

Village Of Salado



REGULAR BOARD OF ALDERMEN
MEETING SALADO MUNICIPAL BUILDING
301 N. STAGECOACH, SALADO, TEXAS
NOVEMBER 7, 2024, 6:30 P.M.

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

www.youtube.com/@VillageofSalado



Join the meeting 5 minutes before posted start time.

AGENDA

<u>CALL TO ORDER</u>	NOVEMBER 7, 2024, 6:30 P.M.
<u>CALL OF ROLL</u>	VILLAGE SECRETARY
<u>INVOCATION</u>	MAYOR BERT HENRY

PLEDGE OF ALLEGIANCE / SALUTE TO THE TEXAS FLAG

1. PUBLIC COMMENTS

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 FIVE (5) 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. CERTIFICATE OF RECOGNITION TO MICHAEL ALEXANDERSSON

3. CONSENT AGENDA

- (A) APPROVAL OF MINUTES OF OCTOBER 17, 2024, REGULAR BOARD OF ALDERMEN MEETING
- (B) APPROVAL OF CANCELLATION OF THE DECEMBER 5, 2024, REGULAR BOARD OF ALDERMAN MEETING
- (C) ACCEPTANCE OF TOURISM DEPARTMENT MONTHLY REPORT
- (D) ACCEPTANCE OF POLICE DEPARTMENT MONTHLY REPORT
- (E) APPROVAL OF WILLIAMS ROAD CLOSURE FROM FM 2484 TO SOARING EAGLE WAY DURING THE 2024 THANKSGIVING SCHOOL BREAK FOR ROADWAY REPAIRS
- (F) APPROVAL OF THE ROUTE FOR THE SCOTTISH GATHERING AND HIGHLANDS GAMES PARADE
- (G) APPROVAL OF MAIN STREET CLOSURE FOR THE SALADO CHRISTMAS PARADE ON THURSDAY, DECEMBER 5, 2024.
- (H) ACKNOWLEDGE RECEIPT OF PETITION FOR RELEASE FROM THE EXTRATERRITORIAL JURISDICTION OF THE VILLAGE OF SALADO FROM VALE BUILDING GROUP LLC, AUTHORIZED AGENT BEING EDWIN H. VALE, JR.

LEGAL DESCRIPTION: BEING APPROXIMATELY 54.311 ACRES OF LAND LOCATED IN BELL COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 94.671 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN THAT CERTAIN WARRANTY DEED WITH VENDOR'S LIEN GRANTED FROM MILL CREEK RESOURCES, LTD., A TEXAS LIMITED PARTNERSHIP TO VALE BUILDING GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY, DATED JUNE 16, 2016, RECORDED JUNE 20, 2016, UNDER DOCUMENT NO. 2016-0003707, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS;

SAVE AND EXCEPT, APPROXIMATELY 40.31 ACRES OF LAND DESCRIBED IN THAT CERTAIN GENERAL WARRANTY DEED GRANTED FROM VALE BUILDING GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY TO WBW SINGLE LAND INVESTMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, DATED AND RECORDED NOVEMBER 14, 2019, UNDER DOCUMENT NO. 2019-52960, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS.

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

5. **PUBLIC HEARING**

- (A) HOLD A PUBLIC HEARING ON THE CREATION OF THE MUSTANG SPRINGS PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE.
(This public hearing was opened on October 3, 2024, and the matter is in recess and will continue November 7, 2024)

6. **DISCUSSION AND POSSIBLE ACTION**

- (A) DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM MR. MARSHAL LEE POINTER WITH SALADO SCOOTER RENTALS LLC ON SCOOTER RENTAL EXTENSION TO THE ONE-YEAR PROBATIONARY PERIOD APPROVED BY THE SALADO BOARD OF ALDERMEN ON NOVEMBER 16, 2023, LISTED AS AGENDA ITEM 5(E).
- (B) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-21, AN ORDINANCE ADOPTING THE RULES OF PROCEDURE, CONDUCT, DECORUM, AND GOVERNANCE FOR THE

BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS AND EXTENDING SUCH RULES TO THE VILLAGE'S BOARDS AND COMMISSIONS; AND PROVIDING FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

- (C) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-22, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS ADOPTING A CODE OF ETHICS FOR THE VILLAGE OF SALADO; AND PROVIDING FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.
- (D) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-23, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS AMENDING THE EXISTING ZONING ORDINANCE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; RESERVATION OF RIGHTS; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.
- (E) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-24, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, TO ESTABLISH CHILD SAFETY ZONES AND DISTANCE RESTRICTIONS FOR REGISTERED SEX OFFENDERS; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

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 by November 4, 2024, by 5:00 p.m.

Debra Bean

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.

Agenda Item # 1



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

PUBLIC COMMENTS

Project/Proposal Summary:

1. PUBLIC COMMENTS

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 FIVE (5) 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.

Agenda Item # 2



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CERTIFICATE OF RECOGNITION TO MICHAEL ALEXANDERSSON

Project/Proposal Summary:

2. CERTIFICATE OF RECOGNITION TO MICHAEL ALEXANDERSSON

Agenda Item # 3A



Date Submitted:
Agenda Date Requested: November 4, 2024

Agenda Item:
CONSENT AGENDA

Project/Proposal Summary:

3. CONSENT AGENDA

- (A) APPROVAL OF MINUTES OF OCTOBER 17, 2024, REGULAR BOARD OF ALDERMEN MEETING

Agenda Item # 3B



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA

Project/Proposal Summary:

3. CONSENT AGENDA

(B) APPROVAL OF CANCELLATION OF THE DECEMBER 5, 2024,
REGULAR BOARD OF ALDERMAN MEETING

Note: The Village Administrator will be attending Public Funds Investment Training on December 5th and will be out of town.

Agenda Item # 3C



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA / Tourist Dept. Report

Project/Proposal Summary:

3. CONSENT AGENDA

(C) ACCEPTANCE OF TOURISM DEPARTMENT MONTHLY REPORT



Village of Salado

301 N. Stagecoach Rd., P.O. Box 219, Salado, Texas, 76571
Phone: (254) 947-5060 - Fax: (254) 947-5061

Bert Henry, Mayor - Rodney Bell, Mayor Pro-Tem
Aldermen - D. Jasen Graham, Zach Hurst, Michael MacDonald
Manuel De La Rosa, Village Administrator

November 4, 2024

To: Aldermen and Village Administrator

From: Tourism Marketing Manager – Deanna Whitson

Subject: Tourism Report

The first page is the numbers from our www.visitsaladotexas.com website. Users increased by 51, Sessions increased by 29, Pageviews decreased by 539, IOS downloads increased by 2, and Android downloads increased by 12 from September.

Update on things we have been working on:

On October 10th, I went to Fort Cavazos, introduced myself and dropped off 20 Salado brochures. We gave 100 brochures to our sponsor the Brazos Trail where they handed out our brochures at the 2024 State Fair, Lackland Air Force Base Travel Expo, and the Governor's Summit in Buffalo.

I coordinated with a Nursing Conference expecting 150 attendees to be held in Salado in July 2025. They are booked with the Holiday Inn for the conference, and we're working on arrangements for an evening gathering in town.

On October 24th, we conducted interviews at the Museum and the Scottish Games, along with a feature interview with Ronnie Wells about his *Lonesome Dove* series. We're currently finalizing the video on the Scottish Games, which will be ready to post on Facebook and YouTube this week in honor of their event. As with the previous videos, we'll send this to you for review before posting.

On October 29th, Melanie and I had a team building meeting to discuss our social media, YouTube, and interviews to finish out the year and restructure new ways to capture the town.

We've been working closely with our new website company to prepare our updated site for a November 15th launch. I've have gone through our list of businesses that are currently on our website to be sure they are still active and set up the new ones that need to be listed and have met

with local business owners to collect their URLs, business biographies, and event details to ensure everything is current for the new website. Media2Social has captured photos and drone footage of our town, and the site is coming together beautifully. I'll share preview pictures with you all before it goes live.

We are working with a Baylor Sorority group of 400 to host a dance on Dec 6th for their group. For the past three years they have held it at Jack's Barn; however, it has been sold to an individual. I am working with Ted Smith with Salado ISD and he has said they could hold it at the Salado Elementary School cafeteria. They are talking to their coordinator to confirm this will work for them.

Our social media continues to grow strong, with 201 new followers in the past 90 days.

Lots of excitement and cool things happening on the Tourism side. 😊



TOURISM MARKETING REPORT

Engagement Metrics - October 2024

Visit Salado Website:

Users: 307

Sessions: 331

Page Views: 2,273

iOS Downloads: 41

Android Downloads: 15

Download our QR for
all our events.

www.visitsaladotexas.com



Agenda Item # 3D



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA / Police Dept. Report

Project/Proposal Summary:

3. CONSENT AGENDA

(D) ACCEPTANCE OF POLICE DEPARTMENT MONTHLY REPORT

Memo

To: Mayor Henry, Board of Alderman members
From: Chief Fields
cc: Manuel De La Rosa
Date: 10/11/2024
Re: Monthly Report



Please find attached the printed copy of the October 2024 Monthly Report for the Village of Salado Police Department. I have attached this as a supplement to the Monthly Report for informational purposes.

Slide one: Calls for service

Monthly calls for service have overall increased by 82 from 521 to 603. This is most visible in the Priority 4 calls for service. This is partially due to the amount of house watches / area check conducted by the police department have increased. Overall, the police department responded to an average of 19.45 calls for service each day of October 2024.

Slide Two & Three: Calls for service by day of the week and time of the day

There is an increase in calls for service on Thursday and Saturday. While there is a decrease in the number of calls for service Sunday through Tuesday. Saturday has seen the largest increase (from 80 to 119 C.F.S.). We have had a substantial spike in calls for service in the 7:00am time frame.

Slide Four: Reports generated

Five arrests were made during October 2024. Ninety-nine (99) traffic stops were conducted resulting in forty-five (46) citations being issued (enforcement rate of 46.4%). Fifty-six (79) warnings were also issued. The department completed 27 incident reports and 24 supplemental reports. We responded to a significantly lower amount of traffic crashes, from thirty-five (35) down to seventeen (18).

Notable C.F.S. are as follows:

10/11/24 – Vehicle stop was initiated for a minor traffic offense. Operator was suspected of being under the influence and a series of field sobriety tests were conducted. Operator was subsequently arrested for suspicion of driving while

intoxicated (2nd Offense). During an inventory of the vehicle, a 5 shot revolver was located. Additional charge of Unlawfully Carrying a Weapon was filed.

10/16/24 – Vehicle stop was initiated for a minor traffic offense. A check of the operator's license revealed it was under ALR suspension for a previous driving under the influence incident. Operator was arrested without incident. She was later found to be in possession of a white in color powdery substance she identified as "coke". The substance was processed and sent to DPS lab for confirmation. Additional charge of Possession of a Controlled Substance will be filed pending lab results.

10/17/24 – Brookshire's reported a series of forged checks over a two-day period. Suspects entered the store and cashed forged payroll checks. Video was obtained. This incident is still under investigation.

10/26/24 – Officers were dispatched to a possible juvenile party in the 1400 block of Mill Creek. Upon arrival, officers attempted contact at the door. Numerous juveniles and young adults began running from the residence. Officers began a foot pursuit, and two juveniles were apprehended. Both were charged with Evading Arrest or Detention on Foot.

10/30/24 – Vehicle stop was initiated for a minor traffic offense. A check of the operator's license revealed it was under ALR suspension for previous D.W.L.I. charges. Operator was arrested for Driving While License Invalid (Subsequent).

Slide Five: Response Times

Response times are slightly higher than September 2024. The response time for Priority 4 calls for service was negligible, primarily because P4 calls for service are generally self-initiated field activity.

Slide Six: House Watches / Area Checks

Officers conducted 118 house watches and area checks during October 2024. This number is up from the 80 conducted in August.

Slide Seven: Flock ALPR Report

There was a slight decrease in the number of Unique plate images captured as compared to September 2024; 204,548 vs 205,937. We received thirty-seven (37) system alerts, all associated with agency specific hot list notifications. Sixteen plates were retained for investigative purposes (Theft of construction materials and Forgery).

Slide Eight: Purge Report

205,937 plates read in October 2024 were deleted from the system. This is an automatic setting purging the previous months captured data.

Slide Nine: Hot List data

A total of Thirty-seven agency specific hot list hits were received. Charts attached.

Slide Ten: Department News

Officer Justyn Manning has successfully completed Field Training and have been certified for solo patrol.

Officers attended several Halloween events including Trunk-o-Treat at the Methodist Church and the Salado Candy Trail on Main Street.

Thank you for all you do for the Village of Salado and your Police Department.

Respectfully,

Allen K. Fields

Chief of Police

Village of Salado PD



Monthly Report

October 2024



Calls for Service

Priority 1:	18 (-1)	2.99%
Priority 2:	158 (+12)	26.20%
Priority 3:	158 (+13)	26.20%
Priority 4:	269 (+58)	44.61%
TOTAL:	603 (+82)	
	19.45 CFS per day	(up from 16.80)

Calls for Service

by Day



September 2024

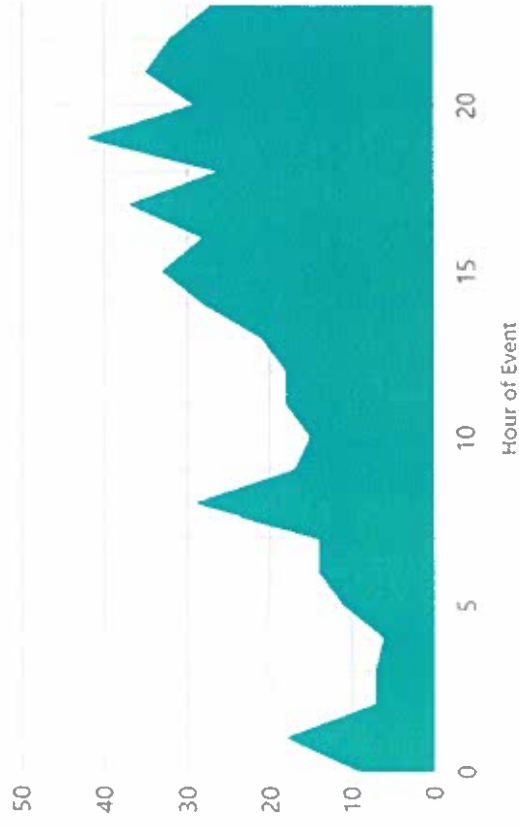


October 2024

Calls for Service

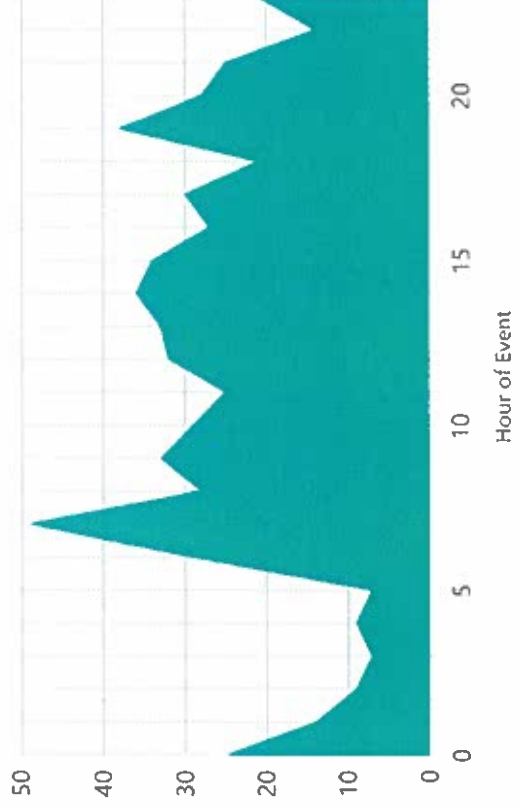
by Time

Event Counts by Hour of Day (24 hour)



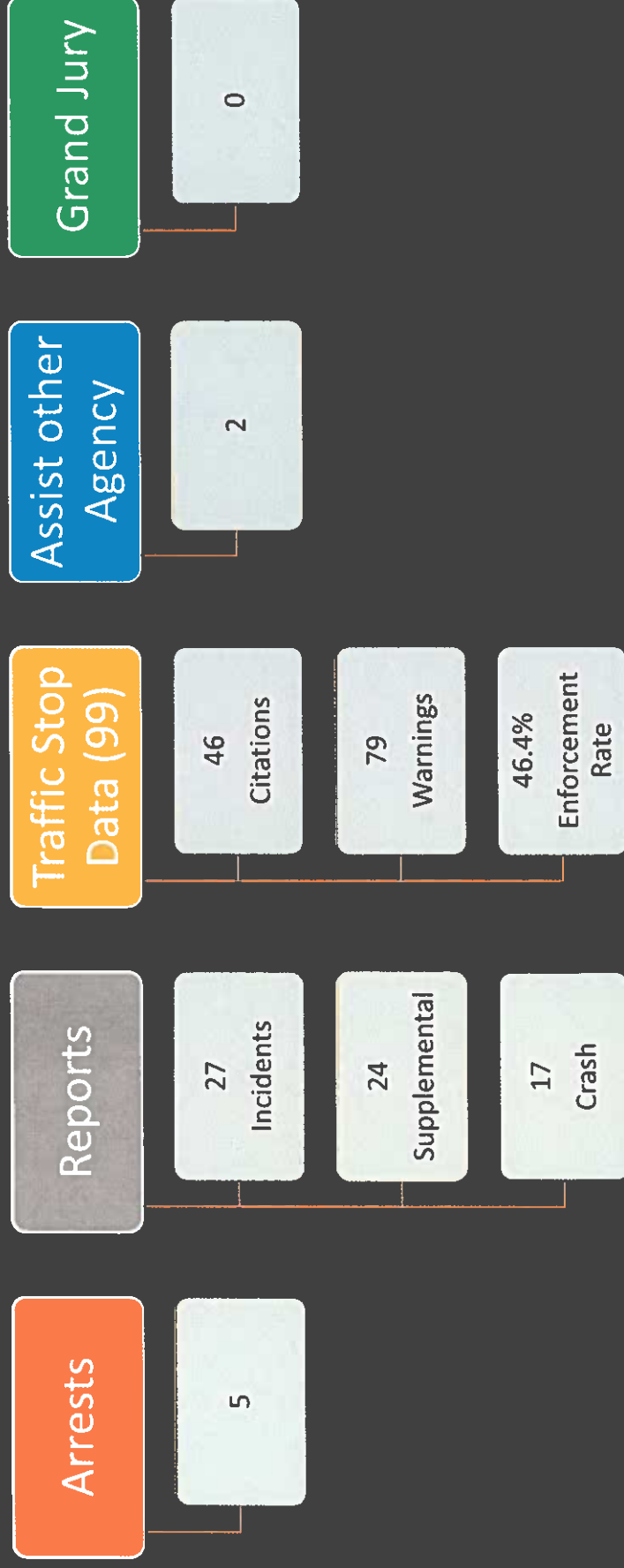
September 2024

Event Counts by Hour of Day (24 hour)



