# Village Of Salado



# REGULAR BOARD OF ALDERMEN MEETING SALADO MUNICIPAL BUILDING 301 N. STAGECOACH - SALADO, TEXAS April 18, 2024, 6:30 P.M.

THIS WILL BE AN IN-PERSON MEETING THAT WILL ALSO BE AVAILABLE VIRTUALLY USING <u>YouTube</u> YOU CAN ACCESS THE MEETING FROM YOUR COMPUTER, TABLET OR SMARTPHONE USING THE FOLLOWING LINK:

www.youtube.com/@VillageofSalado



Jointhe meeting 5 minutes before posted start time.

#### **AGENDA**

CALL TO ORDER

APRIL 18, 2024, AT 6:30 P.M.

CALL OF ROLL

VILLAGE SECRETARY

INVOCATION

MAYOR MICHAEL COGGIN

### PLEDGE OF ALLEGIANCE / SALUTE TO THE TEXAS FLAG

### 1. <u>CITIZENS COMMUNICATIONS</u>

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 THE FINANCIAL STATEMENTS FOR THE VILLAGE OF SALADO.
- (B) APPROVAL OF MINUTES OF THE BOARD OF ALDERMEN MEETING ON APRIL 4, 2024.
- 3. <u>DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING ANY ITEM</u>
  REMOVEDFROMTHECONSENTAGENDA

### 4. STATUS REPORTS

- (A) VILLAGE ADMINISTRATOR'S REPORT
  - SALES TAX COLLECTIONS
  - RAIN, HAILSTORM, AND STORMWATER EVENT ON APRIL 9<sup>TH</sup>
  - UPDATE ON DISCUSSIONS WITH REPRESENTATIVES WITH THE FIRM OF JACOBS PERTAINING TO THE WASTEWATER TREATMENT PLANT
  - UPDATE ON CITY MAPS

### 5. DISCUSSION AND POSSIBLE ACTION

(A) DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST TO CLOSE ROYAL STREET ON OCTOBER 19TH, 2024, FROM 7:45 A.M. TO 8:45 A.M., FOR THE VOLKSRIDE AND VOLKSMARCH EVENT, AS REQUESTED BY MRS. KD HILL WITH BARROW BREWING COMPANY AND MS. BERTA DAVIS.

- (B) FIRST READING OF ORDINANCE NUMBER 2024-02, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, PROVIDING FOR THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF SMITH BLUFF ROAD AND SMITH BLUFF WAY, CREATING AN ALL-WAY STOP; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE: AND PROPER NOTICE AND MEETING.
- (C) FIRST READING OF ORDINANCE NUMBER 2024-03, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS GRANTING MUSTANG SPRINGS UTILITY, LLC CERTAIN POWERS, LICENSES, PRIVILEGES AND FRANCHISE TO OPERATE AND MAINTAIN A WATER UTILITY SYSTEM WITHIN THE VILLAGE; TO USE THE STREETS, AVENUES, EASEMENTS, RIGHT-OF-WAY, ALLEYS, HIGHWAYS, SIDEWALKS, AND BRIDGES IN SAID VILLAGE; PRESCRIBING CERTAIN RIGHTS, DUTIES, TERMS AND CONDITIONS; PROVIDING FOR THE PAYMENT TO THE VILLAGE OF A PERCENTAGE OF ITS TOTAL BILLED WATER USAGE; PROVIDING FOR ACCEPTANCE; AND PROVIDING FOR CERTAIN RELATED MATTERS.

### 6. EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE IN ACCORDANCE WITH THE STATUTORY AUTHORITY CONTAINED IN:

(A) SECTIONS 551.074. PERSONNEL MATTERS; CLOSED MEETING. TO DELIBERATE THE EMPLOYMENT, EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE: THE VILLAGE ADMINISTRATOR.

### 7. DISCUSSION AND POSSIBLE ACTION ON ITEMS FROM EXECUTIVE SESSION

(A) DISCUSS AND POSSIBLE ACTION ON AGENDA ITEM 6(A).

### **ADJOURNMENT**

### NOTE

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 April 12, 2024, by 5:00 p.m.

Debra Bean, 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 Debra Bean, City Secretary at 254-947-5060 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices may utilize the statewide Relay Texas Program at 1-800-735-2988.

# **BOA Agenda Item #1**



**Date Submitted:** 

Agenda Date Requested:

Project/Proposal Title:

CITIZENS COMMUNICATIONS

**Council Action Requested:** 

Ordinance Resolution Motion Discussion

### Project/Proposal Summary:

#### 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.

# BOA Agenda Item # 2(A)



Date Submitted:

Agenda Date Requested: April 15, 2024

Project/Proposal Title: CONSENT AGENDA	Council Action Requested: Ordinance Resolution Motion Discussion
Droiost/Droposal Summanu	
Project/Proposal Summary:  APPROVAL OF THE FINANCIAL S	STATEMENTS FOR THE VILLAGE OF SALADO.

# Village of Salado-General Fund Balance Sheet

	Mar 31, 24
ASSETS	
Current Assets Checking/Savings	
1002 · Horizon GF Operating xxx8101	992,031.88
1003 · Horizon Payroli xxx9962	50,046.06
1004 · Horizon Forfeiture xxx3514	6,510.82
1006 · Horizonx1297AllAbilitiesPlaygro	4,952.76
1099 · Petty Cash	100.00
Total Checking/Savings	1,053,641.52
Other Current Assets	
1100 · Investments	
1120 · TexPool	4,740.96
Total 1100 · Investments	4,740.96
1200 · Other receivables	
1213 · Credit Card Payments Receivable	1,486.72
1215 · Property Tax Receivable	15,546.68
1217 · Franchise Fee Receivable	37,406.04
1218 · Sales Tax Receivable	140,223.86
1219 · Mixed Beverage Receivable	6,178.69
Total 1200 · Other receivables	200,841.99
1205 - Due To/From Other Funds	
1225 · Due to WW Cust Deposit Fund	-200.00
1224 · Due From WW Operations	526,670.62
1206 · Due From Fund 200 - Hotel/Motel	20,216.98
Total 1205 · Due To/From Other Funds	546,687.60
Total Other Current Assets	752,270.55
Total Current Assets	1,805,912.07
Fixed Assets	
1700 · Land	45,576.83
1705 - Building	384,593.71
1730 · Machinery & Equipment	599,516.34
1740 · Infrastructure	1,851,720.70
1799 · Accumulated Depreciation	-998,344.26
Total Fixed Assets	1,883,063.32
Other Assets 1800 · Construction in Progress	239,571.84
Total Other Assets	239,571.84
TOTAL ASSETS	3,928,547.23
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	109,153.75
Other Current Liabilities	
2050 · Accrued Wages	17,332.84
2100 · Payroll Liabilities	21,384.69
•	- 35- 2 113-
2300 · Unearned ARPA Grant Revenue	500 440 00
2300.1 · ARPA Funding	588,413.30 503,634,86
2300.2 · ARPA Expenditures	-502,634.86
Total 2300 · Unearned ARPA Grant Revenue	85,778.44
2301 · Escrow- Subdivision	995,625.08

# Village of Salado-General Fund Balance Sheet

	Mar 31, 24
2700 · Deferred Revenue 2704 · Deferred Revenue - Ad Valorem	13,795.67
Total 2700 · Deferred Revenue	13,795.67
2899 · Reserved-LTPDF TruancyPrevFund	2,767.99
2900 · Reserved- Security Fee	4,336.99
2861 · Reserved Child Safety Fee	4,931.29
2862 · Reserved- Technology Fund	7,516.21
2864 · Reserved- Opioid Abatement	1,007.69
Total Other Current Liabilities	1,154,476.89
Total Current Liabilities	1,263,630.64
Total Liabilities	1,263,630.64
Equity	
3110 · Investments in Fixed Assets	2,122,635.16
32000 · Retained Earnings	978,952.29
Net Income	-436,670.86
Total Equity	2,664,916.59
TOTAL LIABILITIES & EQUITY	3,928,547.23

# Village of Salado-General Fund Profit & Loss Budget Performance

October 2023 through March 2024

	Oct '23 - Mar 24	Annual Budget	% of Budget
Ordinary Income/Expense			
Income			
4000 · GENERAL FUND REVENUE			
4100 · Tax Revenue			
4115 · Property Taxes	627,542.18	517,826.30	121.19%
4120 · Sales Tax Earned	434,574.23	850,000.00	51,13%
4130 · Mixed Beverages	20,908.21	40,000.00	52.27%
Total 4100 · Tax Revenue	1,083,024,62	1,407,826,30	76.93%
4150 · Franchise Fees			
4160 · Electric Franchise	123,435.45	140,000.00	88.17%
4165 · Telephone Franchise	11,160,60	23,000.00	48.52%
4170 · Waste Disposal Franchise Fee	7,972.20	30,000.00	26.57%
4175 · Cable Franchise	7,412.08	32,000.00	23.16%
4180 · Water Franchise	24,487.78	43,000.00	56.95%
Total 4150 · Franchise Fees	174,468.11	268,000.00	65.1%
4200 · Licenses, Permits, and Fees			
4210 - Sign Permit / Misc	275.00	500.00	55.0%
4215 · Service Fees (Burn)	120,00	250.00	48.0%
4216 · Service Fees (Itinerant Vendor)	1,125.00	2,000.00	56.25%
4230 · Building Permit Fees	48,424.11	120,000.00	40.35%
4260 · Certificate of Occupancy	940.00	5,000.00	18.8%
4270 · Contractor Registration	3,430.00	12,000.00	28,58%
Total 4200 · Licenses, Permits, and Fees	54,314.11	139,750.00	38.87%
4300 · Service Fees			
4310 · Subdiv/Plats/Waivers/Exceptions	9,120.00	38,500.00	23.69%
4315 · ZonIng/Variances	500.00	1,200.00	41.67%
4320 · Pace Park Rental Fees	582.00	3,500.00	16.63%
4330 · LEOSE	0.00	910.00	0.0%
4340 · Crash Report Fees	258.10	250.00	103.24%
Total 4300 · Service Fees	10,460.10	44,360.00	23.58%
4700 · Investment and other income			
4780 · Interest Income	9,965.75	9,300.00	107.16%
4790 · Other Income	75,099.01	50,000.00	150.2%
Total 4700 · Investment and other income	85,064.76	59,300.00	143.45%
4400 · Fines and Forfeltures	32,375.76	62,500.00	51.8%
Total 4000 · GENERAL FUND REVENUE	1,439,707.46	1,981,736.30	72.65%
Total Income	1,439,707.46	1,981,736.30	72.65%
Expense	.,,	.,,	
GENERAL FUND EXPENDITURES			
5000 · ADMINISTRATION DEPARTMENT			
5100 · Personnel Services			
5101 · Village Administrator Salary	90,257.89	150,000.00	60.17%

