



REGULAR BOARD OF ALDERMEN MEETING
SALADO MUNICIPAL BUILDING
301 N. STAGECOACH - SALADO, TEXAS
JANUARY 6, 2022 – 6:30 P.M.

THIS WILL BE AN IN-PERSON MEETING THAT WILL ALSO BE AVAILABLE VIRTUALLY USING ZOOM. YOU CAN ACCESS THE MEETING FROM YOUR COMPUTER, TABLET OR SMARTPHONE USING THE FOLLOWING LINK:

<https://us02web.zoom.us/j/83830185045?pwd=dmZuSUUp3bjVSTFluWGsyTExZM2JwUT09>

MEETING ID: 838 3018 5045

PASSWORD: 805368

OR YOU CAN DIAL IN TO THE MEETING WITH YOUR PHONE USING ONE OF THE FOLLOWING PHONE NUMBERS AND USING THE MEETING ID AND PASSWORD:

1-346-248-7799

1-253-215-8782

1-669-900-6833

1-301-715-8592

1-312-626-6799

1-929-205-6099

AGENDA

CALL TO ORDER

JANUARY 6, 2022, AT 6:30 P.M.

CALL OF ROLL

CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

1. CITIZENS COMMUNICATIONS

THE BOARD OF ALDERMEN WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN NOT ON THE AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE (3) MINUTE TIME LIMIT WHEN ADDRESSING THE BOARD. SPEAKERS WILL HAVE ONE (1) OPPORTUNITY TO SPEAK DURING THIS TIME-PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR ALDERMEN CONSIDERATION.

2. CONSENT AGENDA

- (A) APPROVAL OF MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF DECEMBER 16, 2021.
- (B) APPROVAL OF MINUTES OF THE SPECIAL BOARD OF ALDERMEN MEETING OF SEPTEMBER 9, 2021.
- (C) APPROVAL OF THE APPOINTMENT OF JEFF MCCLURE TO THE VILLAGE OF SALADO PLANNING AND ZONING COMMISSION.

3. DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING ANY ITEM REMOVED FROM THE CONSENT AGENDA

4. STATUS REPORTS

(A) VILLAGE ADMINISTRATOR'S REPORT

- WASTEWATER BOND REFUNDING UPDATE
- FY 2021 AUDIT UPDATE
- SPEED CONTROL SIGNAGE UPDATE
- 2021 DEVELOPMENT ACTIVITY UPDATE
- R-V ORDINANCE TASK FORCE UPDATE
- HABITAT CONSERVATION PLAN UPDATE

(B) SALADO POLICE CHIEF STATUS REPORT

- CALLS FOR SERVICE REPORT
- LICENSE PLATE READER PROGRAM UPDATE
- CITIZENS ON PATROL PROGRAM UPDATE

(C) SALADO FIRE CHIEF STATUS REPORT

- CALLS FOR SERVICE

(D) TOURISM DIRECTOR'S REPORT

- SALADO MARKETING ACTIVITIES
- VISITORS CENTER ACTIVITIES
- UPCOMING EVENTS

5. **ORDINANCE**

CONSIDER APPROVAL OF AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, ORDERING A GENERAL ELECTION ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) ALDERMEN OF THE VILLAGE OF SALADO BOARD OF ALDERMEN; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THE ELECTION; MAKING OTHER PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE. *(VILLAGE ADMINISTRATOR)*

6. **PUBLIC HEARING AND POSSIBLE ACTION**

HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AMENDMENTS TO THE MASTER DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF SALADO AND BILLIE HANKS, JR.; HANKS-CABINESS TRUST; BHHC CHRISTIAN DEVELOPMENT, LLC; BHHC CHRISTIAN DEVELOPMENT I, LLC; BHHC CHRISTIAN DEVELOPMENT II, LLC; BHHC CHRISTIAN DEVELOPMENT III, LLC; HEIDI HANKS WATERS; HEATHER HANKS MCGREADY; OLD WORLD BBD, INC.; AND SANCTUARY SALADO INVESTMENT II, LLC; INCLUDING AMENDMENTS TO THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH THOSE SAME PARTIES, AND THE WASTEWATER SERVICE AGREEMENT BETWEEN THE VILLAGE OF SALADO AND SANCTUARY DEVELOPMENT COMPANY, LLC, BOTH INCORPORATED IN THE MASTER DEVELOPMENT AGREEMENT. *(MAYOR MICHAEL COGGIN)*

7. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT WITH A DESIGN-BUILD FIRM RELATING TO THE DEVELOPMENT OF AN ALL-ABILITIES PLAYGROUND AT PACE PARK. (VILLAGE ADMINISTRATOR)
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE ALLOCATION OF FUNDS PRESENTED TO THE VILLAGE OF SALADO BY THE COUNTY OF BELL FOR SCHOOL CROSSING GUARD, HEALTH/NUTRITION, CHILD ABUSE PREVENTION/INTERVENTION, AND DRUG/ALCOHOL ABUSE PREVENTION PROGRAMS IN SALADO. (VILLAGE ADMINISTRATOR)
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A PROPOSED CALENDAR RELATING TO THE DEVELOPMENT OF THE FISCAL YEAR 2023 VILLAGE OF SALADO OPERATING BUDGET. (VILLAGE ADMINISTRATOR)

ADJOURNMENT

THE BOARD OF ALDERMEN MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Salado Municipal Building on December 30, 2021, at 5:30 p.m.



Cara McPartland, City Secretary

The Village of Salado is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Don Ferguson, Village Administrator, at 254-947-5060 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call 512-272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

BOA Agenda Item Form



Date Submitted: January 2, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: CONSIDER APPROVAL OF
MINUTES OF THE DECEMBER 16, 2021, REGULAR
MEETING OF THE BOARD OF ALDERMEN

Funds Required:
Funds Available:

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow board members to consider approval of the minutes of the December 16, 2021, Regular Meeting of the Board of Aldermen.

Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Regular Meeting of Board of Aldermen
December 16, 2021 at 6:30 p.m.

The Board of Aldermen meeting was called to order at 6:30 p.m. by Mayor Michael Coggin. *The meeting was conducted in person and using videoconferencing. Public participation was available via videoconference.*

Alderman D. Jasen Graham gave the Invocation and the Board of Aldermen led the Pledge of Allegiance to the United States and Texas flags.

Board Members Present: Mayor Michael Coggin, Mayor Pro-tem Rodney Bell, and Aldermen John Cole, Paul Cox, Jason Howard, and D. Jasen Graham attended in person.

Staff Present: Village Administrator Don Ferguson, City Secretary Cara McPartland, Police Chief Pat Boone, Tourism Director Andrea Howard, Assistant Administrator Stacey Ybarra, and Utility/Permit Clerk Leticia Gauna.

Presentations

- A. Presentation by Bell County Judge David Blackburn of the Annual Hotel-Motel Occupancy Tax check from Bell County to the Village of Salado.

Bell County Commissioner Bill Schumann thanked the Village of Salado for its support and presented a check in the amount of \$8,349.00, which represents Salado's portion of Hotel-Motel Occupancy Taxes collected by Bell County. He noted this year's check reflects an 8 percent increase from the previous year. Mayor Coggin expressed appreciation to Commissioner Schumann and Bell County for its strong partnership with the Village.

- B. Presentation by Bell County Tax Assessor Collector Shay Luedeke of the Annual Child Safety check from Bell County to the Village of Salado.

Tax Assessor Collector Shay Luedeke reported on a higher number of vehicle registrations this year and presented historical statistics on allocations to the Village. He cited statutory language regarding allowed expenditures of funds and presented a check in the amount of \$2,687.76. As these funds may be spent on child safety programs such as school crossing guards, Village Administrator Ferguson advised that the Board will consider an item on its next agenda to assign these funds to Salado ISD, in keeping with past tradition.

- C. Introduction of new Village of Salado employees by the Village Administrator.

Village Administrator Ferguson introduced newly hired Assistant Village Administrator Stacey Ybarra and Utility/Permit Clerk Leticia Gauna and spoke highly of both employees' experience and qualifications.