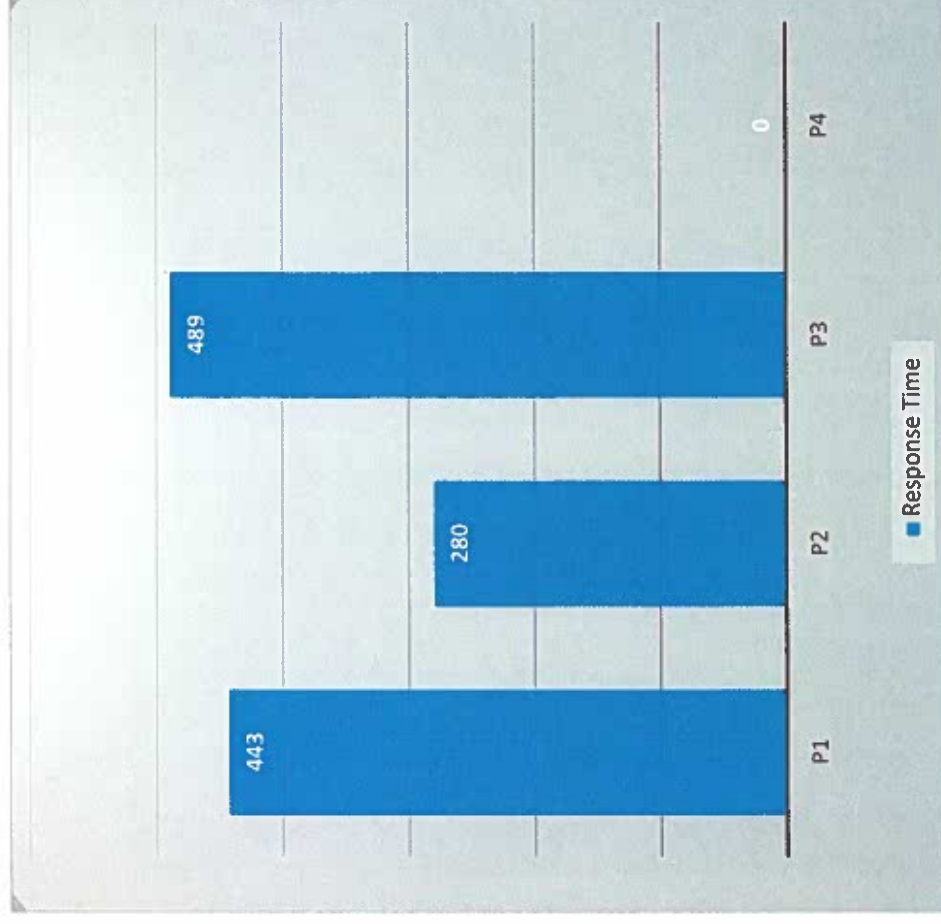
October 2024

Calls for Service - Results



Response Time - Breakdown

- Priority 1: 18 7:23
- Priority 2: 158 4:40
- Priority 3: 158 8:09
- Priority 4: 211 No time



Security Checks



House Watches /
Area checks:

118



Flock ALPR Report

- Unique License plate images captured: 204,548
- Plates retained for Investigations: 16
- System alerts: 37
- Administrative use: 1

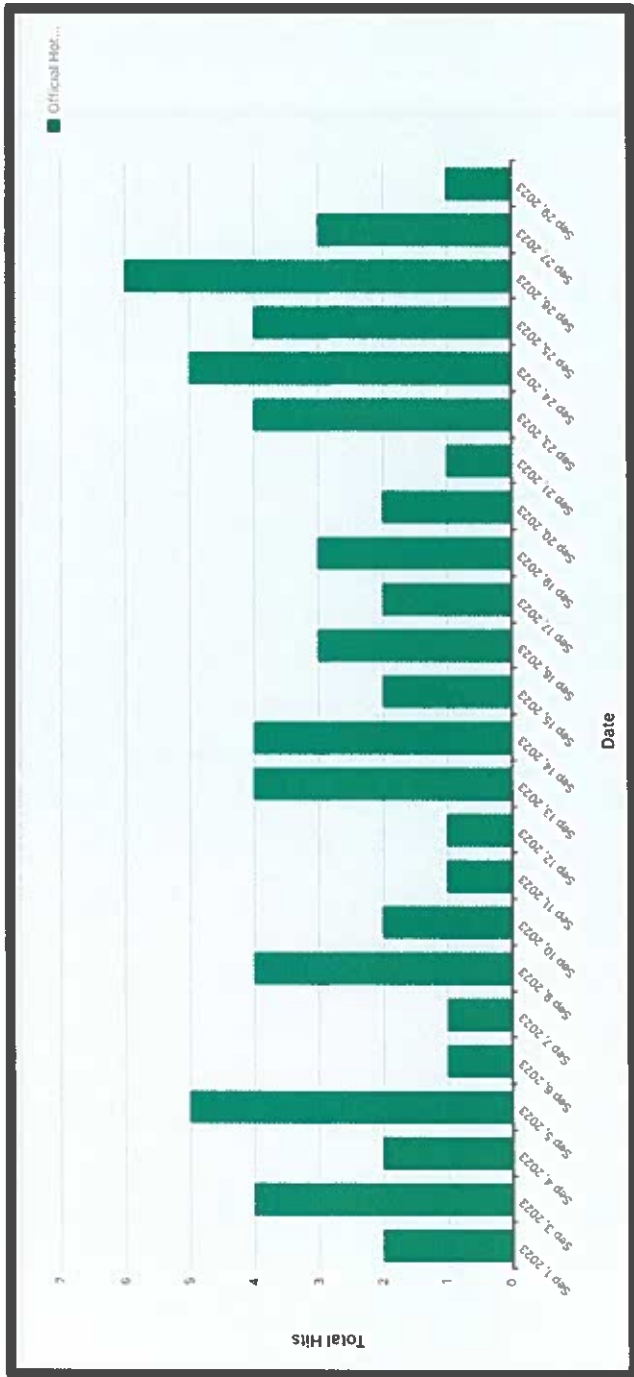
Flock ALPR Report

- Plates Reads: 204,548
- Plates Deleted: 205,937



Total Alerts by Topic

Topic	Alerts
Sex Offender	16
Protection Order	14
Non Owned Custom Hotlist Alert	4
Gang or Suspected Terrorist	3



Total Hot List Hits - 46

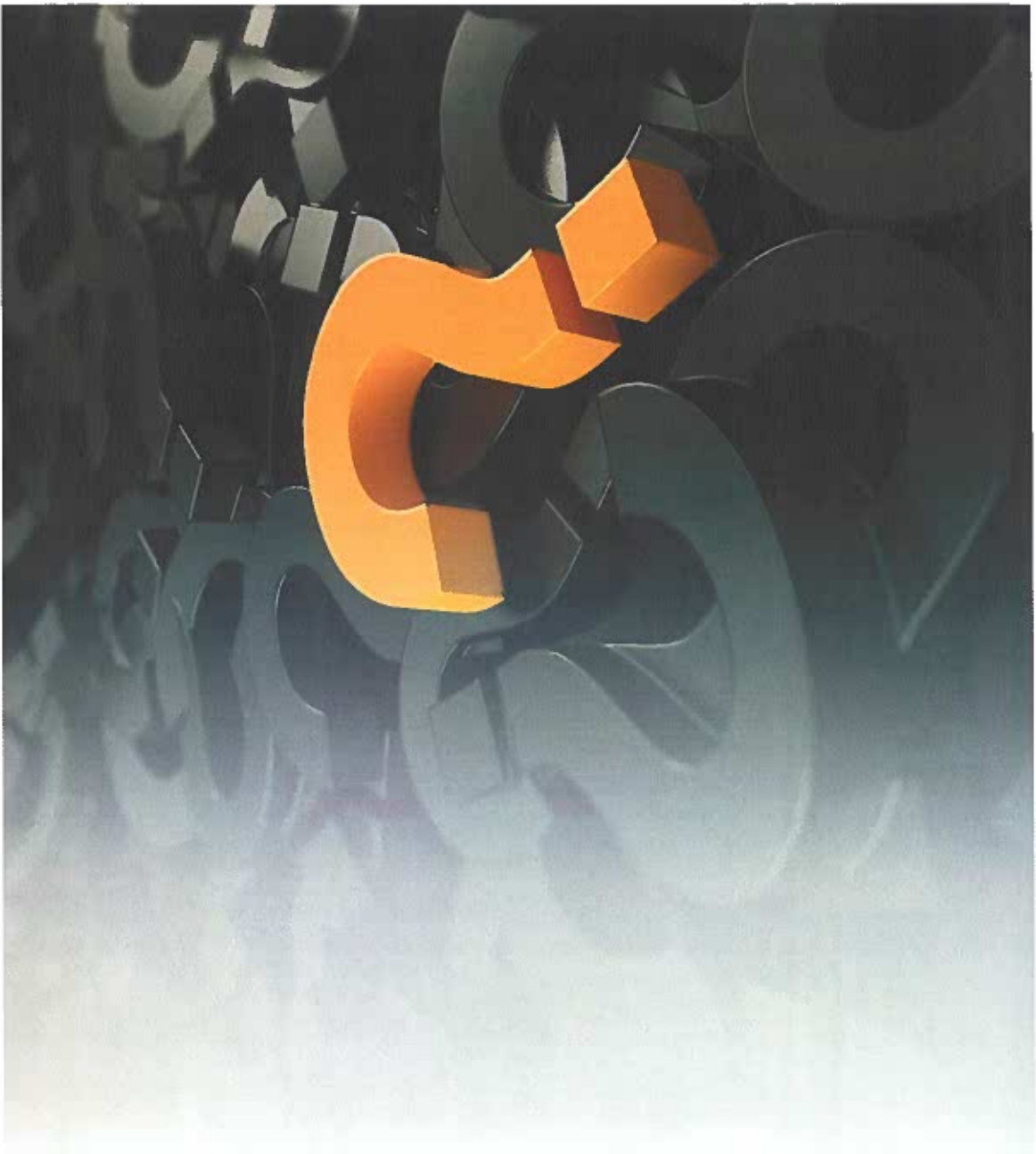
Department News



- Officer Justyn Manning has completed Field Training.
- Attended several Halloween events including "Trunk-o-Treat" and "Candy Trail"



Questions?



Agenda Item # 3E



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA

Project/Proposal Summary:

3. CONSENT AGENDA

(E) APPROVAL OF WILLIAMS ROAD CLOSURE FROM FM 2484 TO SOARING EAGLE WAY DURING THE 2024 THANKSGIVING SCHOOL BREAK FOR ROADWAY REPAIRS

Note: Damaged caused to Williams Road by contractor working on the Salado Independent School District projects. The contractor requested to close the road to be able to make the repairs.

Agenda Item # 3F



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA

Project/Proposal Summary:

3. CONSENT AGENDA

(F) APPROVAL OF THE ROUTE FOR THE SCOTTISH GATHERING AND HIGHLANDS GAMES PARADE

Note: Here is the parade information –

(Saturday, November 9th, 2024)

On Saturday at approximately 11:00 a.m., the parade will begin their line-up at Pace Park. At noon the parade will process from Pace Park onto Thomas Arnold, cross I-35, continue on Thomas Arnold to the gate by the softball field at Thomas Arnold Elementary school. The parade ends inside the school grounds.

Agenda Item # 3G



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA

Project/Proposal Summary:

3. CONSENT AGENDA

(G) APPROVAL OF MAIN STREET CLOSURE FOR THE SALADO CHRISTMAS PARADE ON THURSDAY, DECEMBER 5, 2024.

Note: Parade starts at 6:00 p.m.



410 West Loop 121 Temple, TEXAS 76513 | 254.939.3778 | WWW.TXDOT.GOV

October 29, 2024

Allen K. Fields
P.O. Box 219
Salado, Texas 76571

Re: Christmas Parade

Dear Mr. Fields:

This letter is in response to your e-mail of October 29th, 2024, requesting permission for a controlled closure of the traffic light located at the intersection of Van Bibber and College Hill on FM 2268 Spur in Salado, TX on December 5th, 2024, beginning at 5pm for the Christmas Parade. This is notification that the usage for the above-mentioned event is approved with the understanding that the local law enforcement agencies will handle all necessary traffic control.

I would like to take the opportunity to wish your community a safe and successful event.

If you have any questions or comments, please feel free to contact me at (254) 939-3778.

Sincerely,

DocuSigned by:

ED554D438C874EF

Michael Yates, P.E.
Belton Area Engineer
Texas Department of Transportation

OUR VALUES: *People • Accountability • Trust • Honesty*

OUR MISSION: *Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.*

An Equal Opportunity Employer

Agenda Item # 3H



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

CONSENT AGENDA

Project/Proposal Summary:

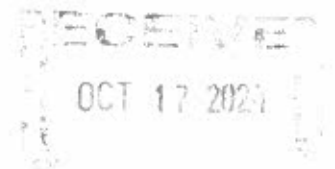
3. CONSENT AGENDA

(H) ACKNOWLEDGE RECEIPT OF PETITION FOR RELEASE FROM THE EXTRATERRITORIAL JURISDICTION OF THE VILLAGE OF SALADO FROM VALE BUILDING GROUP LLC, AUTHORIZED AGENT BEING EDWIN H. VALE, JR.

LEGAL DESCRIPTION: BEING APPROXIMATELY 54.311 ACRES OF LAND LOCATED IN BELL COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 94.671 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN THAT CERTAIN WARRANTY DEED WITH VENDOR'S LIEN GRANTED FROM MILL CREEK RESOURCES, LTD., A TEXAS LIMITED PARTNERSHIP TO VALE BUILDING GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY, DATED JUNE 16, 2016, RECORDED JUNE 20, 2016, UNDER DOCUMENT NO. 2016-0003707, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS;

SAVE AND EXCEPT, APPROXIMATELY 40.31 ACRES OF LAND DESCRIBED IN THAT CERTAIN GENERAL WARRANTY DEED GRANTED FROM VALE BUILDING GROUP, LLC, A TEXAS LIMITED LIABILITY COMPANY TO WBW SINGLE LAND INVESTMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, DATED AND RECORDED NOVEMBER 14, 2019, UNDER DOCUMENT NO. 2019-52960, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS.



**PETITION FOR RELEASE OF APPROXIMATELY 54.311 ACRES
FROM THE EXTRATERRITORIAL JURISDICTION
OF THE CITY OF SALADO, TEXAS**

The undersigned petitioner ("Petitioner"), acting pursuant to the provisions of Texas Local Government Code ("LGC") Chapter 42, Subchapter D, as amended, hereby files this petition and requests that the City of Salado (the "City") release the area depicted and described on Exhibit "A" attached hereto and incorporated herein (the "Land"), located within the extraterritorial jurisdiction ("ETJ") of the City, and within Bell County, Texas, from the City's ETJ. In support of this petition, the Petitioner would show the following:

Section 1. Pursuant to LGC Section 42.102(b), the Petitioner, being the owner of a majority in value of the Land, files this petition for the Land to be released from the City's ETJ.

Section 2. Pursuant to LGC Section 42.104(a)(2), the signatory to this petition is the holder of title of all (and thus a majority in value) of the Land, as indicated by the current tax roll of the Tax Appraisal District of Bell County, and evidenced by the current tax certificate attached as Exhibit "B" hereto.

Section 3. Pursuant to LGC Section 42.104(d), Exhibit "A" hereto includes a map of the Land and describes the boundaries of the Land by metes and bounds.

Section 4. The Land is not subject to any of the exceptions to the applicability of LGC Chapter 42, Subchapter D, as amended, as described in LGC Section 42.101.

Section 5. Pursuant to LGC Section 42.104(b), all signatories, if more than one, have signed this petition not later than the 180th day after the date the first signature for this petition was obtained.

Section 6. Pursuant to LGC Section 42.105(a), this petition shall be verified by the City Secretary of the City or other person at the City responsible for verifying signatures.

Section 7. Pursuant to LGC Section 42.105(b), the City shall notify the residents or landowners of the Land of the results of this petition, which notification requirement may be satisfied by notifying the Petitioner in writing.

Section 8. Pursuant to LGC Section 42.105(c), the City is required to immediately release the Land from the City's ETJ.

