



**Notice of a Meeting of the
City Council
of Village of Volente, TX
Tuesday, December 17, 2013
7 pm.**

Notice is hereby given that the Village of Volente, TX will hold a meeting of the City Council on Tuesday the 17th of December, 2013 at 7 p.m. in the Council Chamber of the Volente City Hall, 16100 Wharf Cove, Volente, TX, at which time the following items will be discussed, to wit:

1. Call to Order of the City Council.
2. Roll Call.
3. Pledge of Allegiance/Reading of the Village Vision Statement.
4. Citizens/Public Communications.
5. Mayor's Report.
6. Finance Committee Report. (Mayor Pro Tem Scott)
7. Road and Culverts Report. (Council member Jan Yenawine)
8. Staff reports.
 - a. City Administrator/City Secretary Project Report.
 - b. Financial Report.
 - c. Construction Report.
9. Swearing in of Council Member Ken Beck by Municipal Judge Thrash.

The Staff and Mayor present the following agenda items (9-11) to be considered as consent items by the City Council to be enacted by one motion. If a citizen or City Council Member requests discussion on an item, it will not be approved on consent, it will be moved to the end of the agenda and considered at that time. City Council Members may add additional items to be considered for the consent agenda.

10. Approval of the minutes from the November 18, 2013 and November 19, 2013 meeting.
11. Resolution Establishing Bank Signature Authorization.
12. Finance Committee Nominees (Mayor Pro Tem Scott).

Regular Agenda Items.



13. Discussion and Possible Action on Variance request 7307 Blue Heron Cove.
 - a. Staff Presentation.
 - b. Planning & Zoning Recommendation (Chairman Yarbrough).
14. Discussion and Possible Action on Variance request for 8120 Joy Rd.
 - a. Staff Presentation.
 - b. Planning & Zoning Recommendation (Chairman Yarbrough).
15. Close Public Meeting.
16. Open Executive Session:

The City Council of the Village of Volente will announce that it will go into executive session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to consult with the City Attorney (551.072) and appointed real estate broker to deliberate the purchase, exchange, lease, or value of real property; and to deliberate any other matter listed on this agenda for which an exception to open meetings requirements permit such closed deliberation as announced at the time of the closed session. The City Council may also announce that it may go into executive session if necessary to receive advise from legal counsel regarding any other item on this agenda and property.

EX 1. Consult with Attorney and Appointed Real Estate Broker.
17. Close Executive Session; Open Public Meeting.
18. Discussion and Possible Action on the Request from Planning & Zoning for a Joint Workshop on the Special and Temporary Permit Ordinance on January 8, 2014 7:00 p.m.
19. Discussion and Possible Action on the Administrative Ordinance .
 - a. Staff Presentation.
20. Discussion, Nomination, and Possible Action on Council Committee Chairs.
21. Discussion and Possible Action on Setting of the Date of the City Council Retreat.
 - a. Staff Presentation.
21. Adjourn.

I certify that the above notice of meeting was posted at Village of Volente on the 14th day of December, 2013. Joan Jackson, City Secretary.

The Village of Volente is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

1 **VILLAGE OF VOLENTE**

2 **Version 6 (SBY Edits to Version 5)**

3 **ORDINANCE NO. 2013-O-_____**

4 **AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE**
5 **OF VOLENTE ENACTING RULES, PROCEDURES, AND**
6 **POLICIES CONTROLLING THE VILLAGE'S GOVERNMENT AND**
7 **ADMINISTRATION, INCLUDING COUNCIL MEETINGS,**
8 **MEETING PROTOCOL, COMMITTEES, ELECTION AND**
9 **APPOINTMENT OF OFFICIALS, CREATION OF CITY OFFICES,**
10 **APPOINTMENT OF CITY OFFICERS; PROVIDING FOR FIRE**
11 **CODE ENFORCEMENT AND IMPOSING CRIMINAL**
12 **PENALTIES FOR VIOLATIONS; ENACTING OTHER GENERAL**
13 **PROVISIONS GOVERNING VILLAGE ADMINISTRATION AND**
14 **GOVERNMENT; AND PROVIDING FOR SEVERANCE**
15 **PROVISIONS; PUBLIC NOTICE AND MEETING**
16 **REQUIREMENTS; AND EFFECTIVE DATE**

17
18
19 **WHEREAS,** the Village of Volente desires to adopt a comprehensive set of articulated rules,
20 procedures, and policies to provide for the orderly, fair, efficient, and equitable administration
21 of municipal government and governmental business; and

22
23 **WHEREAS,** such rules, procedures, and policies will facilitate good, orderly government
24 and promote the public health, safety, and general welfare of the citizens of the Village of
25 Volente;

26
27 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF VOLENTE,**
28 **TEXAS:**

29
30 **Part 1. Legislative Findings**
31

32 The foregoing recitals are hereby found to be true and correct and are hereby adopted by the
33 Village Council and incorporated into this Ordinance for all purposes as legislative findings of
34 fact.

35 **Part 2. Short Title**

36 This ordinance may be cited as the "Administrative Procedures and Municipal Governance
37 Ordinance of the Village of Volente."

38 **Part 3.** **City (or Village) Council**

39

40 ***Subpart A. General Provisions***

41

42 **SECTION 20.01 REGULAR MEETINGS.**

43 **(A) *Time.*** The City Council shall hold regular meetings on the third Tuesday of each month at
44 7:00 p.m. or any other time the Mayor may designate; provided however, that when the day
45 fixed for any regular meeting of the Council falls on a day designated by law as a legal or
46 national holiday, the meeting may be cancelled or rescheduled at the discretion of the Council.

47 **(B) *Place.*** All regular meetings of the Council shall be held in the Council Chambers at City
48 Hall, currently located at 16100 Wharf Cove, Village of Volente, Texas.

49 **SECTION 20.02 SPECIAL MEETINGS AND WORKSHOPS.**

50 The Mayor shall call special meetings of the Council whenever in his or her opinion the public
51 business may require it, or at the express written or oral request of two Council Members.
52 When a special meeting or a workshop is called, each Council Member will be notified either in
53 person, by telephone, by electronic mail, or by hand-delivered notification to the Council
54 Member's residence, stating the date and hour of the meeting and the purpose for which the
55 meeting is called, and no business shall be transacted thereat, except such as is stated in the
56 notice.

57 **§SECTION 20.03 AGENDA.**

58 **(A) *Who may place items on agenda.*** Any two members of Council or the Mayor may place
59 any item on the agenda of any specific meeting for discussion and or action. The Mayor may
60 also select certain agenda items to be considered by the Council as consent items. These items
61 may be approved in part or in total by a majority vote of the Council. Any consent item may be
62 removed from the consent agenda and considered separately with discussion and citizen
63 comment by any single Council Member. Items removed from the consent agenda will
64 automatically go to the end of agenda for discussion and decision unless the Mayor deems that
65 its importance requires that it be placed in a different order on the agenda. No part of this
66 Part shall be interpreted in such a manner that allows any person to prevent, restrict or inhibit
67 a member of Council or the Mayor from placing any item on the agenda. Any item submitted
68 for the agenda by a Council Member or the Mayor must be preserved in its original form and
69 may not be edited, censored or altered in any way without the express permission of the
70 submitting party.

71 **(B) *Items to Submit to City Secretary.*** All reports, communications, ordinances, resolutions,
72 contract documents, or other supporting documentation regarding the requested agenda item
73 to be submitted to the Council shall be delivered to the City Secretary, if at all physically
74 possible, at least 11 calendar days preceding each regular Council meeting whereupon the City
75 Secretary shall prepare a list of the matters submitted for consideration. Committee or
76 informative reports not requiring City Council action may be submitted by City Council

77 members for inclusion on the agenda prior to the posting of the agenda. The Mayor shall
78 determine the order and scheduling of matters to appear on the agenda for Council
79 consideration at a regular meeting not later than 5:00 p.m. on the fifth calendar day before the
80 regular meeting, with assistance, as needed, from the City Administrator.

81 **(C) *Submission prior to meeting.*** A party sponsoring or submitting a matter for Council
82 consideration may agree to defer, either before or at the Council meeting, consideration of the
83 matter in favor of any other matter. A copy of the agenda along with the appropriate
84 supporting documentation shall be furnished to each Council Member and the Mayor prior to
85 the Council meeting as far in advance of the meeting as time for preparation will permit. Each
86 agenda will note the Council Member sponsor(s) of any matter for Council consideration, and
87 will note the Council Member or Mayor who authorized inclusion of any matter presented or
88 proposed by the City Administrator, or the City Attorney. Meetings and postings of meetings
89 will be made in accordance with state law.

90 **(D) *Submission of matters for agenda.*** The Mayor and/or any two members of the Council
91 may submit a matter for consideration or action by the Council. The City Attorney or the City
92 Administrator may submit a matter for consideration or action by the Council by first obtaining
93 the authorization or sponsorship of a two Council Members or the Mayor for inclusion of the
94 matter on an agenda.

95 **(E) *Rescheduled meeting.*** In the event that a regular meeting is rescheduled to a day other
96 than the third Tuesday, all deadlines for submission of matters to be included on the agenda
97 shall be adjusted accordingly.

98 **(F) *Vote deferred.*** In the event that the Mayor or the two Council Members who sponsored a
99 matter is not present at the Council meeting during which such matter is taken up, the matter
100 may be discussed but any vote on the matter shall be deferred unless the sponsoring member
101 has agreed that the matter should proceed to a vote in their absence or if the members present
102 deem it a matter of exigent circumstances. An example of an exigent circumstance would be
103 one in which the city, a citizen, property or staff are in peril and immediate action is required to
104 avert injury, loss or damage.

105 **(G) *Submissions to be in paper form and electronic form.*** All submission of matters to the
106 City for consideration by the Council shall be made in paper form and in electronic form if
107 practicable. Electronic submission may be made by compact disk or DVD format, or may be sent
108 by electronic mail to the city's current electronic mail address listed on the city's internet
109 website.

110 **SECTION 20.04 PRESIDING OFFICER DUTIES.**

111 The Presiding Officer of the Council shall be the Mayor. In the absence of the Mayor, the
112 Mayor Pro Tem shall become the Presiding Officer. The Mayor Pro Tem shall also serve all the
113 functions of the Mayor in the Mayor's absence. The Presiding Officer shall preserve strict order
114 and decorum at all meetings of the Council. He or she shall state every question coming before
115 the Council, announce the decision of the Council on all subjects and decide all questions of
116 order, subject, however, to an appeal to the Council, in which event a majority vote of the

117 Council shall govern and conclusively determine such question of order. He or she shall sign all
118 ordinances and resolutions adopted by the Council during his or her presence. In the event of
119 the absence of the Mayor, the Presiding Officer shall sign ordinances or resolutions as adopted.

120 **SECTION 20.05 CALL TO ORDER; PRESIDING OFFICER.**

121 (A) The Presiding Officer shall take the chair at the hour appointed for the meeting, and shall
122 call the Council to order.

123 (B) In the absence of a Presiding Officer, a temporary chairperson shall be elected by the
124 Council Members present.

125 (C) Upon the arrival of a Presiding Officer, the temporary chairperson shall relinquish the
126 chair upon the conclusion of the business item before Council.

