



**NOTICE OF THE REGULARLY CALLED MEETING OF THE
CITY COUNCIL
OF THE VILLAGE OF VOLENTE, TEXAS
TUESDAY, NOVEMBER 17, 2015 at 6:30 P.M.
16100 Wharf Cove, Volente, Texas 78641**

Notice is hereby given that the City Council of the Village of Volente will hold their regularly called meeting at 6:30 p.m., Tuesday, the 17th day of November, 2015 in Council Chambers at 16100 Wharf Cove, Volente, Texas to consider and act upon any lawful subject which may come before it, including the following:

A. ITEMS OPENING THE MEETING

1. Call to Order.
2. Call Roll.
3. Pledge of Allegiance.
4. Approval of the Meeting Minutes from September 15, September 16, September 20, September 30, October 1, October 7, October 11, and October 14, 2015.
5. Village Reports.
 - a. Financial Reports
 - b. Construction Update
 - c. City Secretary Report
 - i. Discussion on the Administrative Ordinance
 - d. Crime & Complaints Report
 - e. Committee Reports

B. CITIZEN COMMUNICATIONS. *At this time, any person with business before the Council NOT scheduled on the agenda may speak to the Council. In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them that are not on the agenda. There is a four (4) minute time limit on any communication and time cannot be yielded to other parties.*

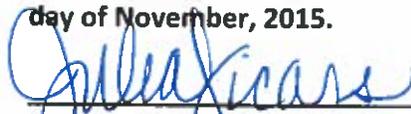
C. GENERAL BUSINESS AND ACTION ITEMS

The Staff and Mayor present the following agenda item (items 1-4) to be considered as consent items by the City Council to be enacted in one motion. If a City Council Member requests discussion on one item, it will not be approved as consent and will be moved to the end of the agenda to be considered at that time.

1. *Appointment of Steve Baker as Chair of the Public Safety Committee.*
2. *Appointment of Kit Hopkins as Chair of the Budget, Finance, and Administration Committee.*
3. *Appointment of Andy Fogarasi as Chair of the Parks and Environment Committee.*
4. *Appointment of David Gordon to the Planning and Zoning Commission, Alternate Position 1.*
5. *Review of the 2015-2016 Fiscal Year Budget for completeness and accuracy.*

6. Selection of a Mayor Pro Tem.
7. Training of newly elected officials.
8. Council Retreat 2016.
9. Review of the Contract with Franklin Publishing for codification and legal review of our Ordinances.
10. Discussion on Ordinance 2015-O-10, an Ordinance that would allow grandfathering of legal lots platted prior to incorporation.
11. The process to remove the Engineered Site Plan requirement from the Site Development Ordinance. (Mayor Ken Beck)
12. Establishing a process and plan for review of the Land Use Ordinances.
 - a. Zoning
 - b. Site Development
 - c. Subdivision
 - d. Water Quality
13. Updating of the Zoning and Land Use Maps (Council Member Fogarasi)
14. Direction to the Planning and Zoning Commission for their review of the proposed Zoning Ordinance.
15. Direction to the Budget, Finance and Administration Committee.
 - a. Initializing and preparing for an Audit
 - b. Incorporation of the Budget into QuickBooks
16. Texas Ethics Commission Fair Campaign Practices Act. (Mayor Pro Tem Connors)
17. Items for the next Agenda and discussion on meeting in December.
18. Adjourn.

IT IS HEREBY CERTIFIED that the above Agenda was posted at the Village Offices on this 11th day of November, 2015.



Julia Vicars, City Secretary

The Village of Volente is committed to compliance with the American Disabilities Act. Reasonable modifications and equal access to communications are provided upon request. The Village Council reserves the right to enter executive session at any time during the course of this meeting to discuss any of the matters above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development). A quorum of the Planning and Zoning Commission or Board of Adjustments may be in attendance however, no official action by the Planning and Zoning Commission or Board of Adjustments shall be taken.



MINUTES OF THE
CITY COUNCIL
OF THE VILLAGE OF VOLENTE, TEXAS
TUESDAY, SEPTEMBER 15, 2015 at 6:30 P.M.
16100 Wharf Cove, Volente, Texas 78641

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A. Items Opening the Meeting

- 1. Call to Order.
Mayor Ken Beck called the meeting to order at 6:31 p.m.
- 2. Call Roll.
City Secretary Julia Vicars calls roll. All are present (Mayor Ken Beck, Mayor Pro Tem Bill Connors, Council Member David Springer, Council Member Babs Yarbrough, Council Member David Robinson, Council Member Kristi Belote). A quorum is established.
- 3. Pledge of Allegiance.
- 4. Approval of the Meeting Minutes from August 15, August 18, August 19, August 27, and September 2, 2015.
Council Member David Springer makes a motion to approve the meeting minutes from all dates above as amended by Council Member Belote. Seconded by Council Member Yarbrough. Carries unanimously.
- 5. Village Reports.
 - a. Financial Reports.
 - b. Construction Update.
 - c. City Secretary Report.
 - d. Crime & Complaints Report.
 - e. Committee Reports.

