

MINUTES
SPECIAL CALLED MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
September 20, 2016

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

Alderman Whitten was absent.

Others present were: Sabrina Maultsby – City Secretary
Charlene Lindsay – Finance Director
Scott Glaze – City Employee
Denver Daniel – City Employee
Mike Argote – City Employee
Alice Smith – San Saba News & Star
Javier Baez - Citizen

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

PUBLIC HEARING: None

PUBLIC COMMENTS: None

PRESENTATIONS:

Denver Daniel, Electric Department Supervisor was selected as Supervisor of the Quarter for the third Quarter. Stan Weik, City Manager, and Mayor Ken Jordan presented Denver with a plaque with his name on it and a gift certificate to a local restaurant.

Mike Argote, Electric Department employee was selected as the Employee of the Month for October. Mayor, Ken Jordan and Electric Department Supervisor, Denver Daniel presented Mike 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 August 9, 2016 Council Meeting, minutes from the August 16, 2016 Special Called Council Meeting, minutes from the September 6, 2016 Special Called Council Meeting, and minutes from the September 13, 2016 Council meeting; payment of bills; Approved Resolution No. 2016-25 waiving noise ordinance for October 8, 2016 in Risien Park; approved Interlocal Agreement between City and County for the Emergency Management Coordinator position. Mayor Jordan moved Item No. 5 to the Discussion/Action Items for further discussion.

RESOLUTION 2016-25

**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, Nydia Baez, 804 W. Taylor, San Saba, Tx, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Pavilion at Risien Park on October 8th, 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 October 8, 2016 at Risien Park.

Passed and approved this 20th day of September, 2016.

INTERLOCAL AGREEMENT – EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, San Saba County, Texas (hereinafter COUNTY), represented by its Commissioners Court (represented by San Saba County Judge Byron Theodosis), and the City of San Saba, Texas (hereinafter CITY), represented by its Mayor and City Council, desire to facilitate and efficient and cost effective operation of government.

WHEREAS, the Office of Emergency Management requires that an Emergency Management Coordinator serve as the staff advisor to our County Judge, Mayor, and City Manager on emergency management matters and keep the County Judge and City Manager apprised of our preparedness status and emergency management needs.

WHEREAS, the COUNTY and CITY feel that the joint operation of the office of Emergency Management, with duties and salary be split between the COUNTY and CITY;

WHEREAS, the Emergency Management Coordinator of SAN SABA COUNTY, TEXAS, agrees to continue to perform the duties for the COUNTY and CITY:

NOW, THEREFORE, this agreement is made and entered into this 1st day of September, 2016, between COUNTY and CITY, for the purpose of maintaining the position of Emergency Management Coordinator, and that the COUNTY offices will be used for said position, for a term beginning October 1, 2016, and extending until September 30, 2017.

For and in consideration of the sum of Three Thousand Four Hundred Nineteen dollars and no/100 (\$3,419.00) per annum, payable to COUNTY, as salaries and mutual covenants hereinafter promised or agreed to be undertaken, the COUNTY shall assume the duties of Emergency Management Coordinator, administer all office duties and be housed in the San Saba County Courthouse or with other County Offices during the Courthouse restoration in San Saba, Texas, while performing said duties.

Executed this the 1st day of September, 2016.

SAN SABA COUNTY, TEXAS

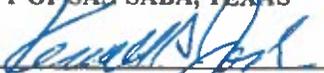
By: 
Byron Theodosis, County Judge

By: 
Marsha Hardy, Emergency Management Coordinator

ATTEST:


Sabrina Maulsby, City Secretary

CITY OF SAN SABA, TEXAS

By: 
Kenneth G. Jordan, Mayor

Grantor covenants and agrees to use the Easement Tract only in those ways consistent with the easement granted herein, and further covenants and agrees not to construct any building or other structure on the Easement Tract or to do anything that would impair, damage or destroy the lines or appurtenances located thereon or unreasonably interfere with Grantee's access thereto. The covenants and agreements set forth herein are covenants running with the land, and shall fully bind Grantor and its successors and assigns.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto GRANTEE, and GRANTEE's successors and assigns forever; and GRANTORS do hereby bind themselves, their heirs, successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto GRANTEE, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