127 **SECTION 20.06 QUORUM.**

128 The Mayor and three council members shall constitute a quorum at any regular or special
129 meeting of the Council. In the absence of the Mayor, four of the five council members
130 constitute a quorum. In the absence of a quorum, the Presiding Officer may declare the
131 meeting cancelled due to lack of quorum and reschedule or shall compel, at the instance of any
132 two Council Members present, the attendance of the absent Council Member(s). At a called or
133 special meeting or any meeting to consider taxes, two-thirds of Council constitutes a quorum.

134 **SECTION 20.07 ORDER OF BUSINESS.**

135 (A) All meetings of the Council shall be open to the public. On the day of each scheduled
136 meeting and upon determination that a quorum is present, the Council Members, the
137 City Secretary, City Attorney (as needed), and Presiding Officer shall take their regular
138 stations in the Council Chambers, and the business of the Council shall be taken up for
139 consideration and disposition.

140 (B) The Mayor shall have the authority to indicate on the agenda that certain agenda items
141 will be taken up by Council at a time certain.

142 (C) At the appointed time, any matter then under discussion shall be postponed and the
143 agenda item designated for a time certain will be taken up by Council. For each agenda
144 item, unless a different format is prescribed by law, the following protocol may be used:

145 (1) Introduction of Item by the Presiding Officer;

146 (2) Presentation by staff (or sponsoring Council Member);

147 (3) Citizen Communication;

148 (4) Council Deliberation and Possible Action.

149 (D) In the event that there is new information or a new direction considered during Council
150 deliberation, citizens may request that additional citizen communication be permitted.
151 The Presiding Officer may allow additional citizen communication to be followed again by
152 additional Council deliberation. The Presiding Officer may request that the item be

153 postponed to a future meeting to allow for a public hearing to be posted prior to further
154 Council deliberation.

155 **SECTION 20.08 READING OF MINUTES.**

156 Unless a reading of the minutes of a Council meeting is requested by a Council Member, the
157 minutes may be approved without reading if the City Secretary has previously furnished each
158 Council Member with a copy thereof. The following procedure may be followed with regard to
159 preparation of minutes of Council meetings. The City Secretary may provide a draft of proposed
160 minutes of a Council meeting to the Mayor and all Council Members, who may submit any
161 proposed additions, deletions, or corrections directly to the City Secretary. The City Secretary
162 shall prepare the minutes with all additions, deletions, and corrections proposed by the Mayor
163 or any Council Member noted in redline or any other reasonable means for highlighting such
164 changes, and present same to the Council at a public meeting.

165 **SECTION 20.09 RULES OF DEBATE.**

166 **(A) *Getting the floor.*** Improper references are to be avoided. Every Council Member
167 desiring to speak shall address the Presiding Officer, and upon recognition by the Presiding
168 Officer shall confine himself or herself to the question under debate, avoiding all personalities
169 and indecorous language. All Council Members have the right to be recognized, to make
170 motions, and to speak.

171 **(B) *Interruptions.*** A Council Member, once recognized, shall not be interrupted when
172 speaking unless it is to call to order, or as herein otherwise provided. If a Council Member,
173 while speaking, be called to order, he or she shall cease speaking until the question of order is
174 determined, and, if in order, he or she shall be permitted to proceed.

175 **(C) *Amending a motion.*** A Council Member, upon being recognized to speak, may request
176 that a motion on the floor for discussion be amended. Upon such a request, the Mayor shall
177 ask the Council Members that made and seconded the original motion if they are willing to
178 accept the amendment to the original motion. If both Members agree to accept the
179 amendment, then the original maker of the motion will restate the original motion to include
180 the amendment; the motion will be considered to be amended; and debate will continue on
181 the amended motion. If either Member does not accept the amendment, then debate
182 continues on the original motion.

183 **(D) *Previous question.*** Any Council Member, upon being recognized to speak, may move to
184 call the question on the motion on the floor. A motion to call the question requires a second. If
185 there is a motion and a second on the motion to call the question, then debate ends and there
186 is a vote to consider ending debate on the original motion. A majority vote of Members
187 present is required to end debate on a motion. Either the maker or the sponsor will be
188 recognized by the Mayor to make a closing comment for correction or clarification which will be
189 two minutes or less if needed.

190 **(E) *Motion to reconsider.*** A motion to reconsider any action taken by the Council may be
191 made only on the day the action was taken. It may be made either immediately during the

192 same session or at a recessed or adjourned session thereof. The motion must be made by one
193 of the prevailing side, but may be seconded by any Council Member, and may be made at any
194 time and have precedence over all other motions or while a Council Member has the floor; it
195 shall be debatable. Nothing herein shall be construed to prevent any Council Member from
196 making or remaking the same or any other motion at a subsequent meeting of the Council.

197 **(F) *Remarks of Council Member when entered in minutes.*** A Council Member may request,
198 through the Presiding Officer, the privilege of having a statement on any subject under
199 consideration by the Council entered in the minutes.

200 **(G) *Format of meeting minutes.*** The City Secretary shall enter in the minutes a description
201 of the agenda item; the names and addresses of any citizens speaking for or against the item;
202 and any motions or votes taken by the Council, on any question coming before the Council.

203 **(H) *Rules of Order.*** Except to the extent superseded or modified by this subpart, Robert's
204 Rules of Order are adopted and incorporated herein by reference, as the rules of procedure for
205 the Council.

206 **SECTION 20.10 ADDRESSING THE COUNCIL.**

207 **(A) *Written communication.*** Interested parties or their authorized representative may
208 address the Council by written communications regarding matters then under discussion.

209 **(B) *Oral communication.*** Any person desiring to address the Council shall first address the
210 Presiding Officer to do so. Once that person has been recognized he or she may address the
211 Council. Any person may address the Council by oral communication on any matter concerning
212 the city's business, or any matter over which the Council has control; provided, however, that
213 preference shall be given to those persons who may have notified the City Secretary in advance
214 of their desire to speak in order that the same may appear on the agenda of the Council.

215 **(C) *Reading of protests, etc.*** Interested persons or their authorized representatives may
216 address the Council by reading of protests, petitions, or communications relating to zoning,
217 sewer, and street proceedings, hearings on protests, appeals and petitions, or similar matters,
218 with regard to matters then under consideration.

219 **(D) *Manner of addressing council; time limit.*** Each person addressing the Council shall give
220 his or her name and address in an audible tone of voice for the records, and unless further time
221 is granted by the Council, shall limit his or her address to four minutes. All remarks shall be
222 addressed to the Council as a body and not to any Council Member thereof. No person, other
223 than the Council and the person having the floor shall be permitted to enter into any
224 discussion, either directly or through a Council Member, without the permission of the
225 Presiding Officer. No question shall be asked through a Council Member except through the
226 Presiding Officer.

227 **SECTION 20.11 SILENCE CONSTITUTES AFFIRMATIVE VOTE.**

228 Unless a Council Member states that he or she is not voting, his or her silence shall be
229 recorded as an affirmative vote.

230 **SECTION 20.12 DECORUM; ENFORCEMENT.**

231 **(A) Decorum.**

232 **(1) By Council Members.** While the Council is in session, the Council Members must
233 preserve order and decorum, and a member shall neither, by conversation or otherwise,
234 delay or interrupt the proceedings or the peace of the Council nor disturb any Council
235 Member while speaking or refuse to obey the orders of the Council or its Presiding Officer,
236 except as otherwise herein provided.

237 **(2) By person.** Any person making personal, impertinent, or slanderous remarks or who
238 shall become boisterous while addressing the Council shall be forthwith, by the Presiding
239 Officer, barred from further audience before the Council, unless permission to continue is
240 granted by a majority of the Council.

241 **(B) Enforcement.** A member of the City Administration may be the Sergeant-at-Arms of the
242 Council meetings, as needed. He or she shall carry out all orders and instruction given by the
243 Presiding Officer for the purpose of maintaining order and decorum at the Council meeting.

244 **SECTION 20.13 MEMBERS MAY FILE PROTEST AGAINST COUNCIL ACTION.**

245 Any Council Member shall have the right to have the reasons of his or her dissent from, or
246 protest against any action of the Council entered on the minutes.

247 **SECTION 20.14 ORDINANCES, RESOLUTIONS, MOTIONS AND CONTRACTS; OFFICIAL**
248 **NEWSPAPER.**

249 **(A) Introduction of ordinance and amendments of ordinances.** All Council Members have
250 the right to introduce new ordinances and amendments to existing ones.

251 **(B) Prior approval by city attorney.** All contract documents shall, before presentation to the
252 Council, be approved as to form and legality by the City Attorney or his or her authorized
253 representative. All the instruments shall have first been referred to the City Administrator
254 under whose jurisdiction the administration of the subject matter of the contract document
255 would be affected and then the same shall be returned to the Mayor with a written
256 memorandum of the reasons why the approval is given or withheld. In the event the
257 questioned instrument is not redrafted to meet an objection, or objection is not withdrawn
258 and approval in writing given, then the Mayor shall so advise the Council and give the reasons
259 advanced by the City Administrator for withholding approval. No contract affecting the city
260 may be changed after previously being approved by the City Attorney without getting his or
261 her approval as to form and legality of the change.

262 **(C) Introducing for passage or approval.**

263 **(1)** Ordinances, resolutions, and other matters or subjects requiring action by the Council
264 must be introduced and sponsored as provided in Section 20.03 above.

265 **(2)** No ordinance shall relate to more than one subject, which shall be clearly expressed in
266 its title, and no ordinance, or section thereof, may be amended or repealed unless the new

267 ordinance contains the number of the ordinance amended or repealed, and when practicable
268 all ordinances shall be introduced as amendments to existing ordinances or sections thereof.

269 **SECTION 20.15 REPORTS AND RESOLUTIONS TO BE FILED WITH SECRETARY.**

270 All reports and resolutions shall be filed with the City Secretary and entered in the minutes.

271 **SECTION 20.16 ADJOURNMENT.**

272 A motion to adjourn shall always be in order and decided without debate. A majority vote of
273 the Council is required to adjourn if there is unfinished business, and any unfinished business
274 shall be placed on an agenda of the next meeting.

275

276 ***Subpart B. Vacancies; Appointments***

277

278 **SECTION 20.30 GOVERNANCE.**

279 Except as may be required by applicable state law, the provisions of this subpart shall govern
280 the appointment or election to fill a vacancy in an office of a City Council member resulting
281 from a resignation, removal, failure to qualify, death or for any other reason.

282 **SECTION 20.31 DEFINITIONS.**

283 For the purpose of this subpart, the following definitions shall apply unless the context clearly
284 indicates or requires a different meaning.

285 ***NOMINATION PERIOD.*** The "nomination period" is the period beginning on the date a
286 vacancy in an office covered by this subpart occurs and ending on the expiration of 14 days
287 after the date notice to all residential addresses is completed in compliance with this subpart.

288 ***PROSPECTIVE CANDIDATE.*** A "prospective candidate" is person who has either been
289 nominated or has delivered a statement of interest during the Nomination Period in
290 compliance with the terms of this subpart.