B. Citizen Communications.

Linda Limeux, West Dr, asks about tiny houses and if there is a septic requirement for tiny houses or if a composting toilet would be used.

Judy Graci, Booth Circle, states the road easements on Lime Creek is being swapped with no information released to the public.

C. General Business and Action Items.

- 1. Public Hearing on the Proposed Tax Rate for the Village of Volente for the Fiscal Year 2015-2016.
This item was taken out of order
Gary Cowsert, 8136 Joy Rd, says that recently a porcelain toilet was dumped on the street. That's because of the condition of the roadways. He is in support of .10 per \$100 valuation.
Kit Hopkins, Booth Circle, asks about reserves of other cities. She says reserves are the other source of income aside from tax rolls. Money cannot be raised in a bond issue. Given the fact that staff has been reduced, it should be paid back to the citizens in property tax but not a huge tax cut. The reserve is not going to solve all of this year's budget issues.

45 Steve Baker, West Dr, seconds Kit's opinion. Do not seesaw tax rate. States it is premature to
46 cut the rate back. He is in support of staying close to the .1299 rate that is proposed.
47 Judy Barrick, 15907 Booth Circle, agrees with Kit and Steve about needing the rate to stay
48 where it's at. Unexpected items may come up and the proposed rate should remain the same.
49 Not cutting back drastically.
50 Nancy Carufel, Joy Rd, says a .10 would be a good compromise. The citizens would appreciate
51 it.

52
53 2. Adoption of the Tax Rate for the 2015-2016 Fiscal Year.

54 *This item was taken out of order*
55 Mayor Pro Tem Connors makes a motion to approve a .09/\$100 tax rate. Seconded by
56 Council Member Springer. The motion fails.
57 Council Member Belote makes a motion to approve .10/\$100 valuation. Seconded by Council
58 Member Springer. The motion passes with Council Member Springer, Council Member
59 Yarbrough, Council Member Robinson, and Council Member Belote voting aye. Mayor Pro
60 Tem Connors votes nay. The motion carries.

61
62 3. Public Hearing on the Proposed Budget for the Village of Volente for the Fiscal Year 2015-2016.
63 Kit Hopkins, 15943 Booth, says that appraisals have gone up and have generated more revenue
64 for the city. She would like some fiscal responsibility in terms of understanding the impact of
65 TCAD and think about tightening the belt.
66 Gary Cowsert, Joy Rd, asks if we are aware of what the reserves were set aside for. He says be
67 careful to pull away from reserve, but he wants to know what the plan was for.

68
69 4. Adoption of the Budget for the 2015-2016 Fiscal Year.
70 Mayor Pro Tem Connors makes a motion to approve the budget for fiscal year 2015-2016 as
71 amended. Seconded by Council Member Springer. The motion carries with Council Member
72 Springer, Mayor Pro Tem Connors, Council Member Yarbrough, and Council Member Belote
73 voting aye. Council Member Robinson votes nay.

74
75 5. Public Hearing on proposed changes to the Zoning Ordinance.
76 David Gordon, Booth Circle, says he does not understand why we are having a public hearing at
77 this time without any new information.
78 Judy Barrick, 15907 Booth, says this is premature and the Planning and Zoning Commission still
79 needs to review and discuss these changes.

80
81 6. Quick Poll vote by Council on their opinion on if the following topics are "Okay as proposed",
82 "Need to be revised", or "Require further study".
83 Council Member Yarbrough makes a motion to defer this agenda item until tomorrow's work
84 session where it is on the Agenda. Seconded by Council Member Robinson. The motion
85 passes with Council Member Yarbrough, Council Member Belote, and Council Member
86 Robinson voting aye and Council Member Springer and Council Member Connors voting nay.