- D. Presentation by representatives of Oncor regarding a recent review of the local Oncor Distribution System (*see Agenda Addendum, page 11 of these minutes*)

Oncor Distribution District Manager Brent Makovy gave a presentation on improvements to Oncor's delivery of power; service area; corporate structure/history; system reliability; existing infrastructure and planned improvements/expansions/upgrades; and winter preparedness.

Discussion addressed alternate utility pole routes, including possible underground lines and associated challenges; lack of available power during last winter's storm event; Oncor's role as a delivery company; and additions to routine maintenance.

1. Citizens Communications

Jeffrey W. McClure of 123 Rock Creek thanked the Board for its service and commented on past ordinances relating to firearms and parking that he did not support. He commended the Village's mobile food vehicle ordinance as exemplary. He detailed his opposition to criminal penalties for ordinance violations, which he felt would be better resolved as civil matters. He specifically referenced Ordinance No. 2020-09 regulating parking of large trucks on residential properties and cited various weight ratings of trucks that would be in violation of the ordinance. He cited Texas Transportation Code §522.003(5), which defines "commercial motor vehicle," and felt that Ordinance 2020-09 should be reconsidered to remove criminal penalties in favor of civil penalties. Discussion between Mayor Coggin and Village Administrator Ferguson established that penalty provisions are ultimately the Board's decision and can be reviewed by the Village's attorney for possible future reconsideration.

Linda Reynolds of 1110 Mill Creek Drive asked if north side development is being abandoned for Belton. She thanked the Board for its hard work and expressed hope that the current Board and Mayor Coggin might have made progress bringing businesses on the north side of Salado into the Village and connecting them to the sewer system. She questioned whether the Village has totally abandoned the hotels and "the 2484 corner." She asked "Will Belton will soon swoop in and own property which has been a huge tax profit for Salado for years?"

2. Consent Agenda

- A. Approval of minutes of the Regular Board of Aldermen meeting of November 18, 2021.
- B. Approval of the November 2021 Financial Statements for the Village of Salado (*see Agenda Addendum, page 10 of these minutes*).

Alderman Cole moved to approve all Consent Agenda items, including Addendum Item 2B, as presented. Alderman Cox seconded. Motion carried on a vote of 5-0.

3. Discuss and Consider Possible Action Regarding Any Item Removed from the Consent Agenda

No items were removed.

4. Status Reports

A. Village Administrator's Report

- **Wastewater Extension Project Update**

Village Administrator Ferguson reported crews have started work on service extensions to the Library, with Salado Plaza and West IH-35 extensions to follow. He advised preparations are underway to annex the subject properties and anticipated a 90-day project completion timeframe.

- **American Rescue Plan Act Funding Plan Status Report**

Village Administrator Ferguson reported bids are being sought for sawtooth repairs on the South Ridge one-lane low water crossing to be done after the beginning of the year; design work has been authorized for the Mill Creek Drive Culvert Enhancement Project; and a Request for Qualifications (RFQ) will be issued after the new year for design of the Stagecoach Road/Chisholm Trail Drainage Improvement Project.

- **Salado Stroll Update**

Village Administrator Ferguson reported on record crowds for the kickoff parade; large crowds for both Stroll weekends; Main Street closure for the laser light show went well; initially installed solar powered rail lighting was vandalized the first weekend; string lighting installed for the second weekend; and significant trash issues during second weekend. He noted an after-event meeting will be held next week with the Chamber of Commerce to assess this year's event and plan for next year.

- **Sales Tax Collections**

Village Administrator Ferguson reported the December check, representing October sales, totaled \$60,722.81, an increase of 19 percent from the same period last year; Fiscal Year to Date collections totaled \$176,091.44, up 17 percent from the prior year; and collections are running about 2 percent ahead of budget.

- **Habitat Conservation Plan Update**

Village Administrator Ferguson reported an 11-member panel consisting of representatives from participating entities interviewed firms that responded to the Request for Proposals (RFP) for plan development; panel meeting to be held tomorrow to finalize a recommendation; and respondent cost proposals ranging from approximately \$1,300,000 to \$1,700,000. He advised of a phased approach to allow for entities to pursue grant funding opportunities.

In addition, Village Administrator Ferguson reported new radar speed signs will be installed on Salado Plaza and Old Mill Road. Discussion addressed the Village's cost-sharing for initial phase of Habitat Conservation Plan development and public parking signs. Mayor Coggin expressed appreciation to Tourism Director Howard and the Salado Police Department for their work in making Stroll a success. Regarding citizen comments from Linda Reynolds earlier in this meeting, Mayor Coggin and Village Administrator Ferguson spoke on the current status of north side development resulting from discussions over the past two years, including the developer's submission of a plat to the Planning & Zoning Commission and the Board of Aldermen in January. It was noted that the developer has requested deannexation for the portion within Belton's ETJ, as it was made clear to the developer that the Village wanted the business in Salado. Also noted were active discussions with Holiday Inn Express owners and another potential buyer of north side property regarding extension of wastewater service.

Additional discussion addressed future plans for Christmas decorations on streetlight poles and estimated January delivery of a back-ordered golf cart.

B. Salado Police Chief Status Report

- License Plate Reader Program Update

Chief Boone presented November statistics on number of license plate images captured (111,004); number of deleted license plates (80,113); no license plate images retained for investigative purposes; no system alerts; system used once for suspicious vehicle ID; number of times system used for criminal investigative purposes (4); system accessed by SPD (5) and SPD administrative use (12).

- Calls for Service Report

The following statistics were presented for November: a decrease in calls for service (499); 9 offense/incident reports; 5 supplemental reports; 4 crash reports; 2 warrants obtained; 31 citations issued; 143 warnings issued; 2 arrests; Priority 1-4 response times; and 135 house watches/security checks.

- Citizens on Patrol Program Update

Chief Boone reported that one business was found unsecured and the owner was contacted. He noted COP volunteers helped during the Scottish Gathering event/parade.

Discussion addressed additional license plate reader camera(s) on the west side; golf cart ordinance enforcement; ATV night driving; and increased number of license plate reads in November.

C. Salado Fire Chief Status Report

- Calls for Service

No report was heard.

D. Tourism Director's Report

- Salado Marketing Activities

Tourism Director Andrea Howard reported on the following November marketing statistics: number of website/app users (275), including percentage of new/returning visitors; 327 total sessions and increased total pageviews; and upcoming attendance at a one-day Southwest Showcase event in Austin on January 26th in partnership with the Bell County Expo Center and the Killeen and Temple Convention and Visitors Bureaus.

- Visitors Center Activities

Tourism Director Howard reported 793 visitors stopped in the Visitors Center, down 3 from October 2021. She reported on trolley service dates/hours for November and Stroll and thanked all of the volunteer trolley drivers.

- Upcoming Events

Tourism Director Howard provided details on the following upcoming events:

- Stagecoach Wine Trail; Axis Winery and Salado Winery (January 21-31)
- Northbound and Down Music Festival; Barrow Brewing (March 11-13)
- Wildflower Art and Craft Fair (March 26-27)
- Rogue Art and Wine Festival; Salado Winery (March 26-27)

Discussion addressed Salado's statewide standing as a tourist/event destination and January presentation to the Board of Aldermen on the impact of Hotel Occupancy Tax (HOT) funds disbursements.

5. Ordinances

- A. Consider approval of an ordinance of the Village of Salado, Texas authorizing and ordering the issuance of Village of Salado, Texas, permanent improvement refunding bonds; establishing parameters with respect to the sale of bonds and authorizing the pricing officer to approve the amount, interest rates, price and terms thereof, and enacting other provisions incident and related thereto. (*Village Administrator*)

Village Administrator Ferguson explained the proposed ordinance would allow the Village to take advantage of saving should interest rate conditions warrant and establishes parameters and procedures for refunding of the Village's wastewater bonds in a timely fashion to maximize savings for the Village. He noted that a similar "parameters" ordinance was adopted, but expired in May 2020.

Discussion among the Board, Village Administrator Ferguson, Financial Adviser Chris Lane, and Bond Counsel Jerry Kyle addressed rates for recent transactions; goal to achieve double the savings threshold; current interest rate; approximate closing timeframe; collateral capacity of lender; and estimates of potential savings dependent on rates.

Mayor Pro-tem Bell moved to adopt the “parameters” ordinance, as presented. Alderman Cole seconded. Motion carried on a vote of 5-0.