291 **SECTION 20.32 ELECTION VERSUS APPOINTMENT.**

292 If an election can be held, in compliance with applicable law regulating the holding of
293 elections, within 90 days of the date of an event that has created a vacancy, then an election
294 shall be held to fill the vacancy. If an election cannot lawfully be held within 90 days of the
295 event resulting in a vacancy, then the City Council shall fill the vacant position by
296 appointment.

297 **SECTION 20.33 APPOINTMENT PROCESS.**

298 When an appointment is required under Section 21.03 the following process shall be used to
299 make any appointment.

300 (A) The City Council shall provide a written notice to all residential addresses within the city
301 that it is accepting nominations or statements of interest for the vacant position as soon as
302 practicable after the position has become vacant. Notice shall be deemed completed on the
303 date notice is deposited in the mail to each residential address in the city as disclosed in
304 records maintained or reasonably relied upon by the city for the purpose.

305 (B) Nominations or statements of interest will be received by the City Council for 14 days
306 after the date public notice is completed. All nominations or statements of interest must be in
307 writing and delivered to City Hall during the nomination period.

308 (C) A public meeting of the City Council shall be held during which each prospective
309 candidate shall have the opportunity to provide information to Council and the citizens of the
310 reason(s) why he or she would like to serve on Council and to answer questions posed by
311 Council and any interested citizens. A prospective candidate may choose to provide
312 information to Council and the citizens orally or in writing, or both. This meeting shall be held
313 no later than the first available meeting after the nomination period and may be held during a
314 regular scheduled or a called meeting of Council.

315 (D) After the public meeting has been held, the City Council shall appoint a person from
316 among the prospective candidate(s) to fill the vacancy. If permitted by law, the City Council
317 may appoint a prospective candidate at the same meeting as the public meeting; provided
318 that, each prospective candidate has first had the opportunity at that meeting to provide and
319 inform Council and citizens of the reason(s) why the prospective candidate would like to serve
320 on Council.

321 (E) In the event that the procedure provided in this section results in no prospective
322 candidate applying who meets the minimum qualifications set by law, the City Council may
323 appoint any qualified person to fill a vacancy.

324 (F) If permitted by applicable law, vacancies in more than one City Council position may be
325 filled concurrently by appointment pursuant to the procedures provided in this section.

326 (G) The vote to fill a vacancy pursuant to this subpart, including the requirement of a
327 quorum and participation of the Mayor or, if applicable, the Mayor Pro Tem, shall be
328 governed by the law applicable to a vote of the governing body to enact an ordinance.

329 **SECTION 20.34 FACTORS TO BE CONSIDERED IN APPOINTING CANDIDATES TO SERVE**
330 **ON COUNCIL.**

331 (A) When deciding which prospective candidate to appoint, the City Council may consider
332 the following factors:

333 (1) Whether the candidate has unique qualifications, experiences or skills that will be
334 useful to the city;

335 (2) The extent of public support for the candidate, taking into account recent election
336 results if the candidate recently ran for election or re-election to City Council;

337 (3) Whether the candidate has prior experience serving on city committees;

- 338 (4) Whether and to what extent the candidate has prior experience serving on City
339 Council;
- 340 (5) Whether the candidate resides in an area of the city that is currently under
341 represented on Council, taking into consideration all elected positions;
- 342 (6) Whether the candidate is currently engaged in business with the city or has other
343 financial interests that may present ethical issues or require the candidate to recuse
344 himself or herself from Council actions;
- 345 (7) Each candidate's presentation before Council and citizens, and responses to any
346 questions posed by Council or citizens, including, in particular, the effectiveness and
347 responsiveness of those responses; and
- 348 (8) The recommendation, if any, of the Council member whose seat is being filled.
- 349 (B) Each member of the City Council may consider other factors that are not included in this
350 section and may exercise his or her discretion in weighing these factors and any others.

351

352 **Part 4. Officials and Organizations**

353 ***Subpart A. General Provisions.***

354

355 **SECTION 21.01 BOARDS, COMMISSIONS AND COMMITTEES; APPOINTMENT DISCLOSURE**
356 **STATEMENT.**

357 **VILLAGE OF VOLENTE BOARDS, COMMISSION AND COMMITTEE**

358 **APPOINTMENT DISCLOSURE STATEMENT**

359 Name of board, commission or committee member:

360 _____

361 Office of which the member was appointed to serve: (or wishes to be appointed to serve)

362 _____

363 There are basic principles of decency, honesty, and fair play that every member who is
364 appointed to a board, commission or committee has a moral obligation to observe and uphold.
365 Therefore, I, _____, voluntarily endorse, subscribe to and solemnly pledge to conduct
366 myself during my term of appointment in accordance with the following principles and
367 practices.

368 1. I will conduct the meetings openly and publicly.

369 2. I will not use or permit the use of character defamation, libel, slander or scurrilous attacks
370 on any member who also serves on the board, commission or committee to which I am
371 appointed or the member's personal or family life.

372 3. I will not use or permit any appeal to negative prejudice based on race, sex, religion or
373 national origin.

374 4. I will not use material or information acquired in my appointment that misrepresents,
375 distorts or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that
376 aim at creating or exploiting doubts, without justification.

377 5. I will not undertake or condone any dishonest or unethical practice that tends to corrupt or
378 undermine the purpose of the board, commission or committee to which I am appointed.

379 6. I will immediately and publicly repudiate methods and tactics that may come from others
380 that I have pledged not to use or condone.

381 I have/have not been convicted of a felony.

382 If you answered yes - please name the specific charge(s) of which you were convicted, your plea
383 and describe the circumstances of the charge and conviction. Please note that conviction of a
384 felony will not automatically disqualify you from serving on a committee, but that the
385 information is important for the Council to consider in making appointments.

386 _____

387 Date Signature of Appointee

388 **AFFIDAVIT**

389 I swear that I will support and defend the laws of the Village of Volente, the State of Texas and
390 the United States of America. I am a citizen of the Village of Volente, Texas, and I have not been
391 declared mentally incompetent as determined by final judgment of a court, nor have I been
392 finally convicted of a felony for which I have not been pardoned or had my full rights or
393 citizenship restored by other official action.

394 _____

395 Signature of Appointee

396 Sworn to and subscribed before me, by the said _____, this the ____ day of _____,
397 20____, to certify which, witness my hand and seal of office.

398 _____

399 Signature of Notary

400 Affix Notary Stamp/Seal Above

401 _____

402 Commission Expires

403 **SECTION 21.02 TERM OF OFFICE OF ELECTED OFFICIALS.**

404 (A) The term of office for all elected officials of the city shall be for a period of two (2) years.

405 (B) This section is in accord with current statutes of the state.

406 (C) This section shall take effect and be in force from and after its passage.

407

408 **SECTION 21.03 EXECUTION OF APPOINTMENT DISCLOSURE STATEMENT.**

409 As a condition of serving on any Board, Commission, or Committee of the Village of Volente, the
410 individual to serve on any such Board, Commission, or Committee must complete and sign the
411 "Village of Volente Boards, Commission, and Committee Appointment Disclosure Statement"
412 under oath and provide it to the Village.

413

414 ***Subpart B. Standing and Special Committees***

415

416 **SECTION 21.15 APPOINTMENT OF MEMBERS.**

417 (A) Committee members shall be appointed by the City Council.

418 (B) Committee members will be appointed at the first regular meeting following the city
419 elections or as soon thereafter as possible.

420

421 (C) Committee member appointments will be for a term of one year or until appointments
422 are made following the city elections.

423

424 **SECTION 21.16 STRUCTURES OF COMMITTEES.**

425 (A) Each City Council Member and the Mayor shall be a voting member of a different
426 standing committee.

427

428 (B) Committees shall be composed of at least two (2) or four (4)? additional regular
429 members who shall be residents of the city.

430

431 (C) Two alternate committee members may be appointed who shall also be residents of the
432 city. Alternate committee members may vote when a primary committee member is
433 absent.

434 (D) One honorary committee member who shall not vote may be appointed who has
435 experience in a field relating to the standing committee and may or may not be a resident
436 of the city.

437

438 (E) The committee shall select a chairperson and a vice-chairperson from the voting
439 members of the committee.

440

441 (F) The committee shall select a secretary who is responsible for preparing the minutes of

442 each committee meeting.

443

444 **SECTION 21.17 PURPOSE OF COMMITTEES.**

445 The purpose of committees are to serve in advisory capacity to assist and make
446 recommendations to Council and department heads to research, develop, implement,
447 and evaluate policies, programs, and projects.

448

449 **SECTION 21.18 ESTABLISHING STANDING COMMITTEES.**

450 **(A)** The following standing committees shall be established.

451 **(1)** Public Safety (Police and Fire Department);

452 **(2)** Budget, Finance and Administration;

453 **(3)** Public Works (Streets, Drainage);

454 **(4)** Planning and Governmental Relations (includes Comprehensive Planning, Master
455 and Future Zoning Plan; and relations with other governmental agencies i.e. Brushy
456 Creek Regional Utility Authority, CAPCOG.)

457

458 **(5)** Environmental and Economic Development

459

460 **(6)** Parks and Trails

461 **(B)** A member of the city staff will be assigned to assist each of the standing committees.

462

463 **SECTION 21.19 RULES OF COMMITTEES.**

464 **(A)** The chairperson or vice-chairperson of the committee shall be in attendance at all
465 committee meetings.

466 **(B)** A majority of regular committee members shall constitute a quorum.

467 **(C)** The committees must conduct their meetings in accordance with the Texas Open
468 Meetings Act; post notice in the same manner as their parent bodies; and keep a set of
469 minutes.

470

471 **(D)** Members will hold a meeting as soon as possible after appointment by the Council to
472 review committee actions of the previous year and plan for the current year.

473

474 **(E)** At the first meeting after appointment by the Council, the committee may approve a
475 regular committee meeting schedule.

476

477 **(F)** Upon request by any member, the Chairperson shall call a meeting within 30 days or

478 other time period that is reasonable under the circumstances.

479

480 (G) Members do not possess legislative powers and are vested only with the authority to
481 fulfill the purposes of the Committee as set forth in Section 21.17.

482

483 (H) Committees shall meet a minimum of ~~two~~ three months.

484

485 **SECTION 21.20 REPORTING TO COUNCIL.**

486 (A) Committee reports will be made at a City Council meeting.

487 (B) Subjects and any supporting material must be given to the City Secretary not later than
488 noon on the Thursday preceding the regular Council meetings.

489

490 **SECTION 21.21 SPECIAL COMMITTEES.**

491 "Ad Hoc" or "Special" Committees may be temporarily set up by the City Council or the Mayor
492 to deal with specific short term items that cannot be handled by a regular standing committee.
493 These committees will be dissolved as soon as the purpose for which the committee was
494 formed has been fulfilled.

495

496 ***Subpart C. Officers***

497

498 **21.55 CITY SECRETARY.**

499 (A) The Office of City Secretary shall be filled by appointment. At the first regular meeting
500 held after the general city election held on the first Saturday in April of each even-numbered
501 year, or as soon thereafter as practicable, and after the members of the City Council elected at
502 the election in the even numbered year have qualified and been installed in office, the City
503 Council shall appoint a City Secretary to serve for a term of two years and until his or her
504 successor shall have been duly appointed and qualified. The Secretary, at the beginning of each
505 term of office, shall take and subscribe to the official oath of office and shall post bond in a sum
506 as the City Council shall direct, the premium on the bond to be paid by the city. The Secretary
507 shall perform all of the statutory duties prescribed by law in Tex. Loc. Gov't Code Section
508 22.073, and as hereafter amended, and other duties as may be prescribed from time to time by
509 the City Council.

