expression, creative ability, self-assessment, discipline, and a heightened appreciation of their environment, and

**WHEREAS**, the importance of art in education and in recreation is widely recognized,

**NOW, THEREFORE I**, Ken Jordan Mayor of the city of San Saba, Texas, do hereby proclaim March 2016 as

### **YOUTH ART MONTH**

All Citizens are urged to become interested in and give full support to quality school art programs for children and youth.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said city this 29<sup>th</sup> day of February, 2016

THE CITY OF SAN SABA

# **PROCLAMATION**

## **City of San Saba**

### **Mayors Recognition Day for National Service**

**WHEREAS**, service to others is a hallmark of the American character, and central to how we meet our challenges; and

**WHEREAS**, the nation's [counties/cities] are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

**WHEREAS**, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

**WHEREAS**, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

**WHEREAS**, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

**WHEREAS**, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

**WHEREAS**, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

**WHEREAS**, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

**WHEREAS**, the Corporation for National and Community Service shares a priority with county officials and mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, National Association of Counties, Cities of Service, and mayors and county officials across the country for the Mayor and County Recognition Day for National Service on April 5, 2016.

**THEREFORE, BE IT RESOLVED** that I, Kenneth G. Jordan, Mayor of San Saba, Texas, do hereby proclaim April 5, 2016, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our county; to thank those who serve; and to find ways to give back to their communities.

# PROCLAMATION

## DECLARING APRIL 2016 AS FAIR HOUSING MONTH IN THE CENTRAL TEXAS REGION

**WHEREAS**, the Governor of Texas has designated the Central Texas Council of Governments areas as State Planning Region #23, and

**WHEREAS**, the Central Texas Council of Governments is organized in accordance with Section 391 of the Local Government Code and encompasses the region of Bell, Coryell, Hamilton, Lampasas, Milam, Mills, and San Saba counties, and

**WHEREAS**, the Central Texas Council of Governments is a recipient of Texas Community Development Block Grant (TxCDBG) Program funds and is required to perform a well-publicized activity to further fair housing opportunity within the seven-county region before final reimbursement under the current contract's expiration on August 31, 2016, and

**WHEREAS**, the Fair Housing Act of 1968 prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin, and

**WHEREAS**, each April, we come together as a community and a nation to celebrate the anniversary of the passing of the Fair Housing Act and recommit to that goal which inspired us to eliminate housing discrimination and create equal opportunity in every community;

**NOW, THEREFORE, BE IT PROCLAIMED** by the City Council of the City of San Saba that the Month of April 2016 be declared as Fair Housing Month in the Central Texas Region.

**PASSED AND APPROVED** this 14<sup>th</sup> day of March, 2016 by the City Council of the City of San Saba, Texas.

### **DISCUSSION/ACTION ITEMS:**

**The first** action item was to discuss and consider approval of Resolution No. 2016-06 canceling the City Council Election and accepting the Certification of Unopposed Candidates for the May 7, 2016 City Council election declaring the unopposed candidates elected to office. Alderman Peeler made a motion to approve Resolution No. 2016-06 cancelling the May 7, 2016 City Council Election and accepting the Certification of Unopposed Candidates. This motion was seconded by Alderman Oliver and passed unanimously.

## **RESOLUTION NO. 2016-06**

**A RESOLUTION CANCELLING THE CITY COUNCIL ELECTION CURRENTLY SCHEDULED FOR MAY 7, 2016 AND DECLARING KEN JORDAN REELECTED AS MAYOR, AND ROBERT WHITTEN AND OLETA BEHRENS REELECTED AS SAN SABA CITY COUNCIL MEMBERS FOR TWO YEAR TERMS, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.**

WHEREAS, A San Saba City Council election is currently slated for Saturday, May 7, 2016; and

WHEREAS, the San Saba City Secretary has certified in writing that Ken Jordan as Mayor, Robert Whitten and Oleta Behrens as Council Members are the only three candidates on the ballot for the three open positions and thus unopposed; and

WHEREAS, the Election Code provides for the cancellation of an election and the declaration of the unopposed candidates as elected to office; and

WHEREAS, it is desired to not incur public expense by conducting an unopposed election.

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

The City Council election slated for Saturday, May 7, 2016 is hereby cancelled and that Mayor Ken Jordan, Robert Whitten, and Oleta Behrens are declared reelected to the office of San Saba City Council for two year terms, that a Certificate of Election be issued to Ken Jordan, Robert Whitten, and Oleta Behrens, and that a copy of this resolution be posted on election day at each polling place that would have been used in the election.