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	Oct '23 - Mar 24	Annual Budget	% of Budget
5102 · City Secretary Salary	24,033.46	74,500.00	32.26%
5103 · Assistant Village Administrator	37,036.50	80,080.00	46.25%
5104 · Receptionist Salary	2,692.50	21,000.00	12.82%
5121 · Payroll Tax- MC Admin	2,221.42	5,071.78	43.8%
5122 · Payroll Tax- SS Admin	9,498.50	21,686.23	43.8%
5123 · Payroll Tax- TWC Admin	281.75	45.00	626.11%
5126 · TMRS Contributions- Admin	15,043.22	23,567.29	63.83%
5127 · Health Care- Admin	9,484.59	37,013.82	25.62%
5128 · Pay Comparability Adjustment	2,000.00	2,000.00	100.0%
Total 5100 · Personnel Services	192,549.83	414,964.12	46.4%
5200 · Services			
5201 · Meeting Expense	632.03	250.00	252.81%
5202 · Bell Co Health Srvcs Contracts	5,994.00	6,500.00	92.22%
5203 · Printing Expense	364.00	500.00	72.8%
5204 · Telephone	1,669.73	3,750.00	44.53%
5205 · Equipment - Leased / Rented	1,930.25	3,909.15	49.38%
5206 · Interest Exp/Bank Fees	533.69	750.00	71.16%
5207 · BELLCAD	10,214.84	12,100.00	84.42%
5214 · Utilities	3,494.16	6,126.12	57.04%
5215 · Janitorial	1,422.00	2,844.00	50.0%
Total 5200 · Services	26,254.70	36,729.27	71.48%
5216 · Professional Fees			
5216-3 · Profess Fees - Accounting	36,150.00	52,100.00	69.39%
5216-4 · Profess Fees - Inspections	30,950.70	98,407.99	31.45%
5216-5 · Profess. Fees - Legal	35,066.61	42,500.00	82.51%
Total 5216 · Professional Fees	102,167.31	193,007.99	52.93%
5300 · Other Services & Charges			
5301 · Election Expenses	0.00	4,650.00	0.0%
5304 · Office Supplies	1,806.28	4,000.00	45.16%
5305 · Postage	630.94	3,000.00	21.03%
5306 · Bullding Supplies	0.00	250.00	0.0%
5307 · Building & Equipment - R & M	629.50	1,500.00	41.97%
5309 · Website	2,783.34	3,100.00	89.79%
5310 · Public Notices	1,238.00	2,000.00	61.9%
5311 · Insurance (TML Property & GL)	49,948.74	50,000.00	99.9%
5312 · Dues and Subscriptions	1,158.15	2,500.00	46.33%
5313 · Training & Travel	50.00	500.00	10.0%
5319 · Technology	16,060.01	25,000.00	64.24%
5320 · Special Projects	36,137.03	65,833.20	54.89%
Total 5300 · Other Services & Charges	110,441.99	162,333.20	68.03%
5400 · Capital Outlay			
5401 · Equipment (IT)	0.00	4,000.00	0.0%

	Oct '23 - Mar 24	Annual Budget	% of Budget
Total 5400 · Capital Outlay	0.00	4,000.00	0.0%
Total 5000 · ADMINISTRATION DEPARTMENT	431,413.83	811,034.58	53.19%
5500 · DEVELOPMENT SERVICES DEPARTMENT			
5501 · Personnel Services			
5502 · Permit Clerk Salary	22,533.30	44,561.92	50.57%
5503 · Payroll Tax- MC Dev Svcs	326.73	646.15	50.57%
5504 · Payroll Tax- SS Dev Svcs	1,397.07	2,762.84	50.57%
5505 · Payroll Tax- TWC Dev Svcs	118.02	9.00	1,311.33%
5506 · TMRS Contributions- Dev Svcs	2,126.87	2,825.23	75.28%
5507 · Health Care- Dev Svcs	6,190.33	10,575.44	58.54%
Total 5501 · Personnel Services	32,692.32	61,380.58	53.26%
5600 · Other Services & Charges			
5601 · Travel & Training	0.00	500.00	0.0%
Total 5600 · Other Services & Charges	0.00	500.00	0.0%
5700 · Professional Fees			
5701 · General Engineering	15,852.26	30,000.00	52.84%
5702 · Zoning/Annexation	1,087.50	5,000.00	21.75%
5703 · Engineering- Plat Review	32,082.45	35,000.00	91.66%
Total 5700 · Professional Fees	49,022.21	70,000.00	70.03%
Total 5500 · DEVELOPMENT SERVICES DEPARTMENT	81,714.53	131,880.58	61.96%
6000 · PUBLIC SAFETY DEPARTMENT			
6200 · Police Department			
6201 · Personnel Services			
6202 · Salary - Chief of Police	51,278.50	103,000.00	49.79%
6203 · Salary- Sergeant	35,584.00	66,560.00	53.46%
6204 · Salary / Wages - Officers	128,902.30	334,600.00	38.52%
6205 · Officers - Overtime	7,720.42	10,000.00	77.2%
6206 · Longevity & Certif Pay	3,853.80	10,915.08	35.31%
6207 · Payroll Tax- MC PD	3,254.10	7,613.59	42.74%
6208 · Payroll Tax- SS PD	13,914.11	32,554.65	42.74%
6209 · Payroll Tax- TWC PD	787.02	90.00	874.47%
6210 · TMRS Contributions- PD	21,651.90	33,289.76	65.04%
6211 · Health Care- PD	46,354.69	84,603.52	54.79%
Total 6201 · Personnel Services	313,300.84	683,226.60	45.86%
6212 · Services			
6213 · Telephone	3,714.33	11,333.00	32.77%
6214 · Utilities	2,266.77	4,000.00	56.67%
6215 · Janitorial	900.00	1,800.00	50.0%
6215.1 · Technology- PD	555.44	50,000.00	1.11%
Total 6212 · Services	7,436.54	67,133.00	11.08%
6216 · Other Services & Charges			
6217 · Ammunition	1,297.34	2,000.00	64.87%

	Oct '23 - Mar 24	Annual Budget	% of Budget
6218 · Crime Prevention Supplies	0.00	3,000.00	0.0%
6219 - Auto Expenses	15,012.42	42,500.00	35.32%
6220 · Supplies	1,670.82	8,000.00	20.89%
6221 · Equipment Maintenance & Repair	0.00	1,000.00	0.0%
6222 · Bullding R & M	0.00	500.00	0.0%
6223 · Dues & Subscriptions	5,912.50	8,500.00	69.56%
6224 · Animal Control	0.00	2,500.00	0.0%
6224.1 · Travel & Training	1,775.42	1,500.00	118.36%
Total 6216 · Other Services & Charges	25,668.50	69,500.00	36.93%
6225 · Police - Capital Outlay			
6226 · Capital Outlay- PD Vehicles	91,861.16	97,045.05	94.66%
6227 · Capital Outlay- PD Equipment	19,020.03	12,500.00	152.16%
6228 · Cap O/L- Vehicle Rplcmnt Prgrm	0.00	5,000.00	0.0%
6229 · Capital Outlay- IT	0.00	15,000.00	0.0%
Total 6225 · Police - Capital Outlay	110,881.19	129,545.05	85.59%
Total 6200 · Police Department	457,287.07	949,404.65	48.17%
6500 - Municipal Court			
6550 · Professional Fees			
6551 · Judicial Services	4,800.00	11,000.00	43.64%
6552 · Prosecutor	6,596.86	18,900.00	34.9%
Total 6550 · Professional Fees	11,396.86	29,900.00	38.12%
6570 · Other Services & Charges			
6571 · Supplies	165.00	250.00	66.0%
6573 · Dues and Subscriptions	0.00	2,500.00	0.0%
6575 · Travel and Training	0.00	1,000.00	0.0%
Total 6570 · Other Services & Charges	165.00	3,750.00	4.4%
Total 6500 · Municipal Court	11,561.86	33,650.00	34.36%
Total 6000 · PUBLIC SAFETY DEPARTMENT	468,848.93	983,054.65	47.69%
7000 - PUBLIC WORKS DEPARTMENT			
7001 · Personnel Services			
7002 · Wages- Maintenance Worker	18,085.60	36,168.70	50.0%
7004 · Maintenance Worker- Overtime	260.90	2,500.00	10.44%
7005 · Payroll Tax- MC Maint	266.03	560.70	47.45%
7006 · Payroll Tax- SS Maint	1,137.49	2,397.46	47.45%
7007 · Payroli Tax- TWC Maint	115.98	9.00	1,288.67%
7008 · TMRS Contributions- Maint	1,733.14	2,451.60	70.69%
7009 · Healthcare- Maintenance	5,995.38	10,575.44	56.69%
Total 7001 · Personnel Services	27,594.52	54,662.90	50.48%
7015 · Other Services & Charges			
7016 · Maint- Uniforms and Boots	0.00	1,500.00	0.0%
7017 · Telephone	265.80	1,500.00	17.72%
Total 7015 · Other Services & Charges	265.80	3,000.00	8.86%