510 (B) The person appointed as City Secretary shall be ex-officio City Treasurer of the city, and
511 the powers and duties of the City Treasurer as prescribed in Tex. Loc. Gov't Code 22.075, and
512 as hereafter amended, are hereby conferred on the person holding the Office of City Secretary.

513 (C) Any bond posted by the City Secretary as required by division (A) above shall extend to all
514 of the duties and responsibilities imposed by this section and applicable statutes.

515 **SECTION 21.58 CITY ADMINISTRATOR.**

516 **(A) *Creation of office.***

517 **(1)** The office of City Administrator is hereby created.

518 **(2)** The City Administrator shall be appointed by the City Council.

519 **(3)** The City Administrator shall have the powers and duties as prescribed from time to time
520 by the City Council.

521
522 **(4)** The City Administrator may be removed from office in all event(s) and in the manner(s)
523 provided in Tex. Loc. Gov't Code Ch. 22, or any successor statutes thereto.
524

525 **(B) *Effective date.*** This section shall become effective from and after the day it is passed and
526 approved.

527 **§ SECTION 21.59 FIRE INSPECTOR.**

528 **(A) *Creating the office of Fire Inspector.*** There is hereby created the position of Fire
529 Inspector for the city. The position shall be filled by appointment by the City Council.
530

531 **(B) *Requirements to hold office.*** Any person appointed as Fire Inspector must meet one of
532 the following requirements:

533
534 **(1)** Chief of the Volente Volunteer Fire Department or his/her designee.

535 **(2)** Be certified by the State Fire Marshal's Office as a Fire Inspector.

536 **(C) *Term of office.***

537 **(1)** The appointment of a Fire Inspector shall be made at the next regular meeting of
538 the City Council held after the adoption of this section.

539
540 **(2)** The term of office shall be consecutive and run concurrent with the term of the
541 office of Mayor.
542

543 **(D) *Duties and powers.***

544 **(1)** It shall be the duty of the Fire Inspector to enforce all the provisions of the Uniform
545 Fire Code, as adopted by Ordinance No. 2010-O-114, as that ordinance may have
546 been and may be amended from time to time.
547

548 **(2)** In carrying out his or her duty to enforce the provisions of the Uniform Fire Code,
549 the Fire Inspector shall inspect all buildings, both those erected and those being
550 erected, as frequently as may be necessary to insure compliance with the provisions
551 of the Uniform Fire Code.

552 (3) The Fire Inspector shall review all applications for building or construction permits
553 and make recommendations to the various building officials prior to the issuance of
554 such permits by the city.
555

556 (4) The Fire Inspector shall have the power to order all work stopped on construction
557 or alteration or repair of buildings in the city when such work is being done in
558 violation of any provision of the Uniform Fire Code. A stop order shall be on an
559 official form as prescribed by the City Council, and shall be signed by the Fire
560 Inspector. A stop order shall be presented to and explained to the job foreman or
561 other responsible individual on the work site, provided that if at the time of delivery
562 of the stop order by the Fire Inspector, there is no job foreman or other responsible
563 individual present at the work site, then the stop order shall be attached or affixed
564 in a conspicuous place at the particular work area which is the subject of the stop
565 order. Work shall not be resumed after the issuance of such an order except on the
566 written permission of the Fire Inspector, or upon written permission of the City
567 Council upon an appeal of such stop order to the City Council. The property owner
568 or contractor shall have the right to appeal any stop order, or any other decision or
569 ruling of the Fire Inspector, to the City Council which shall have the authority to
570 overrule any stop order or other decision or ruling of the Fire Inspector.
571

572 (E) *Penal violations.*

573 (1) Violation of any provision of this section, as it relates to health and safety, is a
574 misdemeanor and upon conviction a fine in the amount not to exceed \$2,000 shall
575 be assessed.
576

577 (2) Each day that such structure is constructed or maintained in violation of this
578 section shall be a separate offense.
579

580 (3) Prosecution or conviction under this division (E) shall never be a bar to any other
581 remedy or relief for violations of this section.
582

583 **Part 5. Publication.**

584
585 A caption that summarizes the purpose of this Ordinance shall be published as provided by Tex.
586 Loc. Gov't Code § 52.012.
587

588 **Part 6. Severability**

589 If any provision of this Ordinance or the Code of Ordinances hereby adopted is found by a court
590 of competent jurisdiction to be void or unenforceable, such void or unenforceable provision
591 shall be severed as though it never formed a part of this Ordinance or the Code of Ordinances,



VILLAGE OF VOLENTE

RESOLUTION NO. 2013-R-4

A RESOLUTION ESTABLISHING BANK SIGNATURE AUTHORIZATION

Whereas, the Village Council finds that the Mayor is the Village Administrator and official budget officer;

Whereas, bank expenditures approved by the Village Council will require two of three signatures to be in compliance with statutory requirements:

Now therefore, be it hereby resolved by the Council of the Village of Volente, Travis County, Texas, that effective immediately upon passage:

That the persons holding the following elected positions or appointments for the Village of Volente shall have signature authority, with each check or withdrawal requiring the signatures of two persons:

- 1. Mayor Frederick Graber**
- 2. Mayor Pro-Tem Mark Scott**
- 3. Council Member Judy Graci**

Passed and Approved by the Village Council on this 17th day of December, 2013.

Frederick Graber, Mayor

Attest:

Joan Jackson, City Secretary

VARIANCE APPLICATION FORM

Date of Submission: 10/14/2013

APPLICANT/OWNER INFORMATION

Applicant PAUL HUGHES

Address 7307 BLUE HERON COVE

Phone 713-208-6587 Fax _____ Email phughes@marathonoil.com

Applicants Status: (check one) Owner _____ Tenant _____ Contractor _____
Owner must sign the application or submit a notarized letter of authorization

Owner: PAUL HUGHES

Address: 7307 BLUE HERON COVE

Phone 7132086587 Fax _____ Email phughes@marathonoil.com

Ownership: (check one) Individual _____ Partnership _____ Corporation _____ Other _____
If ownership is a trust, partnership, corporation, or other legal entity, the applicant must name the partners or principals on a separate attachment.

PROPERTY DESCRIPTION

Acreage: 0.5

Physical Address: 7307 BLUE HERON COVE ; VOLENTE , TX, 78641.

Legal Description: (attach map of area also if available)

Lot(s): _____ Block(s): _____

Subdivision: _____ Addition: _____

Existing Use of Property: Single Family Residence

VARIANCE DESCRIPTION

Applicable Regulation(s): _____

Project Description: REPLACE EXISTING SWIMMING POOL WITH SMALLER POOL IN SAME GENERAL LOCATION

Variance Sought: Sec. 321 Impervious Cover
to 20% allowed

Justification(s): BOTH THE NEW POOL AND DECK WILL BE SMALLER THAN THE EXISTING POOL + DECK. THE FINAL CONFIGURATION WILL REDUCE THE EXISTING IMPERVIOUS COVER FROM 29% TO LESS THAN 25%.

Special Condition(s): THERE HAS BEEN A POOL IN THIS LOCATION FOR OVER 20 YEARS. ADDITIONALLY, WE ARE DEMOLISHING AN EXISTING STONE PATIO, ON OPPOSITE SIDE OF HOUSE WHICH WILL REDUCE ANOTHER 530 FT² OF IMPERVIOUS COVER. THIS IS A SMALL LOT, SO DIFFICULT TO ACHIEVE LESS THAN 25% IMP COVER.

Project Timeline: _____

WE WOULD LIKE TO HAVE THE POOL COMPLETED BY THANKSGIVING 2013.

Attachments: ~~THE~~ EXISTING IMPERVIOUS COVER SURVEY SHOWING PROPOSED CHANGES.

(e.g., construction drawings, site plan, survey, photographs, list of names and addresses for all property owners within 500 feet of the footprint of the structure for which a variance is sought.)

October 16, 2013



VILLAGE OF
VOLENTE

Frederick Graber
MAYOR

Mark Scott
MAYOR PRO TEM

Judy Graci
COUNCILMAN

Matthew Hammond
COUNCILMAN

Jan Yenawine
COUNCILMAN

Chris Wilder
COUNCILMAN

Adam Boatwright P.E.
Engineer
Water Services
LCRA
3700 Lake Austin Blvd.
Austin, Texas 78703

Dear Adam

Please find enclosed two copies of the variance request for 7307 Blue Heron Cove by the Hughes. This is the application that we discussed over the phone today. The impervious coverage calculation was incorrect and I corrected it in pen. The total impervious coverage if they build the new pool and remove the old pool and deck and stone patio they will be at 26 percent impervious cover. I offered and educated them on several different types of mitigation that they could do and that it would be better to submit their application with mitigation. They decline to do any mitigation. Please review as per our contract with LCRA, the variance request and advice LCRA's opinion.

Please feel free to keep one copy and return the other with your comments and suggestions.

If you have any questions or need additional information please feel free to call or email me.

Barbara Wilson
City Administrator
Village of Volente
512-250-2075
City.admin@volentetexas.gov

Adam Boatright

From: Adam Boatright
Sent: Thursday, October 24, 2013 2:59 PM
To: 'Volente'
Subject: RE: Swimming Pool at 691 on 7307 Blue Heron Cove

Barbara

We've reviewed the variance application and other materials that you sent me in regards to 7307 Blue Heron Cove. Due to the fact that the property has for quite some time been in excess of 20% impervious cover and that the proposal is to reduce the amount of impervious cover from 29% to 26%, we do not feel that the project would create a significant adverse impact to water quality. I'll keep one copy of the application for our records and send one back to you along with a copy of this email. Please let me know if you need anything further.

Adam Boatright, PE
Lower Colorado River Authority
3700 Lake Austin Blvd
Austin TX 78703
V (512) 473 4080
F (512) 397 6733
www.lcra.org

From: Volente [<mailto:volente@villageofvolente-tx.gov>]
Sent: Thursday, August 08, 2013 4:33 PM
To: Adam Boatright
Subject: Swimming Pool at 691 on 7307 Blue Heron Cove

Dear Adam

Thank you for your assistance. Nice to meet you even if only on the phone. Attached find the plat with drawing that I spoke of. If you need more information or have any questions. Let me know. Thank you in advance for your assistance.

Barbara Wilson
City Administrator
Village of Volente
15403 Yenawine Way
Volente, Texas 78641
512-250-2075

Please note our new email address: volente@villageofvolente-tx.gov

Please note that any correspondence, such as e-mail or letters, sent to City staff or City officials may become a public record and made available for Public/media review.

ATTENTION PUBLIC OFFICIALS!

