



**REGULAR MEETING OF THE
SALADO BOARD OF ALDERMEN**

REGULAR MEETING AGENDA

**6:30 P.M., THURSDAY, NOVEMBER 19, 2015
MUNICIPAL BUILDING
301 NORTH STAGECOACH, SALADO, TX
BOARD OF ALDERMEN CHAMBERS**

I. CALL TO ORDER

1. Invocation/Moment of Silence
2. Pledge of Allegiance, Texas Pledge of Allegiance

("Honor the Texas flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible.")

II. PROCLAMATIONS / SPECIAL RECOGNITION

None.

III. PUBLIC COMMENTS

3. Citizens who desire to address the Board of Aldermen on any matter may sign up to do so prior to this meeting. Public comments on issues not listed on the agenda will be received during this portion of the meeting. Comments related to items on the agenda will be received during consideration of the individual agenda item. Please limit comments to 3 minutes. No discussion or final action will be taken by the Board of Aldermen.

IV. REPORTS

Mayor's Report

Alderman Reports:

- Environmental Report – Alderman Dankert and Alderman McDougal

- ETJ/Annexation Report – Alderman Dankert and Alderman McDougal
- Ordinance Committee Report – Alderman Coachman and Alderman Williams
- Main Street Report – Mayor Pro Tempore Brown and Alderman Dankert
- Street Improvement Report – Alderman McDougal
- Stagecoach /Wastewater Status Report – Mayor Pro Tempore Brown, Alderman McDougal, and Administrator Foutz

Financial Report

V. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered to be routine by the Board of Aldermen and may be enacted by one motion. If discussion is desired by the Board of Aldermen, any item may be removed from the Consent Agenda at the request of an Alderman and will be considered separately.

4. Consider approving the Consent Agenda item:
 - a. Minutes, November 5, 2015, Regular Meeting.
 - b. Minutes, November 12, 2015, Regular Workshop Meeting.
 - c. Amend Resolution R-2015-124, adding additional signatory.
 - d. Resolution (R-2015-130) adopting a policy for naming and renaming Village Facilities, Public Lands, Public Streets, and other Village-owned properties.

VI. REGULAR SESSION

5. Discussion and possible action on the following proposed agreements related to the Sanctuary Community development project:
 - a. Donation Agreement between the Village of Salado and Billie Hanks Jr., and Salado Utility Company, Inc. for the donation of 6 acres of land and Water Quality Permit No. WQ0014898001;
 - b. Wastewater Service Agreement between the Village of Salado and Sanctuary Development Company, LLC. for the funding and constructing of improvements to the Village's wastewater collection , pumping, treatment, and disposal system, and the terms and conditions for retail wastewater services to the proposed 297 acre development to be constructed by Sanctuary Development Co.; and
 - c. Development Agreement between the Village of Salado and Sanctuary Development Company, LLC. for the terms and conditions of economic development incentives related to the proposed 297 acre development to be constructed by Sanctuary Development Co.
6. Discussion and possible action on the appointment of a Municipal Court Judge.
 - a. Appointment of Donald Engleking as Municipal Court Judge
 - b. Administration of Oath of Office

VII. EXECUTIVE SESSION

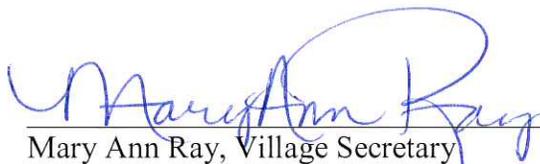
7. Discuss economic development matters as authorized by Texas Government Code § 551.087, Economic Development.
8. Discuss real estate as authorized by Texas Government Code § 551.072, Deliberations about Real Property.

VIII. ADJOURN

The Village of Salado reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Village Secretary's office at (254) 947-5060 for further assistance.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 5:00 p.m. on **Friday, November 13, 2015**.


Mary Ann Ray, Village Secretary

Removed from display: _____

Village of Salado, Texas
Board of Aldermen
Regular Meeting and Workshop Meeting
Meeting Minutes
6:30 p.m. Thursday, November 5, 2015
Municipal Building, 301 N. Stagecoach Road

Present: Mayor Skip Blancett, Mayor Pro Tempore Fred Brown, Alderman Frank Coachman, Alderman Amber Dankert, Alderman Michael McDougal, Alderman David Williams.

Others Present: Kim Foutz, Village Administrator; Mary Ann Ray, Village Secretary; Mary Poche', Executive Director, Salado Chamber of Commerce and Tourism Bureau; Rick Kasberg, John Simcik and Jake Blair, Kasberg, Patrick and Associates, Village Engineers; Jim Reed, consultant.

I. Call to Order.

Mayor Blancett called the meeting to order at 6:30 p.m.

1. Larry Sands delivered the invocation.
2. Mayor Blancett led the Pledge of Allegiance and the Texas Pledge of Allegiance.

II. Proclamations / Special Recognition.

None.

III. Public Comments.

3. Maurice Striegler, 901 Salado Oaks Drive, expressed concern about the proposed Sanctuary development and questioned why the Village did not pursue tying in to the Belton wastewater treatment system.

Linda Reynolds, 507 Santa Rosa, spoke on behalf of King Copeland of Dallas and read a point of order submitted by Mr. Copeland relating to the recording of minutes.

Darlene Walsh, 1110 Mill Creek Drive, expressed concern about which properties actually will be served by the sewer.

Jim Reed, 4 and 8 Rock Creek, thanked the BOA for the opportunity to serve as a consultant through the sewer process.

IV. Reports.

Mary Poche', new executive director of the Salado Chamber of Commerce and Tourism Bureau, was introduced by the Mayor. She gave a brief overview of her qualifications and reported on the Chamber's action plan.