	Oct '23 - Mar 24	Annual Budget	% of Budget
Total 7000 · PUBLIC WORKS DEPARTMENT	27,860.32	57,662.90	48.32%
8000 · PARKS DEPARTMENT			
8001 · Services			
8002 · Utilities	5,448.22	2,500.00	217.93%
Total 8001 · Services	5,448.22	2,500.00	217.93%
8010 · Other Services & Charges			
8011 · Supplies	250.00	5,000.00	5.0%
8014 · Contract Services	6,000.00	7,500.00	80.0%
Total 8010 · Other Services & Charges	6,250.00	12,500.00	50.0%
8030 · Capital Outlay- Parks	0.00	30,000.00	0.0%
Total 8000 · PARKS DEPARTMENT	11,698,22	45,000.00	26,0%
9000 · STREET DEPARTMENT			
9001 · Other Services & Charges			
9002 · Contract Services	31,272.43	110,000.00	28.43%
9003 · Signage	0.00	5.000.00	0.0%
9004 · Auto Expense	303.08	500.00	60.62%
9006 · Street Supplies	7,442.90	7,500.00	99.24%
Total 9001 · Other Services & Charges	39,018.41	123,000.00	31.72%
9050 · Services			
9051 · Utilities	10,015.14	25,000.00	40.06%
Total 9050 · Services	10,015.14	25,000.00	40.06%
9500 · Capital Outlay			
9501 · Capital Outlay- Streets	275,653.55	200,000.00	137.83%
9503 · Capital Outlay- Other	26,273.50		
Total 9500 - Capital Outlay	301,927.05	200,000.00	150.96%
Total 9000 · STREET DEPARTMENT	350,960.60	348,000.00	100.85%
Total GENERAL FUND EXPENDITURES	1,372,496.43	2,376,632.71	57.75%
Total Expense	1,372,496.43	2,376,632.71	57.75%
Net Ordinary Income	67,211,03	-394,896.41	-17.02%
Other Income/Expense			
Other Income			
97500 · Use of Fund Balance	0.00	384,846.41	0.0%
97501 · Use of Hotel Occupancy Tax Fund	0.00	10,050.00	0.0%
Total Other Income	0.00	394,896.41	0.0%
Other Expense			
98000 · Transfers Out			
98007 · Xfer to All Abil. PG Fund	503,881.89		
Total 98000 · Transfers Out	503,881.89		
Total Other Expense	503,881.89		<u></u>
Net Other Income	-503,881.89	394,896.41	-127.6%
Net Income	-436,670.86	0.00	100.0%

## Village of Salado-General Fund Check Listing

	Date	Num	Name	As of March 31, 2024 Memo	Amount
1	03/01/2024	Draft	Cirro Energy	Utilities: Electric	12.32
	03/01/2024		Cirro Energy	Utilities: Electric	566.90
	03/01/2024		Cirro Energy	Utilities: Electric	434.06
	03/01/2024		Cirro Energy	Utilities: Electric	28.09
	03/01/2024		Cirro Energy	Utilities: Electric	93.93
			Cirro Energy	Utilities: Electric	26.85
			Cirro Energy	Utilities: Electric	14.45
	03/01/2024		Cirro Energy	Utilities: Electric	1,076.85
	03/01/2024			Utilities: Electric	45.75
	03/01/2024		Cirro Energy	Utilities: Electric	47.71
	03/04/2024		Blacksmith Ventures, LLC	Street Improvements-Center Circle Overlay	193,536.85
			Kelly Wisniewski	Contract Labor- 20 Hours, \$15/hr	300.00
			Cirro Energy	Utilities: Electric	76.10
	03/07/2024		11.70	Refund Citation Overpayment	43.00
	03/07/2024		Bureau Ventas	Inspection Services	1,653,46
	03/07/2024		Government Finance Officers Association	Membership: Manuel De La Rosa	225.00
	03/07/2024		Jason Deckman	Website Update: Staff & Official Photos	250.00
	03/07/2024			Professional Fees: Accounting February 2024	4,200,00
	03/07/2024			Logo Envelopes, Business Cards (Bean)	322,00
			R.K. Bass Electric	Electrical Repairs at 301 N Stagecoach	629.50
			Verizon Wireless	Village Cell Phones	604.23
			Extraco Technology	Monthly IT Support, New PC- Administrator	4,792,50
	03/08/2024		0,	Lease Payment 2020 Chev Tahoe	9,378.12
			American National Leasing Company	Lease Payment 2020 Chev Tahoe	9,064.99
	03/11/2024			Fuel Purchases	1,437.71
			Grande Communications Network LLC	Telephone/Internet	224.58
			InHouse Systems, Inc.	Alarm System Monitoring- PD- March 2024	19.95
			Keith's Ace Hardware	R&M Supplies	2,247.63
			Tax Appraisal District Of Bell County	3rd QTR 2024 Taxing Unit Fee	5,107.42
	03/11/2024			Utilities; Electric	29.34
			Bickerstaff Heath Delgado Acosta LLP	Professional Services- Legal	5,902.00
			Royal Vista, Incorporated	Stagecoach Circle Drainage Improvements	229,590.00
	03/17/2024			Employee Dental/Vision Premiums	472.35
	03/18/2024			PD Vehicle R&M	5.95
			The Aegis Group, Inc.	Retainer- Appraisal: Sanctuary East PID, Improvement Area #1	9,000.00
			Blue Cross and Blue Shield of Texas	Employee Health Care Monthly Premiums- April 24	11,671.94
			Standard Insurance Company RC	Employee Life/AD&D	504,64
			Blacksmith Ventures, LLC	Street Improvements-Center Circle Overlay: Retainage	10,186.15
			Salado Village Voice Newspaper	Public Notices	255.00
			Card Service Center	February Credit Card Transactions	3,167,99
			Clifford Lee Coleman	Judicial Services for March 2024	800.00
			FP Mailing Solutions	Postage	138.93
			Grande Communications Network LLC	PD Telephone and Internet	200.19
			Kelly Wisniewski	Contract Labor- 21 Hours. \$15/hr	315.00
			MRB Group	Professional Fees: Engineering	32,248.03
			Xerox Financial Services	Copier Lease Payment- April '24	275.75
	03/28/2024			Toll Fees	4.35
			Jani-King of Austin	April 2024 Contracted Services	387.00
			MCCi, LLC	Laserfiche Cloud and Support Annual Subscription Renewal	2,064.00
					543,678.56
					543,678.56

# Village of Salado, Hotel-Motel Fund Balance Sheet

	Mar 31, 24
ASSETS Current Assets Checking/Savings 1005 · Horizon Operating xxx0314	309,225.31
Total Checking/Savings	309,225.31
Other Current Assets 1200 · AR Taxes 1100 · Investments 1120 · TexPool	33,828.90 5,679.27
Total 1100 · Investments	5,679.27
1500 · Petty Cash	100.00
Total Other Current Assets	39,608.17
Total Current Assets	348,833.48
TOTAL ASSETS	348,833.48
LIABILITIES & EQUITY Liabilities Current Liabilities Accounts Payable	-692.00
Other Current Liabilities 2050 · Accrued Wages 2400 · Reserve For Troiley Project 2200 · Due To Other Funds 2201 · Due to GF	1,980.68 6,675.00 20,216.98
Total 2200 · Due To Other Funds	20,216.98
Total Other Current Liabilities	28,872.66
Total Current Liabilities	28,180.66
Total Liabilities	28,180.66
Equity 32000 · Retained Earnings Net Income	339,501.67 -18,848.85
Total Equity	320,652.82
TOTAL LIABILITIES & EQUITY	348,833.48

# Village of Salado, Hotel-Motel Fund Profit & Loss Budget Performance

October 2023 through March 2024

	Oct '23 - Mar 24	Annual Budast	9/ of Budget
Outlines Income (Famous)	OCL 23 - Mar 24	Annual Budget	% of Budget
Ordinary Income/Expense			
Income			
4000 · HOT FUND REVENUE  4100 · County Hotel Occupancy Tax	0.00	4,000.00	0.0%
4200 · Occupancy Tax	122,876.53	260,000.00	47.26%
4300 · Other Income	1,797.75	200,000.00	47.2078
Total 4000 · HOT FUND REVENUE	124.674.28	264,000.00	47,23%
Total Income	124,674.28	264,000.00	47.23%
Expense	124,014.20	204,000.00	4712070
5000 · HOT FUND EXPENDITURES			
5001 · Personnel Services			
5002 · Salary- Marketing Specialist	32,110.64	54,335.00	59.1%
5003 · Wages- Visitors Ctr Coordinator	19,836.96	36,056.59	55.02%
5004 · Payroll Tax- MC	704.67	1,310.68	53.76%
5005 · Payroll Tax- SS	3,013.04	5,604.28	53.76%
5006 · Payroll Tax- TWC	237.05	18.00	1,316.94%
5007 · TMRS Contribution	4,663.39	5,730.83	81.37%
5008 - Health Care	15,755.88	21,150,88	74,49%
Total 5001 · Personnel Services	76,321.63	124,206.26	61.45%
5050 · Other Charges & Services			
5051 · Lease- Visitors Center	9,102.00	18,204.00	50.0%
5052 · Marketing	44,684.48	100,000.00	44.68%
5053 · Office Supplies	161.34	500.00	32,27%
5054 · Arts- Cultural District	6,000.00	20,000.00	30.0%
5054.1 · Music Friendly Program	1,254.84	10,000.00	12,55%
5055 · Printing	42.00	3,500.00	1.2%
5056 · Postage	28.48	1,500.00	1.9%
5057 · Dues & Subscriptions	2,970.00	2,500.00	118.8%
5058 · Travel & Training	501.20	5,000.00	10.02%
5059 · Vehicle Maintenance	0.00	1,000.00	0.0%
5061 · Community Grant Program	0.00	10,000.00	0.0%
Total 5050 · Other Charges & Services	64,744.34	172,204.00	37.6%
5100 · Capital Outlay			
5110 · Capital Outlay- Equipment	2,457.16	4,000.00	61.43%
Total 5100 · Capital Outlay	2,457.16	4,000.00	61.43%
Total 5000 · HOT FUND EXPENDITURES	143,523.13	300,410.26	47.78%
Total Expense	143,523,13	300,410.26	47.78%
Net Ordinary Income	-18,848.85	-36,410.26	51.77%
Other Income/Expense			
Other Income			
98000 · Transfer from HOT Fund Balance	0.00	46,460,26	0.0%
Total Other Income	0.00	46,460,26	0.0%
Other Expense			
99500 · Transfer Out to General Fund	0.00	10,050.00	0.0%
Total Other Expense	0.00	10,050.00	0.0%
Net Other Income	0.00	36,410.26	0.0%
Net Income	-18,848.85	0.00	100.0%