A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

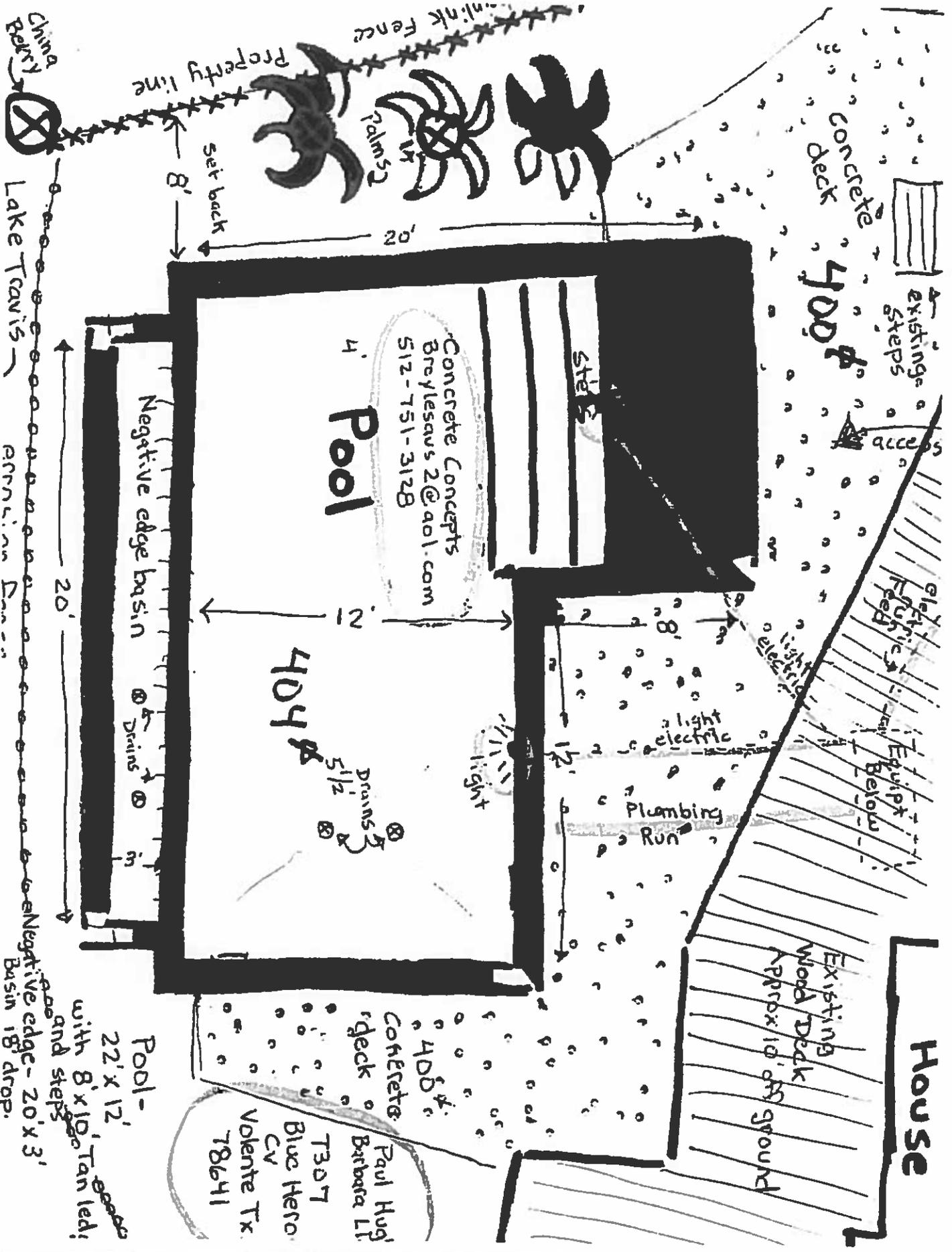
Village of Volente
Site Development Application
Swimming Pool/Spa Application

Please attach the following documents with all information required.



Reference Site Development Ordinance (sec. 33.317 pg 27-40)
Please review all Village Ordinances prior to submittal of this application

Approval Date _____ Authorized Signature _____



House

Existing Wood Deck
Approx 10' off ground

Concrete Deck
400 sq ft

Existing Steps

access

Electric Feed

Equipment Below

Plumbing Run

light electric

light

Concrete Concepts
Brylesaus 2@aol.com
512-751-3128

4' Pool

400 sq ft
Drains 5 1/2"

Negative edge basin

Drains 5 1/2"

20'

8'

Set back

20'

Lake Travis

Arroyo Canyon

Negative edge - 20' x 3' Basin 18' drop.

Pool - 22' x 12' with 8' x 10' Tan ledi and steps

Paul Hug Barbara Lt.
T307
Blue Hero CV
Volente Tx.
78641

Concrete Deck
400 sq ft

Ref Pool Permit for 7307 Blue Heron Cove, Volente – Impervious Cover

Please reference Impervious cover survey drawing enclosed..

Total plot size = 21190 square feet

Impervious cover prior to project 5999.9 square feet.

Final Impervious cover after project completed

Remove Stone patio to East side of house	-560.3 imp cover ✓
Remove lower deck of 1414.7 sq ft at 50% imp cover	- 707.4 imp cover ✓
Remove abandoned ^{stone} steel steps	-61.8 imp cover
Add 416 sq ft pool at 50% imp cover	+208.0 imp cover X 2
Add new ^{concrete} 400ft deck around pool	+400.0 imp cover

Overall reduction in Impervious cover = 721.5 sq ft

New total Imp Cover on site = $5999.9 - 721.5 = 5278.4 + 208.0 = 5,486.40$

New overall percentage of impervious cover on site = $5278.4 / 21190 = 24.9\% \rightarrow 26\%$

Pool Permit for 7307 Blue Heron Cove, Volente

The project scope is to remove the existing lower wooden deck and pool on the West side of the property as shown on the plan, and replace with a smaller pool and deck.

The new pool will be 12' x 22', plus an 8' x 10' area of steps running down into the pool. Additionally, there is an 18' x 4' catchment basin for the negative edge. Total area of pool to be 416 square feet, with deck of 400 square feet..



PROPERTY SEARCH

[Home Property Search](#) | [Search Results](#) | [Property Info](#) | [Original Tax Statement](#) | [Current Tax Statement](#) | [Show on Map](#)

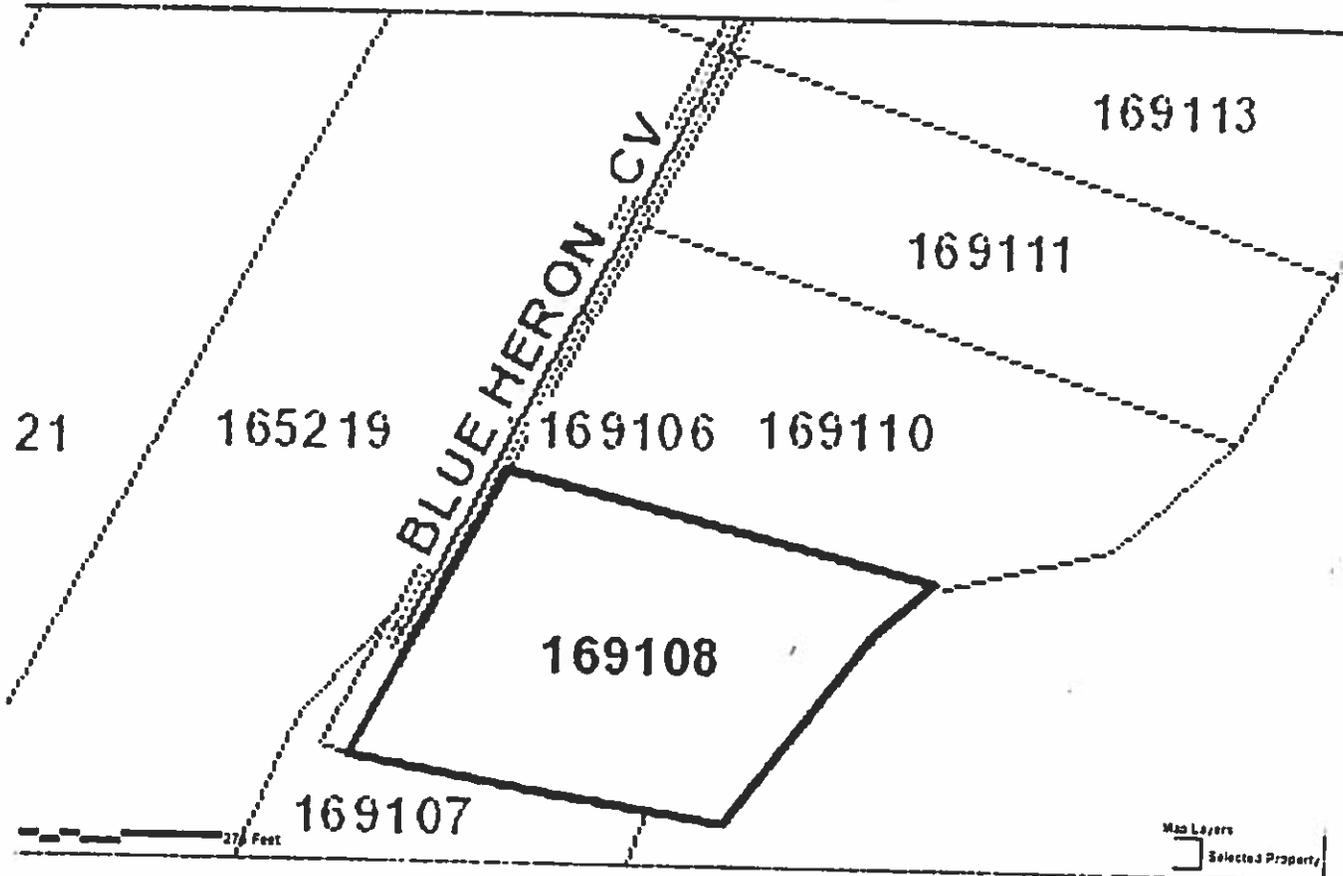
Account #	Owner Name	Ownership Information Mailing Address	Legal Description
01033007000000	HUGHES PAUL & BARBARA E LLOYD	7307 BLUE HERON CV LEANDER TX 78641-6140	ABS 170 BLK 152 COLEMAN J ACR 200 PLUS PT ADJ (LOT 2 & 8 1/2 OF LOT 3 R L LESSER SUBD UNRECORDED)

Tax Year	Base Due	Current Taxes Due Penalty / Interest	Attorney Fees / Other Fees	Total
	\$0.00	\$0.00	\$0.00	\$0.00

Payment requires a convenience fee
[Click here to pay online](#)



Travis CAD - Map of Property ID 169108 for Year 2013



Property Details

Account

Property ID: 169108
Geo ID: 0166500706
Type: Real

Location

Legal Description: ABS 170 SUR 152 COLEMAN J ACR .290 PLUS PT ADJ (LOT 2 & S1/2 OF LOT 3 R L LEISSNER S

Situs Address: 7307 BLUE HERON CV LEANDER, TX 78641

Neighborhood: TW520

Mapsc0: 461F

Jurisdictions: 0A, 03, 2J, 5G, 68, 69, 71

Owner

Owner Name: HUGHES PAUL & BARARA E LLOYD
Mailing Address: , 7307 BLUE HERON CV, , LEANDER, TX 78641-6140

Property

Appraised Value: \$666,725.00

<http://propaccess.traviscad.org/Map/View/Map/1/169108/2013>

PropertyACCESS

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Calculations drawn from this information are the responsibility of the user. The TCAD makes no claims, warranties or guarantees about the accuracy, completeness or reliability of this information and expressly disclaims liability for any errors and omissions. The tax map data does not constitute a legal document.