Mayor's Report: Mayor Blancett reported that Greg Malatek of TxDOT and Mike Killgore, president of James Construction Co. will be present at the Town Hall on I-35 construction on November 10. The Town Hall will be at 6:30 p.m. in the auditorium at Salado Intermediate School.

Police/Fire Department Reports: Mayor Blancett reported that Salado Chief of Police Jack Hensley was in a car accident and cannot be at the meeting tonight. Chief Shane Berrier of the Salado Volunteer Fire Department is working the accident. There will be no Police Department or Fire Department report tonight.

Village Administrator's Report: Administrator Foutz reported on staff members who have completed training this year. She also reported that the TAPS grant for trails is looking favorable for the Village, and that surveying for the sewer is underway and could be completed by the first week of December. Services letters for the Stagecoach Wastewater Treatment Plant will go out next week. Several policies are in the development stages: a purchasing policy, a policy for the appointment of committees and boards, and a policy for naming Village buildings, roads, bridges, etc.

V. Consent Agenda.

4. a. Minutes, October 15, 2015 Regular Meeting
- b. Interlocal Agreement with Clearwater Underground Water Conservation District, Bell County, and Salado Water Supply Corporation for continued studies to evaluate Salado Creek, Salado Springs Shed, and Edwards BFZ water quality and management related to threatened species and a contribution of \$8,000.
- c. Engagement Letter with Donald L. Allman, CPA, PC for the Annual Audit for the year ending September 30, 2015 for an amount not to exceed \$7,000.00.
- d. Resolution (R-2015-126) supporting the Keep Salado Beautiful application for the Governor's Community Achievement Award.
- e. Resolution (R-2015-127) approving the Adopt-a-Spot Program coordinated through Keep Salado Beautiful.

Alderman McDougal made the motion to approve the Consent Agenda as presented. Alderman Dankert seconded. The motion carried unanimously.

VI. Regular Session.

5. Discussion and possible action on authorizing Change Order #4 to the street improvement contract with APAC-Texas, Inc. DBA Wheeler from Belton, Texas

for the 2015 Street Rehabilitation Program increasing the scope and contract in an amount not to exceed \$3,113.36.

Alderman McDougal said this is the last change order for the 2015 Street Improvement Program and in actuality is in the amount of \$2,849.96 for striping and reflectors on Salado Plaza Drive going toward the low-water bridge on Mill Creek.

Mayor Pro Tem Brown made the motion to approve Change Order #4 as presented. Alderman McDougal seconded. The motion carried unanimously.

6. Presentation, discussion and possible action approving a proposed wastewater service territory and an application for a Certificate of Convenience and Necessity (CCN) through the Public Utility Commission of Texas.

Rick Kasberg, city engineer, said that a CCN is not legally required, but it can protect the Village's interests by preventing other entities from establishing sewer service to areas that are potentially to be annexed by the Village. He said the CCN application will take from 30 to 60 days and possibly longer.

Alderman Coachman made the motion to approve a proposed wastewater service territory and an application for a Certificate of Convenience and Necessity through the PUC as presented. Alderman Dankert seconded. The motion carried unanimously.

7. Presentation, discussion, and possible action on a variance to Section 4.2b Protection of Drainage and Creek Areas of the Subdivision Ordinance in accordance with Ordinance 2008.20 Flood Damage Prevention Ordinance, Section 4D Variance Procedures.

Administrator Foutz explained that the final plat of the Creekside Meadow subdivision was filed in October. The 24-acre plat, which includes 19 plots, is located off Van Bibber north of Salado Creek and south of Mill Creek Drive. The Conditional Letter of Map Revision was granted by FEMA; the developer seeks to cut and fill properties within the subdivision in order to build in the floor plain. There was lengthy discussion about diverted water and where it would go.

Alderman Coachman made the motion to approve a variance to Section 4.2b Protection of Drainage and Creek Areas of the Subdivision Ordinance in accordance with Ordinance 2008.20 Flood Drainage Prevention Ordinance, Section 4D Variance Procedures as presented. Alderman McDougal seconded. The motion failed by a vote of 2 to 3 (Mayor Pro Tempore Brown, Alderman Dankert, Alderman Williams).

8. Presentation, discussion and possible action on a professional services agreement with Kasberg, Patrick and Associates for professional services associated with Phase I of the Wastewater Treatment Plant Design, Archeological Services, Environmental Site Assessment, and Final Design of the Royal Street Lift Station Force Main and Gravity Sewer.

Rick Kasberg reviewed the agreement, which is for creating sewer infrastructure on the south side of Salado Creek. There was discussion about the locations of lines and lift stations and the decommissioning of the Stagecoach sewer plant.

Alderman McDougal made the motion to approve the professional services agreement with Kasberg, Patrick and Associates in an amount not to exceed 267,800 as presented. Mayor Pro Tempore Brown seconded. The motion carried unanimously.

9. Discussion and possible action on the following proposed agreements related to the Sanctuary Community development project:
 - a. Donation Agreement between the Village of Salado and Billie Hanks Jr., and Salado Utility Company, Inc. for the donation of 6 acres of land and Water Quality Permit No. WQ0014898001;
 - b. Wastewater Service Agreement between the Village of Salado and Sanctuary Development Company, LLC. for the funding and constructing of improvements to the Village's wastewater collection, pumping, treatment, and disposal system, and the terms and conditions for retail wastewater services to the proposed 29-acre development to be constructed by Sanctuary Development Co.; and
 - c. Master Development Agreement between the Village of Salado and various property owners of the Sanctuary Development for the terms and conditions of economic development incentives, including but not limited to the Tourism Marketing Agreement and the Chapter 380 Economic Development Agreement, related to the proposed 297-acre development to be constructed by Sanctuary Development Co.