# Village of Salado, Hotel-Motel Fund Check Listing

Date	Num	Name	Memo	Amount
03/11/2024	1933	Jason Deckman	Photos- Clydesdales on Main Street	150.00
03/11/2024	1934	Liz Patranella	Copywriting Services- Press Release: Make Music Day	200.00
03/11/2024	1935	Visit Widget LLC	Website Hosting and Support	1,227.00
03/18/2024	1936	Primary Media	Billboard	875.00
03/21/2024	1937	4imprint, Inc.	Marketing Materials	2,624.08
03/21/2024	1938	AJR Media Group	TourTexas.com Destination Content Plan- Renewal	4,476.00
03/25/2024	1939	Salado Chamber of Commerce	Tourism Lease at Visitor's Center	1,517.00
				11,069.08
				11,069.08

# Village of Salado- 400 Wastewater System Revenue Balance Sheet

	Mar 31, 24
ASSETS Current Assets Checking/Savings	41,025.45
Accounts Receivable	20,669.59
Other Current Assets Accounts Receivable- Sewer Conn Allowance for Doubtful Accounts	14,929.00 -12,025.48
Total Other Current Assets	2,903.52
Total Current Assets	64,598.56
TOTAL ASSETS	64,598.56
LIABILITIES & EQUITY Liabilities Current Liabilities Accounts Payable	40.86
Other Current Liabilities Accrued Interest Due to General Fund	11,843.00 526,670.62
Total Other Current Liabilities	538,513.62
Total Current Liabilities	538,554.48
Total Liabilities	538,554.48
Equity Retained Earnings Net income	-343,690.15 -130,265.77
Total Equity	-473,955.92
TOTAL LIABILITIES & EQUITY	64,598.56

9:01 PM 04/10/24 Accrual Basis

# Village of Salado- 400 Wastewater System Revenue Profit & Loss Budget Performance

October 2023 through March 2024

	Oct '23 - Mar 24	Annual Budget	% of Budget
Ordinary Income/Expense			
Income			
Monthly Service Fees	122,272.96	307,141.92	39.81%
Interest Income	180.49	40.00	451.23%
Total income	122,453.45	307,181.92	39.86%
Expense			
Misc	1,370.00	1,460.00	93.84%
Maintenance Contractor	103,361.22	182,401.62	56.67%
Professional Fees- Engineering	31,770.74	5,000.00	635.42%
Repairs	20,168.19	15,000.00	134.46%
Sludge Disposal	0.00	7,500.00	0.0%
Supplies	0.00	25,000.00	0.0%
TCEQ Fees	1,250.00	1,250.00	100.0%
Utilities			
Utilities- Electric	54,626.41	61,950.00	88.18%
Utilities- Water	677.16	2,100.00	32.25%
Total Utilities	55,303.57	64,050.00	86.34%
Capital Outlay- GIS Map	39,495.50	31,000.00	127.41%
Total Expense	252,719.22	332,661.62	75.97%
Net Ordinary Income	-130,265.77	-25,479.70	511.25%
Other Income/Expense			
Other Income			
Transfer In	0.00	31,000.00	0.0%
Total Other Income	0.00	31,000.00	0.0%
Net Other Income	0.00	31,000.00	0.0%
Net Income	-130,265.77	5,520.30	-2,359.76%

# Village of Salado- 400 Wastewater System Revenue Check Listing

Date	Num	Name	Memo	Amount
03/04/2024	Draft	Cirro- USR Electrical	Cirro Electric- Waste Water 1414 Royal St. Lift Station	60.62
03/07/2024	100330	Salado Water Supply Corporation	Data for Annual Rate Calculations	1,370.00
03/11/2024	100332	Frontier Utilities	Electric Service at 401 S Stagecoach Road Well	31.11
03/25/2024	Draft	Cirro- USR Electrical	Cirro Electric- Waste Water Facilities Accounts	625.86
03/28/2024	100333	CH2MHILL OMI	Contracted Services- April 2024	14,765.89
				16,853.48
				16,853.48

9:11 PM 04/10/24 Accrual Basis

# Village of Salado- 500 Wastewater Customer Deposits Balance Sheet

	Mar 31, 24
ASSETS Current Assets Checking/Savings	13,613.80
Other Current Assets Due to/from Other Funds	200.00
Total Other Current Assets	200.00
Total Current Assets	13,813.80
TOTAL ASSETS	13,813.80
LIABILITIES & EQUITY Liabilities Current Liabilities Other Current Liabilities Wastewater Customer Deposits	13,830.00
Total Other Current Liabilities	13,830.00
Total Current Liabilities	13,830.00
Total Liabilities	13,830.00
Equity Retained Earnings Net Income	-81.39 65.19
Total Equity	-16.20
TOTAL LIABILITIES & EQUITY	13,813.80

9:10 PM 04/10/24 Accrual Basis

# Village of Salado- 500 Wastewater Customer Deposits Profit & Loss

October 2023 through March 2024

	Oct '23 - Mar 24	
Ordinary Income/Expense		
Income		
Interest Income	65.19	
Total Income	65.19	
Net Ordinary Income	65.19	
Net Income	65.19	

9:11 PM 04/10/24 Accrual Basis

# Village of Salado- 500 Wastewater Customer Deposits Check Listing

Date	Num	Name	Memo	Amount
(No checks d	rawn this p	eriod)		
				0.00
				0.00

# Village of Salado - 700 WW Permanent Improvement Bonds Balance Sheet

	Mar 31, 24
ASSETS	
Current Assets Checking/Savings	
1002 · Horizon Bond Disbursement x8630	58,113.26
1003 · Horizon '18 Bond Proceeds x9230	320,799.59
1004 · Impact Fees Horizon x8444	16,293.15
Total Checking/Savings	395,206.00
Total Current Assets	395,206.00
Fixed Assets	
1520 · Equipment	5,857.10
1530 · Wastewater Treatment Facility	11,270,909.77
1531 · Accum Depr- Depreciation WWTP	-1,600,843.73
Total Fixed Assets	9,675,923.14
TOTAL ASSETS	10,071,129.14
LIABILITIES & EQUITY Liabilities Current Liabilities	
Other Current Liabilities 2900 · Restricted Impact Fees	59,794.35
Total Other Current Liabilities	59,794.35
Total Current Liabilities	59,794.35
Long Term Liabilities	
2502 - '22 Refunding Bonds	6,920,000.00
2503 · Current Portion of Bonds	560,000.00
Total Long Term Liabilities	7,480,000.00
Total Liabilities	7,539,794.35
Equity	
3110 · Investments in Fixed Assets	2,195,923.00
32000 · Unrestricted Net Assets	377,029.09
Net Income	-41,617.30
Total Equity	2,531,334.79
TOTAL LIABILITIES & EQUITY	10,071,129.14

9:15 PM 04/10/24 Accrual Basis

# Village of Salado - 700 WW Permanent Improvement Bonds Profit & Loss

October 2023 through March 2024

	Oct '23 - Mar 24
Ordinary Income/Expense Income	
4400 · Impact Fee Revenue	52,291.00
4100 · Interest Income	2,082.70
Total Income	54,373.70
Expense 6100 · Return of Impact Fees	95,991.00
Total Expense	95,991.00
Net Ordinary Income	-41,617.30
Net Income	-41,617.30

9:18 PM 04/10/24 Accrual Basis

# Village of Salado - 700 WW Permanent Improvement Bonds Check Listing

Date	Num	Name	Memo	Amount
(No checks d	rawn this p	eriod)		٠
				0.00
				0.00

9:25 PM 04/10/24 Accrual Basis

# Village of Salado - 300 Interest and Sinking Fund Balance Sheet

	Mar 31, 24
ASSETS Current Assets	
Checking/Savings 1001 - Horizon xxxx7846	820,576.18
Total Checking/Savings	820,576.18
Other Current Assets 1215 · Property Tax Receivable	20,365.88
Total Other Current Assets	20,365.88
Total Current Assets	840,942.06
TOTAL ASSETS	840,942.06
LIABILITIES & EQUITY Liabilities Current Liabilities Other Current Liabilities 2704 · Deferred Revenue- Ad Valorem	18,072.09
Total Other Current Liabilities	18,072.09
Total Current Liabilities	18,072.09
Total Liabilities	18,072.09
Equity 32000 · Unrestricted Net Assets Net Income	123,025.58 699,844.39
Total Equity	822,869.97
TOTAL LIABILITIES & EQUITY	840,942.06

9:23 PM 04/10/24 Accrual Basis

# Village of Salado - 300 Interest and Sinking Fund Profit & Loss Budget Performance

October 2023 through March 2024

	Oct '23 - Mar 24	Annual Budget	% of Budget
Ordinary Income/Expense			
Income			
4000 · Property Tax Revenue	760,658.64	702,120.00	108.34%
4100 · Interest Income	10,245.75	3,400.00	301.35%
Total Income	770,904.39	705,520.00	109.27%
Expense			
6111 · 2022 Bond Principal	0.00	560,000.00	0.0%
6112 · 2022 Bond Interest	71,060.00	142,120.00	50.0%
Total Expense	71,060.00	702,120.00	10.12%
Net Ordinary Income	699,844.39	3,400.00	20,583.66%
Net Income	699,844.39	3,400.00	20,583.66%

9:26 PM 04/10/24 Accrual Basis

# Village of Salado - 300 Interest and Sinking Fund Check Listing

Date	Num	Name	Memo	Amount
(No checks d	rawn this p	eriod)		
				0.00
				0.00

# BOA Agenda Item # 2(B)



**Date Submitted:** 

Agenda Date Requested: April 15, 2024

Project/Pro	posal Title:
-------------	--------------

**CONSENT AGENDA** 

### **Council Action Requested:**

Ordinance Resolution Motion Discussion

Project/Proposal Summary:

APPROVAL OF MINUTES OF THE BOARD OF ALDERMEN MEETING ON APRIL 4, 2024.