An emergency is declared so that this resolution may become effective to cancel the election prior to the slated election date and this resolution shall become effective immediately upon passage.

PASSED, APPROVED AND ADOPTED on this 14<sup>th</sup> day of March, 2016.



## CERTIFICATION OF UNOPPOSED CANDIDATES CERTIFICACION DE CANDIDATOS UNICOS

To: **Presiding Officer of Governing Body**  
Al: **Presidente de la entidad gobernante**

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 7<sup>th</sup>, 2016.

*Como autoridad a cargo de la preparacion de la boleta de votacion oficial, por la presente certifico que los siguientes candidatos son candidatos unicos para eleccion para un cargo en la eleccion que se llevara a cabo el 7<sup>th</sup> h de Mayo, 2016.*

**Ken Jordan - Mayor - Un Alcalde Urbanos de Consejo**  
**Oleta Behrens - Alderman - Concejales Urbanos de Consejo**  
**Robert Whitten - Alderman - Concejales Urbanos de Consejo**

\_\_\_\_\_  
Signature (*Firma*)

Sabrina Maultsby

\_\_\_\_\_  
Printed name (*Nombre en letra de molde*)

City Secretary

\_\_\_\_\_  
Title (*Puesto*)

3/14/16

(Seal) (*sello*)

\_\_\_\_\_  
Date of signing (*Fecha de firma*)

The second action item was to issue Certificates of Election to reelected Mayor: Ken Jordan City Council Aldermen: Robert Whitten, and Oleta Behrens. City Secretary Sabrina Maultsby presented the Certificates to reelected Mayor each reelected Alderman.

The third item was to discuss and consider approval of Ordinance No. 2016-01 an Ordinance granting a change in zoning for property located at 206 N. Harkey Street, San Saba, Texas owned by the City of San Saba, under contract with the Texas Housing Foundation, currently zoned (A-1) Agriculture Residence District to (R-4) Multi-Family Residence District, Contingent upon the sale of said Property. Mr. Weik explained that San Saba is currently #1 in the Region for the housing grant and that if the grant is approved, it could be June or July before they close on the property. He also explained that the change in zoning for the property is contingent upon the sale of the property. Mr. Weik also said that the Planning and Zoning Commission met on March 9, 2016 and recommended by 4 to 0 vote that the Council approve the zoning change. On a motion by Mayor Pro-Tem Amthor, seconded by Alderman Oliver, Counsel unanimously approved Ordinance No. 2016-01 approving the change in zoning for property located at 206 N. Harkey Street, San Saba, Texas owned by the City of San Saba, under contract with the Texas Housing Foundation, currently zoned (A-1) Agriculture Residence District to (R-4) Multi-Family Residence District, Contingent upon the sale of said Property.

**ORDINANCE NO. 2016-01**

**AN ORDINANCE AMENDING THE BOUNDARIES OF A ZONING DISTRICT WITHIN THE CITY OF SAN SABA, TEXAS**

WHEREAS, Mark Mayfield with the Texas Housing Foundation applied to the Planning and Zoning Commission requesting that property, described as FOUR AND .06 ACRE TRACT of land (Exhibit A) out of the Calvin Weaver Survey 39, Abstract 1336 located at 206 N. Harkey Street be changed from A-1 "Agriculture Residence District" to R-4 "Multi-Family Residence District" to Build a Multi-Family Housing Complex; and,

WHEREAS, the said Planning and Zoning Commission proceeded to hear said zone changes in accordance with the requirements of the Zoning Ordinance of the City of San Saba, Texas; and,

WHEREAS, the said Planning and Zoning Commission, after duly considering said zone changes in accordance with the provisions of said Ordinance, did recommend to the City Council of the City of San Saba that such requested zoning changes be granted; and,

WHEREAS, the City Council of the City of San Saba did give notice as required by said Zoning Ordinance for a public hearing to be held on same in accordance with the said Zoning Ordinance, which hearing was set for Monday, March 14<sup>th</sup>, 2016 at 6:00 p.m.; and,

WHEREAS, after deliberation on the facts involved in the zoning change, the City Council of the City of San Saba is of the opinion that such zoning changes should be made.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of San Saba that the property located at 206 N. Harkey Street be changed from A-1 to R-4 zoning classification.