Alderman Coachman made a motion to rescind the postponement of action regarding a donation agreement, wastewater service agreement, and master development agreement with Billie Hanks and the Sanctuary Development. Mayor Pro Tempore Brown seconded. The motion carried unanimously.

Alderman Coachman made a motion to discuss agreements related to the Sanctuary development. Mayor Pro Tempore Fred Brown seconded. The motion carried unanimously.

The Mayor opened the floor to citizens to address the Board.

Maurice Streigler, 901 Salado Oaks Drive, said he is not against growth but doesn't understand why the Village did not decide to tie in to Belton's wastewater system, which is has been operational for years.

The Mayor closed the floor for citizen comments.

There was discussion about the decision to build a Salado-owned plant rather than tying in with Belton. Alderman Coachman then gave a recap of the most recent negotiations with

Sanctuary: donation of six (and up to eight) acres for a wastewater treatment plant that will be capable of handling up to 600,000 gallons per day; donation of an existing wastewater permit; and immediate annexation of all the properties within the boundaries of the planned development.

He said Sanctuary has agreed in principle to the Master Development Agreement, a Chapter 380 economic development agreement, and a Tourism Marketing Agreement, all of which provide favorable terms to the Village. He said attorneys from both the Village and Sanctuary are reviewing the agreements.

The documents are expected to be ready for review at the Board's workshop on November 12.

9. Discussion and possible action on acquisition of real property for a wastewater treatment plant.

Alderman Coachman said the Village was right to continue to pursue all options.

VII. Adjourn.

Mayor Pro Tempore Brown made the motion to adjourn. Alderman Dankert seconded.

Mayor Blancett adjourned the meeting at 8:05 p.m.

Skip Blancett, Mayor

Mary Ann Ray, Village Secretary

Village of Salado, Texas
Board of Aldermen
Regular Workshop Meeting
Meeting Minutes
6:30 p.m. Thursday, November 12, 2015
Municipal Building, 301 N. Stagecoach Road

Present: Mayor Skip Blancett, Mayor Pro Tempore Fred Brown, Alderman Frank Coachman, Alderman Amber Dankert, Alderman Michael McDougal, Alderman David Williams.

Others Present: Kim Foutz, Village Administrator; Leah Hayes, Village Attorney; Mary Ann Ray, Village Secretary; Joni Moore, representing the Ultra520KTexas endurance race.

I. Call to Order.

Mayor Blancett called the meeting to order at 6:30 p.m.

1. The Mayor opened the meeting with a moment of silence.
2. The Mayor led the Pledge of Allegiance and the Texas Pledge of Allegiance.

II. Workshop Session

3. Discussion on Ultra520KTexas, a three-day endurance event planned for late April/early May in Salado and surrounding communities.

Note: This item was No. 7 on the agenda. The Mayor brought this item up as a courtesy to the guest presenter.

Joni Moore made a presentation about the Ultra520KTexas, a three-day triathlon that would take place April 29 and 30 and May 1 in Central Texas. The event would include about 25 participants and be by invitation to elite athletes; the event would be opened to the public only if there are not enough competitors based on invitation. She explained that the Village's participation would be minimal. Participants would pay about \$1,500 to enter the competition, and they will bring their own crews. Day One would consist of a 6.2-mile swim followed by a 90-mile bicycle ride through portions of Williamson and Bell counties. Day Two would consist of a 172-mile bicycle ride through the countryside surrounding Salado, and Day Three would consist of a 52.4-mile run around Salado. She said that participants will be accompanied by family members and crew members, which in turn means hotel rooms and meals taken in Salado as well as retail shopping. The routes will not involve road closures, nor will participants impede traffic in town. She said the first news release about the event will be sent to the Salado Village Voice.

The Mayor said this event will be placed on a BOA agenda for action.

4. Discuss the Sanctuary development project and proposed agreements for the donation of land and Water Quality Permit No. WQ0014898001, the funding and constructing of improvements to the Village's wastewater collection, pumping, treatment, and disposal system, the terms and conditions for retail wastewater services to the proposed development, and the terms and conditions of economic development incentives to the proposed development.

Note: This was Item No. 3 on the agenda. Alderman Coachman asked that this item be postponed to the end of the meeting to give the Village Attorney an opportunity to review documents just received.

5. Discussion on a policy to establish a procedure for naming facilities, public lands, sites and public streets.

Note: This was Item No. 4 on the agenda.

Administrator Foutz reviewed the draft policy. There was discussion about deed restrictions that could prevent the Village from changing the name of a site. She asked the Board members for feedback over the coming days. Mayor Blancett said he would like this item to be presented to the BOA for a vote so the policy could go into effect in January.

6. Discussion regarding a policy to establish Board of Aldermen committees and citizen advisory boards, including but not limited to appointments, scope of work, and purpose.

Note: This was Item 5 on the agenda.

Administrator Foutz gave a general overview of the policy. There was discussion about term limits on committees and advisory boards. There also was discussion about the difference between "simple majority vote" and "full BOA vote"; Administrator Foutz agreed to edit that statement.

She asked the BOA members to review the policy and provide feedback. Mayor Blancett said he would like this item to be presented to the BOA for a vote so the policy could go into effect in January.

7. Discussion on an ordinance to prohibit the feeding of deer.

Note: This was Item No. 6 on the agenda.

There was discussion about affirmative defense: if deer eat food placed out by a citizen for ducks and other animals, that citizens would be held blameless, as the feeding of deer was unintentional. There also was discussion about fines and the funds earmarked in the FY 2015-2016 budget for deer management.