CITY OF AUSTIN DEVELOPMENT WEB MAP

Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

 Parks

 County

Building Points Year 2003

Building

Commercial Storage 1

Water Tower

Address Points

Lot ID

Lot Line

TCAD Parcels

Greater Austin FEMA Floodpl

500 Year

X Protected by Levee

100 Year (Approx-A)

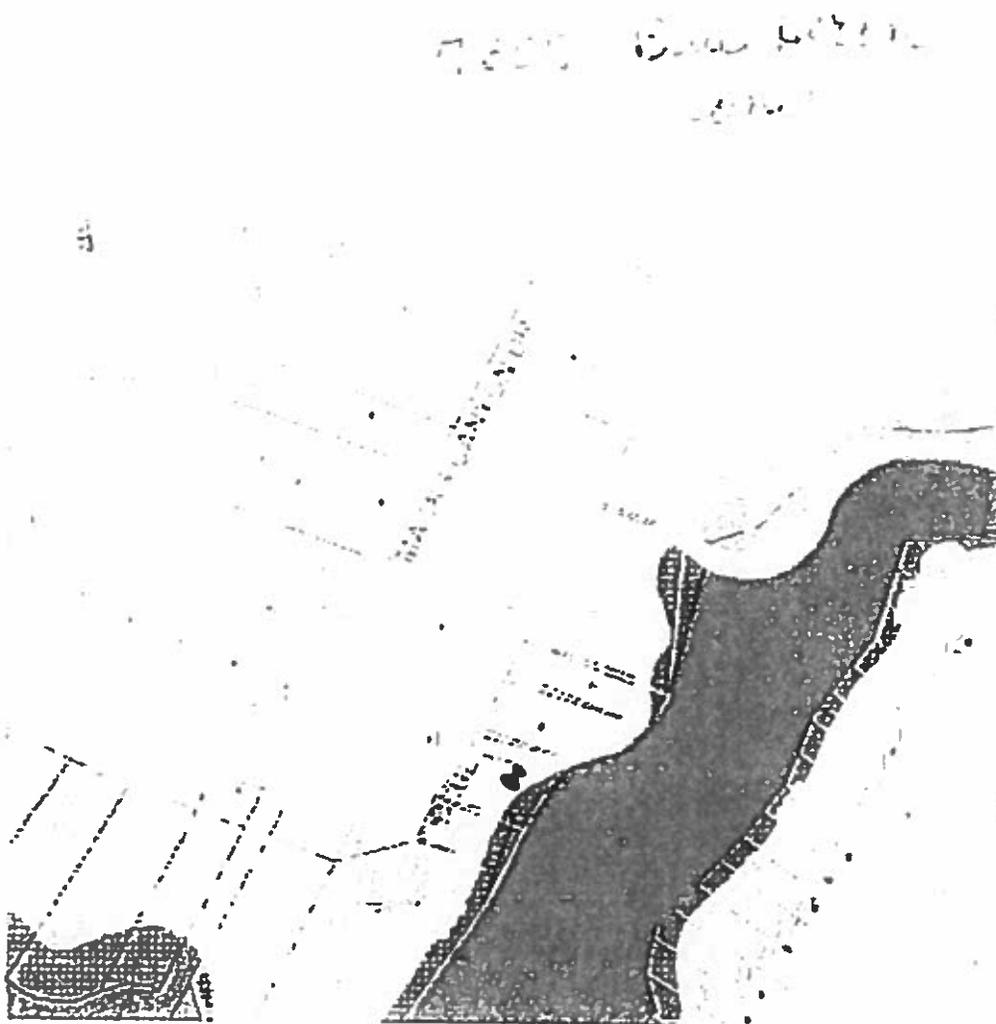
100 year (Shallow-AC)

100 Year (Detailed-AE)

Contours Year 2003

10 Ft Contours

2 Ft Contours



THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

Hobbs' Ink, LLC
Custom Home Design
1200 Lakeway Drive, Suite Four
Lakeway, Texas 78734

November 13, 2013

Village of Volente
16100 Wharf Cove
Volente, Texas 78641

Re: Variance requests 8120 Joy Road

To Whom it May Concern,

Please see attached site plan for 8120 Joy Road. We are requesting 3 variances for this property. As you know, this property already has a driveway, carport and partially constructed home. The home and carport are uninhabitable: the structures have been in place and in this condition for some time. The property is a hazard at this point with unsafe stairs and openings throughout. The owners intend to repair and rebuild the existing structures to make them safe and habitable. Variances were previously granted for most of these conditions.

The applicant seeks variances for:

- driveway slope greater than 15%
- impervious cover greater than 20%
- side setback encroachments

And exemption from Water Quality Controls plan

Driveway was already in place when the property was purchased. The driveway accesses an existing carport. Changing driveway slope would require additional cut and fill which already appear to be at their limits and require that an entirely new carport or garage be built at a higher level. The existing slope and the slope we are applying to have approved is 22%.

Impervious cover was, again, already in place, and we are adding none. In fact, we are removing part of the carport and driveway thus reducing impervious cover. According to documents on file at the Village as of 2007 impervious cover was 25.2%. After the proposed improvements it will be 23.9%.

The current buildings, both carport and house, along with existing wing wall all encroach on the 10.7' side setback. (Width at the 50' setback is $71.36' \times .15 = 10.7'$.) Applicant requests that the buildings be allowed to remain in place. Demolishing them and starting over would put undue hardship on the owners. Additionally, we ask that the wing wall be rebuilt as shown and that we

Village of Volente
Budget vs. Actual
November 2013

	Nov 13	Budget	\$ Over Budget	% of Budget
Revenue				
4010 · Real Property Tax - Current Yr	12,047.32	21,000.00	-8,952.68	57.37%
4040 · Franchise Fees for RCC	7,708.09	9,136.24	-1,428.15	84.37%
4050 · Sales & Use Taxes	6,822.48	5,475.13	1,347.35	124.61%
4400 · Building Review Fees.	2,892.00	1,500.00	1,392.00	192.8%
4402 · Sign Permit Fees	30.00			
4405 · Variance Fee	500.00			
4700 · Interest Earned /Savs/MMA	146.84	80.51	66.33	182.39%
Total Revenues	30,146.73	37,191.88	-7,045.15	81.06%
	30,146.73	37,191.88	-7,045.15	81.06%
Expense				
5024 · TML Retirement	0.00	445.00	-445.00	0.0%
5028 · Emp Benefits Ins	1,024.29	1,024.29	0.00	100.0%
5100 · Attorney	0.00	4,449.91	-4,449.91	0.0%
5113 · Development Inspection Serv Rel	250.00	500.00	-250.00	50.0%
5114 · Development Plan Review Reimb	223.50	1,155.50	-932.00	19.34%
5115 · Professional Services Non Reimb	260.75	1,250.00	-989.25	20.86%
5120 · Special Engineering Consultant	0.00	0.00	0.00	0.0%
5122 · Code Enforcement Labor	0.00	1,050.56	-1,050.56	0.0%
5123 · Contract Labor	0.00	100.00	-100.00	0.0%
5128 · Advertising/Public Notices	212.63			
5210 · Election Expense	0.00	2,300.00	-2,300.00	0.0%
5211 · Events				
5203 · Meet the Candidates	85.75			
5204 · Christmas Party	27.86			
5211 · Events - Other	272.55			
Total 5211 · Events	386.16			
5212 · Office Supplies - General				

Village of Volente
Budget vs. Actual
November 2013

	Nov 13	Budget	\$ Over Budget	% of Budget
5209 · Office Supply for Public Use	497.76			
5212 · Office Supplies - General - Other	458.12	433.33	24.79	105.72%
Total 5212 · Office Supplies - General	955.88	433.33	522.55	220.59%
5213 · Office Supplies printing	0.00	250.00	-250.00	0.0%
5214 · Office Supplies - Postage	-4.50	66.67	-71.27	-6.9%
5215 · I.T. Software	0.00	41.67	-41.67	0.0%
5216 · Equipment Lease	481.94	380.00	101.94	126.83%
5218 · Website Maintenance	0.00	2,000.00	-2,000.00	0.0%
5219 · Books & Publications	76.00	250.00	-174.00	30.4%
5222 · Utilities - Electric	161.32	274.11	-112.79	58.85%
5223 · Telecommunications & Internet				
5226 · Cellular Phone Reimbursement	249.34	125.00	124.34	199.47%
5223 · Telecommunications & Internet - Other	55.00	296.29	-241.29	18.56%
Total 5223 · Telecommunications & Internet	304.34	421.29	-116.95	72.24%
5227 · Industrial Relations	166.29	100.00	66.29	166.29%
5228 · Mileage Reimbursement	734.29	325.00	409.29	225.94%
5240 · Insurance, Liab/workers comp	0.00	250.00	-250.00	0.0%
5250 · Municipal Court Expenditures	343.50	100.00	243.50	343.5%
5259 · Park Maintenance	0.00	125.00	-125.00	0.0%
5261 · Mowing	0.00	1,500.00	-1,500.00	0.0%
5263 · Street Signs (New & Repairs)	0.00	2,500.00	-2,500.00	0.0%
5268 · Roads & Rightaway	-9,868.24			
5270 · Repairs & Maint				
5271 · Computer Software and Hardware	938.00			
5270 · Repairs & Maint - Other	0.00	414.33	-414.33	0.0%
Total 5270 · Repairs & Maint	938.00	414.33	523.67	226.39%
5300 · Office Space Lease	2,000.00	2,000.00	0.00	100.0%
5301 · Burglar Alarm	0.00	33.00	-33.00	0.0%
5304 · Facilities Maintenance	1,190.51	50.00	1,140.51	2,381.02%

Village of Volente
Budget vs. Actual
November 2013

	Nov 13	Budget	\$ Over Budget	% of Budget
66000 - Payroll Expenses	9,647.52	9,634.00	13.52	100.14%
Total Expense	9,484.08	33,423.66	-23,939.58	28.38%
	20,662.65	3,768.22	16,894.43	548.34%
Net Balance	20,662.65	3,768.22	16,894.43	548.34%

State of Texas

County of Travis

OATH OF OFFICE

I, Ken Beck, do solemnly swear or affirm that I will faithfully execute the duties of the office of Council Member for the Village of Volente of the State of Texas, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of the State, so help me God.

Signed the 17th day of December, 2013.

Ken Beck, Council Member

Sworn to and subscribed before me by Affiant on the 17th day of December, 2013.

Denise Thrash, Municipal Judge

Hobbs' Ink, LLC
Custom Home Design
1200 Lakeway Drive, Suite Four
Lakeway, Texas 78734

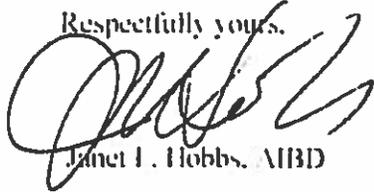
be allowed a small roof overhang on the house that encroaches at the front right corner of the (much of the current building's water issues came from flat roof and zero overhang conditions.)