PASSED AND APPROVED this the 14<sup>th</sup> day of March, 2016

The fourth discussion item was to discuss and consider approval of Resolution No. 2016-07, a Resolution approving and confirming the purchase of a "Vehicle" 2016 Chevrolet Silverado 2500 for the Street Department for the 2015-2016 Budget Year. City Manager Weik explained to the Council that this vehicle had been previously approved in the 2015-2016 Budget however, Government Capital requires a Resolution be passed with the Council's approval in order to provide financing. He also explained that the vehicle the Street Department currently has is not large enough to pull the trailer and they recently had to have a new motor installed. Mr. Weik also said the current vehicle will be passed on to the Parks Department. On a motion by Alderman Whitten, seconded by Alderman Behrens, Council unanimously approved Resolution No. 2016-07, a Resolution approving and confirming the purchase of a "Vehicle" 2016 Chevrolet Silverado 2500 for the Street Department for the 2015-2016 Budget Year.

### **RESOLUTION NO. 2016-07**

#### **A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING A "VEHICLE & RELATED EQUIPMENT".**

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 a "Vehicle & Related Equipment". 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 THE CITY OF SAN SABA:

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

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 as an authorized signer of the Finance Contract by and between the City of San Saba and GCC.

PASSED AND APPROVED by the Council for the City of San Saba in a meeting held on the 14<sup>th</sup> day of March, 2016.

**The Final** discussion item was to discuss and consider approval of Revision to Engineering Contract with Jacob & Martin, LLC to include and correct Equal Opportunity Clause in accordance with Executive Order No. 11246, Effective 01/11/16. Mr. Weik explained to the Council that Jacob & Martin want to stay within the guidelines and adhere to the latest revisions to the TDA Implementation Manual. He also said 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 Mayor Pro-Tem Amthor, seconded by Alderman Peeler Council was unanimously approved the Revision to Engineering Contract with Jacob & Martin, LLC to include and correct Equal Opportunity Clause in accordance with Executive Order No. 11246, Effective 01/11/16.



## ENGINEERING/ARCHITECTURAL/SURVEYOR AGREEMENT

TxCDBG CONTRACT NO. 7215460

## AMENDMENT #1

WHEREAS, the City of San Saba, Texas, hereafter called the "City", and Jacob & Martin, LLC., hereafter called the "Firm", entered into the Agreement dated December 8, 2015 for engineering 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.

(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.

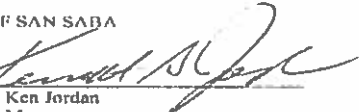
All other provisions of the Agreement entered into on December 8, 2015 shall remain in full force and effect, except as supplemented here. All obligations of City and Firm as specified in the Agreement shall apply to this supplement. It being the express intent of the both parties that this amendment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

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

Signed this 14th day of March 2016.

CITY OF SAN SABA

BY:

  
Ken Jordan  
Mayor

FIRM: JACOB & MARTIN, LLC

BY:

  
Ken Martin, P.E.  
President

**CITY MANAGER'S REPORT**

City Manager Stan Weik gave a brief report on the following activities in the City of San Saba: Another month gone and half way through the Budget cycle; Shayna sent in the KSSB application and they received the Sustained Excellence Award; San Saba News and Star received honorable mention for the Print Weekly Media Award; Was approached by a Citizen regarding driving a Golf Cart within the City limits since he lost his license; received information from Senator Cornyn's Office regarding the plans that designate the Interstate 14 to be going through San Saba, but insinuated that I wouldn't be alive when this occurs, they are only speculating where the Interstate will be; the City has not been sued at this point regarding the Sex Offender Ordinance, we feel our Ordinance is strong enough due to the Variance within the Ordinance.

**OTHER REPORTS**

Tony Guidroz, Economic Development Director reported that he has been working on EDC projects and the freelance writer for Found Media will be visiting San Saba in the next week to tour San Saba; Denver Daniel, Electric Department Supervisor reported they had been working on the upgrade project and set four poles; Scott Glaze, Public Works Supervisor reported that the water issue by the school was due to poor drainage and it is full with the amount of rain we've had and the Recycling/Sanitation Department received a Grant for a Forklift that Rachel of CTRA helped with Sergeant Misty Maldonado said the New Police Department Car is here and Chief Riggs looked pretty stylish in it and week before last local Emergency Personnel had a mock search and rescue with a cave rescue, tracking with Boomer, Robbie Johnson using a drone, and it was a really neat experience.

As there was no further discussion, the meeting adjourned at 6:32 p.m. and the Council took a short break before Convening into Executive Session.

At 6:40 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 7:11 p.m., the City Council adjourned from Executive Session back into open session. No action was taken.

The meeting was adjourned at 7:11 p.m.

  
Kenneth G. Jordan, Mayor

**ATTEST:**

  
Sabrina Maulsby, City Secretary