Mayor Blancett acknowledged this is a controversial issue, and the BOA must find a way to manage the deer population. The Village will start maintaining records on motor vehicle/deer accidents, deer found dead in streets and on private property, and how those carcasses are handled. He announced that the BOA will ask Dr. Lewis Raney to be the chairman of a committee charged with developing action plan for the Village.

Alderman Dankert said that if a citizen finds a random deer dead in the yard, the citizen should call the Village office and provide name and address so a sample can be obtained from the dead animal for testing.

Mayor Blancett said that, after the deer committee creates the action plan, the committee will present at a Town hall forum.

8. Discuss the Sanctuary development project and proposed agreements for the donation of land and Water Quality Permit No. WQ0014898001, the funding and constructing of improvements to the Village's wastewater collection, pumping, treatment, and disposal system, the terms and conditions for retail wastewater services to the proposed development, and the terms and conditions of economic development incentives to the proposed development.

Alderman Coachman reported that the attorneys have been reviewing documents and many of issues have been resolved.

Attorney Hayes said that representatives from Sanctuary do not intend to provide a development schedule and that Sanctuary has indicated it does not wish to dedicate any public park space; the park space issue will be an issue for Sanctuary if it moves forward with the Public Improvement district, as public funds cannot be used to finance private development. She reported that Sanctuary wishes to retain flexibility to make changes to master plans without approval from the Board of Aldermen.

There was additional discussion regarding legal issues surrounding the negotiations. A conference call between the negotiation team and Sanctuary will take place Friday, November 13, 2015.

III. Adjourn.

Alderman Dankert made a motion to adjourn. Alderman Williams seconded. The Mayor adjourned the meeting at 8:19 p.m.

Skip Blancett, Mayor

Mary Ann Ray, Village Secretary

BOARD OF ALDERMAN

AGENDA ITEM MEMORANDUM

11/19/2015
Item #4c
Consent Agenda
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DEPT/DIVISION REVIEW: Kim Foutz, City Administrator

ITEM DESCRIPTION: Consider adoption of Resolution R-2015-124.01, amending signing authority.

STAFF RECOMMENDATION: Staff recommends approval as submitted.

ITEM SUMMARY AND ANALYSIS: This measure will allow Alderman Michael McDougal to sign checks on Village accounts. Some checks require two signatures based on the dollar amount. There are times when it a quick turnaround time is necessary for a second signature and the authorized signatories are not available. Alderman Michael McDougal is retired and therefore has greater availability to come to the Municipal Building to sign checks.

FISCAL IMPACT: None.

ATTACHMENTS:

- Resolution R-2015-124.01.



RESOLUTION

No. R-2015-124.01

A RESOLUTION OF THE VILLAGE OF SALADO AMENDING THE LIST OF DESIGNATING PERSONS WITH SIGNING AUTHORITY ON VILLAGE BANK ACCOUNTS

WHEREAS, the Board of Aldermen has established bank accounts in accordance with its Investment Policy and Chapter 105 of the Local Government Code; and

WHEREAS, it is prudent to establish appropriate accounts to achieve the Village's Investment Policy of safety and liquidity; and

WHEREAS, the Board of Aldermen is required to appoint authorized signers of checks for the Village; and

WHEREAS, banks routinely require all authorized signature authorities to be approved by the governing board;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO THAT:

Section 1: The Board of Aldermen approve the Mayor, Investment Officer, Mayor Pro Tem, an Alderman, and Village Administrator as authorized signers of checks.

Section 2: The following individuals shall have authority to endorse and make deposits, sign checks, withdraw funds, and otherwise operate any and all bank accounts on behalf of the Village:

Mayor Skip Blancett
Mayor Pro Tempore Fred Brown
Alderman Michael McDougal
Investment Officer Dan Nixon
Village Administrator Kim Foutz

**APPROVED AND PASSED this the 19th day of November, 2015, by a vote of
_____ ayes, _____ nays, and _____ abstentions.**

VILLAGE OF SALADO, TEXAS

Skip Blancett, Mayor

ATTEST:

Mary Ann Ray, Village Secretary

BOARD OF ALDERMAN
AGENDA ITEM MEMORANDUM

11/19/15
Item #4d
Consent Agenda
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DEPT/DIVISION REVIEW: Kim Foutz, Village Administrator

ITEM DESCRIPTION: Resolution (R-2015-130) adopting a policy for naming and renaming Village Facilities, Public Lands, Public Streets, and other Village-owned properties.

STAFF RECOMMENDATION: The Ordinance Committee and Staff recommends approval.

ITEM SUMMARY AND ANALYSIS: The Board of Aldermen discussed this policy at the November 12 workshop. The following changes have been made based upon the discussions at that meeting:

- Clarified language in Section V regarding deed restrictions to: *A Village Facility, Public Land, Site or Public Street may not be renamed if already named by deed restriction.*
- Added language to Section VIII.A regarding funding: *The person submitting the request must agree in the Application to provide 100% funding for the plaque, sign, or marker within 30 days of Board of Aldermen approval.* Language already existed to this effect in the Application.
- Revised representatives to the Advisory Board to: the Salado Historical Society (1), Public Art League of Salado (1), Keep Salado Beautiful (1), local business owner (1), and citizen (1).