Additionally, applicant requests that Water Quality Control plan requirement be waived because impervious cover is being reduced creating a situation where non point source pollution is being mitigated by the nature of the project being proposed (reduction of impervious cover, new plantings and so on).

Doing what we could with a very difficult site and existing conditions the applicant believes that they have done the very best they could to comply with the Site Development Ordinance and respectfully requests that you approve these variances and the waiver of the Water Quality Control Plan requirement.

Please don't hesitate to call or e-mail with any questions.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Janet J. Hobbs', written over the typed name below.

Janet J. Hobbs, AIBD

VARIANCE APPLICATION FORM

Date of Submission: 11-15-13

APPLICANT/OWNER INFORMATION

Applicant JOHN HOAG

Address 5203 GRAND LAKE ST., BELLAIRE, TX 77401

Phone 713 254 4681 Fax _____ Email jhoag@subell.net

Applicants Status: (check one) Owner _____ Tenant _____ Contractor _____
Owner must sign the application or submit a notarized letter of authorization

Owner: John Hoag

Address: 5203 GRAND LAKE ST. BELLAIRE, TX 77401

Phone 713-254-4681 Fax _____ Email jhoag@kucar.com

Ownership: (check one) Individual _____ Partnership _____ Corporation _____ Other _____
If ownership is a trust, partnership, corporation, or other legal entity, the applicant must name the partners or principals on a separate attachment.

PROPERTY DESCRIPTION

Acres: ,489

Physical Address: 8120 TOY ROAD

Legal Description: (attach map of area also if available)

Lot(s): LOT 12A Block(s): _____

Subdivision: SANDY SHORES Addition: _____

Existing Use of Property: RESIDENTIAL - SINGLE FAMILY

VARIANCE DESCRIPTION

Applicable Regulation(s): 32.109 (2)(2)(A)

Project Description: SINGLE FAMILY USE REMODEL TO EXISTING 2-STORY STRUCTURE & CARPORT.

Variance Sought: IMPERVIOUS COVER EXCEEDS 20%

Justification(s): EXISTING IMP. COVER CURRENTLY EXCEEDS 20%, AT 25.2%. IMPROVEMENTS WILL REDUCE THIS TO 23.9%

Special Condition(s): SEE ATTACHED

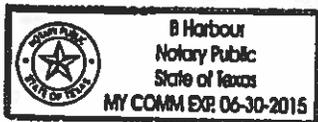
Project Timeline: START JANUARY 2014, COMPLETE MAY 2014

Attachments: SITE PLAN

(e.g., construction drawings, site plan, survey, photographs, list of names and addresses for all property owners within 500 feet of the footprint of the structure for which a variance is sought.)

SWORN AFFIRMATION

SUBSCRIBED AND SWORN TO BEFORE ME on November 14, 2013 by
R. John Hoag, who is the applicant for a variance as
described above, and on whose oath certifies that the above statements are true and
correct to the best of the applicant's knowledge.



BH
Notary Public, State of Texas
My Commission expires: 6/30/15

If the owner of the subject property is not the applicant, by signing below, the owner
authorizes the applicant or his authorized representative to make this application on
its behalf and to appear before the Village Council.

Owner Date

SUBSCRIBED AND SWORN TO BEFORE ME on _____, 20__ by,

_____, who is the owner of the property for
which a variance is sought, and on whose oath certifies that the above statements
are true and correct to the best of the owners knowledge.

Notary Public, State of Texas
My Commission expires: _____

14 November 2013

Village of Volente: Variance Description

Variance sought:

Impervious cover exceeds 20%

Justifications: The existing impervious cover on this property (according to what is on file at the Village of Volente around 2007) is 25.2%. This is a very narrow lot, with extreme contours and steep grades, and does not allow for much flexibility in removing existing retaining walls or steps, but we have done what we can to reduce the impervious cover to 23.9%. We will be removing a portion of the carport and replacing it with pervious ground (landscaping) and as part of this, part of the driveway will be removed. Removing any more of the driveway or carport will create non-optimum conditions in that there will be insufficient access and parking for the house. The impervious cover that we are adding (still less than what is being removed and totaling to less than the existing) are for things vital to make the house habitable, such as a pad for the external HVAC units, and steps to access the house from the driveway.

The Grading, Drainage and Erosion Control Plan, provided by Coulter Engineering in 2007, will be being followed in regard to the storm water management measures taken. This plan provides both permanent erosion control details, as well as the calculated Hydrologic Summary Table. Since we are reducing the impervious cover even further than shown on the table, these measures will be more effective than what currently exists.

Special Conditions: A very narrow lot with extreme grades that require specific measures (in place or to be added per the plans from Coulter Engineering) for drainage and water mitigation, as well as an existing driveway, carport and house which can not be reduced any more than we show, without creating an uninhabitable condition.

VARIANCE APPLICATION FORM

Date of Submission: 11.16.13

APPLICANT/OWNER INFORMATION

Applicant JOHN HOAG

Address 5203 GRAND LAKE ST., BELLAIRE, TX 77401

Phone 713 254 4681 Fax _____ Email jhoag@swebell.net

Applicants Status: (check one) Owner _____ Tenant _____ Contractor _____
Owner must sign the application or submit a notarized letter of authorization

Owner: SAME John Hoag

Address: 5203 GRAND LAKE ST BELLAIRE, TX 77401

Phone 713-254-4681 Fax _____ Email jhoag@~~swebell~~leycor.com

Ownership: (check one) Individual _____ Partnership _____ Corporation _____ Other _____
If ownership is a trust, partnership, corporation, or other legal entity, the applicant must name the partners or principals on a separate attachment.

PROPERTY DESCRIPTION

Acreage: 0.489

Physical Address: 8120 JOY ROAD

Legal Description: (attach map of area also if available)

Lot(s): LOT 12A Block(s): _____

Subdivision: SANDY SHORES Addition: _____

Existing Use of Property: SINGLE FAMILY RESIDENTIAL

VARIANCE DESCRIPTION

Applicable Regulation(s): DIVISION 2, SEC. 30.109

Project Description: SINGLE FAMILY RESIDENTIAL
REMODEL.

Variance Sought: STRUCTURES IN SIDE SETBACKS.
(SEE ATTACHED)

Justification(s): (SEE ATTACHED)

Special Condition(s): SEE COVER LETTER

Project Timeline: START JANUARY 2014 & COMPLETE
MAY 2014

Attachments: SEE ATTACHED BUILDING PLANS &
SITE PLAN

(e.g., construction drawings, site plan, survey, photographs, list of names and addresses for all property owners within 500 feet of the footprint of the structure for which a variance is sought.)

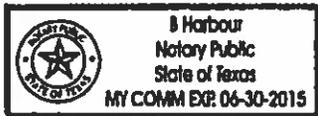
SWORN AFFIRMATION

SUDCRIBED AND SWORN TO BEFORE ME on 11/14, 2013 by

R. John Hoag, who is the applicant for a variance as described above, and on whose oath certifies that the above statements are true and correct to the best of the applicant's knowledge.

[Handwritten Signature]

Notary Public, State of Texas
My Commission expires: 6/30/15



If the owner of the subject property is not the applicant, by signing below, the owner authorizes the applicant or his authorized representative to make this application on its behalf and to appear before the Village Council.

Owner Date

SUBSCRIBED AND SWORN TO BEFORE ME on _____, 20__ by,

_____, who is the owner of the property for which a variance is sought, and on whose oath certifies that the above statements are true and correct to the best of the owners knowledge.

Notary Public, State of Texas
My Commission expires: _____

14 November 2013

Village of Volente: Variance Description

Variance sought:

The existing carport on the property sits within the 10.7' side setback (as calculated per the R1 zoning ordinance on setbacks), as well as a corner of the existing building and roof. Additionally, an existing wing wall on the left side of the house is over the setback line, which will need to be removed for the new septic system to go in, but which we would like to put back.

Justifications: As regards the carport, it is an already existing structure. It is not feasible to relocate it. In looking at the existing carport's location, the lot is very narrow, with only a width of 71.36' at the 50' front setback line.

Additionally, there is a limited area where the carport could be placed, due to the steepness of the topography of the lot. If it was moved out of the setback, it would sit directly in front of the house. Doing this would in effect eliminate much of the level portion of the driveway, rendering it unusable, in fact a danger to use. When relocated to the left side, it would mean cutting into the critical root zone of or removal of a 62" circumference Live Oak tree (see site plan, tree #7132). As a note, we will be reducing the size of the carport, but part of it will remain in the setback.

For the building footprint, the right front corner of both the foundation and roof cut into the 10.7' setback. We have reduced the size of the side overhang of the roof (see site plan and building plans) to help with this. Similar to the carport, due to the narrowness of the lot, it would create a hardship to have to demolish and rebuild the structure of the existing building in order to pull this corner out of the 10.7' side setback, and still try to keep a similar square footage of living space. Because of the topography of the lot, you would be dealing with building on extremely steep slopes, or trying to come up another story, which would violate the building height rule. Neither the building footprint nor the roof go into the 7.5' setback shown on the site plan.

The existing wing wall on the left side of the house, needs to be removed to place septic tanks. However, we request that we be allowed to replace the wall as shown, sufficiently removed from the septic. This wall is an important part of the architectural design and style of the building, as without it, the building looks too much like a block. By replacing the existing wall, it will be a much nicer addition to the neighborhood.

Special Conditions:

The narrowness and topography of the lot is prohibitive to moving the carport or changing the footprint of the building.

VARIANCE APPLICATION FORM

Date of Submission: / /

APPLICANT/OWNER INFORMATION

Applicant JOHN HOAG

Address 5203 GRAND LAKE ST., BELLAIRE, TX 77401

Phone 713 254 4681 Fax _____ Email jhoag@sbcbell.net

Applicants Status: (check one) Owner _____ Tenant _____ Contractor _____
Owner must sign the application or submit a notarized letter of authorization

Owner: SAME [Signature]

Address: 5203 GRAND LAKE ST BELLAIRE, TX 77401

Phone 713.254-4681 Fax _____ Email jhoag@levcor.com

Ownership: (check one) Individual _____ Partnership _____ Corporation _____ Other _____
If ownership is a trust, partnership, corporation, or other legal entity, the applicant must name the partners or principals on a separate attachment.

PROPERTY DESCRIPTION

Acreage: 0.489

Physical Address: 8120 JOY ROAD

Legal Description: (attach map of area also if available)

Lot(s): LOT 12A Block(s): _____

Subdivision: SANDY STORES Addition: _____

Existing Use of Property: SINGLE FAMILY RESIDENTIAL

VARIANCE DESCRIPTION

Applicable Regulation(s): DRIVEWAY SLOPE

Project Description: SINGLE FAMILY USE REMODEL TO EXISTING 2-STORY STRUCTURE & CARPORT.

Variance Sought: DRIVEWAY SLOPE GREATER THAN 15% - AT 22.0%

Justification(s): THE PROPERTY HAS AN EXISTING DRIVEWAY AT 22.0% SLOPE. TO CHANGE THE SLOPE OF THE DRIVEWAY WOULD MEAN

Special Condition(s): SEE COVER LETTER

EXCEEDING
CUT & FILL
LIMITS.