## Village of Salado Municipal Building 301 North Stagecoach Road Salado, Texas Minutes of Regular Meeting of Board of Aldermen April 4, 2024, 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 as well as YouTube.

Mayor Coggin 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. Alderman Paul Cox, Alderman D. Jasen Graham, and Alderman Bert Henry. Absent, Alderman Jason Howard.

Staff Present: Village Administrator Manual De La Rosa, City Secretary Debra Bean, Police Chief Alan Fields.

#### 1. CITIZENS COMMUNICATIONS

Michael McCroskey from Congressman John Carter's office spoke offering support from the congressman's office in any way needed.

Darlene Walsh spoke encouraging either remodeling the current city hall complex or choosing a site within the city limits. She also spoke in support of the Vietnam Veteran's Day approval. Elizabeth Whitfield spoke against people serving on advisory boards that do not live in the Village.

Jim Boynton spoke regarding the poor construction on the apartment complex. He is concerned with road construction and potential flooding.

#### 2. CONSENT AGENDA

- (A) CONSIDER THE APPOINTMENT OF LYNETTE JONES TO THE VILLAGE OF SALADO TOURISM ADVISORY BOARD.
- (B) CONSIDER THE APPOINTMENT OF GLEN BOWEN TO THE VILLAGE OF SALADO TOURISM ADVISORY BOARD.
- (C) MINUTES OF MARCH 21, 2024, REGULAR MEETING

Motion made by Mayor Pro Tem Bell to approve Items (A) and (C). Seconded by Alderman Henry. Motion failed by a vote of 3 to 2 with Mayor Coggin casting the tie breaking vote.

Motion made by Mayor Pro Tem Bell to approve Item (C) only. Seconded by Alderman Henry. Motion failed by a vote of 3 to 2 with Mayor Coggin casting the tie breaking vote.

Motion made by Alderman Cox to approve Consent Agenda as presented. Seconded by Alderman Graham. Motion passed by a vote of 3 to 2 with Mayor Coggin casting the tie breaking vote.

# 2. <u>DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING ANY ITEM REMOVED FROM THE CONSENT AGENDA</u>

None

### 3. STATUS REPORTS

### (A) VILLAGE ADMINISTRATOR'S REPORT

- UPDATE ON VILLAGE MAP AND ZONING MAP
   Mr. De La Rosa reported MRB is diligently working on the maps.
- UPDATE ON VISITOR'S CENTER STAFFING
   Mr. De La Rosa reported that he has hired a person to work part time in the Tourism office on a seasonal hiring basis and is interviewing for the Tourism Manager position.

He is recommending that we amend the inspections on the Mustang Springs Development due to costs.

Regarding the solar eclipse glasses the Village is giving away, Mr. De La Rosa is recommending people take precautions as recommended during the eclipse.

Mayor Coggin asked for an update on pothole repairs and tree trimming. Specifically, he asked Mr. De La Rosa to look at Royal Street and Smith Branch as well as Mill Creek by the clubhouse. Mr. De La Rosa will send out a comprehensive list to the board for prioritization. Mr. De La Rosa gave an update on trimming low hanging branches and mowing. He is looking at outsourcing mowing. Alderman Cox inquired about drainage project at Stagecoach Circle. Mr. De La Rosa will inquire with construction managers on this subject. Alderman Cox also asked about the family of ducks and asked if there could be a duck crossing sign put up temporarily.

Alderman Graham asked if there were any applicants for the City Planner position. There are none at this time.

### (B) POLICE CHIEF STATUS REPORT

CALLS FOR SERVICE REPORT

Chief Fields reported 550 calls for service including 27 priority 1, 85 priority 2, 135 priority 3 and 303 priority 4. There were 57 security checks.

LICENSE PLATE READER PROGRAM UPDATE

There were 47,430 unique license plate images captured with 68 system alerts.

Chief Fields also reported that Officer Oster has completed Intoxilyzer Training and Robert Gatewood has accepted a position with Salado PD with a start date of 4/29/2024.

### 4. DISCUSSION AND POSSIBLE ACTION

- (A) PRESENTATION ON REVIVAL OF STAGECOACH INN AND RESTAURANT BY REPRESENTATIVES FOR STAGECOACH 1943, LP, AND ALEXA MANAGEMENT, LLC.

  Bree Carrico and Rusty Winkstern gave an update on plans for renovations of Stagecoach Inn and Restaurant.
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION ON APPROVING MRB GROUP'S DESIGN SERVICES CONTRACT AMENDMENT #1 FOR THE PROPOSED MUNICIPAL AND POLICE BUILDING.

  Tanya Reed was present to answer any questions on the change order as a follow-up to the last meeting.

  Motion made by Alderman Graham to approve the new city hall Contract Amendment #1 in the amount of \$43,500. Seconded by Alderman Cox. All approved and motion carried by a vote of 4 in favor, none opposed.
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION ON APPROVING A RESOLUTION OF THE VILLAGE OF SALADO, TEXAS AUTHORIZING THE FIRST AMENDMENT TO THE SANCTUARY EAST PUBLIC IMPROVEMENT DISTRICT FINANCING AND REIMBURSEMENT AGREEMENT.

Attorney Greg Miller was present to give an explanation and answer any questions regarding the assessment level.

Motion made by Mayor Pro Tem Bell to approve a Resolution Authorizing the First Amendment to the Sanctuary East Public Improvement District Financing and Reimbursement Agreement. Seconded by Alderman Henry. All approved and motion carried by a vote of 4 in favor, none opposed.

### (D) PUBLIC HEARING:

The Public Hearing began at 8:00 p.m.

DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS MAKING A FINDING OF SPECIAL BENEFIT TO THE PROPERTY IN THE SANCTUARY EAST PUBLIC IMPROVEMENT DISTRICT; PROVIDING FOR THE METHOD OF ASSESSMENT OF SPECIAL ASSESSMENTS AGAINST PROPERTY IN IMPROVEMENT AREA #1 OF THE DISTRICT; APPROVING AN ASSESSMENT ROLL FOR THE DISTRICT; LEVYING ASSESSMENTS AGAINST PROPERTY WITHIN IMPROVEMENT AREA #1 OF THE DISTRICT; PROVIDING FOR PAYMENT OF THE ASSESSMENTS; PROVIDING FOR PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS; ESTABLISHING A LIEN ON PROPERTY WITHIN THE DISTRICT; APPROVING A SERVICE AND ASSESSMENT PLAN; PROVIDING FOR RELATED MATTERS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

Attorney Greg Miller gave an update on the assessment processes and notifications. Alderman Cox asked how many homes had closed. Mr. Miller said approximately nine homes have closed.

Public comments: Tim Fleisher commented on his concerns regarding the way the payment schedule is set up and the interest rate.

The Public Hearing ended at 8:04 p.m.

Attorney Greg Miller addressed the questions regarding the assessment, payment schedule and interest rate.

Motion made by Alderman Cox to approve the ordinance as presented. Seconded by Alderman Graham. All approved and motion carried by a vote of 4 in favor, none opposed.

### (E) PUBLIC HEARING:

ON CONDITIONAL USE PERMIT (CUP-24-001), ON THE CONDITIONAL USE PERMIT APPLICATION IN ACCORDANCE WITH ZONING ORDINANCE 2013-08, ARTICLE III. ZONING DISTRICTS, SECTION 3.17: CUP, CONDITIONAL USE PERMIT, ON AN ACCESSORY BUILDING PERMIT IDENTIFIED AS A POOL HOUSE ON THE APPLICATION FOR 730 BAINES STREET.

Property owner Ricard Vincent explained the changes made to the plan including taking out the kitchen, so it is not considered a separate dwelling. Mr. De La Rosa reviewed the issues with the original application. The neighborhood is a single-family neighborhood. By removing the kitchen, it is no longer considered a dwelling or another home.

The Public Hearing began at 8:20 p.m.

**PUBLIC COMMENTS:** 

K.D. Hill spoke in support of the Conditional Use Permit.

The Public Hearing ended at 8:21 p.m.

DISCUSS AND CONSIDER POSSIBLE ACTION ON THE CONDITIONAL (F) USE PERMIT APPLICATION IN ACCORDANCE WITH ZONING ORDINANCE 2013-08, ARTICLE III. ZONING DISTRICTS, SECTION 3.17: CUP, CONDITIONAL USE PERMIT, ON AN ACCESSORY BUILDING PERMIT IDENTIFIED AS A POOL HOUSE ON THE APPLICATION FOR 730 BAINES STREET. Motion made by Alderman Cox to approve the Conditional Use Permit as presented. Seconded by Alderman Henry. All approved and motion carried

#### (G) PUBLIC HEARING:

ON CONDITIONAL USE PERMIT (CUP-24-002), TO ALLOW FOR MIXED BEVERAGE (MB) SALES BY CORRECAMINOS TEJAS LLC DBA PROVECHO TEJAS ON PROPERTY ZONED HISTORIC DISTRICT (HD) AND LOCATED AT 109 ROYAL STREET, SALADO, TEXAS. Alderman Graham asked if a previous permit ran with the property. Mr. De La Rosa explained it does not run with the property.

Public Hearing began at 8:26 p.m.

by a vote of 4 in favor, none opposed.

Tim Fleisher spoke against requiring a conditional use permit for the Historic Overlay. It should be just a permit. He said this is bad codification. He is in support of approving this permit but doesn't think it should be required. Brook May spoke on her behalf to be able to use the property as a familyoriented business.

Public Hearing ended at 8:31 p.m.