FISCAL IMPACT: n/a

ATTACHMENTS:

- Proposed Resolution and Policy
- Naming Application
- Naming Property Owner Response
- Naming Petition Tracking Sheet



RESOLUTION

No. R-2015-130

A RESOLUTION OF THE VILLAGE OF SALADO ADOPTING A POLICY FOR NAMING AND RENAMING VILLAGE FACILITIES, PUBLIC LANDS, PUBLIC STREETS, AND OTHER VILLAGE-OWNED PROPERTIES

WHEREAS, the Board of Aldermen finds that it is in the public interest to adopt policies that provide a fair, consistent process and promote public input; and

WHEREAS, the success and vitality of the Village of Salado depends on the contribution and support from citizens, volunteers, financial donors, community leaders and officials; and

WHEREAS, the Village of Salado welcomes the opportunity to honor those who have demonstrated outstanding service and have worked to enhance our community; and

WHEREAS, a fair and impartial policy is necessary to assure that naming or dedicating a facility based on an individual, group, or corporation is reserved for those most deserving and appropriate, and to recognize substantial gifts benefiting the Village of Salado

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO THAT:

Section 1: The Board of Aldermen approve a policy for naming and renaming Village facilities, public lands, public streets and other Village-owned properties, herein attached as Exhibit A.

APPROVED AND PASSED this the 19th day of November, 2015, by a vote of
_____ ayes, _____ nays, and _____ abstentions.

VILLAGE OF SALADO, TEXAS

Skip Blancett, Mayor

ATTEST:

Mary Ann Ray, Village Secretary



VILLAGE OF SALADO

POLICY FOR NAMING/ RENAMING VILLAGE FACILITIES, PUBLIC LANDS, SITES AND PUBLIC STREETS

I. PURPOSE

The purpose of this policy is to establish a systematic, fair, and consistent policy and process for naming and renaming Village Facilities, Public Lands, Public Streets, and other City owned properties. The policy provides for citizen input, recommendations from a diverse advisory board, and Board of Aldermen approval to adopt all names.

II. INTENT

The success and vitality of the Village of Salado depends on the contribution and support from citizens, volunteers, financial donors, community leaders and officials. Honorees may include individuals, groups, companies or corporations. The Village of Salado welcomes the opportunity to honor those who have demonstrated outstanding service and have worked to enhance our community. A fair and impartial policy is necessary to assure that naming or dedicating a facility based on an individual, group, or corporation is reserved for those most deserving and appropriate, and to recognize substantial gifts benefiting the Village of Salado. Further, naming decisions should not be influenced by personal prejudice, favoritism, political pressure or temporary popularity.

III. OBJECTIVES

The naming process of Village of Salado Facilities, Public Lands, Sites, and Public Streets should:

1. Advance the reputation of the Village of Salado, as well as increase the understanding and public support for its programs.
2. Ensure ready identification or geographical association by the public.
3. Encourage public participation in the naming, renaming, and dedication of Village facilities.

4. Encourage naming of Village facilities in accordance with the geologic, geographical, cultural, historical, botanical, horticultural, scientific, or ecological features indigenous to the site and the community.
5. Encourage naming of dedication of lands, facilities, or donations by individuals and groups.

IV. CRITERIA

A. GENERAL CRITERIA

The naming of a Village Facility, Public Park Land, Site, or Public Streets, may be based upon the following:

1. A significant monetary, grant, donation or bequest to the Village of Salado toward the acquisition or development of a public facility;
2. A substantial community service that has had a major impact or benefit to a large sector of the Village of Salado from an individual who:
 - a. demonstrates dedication to service in ways that brings special credit to the Village of Salado, or
 - b. volunteers and gives extraordinary help to individuals, families, groups, or community services
3. Naming a Village Facility, Public Land, Site or a Public Street after a living person or organization is not recommended. However, there are times when the community believes it to be the proper and necessary. The person or organization should have made a major contribution to the Village of Salado in either deed or monetary contribution. Honoring a living individual or an organization, will be subject to the most careful examination.
 - a. Some criteria or considerations should include, but not limited to:
 - i. A significant monetary contribution toward acquisition or development of a public facility;
 - ii. When eighty percent (80%) or more of the value of the property is donated by the person or organization;
 - iii. When eighty (80%) or more of the cost of development is

donated by the person or organization to the enhancement of the quality of life in the community;

iv. When a major contribution has been made by the person or organization to the enhancement of the quality of life in the community;

v. Outstanding accomplishments by an individual for the good of the community. Quality of the contribution should be considered along with the length of service by the individual.

b. Implicit to the naming process is the intent of permanent recognition. Therefore, the process shall be careful and deliberate and, as much as possible, involve the evaluation criteria as follows:

i. Fine moral character;

ii. Demonstrated leadership qualities;

iii. Nature of the contributions compliment and support the mission of the Village of Salado;

iv. Substantial contribution, whether consisting of volunteer service, the provision of land or monetary donation.

v. Initiative and/or involvement relating to a specific program or project of exceptional merit, which has extensively and directly benefited the public.

4. If the Village Facility, Public Land, Sites or Public Street is to be named after an individual, it is recommended that it be after the person has been deceased for a minimum of two years. Some criteria considerations can include:

a. Same guidelines for living people or organization shall apply;

b. Proposed names commemorating a deceased person(s) shall be considered only if the living next of kin have approved the request; and

c. Naming a Village Facility, Public Land, Site, or Public Street in memory of a deceased person should not be considered until at least two years after the date of the death of the person.

d. Names should not be considered as advertising.

5. Honoring Village of Salado officials, management, staff or appointed public officials who may be considered after the employment or public service has concluded for a minimum of two years.
6. If the Village Facility, Public Land, Site, or Public Street is named for geographical, geologic, historical, botanical, horticultural, scientific, or ecological features indigenous to the site or to the immediate vicinity of the site, it is recommended that Village Facilities, Public Land, Sites and Public Streets be named after Village of Salado historic sites, descriptive names, places or features (such as streets, schools, or natural resources). Names should be chosen after a feature that is associated with a real characteristic of the site and easy to remember. That feature should be relatively timeless so that the name does not diminish in appropriateness with time. Some criteria considerations can include:
 - a. Use of road names should be controlled to avoid duplication confusion. If named after a street, it should be adjacent to the park or facility.
 - b. If named after a geographic location, it should either be associated with the Village Facility, Public Land, Site or Public Street or immediately adjacent to the Village Facility, Public Land, or Public Street.
 - c. If named after a subdivision, it should be the subdivision in which the Village Facilities, Public Land, Site or Public Street is located.