Project Timeline: START JANUARY 2014 ; COMPLETE MAY 2014

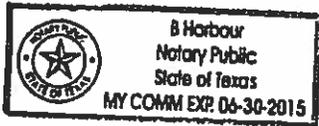
Attachments: SITE PLAN

(e.g., construction drawings, site plan, survey, photographs, list of names and addresses for all property owners within 500 feet of the footprint of the structure for which a variance is sought.)

SWORN AFFIRMATION

SUDCRIBED AND SWORN TO BEFORE ME on November 14, 2013, by

R. JOHN HOAG, who is the applicant for a variance as described above, and on whose oath certifies that the above statements are true and correct to the best of the applicant's knowledge.



[Signature]
Notary Public, State of Texas

My Commission expires: 6/30/15

If the owner of the subject property is not the applicant, by signing below, the owner authorizes the applicant or his authorized representative to make this application on its behalf and to appear before the Village Council.

Owner Date

SUBSCRIBED AND SWORN TO BEFORE ME on _____, 20__ by,

_____, who is the owner of the property for which a variance is sought, and on whose oath certifies that the above statements are true and correct to the best of the owners knowledge.

Notary Public, State of Texas

My Commission expires: _____

14 November 2013

Village of Volente: Variance Description

Variance sought:

Slope of driveway exceeds 15%.

Justifications: The existing driveway for the property currently exceeds 15% slope. It is at an average slope of 22%.

Special Conditions: The existing driveway for the lot was done prior to the previously approved variance for driveway grade. Originally, the slope of the drive resulted from getting to the flatter part of the lot, where the house could be built, while still keeping a relatively level area for parking and vehicle maneuvering. The current driveway slope varies between 25% and 19%, to come to an average of 22%. In looking at the existing conditions and feasibility of moving the driveway, we feel it would adversely impact the lot, and the trees on the lot, to do so. If it was moved to the right of the lot as previously proposed in the 2007 variance application (with a 20% grade, still exceeding 15%), you would be removing at least 11 trees (with over 6" diameter).

These trees are:

- #7112 - 16.5" Live Oak
- #7113 - 14" Live Oak
- #7114 - 12.6" Live Oak
- #7115 - 12.6" Live Oak
- #7116 - 14.9" Juniper;
- #7117 - 7.3" Juniper;
- #7118 - 11", 8.7" Juniper Twin;
- #7119 - 9.4" Juniper;
- #7120 - 12.4", 10.4" Juniper Twin;
- #7121 - 9.3" Palm
- #7122 - 21.3" Juniper

If the drive were adjusted to the left, you would again be removing or cutting into the critical root zone of at least 6 trees (with over 6" diameter).

These trees are:

- #7125 - 8.5" Juniper
- #7128 - 9.8" Live Oak
- #7129 - 9.8", 7.6" Juniper Twin
- #7130 - 14" Live Oak

#7131 - 14.2" Live Oak

#7132 - 17.3", 13.2", 8.8" Live Oak Triple

To reduce the driveway slope to 15% with a 10% slope in the R.O.W. (or less) would require demolishing the existing drive and carport and filling up to 6' at the bottom of the drive which violates the maximum fill allowed, and requires a complete re-configuration of existing retaining walls and drainage, in addition to encroaching in the critical root zone of the existing trees around the driveway. Additionally, that amount of fill added around tree #7132 (the Triple Live Oak) would damage the tree in such a way that it could die. This would also put the driveway above the entry level finished floor of the house, and could cause major water damage issues without a complete overhaul of the existing foundation structure. If we cut the grade at the top of the drive to mitigate the overall slope it will cause the drive to be even steeper in the R.O.W.

Special Conditions: Topography of existing lot & existing trees on site over 6" diameter, that are being kept. Existing house and carport level as described above.

Hobbs' Ink, LLC
Custom Home Design
1200 Lakeway Drive, Suite Four
Lakeway, Texas 78734

November 15, 2013

Village of Volente
16100 Wharf Cove
Volente, Texas 78641

Re: Request for exemption 8120 Joy Road

To Whom it May Concern,

We are requesting an exemption from Water Quality Controls plan requirement.

We would like to request an exemption from the Water Quality Control Plans requirement.

We will be putting in storm water control systems as per the Grading, Drainage and Erosion Control Plan, provided by Coulter Engineering in 2007. This provides both permanent erosion control details, as well as the calculated Hydrologic Summary Table. Since we are reducing the impervious cover even further than shown on the table, the runoff rate will be less. As such, we request that the water quality treatment requirements be waived, due to the decrease in impervious cover, and thus decrease in runoff from the lot.

Respectfully,


Alicia Norman

City Council Agenda Item for December 17th

Finance Committee Nominees from Mayor Pro Tem Mark Scott

- 1) Jeffery Browning, 15811 Booth Circle**
- 2) Gina Woodward, Jackson St. Volente TX**
- 3) Danny Davila, 8329 Lime Creek**
- 4) Kit Hopkins**



**Minutes
City Council
of the Village of Volente, TX
Tuesday, November 19, 2013
7 p.m.**

Present:

Mayor Graber
Mayor Pro Tem Scott
Council Member Graci
Council Member Wilder
Council Member Yenawine
Council Member Hammond

Absent:

Joan Jackson, City Secretary
attending Municipal Court School.
Council Member Beck

1. Call to Order of the City Council.

The meeting was called to order at 7:02 p.m.

2. Roll Call.

A quorum was established. Council Member Wilder arrived at 7:11 p.m.

3. Pledge of Allegiance/Reading of the Village Vision Statement.

4. Citizen/Public Communication.

David Woodward
Ann Steichen
Mark Hammond
Nancy Carufel

5. Swearing in of elected Council Members.

- a) Mark Scott
- b) Chris Wilder

Council Member Scott and Council Member Wilder were sworn in for a new term by the Mayor.

6. Staff Reports

- a) City Mayor
- b) City Administrator
- c) City Secretary/Financial Report/Construction Report

7. Approval of the minutes from the October 15, 2013 meeting.



8. Presentation, discussion and possible action on the Interlocal Cooperation Agreement for public health services between the City of Austin and the City of Volente.
Council Member Yenawine made a motion to approve Item 7 & 8. Council Member Scott seconded the motion. The motion passed unanimously for approval.
9. Nominations for appointment to the Finance Committee (Mark Scott).
Mayor Pro Tem Scott asked for postponement to the December Council meeting to gather his nominees. Council Member Yenawine made a motion to postpone this item until the December 17, 2013 meeting. Council Member Hammond seconded the motion. The motion passed unanimously for approval.
10. Presentation, discussion and possible action on the Administrative Ordinance.
 - a. Staff Presentation was made by City Administrator Barbara Wilson. She explained the City Attorney had not completed review of the Ordinance and asked for postponement until the December Council meeting. Mayor Pro Tem Scott made a motion to postpone. Council Member Wilder seconded the motion. The motion passed unanimously for approval.
11. Presentation, discussion and possible action on Special and Temporary Use Permits.
 - a. Staff Presentation by City Administrator Barbara Wilson explained Planning and Zoning had asked for additional time to present their recommendations to the City Council and requested that City Council postpone consideration of this Ordinance until Planning and Zoning would have additional meeting to come up with their recommendations. Mayor Pro Tem Scott made a motion to postpone this item. Council Member Wilder seconded the motion. The motion passed unanimously for approval.
12. Close Public Meeting. 7:54p.m.
13. Open Executive Session:
The City Council of the Village of Volente will announce that it will go into executive session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to consult with the City Attorney (551.072) to deliberate the purchase, exchange, lease, or value of real property; and to deliberate any other matter listed on this agenda for which an exception to open meetings requirements permit such closed deliberation as announced at the time of the closed session. The City Council may also announce that it may go into executive session if necessary to receive advise from legal counsel regarding any other item on this agenda and property.
EX 1. Consult with Attorney.
14. Close Executive Session.



15. Re-Open Public Meeting. 8:24 p.m.
16. Presentation, discussion and possible action of TX Dot mandatory signs and road markings for streets in Village of Volente and possible discussion and action on additional stop sign at intersection of Lime Creek Rd./Wharf Cove/FM 276.
 - a. Staff Presentation was made by City Administrator, Barbara Wilson. City Administrator presented the possibility of adding stop sign to the intersection of Wharf Cove and Lime Creek after a town hall meeting to gather citizen's opinions. City Council agreed to hold A town hall meeting at a later date and to purchase the additional stop sign for possibility of addition to the intersection of Wharf Cove and Lime Creek or as a spare stop sign. Council Member Hammond made a motion to approve the purchase of TX DOT signs and an additional stop sign. Council Member Graci seconded the motion. The motion passed. The motion passed unanimously for approval.
18. Presentation, discussion and possible action of purchase of information signs for Village of Volente at intersection of residential streets and FM 2769 and Lime Creek.
 - a. Staff Presentation by Barbara Wilson, City Administrator.
Comments:
Nancy Carufel, 8108 Joy Rd. was not in favor.
Missy Thost, 8010 Lakeway Dr, was not in favor.
No action was taken.
19. Presentation, discussion and possible action and approval of the Health Sanitation Ordinance.
 - a. Staff Presentation.
Comments:
Nancy Carufel, 8108 Joy Rd. Volente, TX does not like it; too many definitions.
Missy Thost, 8010 Lakeway Dr. Volente, TX does not agree with putting a lien on someone's property and additional discussion is needed on prosecution.
Council Member Yenawine made a motion to approve the Health Sanitation Ordinance with the amendments made by Council Member Graci. Council Member Graci seconded the motion. The motion failed: 3 nays 2 ayes. Staff is to come back with answers to questions that Council has proposed.
20. Presentation, discussion and possible action to allow the Mayor to enter into negotiations for Law Enforcement Contracts.
Comment:
Nancy Carufel, 8108 Joy Rd. Volente, TX asked about the pay and an activity report while the officers are here. Council Member Wilder made a motion to allow the Mayor to enter into negotiations for law enforcement. Council Member Hammond seconded the motion. The motion passed unanimously for approval.



21. Recognition of outgoing Council Member Hammond.

22. Adjourn.

Mayor Pro Tem Scott made a motion to adjourn. Council Member Graci seconded the motion. The motion passed with all in favor.

Approved this 17th day of December, 2013.

Mayor Frederick Graber

Attest:

City Secretary, Joan Jackson



Minutes
Special Called Meeting of the
City Council of Village of Volente, TX
Monday, November 18, 2013
7 p.m.
City Hall, 16100 Wharf Cove, Volente, TX 78641

Present:

Mayor Graber
Mayor Pro Tem Scott
Council Member Yenawine
Council Member Hammond
Council Member Wilder

Absent:

Council Member Graci

1. Call to Order of the City Council at 7:08 p.m. Roll was called and a quorum was established.
2. Canvass the returns for the November 5, 2013 City Election and approve Resolution of the Canvass and Certification as to the results of the City Election in the Village of Volente.
Council Member Yenawine made a motion to approve the canvass of the returns of the November 5, 2013 City Election and approve the Resolution. Council Member Wilder seconded the motion. It was unanimously approved.
4. Adjourn.
Council Member Yenawine made a motion to adjourn. Council Member Wilder seconded the motion. It was unanimously approved.

Approved this 17th day of December, 2013.

Frederick Graber, Mayor

Attest:

Barbara Wilson, Acting City Secretary