- (H) DISCUSS AND CONSIDER POSSIBLE ACTION ON THE CONDITIONAL USE PERMIT (CUP-24-002), TO ALLOW FOR MIXED BEVERAGE (MB) SALES BY CORRECAMINOS TEJAS LLC DBA PROVECHO TEJAS ON PROPERTY ZONED HISTORIC DISTRICT (HD) AND LOCATED AT 109 ROYAL STREET, SALADO, TEXAS. Motion made by Alderman Graham to approve the Conditional Use Permit to allow mixed beverages for Provecho. Seconded by Alderman Cox. All approved and motion carried by a vote of 4 in favor, none opposed.
- (l) DISCUSS AND CONSIDER POSSIBLE ON CONDITIONAL APPROVAL ON ACCEPTING THE PUBLIC IMPROVEMENTS CONSTRUCTED AS PART OF DRAKES LANDING PHASE II, A RESIDENTIAL DEVELOPMENT, IN ACCORDANCE WITH THE VILLAGE OF SALADO SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO ARTICLE II, SECTION 2.5 AND ARTICLE VI, SECTION 6.7. Mr. De La Rosa explained the steps he has taken to find the development

agreement for Drake's Landing Phase II and has not found it. He has done a walk through and there are no sidewalks or streetlights. He would like to have it conditionally approved so he can try to resolve this as soon as possible. He recommended accepting it with a warranty bond.

Bear Rosamond said the agreement he had was not Phase I or Phase II but was for the entire development. He said streetlights were not his responsibility. He said sidewalks were in the original agreement and are the responsibility of the builders.

Motion by Alderman Graham to have the developer enter into a 10% maintenance bond and establish sidewalks and lighting as discussed and at a date to be determined to have a workshop to get the ordinance under wraps. Seconded by Alderman Henry. All approved and motion carried by a vote of 4 in favor, none opposed.

- (J) DISCUSS AND CONSIDER POSSIBLE ACTION ON APPROVING A PROCLAMATION DECLARING MARCH 29<sup>TH</sup> AS ANNUALLY THE VILLAGE OF SALADO VIETNAM WAR VETERAN'S DAY.

  Pam Baker asked the board to approve the National Vietnam War Veteran's Day proclamation.

  Motion by Alderman Henry to approve the proclamation as annually the Village of Salado Vietnam War Veteran's Day. Seconded by Alderman Graham. All approved and motion carried by a vote of 4 in favor, none opposed.
- (K) DISCUSS AND CONSIDER POSSIBLE ACTION ON APPROVING RESOLUTION NO. 2024-03, A RESOLUTION AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR REHABILITATION OF THE ROADWAY SURFACE ON ROYAL STREET BETWEEN MAIN STREET AND SMITH BRANCH ROAD, WITH PROJECT NAME: OV | ROYAL ST | SMITH BR RD | FM 2268.

  Motion by Mayor Pro Tem Bell to approve the AFA as presented. Seconded by Alderman Henry. All approved and motion carried by a vote of 4 in favor, none opposed.
- (L) DISCUSS AND CONSIDER POSSIBLE ACTION ON APPROVING A PETITION FROM JT CAROTHERS HOLDINGS LLC AND CAROTHERS PROPERTIES LTD TO RELEASE FROM THE VILLAGE OF SALADO'S EXTRATERRITORIAL JURISDICTION A 125.003 ACRE TRACT OF LAND SITUATED IN THE WILLIAM ROBERTS SURVEY, ABSTRACT NO. 708 AND THE V.R. PALMER SURVEY, ABSTRACT NO. 662 AND THE H.W. HURD SURVEY, ABSTRACT NO. 398, ALL IN BELL COUNTY, TEXAS. Mr. De La Rosa recommended the approval of the request. If no action is taken it will automatically become effective in 45 days. He is recommending the action so there is a record in the minutes.

  Motion by Mayor Pro Tem Bell to approve the petition as presented. Seconded by Alderman Cox. All approved and motion carried by a vote of 4

in favor, none opposed.

## ADJOURNMENT

Mayor	Mayor Coggin called the meeting adjourned at 9:27 p.m.					
					Approved:	
					Michael Coggin, Mayor	
Attest:						
Debra B	Rean Cit	ly Secret	arv			

# BOA Agenda Item # 4(A)



**Date Submitted:** 

Agenda Date Requested: April 15, 2024

Project/Proposal Title:

Village Administrator's Report

**Council Action Requested:** 

Ordinance Resolution Motion Discussion

## Project/Proposal Summary:

**VILLAGE ADMINISTRATOR'S REPORT:** 

- SALES TAX COLLECTIONS
- RAIN, HAILSTORM, AND STORMWATER EVENT ON APRIL 9<sup>TH</sup>
- UPDATE ON DISCUSSIONS WITH REPRESENTATIVES WITH THE FIRM OF JACOBS PERTAINING TO THE WASTEWATER TREATMENT PLANT
- UPDATE ON CITY MAPS

# BOA Agenda Item # 5(A)



**Date Submitted:** 

Agenda Date Requested: April 15, 2024

Project/Proposal Title:

**DISCUSSION AND POSSIBLE ACTION** 

Council Action Requested:

Ordinance Resolution Motion Discussion

## Project/Proposal Summary:

DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST TO CLOSE ROYAL STREET ON OCTOBER 19TH, 2024, FROM 7:45 A.M. TO 8:45 A.M., FOR THE VOLKSRIDE AND VOLKSMARCH EVENT, AS REQUESTED BY MRS. KD HILL WITH BARROW BREWING COMPANY AND MS. BERTA DAVIS.

#### Manuel De La Rosa

From: KD Hill

Sent: Thursday, March 21, 2024 3:46 PM

To: Manuel De La Rosa

Cc: Graydon & KD Hill; Berta Davis

**Subject:** 2024 events and request for road closure

Hello Mr. De La Rosa,

Thank you for taking the time to meet with us today. I am so optimistic for Salado! Here is the list of events we have planned for 2024 at Barrow Brewing Company.

The only events we foresee needing Village assistance would be the October 19th Volksride and Volksmarch. The race director (Berta Davis, CC'd) and myself are hoping to get on your agenda soon to make the official request. This is the annual fundraiser we hold for the SVFD, who are a great help with traffic control for the ride. Can you please let me know when we could be added to the agenda to seek permission from the Village to close Royal Street on October 19th 7:45 a.m. - 8:45 a.m.?

Mar 23rd Scottish Highland Games Demo Day

Mar 31st Hoppy Easter Egg Hunt

April 6th Barrow's 8th Anniversary Party and farmers market kickoff

Apr 8th Eclipse party

Apr 20th NPSOT plant sale / Porch & Planet

May 24th Wrestling Night

June 8th Annual Tie Dye Day

Sept 7th Scottish Highland Games Demo Day

Sept 28-Oct 12 Oktoberfest x3

Oct 19th Volksride and Volksmarch

Oct 26th Barktoberfest

Nov 2nd MACT music festival

Nov 3rd Sounds Over Salado

Nov 8-10 Scottish Gathering (Scottish music and some activities here)

Dec 7 & 14 Christmas Stroll and Barrow's Christmas Market

Please let me know if you would like to discuss any of these events or have any questions.

All the best,

KD

--

K.D. Hill

Barrow Brewing Company

108 Royal St. / P.O. Box 430

Salado, Texas

254.947.3544 (o)

# BOA Agenda Item # 5(B)



**Date Submitted:** 

Agenda Date Requested: April 15, 2024

Project/Proposal Title:

**DISCUSSION AND POSSIBLE ACTION** 

**Council Action Requested:** 

Ordinance Resolution Motion Discussion

## Project/Proposal Summary:

FIRST READING OF ORDINANCE NUMBER 2024-02, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, PROVIDING FOR THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF SMITH BLUFF ROAD AND SMITH BLUFF WAY, CREATING AN ALL-WAY STOP; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

Ordinance No. 2024-02 Village of Salado County of Bell

#### ORDINANCE NO. 2024-02

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, PROVIDING FOR THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF SMITH BLUFF ROAD AND SMITH BLUFF WAY, CREATING AN ALL-WAY STOP; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code § 51.032, the Board of Aldermen (the "Board") of the Village of Salado, Texas (the "Village") is authorized by law to adopt an ordinance, not inconsistent with state law, that it considers proper for the government of the Village and is necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, the Village desires to promote safety, protect its citizens, and provide for the proper regulation of traffic on Village streets; and

WHEREAS, pursuant to Texas Transportation Code Chapters 542-556 and 552, the Board of Aldermen (the "Board") of the Village has the express authority to regulate traffic by traffic-control devices, regulate the operation and movement of vehicles, regulate stopping, standing, or parking of vehicles, and to enforce such regulations; and

WHEREAS, the Board has received reports and requests from the public regarding the need for an all-way stop at the intersection of Smith Bluff Road and Smith Bluff Way in order to provide for public safety; and

WHEREAS, the Board desires to add two (2) stop signs at the intersection of Smith Bluff Road and Smith Bluff Way, creating an all-way stop at this intersection; and

WHEREAS, after developing and reviewing traffic data and reports from the public, the Board believes that the public safety within the Village will be enhanced by regulating traffic at the intersection of Smith Bluff Road and Smith Bluff Way by adding all-way stop signs at this intersection.

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

### SECTION I. ENACTMENT PROVISIONS

- A. Findings of Fact: All of the above premises are hereby found to be true and correct legislative and factual findings of the Village of Salado and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.
- **B. Popular Name:** This Ordinance shall be commonly referred to as "The Smith Bluff Road and Smith Bluff Way Traffic Control Ordinance."
- C. Scope: This Ordinance, and the rules and regulations adopted herein, shall apply generally within the Village limits.
- **D.** Effective Date: This Ordinance shall take effect immediately upon passage and publication.