B. VILLAGE FACILITIES

1. As a general policy, Village Facilities shall be named in accordance with the general criteria outlined in Section IV, subsection A.

C. PUBLIC STREETS

This policy only applies to streets after they have been dedicated as public.

1. As a general policy, Public Streets shall be named in accordance with the general criteria outlined in Section IV, Subsection A.
2. A public street shall not be renamed unless the owners of two-thirds of the linear feet of the abutting property agree to change the name of the street. Individuals and groups submitting the request shall be required to

provide a notarized list of the concurring property owner's agreement.

3. The name of a street that is located within a designated historical district shall not be changed unless there are compelling reasons for the change.

D. PUBLIC LANDS

1. As a general policy, Public Lands shall be named in accordance with the general criteria outlined in Section IV, subsection A.
2. Regional/Village level parks or properties may be named after a geographical designation, a predominant physical feature of the land, a historical name, organizations, or the name of the individual.
3. Community and neighborhood level parks and properties should be named after the subdivision which dedicated the land, the name of the neighborhood, organizations, or name of the individual.
4. The suffix "park" should be added to the name of the park.
5. Areas, facilities, and accessories such as playground, pavilions or sport fields within a park can be named differently using the above stated criteria.
6. For historic sites, descriptive names, places and features (streets, schools, natural (geographic) features) it is recommended that parks or park facilities be named after Salado historic sites, descriptive names, places or features (such as streets, schools or natural resources). Names should be chosen after a feature that is associated with a real characteristic of the site and easy to remember. That feature should be relatively timeless so that the park name does not diminish in appropriateness with time.

V. RENAMING OF VILLAGE FACILITIES OR PUBLIC LANDS

Renaming of Village Facilities, Public Land, Site, or a Public Street is strongly discouraged. The primary reason is to not diminish the original justification for the name or discount the value of the prior contributors. ~~If a Village Facility, Public Land, Site, or Public Street may not be renamed if already named by deed restriction, is proposed to be renamed, it is recommended that only those Village Facilities, Public Lands, Sites, or Public Streets named by deed restriction cannot be considered for renaming.~~

A park or facility named for an individual should never be changed unless it is found that the individual's personal character is or was such that the continued use of their name for a park or facility would not be in the best interest of the community.

VI. PLAQUES, MARKERS, MEMORIALS

Recognition shall include site signage, including a permanent plaque, sign or marker. The decision concerning type, design and size of site signage shall rest with the Village of Salado Board of Aldermen. All plaques, signs or markers shall blend with and compliment the park or facility environment.

VII. VILLAGE FACILITY, PUBLIC LAND, OR PUBLIC STREET FEATURES

Important and substantial park features within a named area may be given a name other than the name of the principal area, using the same guidelines as used for naming areas.

VIII. PROCEDURES

A. SUBMISSIONS OF REQUESTS

Requests for the naming or the renaming of Village Facilities, Public Lands, Sites, and Public Streets shall be submitted in writing to the Village Secretary on forms provided by the Village. The person(s) submitting the request shall provide background information regarding the rationale behind the request, map of location, picture of location/building, biographical information if the proposal is to name the property for an individual, and notarized list of the concurring property owner's agreement, if applicable. Any letters from appropriate organizations and individuals, which provide evidence of substantial local support for the proposal, shall be submitted at that time. The person submitting the request must agree in the Application to provide 100% funding for the plaque, sign, or marker within 30 days of Board of Aldermen approval.

B. SUBMISSION TO AND CONSIDERATION BY ADVISORY BOARD

The Village Administrator shall submit the request to a Naming/Renaming Advisory Board appointed by the Board of Aldermen consisting of the following representatives: the Salado Historical Society (1), Public Art League of Salado (1), Keep Salado Beautiful (1), local business owner (1), and citizens (2). Said Advisory Board shall research and review the request and all its supporting documentation with careful review as it relates to this policy, and shall make a recommendation to the Board of Aldermen. In addition, the Advisory Board will make a recommendation on whether a plaque, marker, or sign should be erected including a specific design and verbiage that should be utilized.

C. SUBMISSION TO BOARD OF ALDERMEN

The Board of Alderman will review all Village Facility, Public Land, Site and

Public Street naming and/or name change requests, and shall be the final authority for all such decisions.

An initial public meeting, held by the Advisory Board, will be conducted regarding the request. The Naming/Renaming Advisory Board shall then submit its recommendation to the Village Administrator to be presented to the Board of Aldermen for consideration. The Board of Aldermen will allow thirty (30) days after the initial public meeting for public comment before final consideration.

D. POST APPROVAL PROCEDURE

If the request for a street renaming is approved by the Board of Aldermen, the Village Secretary shall notify all Village employees of the renaming, authorize amending the official street maps maintained by the Village, and post notice of the change on the Village's website. The Central Texas Council of Governments, the Bell County Communications Center, and U.S. Post Office shall also be notified by the Village Secretary. It shall be the property owners' responsibility to notify their respective utility companies, social security administration, lien holders, and any other pertinent agencies of the street renaming.

The Village Administrator, in coordination with the Facilities and Public Works Department, shall be responsible for ordering and installing the sign, plaque, or marker as approved.

When a request for a street renaming or the naming of a Village facility has been denied by the Board of Aldermen, the same request may not be considered for a period of six (6) months from the date of the Board of Aldermen action.