Section 9. Pursuant to LGC Section 42.105(d), if the City fails to take action to release the Land from the City's ETJ by the later of (a) the 45th day after the date the City receives this petition, or (b) the next meeting of the city council of the City that occurs after the 30th day after the date the City receives this petition, the Land shall be released by operation of law.

Section 10. Pursuant to LGC Section 41.001(c), when the City's ETJ is reduced, the City's map of its boundaries and ETJ shall be immediately corrected to indicate the change in the City's ETJ.

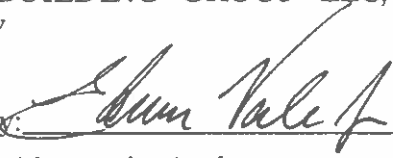
Accordingly, the Petitioner requests that the City immediately release the Land from the City's ETJ, and that the map of the City's boundaries and ETJ be immediately corrected to reflect the release of the Land from the ETJ.

[Signature Page Follows]

PETITIONER:

VALE BUILDING GROUP LLC, a Texas limited liability company

Signed by: _____



Signer's Title: Authorized Agent

The following information is required by Local Government Code, Sections 42.103 and 42.104(a), to be completed for this petition in accordance with Texas Election Code, Section 277.002, "Validity of Petition Signatures".

Signer's Printed Name: Edwin H. Vale, Jr.

Signer's Date of Birth: May 25, 1964

Signer's Residence Address (street address, city, state, zip code):

400 Goldridge Cir, Georgetown, Texas 78644

Date of Signing: _____

10-11-24

Received by the City of Salado on this _____ day of _____, 2024.

By: _____

Printed Name: _____

Title: _____

EXHIBIT "A"
The Land
54.311 Acres

Being approximately **54.311 acres** of land located in Bell County, Texas, more particularly described as follows:

A 94.671 acre tract of land described as Tract 2 in that certain Warranty Deed with Vendor's Lien granted from Mill Creek Resources, Ltd., a Texas limited partnership to Vale Building Group, LLC, a Texas limited liability company, dated June 16, 2016, recorded June 20, 2016, under Document No. 2016-0003707, Official Public Records of Bell County, Texas, and being more particularly described by metes and bounds shown on **Exhibit "A-1"** attached hereto and incorporated herein for all purposes;

SAVE AND EXCEPT, approximately 40.31 acres of land described in that certain General Warranty Deed granted from Vale Building Group, LLC, a Texas limited liability company to WBW Single Land Investment, LLC, a Texas limited liability company, dated and recorded November 14, 2019, under Document No. 2019-52960, Official Public Records of Cell County, Texas, being more particularly described by metes and bounds shown on **Exhibit "A-2"** attached hereto and incorporated herein for all purposes.

Exhibit "A-1"

BEING a 94.671 acre tract of land situated in the FELIPPE MADRIGAL SURVEY, ABSTRACT No. 554, Bell County, Texas and being a part or portion of that certain 240.963 acre tract of land described in a Warranty Deed dated September 19, 1997 from George N. Hester and wife, Ruth Ann Hester to Mill Creek Resources, Ltd., a Texas Limited Partnership and being of record in Volume 3688, Page 258, Official Public Records of Bell County, Texas and being a part or portion of that certain 30.000 acre tract of land described in a Warranty Deed with Vendor's Lien dated January 8, 1999 from George N. Hester and wife, Ruth Anne Hester to Mill Creek Resources, Ltd., a Texas Limited Partnership and being of record in Volume 3929, Page 77, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found being in the west boundary line of the said 240.963 acre tract and being in the east boundary line of that certain 84.185 acre tract of land described in a Warranty Deed dated April 1, 2015 from Jason Bragg and Allison Bragg to B & V Texas Enterprises, LLC and being of record in Document No. 2015-00012715, Official Public Records of Bell County, Texas and being the southwest corner of Lot 12, Block 1, Mill Creek Springs Phase V according to the map or plat of record in Cabinet D, Slide 52-D, Plat Records of Bell County, Texas for corner;

THENCE departing the said west boundary line and the said 84.185 acre tract and with the southerly and southwesterly boundary lines of the said Mill Creek Springs, Phase V and over and across the said 240.963 acre tract the following nine (9) calls:

- 1) S. 46° 03' 47" E., 290.79 feet with the southerly boundary line of the said Lot 12, Block 1 and continuing with the southerly right-of-way line of Meadow Crest Street as described in said Cabinet D, Slide 52-D to a 1/2" iron rod found being the southeast corner of the said right-of-way and being at the beginning of a non-tangent curve to the right having a radius equals 375.00 feet, chord bearing equals N. 45° 06' 31" E., 15.28 feet for corner;
- 2) 15.28 feet along the arc of said curve to the right an with the easterly right-of-way line of the said Meadow Crest Street to a 1/2" iron rod found for corner;
- 3) N. 46° 16' 34" E., 29.90 feet continuing with the said easterly right-of-way line to a 1/2" iron rod found being the southwest corner of Lot 1, Block 4, said Mill Creek Springs, Phase V for corner;
- 4) S. 43° 48' 29" E., 158.75 feet departing the said easterly right-of-way line and with the southerly boundary line of the said Lot 1, Block 4 to a 1/2" iron rod found being the southeast corner of the said Lot 1, Block 4 and being the southwest corner of Lot 2, said Block 4 for corner;
- 5) S. 75° 55' 37" E., 268.33 feet to a 1/2" iron rod found being the southeast corner of Lot 3, said Block 4 and the southwest corner of Lot 4, said Block 4 for corner;
- 6) S. 66° 05' 29" E., 104.54 feet to a 1/2" iron rod found being the southeast corner of the said Lot 4 and being the southwest corner of Lot 5, said Block 4 for corner;
- 7) S. 49° 31' 20" E., 59.71 feet to a 1/2" iron rod found being the southeast corner of the said Lot 5 and being the northwest corner of Lot 6, said Block 4 for corner;

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- 8) S. 31° 42' 09" E., 82.17 feet to a ½" iron rod found being the southwest corner of the said Lot 6 and being the northwest corner of Lot 7, said Block 4 for corner;
- 9) S. 17° 00' 16" E., 319.49 feet to a ½" iron rod found being the southwest corner of Lot 9, said Block 4 and being the northwest corner of that certain tract of land described as "TRACT B", Block 1, Mill Creek Springs, Phase VI according to the map or plat of record in Cabinet D, Slide 90-A, Plat Records of Bell County, Texas for corner;

THENCE S. 07° 23' 26" E., 126.64 feet with the westerly boundary line of the said "TRACT B" and continuing with the westerly boundary line of Lot 1, Block 1, said Mill Creek Springs, Phase VI to a ½" iron rod found being the southwest corner of the said Lot 1, Block 1 and being the northwest corner of Lot 10, Block 4, said Mill Creek Springs, Phase V for corner;

THENCE departing the said Mill Creek Springs, Phase VI and with the westerly boundary line of the said Mill Creek Springs, Phase V and continuing over and across the said 240.963 acre tract the following five (5) calls:

- 1) S. 15° 53' 10" W., 229.91 feet to a ½" iron rod found being an angle point in the west boundary line of Lot 11, said Block 4 for corner;
- 2) S. 19° 39' 14" W., 258.31 feet to a ½" iron rod found being the southwest corner of Lot 13, said Block 4 for corner;
- 3) S. 61° 17' 30" E., 42.34 feet to a ½" iron rod found being in the south boundary line of the said Lot 13 and being the northwest corner of the right-of-way of Grandview Drive as described in said Cabinet D, Slide 52-D for corner;
- 4) S. 27° 53' 45" W., 235.72 feet departing the said Lot 13, Block 4 and with the west boundary of the said right-of-way and continuing with the west boundary line of Lot 3, Block 6, said Mill Creek Springs, Phase V to a ½" iron rod found being the southwest corner of the said Lot 3, Block 6 for corner;
- 5) S. 62° 07' 37" E., 124.66 feet with the south boundary line of the said Lot 3, Block 6 to a ½" iron rod found being the northwest corner of Lot 5, Block 6, Mill Creek Springs, Phase VII according to the map or plat of record in Year 2014, Plat No. 95, Plat Records of Bell County, Texas for corner;

THENCE departing the said Mill Creek Springs, Phase V and with the west and south boundary lines of the said Mill Creek Springs, Phase VII and over and across the said 240.963 acre tract and continuing over and across the said 30.00 acre tract the following ten (10) calls:

- 1) S. 15° 53' 52" W., 175.59 feet to a ½" iron rod found being the southwest corner of the said Lot 5, Block 6, Mill Creek Springs, Phase VII and being in the northerly right-of-way line of Oak Crest Drive as described in said Plat No. 95 for corner;
- 2) N. 73° 53' 25" W., 8.02 feet to a ½" iron rod found being the northwest corner of the said right-of-way for corner;



- 3) S. 15° 51' 37" W., 209.53 feet with the west boundary line of said right-of-way and continuing with the west boundary line of Lot 1, Block 8, said Mill Creek Springs, Phase VII to a ½" iron rod with cap stamped "RPLS 2475" found being the southwest corner of the said Lot 1, Block 8 for corner;
- 4) S. 71° 11' 22" E., 35.92 feet with the south boundary line of the said Lot 1, Block 8 to a ½" iron rod with cap stamped "RPLS 2475" found being the northwest corner of Lot 3, said Block 8 for corner;
- 5) S. 23° 53' 05" W., 69.37 feet to a ½" iron rod found being the southwest corner of the said Lot 3 and being the northwest corner of Lot 4, said Block 8 for corner;
- 6) S. 47° 00' 37" W., 330.08 feet to a ½" iron rod with cap stamped "RPLS 2475" found being the southwesterly corner of Lot 6, said Block 8 for corner;
- 7) S. 42° 40' 13" E., 199.13 feet to a ½" iron rod found being the southeasterly corner of the said Lot 6, Block 8 and being the southwesterly corner of the right-of-way of Woodland Bend Road as described in said Plat No. 95 for corner;
- 8) S. 41° 29' 51" E., 50.02 feet departing the said Lot 6 and with the southerly right-of-way line of the said Woodland Bend Road to a ½" iron rod found being the southeasterly corner of the said right-of-way and being the most westerly corner of Lot 7, Block 7, said Mill Creek Springs, Phase VII for corner;
- 9) S. 42° 54' 16" E., 231.15 feet departing the said right-of-way to a ½" iron rod with cap stamped "RPLS 2475" found being an angle point in the southwesterly boundary line of Lot 8, said Block 7 for corner;
- 10) S. 55° 32' 02" E., 277.64 feet with the southerly boundary line of the said Lot 8 and continuing with the southerly boundary line of Lot 9, said Block 7 and continuing over and across the said 30.00 acre tract to a ½" iron rod found being the southeast corner of a tract of land dedicated for right-of-way purposes in said Plat No. 95 and being in the existing right-of-way line of Blackberry Road (a publicly maintained roadway) as evidenced on the ground and being in the apparent east boundary line of the said 30.00 acre tract for corner;

THENCE S. 17° 09' 54" W., 461.70 feet with the said existing west right-of-way line and with the said east boundary line to a point being at the intersection of the said west right-of-way line and the north right-of-way line of Royal Street as occupied and evidenced on the ground and being the apparent southeast corner of the said 30.00 acre tract for corner;

THENCE N. 73° 07' 19" W., 226.82 feet departing the said west right-of-way line and with the said north right-of-way line as evidenced on the ground and with the south boundary line of the said 30.00 acre tract to a fence corner post found being the southeast corner of that certain 0.165 acre tract of land described in a Warranty Deed dated June 8, 2000 from Mill Creek Resources, Ltd. to Salado Water Supply Corporation and being of record in Volume 4210, Page 455, Official Public Records of Bell County, Texas for corner;

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THENCE departing the said south boundary line and the said north right-of-way line and over and across the said 30.00 acre tract and with the east, north and west boundary lines of the said 0.165 acre tract the following three (3) calls:

- 1) N. 16° 37' 09" E., 79.63 feet to a fence corner post found being the northeast corner of the said 0.165 acre tract for corner;
- 2) N. 72° 57' 55" W., 89.42 feet to a fence corner post found being the northwest corner of the said 0.165 acre tract for corner;
- 3) S. 16° 34' 18" W., 79.56 feet to a fence corner post found being the southwest corner of the said 0.165 acre tract and being in the said south boundary line of the 30.00 acre tract and being in the aforementioned north right-of-way line of Royal Street for corner;

THENCE N. 73° 10' 10" W., 1899.58 feet departing the said 0.165 acre tract and with the said north right-of-way line and with the south boundary line of the said 30.00 acre tract and continuing with the south boundary line of the said 240.963 acre tract to a steel fence corner post found being the southwest corner of the said 240.963 acre tract and being the southeast corner of the aforementioned 84.185 acre tract for corner;

THENCE departing the said north right-of-way line and with the west boundary line of the said 240.963 acre tract and with the east boundary line of the said 84.185 acre tract as fenced and evidenced the following five (5) calls:

- 1) N. 00° 35' 30" E., 305.36 feet to a fence post found for corner;
- 2) N. 49° 01' 07" E., 550.52 feet to a fence post found for corner;
- 3) N. 21° 10' 09" E., 401.08 feet to a fence post found for corner;
- 4) N. 21° 10' 31" E., 582.73 feet to a fence post found for corner;
- 5) N. 24° 11' 19" E., 1181.14 feet to the Point of BEGINNING and containing 94.671 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.


Michael E. Alvis, R.P.L.S. #5402
March 31, 2016



Bearing Base: Texas State Plain Coordinate System (NAD 1983) as determined by G.P.S. observation.

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Exhibit "A-2"

Being all that certain tract of land situated in, and being out of, the F. MADRIGAL SURVEY, Abstract No. 554, and being part of a called 94.671 acre tract of land described in a deed to VALE BUILDING GROUP, LLC, recorded in Document No. 201600023707, Official Deed Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod with cap found in the east boundary line of a called 84.185 acre tract of land described in a deed to B&V TEXAS ENTERPRISES, LLC, recorded in Document No. 201500012715, of said Deed Records, and being in the west boundary line of said 94.671 acre tract from which an iron rod with cap found for the most northerly corner of said 94.671 acre tract bears N 23° 22' 46" E, 10.68 feet, for the most northerly corner of the herein described tract;

THENCE S 46° 03' 13" E, 237.05 feet, across and upon said 94.671 acre tract, to an iron rod with cap found in the west right-of-way line of Meadow Crest;

THENCE N 44° 19' 20" E, 10.14 feet, with the west right-of-way line of said Meadow Crest, to an iron rod with cap found in the north boundary line of said 94.671 acre tract and at the southwest corner of Lot 12, Block 1, of MILL CREEK SPRINGS PHASE V, according to the map or plat of record in Cabinet D, Slide 52-D, Plat Records of Bell County, Texas;

THENCE with the southerly and southwesterly boundary lines of said MILL CREEK SPRINGS PHASE V and with the northerly and northeasterly boundary lines of said 94.671 acre tract for the following calls:

1. S 45° 51' 22" E, 50.13 feet (Rec. S 46°03'47" E, 23707), to an iron rod found;
2. N 46° 01' 53" E, 45.50 feet (Rec. N 45°06'31" E, 15.28' & N 46°16'34" E, 29.90, 23707), to an iron rod found;
3. S 43° 40' 18" E, 158.79 feet (Rec. S 43°48'29" E, 158.75f, 23707), to an iron rod found;
4. S 75° 55' 37" E, 268.33 feet (Rec. S 75°55'37" E, 268.33; 23707), to an iron rod found;
5. S 66° 05' 29" E, 104.54 feet (Rec. 66°05'29" E, 104.54; 23707), to an iron rod found;
6. S 49° 31' 20" E, 59.71 feet (Rec. S 49°31'20" E, 59.71', 23707), to an iron rod found;
7. S 31° 42' 09" E, 82.17 feet (Rec. S 31°42' 09" E, 82.17', 23707), to an iron rod found;
8. S 17° 00' 16" E, 319.49 feet (Rec. S 17°00'16" E, 319.49', 23707), to an iron rod with cap found at the northwest corner of that certain tract of land described as TRACT B, Block 1, of MILL CREEK SPRINGS PHASE VI, according to the map or plat of record in Cabinet D, Slide 90-A, of said Plat Records;

THENCE S 07° 23' 26" E, 39.78 feet (Rec. S 07° 23' 26" E, 23707), continuing with the northeasterly boundary line of said 94.671 acre tract and with the westerly boundary line of said TRACT B to an iron rod with cap set;

THENCE across and upon said 94.671 acre tract for the following calls:

1. S 57° 49' 50" W, 197.54 feet, to an iron rod with cap set;
2. N 65° 24' 35" W, 544.91 feet, to an iron rod with cap set;
3. S 24° 30' 59" W, 254.49 feet, to an iron rod with cap set;
4. S 16° 28' 47" W, 2032.71 feet, to an iron rod with cap set in the south line of said 94.671 acre tract and being in the apparent north right-of-way line of Royal Street;

THENCE N 73° 09' 35" W, 500.01 feet (Rec. N 73°10'10" W, 23707), with the south boundary line of said 94.671 acre tract and with the apparent north right-of-way line of said Royal Street to an iron rod with cap set, from which an iron rod found for the most southwesterly corner of said 94.671 acre tract bears N 73° 09' 35" W, 348.43 feet;

THENCE departing the apparent north right-of-way line of said Royal Street, across and upon said 94.671 acre tract for the following calls:

1. N 16° 28' 47" E, 843.83 feet, to an iron rod with cap set;
2. N 73° 31' 13" W, 130.93 feet, to an iron rod with cap set in the west boundary line of said 94.671 acre tract and the east boundary line of said 84.185 acre tract, from which a 4 inch square steel fence post found bears S 21° 13' 36" W, 86.35 feet;

THENCE with the westerly boundary lines of said 94.671 acre tract and the easterly boundary lines of said 84.185 acre tract for the following calls:

1. N 21° 13' 36" E, 314.59 feet (Rec. N21°10'09" E, 23707), to a 4 inch square steel fence post found;
2. N 23° 22' 46" E, 1755.70 feet (Rec. N 21° 10' 31" E & N 24°11'19" E, 23707), to the POINT OF BEGINNING and containing 40.31 acres of land, more or less.