**CITY OF SAN SABA
PUBLIC UTILITY EASEMENT
(ELECTRIC)**

STATE OF TEXAS

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KNOW ALL BY THESE PRESENTS:

COUNTY OF SAN SABA

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THAT Jordan Riggs, whose address is 412 CR 116, San Saba, Texas 76877, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, to Grantor in hand paid by the CITY OF SAN SABA, TEXAS, a municipal corporation, hereinafter referred to as "Grantee", the receipt and sufficiency of which are hereby acknowledged and confessed and for which no lien, express or implied, is retained, has this day **GRANTED, SOLD, AND CONVEYED**, and by these presents does **GRANT, SELL, and CONVEY**, unto Grantee, its successors and assigns, an exclusive, perpetual easement for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed electric lines and poles, together with the guy wires that may be necessary for such poles and lines, for the transmission and distribution of electrical services in, upon, over, under and across the following described land:

A 20' wide Electrical Easement together with guying easements as may be necessary along such route, to where it connects into the current electric poles and/or lines lying within any easement and which easement area is located on that certain tract or parcel of land, lying and being situated in San Saba County, Texas, as depicted and/or described in **EXHIBIT "A"** attached hereto and made a part hereof for all purposes (the "Easement Tract").

Together with the right of ingress and egress over my adjacent lands to or from said right-of-way for the purpose of construction, placement, operation, maintenance, repair, rebuilding, relocation, replacement, upgrade, decommissioning and/or removal of said lines and appurtenances.

Grantor covenants and agrees to use the Easement Tract only in those ways consistent with the easement granted herein, and further covenants and agrees not to construct any building or other structure on the Easement Tract or to do anything that would impair, damage or destroy the lines or appurtenances located thereon or unreasonably interfere with Grantee's access thereto. The covenants and agreements set forth herein are covenants running with the land, and shall fully bind Grantor and its successors and assigns.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto GRANTEE, and GRANTEE's successors and assigns forever; and GRANTORS do hereby bind themselves, their heirs, successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto GRANTEE, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

The first item for discussion to approve Resolution No. 2016-26 approving the proposed budget for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017. Alderman Robert Whitten made the motion to approve Resolution No. 2016-26 which was seconded by Alderman Peeler. A record vote was taken with council members unanimously approving Resolution No. 2016-26 to approve the proposed budget for FY 2016-2017.

RESOLUTION 2016-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, APPROVING THE PROPOSED BUDGET FOR THE 2016-2017 FISCAL YEAR.

WHEREAS, an annual budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017, has been duly created by the budget officer of the City of San Saba, Texas, in accordance with Chapter 102 of the Texas Local Government Code; and

WHEREAS, the budget officer for the City has filed the proposed budget in the office of the City Secretary and the proposed budget was made available for public inspection in accordance with Chapter 102 of the Local Government Code; and

WHEREAS, a public hearing was held by the City in accordance with Chapter 102 of the Local Government Code, following due publication of notice thereof, at which time all citizens and parties in interest were given the opportunity to be heard regarding the proposed budget; and

WHEREAS, after full and final consideration, it is the opinion of the City Council that the 2016- 2017 fiscal year budget as hereinafter set forth should be approved and adopted. Now, Therefore

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

SECTION 1. That the proposed budget of the revenue and expenditures necessary for conducting the affairs of the City of San Saba, Texas for the fiscal year beginning October 1, 2016, and ending September 30, 2017, as submitted to the City Council, attached hereto as Exhibit "A", be and the same is hereby adopted and approved as the budget of the City of San Saba, Texas for the fiscal year beginning October 1, 2016, and ending September 30, 2017.

SECTION 2. That the expenditures during the fiscal year beginning October 1, 2016, and ending September 30, 2017, shall be made in accordance with the budget by departmental allocation approved by this resolution unless otherwise authorized by a duly enacted resolution of the City of San Saba, Texas.

SECTION 3. Upon approval of the budget, the budget officer shall file a true and certified copy thereof with the County Clerk of San Saba County, Texas.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Resolution as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 5. That this Resolution shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the City Council of the City of San Saba, Texas on the 20th day of September, 2016.