**NAMING/RENAMING OF VILLAGE OF SALADO FACILITIES,
PUBLIC LANDS, SITES, AND PUBLIC STREETS**

APPLICATION

There is a 30-60 day review process for all Street/Site naming requests

Name of Applicant or Organization: _____

Phone: _____ Email: _____

Address: _____

Signature: _____

Date: _____

Current Street/Site Name: _____

Proposed Street/Site Name: _____

Location of Site/Street: _____

Subdivision: _____ Blocks Included: _____

Zoning District: _____

Land uses located on the street: _____

Nature of Naming Opportunity:

- Park Building Entrance Athletic Field Trail
 Bridge Playground Facility Overlook Other
 Interpretive Feature Landscape Area Park Structure

Naming Justification category:

<input type="checkbox"/>	Geographical Feature	<input type="checkbox"/>	Ecological Feature	<input type="checkbox"/>	Significant Contribution
<input type="checkbox"/>	Historical Feature	<input type="checkbox"/>	Monetary Gift	<input type="checkbox"/>	Land Gift
<input type="checkbox"/>	Cultural	<input type="checkbox"/>	Other	<input type="checkbox"/>	

Biography of the person who will be honored: _____

Reasons supporting street/site/facility naming/renaming: _____

I certify that if my request is approved, I/we will provide 100% funding for the plaque, sign, or marker within 30 days of Board of Aldermen approval.

Print Name

Applicant's Signature

Date

Application Requirements / Attachments:

- A letter summarizing justification for this request.
- Map showing location of street/site.
- Photo of facility (if applicable)
- Favorable support from 70% of responding property owners fronting the street proposed for renaming (if applicable)
- Estimate of cost of making and installing all the necessary signage/plaque or estimate of cost for replacement of signs/plaques
- Property owners are responsible for notifying their tenants.
- Justification for naming, and any additional supporting justification, along with a minimum of three letters of support.
- Proposed design and verbiage.

FOR OFFICE USE ONLY

Complete application received? ___ Yes ___ No

Estimate of cost and installation of signage: _____

Date submitted for Staff review: _____

Staff comments: _____

Date of Aldermen Consideration: _____

_____ Approved _____ Denied

**NAMING/RENAMING OF VILLAGE OF SALADO FACILITIES,
PUBLIC LANDS AND SITES**

PROPERTY OWNER RESPONSE

THIS PETITION CONCERNS A PROPOSAL TO RENAME/NAME FACILITY/SITE NAME OF _____ TO _____
IN THE BLOCK RANGE FROM _____ TO _____

Print Name: _____

Street Address: _____

Phone Number: _____ Email: _____

Mailing Address: _____

Legal Description, if available: Lot: _____ Block: _____ Addition: _____

I, the undersigned Owner of this property set forth by name, hereby join in and request the petition to change the facility/site name be (check one):

_____ Approved

_____ Disapproved

Signature: _____



PETITION FOR NAMING OR RENAMING OF STREETS

Date of Petition _____

Proposed Street Name _____

Present Street Name _____

Address: _____

Name of Group sponsoring petition: _____

Contact Person: _____ Telephone No. _____

Address: _____ Email: _____

Number of Signatures Required: _____ Number of Signatures Received: _____

NOTE: A minimum of 70% of responding property owners indicating approval is required for Village of Salado Board of Aldermen consideration on naming/renaming change.

NAME:	ADDRESS:	ZIP:	PHONE:	DATE:	AGREE:	DISAGREE:
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NAME:	ADDRESS:	ZIP:	PHONE:	DATE:	AGREE:	DISAGREE:
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NAME:	ADDRESS:	ZIP:	PHONE:	DATE:	AGREE:	DISAGREE:
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BOARD OF ALDERMAN

AGENDA ITEM MEMORANDUM

11/19/2015
Item #6
Regular Agenda
Page 1 of 1

DEPT/DIVISION REVIEW: Mary Ann Ray, Village Secretary

ITEM DESCRIPTION: Discussion and possible action on the appointment of a Municipal Court Judge.

STAFF RECOMMENDATION: n/a

ITEM SUMMARY AND ANALYSIS: Judge Donald Engleking served the Village as Associate Judge from 2007 to 2011, at which time he became the Municipal Court Judge.

FISCAL IMPACT: This item is funded in the FY 2015-2016 budget for \$6,000.

ATTACHMENTS:

- Municipal Judge Agreement
- Swearing-in rules
- Anti-bribery form
- Oath of Office form



**AGREEMENT FOR
MUNICIPAL COURT JUDGE SERVICES**

This agreement is executed this 19th day of November, 2015, by and between the Village of Salado, a General Law Type A municipality, 301 N. Stagecoach Rd., Salado, Texas, Bell County, Texas 76571, hereinafter referred to as "Village" and Don Engleking, P.O. Box 888, Salado, Texas, Bell County, Texas 76571, hereinafter referred to as the "Judge" for the purpose of providing the services of a Municipal Court Judge for the Village of Salado.

1. **Description of Services.** The Judge agrees to serve as the Municipal Court Judge for the Village with all the powers, duties, privileges and obligations which said office confers by virtue of state law or local ordinance. In addition to regularly scheduled sessions of the Village of Salado Municipal Court, the Judge shall conduct arraignments, other court hearings as may be required by law and trials when necessary. The Judge shall coordinate the schedule of the court and the Court Clerk.
2. **Availability.** The Judge agrees to be available to carry out the duties and obligations of the office of Municipal Judge when needed. The Judge will conduct trials once a month and pre-trials once a month if needed. The Judge will provide the Village of Salado, through the Village Secretary, his contact information.
3. **Compensation.** As consideration for services provided herein, the Village agrees to pay the Judge the sum of \$6000.00 for a 12-month period. The services to be provided for this sum will be as listed above in Section 1.
4. **Term of Office.** This appointment as Village of Salado Municipal Court Judge shall begin January 1, 2016 and expire December 31, 2016. The Judge is not an employee-at-will and will only be removed for cause. The conviction of a misdemeanor or felony crime will be considered an automatic resignation by the Judge. It is further agreed and understood that the Judge has no tenure, expectancy of continued employment or property interest in employment by virtue of this appointment as the Village of Salado Municipal Court Judge and none shall arise by virtue of his service in this capacity other than the interest set out by Section 29.005 of the Texas Government Code.
5. **Resignation.** The Judge may resign at any time during the term of this appointment with a 30 day written notice to the Village.
6. **State Law.** The Agreement shall be construed in a manner consistent with and not in derogation of the provisions of State Law governing the judge's jurisdiction, powers, duties, and obligations of office.