EXHIBIT "B" Tax Certificate

Through Tax Year
2023

TAX CERTIFICATE

Certificate #
63441

Issued By:
TAX APPRAISAL DISTRICT
P O BOX 390
BELTON, TX 76513-0390

Property Information

Property ID: 189081 Geo ID: 0554240100
Legal Acres: 48.4210
Legal Desc: A0554BC F MADREGAL, 60, ACRES 48.421
Situs: 3144 ROYAL ST SALADO, TX 76571
DBA:
Exemptions:

Owner ID: 732439 100.00%
VALE BUILDING GROUP LLC
PO BOX 460
FLORENCE, TX 76527

For Entities

BELL COUNTY
BELL COUNTY ESD #1
BELL COUNTY ROAD
CLEARWATER U.W.C.D.
SALADO ISD

Value Information

Improvement HS:	0
Improvement NHS:	0
Land HS:	0
Land NHS:	968,420
Productivity Market:	0
Productivity Use:	0
Assessed Value	968,420

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:		0.00	0.00	0.00	0.00

Effective Date: 10/01/2024

Total Due if paid by: 10/31/2024 0.00

Tax Certificate issued for:	Taxes Paid in 2023	ORDERED BY LETICIA SILVA---JRK
BELL COUNTY	2,821.97	
BELL COUNTY ROAD	204.34	
SALADO ISD	11,322.77	
CLEARWATER U.W.C.D.	22.97	
BELL COUNTY ESD #1	871.58	

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

 **Billy White, RPA, CCA, CAE**
Chief Appraiser
Signature of Authorized Officer of Collecting Office

Date of Issue: 10/01/2024
Requested By: SILVA, LETICIA L
Fee Amount: 10.00
Reference #:

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Through Tax Year
2023

TAX CERTIFICATE

Certificate #
63547

Issued By:
TAX APPRAISAL DISTRICT
P O BOX 390
BELTON, TX 76513-0390

Property Information
Property ID: 492342 Geo ID: 0554240104
Legal Acres: 5.8900
Legal Desc: A0554BC F MADREGAL, 60 ACRES 5.890
Situa: ROYAL ST SALADO, TX 76571
DBA:
Exemptions:

Owner ID: 732439 100.00%
VALE BUILDING GROUP LLC
PO BOX 460
FLORENCE, TX 76527

For Entities	Value Information	
BELL COUNTY	Improvement HS	0
BELL COUNTY ESD #1	Improvement NHS	0
BELL COUNTY ROAD	Land HS	0
CLEARWATER U W C D	Land NHS	20,000
SALADO ISD	Productivity Market	0
	Productivity Use	0
	Assessed Value	20,000

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Effective Date: 10/10/2024

Total Due If paid by: 10/31/2024

0.00

Tax Certificate Issued for:	Taxes Paid In 2023
BELL COUNTY	58.28
BELL COUNTY ROAD	4.22
SALADO ISD	233.84
CLEARWATER U W C D	0.47
BELL COUNTY ESD #1	18.00

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending
Billy White, RPA, CCA, CAE
Chief Appraiser



Signature of Authorized Officer of Collecting Office

Date of Issue: 10/10/2024
Requested By: SILVA, LETICIA L
Fee Amount: 10.00
Reference #:

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Agenda Item # 5



Date Submitted:
Agenda Date Requested: November 4, 2024

Agenda Item:
PUBLIC HEARING

Project/Proposal Summary:

5. PUBLIC HEARING

- (A) HOLD A PUBLIC HEARING ON THE CREATION OF THE MUSTANG SPRINGS PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE.

Note: This public hearing was opened on October 3, 2024, and the matter is in recess and will continue November 7, 2024.

Agenda Item # 6A



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

DISCUSSION AND POSSIBLE ACTION

Project/Proposal Summary:

6. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM MR. MARSHAL LEE POINTER WITH SALADO SCOOTER RENTALS LLC ON SCOOTER RENTAL EXTENSION TO THE ONE-YEAR PROBATIONARY PERIOD APPROVED BY THE SALADO BOARD OF ALDERMEN ON NOVEMBER 16, 2023, LISTED AS AGENDA ITEM 5(E).

From: Lee Pointer <pointerlee123@gmail.com>

Sent: Thursday, October 31, 2024 3:15 PM

To: Manuel De La Rosa <mdelarosa@saladotx.gov>

Cc: Gina Pence <gpence@saladotx.gov>; Debra Bean <dbean@saladotx.gov>; Michael MacDonald <mmacdonald@saladotx.gov>

Subject: Re: Salado Scooter Rentals Request for Extension

CAUTION: 'This email originated from outside of the organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!'

Hello Mr. De La Rosa-

Attached, please find my written request to discuss the extension for Salado Scooter Rentals in the upcoming November 7th board of Alderman meeting. I will plan on attending the meeting in order to be on hand to answer any questions. Please confirm the receipt of this email.

Many thanks,

Lee Pointer

Salado Scooter Rentals Request for Extension

Executive Summary:

My name is Marshal Lee Pointer, and I am a resident of the Village of Salado and the owner of Salado Scooter Rentals, LLC. After launching the Salado Scooter Rentals business in February, 2024, we have observed a positive response from both visitors and residents alike. By offering electric scooters (9) and e-bikes (5) the initial goal of providing something fun for people to experience in Salado has been achieved. At this time, I request an extension to the initial trial period for two additional years.

Rental Information:

Rentals 2024 (Launched 02/2024)	Count
Scooters	532

Rentals 2024 (Launched 06/2024)	Count
E-bikes	63

Customer Ratings and Feedback:

Electric Scooters:

- * 92% 4-5 Star ratings
- * Customer quotes: "had a blast!", "great ride", "it was sooo fun", "loved it!", "had so much fun!, thank you", "great, needs to be a bit faster", "first time, it was a good experience!"

E-bikes:

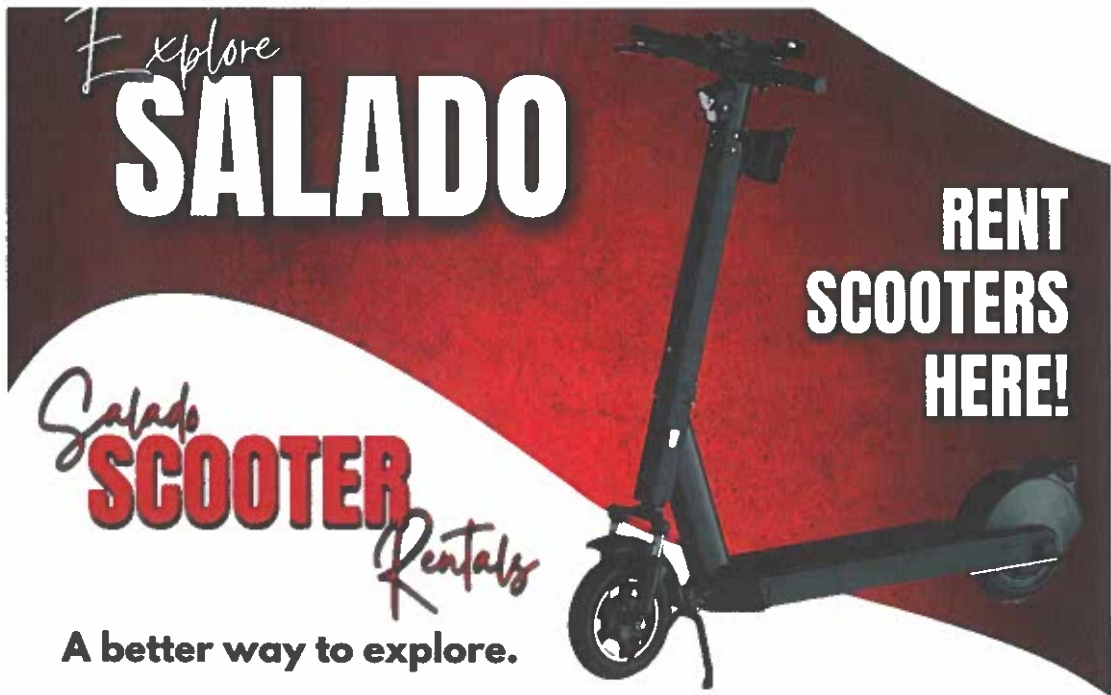
- * 96% 4-5 Star ratings
- * Customer quotes: "really, really good", "awesome time", "love the bikes", "perfect and peaceful"

Infrastructure and Safety:

To ensure the safety of riders and pedestrians, our business has encouraged adherence to traffic laws, avoiding riding on sidewalks and the proper return of all vehicles to the rental locations. Geofencing GPS perimeters was established to restrict scooter use on roads with speed limits exceeding 35 mph. Additionally, riders must be 16 or older and agree to a waiver with safe riding instructions before renting in the Levy phone application.

Rental bases were established in collaboration with local merchants and landowners, utilizing GPS coordinates to designate the scooter rental and drop-off locations. This approach ensured that scooters were kept in designated areas, minimizing clutter and safety concerns. After initially launching at Greenfields, David Hays offered to host the scooters and e-bikes at the Stagecoach Inn and at his privately held lot across from the Pizza Place.

Rental Sign example: (Note, the Rules of The Road section)



01



Download the Levy App
(Scan QR or search Levy Electric in app store)

02



Register
Name, email, phone, and valid credit card required.

03



Find
Use the app to select and unlock scooters

04



Pickup and Drop off
scooters back here when finished

RULES OF THE ROAD

DONT'S

- ✗ No more than one person per scooter
- ✗ Do not ride under the influence.

DO'S

- ✓ Return to the pickup location by the time indicated in app
- ✓ Make sure you have sufficient battery charge to return back
- ✓ Obey all Texas Road Laws.



SCAN HERE TO DOWNLOAD THE LEVY APP AND START RIDING

www.SaladoScooterRentals.com

Salado Scooter Rentals Sign Back

Accessibility and Inclusivity:

Our scooter rental service has been available to all residents and visitors the age of 16 and older. To promote safety, scooters were limited in their maximum speed to 10 mph through the pilot phase. The maximum speed thereafter will be limited to no more than 15 mph.

Collaboration with Local Authorities:

We are committed to working closely with our city officials and local law enforcement to ensure compliance with all regulations and to foster a positive relationship with our community.

Economic Impact:

Our business has created job opportunities related to advertising/marketing. The presence of scooter rental locations may have increased foot traffic on Main Street, benefiting local businesses but that is challenging to quantify.

Data Sharing and Privacy:

All personally identifiable information (PII), including payment data, has been securely encrypted and handled with the utmost privacy. No leaks or breaches have been experienced to date.

Public Engagement:

We have promoted our service through local media such as the Village Voice, Social Media, Google, and physical signage. We encourage user ratings and feedback via our mobile application, Social Media and on Google.

Fleet Management and Maintenance:

Our fleet is monitored through a vehicle fleet dashboard, ensuring that scooters and e-bikes are in optimal condition. Every day, the scooters and e-bike fleet is reviewed for safety and to ensure proper location. The scooters and e-bikes are regularly picked up, charged, and maintained. Customers who do not return scooters to designated locations will be subject to a surcharge. To date, we have observed only one incidence of two e-bikes not being returned to the proper rental location and they were picked up immediately the next morning.

Risk Mitigation:

Our vendor partner Levy carries a \$1M liability insurance policy. In adverse weather conditions or unsafe circumstances, scooters will be temporarily removed from rental operation.

Next Steps:

I anticipate forming partnerships with local hotels and Inns in order to help drive more business for visitors to our community. In addition, we would like to participate in the Village parade. Further, we are contemplating offering Salado Village historical tours via scooters or e-bikes.

In summary, by offering fun recreational activities such as renting scooters and e-bikes this provides access to activities not previously offered in our community driving engagement and attracting visitors.

Thank you for your time considering our business.

Sincerely,

Marshal Lee Pointer
Owners Salado Scooter Rentals, LLC
1712 Chisholm Trail
Salado, TX 76571
512-971-7125

From: Lee Pointer <pointerlee123@gmail.com>
Sent: Thursday, October 31, 2024 4:52 PM
To: Manuel De La Rosa <mdelarosa@saladotx.gov>
Cc: Michael MacDonald <mmacdonald@saladotx.gov>
Subject: Fwd: Insurance

CAUTION: 'This email originated from outside of the organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!'

Hello Mr. De La Rosa-

Attached is the proof of liability insurance coverage that covers Salado Scooter Rentals. Also, included below is the language the rider has to accept for the rental agreement / liability waiver. Please include in the documentation along with my request for an extension. Eric Levenseller is my partner from Levy Electric.

Many thanks,
Lee

----- Forwarded message -----
From: Eric Levenseller <eric@levyelectric.com>
Date: Thu, Oct 31, 2024 at 4:36 PM
Subject: Insurance
To: Lee Pointer <pointerlee123@gmail.com>

In our service agreement between you and Levy Electric, this is how we defined our liability agreement:

Service Provider (the "Indemnifying Party") agrees to indemnify, defend, and hold harmless the Partner, its affiliates, and their respective directors, officers, employees, agents, and representatives (collectively, the "Indemnified Party") from and against any and all claims, demands, actions, losses, expenses, damages, penalties, fines, assessments, liabilities, and any other costs (including reasonable attorney's fees, court costs, investigation costs, and other expenses) (collectively, "Claims") arising out of, resulting from, or in connection with the Levy Fleets platform

And in our Rental Agreement with the end-user, this is what they would be signing.

9.5 Limitation on Third-Party Claims

The Rider acknowledges and agrees that in the event of any dispute, claim, or cause of action arising out of or related to the use of the Levy Services, Vehicles, or related equipment (collectively, "Dispute"), the Rider will solely assert such Dispute against Levy Electric Inc. and not against any of Levy's partners, affiliates, contractors, agents, or any local municipalities, governments, or entities including but not limited to the city where the Vehicle was rented or any property owner, garage, or establishment where the Vehicle was rented or operated. The Rider expressly agrees to indemnify and hold harmless such third parties from any claims, costs, damages, liabilities, or expenses they may incur as a result of Rider's breach of this provision.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/24/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Hiscox Inc. 5 Concourse Parkway Suite 2150 Atlanta GA, 30328	CONTACT NAME: PHONE (A/C, No, Ext): (888) 202-3007 FAX (A/C, No): E-MAIL ADDRESS: contact@hiscox.com	
	INSURER(S) AFFORDING COVERAGE	
INSURED Levy Electric Inc DBA Levy Electric 143 Ludlow Street Front 1 New York, NY 10002	INSURER A: Hiscox Insurance Company Inc NAIC # 10200	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			P103.562.796.1	06/24/2024	06/24/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ S/T Gen. Agg. \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTIONS						<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER 	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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NOV. 2023

Salado Electric Scooter Rentals Business Proposal

Executive Summary:

My name is Marshal Lee Pointer, and I am a resident of the Village of Salado. After observing the increasing popularity of bicycles and electric scooters in our community, I propose the establishment of an electric scooter rental business in Salado. This business will offer an enjoyable and eco-friendly activity for both residents and visitors, ultimately benefiting our village through increased commerce and reduced carbon footprint.

Market Research:

Electric scooter rentals have gained popularity in cities across the country, including nearby Austin and Abilene, Texas. In Texas, electric scooters are regulated under existing DMV rules for "motor-assisted scooters." Given the lack of specific state-level regulations, many cities and colleges in Texas have already adopted scooter sharing programs, making electric scooters a familiar mode of transportation to many Texans.

Benefits for the City:

Electric scooters provide a safe and eco-friendly transportation option, reducing the carbon footprint of both residents and visitors. This aligns with the village's commitment to sustainability and environmental responsibility.

Infrastructure and Safety:

To ensure the safety of riders and pedestrians, our business will encourage helmet usage, adherence to traffic laws, and avoiding riding on sidewalks. Geofencing GPS perimeters will be established to restrict scooter use on roads with speed limits exceeding 35 mph. Additionally, riders must be 16 or older and agree to a waiver with safe riding instructions before renting.

Rental bases will be established in collaboration with local merchants or landowners, utilizing GPS coordinates to designate scooter rental and drop-off locations. This approach ensures that scooters are kept in designated areas, minimizing clutter and safety concerns.

Accessibility and Inclusivity:

Our scooter rental service will be available to all residents and visitors over the age of 16. To promote safety, scooters will be equipped with geofencing technology to limit their maximum speed to 10 mph through the pilot phase and adjusted accordingly thereafter.

Collaboration with Local Authorities:

We are committed to working closely with city officials and local law enforcement to ensure compliance with all regulations, fostering a positive relationship with the community.

Economic Impact:

Our business will create job opportunities related to scooter maintenance, charging, advertising/marketing, and rental adoption. The presence of scooter rental stations may also increase foot traffic on Main Street, benefiting local businesses.

Data Sharing and Privacy:

We will provide rental data to city officials for planning purposes. All personally identifiable information (PII), including payment data, will be securely encrypted and handled with utmost privacy.

Public Engagement:

We will promote our service through local media such as the Village Voice, Social Media, Google, and physical signage. We encourage user ratings and feedback via our mobile application, Social Media and on Google.

Licenses / Permits:

I respectfully request a business permit to launch my electric scooter rental business.