The second discussion item was to approve Resolution 2016-27 ratifying the increase in property tax revenues reflected in the budget. Adoption of a budget that requires raising more revenue from property taxes than in the previous year of the governing body of a city to ratify the property tax increase reflected in the budget. Alderman Oliver made a motion to approve Resolution No. 2016-27 which was seconded by Alderman Behrens and unanimously approved.

RESOLUTION NO. 2016-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA RATIFYING INCREASE IN BUDGET FOR THE FISCAL YEAR 2016-2017

WHEREAS, Section 26 of the Texas Property Tax Code provides that a separate vote must be taken on the portion of the budget that proposes to raise more in property taxes than last year; and

WHEREAS, the proposed tax rate will increase to last year's effective tax rate, \$.344000 per \$100 evaluation. Property taxes collected for 2016 will be \$28,810.00 more than what was collected in 2015 due to an increase in the total tax roll.

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

- 1. That the increase in property taxes is ratified as reflected in the budget.

PASSED, APPROVED AND ADOPTED this the 20th day of September 2016.

The third action item was to approve Ordinance No. 2016-05 adopting the tax rate as presented. The property tax remains \$.344000 which is effectively .01% increase in the tax rate based on the increase in property values. Alderman Whitten made the motion to approve Ordinance No. 2016-05 which was seconded by Mayor Pro-Tem Amthor. A record vote was taken with Council members unanimously approving Ordinance No. 2016-05 adopting the tax rate for 2016.

**ORDINANCE NO. 2016-05
AN ORDINANCE LEVYING A TAX RATE
FOR THE CITY OF SAN SABA
FOR THE TAX YEAR 2016**

WHEREAS, Section 26.05 of the Texas Property Tax Code provides that by September 30, or the 60th day after the date the certified appraisal roll is received by the City, whichever is later, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

WHEREAS, the proposed tax rate for the current tax year of the City of San Saba, Texas consists of two such components (\$0.095751 needed for the purpose of maintenance/operations and (\$0.248249) needed for the purpose of debt service.

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

Section 1. We, the Council of the City of San Saba, do hereby levy or adopt the tax rate of \$.344000 on \$100 valuation for the City for tax year 2016 as follows:

Section 2. \$ 0.095751 is for the purpose of maintenance/operation, and \$ 0.248249 is for the purpose of debt service

Section 3. The tax assessor-collector is hereby authorized to assess and collect the taxes of the City of San Saba effective the 1st day of October 2015,

Section 4. All ad valorem taxes levied hereby, in the total amount of \$.344000 on each one hundred dollars (\$100) of assessed valuation, shall be due and payable on or before January 31, 2017. All ad valorem taxes due the City of San Saba, Texas, and not paid on or before January 31, 2017 shall bear penalty and interest as prescribed in the Property Tax Code of the State of Texas.

PASSED, APPROVED AND ADOPTED this the 20th day of September 2016.

The fourth action item was to discuss and consider approval of Resolution No. 2016-28 a Resolution establishing the designated Downtown area of the City of San Saba as Blighted. Mayor Pro-Tem Amthor made a motion to approve Resolution No. 2016-28 a Resolution establishing the designated Downtown area of the City of San Saba as Blighted. This motion was seconded by Alderman Behrens and passed unanimously.

RESOLUTION NO. 2016-28

A RESOLUTION ESTABLISHING THE DESIGNATED DOWNTOWN AREA OF THE CITY OF SAN SABA AS BLIGHTED.

BE IT RESOLVED by the City Council of the City of San Saba as follows:

SECTION 1.

The City of San Saba's City Council hereby establishes the following designated downtown area of the of the City where work will be performed as fully described being East and West Sides of the 100 Block of South High Street from Wallace Street to Commerce Street, and North and South Sides of the 500 Block of Commerce Street from Cherokee to High Street.

SECTION 2.

The downtown area has a predominance of buildings, curbs and sidewalks that are deteriorated due to age and other reasons, which qualify it as blighted. The cracked, deteriorated sidewalks are detrimental to the public safety of the City.

SECTION 3.

The assisted activity addresses the conditions mentioned in Section 2 by replacing the old, deteriorated sidewalks, installing ADA ramps, providing ADA signage and making curb and gutter repairs, thereby increasing safety of the public and decreasing blight in the designated downtown area.