- B. Consider approval of an ordinance of the Village of Salado, Texas amending Ordinance 2019-06 establishing rates for wastewater service to be charged in the Village of Salado; and providing for the following: findings of fact; conflicts and repeal; effective date; no vested interest; penalties and enforcement; proper notice and meeting. (*Village Administrator*)

Village Administrator Ferguson advised this item will be continued until late January to allow for annual recalculation of rates based on prior year’s usage.

6. Discussion and Possible Action

- A. Discuss and consider possible action authorizing the Village Administrator to execute an interlocal agreement with the City of Temple regarding the implementation of a unified law enforcement reporting system for the Salado Police Department. (*Police Chief Pat Boone and Village Administrator*)

Village Administrator Ferguson briefly explained the purpose of this item, which would authorize the Village’s participation in a records management system (RMS), along with 15 other law enforcement agencies in Bell County, that would more efficiently obtain, assess, and utilize criminal information. He introduced City of Temple Police Chief Shawn Reynolds and Chief Boone, who were present to provide details on the proposed RMS and answer questions. Topics included:

- Advantages of a multi-agency database, including more effective information sharing and reduced costs for each participant in the consortium
- Domains and data sharing, including ability of each agency to define its own configuration and access to data and shared data management
- Memorandum of Understanding (MOU) setting out rights and responsibilities of agencies such as data input, hosting, and administering the RMS database
- Data quality standards
- Anticipated target date for project completion dependent

Discussion addressed benefits of sharing information using the proposed RMS; lower annual cost of using RMS versus existing CopSync system; collaboration among participating agencies to provide better level of service and crime fighting; Service Level Agreement; annual payment schedule and termination provisions; security safeguards; Village of Salado’s license plate reader data kept separate from RMS data as a standalone system; and remaining agencies scheduled to act on joining the consortium.

Alderman Graham moved to authorize execution of an interlocal agreement with the City of Temple regarding the implementation of a unified law enforcement reporting system for the Salado Police Department. Mayor Pro-tem Bell seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding proposed amendments to the Sanctuary Development Agreement. (*Mayor Michael Coggin*)

This item was heard after Agenda Item 6F.

Mayor Coggin advised that six months of negotiation have resulted in a draft agreement for Board consideration. He highlighted amendments to the following sections in the draft agreement:

- Replacing Section 6.03 Open Space in its entirety, with a recommendation to add a metes and bounds description for parkland in the ordinance amending the agreement
- Addition of Section 9.01(c) relating to Roadway Improvements, specifically acceptance by the Village of engineer-certified roadway improvements constructed by the Owners;
- Addition of Section 9.01(d) relating to Roadway Improvements, specifically acceptance by the Village of completed and operational street lighting, with the Village responsible for electricity costs and the Owners remaining responsible for maintenance and repairs
- Addition of Section 11.011 Issuance of PID Bonds, which does not obligate the Village to issue any PID bonds or levy a PID assessment, should a PID District be created
- Replacing Section 11.02 Hotel Occupancy Tax Reimbursement/Section 11.03 Economic Development Grants/Section 12.01 Term in its entirety, establishing an expiration date of January 1, 2036 for the agreement

Remaining amendments relate to certain terms and definitions in the Chapter 380 Economic Development Agreement and the Wastewater Service Agreement. Mayor Coggin noted addition of a new Section III(A) (3.4) System Credits regarding system credits of \$6,000,000 for wastewater impact fees. He also highlighted Section III(B)(6.3) Connection Easements, stating the Village will make rights-of-way/easements available for wastewater line improvements. He noted Section II(D) adds a new Section 1.141 Maximum Payment Amount specifying a total not to exceed \$3,000,000. In summary, Mayor Coggin said this agreement now has an expiration date and caps developer incentives to no more than \$9,000,000 (includes a maximum of up to \$3,000,000 in tax rebates), which is an improvement over the current agreement that does not contain an expiration date or caps. Village Administrator Ferguson stated the developer is working on submitting back-up documentation for incentives.

Discussion addressed legal review of the current agreement and proposed amendments. Discussion resulted in the following recommendations:

- Clarify that certification on the roadway's condition must be accepted by the Village's engineer prior to acceptance into the Village's road inventory
- Change Section 9.01(d) Roadway Improvements relating to street lighting from "The Village will. . ." to a stronger verb (such as *shall*)
- Addition of language to Section 9.01(d) to include an engineering assessment or warranty of 24 months to hold the developer to account for quality of the street lighting
- Change Section I(D)(11.011)(c) Issuance of PID Bonds from ". . .exceed the net proceeds of the PID bonds ~~to be~~ *if* issued by the Village."
- Change Section I(G)(12.01Term) and Section II(A)(Section 1.09 Expiration Date) to add time as follows: "This agreement shall expire on January 1, 2036 at 12:01 a.m."

- Specify \$3,000,000 figure as defined in Section 1.141 of “Maximum Payment Amount” at the end of Section II(E)(3.01 Annual Property Tax Grants); to the last sentence of this section, add “*and cannot be rolled over into subsequent years.*”
- Break down each sentence of Section III(B)(Section 6.3 Connection Easements) into separate subsections labeled A, B, C, etc.
- Emphasis that the Village is under no obligation to use power of eminent domain to obtain easements

Discussion addressed the Village’s oversight of wastewater connection plans and approval; effect of wastewater impact fee waivers on Village’s future expansion plans and anticipated impact fees collected from upcoming developments; wastewater line expansion or additional treatment plant as drivers for potential development; possible town hall meeting as an incentive for developer to renegotiate; need for more detailed park concept plans; planned Royal Street improvements and grant funding options; construction entrance off FM 2268 to minimize impact on Royal Street; other future developments that will cause increased traffic; and public messaging/education on the negotiation process and agreement amendments.

Alderman Graham moved to approve modification of the agreement, including the recommendations as discussed at tonight’s meeting for reconsideration by the Board, and to provide public information on the proposed amendments. Alderman Cox seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action approving the Construction Plat and Construction Plans for West Amity Duplexes located off West Amity Road in the E-T-J in the Village of Salado. (*Village Administrator*)

Village Administrator Ferguson advised that this item will be continued until the Board’s first meeting in January, pending Bell County Engineer’s concurrence on the plat/plans.

- D. Discuss and consider possible action approving the Concept Plan for Sage Hill at Amity located off FM 2484 within the E-T-J of the Village of Salado, Texas. (*Village Administrator*)

Village Administrator Ferguson reviewed the proposed Concept Plan for the 22.89-acre single phase residential development containing 30 lots. He highlighted subdivision access and water/wastewater services to be provided by Salado Water Supply Corporation and on-site septic facilities, respectively. He noted that the Planning & Zoning Commission recommended approval of this item at its December 14th meeting. The applicant’s engineer Monty Clark offered to answer any questions. Discussion reviewed changes made to the Concept Plan to bring it into compliance with the Village’s Subdivision Ordinance.

Alderman Cole moved to approve the Concept Plan for Sage Hill at Amity, as presented. Alderman Cox seconded. Motion carried on a vote of 5-0. (Mayor Pro-tem Bell acted as Presiding Officer for voting on this item, as Mayor Coggin briefly left the dais.)

- E. Discuss and consider possible action approving the creation of a task force to work on the development of an ordinance regulating the parking of recreational vehicles within the corporate limits of the Village of Salado. (*Village Administrator*)

Mayor Coggin reassumed duties as Presiding Officer at this time and introduced this item.

Village Administrator Ferguson spoke on the proposed task force's scope of work and membership consisting of two representatives from the Board of Aldermen (Aldermen Graham and Cox); two representatives from the Planning & Zoning Commission (Commissioners Cunningham and Lassiter); and one citizen representative, Jeff McClure.

Alderman Cole spoke of Mill Creek Property Owners Association status and deed restrictions/covenants regarding RVs. Village Administrator Ferguson responded that the Village does not enforce subdivision deed restrictions, explained that Village ordinances do not have to be consistent with deed restrictions, and noted that the more restrictive regulation would apply. He reminded that ordinances regulate the entire Village, not a single subdivision. Alderman Cox asked for feedback on regulating RV parking via the Village's Zoning Ordinance that includes a variance request process. He stressed the importance of public input on this issue in trying to come up with logical solutions. Brief discussion continued on enforcement and the task force's charge to develop regulations that will protect property owners, while maintaining safety and aesthetics.