Fleet Management and Maintenance:

Our fleet will be monitored through a vehicle fleet dashboard, ensuring that scooters are in optimal condition. Scooters will be regularly picked up, charged, and maintained. Customers who do not return scooters to designated locations will be subject to a surcharge.

Risk Mitigation:

Our LLC will purchase liability insurance, and our vendor partner also carries a \$1M policy. In adverse weather conditions or unsafe circumstances, scooters will be temporarily removed from operation.

Demonstration and Pilot Phase:

We currently have eight scooters available to launch a pilot program as soon as the business permit is granted and rental locations are designated. Ideally, the pilot will begin by the end of September 2023.

Next Steps:

I kindly request a meeting with city officials to address any questions or concerns regarding my electric scooter rental business and the business permit approval process. I am enthusiastic about contributing positively to our city's transportation landscape and overall economy.

Sincerely,
Marshal Lee Pointer
1712 Chisholm Trail
Salado, TX 76571
512-971-7125

A copy of board minutes of a regular meeting held on November 16, 2023, agenda item 5(E).

- (E) Discuss And Consider Possible Action Regarding a Proposal To Rent Scooters For Use On Public Streets Within The Corporate Limits Of The Village Of Salado.

Assistant Village Administrator Howard presented this item. Salado residents Melanie Ringstaff and Lee Pointer came seeking permission to rent electric scooters for use on Village streets. As part of their presentation, they presented a petition signed by 57 citizens in favor of their request. Assistant Village Administrator Howard stated that currently, the Village does not have a vehicle-for-hire ordinance to regulate such use of the public right of way.

Mayor Pro Tem Bell made a motion to approve the request on a 1-year probationary basis. Second was made by Alderman Henry. The motion was approved by a 5-0 vote.

Agenda Item # 6B



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

DISCUSSION AND POSSIBLE ACTION

Project/Proposal Summary:

6. DISCUSSION AND POSSIBLE ACTION

(B) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-21, AN ORDINANCE ADOPTING THE RULES OF PROCEDURE, CONDUCT, DECORUM, AND GOVERNANCE FOR THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS AND EXTENDING SUCH RULES TO THE VILLAGE'S BOARDS AND COMMISSIONS; AND PROVIDING FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

Ordinance No. 2024-21
Village of Salado
County of Bell
November 7, 2024

ORDINANCE NO. 2024-21

AN ORDINANCE ADOPTING THE RULES OF PROCEDURE, CONDUCT, DECORUM, AND GOVERNANCE FOR THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS AND EXTENDING SUCH RULES TO THE VILLAGE'S BOARDS AND COMMISSIONS; AND PROVIDING FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING

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

WHEREAS, the Board of Aldermen (the "Board") of the Village of Salado, Texas (the "Village") desires order in the conduct of its meetings to allow the effective discussion and transaction of the business of the Village; and

WHEREAS, the Board desires to ensure that members of the public who attend Village meetings can be heard in a fair, impartial, and respectful manner; and

WHEREAS, the Board desires to ensure that its meetings are conducted in a way that is open to all viewpoints, yet free from abusive, distracting, or intimidating behavior; and

WHEREAS, the Board wants to ensure that all discussions comply with the words and spirit of the Texas Open Meetings Act; and

WHEREAS, the Board desires to ensure that the rules governing procedure, decorum, and governance at its meetings are understood by all persons attending the meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS THAT THE RULES OF PROCEDURE, DECORUM, AND GOVERNANCE ARE HEREBY ADOPTED AS FOLLOWS:

Section 1. 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 Ordinance Establishing Rules of Procedure, Decorum, and Governance."

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 2. Types of Meetings and Schedules.

- 2.01 **Regular Meetings.** The Board shall meet regularly, but no less frequently than once per month, at 6:30 p.m. to conduct regular business, or as needed. If specified in the meeting notice, regular meetings may be held via teleconference or videoconference, with proper information provided to the public regarding the public's ability to experience and participate in the meeting. If there is a need to change the date, time, or place of a regular meeting, an attempt shall be made to contact all members of the Board about the proposed change prior to the change being made.
- 2.02 **Special Meetings.** Upon the request of the Mayor, the Board may meet at any other additional time for special or workshop meetings as may be necessary. If specified in the meeting notice, special meetings may be held via teleconference or videoconference, with proper information provided to the public regarding the public's ability to experience and participate in the meeting.
- 2.03 **Public Hearings.** The Board may, from time to time, conduct Public Hearings during any other posted meeting. These hearings are called in order to solicit public input on specific matters posted as may be required by law or by desire of the Board. If specified in the meeting notice, public hearings may be held via teleconference or videoconference, with proper information provided to the public regarding the public's ability to experience and participate in the meeting.
- 2.04 **Emergency Meetings.** An emergency meeting of the Board may be convened in accordance with the Texas Open Meetings Act or any relevant declaration or order by the Governor of Texas in certain emergency situations. If specified in the meeting notice, emergency meetings may be held via teleconference or videoconference, with proper information provided to the public regarding the public's ability to experience and participate in the meeting.
- 2.05 **Executive Sessions.** The Board may meet in executive session in compliance with the Texas Open Meetings Act. A final action, decision, or vote on a matter deliberated in an executive session will be made in an open meeting for which proper notice is provided. All discussions in executive session shall remain confidential.
- 2.06 **Public Notice.** The agenda for all regular meetings, special meetings, and the notice listing items to be considered shall be posted on the Village's official bulletin board, in accordance with the Texas Open Meetings Act, and on the Village's website.

Section 3. Rules for Speakers.

3.01 Citizens and Visitors.

- a. Citizens and visitors are welcome to attend all public meetings of the Board of Aldermen and will be admitted to the Board's Chamber or meeting room up to the fire safety capacity of the room.
- b. Everyone attending the meeting will refrain from private conversations while the Board meeting is in session.
- c. Citizens and visitors attending Board meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Board. Any person making impertinent, physically threatening, or profane remarks, who interrupts a speaker or speaks without being recognized, or who otherwise disrupts and interferences with the Board's ability to conduct its meeting shall be removed from the room if so directed by the Presiding Officer. The person shall be barred from further audience before the Board during that meeting. If the Presiding Officer fails to act, any member of the Board may move to require enforcement of the rules, and the affirmative vote of a majority of the Board shall require the Presiding Officer to act.
- d. No placards, banners, or signs will be permitted in the Board's Chamber or in any other room in which the Board is meeting. Exhibits, displays, and visual aids used in connection with presentations, however, are permitted.
- e. The Village Administrator or his designee shall act as sergeant at arms for the Board and shall furnish whatever assistance is needed to enforce the rules of the Board.

3.02 Speaker Registration.

- a. A person wishing to address the Board of Aldermen must first sign the Speaker Registration Form. The following information must be provided on the form:
 - Name
 - Residence address
 - The subject matter to be addressed
- b. Speakers must address their comments to the Presiding Officer rather than to individual members of the Board or Village staff.
- c. Speakers must keep their remarks specific to the item being considered by the Board of Aldermen. If the speaker is addressing the Board of Aldermen under Citizens' Communications, the speaker may address any item not slated for discussion on the agenda. Comments from speakers should not be directed towards any specific member of the Board or Village staff.

- d. A person who registers to speak on an item listed on the agenda will be called by the Presiding Officer. A person who registers to speak under Citizens' Communications will be called on at that time. A member of the public may speak during a meeting at other times with recognition by the Presiding Officer. The Presiding Officer may determine the order in which speakers are called.
- e. All speakers will have a maximum of five (5) minutes to address the Board on any given agenda item and may not designate their time to be used by other presenters. A majority vote of the Board will be required to extend the time limit. The Presiding Officer may impose more restrictive time limits if a large number of people register to speak.
- f. In accordance with the Texas Open Meetings Act, the Board will not discuss, consider, or take action on any item addressed during Citizens' Communications. Members of the Board will not interact with the public during the time allotted to speakers; if the Presiding Officer determines that a response is necessary, any response shall be from the Presiding Officer, or from persons recognized by the Presiding Officer to provide the response.
- g. Whenever it is necessary for a speaker to use an interpreter to translate comments to the Board, the time required for the translation will not be counted against the designated time allotted for the speaker to address the Board of Aldermen.

3.03 City Staff. The Village Administrator shall address the Board on all staff issues and may request individual staff members to also address the Board.

3.04 Items Not Posted. Inquiries from speakers about matters not listed on the agenda may be placed on a future agenda for Board consideration but may not be discussed by the Board during a meeting in the absence of a relevant agenda item.

Section 4. Rules for News Media.

The use of media equipment, such as lights, cameras, and/or microphones should be coordinated with the Village Administrator or Village Secretary prior to the meeting to ensure that this equipment does not disturb or otherwise conflict with or disrupt the meeting or the Board's activities.

Section 5. Rules for Public Hearings.

These rules of procedure, conduct, and decorum shall also apply to such Public Hearings; however, the Board may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient, and proper manner. The applicant in a public hearing will be allowed a maximum of ten (10) minutes to make a presentation, which may be extended by the Presiding Officer.

Section 6. Rules of Procedure.

- 6.01 Governing Rules. Except as to the extent of any conflict in these rules of procedure, conduct and decorum, the city charter or state law, Robert's Rules of Order (Newly Revised) shall be followed.
- 6.02 Presiding Officer. The Mayor, or in the absence of the Mayor, the Mayor Pro-Tern, shall be the Presiding Officer at all meetings. If both the Mayor and Mayor Pro-Tern are absent, an acting Mayor Pro-Tern may be elected by the Board members present for the purpose of presiding at that meeting. The Presiding Officer shall preserve order and decorum of the meeting.
- a. The Mayor shall be recognized as head of Village government for all ceremonial purposes and by the Governor for the purpose of military law, but shall have no regular administrative duties. The Mayor may participate in the discussion of all matters coming before the Board.
 - b. The Mayor may issue and present proclamations and recognitions and attend other ceremonial functions on behalf of the Village of Salado. Members of the Board may initiate, through the Mayor, or by a majority vote of the Board, similar items of recognition. Major community events sponsored by the Village shall be a policy decision of the Board.
 - c. The Mayor will encourage all members of the Board to participate in the Board's discussions and give each member an opportunity to speak before any member can speak again on the same subject.
- 6.03 Time Limitations. Discussion on any Agenda item may be limited by the Presiding Officer to thirty (30) minutes, though the Presiding Officer, or the Board, by majority vote, may extend or shorten this limitation.
- 6.04 Decorum. The Mayor shall preserve order and decorum and shall require members of the Board engaged in debate to limit discussion to the question under consideration. No person shall engage in any of the following in the meeting room during a Board meeting:
- a. Shouting, unruly behavior, distracting side conversations, interruptions, or speaking out when another person is talking.
 - b. Intimidation, profanity, or threats of violence.
 - c. Audible use of phones, pagers, radios, computers, or other electronic equipment.
 - d. Any other disruptive behavior that impedes or disrupts the orderly conduct of the meeting.
- 6.05 Calling to Order and Quorum. The Presiding Officer shall call the meeting to order no earlier than the time designated for a scheduled meeting. Except to adjourn, a quorum is necessary to conduct business at any meeting of the Board.

6.06 Right of Board Member to be Heard.

- a. Board Members desiring to speak shall gain the attention of the Presiding Officer and, upon recognition by the Presiding Officer, shall confine their remarks to the question under debate.
- b. The Presiding Officer shall not refuse to recognize another Board member who desires to speak on a question under debate or to make a motion; however, such recognition does not diminish the Presiding Officer's authority under Robert's Rules of Order (Newly Revised) and these rules of conduct, decorum, and procedure.
- c. The Presiding Officer shall be authorized to ask any member to cease or to limit discussion, or to call the question when it appears further discussion will not be meaningful.
- d. Board members shall avoid discussion of personalities and inappropriate language, and refrain from personal attacks and verbal abuse.
- e. A member of the Board, once recognized by the Presiding Officer, shall not be interrupted while speaking except for the following reasons:
 - Called to order by the Presiding Officer
 - A point of order is raised by another member
 - The speaker chooses to yield to questions from another member

If a member of the Board is called to order while speaking, that member of the Board shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make additional remarks so as to comply with this Ordinance.

6.07 Attendance. Members of the Board are expected to attend all meetings and stay in attendance during each meeting. Board members' absence may be excused by vote of the Board. No member shall leave a meeting without advising the Presiding Officer.

6.08 Consideration of Agenda Items. The order of procedure for the consideration of an agenda item is as follows:

- a. If any Board Member desires to be recused from discussion of the agenda item, the Board Member shall announce the recusal upon announcement of the agenda item and shall exit the meeting room until the agenda item is closed. The Board member must comply with state law and Village ordinances regarding potential conflicts of interest. Any Board member recusing him or herself from an agenda item shall not confer with Village staff, the Village Attorney, Board Members, or the Mayor regarding the item.

- b. The Village Administrator, or his or her designee, presents the staff or consultant's report and recommendations, if any.
- c. Board Members may ask questions of Village staff or consultants. Village staff shall observe the same rules of decorum applicable to the Board. The Village Administrator is responsible for the orderly conduct and decorum of all Village employees under the Village Administrator's direction and control and may take disciplinary action as necessary to ensure that decorum is preserved.
- d. The representative/applicant, if any, may present information and make a presentation.
- e. Board Members may ask questions of the representative/applicant, if any.
- f. Members of the public may make comments.
- g. A Board Member makes a motion.
- h. Another Board member seconds the motion.
- i. Once the motion has been properly made and seconded, the Presiding Officer opens the matter for discussion among Board Members.
- j. A member of the Board may move to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion. A motion may be withdrawn or modified by its mover without asking permission until the motion has been voted upon. If the mover modifies the motion, the Board member who seconded the motion may withdraw the second.
- k. During deliberation, Board Members may ask anyone present a question for clarification. During deliberation, a Board member may also call the question, which will have the effect of stopping the debate and requiring the Board to immediately vote on the motion to call the question.
- l. Once the matter has been fully discussed, the Presiding Officer calls for a vote, no further discussion will be allowed, provided, however, Board Members may be allowed to explain their vote.
- m. The Presiding Officer shall state the results of the vote. If the vote is not unanimous, the Presiding Officer shall announce the names of members voting in favor and in opposition to the motion.

Section 7. Enforcement of Rules.

7.01 The Rules of Procedure, Decorum, and Governance will be enforced in the following manner:

The Presiding Officer will request that a person who is violating a rule cease the violation.

- a. If the violation continues, the Presiding Officer will warn the person that he or she will be required to leave the meeting room if the violation continues.
 - b. If the violation continues, the Presiding Officer will order the person to leave the meeting room.
 - c. If the person does not leave the meeting room, the Presiding Officer may order any peace officer to remove the person from the meeting room.
- 7.02 It is unlawful for any person to intentionally or knowingly resist removal from a meeting room by a peace officer in the course of enforcing the rules.
- 7.03 In addition to the procedures set forth in Paragraph 7.01, any person violating any provision of the Rules of Procedure, Decorum, and Governance is subject to:
- a. cancellation of a speaker's remaining time;
 - b. removal from the Board meeting room;
 - c. contempt citation; and/or
 - d. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

Section 8. Agenda Preparation.

- 8.01 Board Meeting Agendas. The following persons are authorized to request that a matter (or item) be placed on an agenda of an upcoming Board meeting:
- a. The Mayor
 - b. A Board Member; or
 - c. The Village Administrator

The Village Administrator must place an item on the agenda if the item is requested by the Mayor or any member of the Board of Aldermen, however, the Village Administrator may delay the placement of a requested agenda item onto a Board for a reasonable amount of time in order to balance the number of agenda items and duration of a particular meeting.

- 8.02 New regulations. Any proposed ordinance which establishes new regulations and any proposed ordinance amending an existing ordinance which established regulations shall be discussed by the Board in a Workshop Session prior to the proposed ordinance being placed on a Board of Aldermen Regular Meeting Agenda for discussion and possible action. The Village Administrator, after consulting with the Mayor, may place a proposed ordinance

on a Board Regular Meeting Agenda without first placing the ordinance on a Workshop Session Agenda should circumstances justify the need to do so.

- 8.03 Staff Requests. Should a member of the Village staff, acting in that member's capacity as a Village employee, determine or desire that a matter should be presented to the Board (for example for the staff's compliance with Village Ordinance procedures, etc.), then the staff member may request, through written communication addressed to the Village Administrator, that the item be placed on the agenda. In cases where the City staff has made a request, the Village Administrator shall be responsible for determining whether the requested item is placed on an agenda, and the Village Administrator shall direct the Village Secretary, in writing, accordingly.
- 8.04 Public Requests. A citizen of the community desiring to have an item placed on the agenda may ask the Mayor, a Board Member, or the Village Administrator for such consideration and the Mayor, Board Member, or Village Administrator may, at that person's discretion, elect to have such an item placed on the agenda.
- 8.05 All agenda items and all supporting documentation shall be submitted to the Village Secretary at least 48 hours prior to the posting of the agenda.

Section 9. Rules for Board Liaison Members' Committee Assignments.

- 9.01 Board Assignments. By majority vote of the Board, a Board Member may be assigned as a liaison between the Board and the Board Planning and Zoning Commission or one of the Board committees.
- 9.02 Role of Board Liaison Members. The Board Member serving as liaison serves in an advisory role and is tasked with communicating Board views, when asked, to the commission/committee and delivering commission/committee views or questions to the Board. The liaison is neither an active or voting participant in the committee/commission's deliberations, nor is the liaison to represent or express a personal opinion, viewpoint, or agenda to the commission/committee. The purpose of the Board liaison assignments is to convey information between the Board and the commission/committee when necessary to achieve Board or commission/committee goals and tasks.