PASSED AND ADOPTED at a meeting of the City Council of the City of San Saba held on this day September 20, 2016.

The fifth action item was to discuss and consider approval of Resolution No. 2016-29 a Resolution for the submission of a Downtown Revitalization Program Application to the Texas Department of Agriculture. Alderman Whitten made a motion to approve Resolution No. 2016-29 a Resolution for the submission of a Downtown Revitalization Program Application to the Texas Department of Agriculture. This motion was seconded by Alderman Oliver and passed unanimously.

RESOLUTION NO. 2016-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS CAPITAL PROGRAM GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR DOWNTOWN REVITALIZATION FUNDS AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE DOWNTOWN REVITALIZATION PROGRAM GRANT.

WHEREAS, the City Council of the City of San Saba desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of San Saba to apply for funding under the Texas Community Development Block Grant Program;

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

- 1. That an application for Downtown Revitalization Program Funds is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.**
- 2. That the City's application be placed in competition for funding under the Texas Capital Fund.**
- 3. That the application be for \$250,000.00 of grant funds to provide construction and administration costs for the sidewalk improvements project.**
- 4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Downtown Revitalization Program Grant.**
- 5. That all funds be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, civil rights and administrative requirements.**
- 6. That it further be stated that the City is committing \$83,970.00 as a local match contribution from local sources as cash from the General Fund and in-kind services to be matched with Texas Downtown Revitalization Program Grant Funds to be used towards the construction and engineering activities of this sidewalk improvements project.**

Passed and approved this 20th day of September, 2016.

The final discussion item was to approve Ordinance No. 2016-06 an Ordinance of the City of San Saba, Texas, Regulating Distributed Generation Facilities; Providing Definitions; Requiring Applications and Agreements; Providing Regulations and Prohibitions; Providing a Penalty Clause, Severability Clause, and Effective Date. Alderman Oliver made a motion to approve Ordinance No. 2016-06 an Ordinance of the City of San Saba, Texas, Regulating Distributed Generation Facilities; Providing Definitions; Requiring Applications and Agreements; Providing Regulations and Prohibitions; Providing a Penalty Clause, Severability Clause, and Effective Date. This motion was seconded by Alderman Peeler and passed unanimously.

CITY MANAGER'S REPORT

City Manager Weik gave a brief report on the following activities in the City of San Saba: Another fruitful month; Thanked the Council for approving the Budget; Golf Course continues to thrive. RV Park is full due to multiple tournaments; Old Gas Station Restrooms are coming along with the final coat of stucco, rough-in of plumbing and electrical complete; Street by Shady Shores Nursing Home complete, trying out a new technique recommended by TxDOT; Street/Utilities Committee met on September 19th and voted to pursue funding through the USDA Rural Development Program to complete the construction phase of the water and street improvements, this will be taken to Council for recommended approval at the next Council meeting; Update on building owned by the Northern Group next to Madeleine & Me regarding their improvement plans to share in the development and growth and their buildings matching the existing buildings in the downtown area; Pecan Jam will be Saturday, September 24th on the Square.

OTHER REPORTS

Denver Daniel, Electric Department Supervisor reported that LCRA will be bringing in a mobile substation and will be installing a two times the size going from 69k to 138k; Charlene Lindsay, Treasurer thanked the Council for approving the Budget; Mayor Pro-Tem Amthor reported that the Cross Country track meet went well with fifteen to eighteen schools participating and several compliments were made regarding the Golf Course, he also reported that approximately two hundred fifty people from the First Baptist Church were at Mill Pond this past Sunday and fifteen people were baptized.

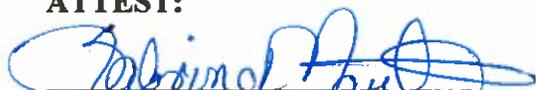
As there was no further discussion, the meeting adjourned at 6:28 p.m. and the Council took a short break before Convening into Executive Session.

At 6:40 p.m., the City Council convened into Executive Session pursuant to Section 551.074, Texas Government Code, to evaluate the City Manager's Performance.

At 7:17 p.m., the City Council adjourned from Executive Session back into open session. No action was taken.

The meeting adjourned at 7:17 p.m.

ATTEST:


Sabrina Maultsby, City Secretary


Kenneth G. Jordan, Mayor