Alderman Graham moved to approve creation of the task force, as presented. Mayor Pro-tem Bell seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider possible action approving the addition of Bluff Circle into the Village of Salado Street Maintenance inventory and declaring it a public street. (*Mayor Michael Coggin*)

This item was heard after Agenda Item 6A.

Village Administrator Ferguson advised that residents have been maintaining their small, cul-de-sac street over the years, but have approached the Village about the possibility of adding Bluff Circle to the Village's street maintenance inventory and declaring it a public street. He noted this is the first step of a process that will include future Board consideration and action.

Bluff Circle Homeowners Association President Danny Allen spoke on past maintenance and level of traffic. He requested the Village's assistance with ongoing maintenance. Discussion included possible reasoning for the street's original designation as private at the time of development; size of existing pothole(s) and associated cost estimates; understanding that the HOA will pay for pothole repairs; need for future drainage work; taxes paid by Bluff Circle residents for the road/property taxes; effect on the Village's roads budget; and historical imposition of HOA fees to help pay for road maintenance.

Alderman Cole moved to approve the addition of Bluff Circle into the Village of Salado Street Maintenance inventory and declaring it a public street. Alderman Graham seconded. Motion carried on a vote of 5-0.

- G. Discuss and consider possible action regarding the proposed extension of recent amendments made to the Village of Salado Subdivision Ordinance. (*Village Administrator*)

This item was heard after Agenda Item 6E.

Village Administrator Ferguson explained the need to extend the previously approved amendments to allow time for the Planning & Zoning Commission to complete its Subdivision Ordinance review and recommend changes to the Board. Discussion addressed various dates and the anticipated timeframe to complete the review.

Mayor Pro-tem Bell moved to extend the recent amendments to the Village of Salado Subdivision Ordinance through June 1, 2022. Alderman Graham seconded. Motion carried on a vote of 5-0.

- H. Discuss and consider issues relating to the proposed closure of the Main Street Bridge over the Salado Creek during future Christmas Stroll events. (*Alderman John Cole; this is a workshop item and no action will be taken on this item at this meeting*)

Alderman Cole favored closure in the interest of safety and provided examples of European cities that have closed streets to allow pedestrian-only traffic. He spoke of his own experience helping people cross the Main Street Bridge with strollers. He felt that shop owners would benefit from having pedestrian traffic made inviting by closing the street to vehicles and decorating for the holidays. Alderman Cox spoke of comments from business owners during the last Tourism Advisory Board meeting unanimously indicating that they did not favor street closure. Alderman Cox suggested making bridge traffic one-lane going one-way to the south and noted alternate routes to direct traffic around the south end of Main Street. Discussion addressed need for business owner input and a wider sidewalk on the bridge. Village Administrator Ferguson said there are abandoned bridge structures that may be available through TxDOT that can be elevated and made accessible for pedestrians. Mayor Coggin spoke on the history of similar discussions and felt there is some merit to having a brief "test" closure on one day in the winter and summer seasons, allowing for pedestrian traffic only, to gauge the effectiveness and impact of a such a closure. Mayor Coggin spoke of a previous proposal for a stepping stone project that would cross Salado Creek that was estimated would cost approximately \$600,000. Mayor Coggin suggested that Village Administrator Ferguson explore with TxDOT the option of spanning the creek with an abandoned bridge structure and asked that Tourism Director Andrea Howard work on a one-day trial run event that includes street/bridge closure. Mayor Coggin also suggested looking at the stepping stone project again as a possible alternative.

Addendum to Agenda

2. Consent Agenda

- B. Approval of the November 2021 Financial Statements for the Village of Salado.

All Consent Agenda items approved unanimously on 5-0 vote (*see page 2 of these minutes*).

Presentations

- D. Presentation by representatives of Oncor regarding a recent review of the local Oncor Distribution System. (*see page 2 of these minutes*)

Adjournment

Mayor Pro-tem Bell moved to adjourn. Mayor Coggin called the meeting adjourned at 9:28 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 6th of January, 2022.

APPROVED:

Michael Coggin, Mayor

ATTEST:

Cara McPartland, City Secretary

BOA Agenda Item Form



Date Submitted: January 3, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: CONSIDER APPROVAL OF MINUTES OF THE SEPTEMBER 9, 2021, SPECIAL MEETING OF THE BOARD OF ALDERMEN

Funds Required:
Funds Available:

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow board members to consider approval of the minutes of the September 9, 2021, Special Meeting of the Board of Aldermen.

**Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Special Meeting of Board of Aldermen
September 9, 2021 at 6:30 p.m.**

The Board of Aldermen meeting was called to order at 6:30 p.m. by Mayor Michael Coggin. *The meeting was conducted in person and by videoconference. Public participation was also available via videoconference.*

Board Members Present: Mayor Michael Coggin, Mayor Pro-tem Rodney Bell, Aldermen Paul Cox, D. Jasen Graham, and Jason Howard attended in person. Alderman John Cole was absent.

Staff Present: Village Administrator Don Ferguson

Public Hearing

Hold a public hearing regarding the proposed Ad Valorem Tax Rate for the 2021 Tax Year to help fund the Proposed Fiscal Year 2022 Operating Budget for the Village of Salado.
(Village Administrator)

Mayor Coggin introduced the item and Village Administrator Ferguson reviewed the proposed tax rates:

- Total rate of \$0.4953 (3.8 cents lower than the current tax rate of \$0.5339), consisting of a Maintenance & Operations (M & O) rate of \$0.1955 and a debt service rate of \$0.2998.

Village Administrator Ferguson explained that tonight's item is for public hearing only and advised the Board is scheduled to consider action at its meeting on September 16, 2021.

Mayor Coggin opened the public hearing at 6:32 p.m.

Michael MacDonald of 714 Rose Way spoke on the limited number of personnel and need for back-up for administrative duties during staff shortages. He said that he is not for or against creating an assistant administrator position, but understood the reasoning for creating the position, as he felt there is a need for a back-up in the event the Village Administrator is out of the office. He stated that he respected other community members' positions who do not agree and hoped everyone's opinions can be respected on both sides of the issue.

Hearing no further comments, Mayor Coggin closed the public hearing at 6:35 p.m.

Adjournment

Mayor Pro-tem Bell moved to adjourn. Alderman Graham seconded. Mayor Coggin called the meeting adjourned at 6:35 p.m.

Recorded by:

Don Ferguson

These minutes approved on the 6th of January, 2022.

APPROVED:

Michael Coggin, Mayor

ATTEST:

Cara McPartland, City Secretary

BOA Agenda Item Form



Date Submitted: January 3, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: CONSIDER APPOINTMENT OF JEFF MCCLURE TO THE VILLAGE OF SALADO PLANNING AND ZONING COMMISSION

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow board members to consider the appointment of Jeff McClure to the Village of Salado Planning and Zoning Commission.

Mr. McClure's application is attached. If appointed, Mr. McClure will fill the current regular member vacancy on the Commission.



APPLICATION FOR BOARDS AND COMMISSIONS

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS AND COMMISSIONS:
(PLEASE CHECK ONE)

- ☒ Planning and Zoning Commission
☐ Parks Advisory Board
☐ Economic Development Advisory Board
☐ Tourism Advisory Board
Other _____

PERSONAL INFORMATION

First Name Jeffrey Last Name McClure
Street Address 123 Rock Creek Drive
Street Address Line 2 P.O. Box 867
City Salado
Zip Code 76571
Email [REDACTED]
Phone Number (254) 258-2539 9203

Do you live inside the corporate limits of the Village of Salado? ☒ Yes ☐ No (Please Circle One)

QUALIFICATIONS

Please list any professional and/or community organizations and activities you are involved in. *St. Joseph's Committee member*
~~Harker Heights P&Z Board 2 years in 1990s. Treasurer St. Joseph's Ep's Ch.~~
Salado Rotary Club, member and past president

Please list any areas of expertise, experience, training, skills, or interests which you believe qualifies you for membership on this board or commission.

Harker Heights P&Z, 3 years in 1990s. Master of Science in Financial Planning
President of The Personal Wealth Coach, in Salado 21 years. 10 employees.