#### SECTION II. ADOPTION

Ordinance No. 2024-02 is hereby adopted as follows:

- 1. The Board of Aldermen hereby approves the installation of two (2) "Stop Sign" traffic control signs on Smith Bluff Road at its intersection with Smith Bluff Way. See Exhibit A. A stop sign is already located at southbound Smith Bluff Way at its intersection with Smith Bluff Road.
- 2. The stop signs should be installed at the following locations:
  - a. On west bound Smith Bluff Road, at the northeast corner of the intersection of Smith Bluff Road and Smith Bluff Way.
  - b. On east bound Smith Bluff Road, at the southwest corner of the intersection of Smith Bluff Road and Smith Bluff Way.
- 3. The Village Administrator shall install the additional stop signs referenced herein as soon as they can be procured.

### SECTION III. RESERVATION OF RIGHTS

All rights and remedies of the Village of Salado, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting the streets and roadways of the Village which existed at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, the same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

#### SECTION IV. SAVINGS CLAUSE

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the Village under any section or provisions of any ordinances at the time of passage of this ordinance.

#### SECTION V. SEVERABILITY CLAUSE

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Board of Alderman of the Village of Salado in adopting, and of the Mayor in approving this Ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

### SECTION VI. REPEALER CLAUSE

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act which is prohibited by any other Ordinance.

## SECTION VII. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

### SECTION VIII. NOTICE AND MEETING CLAUSE

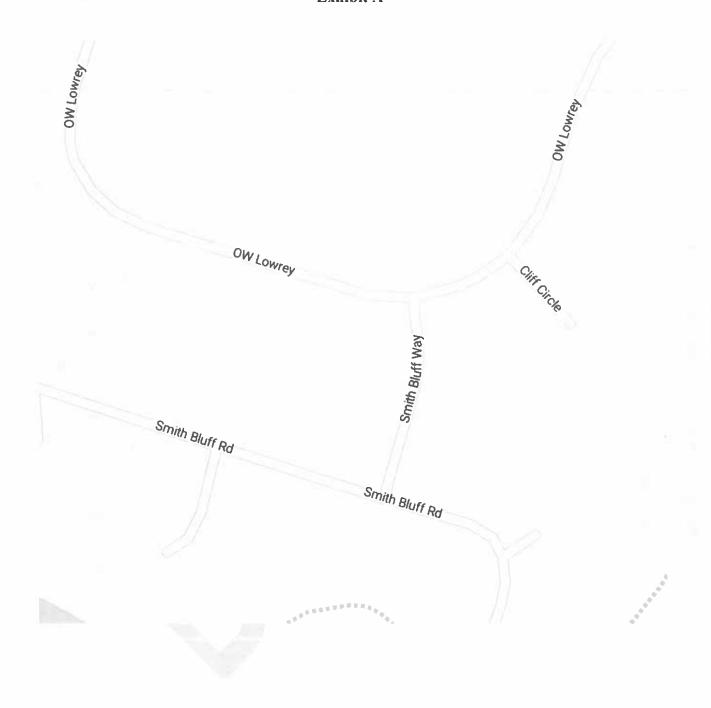
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

#### SECTION IX. PUBLICATION

This Ordinance shall become effective immediately upon the date of its publication as required by § 52.011 of the Texas Local Government Code. The Village Secretary is hereby directed to cause the caption of this Ordinance to be published in the manner required by law.

PASSED AND APPROVED on SECOND READING this, the day of, 2024, by a vote of(ayes) to(nays) and abstentions vote of the Board of Aldermen of the Village of Salado, Texas.					
<u>*</u>					
	Michael Coggin, Mayor				
ATTEST:					
Debbie Bean, Village Secretary					
Approved to Form:					
Josh Katz, Village Attorney					

## Exhibit A



## BOA Agenda Item # 5(C)



**Date Submitted:** 

Agenda Date Requested: April 15, 2024

Project/Proposal Title:

**DISCUSSION AND POSSIBLE ACTION** 

**Council Action Requested:** 

Ordinance Resolution

Motion

Discussion

## Project/Proposal Summary:

FIRST READING OF ORDINANCE NUMBER 2024-03, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS GRANTING MUSTANG SPRINGS UTILITY, LLC CERTAIN POWERS, LICENSES, PRIVILEGES AND FRANCHISE TO OPERATE AND MAINTAIN A WATER UTILITY SYSTEM WITHIN THE VILLAGE; TO USE THE STREETS, AVENUES, EASEMENTS, RIGHT-OF-WAY, ALLEYS, HIGHWAYS, SIDEWALKS, AND BRIDGES IN SAID VILLAGE; PRESCRIBING CERTAIN RIGHTS, DUTIES, TERMS AND CONDITIONS; PROVIDING FOR THE PAYMENT TO THE VILLAGE OF A PERCENTAGE OF ITS TOTAL BILLED WATER USAGE; PROVIDING FOR ACCEPTANCE; AND PROVIDING FOR CERTAIN RELATED MATTERS.

Ordinance No. 2024-03 Village of Salado County of Bell State of Texas

#### WATER FRANCHISE FEE

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS GRANTING MUSTANG SPRINGS UTILITY, LLC CERTAIN POWERS, LICENSES, PRIVILEGES AND FRANCHISE TO OPERATE AND MAINTAIN A WATER UTILITY SYSTEM WITHIN THE VILLAGE; TO USE THE STREETS, AVENUES, EASEMENTS, RIGHT-OF-WAY, ALLEYS, HIGHWAYS, SIDEWALKS, AND BRIDGES IN SAID VILLAGE; PRESCRIBING CERTAIN RIGHTS, DUTIES, TERMS AND CONDITIONS; PROVIDING FOR THE PAYMENT TO THE VILLAGE OF A PERCENTAGE OF ITS TOTAL BILLED WATER USAGE; PROVIDING FOR ACCEPTANCE; AND PROVIDING FOR CERTAIN RELATED MATTERS.

- WHEREAS, Mustang Springs Utility, LLC ("MSU") intends to construct, own, and operate a water and wastewater utility and to deliver water and wastewater service within the Village of Salado (the "Village"); and
- WHEREAS, The Village has entered into a Development Agreement with Kerby Ventures, LLC ("Developer"), which requires the Developer and any of its successors and assigns to construct water and wastewater utility systems; and
- WHEREAS, the Board of Aldermen believes it is in the best interest of the Village to offer MSU a franchise on the terms and conditions set forth in this ordinance:

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

**Section 1: Definitions.** For the purpose of this ordinance, the following words, terms, phrases and their derivations shall have the meaning given to this Section 1.

- 1.1 "Village" shall mean the Village of Salado, Texas, a municipal corporation in the State of Texas.
- 1.2 "MSU" shall mean the Mustang Springs Utility LLC, a Texas company authorized to transact and actually transacting business in the State of Texas, its legal representatives, successors, lessees and assigns.
- 1.3 "Consumer" or "Customer" shall mean any person or organization receiving and using water and wastewater utility service from the MSU.
- 1.4 "Board of Aldermen" and "Aldermen" shall mean the governing body of the Village.

- 1.5 "Distribution system" shall mean all interrelated lines, equipment, pumps, and other appurtenances used or necessary for the transmission and distribution of water to consumers or customers in the Service Area.
- 1.6 "Collection System" shall mean all interrelated lines, equipment, lift stations, and other appurtenances used or necessary for the collection and transportation of sewage from consumers or customers in the Service Area to a wastewater treatment plant owned and operated by MSU.
- 1.7 "Developer" shall mean Kerby Ventures, LLC and any successors and assigns as defined in the Development Agreement.
- 1.8 "Development Agreement" shall mean the Development Agreement between the Village and Kerby Ventures, LLC.
- 1.9 "Franchise" shall mean this Ordinance, and all rights and obligations established herein or as it may be amended.
- 1.10 "Total Billed Water Usage" is the total amount of fee billed to consumers.
- 1.11 "Public easement" shall mean those easements held, owned or controlled by the Village, the terms, conditions or limitations upon which are not inconsistent with the construction or maintenance of a water distribution and transmission system or a wastewater collection system.
- 1.12 "Service Area" shall mean the same land subject to the Development Agreement consisting of 1,105.6 acres of land located at 1717 Mustang Creek Road, and more particularly described in Exhibit A to the Development Agreement, and annexed into the corporate boundaries of the Village, as may be expanded by approval of the Board of Alderman.
- 1.13 "Service line" shall mean lines directly connected to MSU's distribution and collection systems and used to convey water therefrom to the customer meter or to convey sewage away from customers to the WWTP.
- 1.14 "Sewage" shall mean untreated waterborne domestic waste collected from all consumers through the Collection System.
- 1.15 "Street" or "Alley" shall mean a publicly dedicated or maintained right-of-way, a portion of which is open to use by the public for vehicular travel.
- 1.16 "Water" shall mean potable drinking water.
- 1.17 "Wastewater" shall mean untreated domestic waterborne waste collected by MSU through the Collection System for transportation to, and treatment by, the WWTP.
- 1.18 "WWTP" shall mean the wastewater treatment plant owned and operated by MSU within the Service Area.