Section 10. Application of Rules of Procedure, Decorum, and Governance to Village Boards and Committees.

- 10.01 Sections 2 through 8 of this resolution shall apply equally to the meetings of the Village's boards and commissions.
- 10.02 For purposes of applying the Rules of Procedure, Decorum, and Governance to the meetings of the Village's boards and commissions, the following terms in Sections 2 through 8 shall have the following meanings:

- a. “Board of Aldermen” or “Board” shall refer to the Village board or commission that is holding the meeting;
- b. “Board Member” shall refer to a member of the board or commission;
- c. “Mayor” shall refer to the chairperson of the board or commission; and
- d. “Mayor Pro-Tem” shall refer to the vice chairperson of the board or commission.

Section 11. Public Contact Media Relations

Representative government is only successful when the citizens are kept informed and educated about the issues facing their municipality. Consequently, it is imperative that the media play an important role in Board-Administrator-Media relations. It is through an informed public that progress is ensured, and good government remains sensitive to its constituents.

These guidelines are designed to help ensure positive relationships with print, radio, electronic, and television reporters. The Mayor, Board of Aldermen, and the Village Administrator recognize that the news media provide an important link between the Board of Aldermen and the public. It is the Board of Aldermen’s desire to establish a professional working relationship to help maintain a well-informed and educated citizenry.

- 11.1 During the conduct of official business, the Village shall designate adequate space for the news media.
- 11.2 All reporters will receive an agenda in advance and will be furnished support material needed for clarification, if requested.
- 11.3 Inquiries from the news media are given a high priority by the Village of Salado and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate.
- 11.4 The Village Administrator or his or her designee shall serve as the Communications / Media Relations Officer and is responsible for the Village’s media relations, with the exception of some public safety issues. All Village employees or Board members should notify the Village Administrator about media inquiries. The majority of Village media requests are initiated when the media contact the Village Administrator. Because the media often work on tight deadlines, it is important that all departments respond as soon as possible when the Village Administrator requests department information or a spokesperson for the media. Specific guidelines for responding to media requests follow.
- 11.5 The Village Administrator will be responsible for coordinating media interviews with the Mayor and Board. The Village Administrator will also work with the Board to promote Village programs, events, and policies and to coordinate their participation in Village activities.

11.6 Village Spokespersons. Unless otherwise authorized, the Village's spokespersons are:

- Mayor and Board members
- Village Administrator / Assistant Village Administrator
- Police Department Public Information Officers
- Village Secretary/Public Information Officer
- Village Attorney
- Department Heads and Assistant Department Heads
- Exceptions regarding departmental spokespersons may be made at the discretion of the Department Head.

11.7 Personal Points of View. It is recognized that all employees have the right to their personal points of view regarding any issue. However, personal points of view may conflict with the Village's official policy. Therefore, Village employees who write letters to the editor of any newspaper may not use official Village stationery. If an employee or Board member chooses to identify himself or herself as a Village employee or Board member in any personal letter or email to the editor, he or she must include language that states the views set forth in the letter do not represent the views of the Village, but rather, are the employee's or Board member's personally held opinions. Similar disclaimers must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program unless the employee is officially representing the Village. Employees who are representing the Village in any of the above formats must identify themselves as an official spokesperson for the Village.

Employees are required to abide by the Village's Personnel Manual regulations regarding Political Activities. Village resources cannot be used to promote or to oppose a candidate, ballot measure, or proposition.

11.8 Village-Initiated Media Contact. Most proactive media contact is initiated through the Village Administrator. This includes issuing press releases, placing legal ads and media advisories, and making personal contacts with reporters and editors for coverage. Departments seeking publicity for events or activities should notify the Village Administrator as soon as possible to ensure the best media coverage of their activities. Departments should not initiate news media contacts before notifying the Village Administrator.

11.9 Public Safety Issues. Because the Police Department operates 24/7 and its work generates a high volume of media calls, the Police Department has designated sworn personnel as media spokespersons and follows specific guidelines when releasing information. Any media calls to other Village staff regarding a Police issue should be referred immediately to the Police Department. All information released to the media by the Police Department should be provided immediately to the Village Administrator's office. When appropriate, the Village Administrator should be contacted at the time of major incidents.

- 11.10 Website. All departments are encouraged to provide information for a department presence on the Village's website, which is maintained by the Village Secretary. Information can include each department's services, projects, events, and policies. The information to be posted should be submitted to the Village Secretary. All press releases distributed through the Village Administrator or Village Secretary will be considered for the website.
- 11.11 Social Media. Given the multitude of concerns (legal, political, technical, and ethical) raised by social networking (Facebook, Nextdoor, Twitter, etc.), this ordinance establishes the policy of the Village for officials' and employees' use of the internet regarding social media in both their professional and personal capacities.
- a. Village personnel shall follow these guidelines in their use of social media, on and off duty. Under this policy, the Village disavows, and is not responsible for, any sites, posts, opinions, or content not coordinated through the Village Administrator and posted in accordance with the procedures of the Village Administrator's office. The Village is not responsible for content posted by Village personnel either in their personal capacity, or content posted purporting to be on behalf of the Village but that reflects personal opinions and therefore is not authorized by this policy. Such content is not to be construed as reflecting the views or opinions of the Mayor, Board, or Village management. **Village personnel who post unauthorized content purporting to be on behalf of the Village on a social media platform shall be subject to discipline, up to and including termination.**
 - b. The absence of explicit reference to a particular social media or internet site does not limit the extent of the application of this policy.
 - c. Specific guidelines for establishment and maintenance of social media sites/presence on the internet must be followed exactly.
 - d. Any Village-sanctioned social media sites will be operated as a complement to the official Village website and may be used to disseminate information and updates that are of public interest to the citizens of the Village. The Village recognizes that social media is an effective, instantaneous way of communicating important information to the public, particularly in emergency situations.
 - e. Unique stories, calendar events, and information may be placed on the website. Information from the Village website will also be posted to the Village-sanctioned social media sites.
 - f. Information that is date-sensitive that is posted on social media – for example, information related to emergency management, water notices, or emergency called meetings – will be saved according to the appropriate records management schedule.
 - g. There will be a limited number of official “coordinators” for maintenance of and posting on the Village's official social media accounts. The Village Administrator will assign designees with access to the social media administration.

1. Official coordinators may post responses on the Village's official social media accounts to questions from members of the public. Official coordinators should provide only factual information that provides meaningful public information to the citizens of the Village, not argument or opinion.
2. The Village website will remain the official **online** means of citizens' reporting an issue to the Village staff. Citizens may continue to report issues to Village staff by "offline" means, including, but not limited to, in person, by telephone, by email, or in writing. The Board will neither post, nor have the ability to comment, on Village issues on official Village social media platforms.
3. Elected officials shall abide by all the sunshine laws of the State, as well as policies of the Village, when discussing Village business on any internet forum.
4. All personnel that engage in social media activities on the Village's behalf and all Village-sanctioned social media sites shall adhere to applicable federal, state, and local laws, regulations, and policies, including the Texas Public Information Act, Texas Open Meetings Act copyright laws, and the Village's records retention schedule.
5. Village sanctioned social media sites must be operated according to the specific platform's user agreement. All content must be managed, stored, and retrieved to comply with the user agreement.
6. Administrators shall use an abundance of caution when working on-line. Passwords should be strong, and any evidence found of "hacking" attempts should be reported to the Village Administrator.
7. Village employees, officials, and elected officials should remember that they are bound to processes and procedures that govern the use of sensitive, confidential, proprietary, and medical information that may come into their custody in the course of conducting Village business. There is a risk of personal liability if information is released via personal social media activities.
8. While on duty, the use of Village equipment or internet service by personnel must be limited to work-related tasks. Village employees have no expectation of privacy while utilizing Village networks, equipment, or devices. All personnel who engage in social media activities on the Village's behalf will adhere strictly to the Village's Personnel Manual.

- h. The Public Safety departments of the City (*i.e.*, Police) may continue to administer social media pages via procedures as established by the Village Administrator. The Department Head(s) of each respective department shall be responsible for assuring conformity of the Department's social media presence according to the Village Administrator's directive.
- i. Requests to establish new Social Media sites shall be presented to the Village Administrator, and approval shall be secured before new sites are created.
- j. Advertising displayed on or near any Village sanctioned social media site by the social media company is not controlled by the Village. The Village has no ownership, responsibility, or control over said advertising.

Section 12. Planning.

The Mayor and Board of Aldermen are responsible for establishing a vision for the Village of Salado and planning for its future.

- 12.1 On an annual basis, the Mayor and Board of Aldermen shall hold a minimum of one (1) strategic planning session wherein they set priorities goals and objectives The goals and objectives shall address short term and long-term needs of the Village.
- 12.2 Policy direction shall be consistent with the strategic goals and objectives. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with the long-term vision.

Section 13. Board-Staff Relations.

- 13.2 The Board shall direct comments, correspondence, and concerns about Village services to the Village Administrator. Citizen concerns, comments, and correspondence regarding Village services received by members of the Board shall be forwarded to the Village Administrator for appropriate staff action and a timely response.
- 13.3 Documents provided to one (1) member of the Board shall also be distributed to all other members of the elected body. The Village Administrator shall prepare and submit to the Board, at of the end of the fiscal year, a complete report on the finances and administrative activities of the Village for the preceding year. The Village Administrator shall keep the Board advised of the financial condition and future needs of the Village and make recommendations that may seem desirable.
- 13.4 In order to ensure proper presentation of agenda items by Village staff, questions arising from members of the Board, after receiving their information packet, should be, whenever possible, presented to the Village Administrator or the Administrator's designated assistant for Village staff consideration prior to the Board of Aldermen meeting. This allows time

for Village staff to address such concerns and provide all members of the Board with additional information.

Section 14. Repealer.

This Ordinance hereby repeals and replaces the Board of Aldermen Governance Policy and Rules of Procedure, and any amendments thereto.

Section 15. 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 16. 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 Aldermen 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 17. 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.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of approval.

APPROVED: _____, 2024.

Bert Henry, Mayor

ATTEST:

Debra Bean, Village Secretary

Approved to Form:

Josh Katz, Village Attorney

Agenda Item # 6C



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

DISCUSSION AND POSSIBLE ACTION

Project/Proposal Summary:

6. DISCUSSION AND POSSIBLE ACTION

(C) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-22, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS ADOPTING A CODE OF ETHICS FOR THE VILLAGE OF SALADO; AND PROVIDING FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

Ordinance No. 2024-22
Village of Salado
County of Bell
November 7, 2024

ORDINANCE NO. 2024-22

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS ADOPTING A CODE OF ETHICS FOR THE VILLAGE OF SALADO; AND PROVIDING FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING

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

WHEREAS, the Village of Salado, Texas (the “Village”) is a Type A General Law Municipality located in Bell County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the state of Texas; and

WHEREAS, the Board of Aldermen (the “Board”) of the Village desires for all of its citizens to have confidence in the integrity, independence, and impartiality of those who act on their behalf in municipal government; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Village has general authority to adopt an ordinance that is for the good government, peace, or order of the Village and is necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, Pursuant to Texas Local Government Code, Section 54.004, the Village may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, pursuant to this authority, the Board finds that the proposed Code of Ethics is reasonable, necessary, and proper for the good government of the Village of Salado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS THAT THIS CODE OF ETHICS IS ADOPTED AS FOLLOWS:

Section 1. 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 Code of Ethics.”
- 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 2. Statement of Purpose.

It is essential in a democratic system that the public have confidence in the integrity, independence, and impartiality of those who act on their behalf in municipal government. Such confidence depends on the conduct of those who exercise official power, as well as the availability of redress to all persons on equal terms, and the dissemination of information regarding the conduct of public business. The Salado Board of Aldermen adopts this Code of Ethics in order to promote confidence in the government of the Village of Salado, and in order to enhance the Village’s ability to effectively function. The Code of Ethics establishes standards of conduct, disclosure requirements, and fair enforcement mechanisms relating to all Village officials, candidates for public office, persons doing business with the Village, and Village employees. This Code of Ethics prohibits conduct that is incompatible with the Village’s best interests and state law, and minimizes the risk of any appearance of impropriety.

Section 3. Definitions.

The terms used in this Ordinance shall have the following meanings:

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, nonprofit corporation, receivership, trust, or any other entity recognized by law.

Candidate has the meaning assigned by Section 251.001(1) of the Texas Election Code.

Village official means the mayor, every member of the Board of Aldermen, the village administrator, the village secretary, the village attorney, the village engineer, and all members of any commission, committee, or board appointed by the Board of Aldermen or the mayor.

Confidential information means any information that a Village official would be privy to because of the official’s position but otherwise is not available to the public under the provisions of the Texas Public Information Act (Texas Government Code Chapter 552).

Conflict disclosure statement means the Texas Ethics Commission disclosure statement required by Texas Local Government Code Chapter 176.

Conflict of interest questionnaire means the Texas Ethics Commission conflicts of interest form required by Texas Local Government Code Chapter 176.

Economic benefit means taxable income or any money, real or personal property, contract rights, sale, lease, option, credit, loan, discount, service, or any other tangible or intangible thing of value, whether similar or dissimilar to those enumerated.

Economic interest means a legal or equitable interest in real or personal property or a fiduciary obligation to such property or contractual right in such property that is more than minimal or insignificant and would be recognized by reasonable persons to have weight in deciding a case or an issue. Service by a Village official as an officer, director, advisor, or otherwise active participant in an educational, religious, charitable, fraternal, or civic organization does not create an economic interest in the property of that organization. Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an economic interest in the securities or other assets unless the Village official participates in the management of the fund. A Village official does not have an economic interest in a matter if the economic impact on the village official is indistinguishable from the impact on the public or on the particular group affected by the matter.

Family member means the spouse, parent, or child, and the parents of a spouse, of a Village official, or appointee.

Gift means a favor, hospitality, or economic benefit other than compensation but which does not include campaign contributions reported as required by state law, gifts received from a relative if given on account of kinship, or any value received by will, intestate succession, or as a distribution from an *inter vivos* or testamentary trust.

Income means economic benefit received.

Indirect ownership means an equity interest in a business entity where the interest is held through a series of business entities, some of which own interests in others.

Property means real estate, personal items, equipment, goods, crops, livestock, or an equitable right to income from real estate, personal items equipment, goods, crops, or livestock.

Second degree of consanguinity or affinity is defined through a chart in Section 4(c)(4) of this Ordinance.

Source of income means any business entity, employment, investment, or activity which earned or produced income, including interest, dividends, royalties or rents, which has been paid to or for the credit of a Village official, candidate, or family member or which would be taxable to said Village official, candidate, or family member under the United States Internal Revenue Code, as amended, even though not actually paid or credited.

Substantial interest means an interest in an entity by a Village official or a family member who:

- (1) Owns ten percent or more of voting stock or shares of the business entity;
- (2) Owns ten percent or more or \$15,000.00 or more of the fair market value of the business entity;
- (3) If funds received from the business entity exceed ten percent or more of the person's gross income for the previous year;

(4) If a Village official or family member has a substantial interest in real property or controls or has an interest in the property and the interest has a market value of \$2,500.00 or more; or

(5) Owns or serves as an officer, director, advisor in an educational, religious, charitable, fraternal, or civic organization, including non-profit organizations.

Section 4. Standards of Conduct.

(a) General provisions.

(1) No Village official may disclose any confidential information gained through the official's position concerning property, operations, policies, or affairs of the Village, for gain or advantage in an economic interest of the Village official or the persons identified in section (c)(2)(b) of this section.

(2) No Village official may use the official's position or Village-owned facilities, equipment, supplies, or resources of the Village for gain in an economic interest of the Village official, for a political campaign of the official, or for any of the persons identified in section (c)(2)(b) of this section. A discount or award given for travel, such as frequent flyer miles, rental car or hotel discounts, or food coupons, are not things of value belonging to the Village for purposes of this section due to the administrative difficulty and cost involved in recapturing the discount or award for the Village.

(3) Except as specifically authorized by Village ordinance, no Village official may appear before the body of which the official is a member to represent the Village official or any person identified in subsection (c)(2)(b) of this section. The Village official may designate and be represented by a person of the official's choice in any such matter.

(4) No Village official may act as surety for any person or business entity that has a contract with the Village, or as a surety on any bond required by the Village for a Village official.

(5) These general provisions do not prohibit a Village official from representing the Village official's interest in the Village official's owner-occupied homestead before any Village body, except the body of which the official is a member.

(b) Gifts. No Village official may solicit or accept any contribution, gift, or economic benefit that is offered or given with the intention of influencing the judgment or discretion of such official; or given in consideration of the favorable exercise of the official's judgment or discretion in the past.

(c) Conflict of interest.

(1) Substantial interest. No Village official may vote on or participate in any decision-making process on a matter concerning property, a business entity, or a non-profit organization if the official, or the official's parent, child, step-child, spouse, or other family member within the second degree of consanguinity or affinity has:

- a. A substantial interest in the property or business entity; or
- b. Owns or serves as an officer, director, or advisor in an educational, religious, charitable, fraternal, or civic organization, including non-profit organizations.

(2) Economic interest.

- a. No Village official may vote on or participate in any decision-making process on a matter if the official has an economic interest in the outcome of the matter under consideration.
- b. To avoid the appearance and risk of impropriety, a Village official may not take any official action that the official knows is likely to affect the economic interests of:
 - 1. The Village official's parent, child, step-child, spouse, or other family member within the second degree of consanguinity or affinity or a client of the Village official;
 - 2. An employer of the Village official, the official's parent, child, step-child, or spouse;
 - 3. A business entity for which the Village official serves as an officer or director or serves in any policy-making position;
 - 4. A person or business entity from whom, within the past 12 months, the Village official or the official's spouse, directly or indirectly, received an economic benefit;
 - 5. A person or business entity from whom, within the past 12 months, the Village official or the official's spouse, directly or indirectly, engaged in negotiations pertaining to business opportunities.