*Attach any additional documentation (resume, references, etc.)

CURRENT OR PREVIOUS PUBLIC SERVICE

Are you currently serving on a Village of Salado board or commission?

Yes ☒ No ☐ (Please Circle One)

Have you ever served on a Village of Salado board or commission?

Yes ☒ (Please Circle One)

Do you have any relatives or members of your household serving as an elected or appointed official of the Village of Salado?

Yes ☒ (Please Circle One)

ETHICS AGREEMENT

Have you ever been convicted of a crime, excluding traffic violations?

Yes ☒ (Please Circle One)

Do you know of any reason you might have a conflict of interest because of your service on the board or commission that you are applying for? If so, please list below:

No

SUPPLEMENTAL QUESTIONS

Have you ever attended a meeting of the board or commission you are applying for?

Yes ☒ (Please Circle One)

Why are you willing to commit time to volunteer for this appointed position?

Community Service and a desire to work toward reasonable and enforceable zoning and other ordinances. Desire to see Salado grow and prosper in a well planned manner.

PLEASE READ THE FOLLOWING STATEMENT CAREFULLY BEFORE SUBMITTING YOUR APPLICATION:

I CERTIFY THAT ALL STATEMENTS THAT I HAVE MADE ON THIS APPLICATION AND ANY OTHER SUPPLEMENTARY MATERIALS ARE TRUE AND CORRECT. I HEREBY AUTHORIZE THE VILLAGE OF SALADO TO INVESTIGATE THE ACCURACY OF THIS INFORMATION FROM ANY PERSON OR ORGANIZATION, AND I RELEASE THE VILLAGE OF SALADO AND ALL PERSONS AND ORGANIZATION FROM ALL CLAIMS AND LIABILITIES ARISING FROM SUCH INVESTIGATION OR THE SUPPLYING OF INFORMATION FOR SUCH INVESTIGATION. I ACKNOWLEDGE THAT ANY FALSE STATEMENT OR MISREPRESENTATION ON THIS APPLICATION OR SUPPLEMENTARY MATERIALS WILL BE CAUSE FOR REFUSAL OF APPOINTMENT OR IMMEDIATE DISMISSAL AT ANY TIME DURING THE PERIOD OF MY APPOINTMENT.

Jeffrey D. McClure
Applicant Signature

1/3/2021
Date

BOA Agenda Item Form



Date Submitted: January 2, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: CONSIDER ACTION
REGARDING ANY ITEMS REMOVED FROM THE
CONSENT AGENDA

Funds Required:
Funds Available:

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow board members to discuss and consider approval of any items removed from the Consent Agenda.

BOA Agenda Item Form



Date Submitted: January 3, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: VILLAGE ADMINISTRATOR'S
STATUS REPORT

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☐ Motion
- ☒ Discussion

Project/Proposal Summary:

- Wastewater Bond Refunding Update
- FY 2021 Audit Update
- Speed Control Signage Update
- 2021 Development Activity Update
- R-V Ordinance Task Force Update
- Habitat Conservation Plan Update

BOA Agenda Item Form



Date Submitted: January 2, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: SALADO POLICE CHIEF
STATUS REPORT

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☐ Motion
- ☒ Discussion

Project/Proposal Summary:

- Calls for Service Report
- License Plate Reader Program Update
- Citizens on Patrol Program Update

BOA Agenda Item Form



**Village
of Salado**

Date Submitted: January 2, 2022

Agenda Date Requested: January 6, 2022

**Project/Proposal Title: SALADO FIRE CHIEF
STATUS REPORT**

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☐ Motion
- ☒ Discussion

Project/Proposal Summary:

- Calls For Service

BOA Agenda Item Form



Date Submitted: January 2, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: TOURISM DIRECTOR'S
STATUS REPORT

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☐ Motion
- ☒ Discussion

Project/Proposal Summary:

- Salado Marketing Activities
- Visitors Center Activities
- Upcoming Events

BOA Agenda Item Form



Date Submitted: January 2, 2022

Agenda Date Requested January 6, 2022

Project/Proposal Title: CONSIDER ORDINANCE ORDERING A GENERAL ELECTION ON MAY 7, 2022, TO ELECT A MAYOR AND TWO (2) ALDERMEN

Council Action Requested:

- ☒ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow board members to discuss and consider calling a General Election for the Village of Salado in May 2022. Salado voters will be electing a Mayor and two (2) Aldermen.

The Village's General Election will be part of a joint election held with the Salado ISD and the Salado Public Library District.

Election Day will be Saturday, May 7, 2022. The election day polling place will be the Salado Civic Center where the polls will be open from 7 a.m. to 7 p.m.

Early voting by personal appearance will also be conducted at the Salado Civic Center on Monday, April 18, 2022, from 7 a.m. to 7 p.m.; Tuesday, April 19, 2022, through Friday, April 22, 2022, from 8 a.m. to 5 p.m.; Saturday, April 23, 2022, from 10 a.m. to 2 p.m.; Monday, April 25, 2022, from 7 a.m. to 7 p.m.; and Tuesday, April 26, 2022, from 8 a.m. to 5 p.m.

Approval of the attached ordinance is necessary to proceed with preparations for the election.

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, ORDERING A GENERAL ELECTION ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) ALDERMEN OF THE VILLAGE OF SALADO BOARD OF ALDERMEN; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THE ELECTION; MAKING OTHER PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the Village of Salado ("Village") desires to hold a General Election on May 7, 2022, for the purpose of electing a Mayor and two (2) Aldermen of the Village of Salado Board of Aldermen; and

WHEREAS, the Board of Aldermen has the authority, pursuant to Chapter 271, Texas Election Code, to enter into a joint election agreement with the Salado Independent School District ("Salado ISD") and the Salado Public Library District which are political subdivisions holding elections on the same day in all or part of the same territory; and

WHEREAS, this ordinance is in furtherance of the public interest, for the good of government, peace and order of the Village, and necessary and proper for carrying out the power granted by law to the Village.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:

SECTION 1. Call of Election; Date; Eligible Electors; and Hours. A General Election ("election") is ordered to be held, at a polling place and election precinct within the corporate limits of the Village of Salado, as hereinafter designated, on Saturday, May 7, 2022, from the hours of 7:00 a.m. to 7:00 p.m., at which election there shall be elected a Mayor and two (2) Aldermen for the Village of Salado. The Mayor and two (2) Aldermen shall be elected to serve a term of two (2) years. All residents, qualified electors of the Village shall be entitled to vote in the election. Each voter may vote for a Mayor and two (2) Aldermen. The Mayor and two (2) Aldermen candidates receiving the highest number of votes shall be elected.

SECTION 2. Voting Precincts. The boundaries and territory of the respective Bell County Election Precinct that is within the territorial boundaries of the Village is hereby designated as the voting precinct of the Village for the election. The precinct number for the Village's election precinct shall be the corresponding Bell County Election Precinct Number (s) of the precinct.

SECTION 3. Voting Locations. The polling place for the election precinct for this election shall be as follows:

Village of Salado
Salado Civic Center
601 N. Main Street
Salado, Texas 76571

SECTION 4. Conduct of Election and Election Services Contract. Pursuant to Chapter 271 of the Texas Election Code, the election shall be conducted under the terms and conditions of an agreement between the Village of Salado, Salado ISD and the Salado Public Library District ("The Joint Election Agreement") which the Board of Aldermen shall approve by separate resolution, prior to the Election. A copy of the approved Joint Election Agreement shall be attached and labeled as "Exhibit A" to this Ordinance and incorporated by reference as it is fully set out herein. Chapter 271 of the Texas Election Code provides that all authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Board is expressly authorizing this action.

SECTION 5. Appointment of Election Officers. The Board of Aldermen shall appoint a Joint Election Officer, Presiding Judge and Alternate Presiding Judge, by separate resolution, prior to the Election. The Presiding Judge may appoint up to four (4) clerks to serve and assist in conducting the election. The Alternate Presiding Judge shall be one of the clerks.

Each Presiding and Alternate Presiding Judge shall be given written notice of the appointment in accordance with Texas Election Code Section 32.009. Each Presiding Judge shall be served with a writ of election (notice of election) in accordance with Texas Election Code Section 4.007.