## Section 2: Grant of Franchise.

- 2.1 To the extent allowed by law, there is hereby granted to MSU an exclusive franchise to maintain, construct, equip, extend, replace, alter and otherwise establish and operate in the Service Area, as constituted as of the effective date of this ordinance, or as may hereafter be constituted, works, systems, plants, distribution lines, collection lines, and all related facilities necessary or appropriate to sell, distribute, convey or otherwise conduct, serve, supply and furnish the inhabitants in the Service Area, and to the Village, whenever the Village may desire to contract therefore, water and wastewater service in the Service Area, and said MSU is hereby granted passage and right-of-way in, under, along and across the streets, avenues, easements, right-of-way, alleys, highways, sidewalks, bridges and other structures and places in the Service Area, as it now or hereafter may exist, for every and any such service, use, effect, and lawful purpose as herein mentioned; provided that all work, activity and undertakings by MSU shall be subject to the terms and provisions of the Franchise and the continuing exercise by the Village of its governmental and police powers; and provided further that nothing herein shall be construed to require or authorize MSU to exceed any rights granted herein or by state or federal law.
- 2.2 The construction, maintenance, and operation of the system and property of MSU within the Village shall be subject to this Franchise and the ordinances and regulations adopted by the Aldermen from time to time in the exercise of the Village's police and regulatory powers.
- 2.3 If MSU elects to transfer this Franchise, the Village shall have the first right of refusal to purchase the Distribution and Collection Systems from MSU. If the Village declines to purchase the Distribution and Collection Systems from MSU, MSU may transfer this Franchise and the rights and privileges granted herein with the written approval of the Aldermen expressed by Ordinance. Such approval shall not be unreasonably withheld.
- Section 3: Term. The initial term of this Franchise shall be for five (5) years from the date of latest day of execution on the signature page. Thereafter, this Franchise shall automatically renew for additional five (5) year terms until modified in writing by the Village and MSU.
- Section 4: Termination. MSU shall have the right to terminate this franchise, upon which termination the Village shall have the first right of refusal to purchase the Distribution and Collection Systems from MSU. If the Village declines to purchase the Distribution and Collection Systems from MSU, MSU may execute an agreement with a third-party utility and successor under which MSU shall dedicate the Distribution System and Collection Systems to the third-party utility and continue operating and maintaining the Distribution System and Collection System on behalf of the third-party utility. Upon termination under this Section unless the Systems are purchased by the Village, all customers of MSU existing at the time of Termination shall become customers of the third-party utility.
- <u>Section 5:</u> Use of Streets and Easements. MSU is hereby authorized, licensed and empowered to do any and all things necessary and proper to be done and performed in executing the powers and utilizing the privileges herein mentioned and granted by this Franchise, provided the same do not conflict with existing electric power lines, telephone lines, cable television lines

and other authorized installations, and provided that all work done in said streets, avenues, easements, rights-of-way, alleys, highways, sidewalks, bridges and other structures and places and public grounds by MSU shall be done with reasonable diligence and without unnecessary inconvenience to the public or individuals.

Section 6: Work by the Village and Others. The Village reserves the right to lay, and permit to be laid, cable television, telephone, electric, and other lines, cables and conduits, and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under any street, alley, highway, easement or public place occupied by MSU so long as it performs in accordance with TCEQ regulations and state law. The Village shall be liable to MSU only for any damage to the MSU's lines, equipment or appurtenances of MSU, the producing cause of which is the negligence of the Village, its employees or subcontractors doing work for the Village. Damage caused to MSU as a result of work done by persons other than the Village, its employees, or its sub-contractors shall be corrected through payment to MSU by the responsible person. Removal and relocation expenses incurred by MSU shall be reimbursed by the person for whom the removal or relocation is made.

## **Section 7:** Modification and Relocation of Facilities.

- 7.1 If, during the period of this Franchise, the Village shall elect to alter or change the grade or alignment of any street, alley or other public right-of-way, or any water pipe, wastewater pipe, or any overhead or underground structure within the corporate limits or the extraterritorial jurisdiction of the Village, so as to conflict with the Collection System, Distribution System, or equipment and appurtenances of MSU, MSU shall remove or relocate, as necessary, all of its facilities, equipment, and appurtenances necessary at MSU's expense. Schedules for this work shall be developed by designated representatives of MSU and the Village. If such representatives cannot agree on the schedules, MSU's acting engineer, after consultation with the Village, shall establish a schedule. This schedule shall provide for a minimum of thirty (30) days between the time the schedule is furnished to MSU and the time that any specific work to be done by MSU covered in the schedule is to begin.
- 7.2 Whenever any such public works project is funded, in whole or in part, with federal or state highway monies, if federal or state law provides compensation for utility adjustments, the Village shall request that compensation be provided to MSU by the funding authority. If the Village receives such requested utility adjustment compensation, it shall deliver same to MSU.

## **Section 8:** Service to be Provided by MSU.

8.1 Service may be provided by means of transmission and distribution lines, equipment, and appurtenances in the streets, alleys, easements, and other public rights-of-way. MSU shall not place its transmission or distribution lines, equipment and appurtenances where the same will obstruct or interfere with motor vehicle traffic, or any existing television cable, electric, drainage, sewer or telephone facilities, traffic control signalization, street lights, fire lines or communication lines.

- 8.2 MSU shall furnish service consistent with the requirements and intent of this Franchise and its "service regulations" as now or hereafter adopted by MSU; provided that consistent with such regulations, MSU shall provide water service to all areas of the Village and within the Service Area.
- 8.3 MSU's system and appurtenances shall be located, installed and maintained so that none of the facilities shall unreasonably endanger the lives of persons, unreasonably interfere with any public improvements the Village may deem proper to make, or unnecessarily obstruct the free use of the streets, alleys, bridges, easements or public property.
- 8.4 MSU shall repair all excavations and work sites by MSU in compliance with any applicable Village rules and regulations; provided that in any event the area of excavation or work shall be, at minimum, repaired and replaced to as good or better condition.

## Section 9: MSU Rules and Regulations.

- 9.1 MSU's rates, rules and regulations shall be and remain in effect as adopted and amended from time to time by MSU; subject to the right of the Village to regulate any such rate, rule or regulation to the fullest extent allowed by law.
- 9.2 MSU shall be entitled to require from each and every customer to make such deposits and payments as required by MSU, and to comply with the rules and regulations adopted by MSU.

### Section 10: Franchise and Rental Fees.

- 10.1 The streets, rights-of-way, and public easements to be used by MSU in the operation of its system within the boundaries of the Village as such boundaries exist as of the effective date of this ordinance, are valuable public properties acquired and maintained by the Village at great expense to its taxpayers, without which MSU would be required to invest in right-of-way costs and acquisitions, and since the Village will incur costs in regulating and administering this Franchise, MSU shall through the term of this Franchise pay to the Village four percent (4%) billed on the total water usage fee collected from customers located within the Village for the duration of the Franchise. The fee shall be paid quarterly payable on or before the 15th day of the month following the end of the quarter, and the fee shall be based upon the total number of users as of July 15 of the previous year. For example, the franchise fee for the quarter ending June 30th shall be paid by July 15th.
- 10.2 The franchise fee shall be in lieu of any and all other Village imposed rentals or fees for the franchise, license and privilege of occupying the Village streets, and any excise or revenue taxes or fees and all similar rentals or taxes (except as and when applicable ad valorem property taxes, special assessments for local improvements, village sales tax, and such other charges for utility services imposed uniformly upon persons, firms or corporations then engaged in business within the Village) upon or relating to the business, revenue, franchise, transmission and distribution lines, installations and systems, fixtures, and other facilities of MSU and all other property of MSU and its activities, or any part thereof, in the Village which relate to the operations of MSU's Collection System or Distribution System.

## **Section 11:** Expansion of Service Area

MSU may, from time to time, expand the Service Area to adjacent properties and developments and extend retail water and sewer service to all facilities and customers in the expanded Service Area with approval by the Board of Alderman. Any land or property included in a Service Area expansion shall first be voluntarily annexed into the Village's corporate boundaries. Upon approval by the Board of Aldermen of any Service Area expansion, the Franchise shall include the expanded Service Area and all rights, privileges, and duties of MSU shall continue for the expanded Service Area.

## **Section 12:** Insurance Provided by MSU.

MSU shall maintain throughout the term of this Franchise property damage coverage, general liability insurance, automobile liability insurance, and worker compensation insurance, with an insurance company, or companies, licensed to do business in the State of Texas insuring against claims for liability and damages; provide that MSU may in its continuing discretion provide all required coverage by a funded self-insured program.

## Section 13: Indemnification and Hold Harmless.

MSU agrees to save harmless the Village, its agents, officers and employees, against and from any and all claims by or on behalf of any person, firm, corporation or other entity, arising from MSU's Distribution System, Collection System, or operations within the Village, or arising from any act of negligence of MSU, or any of its agents, contractors, servants, employees or licensees. It is understood that it is not the intention of either the Village or MSU to create any liability, right or claim for the benefit of third parties and this Franchise is intended and shall be construed of the sole benefit of the Village and MSU.

### Section 14: General Provisions.

MSU shall supply the Village with a map or maps showing the probable location(s) of the Collection System and Distribution System to be constructed by MSU after the date of this Franchise. Upon the completion of construction of any part or portion of the Collection System or Distribution System, or any addition thereto, within the Village, MSU shall provide the Village with a map showing the location of such water line, pipe, or facility.

#### Section 15: Severability.

If any section, paragraph, subdivision, clause, part or provision hereof shall be adjudged invalid or unconstitutional the same shall not affect the validity hereof as a whole or any part or provision other than the part of parts held invalid or unconstitutional.

## Section 16: Governing Law.

This Franchise shall be construed in accordance with the Constitution and laws of the State of Texas. Nothing in this Franchise is intended to expand upon the authorities or rights of either the Village or MSU according to the Constitution and laws of the State of Texas. Nothing in the

Franchise shall be construed as a waiver by either party of its authority or rights as provided by the Constitution of the State of Texas.

## Section 17: Open Meetings.

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, as required by the Open Meetings Act, Chapter 551, Texas Government Code.

## Section 18: Publication.

The full caption of this ordinance shall be published one (1) time in a weekly newspaper published within or in general circulation within the Village. This ordinance shall take effect only upon its acceptance by MSU. In the event this Franchise is not accepted by MSU this ordinance shall expire and become null and void.

READ, FASSED, AND ADOFTED	1 H15 til DA i OF MARCH, 2024.
	VILLAGE OF SALADO, TEXAS
	Mayor
ATTEST:	
	, Village Secretary
AGREED TO THIS DAY O	F, 2024.
	MUSTANG SPRINGS UTILITY, LLC
	Signature
	Printed Name:

## BOA Agenda Item # 6(A)



**Date Submitted:** 

Agenda Date Requested: April 15, 2024

Project/Proposal Title:

**EXECUTIVE SESSION** 

**Council Action Requested:** 

Ordinance Resolution Motion Discussion

Project/Proposal Summary:

ADJOURN INTO EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE IN ACCORDANCE WITH THE STATUTORY AUTHORITY CONTAINED IN:

SECTIONS 551.074. PERSONNEL MATTERS; CLOSED MEETING. TO DELIBERATE THE EMPLOYMENT, EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE: THE VILLAGE ADMINISTRATOR.