(3) Conflicts disclosure statement and recusal.

- a. A Village official shall file a sworn conflicts disclosure statement whenever a person or entity has contracted with the Village or is considering doing business with the person or entity and the Village official has an economic interest in or with the person or entity or if the person or entity has given to the Village official gifts that have a value in the aggregate of more than \$250.00 in the 12-month period preceding the date the Village official becomes aware that the Village has a contract with such person or entity or that the Village is considering doing business with such person or entity. The Village official shall file the conflicts disclosure statement with the Village Secretary no later than 5:00 p.m. on the seventh business day after the date the Village official becomes aware of the facts that require the filing of the statement.

- b. A Village official commits an offense if the Village official knowingly fails to file the conflicts disclosure statement.
- c. The Village Secretary shall accept and file any and all Village official conflict disclosure statements and any vendor conflict of interest questionnaires.
- d. The Village Secretary shall maintain a list of Village officials and shall make that list available to the public and any person who may be required to file a conflicts of interest questionnaire.
- e. A Village official, or relative of the official as defined in Section 4(c)(1) of this Ordinance, having a substantial interest in the outcome of a matter under consideration shall disclose that the official has a substantial interest and recuse himself/herself immediately from voting and from the discussion of the matter. The Village official shall also promptly file an affidavit with the Village Secretary disclosing the nature and extent of the conflict, and the affidavit shall be included in the official minutes of the body.

(4) Consanguinity and affinity.

Affinity Kinship (Marriage) Relationships	
1st Degree	2nd Degree
Father-in-law	Spouse's grandfather
Mother-in-law	Spouse's grandmother
Son-in-law	Spouse's brother (brother-in-law)
Daughter-in-law	Spouse's sister (sister-in-law)
Spouse	Spouse's grandson
	Spouse's granddaughter
	Brother's spouse (sister-in-law)
	Sister's spouse (brother-in-law)

Consanguinity (Blood) Relationships		
1st Degree	2nd Degree	3rd Degree
Father	Grandfather	Great-grandfather
Mother	Grandmother	Great-grandmother
Son	Brother	Nephew
Daughter	Sister	Niece
	Grandson	Great-grandson
	Granddaughter	Great-granddaughter
		Uncle
		Aunt

(5) Budget matters. The Board of Aldermen shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the Board of Aldermen has a substantial interest. The member of the Board of Aldermen that has the substantial interest may not participate in the separate vote.

Section 5. Interest in Property Acquired With Public Funds.

- (a) Disclosure of interest in property. A Village official who has a legal or equitable interest in real property that is to be acquired with public funds shall file an affidavit within ten days before the date on which the property is to be acquired by purchase or condemnation.
- (b) Affidavit. The affidavit must:
- (1) State the name of the Village official;
 - (2) State the Village official's office, public title, or job designation;
 - (3) Fully describe the property;
 - (4) Fully describe the nature, type, and amount of interest in the property, including the percentage of ownership interest;
 - (5) State the date when the person acquired an interest in the property;
 - (6) Include a verification as follows: "I swear that the information in this affidavit is personally known by me to be correct and contains the information required by Section 553.002, Government Code"; and
 - (7) Contain an acknowledgement of the same type required for recording a deed in the deed records of the county.
- (c) The affidavit must be filed with the county clerk of the county in which the Village official resides and the county clerk of each county in which the property is located.

Section 6. Nepotism

- (a) Prohibition.
- (1) A public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position that is to be directly or indirectly compensated from Village funds or fees of office if:
 - a. The individual is related to the Village official within the third degree by consanguinity (blood or adoption) or the second degree by affinity (marriage); or

b. The Village official holds the appointment or confirmation authority as a member of a state or local board, the legislature, or a court and the individual is related to another member of that board, legislature, or court within the third degree by consanguinity (blood or adoption) or the second degree by affinity (marriage).

(2) A Village official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position in which the individual's services are under the public official's direction or control and that is to be compensated directly or indirectly from Village funds or fees of office if:

a. The individual is related to another public official within the third degree by consanguinity (blood or adoption) or the second degree by affinity (marriage); and

b. The appointment, confirmation of the appointment, or vote for appointment or confirmation of the appointment would be carried out in whole or partial consideration for the other public official appointing, confirming the appointment, or voting for the appointment or confirmation of the appointment of an individual who is related to the first public official within the third degree by consanguinity (blood or adoption) or the second degree by affinity (marriage).

(b) Exceptions.

(1) The prohibitions in Section 6(a) do not apply to:

a. An appointment to the office of a notary public or to the confirmation of that appointment;

b. An appointment or employment of a personal attendant by an officer of the Village for attendance on the officer who, because of physical infirmities, is required to have a personal attendant; or

c. Any other appointment excepted under Texas Government Code Chapter 573.

(2) The prohibition in Section 6(a)(1) does not apply to an appointment, confirmation of an appointment, or vote for an appointment or confirmation of an appointment of an individual to a position if:

a. The individual is employed in the position immediately before the election or appointment of the Village official to whom the individual is related in a prohibited degree; and

b. That prior employment of the individual is continuous for at least:

1. Thirty days, if the public official is appointed; or

2. Six months, if the public official is elected.

(3) If, under subsection (b)(2), an individual continues in a position, the Village official to whom the individual is related in a prohibited degree may not participate in any deliberation or vote on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees.

Section 7. Honorariums.

(a) Prohibition. A Village official is prohibited from soliciting, accepting, or agreeing to accept an honorarium in consideration for services that the Village official would not have been requested to provide but for the Village official's official position or duties.

(b) Exception. This section does not prohibit a Village official from accepting (1) transportation expenses, (2) lodging expenses or (3) meals in connection with a conference or similar event in which the Village official renders services, such as addressing an audience or engaging in a seminar to the extent that those services are more than merely perfunctory.

Section 8. Gifts.

(a) Prohibition.

(1) A Village employee performing regulatory functions or conducting inspections or investigations shall not solicit, accept, or agree to accept any benefit from a person the Village employee knows to be subject to regulation, inspection, or investigation by the Village employee or the Village.

(2) A Village employee having custody of prisoners shall not solicit, accept, or agree to accept any benefit from a person the Village employee knows to be in his custody or the custody of the Village.

(3) A Village employee or a Village official who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of the Village shall not solicit, accept, or agree to accept any benefit from a person the Village employee or Village official knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion.

(4) A Village employee or Village official who has judicial or administrative authority, who is employed by or in a tribunal having judicial or administrative authority, or who participates in the enforcement of the tribunal's decision shall not solicit, accept, or agree to accept any benefit from a person the Village employee or Village official knows is interested in or likely to become interested in any matter before the Village employee or Village official or tribunal.

(b) Donation of unsolicited gift. A Village employee or Village official who receives an unsolicited benefit that the Village employee or Village official is prohibited from

accepting under this section may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

(c) Exceptions. The prohibitions set out in this section do not apply to:

(1) A fee prescribed by law to be received by a Village employee or Village official or any other benefit to which the Village employee or Village official is lawfully entitled or for which he gives legitimate consideration in a capacity other than as a Village employee or Village official;

(2) A gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient; or

(3) A benefit to a Village employee or Village official required to file a statement under Texas Government Code Chapter 572, or a report under Texas Election Code Title 15, that is derived from a function in honor or appreciation of the recipient if:

a. The benefit and the source of any benefit in excess of \$50.00 is reported in the statement; and

b. The benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are non-reimbursable by the state or the Village;

(4) A political contribution as defined by Texas Election Code Section 251.001;

(5) An item with a value of less than \$50.00 excluding cash or a negotiable instrument as described by Texas Business and Commerce Code Section 3.104;

(6) An item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity;

(7) Food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law; or

(8) Any gift or benefit otherwise excepted under Texas Penal Code Section 36.10.

Section 9. Village Records.

(a) Prohibition. A Village official shall not:

(1) Knowingly make a false entry in, or false alteration of, a Village record;

(2) Make, present, or use any record, document, or thing with knowledge of its falsity and with intent that it be taken as a genuine Village record;

(3) Intentionally destroy, delete, conceal, remove, or otherwise impair the verity, legibility, or availability of a Village record;

(4) Possess, sell, or offer to sell a Village record or a blank Village record form with intent that it be used unlawfully;

(5) Make, present, or use a Village record with knowledge of its falsity; or

(6) Possess, sell, or offer to sell a Village record or a blank Village record form with knowledge that it was obtained unlawfully.

(b) Exception. It is an exception to the application of subsection (a)(3) of this section that the governmental record is destroyed pursuant to legal authorization or transferred under Texas Government Code Section 441.204. With regard to the destruction of a local government record, legal authorization includes compliance with the provisions of Texas Local Government Code Title 6, Subtitle C.

Section 10. Misuse of Official Information.

(a) Prohibition.

(1) A Village employee or Village official shall not misuse information to which he or she has access by virtue of his or her office or employment and that has not been made public, and shall not:

a. Acquire, attempt to acquire or aid another to acquire or attempt to acquire a pecuniary interest in any property, transaction, or enterprise that may be affected by the information;

b. Speculate or aid another to speculate on the basis of the information; or

c. As a Village official, coerce another into suppressing or failing to report that information to a law enforcement agency.

(2) A Village employee or Village official shall not, with intent to obtain a benefit or with intent to harm or defraud another, disclose or use information for a nongovernmental purpose that:

a. The Village official Village employee has access to by means of his or her office or employment; and

b. Has not been made public.

- (b) Definition. In this section, “information that has not been made public” means any information to which the public does not generally have access, and/or that is prohibited from disclosure under Texas Government Code Chapter 552.

Section 11. Electronic Information and Communications Systems Use Policy.

- (a) Purpose. The establishment of a policy specifying acceptable use of electronic information systems that are the property of the Village of Salado, including computer hardware and software, tablets, land line and cellular telephones, printers/plotters, scanners, Fax machines, and electronic messaging (Email and texting) systems.

- (b) Applicability.

(1) This policy applies to all Village elected officials, employees, appointed board and commission members, other officials, contractors, volunteers, third parties and others, collectively known as “Village users,” authorized to use Village owned/leased and operated electronic systems to:

- a. Access Village data;
- b. Access the internet or Village intranet;
- c. Create/edit electronic content;
- d. Create, send, and/or receive Email messages, including accessing private Email accounts using Village resources;
- e. Print, plot, image, transmit or receive information by fax; and
- f. Communicate using Village owned/leased telephone equipment.

- (c) Ownership and use of the Village’s electronic systems.

(1) The Village utilizes electronic systems to allow more efficient and effective methods for the public to contact the Village and for Village officials and employees to conduct Village business. The Village’s electronic systems are the property of Village, and their intended uses are primarily for Village-related business purposes. Brief and limited use by Village users of the Village’s electronic systems for activities that do not directly relate to official Village business is permissible, provided:

- a. The use does not interfere with Village business or the performance by Village employees of their official duties;
- b. The cost to the Village is nominal; and
- c. The use does not create the appearance of impropriety.

(2) The following uses of the Village's electronic systems are prohibited:

- a. Accessing networks, servers, drives, folders, or files to which the user has not been granted access;
- b. Making unauthorized copies of Village files or other Village data and records;
- c. Printing, plotting, imaging, or transmitting or receiving documents via fax for personal business purposes;
- d. Destroying, deleting, erasing, altering, or concealing Village files or data, or otherwise making such files or data unavailable or inaccessible to the Village or to other authorized users of Village systems. (Access to files containing private, confidential, or proprietary information, per U.S. and/or Texas laws and regulations, will be restricted according to law.)
- e. Violating the laws and regulations of the United States or Texas, and Village policies and ordinances in any way;
- f. Engaging in unlawful or malicious activities;
- g. Knowingly or recklessly propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Village's networks or systems or those of any other individual or entity;
- h. Causing congestion, disruption, disablement, alteration, or impairment of Village networks or systems;
- i. Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- j. Using recreational games;
- k. Defeating or attempting to defeat security restrictions on Village systems and applications;
- l. Using Village-owned communications systems to make personal calls that are not related to an emergency;

m. When creating and sending Email and/or text messages, appropriateness and good judgment must always be exercised. These messages may be subject to disclosure under the Texas Public Information Act and civil litigation discovery procedures. Therefore, the following email, social media, and texting uses using Village-owned accounts or equipment, or otherwise related to Village business, are prohibited:

1. Communications that may, in any way, be construed by a reasonable person of ordinary sensibilities as disruptive, offensive, abusive, or threatening;
2. Communications of sexually explicit images or messages;
3. Communications that contain materials that may be construed as harassment or disparagement of others based on race, national origin, sex, age, disability, sexual orientation, or religious beliefs;
4. Solicitation for commercial ventures, religious or political causes, outside organizations, or other non-work related solicitations;
5. Any other use that may compromise the integrity of the Village, harm its image, and/or the conduct of its business in any way;
6. Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial Email ("spam") unrelated to legitimate Village purposes;
7. Misrepresenting oneself or the Village.

(3) Users should have no expectation of privacy associated with data and information created by, uploaded to, stored in, or transmitted through the Village's electronic systems. The Village reserves the right to examine, audit, and disclose all data and information created on, stored in, or transmitted through the Village's electronic systems. Key logging systems and similar tools may be utilized to ensure compliance with this policy.

- (d) Internet browser policy. The Internet is to be used to further the Village's mission, to provide effective service of the highest quality to the Village's customers and staff, and to support other direct work-related purposes. The various modes of internet/intranet access are Village resources and may be provided as business tools to Village users who may use them for research and communications related to official Village business. In the event of a conflict between the use of the internet on Village -owned equipment by a Village user and the day-to-day business operations of the Village and its employees, the business operations of the Village and its employees shall prevail.

(e) Personal electronic equipment.

(1) Users should not bring personal computers or data storage devices (such as CDs/DVDs, external hard drives, flash drives or other data storage media) to Village facilities or connect them to Village electronic systems unless expressly permitted to do so by the Village Administrator.

(2) Users of the Village's WiFi connection without connecting to the Village's network are exempt from this provision.

(f) Policy violation.

(1) All individuals governed by this policy are individually liable for any and all damages incurred as a result of violating Village security policy, copyright, and licensing agreements.

(2) Violation of this policy shall result in disciplinary action, up to and possibly including immediate termination of employment, contractual relationship, membership on an appointed board, or a letter of censure for a member of the Board of Aldermen, depending upon the severity and repeat nature of the offense.

(3) In addition, the individual governed by this section may face either/both civil and criminal penalties.

Section 12. Board of Aldermen role in ethics complaints.

- (a) The Board of Aldermen, which term includes the Mayor, has jurisdiction over ethics complaints involving Village officials and employees that are filed pursuant to this Ordinance. However, if the Mayor or a member of the Board of Aldermen is the subject of a complaint, the person who is the subject of the complaint shall recuse him or herself from the Board's consideration of the complaint.
- (b) The Board of Aldermen shall have the authority to review and investigate complaints filed in accordance with this Ordinance and issue a written finding of the Board's determination when appropriate.
- (c) Service on the Board of Aldermen does not preclude a member of the Board from filing an ethics complaint. The Board member filing the complaint must recuse himself/herself from the Board's procedure and consideration of the complaint.
- (d) The Board may make recommendations and adopt revisions and changes to this Code of Ethics. The Board may seek any necessary assistance from the Village Administrator to carry out its duties under this Ordinance.
- (e) The Village Attorney may be utilized to advise and assist the Board of Aldermen and take part in hearings held by the Board.

Section 13. Role of the Village Attorney

- (a) The Village Attorney serves as legal counsel to the Board of Aldermen. When complaints are filed relating to the Mayor, Board of Aldermen members, or Village Administrator, independent legal counsel may be utilized to advise the Board of Aldermen and take part in its proceedings.
- (b) The Village Attorney serves as ethics advisor to Village officials and Village employees. As ethics advisor, the Village attorney is available to respond confidentially to inquiries relating to this Code of Ethics, and may render advisory opinions on potential conflicts of interest or potential violations of this Ordinance at the request of a Village official or Village employee. The advisory opinion in any subsequent charges concerning the matter may be used as a defense to an alleged violation of this section unless material facts were omitted or misstated by the person requesting the opinion.
- (c) The Village Attorney shall provide a preliminary review of the complaint to the Board of Aldermen. The preliminary review does not advise on the merits of a complaint.
- (d) If a complainant alleges a violation of this Ordinance by the Village Attorney, the Village shall retain independent legal counsel to advise the Board and take part in its proceedings on the complaint.

Section 14. Ethics Complaint Process.

(a) Filing.

(1) Any Village official, adult resident of the Village, or owner of property within the Village who believes that there has been a violation of this Code of Ethics by a Village official or employee may file a sworn complaint. A complaint alleging a violation of this Code of Ethics must meet the requirements herein and must be filed with the Village Secretary. A complaint must be filed within one year from the date of the alleged violation of the Code of Ethics.

(2) Required contents of a complaint. An ethics complaint must be in writing and under oath and must set forth in simple, concise, and direct statements the following:

- a. The name of the complainant;
- b. The street or mailing address, email address, and telephone number of the complainant;
- c. The name of the person who allegedly committed the violation of the Code of Ethics;
- d. The position or title of the person who allegedly committed the violation;

e. The nature of the alleged violation, including, if possible, the specific provision of this Code of Ethics alleged to have been violated;

f. A statement of the facts constituting the alleged violation and the dates on which or period of time in which the alleged violation occurred; and which must contain the following:

1. Documents or other material available to the complainant relevant to the allegation;
2. A list of all documents or other material relevant to the allegation and available to the complainant, but that are not in the possession of the complainant, including the location of the documents; if known; and
3. A list of all documents or other material relevant to the allegation, but unavailable to the complainant, including the location of the documents, if known.

g. If the complaint is based on information and belief, the complaint shall state the source and basis of the information and belief.