The Presiding Judge and election clerks shall be compensated at a rate of pay established in the Joint Election Agreement approved by the Village of Salado, Salado Independent School District and the Salado Public Library District by separate resolution in advance of the election. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the "Election Code") and other applicable laws.

SECTION 6. Early Voting. The Board of Aldermen shall appoint a deputy early voting clerk for early voting for the Village who shall also serve as the joint early voting clerk, as provided in the Joint Election Agreement. The appointment shall be made prior to the Election.

SECTION 7. Early Voting by Personal Appearance. The polling place for early voting by personal appearance for the Village election is:

Village of Salado
Salado Civic Center
601 N. Main Street
Salado, Texas 76571

Early voting by personal appearance shall be conducted on Monday, April 18, 2022, from 7 a.m. to 7 p.m.; Tuesday, April 19, 2022, through Friday, April 22, 2022, from 8 a.m. to 5 p.m.; Saturday,

April 23, 2022, from 10 a.m. to 2 p.m.; Monday, April 25, 2022, from 7 a.m. to 7 p.m. and Tuesday, April 26, 2022, from 8 a.m. to 5 p.m.

SECTION 8. Early Voting by Mail. Early voting by mail shall be conducted in accordance with applicable provisions of the Texas Election Code. Ballot applications and ballots voted by mail shall be sent to: Salado ISD, Attn: Deputy Early Voting Clerk, P.O. Box 98, Salado, Texas, 76571. Applications for ballot by mail must be received no later than the close of business on Tuesday, April 26, 2022.

SECTION 9. Early Voting Ballot Board. The Board of Aldermen will appoint the Presiding Judge of the Early Voting Ballot Board at a subsequent meeting. The Presiding Judge shall appoint two or more election clerks, and such judge and clerks shall constitute the Early Voting Ballot Board. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Salado ISD, 601 N. Main Street/P.O. Box 98, Salado, Texas 76571 in accordance with the Election Code. The Early Voting Ballot Board shall perform its duties in accordance with applicable provisions of the Election Code.

SECTION 10. Ballots and Election Expenditures Authorized. All ballots shall be prepared in accordance with the Texas Election Code. The ballots shall be printed in both English and Spanish and shall conform to the requirements of the Texas Election Code. The Village of Salado shall provide at least one (1) ExpressVote (ESS) voting system and at least one (1) DS200 Tabulating Unit in the polling place. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Election Judge or Alternate Election Judge. The cost of the Election shall be shared proportionately with the Salado ISD and the Salado Public Library District as provided in the Joint Election Agreement. All expenditures necessary for the conduct of the election, the employment of all election officials and the purchase of materials is hereby authorized.

SECTION 11. Custodian of Records. To the extent not otherwise provided in the Joint Election Agreement, City Secretary Cara McPartland is appointed as the Custodian of Records ("Custodian") to perform duties related to the conduct and maintenance of records of the election as required under the Texas Election Code ending not earlier than the fortieth (40th) day after the date of the Election. In particular, the Custodian shall provide applications for candidates, accept applications from candidates for a place on the ballot, determine the order in which names will appear on the ballot for the Mayor and Aldermen positions, and accept and maintain records regarding campaign expenditures that may be filed with the Village.

The Custodian shall maintain an office open for election duties for at least three (3) hours each day, during regular office hours, on regular business days during the period required by the Election Code. The Custodian shall post notice of the location and hours of her office as required by the Election Code.

Notwithstanding the foregoing, pursuant to Sections 66.058 and 271.010 of the Texas Election Code, prior to the Election, the Board of Aldermen shall appoint a Joint Custodian of Records

("Joint Custodian") for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes for the period of preservation required by the Election Code.

SECTION 12. The election shall be held under, and in accordance with the laws of the State of Texas.

SECTION 13. Notice. Notice of the election, including a Spanish translation thereof, shall be published at least once in a newspaper published within the territory of the Village of Salado on or before April 27, 2022 and shall be posted on the bulletin board at the Municipal Building on or before April 16, 2022. The City Secretary shall cause the notice of the Election to be published.

SECTION 14. Election Information to be provided in Spanish. Election notices, instructions, orders, ballots and other written material pertaining to the Election shall be translated into and furnished to voters in both the English and the Spanish language.

SECTION 15. Severability. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance and the application of such provision to other persons and circumstances shall remain valid and in full force and effect, and the Board of Aldermen hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 16. Conflicting Provisions. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 17. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 18. Proper Notice and Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was acted upon was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 19. Authorization to Execute. The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Board; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

SECTION 20. Effective Date. This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED by the Village of Salado Board of Aldermen on the 6th day of January, 2022, by a vote of ____ (Ayes) and ____ (Nays) and ____ (Abstentions).

VILLAGE OF SALADO

By: _____
Michael Coggin, Mayor

ATTEST:

Cara Mc Partland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Josh Katz, City Attorney

BOA Agenda Item Form



Date Submitted: January 3, 2022

Agenda Date Requested: January 6, 2022

Project/Proposal Title: HOLD A PUBLIC HEARING AND CONSIDER ACTION REGARDING PROPOSED REVISIONS TO THE SANCTUARY DEVELOPMENT AGREEMENT

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda by Mayor Michael Coggin to allow board members to hold a public hearing and consider possible action regarding proposed revisions to the Sanctuary Development Agreement ("Agreement").

In recent months, Mayor Coggin and Sanctuary representatives have been in discussion regarding the possibility of revising the Agreement to make it more equitable for the Village and its taxpayers. Several amendments to the Agreement are proposed to accomplish this goal including, but not limited to, the following:

- Require that roadways in the development are free of defect and damage prior to Village acceptance.
- Require that the developer, and not the Village, be responsible for the cost of maintenance of the decorative street lighting in the development.
- Ensure the Village is under no obligation to issue Public Improvement District Bonds
- Cap the total amount of sales tax, property tax and rollback grants to be paid to the developer in the Agreement at \$3 million.
- Waive \$6 million in Wastewater Impact Fees
- Establish an expiration date for the Agreement of 12:01 a.m. on January 1, 2036.

It should be noted that the Village has requested the developer provide updated calculations on anticipated sales tax, property tax and rollback grants for the term of the Agreement. That information has not yet been provided. That said, Village calculations, based on the best available information, indicate the proposed grant cap will result in a significant savings for the Village, should the development set forth in the Agreement occur.

After consultation with the Village's legal counsel, the decision was made to present the proposed changes in the First Amendment to the Agreement with signatures rather than as an ordinance. The same signature format was used to approve the original Agreement.

Attached is a copy of the proposed First Amendments to the Sanctuary Development Agreement for review and consideration.

**FIRST AMENDMENTS TO MASTER DEVELOPMENT AGREEMENT, CHAPTER 380
ECONOMIC DEVELOPMENT AGREEMENT, AND WASTEWATER SERVICE
AGREEMENT**

Between Village of Salado, Texas

And

**Sanctuary Property Owners
(Sanctuary Community)**

THE STATE OF TEXAS

§

§

COUNTY OF BELL

§

These First Amendments to the Master Development Agreement and Chapter 380 Economic Development Agreement are entered into between (i) the VILLAGE OF SALADO, a Type A general law municipality of the State of Texas, and (ii) BILLIE HANKS, JR. an individual, HANKS-CABINESS TRUST, BHHC CHRISTIAN DEVELOPMENT, LLC, a Texas limited liability company, BHHC CHRISTIAN DEVELOPMENT I, LLC, a Texas limited liability company, BHHC CHRISTIAN DEVELOPMENT II, LLC, a Texas limited liability company, BHHC CHRISTIAN DEVELOPMENT III, LLC, a Texas limited liability company, HEIDI HANKS WATERS, an individual, HEATHER HANKS MCGREADY, an individual, OLD WORLD BBD, INC., a Texas corporation, and SANCTUARY SALADO INVESTMENT II, LLC, a Texas limited liability company, and their respective successors and assigns (each individually referred to herein as an "Owner", and collectively referred to herein as the "Owners"). In these Amendments, Village and Owners are sometimes individually referred to as a "Party", and collectively referred to as the "Parties".

The First Amendments to the Wastewater Service Agreement are entered into between the VILLAGE OF SALADO, a Type A general law municipality of the State of Texas ("Village"), and SANCTUARY DEVELOPMENT COMPANY, LLC, a Texas limited liability company ("Developer") and any of its successors and assigns.