7. **Licensing.** The Judge agrees to comply with all applicable State and Municipal standards for the licensing, certification, and accreditation, if any, necessary to serve as Municipal Court Judge. The Village shall reimburse the Judge for expenses associated with required training, i.e.: registration, mileage, and up to \$50.00/day for food/beverages.

EXECUTED this 19th day of November, 2015, by the parties herein.

Village of Salado, Texas

Don Engleking

Skip Blancett, Mayor

ATTEST:

Mary Ann Ray, Village Secretary

CHAPTER 12 OATHS AND CEREMONIES

7. Appointed and Elected Officials

All appointed or elected officials are required to subscribe to an anti-bribery statement before taking an oath of office. The anti-bribery statement must be made before taking the oath or affirmation of office.

Checklist 12-7	Notes
<p><input type="checkbox"/> 1. All elected and appointed officials, including judges, court clerks, and court reporters, must:</p> <p style="padding-left: 40px;"><input type="checkbox"/> a. Swear to an anti-bribery statement; and</p> <p style="padding-left: 40px;"><input type="checkbox"/> b. File it with the city secretary or clerk of the court.</p> <p><input type="checkbox"/> 2. Both official and person administering oath raise their right hand.</p> <p><input type="checkbox"/> 3. Oath is administered.</p> <p style="padding-left: 40px;"><input type="checkbox"/> a. The following municipal court personnel have authority to administer this oath:</p> <p style="padding-left: 80px;">(1) Municipal judge or retired municipal judge;</p> <p style="padding-left: 80px;">(2) Municipal court clerk; and</p> <p style="padding-left: 80px;">(3) Notary public.</p> <p><input type="checkbox"/> 4. Appointed official signs statement.</p> <p style="padding-left: 40px;"><input type="checkbox"/> a. Person administering oath signs jurat.</p> <p style="padding-left: 40px;"><input type="checkbox"/> b. If notary public administers oath, notary's seal is placed on oath.</p>	<p>Art. XVI, Sec. 1, Tex. Const. See <i>TMCEC Forms Book: Anti-Bribery Oath of Appointed/Elected Officer.</i></p> <p>An amendment to the Texas Constitution effective January 1, 2002 altered the previous requirement of this section that the oath be sent to the Texas Secretary of State.</p> <p>“I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be (so help me God).”</p> <p>See Section 602.002, G.C., for a complete list of authorized persons.</p> <p>“Jurat” - certificate of person before whom writing was sworn.</p>

- 5. Oath of office
 - a. Both appointed official and person administering oath raise their right hand.
 - b. Oath is administered.
 - c. The following municipal court personnel have authority to administer an oath to an appointed or elected official:
 - (1) Municipal judge or retired municipal judge;
 - (2) Municipal court clerk; and
 - (3) Notary public.
 - d. Appointed official signs oath.
 - (1) Person administering oath signs jurat. "Jurat"- certificate of person before whom writing was sworn.
 - (2) If notary public administers oath, notary's seal is placed on oath.
- 6. File oath of office with city secretary.

Art. XVI, Sec. 1, Tex. Const.
See *TMCEC Forms Book*: Oath of Office.

"I, _____, do solemnly swear (of affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State (so help me God)."

The oath of office should be administered at the beginning of each new term of office for a clerk or judge.

See Section 602.002, G.C., for a complete list of authorized persons.

The city secretary must notify the Texas Judicial Council of the name of each person who is elected or appointed as, or who vacates the office of, mayor, municipal judge, or clerk of a municipal court within 30 days after the election, appointment, or vacancy. Sec. 29.013(a), G.C.

A copy of the reporting form can be found here:
<http://www.courts.state.tx.us/oca/pdf/MunicipalCourtPersonnelForm.pdf>.

**Form 2201 - Statement of Officer
(General Information)**

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Execution and Delivery Instructions

The Statement is considered filed once it has been received by this office.

Mail: P.O. Box 12887, Austin, Texas 78711-2887.

Overnight mail or hand deliveries: James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.

Fax: (512) 463-5569.

Email: Scanned copies of the executed Statement may be sent to register@sos.state.tx.us.

NOTE: The Statement of Officer form, commonly referred to as the "Anti-Bribery Statement," must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).

Commentary

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices. Local officers must retain the signed anti-bribery statement with the official records of the office. This form is designed for filing the anti-bribery statement by elected and appointed state-level officers.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Op. Tex. Att'y Gen. No. JC-0575 (2002).

Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions.

Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or register@sos.state.tx.us.

Revised 01/2015

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: _____

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

**IN THE NAME AND BY THE AUTHORITY OF
THE STATE OF TEXAS**

Oath of Office

I, Donald G. Engleking, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Municipal Court Judge of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and the laws of the United States and of this State, so help me God.

Affiant

Sworn to and subscribed before me by affiant on this ____ day of _____, 20__.

(municipal court seal)

Signature of Person Administering Oath

Printed Name

Title