(3) The complaint must be accompanied by an affidavit stating that the information contained in the complaint is either true and correct or that the complainant has good reason to believe and does believe that the facts alleged constitute a violation of this Code of Ethics.

(b) Ex parte communications. After a complaint has been filed, and during the consideration of a complaint by the Board of Aldermen, a member of the Board may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the Board regarding the complaint. This provision does not prohibit a member of the Board to consult with the Village Attorney regarding procedural and legal issues, or Village staff regarding procedural issues.

(c) Notification.

(1) A copy of a complaint which meets the requirements of this section shall be promptly forwarded by the Village Secretary to the Village Attorney and to the person that is the subject of the complaint.

(2) The person alleged in the complaint to have violated this Code of Ethics may, within fourteen (14) days of his or her receipt of a copy of the complaint, provide a sworn response to the Village Secretary.

(3) A copy of any response to a complaint must be provided by the Village Secretary to the complainant and the Board. The complainant may, within seven (7) days of being provided

a copy of the response, reply by sworn writing filed with the Village Secretary, who shall provide a copy of the sworn reply to the person charged in the complaint and the Board.

(3) Village officials and Village employees have a duty to cooperate with the Village Attorney, pursuant to this section.

(4) Unless recusal is required, all members of the Board shall receive copies of the complaint, any background documentation, and any responses or replies at least seven (7) days before a hearing on the matter.

Section 15. Ethics Hearing Process.

(a) Preliminary hearing.

(1) As soon as reasonably possible, but in no event later than 60 days after receiving a complaint, the Board shall conduct a preliminary hearing. The purpose of the preliminary hearing is to determine whether there are reasonable grounds to believe that a violation of the Code of Ethics has occurred. The Mayor shall be chairperson for the purposes of the ethics complaint procedure. If the Mayor is the subject of the complaint or the complainant, the Mayor Pro Tem shall serve as chair of any hearings or other consideration of the complaint.

(2) The complainant and the Village official or Village employee named in the complaint have the right of representation by counsel if they so choose.

(3) Statements at a preliminary hearing shall be under oath, but there shall be no cross examination or requests for persons or evidence issued for the hearing. Members of the Board may ask questions of the complainant and/or the person who is the subject of the complaint.

(4) The complainant shall state the alleged violation and describe in narrative form the testimony and other evidence which would be presented at final hearing that the complainant believes would prove the alleged violation stated in the written complaint. The complainant is allotted ten (10) minutes to state the basis of his or her complaint.

(5) The Village official or Village employee named in the complaint shall have the opportunity to respond, but is not required to attend the preliminary hearing or make any statement. The subject of the complaint is allotted ten (10) minutes to respond to the complaint. The subject of the complaint may describe in narrative form the testimony and other evidence that he or she will present at the final hearing to disprove the alleged violation.

(6) Only members of the Board may question the complainant, or the person who is the subject of the complaint.

(7) The complainant and the person who is the subject of the complaint are each allowed, but not required, to have five (5) minutes for rebuttal.

(7) At the conclusion of the preliminary hearing one of the following actions shall be taken:

a. If the Board does not determine that there are reasonable grounds to believe that a violation of this article has occurred, the complaint shall be dismissed.

b. If the Board determines that there are reasonable grounds to believe that a violation of this article has occurred, it shall schedule a final hearing.

c. If the subject of the complaint has agreed that a violation has occurred, the Board may determine the appropriate sanction during the preliminary hearing.

(b) Final hearing.

(1) A final hearing shall be held as expeditiously as possible following the determination by the Board of Aldermen that there are reasonable grounds to believe that a violation of this Code of Ethics has occurred, but in no event shall it be held more than forty (40) days after said determination. The Board may grant two postponements, not to exceed fifteen (15) days each, upon the request of either the complainant or the subject of the complaint.

(2) If a complaint proceeds to a final hearing, the Board may request witnesses to attend and testify, administer oaths and affirmations, take evidence, and request the production of books, papers, records, or other evidence needed for the performance of the Board's duties or exercise of its powers, including its powers of investigation.

(3) At the final hearing, the Board and the subject of the complaint may make a statement under oath to the Board. The Board may determine the amount of time allotted for this statement. The complainant and the subject of the complaint may have attorneys present. The complainant, the subject of the complaint, and their attorneys are not permitted to cross-examine one another or witnesses at the hearing. However, the complainant, subject of the complaint, or their attorneys may submit questions for the witnesses to the Board chairperson for the Board's consideration. Members of the Board may question any witness.

(3) The issue at a final hearing is whether a violation of this Code of Ethics has occurred. The Board shall make its determination based on the evidence in the record. All witnesses shall make their statements under oath. If the Board determines that a violation has occurred, it shall state its findings in writing, identify the particular provision(s) of this Code of Ethics which have been violated, and within ten (10) business days deliver a copy of the findings to the complainant, the person named in the complaint, and the Village Secretary, Village Administrator, and Village Attorney.

Section 16. Sanctions and Violations

- (a) If the Board determines that a violation of this article has occurred, it shall consider appropriate sanctions. The Board may receive additional testimony or statements before considering sanctions, but is not required to do so.
- (b) If the Board determines that a violation has occurred, it may impose the following sanctions:
 - (1) A letter of notification is an appropriate sanction when the violation is clearly unintentional. The letter of notification shall advise the Village official or Village employee of any steps to be taken to avoid future violations.
 - (2) A letter of admonition is the appropriate sanction when the Board finds the violation is minor.
 - (3) A letter of reprimand is the appropriate sanction when the Board finds a serious violation has been committed.
 - (4) A letter of censure is the appropriate sanction when the Board finds that a very serious violation has occurred or more than one serious violation or repeated serious violations of this Code of Ethics have been committed.
- (c) In addition, when the seriousness of the violation warrants, the Board, by majority vote, may suspend or remove any Village official from office.

Section 17. Repealer.

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 that is prohibited by any other ordinance.

Section 18. 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 19. 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 Aldermen 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 20. 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.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of approval.

APPROVED: _____, 2024.

Bert Henry, Mayor

ATTEST:

Debra Bean, Village Secretary

Approved to Form:

Josh Katz, Village Attorney

Agenda Item # 6D



Date Submitted:

Agenda Date Requested: November 4, 2024

Agenda Item:

DISCUSSION AND POSSIBLE ACTION

Project/Proposal Summary:

6. DISCUSSION AND POSSIBLE ACTION

(D) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-23, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS AMENDING THE EXISTING ZONING ORDINANCE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; RESERVATION OF RIGHTS; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

Ordinance No. 2024-23
Village of Salado
County of Bell
November 7, 2024

ORDINANCE NO. 2024-23

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS AMENDING THE EXISTING ZONING ORDINANCE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; RESERVATION OF RIGHTS; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the Board of Aldermen (the “Board”) of the Village of Salado, Texas (the “Village”) seeks to provide for the orderly development of land and use of property within its corporate limits and its extraterritorial jurisdiction; and

WHEREAS, the Board seeks to amend the Village’s Zoning Ordinance, as amended; and

WHEREAS, the Board seeks to protect the health, safety, and general welfare of the public by adopting and enforcing zoning regulations; and

WHEREAS, the Board is authorized to create and appoint a Planning and Zoning Commission pursuant to Texas Local Government Code § 211.007 in order to carry out the purposes set forth in Chapter 211 of the Local Government Code; and

WHEREAS, pursuant to Chapter 51 of the Texas Local Government Code, the Board has determined that this Ordinance is reasonable and necessary to protect the health, safety, and general welfare of the Village of Salado.

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

This ordinance is hereby adopted as the Subdivision Ordinance, as amended, and shall read as follows:

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 2024 Zoning Ordinance Amendment.”

- C. Scope:** This Ordinance, and the rules and regulations adopted herein, shall apply within the Village limits and its extraterritorial jurisdiction. This Ordinance applies to conduct on public streets, public street rights-of-way, public sidewalks, and public parks.
- D. Effective Date:** This Ordinance shall take effect immediately upon passage and publication.

SECTION II. ADOPTION

Ordinance No. 2024-23 is hereby adopted as follows:

“Section 2.2: Planning & Zoning Commission

A. General:

1. The Planning and Zoning Commission (also referred to as the “Commission”) shall function according to the following criteria that establish membership and operating procedures.

B. Created; Membership; Officers; Rules & Bylaws:

1. There is created, in accordance with Chapter 211 of the Texas Local Government Code, the “Planning and Zoning Commission,” hereafter sometimes referred to as the “Commission,” which shall consist of five (5) people residing within the Village of Salado. Nominees for the Commission should have business development, finance, or professional management experience.
2. Members shall be nominated by the Aldermen of the Village of Salado, with each Alderman (excluding the Mayor) nominating one member of the Commission. Each person so nominated must be approved by a simple majority vote of the Board of Aldermen before being appointed as a member of the Commission.
3. All appointments to the Commission shall serve as a member of the Commission for a term of office of two (2) years, which shall run concurrently with the term of the Alderman who appointed the Commission member. Commission members may remain in their position as carry-over members until their replacement has been appointed by the Board of Aldermen. Members may be reappointed for up to a total of two (2) terms, and after the expiration of their term, may not serve on the Commission for a full two (2) years before that former member may serve on the Commission again.
4. Members shall serve staggered 2-year terms. Members’ terms will begin in June, following Aldermen elections in May and the subsequent appointment by the Aldermen of new Commission members. In order to begin staggering of the Commission terms, the Aldermen shall first appoint two Commission members to replace the two members who have served on the Commission for the longest duration, with the other three members of the Commission to be appointed the following year.

5. Any vacancy(s) on the Commission shall be filled via appointment by a simple majority vote of the Board of Aldermen.

6. Members of the Planning and Zoning Commission may be removed from office at any time by a simple majority vote of the full Board of Aldermen either upon its own motion or upon recommendation of the Planning and Zoning Commission. Failure to attend three (3) consecutive scheduled meetings shall be deemed as neglect and cause for removal from office, unless such absences were due to unusual circumstances beyond the member's control and are excused by a simple majority vote of the Commission. A vote to remove a Commission member shall be placed on the appropriate agenda as a regular item, and shall be voted upon accordingly.

7. The members of the Commission shall regularly attend meetings and public hearings of the Commission, shall serve without compensation, and shall not hold any other office within, or serve as an employee of, the Village while serving on the Commission. The Commission shall meet a minimum of once per month at a time established by the Board of Aldermen. If there have been no applications filed for review by the Commission and there is no other business to discuss, the Village Administrator may direct the Village Secretary to notify the Chairman and no meeting will be required for that regular meeting.

8. The Chairperson and a Vice-Chairperson shall be appointed by the Commission membership, and each officer shall hold office for one (1) year or until replaced by a simple majority vote of the full Commission. The Village Administrator or his or her designee shall serve as Secretary to the Commission, and shall keep minutes of all meetings held by the Commission as well as the full record of all recommendations made by the Commission to the Board of Aldermen.

9. The Commission shall have the power to make rules, regulations, and bylaws for its own governance, which shall conform with those set forth by the Board of Aldermen, and such rules, regulations, and bylaws shall be subject to approval by the Board of Aldermen. Such rules and bylaws shall include, among other items, provisions for the following:

- a. Regular and special meetings, open to the public;
- b. A record of its proceedings, to be open for inspection by the public;
- c. Reporting to the Board of Aldermen as requested by the Board;
- d. Reviewing the Comprehensive Plan as directed by the Village Administrator;
- e. Reviewing Master Plans and Land Use and Development Ordinances; and
- f. Required training in conformance with all laws.

C. Parliamentary Procedure; Quorum; Voting:

1. The Commission will follow the parliamentary procedure adopted by the Board of Aldermen, and procedures shall not be in conflict with the laws applicable to the Commission on the following:

a. **Quorum** - A quorum shall consist of a majority of the membership of the Commission, and any issue to be voted upon shall be resolved by a majority of those members present.

b. **Voting** - All Commission members, including the Chairperson, shall be entitled to one vote each upon any question, a quorum being present. Voting procedures shall be in accordance with the parliamentary procedures adopted by the Board of Aldermen.

c. **Conflict of Interest** - If any member has a conflict of interest regarding any item on the Commission's agenda, that member shall remove himself or herself from the room and shall refrain from voting only on the item for which a conflict exists. Refer to Chapter 171 of the Texas Local Government Code and any applicable Village ethics policies or regulations.

D. Meetings; Public Record:

1. The Planning and Zoning Commission shall meet in the Municipal Building or in some other specified location as may be designated by the presiding Chairperson, and at such intervals as may be necessary to orderly and properly transact the business of the Commission but not less than once each month.

2. Meetings shall be conducted in accordance with the Open Meetings Law (refer to Chapter 551 of the Texas Government Code).

3. The agenda for each meeting of the Commission will be established by the Village Administrator or his or her designee.

...”

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 7th day of November, 2023, by a vote of _____ (ayes) to _____ (nays) and _____ abstentions vote of the Board of Alderman of the Village of Salado, Texas.

Bert Henry, Mayor

ATTEST:

Debra Bean, Village Secretary

Approved to Form:

Joshua Katz, Village Attorney

Agenda Item # 6E



Date Submitted:
Agenda Date Requested: November 4, 2024

Agenda Item:
DISCUSSION AND POSSIBLE ACTION

Project/Proposal Summary:

6. DISCUSSION AND POSSIBLE ACTION

(E) DISCUSSION AND POSSIBLE ACTION ON APPROVING ORDINANCE NUMBER 2024-24, AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, TO ESTABLISH CHILD SAFETY ZONES AND DISTANCE RESTRICTIONS FOR REGISTERED SEX OFFENDERS; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.

Ordinance No. 2024-24
Village of Salado
County of Bell
November 7, 2024

ORDINANCE NO. 2024-24

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, TO ESTABLISH CHILD SAFETY ZONES AND DISTANCE RESTRICTIONS FOR REGISTERED SEX OFFENDERS; 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

WHEREAS, the Board finds and declares that sex offenders may pose a serious threat to public safety; and

WHEREAS, the Board finds that the recidivism rate for released sex offenders is significant, especially for those who commit crimes against children; and

WHEREAS, the Board finds that restrictions on the proximity of sex offenders to schools or other facilities are a demonstrable way to prevent recidivism; and

WHEREAS, the Board finds that establishing an ordinance to restrict the property available for the residence of registered sex offenders provides better protection for the safety of children within the Village; and

WHEREAS, in 2017 the Texas Legislature adopted House Bill 1111, which became effective September 1, 2017, which adds Section 341.906 to Chapter 341 of the Texas Local Government Code, expressly authorizing the governing body of a general law municipality such as the Village to restrict registered sex offenders from being within a certain distance of a child safety zone within the Village; and

WHEREAS, it is deemed in the best interest of the Village for the health, safety, and welfare of its citizens that an ordinance be established to regulate child safety zones and distance restrictions for registered sex offenders within the Village; and

WHEREAS, the Board desires to establish the child safety zones and distance restrictions for registered sex offenders in order to protect the healthy, safety, and welfare of the residents of the Village.

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 Child Safety Zone 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. 2024-24 is hereby adopted as follows:

A. Definitions

For the purposes of this Ordinance, the following words, terms, and derivations thereof shall have the meanings given herein.

Child safety zone – a premise where children commonly gather. The term includes a school, daycare facility, playground, public or private youth center, public swimming pool, video game arcade facility, or other facility that routinely holds events primarily for the attendance of children. The term does not include a church, as defined in Section 544.251 of the Texas Insurance Code.

Playground, premise, school, video arcade facility, and youth center – facilities with the meanings as adopted in Section 481.134 of the Texas Health and Safety Code.

Registered sex offender – an individual who is required to register as a sex offender pursuant to Chapter 62 of the Code of Criminal Procedure.

B. Offense

It is an offense for a registered sex offender to go in, on, or within 1,000 feet of a child safety zone in the Village of Salado.

C. Measurements; Map

1. For the purposes of measuring the distances pursuant to this Ordinance, the requirement shall be measured by following a straight line from the outer line of the child safety zone property.
2. A map depicting the child safety zones within the Village shall be created by the Village and maintained by the Village police department. The Village shall review the map annually for changes. The map shall be available to the public at the Village Police Department and shall be posted on the Village website.

D. Culpable Mental State Not Required

Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this Ordinance.

E. Affirmative Defense

It is an affirmative defense to prosecution of an offense under this Ordinance that the registered sex offender was in, on, or within 1,000 feet of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to or from work, and other work-related purposes.

F. Exemptions

1. A registered sex offender who established residency in a residence located within 1,000 feet of a child safety zone established before the effective date of this ordinance is exempt from the effect of this ordinance; however, the exemption only applies:
 - A. To areas necessary for the registered sex offender to have access to and live in the residence; and
 - B. To the period that the registered sex offender maintains residency in such residence.
2. A registered sex offender may seek an exemption from the application of this ordinance by submitting a request in writing to the Police Chief specifying the background, reason, and scope of the requested exemption. The Police Chief may seek additional information from the requestor, and shall issue a written determination on the requested exemption within ten (10) business days from the filing of the request. The requestor may appeal to the Board of Aldermen from the determination of the Police Chief by filing the appeal in writing with the City Secretary within ten (10) days of the Police Chief's determination.

G. Penalty

Any person, firm, corporation, agent, or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an

amount not to exceed \$500.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

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.

Bert Henry, Mayor

ATTEST:

Debra Bean, Village Secretary

Approved to Form:

Josh Katz, Village Attorney