RECITALS

WHEREAS, On November 25, 2015 the Parties entered into a Master Development Agreement, a Chapter 380 Economic Development Agreement, and the Village and Developer entered into a Wastewater Service Agreement; and

WHEREAS, the Master Development Agreement incorporates and references the Chapter 380 Economic Development Agreement and the Wastewater Service Agreement (among other agreements); and

WHEREAS, the property involved in these Agreements was annexed into the Village and zoned in accordance with the provisions of the Master Development Agreement in early 2016; and

WHEREAS, with the passage of time and the evolution of the marketplace, the Parties to these Agreements desire to modify certain terms and provisions to better align with their respective goals and expectations and to clarify certain terms and provisions to ensure the development proceeds efficiently and without ambiguity.

NOW THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements of the Parties contained herein, the Parties agree as follows:

**I.
AMENDMENTS TO THE MASTER DEVELOPMENT AGREEMENT**

A, Section 6.03 Open Space is deleted entirely, and replaced with the following:

Parkland as designated by the developer will remain the property of the developer, owned by the developer and maintained by the developer. The six (6) lakes area is considered possible for conveyance to the Village at a later date for Village ownership. Maintenance and accessibility responsibilities will be discussed and included in this possible conveyance.

B. Section 9.01 Roadway Improvements is amended by adding the following subsection (c):

The Village will accept roadway improvements constructed by Owners (or their agents) only upon application of the final layer of asphalt or other topping, which shall not occur until the Parties agree that construction traffic is no longer significantly using the roadway(s) being submitted for acceptance. Additionally, Owners must obtain certification from an engineer that the roadway(s) being submitted for acceptance by the Village is free of defect or damage from construction activities. This certification must be provided at the time the roadway(s) is submitted for Village acceptance. Prior to acceptance of the roadway (s), the Village Engineer shall the review the certification to determine whether the roadway(s) submitted for Village acceptance meets the standards for acceptance by the Village as set forth in this section.

C. Section 9.01 Roadway Improvements is amended by adding the following subsection (d):

The Village will accept street lighting associated with the roadway improvements when the street lighting is completed and operational. Village approval of the street lighting design shall be required prior to installation of the street lighting. The Village will thereupon assume responsibility for the costs of electricity used by the street lighting. Owners or their agents shall remain responsible for maintenance

and repair of the street lighting, due to the non-standard nature of the street lighting associated with the Project.

D. **Section 11 Economic Incentives** is amended by adding a new **Section 11.011 Issuance of PID Bonds** as follows:

11.011 Issuance of PID Bonds. Creation of the PID District by the Village pursuant to Chapter 372 of the Texas Government Code does not obligate the Village to issue any PID Bonds or to levy a PID assessment.

The Village shall not issue any bonds until the Village Board of Aldermen can make the following findings:

- a. That all submitted information required by Section 11.01 establishes that the Project Costs accurately align with the PID Project Facilities contained in the Service and Assessment Plan; and
- b. That only public improvements are included in the Project Costs; and
- c. That Owner(s) have provided adequate security and established the financial ability to cover any cost overruns if the Project Costs exceed the net proceeds of the PID Bonds if issued by the Village.

The Village may also require the determination of a third party, including but not limited to its Financial Advisor or another outside consultant, that the PID Bonds will be adequately supported by the assessments to be charged, without negatively affecting the viability of the project.

E. **Section 11.02 Hotel Occupancy Tax Reimbursement** is deleted and replaced with the following:

As part of the approved Program, upon the effective date of the Master Development Agreement, the Parties entered into the Tourism Marketing Agreement, attached to the Master Development Agreement and incorporated therein as Exhibit "I". The Parties hereby agree that the Tourism Marketing Agreement may be amended or revised by the Parties in the future without need of formally amending the Master Development Agreement.

F. **Section 11.03 Economic Development Grants** is deleted and replaced with the following:

As part of the approved Program, upon the effective date of the Master Development Agreement, the Parties entered into the Chapter 380 Economic Development Agreement, attached to the Master Development Agreement and incorporated therein as Exhibit "J". The Parties hereby agree that the Tourism

Marketing Agreement may be amended or revised by the Parties in the future without need of formally amending the Master Development Agreement.

- G. **Section 12.01 Term** is deleted and replaced with the following:

This Agreement shall expire at 12:01 a.m. on January 1, 2036.

- H. **Section 13.04 Applicable Law; Venue** is deleted and replaced with the following:

This Agreement shall be governed by the laws of the State of Texas, without giving effect to any conflicts of law provision, rule, or principle therein that would result in the application of the law of another jurisdiction. Venue for any action concerning this Agreement shall be exclusively in the State District Court of Bell County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court for any actions arising out of or concerning this Agreement.

II.

AMENDMENTS TO THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

- A. **Section 1.09 "Expiration Date"** is deleted and replaced with the following:

"Expiration Date" shall mean 12:01 a.m. on January 1, 2036.

- B. **Section 1.17 "Property Tax Grant"** is deleted and replaced with the following:

"Property Tax Grant" shall mean annual economic development grants to be paid to each respective Owner to offset a portion of the Owner's costs of development of the Land, in an amount equal to fifty percent (50%) of the Incremental Tax received by the Village associated with Improvements constructed within the Project.

- C. **Section I. Definitions** is amended by adding a new **Section 1.131 "Incremental Tax"** as follows:

1.131 "Incremental Tax" means the Tax paid by the Owner as of January 1st of a given year less the "Base Year Tax".

- D. **Section I. Definitions** is amended by adding a new **Section 1.141 "Maximum Payment Amount"** as follows:

1.141 "Maximum Payment Amount" means the total not to exceed amount of cash incentives which may be paid to Owners by the Village as Sales Tax,

Property Tax, or Rollback Grants during the term of this Agreement, which amount shall not exceed THREE MILLION DOLLARS (\$ 3,000,000. 00).

E. **Section 3.01 Annual Property Tax Grant** is deleted and replaced with the following:

3.01 Annual Property Tax Grants. Subject to the continued satisfaction of all terms and conditions of this Agreement, the Village shall, during the term of this Agreement, agree to pay a Property Tax Grant annually in an amount equal to fifty percent (50%) of the Incremental Tax collected by the Village for the preceding calendar year in accordance with the terms of this Agreement. The total amount of all Grants, inclusive of Property Tax Grants, Rollback Grants, and Sales Tax Grants paid to Owners under this Agreement shall not exceed the Maximum Payment Amount as defined in Section 1.141.

For the avoidance of doubt, this means that if Improvements constructed within the Project before the Expiration Date do not generate sufficient Sales Tax and Incremental Tax to warrant payment of the Maximum Payment Amount, the Village is under no obligation to pay the Maximum Payment Amount.

Similarly, if the Improvements constructed within the Project generate sufficient Sales Tax and Incremental Tax to warrant payment of the Maximum Payment Amount before the Expiration Date, this Agreement terminates upon payment of the Maximum Payment Amount and Owners are not entitled to any further Grants of any kind.

Each Owner collectively and individually expressly agrees that all Property Tax Grant payments from Village shall be delivered to and collected by Sanctuary Development Company, LLC ("Developer") and its successors and assigns for distribution and delivery to Owners. Developer may distribute and/or expend the funds of such payment as provided by separate agreement with the Owner(s) as applicable and cannot be rolled over in subsequent years.

Payment of the annual Property Tax Grants shall be made within sixty (60) days of receipt of a payment request from an Owner. Beginning with the first year following construction of Improvements an Owner may submit a payment request during the period commencing July 1 and ending on December 31 of any given year. The failure by an Owner to timely submit a payment request to the Village Administrator shall result in the forfeiture of the Chapter 380 Payment attributable to that tax year.

In no event will the Property Tax Grant paid in connection with a tax year exceed the amount of ad valorem taxes actually collected by the Village on the property by July 1 for such tax year.

F. **Section III, Economic Development Grants** is hereby amended by adding a new **Section 3.04 Annual Sales Tax Grant**, as follows:

3.04 Annual Sales Tax Grants. Subject to the continued satisfaction of all terms and conditions of this Agreement, the Village shall, during the term of this Agreement, agree to pay a Sales Tax Grant annually in an amount equal to fifty percent (50%) of the sales taxes collected from businesses located within the Project. The total amount of all Grants inclusive of Sales Tax Grants, Property Tax Grants and Rollback Tax Grants paid to Owners under this Agreement shall not exceed the Maximum Payment.

For the avoidance of doubt, this means that if Improvements constructed within the Project before the Expiration Date do not generate sufficient Sales Tax and Incremental Tax to warrant payment of the Maximum Payment Amount, the Village is under no obligation to pay the Maximum Payment Amount.

Similarly, if the Improvements constructed within the Project generate sufficient Sales Tax and Incremental Tax to warrant payment of the Maximum Payment Amount before the Expiration Date, this Agreement terminates upon payment of the Maximum Payment Amount and Owners are not entitled to any further Grants of any kind.

Payment of the annual Sales Tax Grants shall be made within sixty (60) days of receipt of a payment request from an Owner. Beginning with the first year following construction of Improvements an Owner may submit a payment request during the period commencing April 1 and ending on December 31 of any given year. The failure by an Owner to timely submit a payment request to the Village Administrator shall result in the forfeiture of the Chapter 380 Payment attributable to that tax year.

III. AMENDMENTS TO THE WASTEWATER SERVICE AGREEMENT

A. **Section III, Rates, Fees, Charges, and Other Payment Obligations** is amended by adding a new **Section 3.4 System Credits** as follows:

3.4 System Credits. As consideration for the construction of the Internal Facilities and conveyance of the Internal Facilities to the Village, Developer shall receive a system credit of SIX MILLION DOLLARS (\$6,000,000.00) that can be taken as a waiver of wastewater impact fees for specific applicants for retail service within the Property.

Developer is responsible for notifying the Village of which applicants are to be allowed a portion of the system credit for their wastewater impact fees. Applicants seeking retail service with a system credit for impact fees that are not accompanied by a written instrument from Developer acknowledging the applicant is to be allowed a system credit shall be returned for clarification.

- B. **Section 6.3 Connection Easements** is deleted and replaced with the following:

6.3 Connection Easements. Village will make existing right-of-way and/or existing non-exclusive easements available for the connection of the Internal Facilities to the Royal Street Wastewater Line Improvements.

- A. Developer is responsible for securing and obtaining any other easements that are necessary to connect the Internal Facilities to the Village System.
- B. In the event Developer is unable to secure such easements, Village agrees to work with Developer and any property owners to obtain the necessary easements.

- C. **Section 11.5 Governing Law** is deleted and replaced with the following:

13.04 Applicable Law; Venue. This Agreement shall be governed by the laws of the State of Texas, without giving effect to any conflicts of law provision, rule, or principle therein that would result in the application of the law of another jurisdiction. Venue for any action concerning this Agreement shall be exclusively in the State District Court of Bell County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court for any actions arising out of or concerning this Agreement.

BOA Agenda Item Form



Date Submitted: January 3, 2022

Agenda Date Requested January 6, 2022

Project/Proposal Title: CONSIDER ACTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT WITH A DESIGN-BUILD FIRM RELATING TO THE DEVELOPMENT OF THE ALL-ABILITIES PLAYGROUND AT PACE PARK

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow board members to discuss and consider authorizing the Village Administrator to negotiate a professional services agreement with a design-build firm relating to the development of an all-abilities playground at Pace Park.

Late last year, the Village issued a Request for Qualifications (RFQ) for firms interested in providing design-build services for the *Pace Park All-Abilities Playground Project*. The following three (3) firms responded to the RFQ:

- Braun & Butler Construction (Leander, TX)
- STR Contractors, LLC/Casabella Architects (Liberty Hill, TX)
- Webuildfun, Inc. (Austin, TX)

An interview board consisting of Alderman Jason Howard, Parks Advisory Board Chairwoman Amber Dankert, Assistant Village Administrator Stacey Ybarra, and Village Administrator Don Ferguson interviewed each firm in late December.

Afterwards, the interview board proposed the Parks Advisory Board ("Parks Board") recommend that Board of Aldermen authorize negotiations with the firm of Braun & Butler to design and build the planned all-abilities playground at Pace Park. The interview board's recommendation was based on the subject firm's design and construction experience, as well as their commitment to public engagement in the design process.

The Parks Board is scheduled to meet on January 4th to consider the interview board's recommendation.

Should the Board of Aldermen choose to authorize negotiations with a chosen firm, any negotiated agreement will be brought back for Board approval.

BOA Agenda Item Form



Date Submitted: January 2, 2022

Agenda Date Requested January 6, 2022

Project/Proposal Title: CONSIDER ACTION
ALLOCATING FUNDS RECENTLY PRESENTED
TO THE VILLAGE OF SALADO BY THE COUNTY
OF BELL

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

The item was placed on the agenda to allow board members to discuss and decide how to allocate the funds recently presented to the Village of Salado by the County of Bell. The funds came from a special fee levied by Bell County on vehicle registrations.

The funds must be spent on existing school crossing guard programs. If a crossing guard program doesn't exist, the funds may be spent on health, nutrition, child abuse prevention and intervention or drug and alcohol abuse prevention.

The Village staff recommends the funds be transferred to the Salado ISD to help fund any of the above-mentioned programs.

BOA Agenda Item Form



**Village
of Salado**

Date Submitted: January 2, 2022

Agenda Date Requested January 6, 2022

Project/Proposal Title: CONSIDER ACTION
REGARDING THE PROPOSED FISCAL YEAR 2023
BUDGET CALENDAR FOR THE VILLAGE OF SALADO

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

The item was placed on the agenda to allow board members to discuss and consider action regarding a proposed calendar relating to the development of the Fiscal Year 2023 Operating Budget for the Village of Salado.

The Village staff recommends approval of the proposed calendar, a copy of which is attached.



VILLAGE OF SALADO **FISCAL YEAR 2023 BUDGET** **PREPARATION CALENDAR**

March – June, 2022

- Village employee input into the development of a *5-Year Capital Improvement Plan & Needs Assessment* and a proposed FY 2023 Village of Salado Operating Budget

Thursday, June 9, 2022

- Publish notice calling for public input on FY 2023 Village of Salado Operating Budget

Saturday, June 18, 2022 (*Special Board of Aldermen Meeting*)

- Board of Aldermen Budget Goals & Priorities Workshop

Thursday, July 7, 2022 (*Regular Board of Aldermen Meeting*)

- Board of Aldermen Budget Work Session (Revenue)

Wednesday, July 20, 2022

- Anticipated receipt of Certified Appraisal Tax Roll from Bell County Appraisal District

Thursday, July 21, 2022 (*Regular Board of Aldermen Meeting*)

- Board of Aldermen Budget Work Session (Expenditures)
- Presentation to Board of Aldermen of *5-Year Capital Improvement Plan & Needs Assessment*

Monday, August 1, 2022

- Proposed Budget (Mayor Version) developed by the Mayor, presented to Board of Aldermen and copy placed with the City Secretary and the Salado Public Library

Thursday, August 4, 2022 (*Regular Board of Aldermen Meeting*)

- Budget work session
- Authorize “Notice of Public Hearing on Budget”
- Authorize “Notice of Public Hearing on Proposed Tax Rate”

Thursday, August 18, 2022 (*Regular Board of Aldermen Meeting*)

- Budget work session

Thursday, August 18, 2022

- “Notice of Public Hearing on Proposed Tax Rate” is published
- “Notice of Public Hearing on Proposed Budget” published

Thursday, August 25, 2022 (*Special Board of Aldermen Meeting*)

- Budget work session, **if necessary**

Thursday, September 1, 2022 (*Regular Board of Aldermen Meeting*)

- Public Hearing on Proposed Budget
- Budget work session, **if necessary**

Thursday, September 8, 2022 (*Special Board of Aldermen Meeting*)

- Public Hearing on Proposed Tax Rate, **if necessary**

Thursday, September 15, 2022 (*Regular Board of Aldermen Meeting*)

- Budget work session, **if necessary.**
- Adoption of Budget and Appropriation Resolution
- Adoption of Tax Rate

Friday, September 16, 2022

- Notify Bell County Appraisal District about approved tax rate