87 a. Density
88 i. Multifamily
89 ii. Cluster Homes
90 iii. Condos
91 iv. RVs

- 92 b. Land Use
93 i. Setbacks
94 ii. Impervious Cover
95 iii. Buildable Area
96 iv. Nonconforming Uses
97 c. Commercial
98 i. Light
99 ii. Marina
100 iii. Entertainment
101 d. Additional Topics related to Zoning for Quick Poll
102
- 103 7. Citizen Comments regarding the location of City Hall and possible renewal of the lease for the
104 building located at 16100 Wharf Cove.
105 Nancy Carufel, Joy Rd, says that she is in favor of renewing the lease in order to have time to
106 find a new location, building, and time to vet out the future location of City Hall. The renewal of
107 the lease for a year will give Council time to make a reasonable decision on what's going to
108 happen with the location of City Hall.
109 Judy Barrick and Kit Hopkins both state they are in agreement with Nancy.
110
- 111 8. Discussion and Possible Action on renewing and signing the lease for 16100 Wharf Cove.
112 **Council member Springer makes a motion to sign the lease with the inclusion of the email**
113 **regarding plumbing and electrical responsibilities. Seconded by Council Member Belote. The**
114 **motion carries unanimously.**
115
- 116 ***The Staff and Mayor present the following agenda items (9-10) to be considered as consent items by***
117 ***the City Council to be enacted by one motion. If a citizen or City Council Member requests discussion***
118 ***on an item, it will not be approved on consent and will be moved to the end of the agenda to be***
119 ***considered at that time. City Council Members may add additional items to be considered for the***
120 ***consent agenda.***
121
- 122 9. *Discussion and Possible Action on signing a contract, to be executed in the next fiscal year, with*
123 *Franklin Publishing for the codification of ordinances for the Village of Volente. (Mayor Ken*
124 *Beck)*
125 10. *Discussion and Possible Action on signing a contract, to be executed in the next fiscal year, with*
126 *Linda Hambrick for the organization and inventory of records and files for the Village of*
127 *Volente. (Mayor Ken Beck)*
128 **Mayor Pro Tem Connors moves to approve the consent items, seconded by Council Member**
129 **Robinson. The motion carries unanimously.**
130
- 131 11. Discussion and Possible Action on the safety and parking concerns of Wharf Cove. (Council
132 Member Yarbrough)
133 12. Discussion and Possible Action regarding the removal of road base stored alongside Lime Creek
134 Road. (Council Member Springer, Council Member Yarbrough).
135 **Council Member Springer makes a motion to delegate items 11 and 12 to the Public Works**
136 **Committee. Seconded by Mayor Pro Tem Bill Connors. The motion carries unanimously.**
137

- 138 13. Discussion only on repealing Ordinance 2005-O-44, which removed grandfathering from the
139 Site Development Ordinance for pre-existing legally platted lots. (Council Member Springer,
140 Mayor Pro Tem Connors)
141 Council discusses this item with Tom Buckle, City Attorney. No action was taken.
142
- 143 14. Discussion on the Nuisance Ordinance. (Council Member Springer, Mayor Pro Tem Connors)
144 This item was deferred until the next meeting.
145
- 146 15. Presentation and Vote on proposed Agenda Items.
147
- 148 16. Adjourn.
149 The meeting adjourns at 10:27 p.m.
150

151
152 Passed and Approved this _____ day of _____, 20____.
153

154 Signed:

155 _____
156 Mayor Ken Beck
157

158 Attest:

159 _____
160 Julia Vicars, City Secretary
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3 **MINUTES OF THE WORK SESSION OF THE**
4 **CITY COUNCIL & PLANNING AND ZONING COMMISSION**
5 **OF THE VILLAGE OF VOLENTE, TEXAS**
6 **WEDNESDAY, SEPTEMBER 16, 2015 at 8:00 A.M.**
7 **16100 Wharf Cove, Volente, Texas 78641**

8 Notice is hereby given that the City Council of the Village of Volente will hold a Work Session at 8:00
9 a.m., Wednesday, the 16th day of September, 2015 at 16100 Wharf Cove, Volente, Texas at which time
10 the following items will be discussed, to wit:

11
12 **1. Open Work Session.**

13 Mayor Pro Tem Connors opens the meeting at 8:08 a.m.

14
15 **2. Call Roll.**

16 Sara Kelly calls roll. Present were Mayor Pro Tem Connors, Council Member David Springer,
17 Council Member David Robinson, and Council Member Kristi Belote. Also in attendance were
18 Judy Barrick, Nancy Carufel, and Phil Mitchell of the Planning and Zoning Commission.

19
20 **3. Discussion and Revisions to the Zoning Ordinance.**

21 **a. Density**

22 **i. Multi-family**

23 Council discusses removing Multi-Family from Single-Family Residential, in
24 which it was a conditional use.

25 **ii. Cluster Homes**

26 Council discusses how the definition of cluster homes was altered prior to their
27 proposed changes being made. They agree to leave cluster homes as was, prior
28 to proposed changes or edits.

29 **iii. Condos**

30 Condos were considered as a conditional use under CE (Commercial
31 Entertainment). Council Member Robinson says adding in an entire new zoning
32 district for Condos is not in line with a simple revision to the Zoning ordinance.
33 After discussion, Council and the Planning and Zoning Commission agree to
34 further study the implications of allowing condos in Volente and possibly
35 include mention of condos in the comprehensive plan.

36 **iv. RVs**

37 Council Member Robinson discusses that RVs are not currently allowed on a
38 property that does not have a single family residence constructed on it, which
39 may prevent someone from living in an RV while constructing their home.
40 Council and the Planning and Zoning Commission converse about the struggle to
41 balance the freedom of having RVs on a lot versus having so many RVs and
42 accessory vehicles the lot would become a trailer park.

43 **b. Land Use**

44 **i. Setbacks**

45 Carey Witt presents to Council and the Planning and Zoning Commission his
46 proposal for Setbacks and Impervious Cover. Carey suggests that Council keep
47 the 50' front setback, Council discusses finding a happy medium. Council
48 discusses the current IR overlay and the need to simplify setback requirements.

49 ii. Impervious Cover
50 *(moved to the next meeting agenda)*

51 iii. Building Area
52 *(moved to the next meeting agenda)*

53 iv. Nonconforming Uses
54 *(moved to the next meeting agenda)*

55 c. Commercial
56 *(moved to the next meeting agenda)*

57 i. Light Commercial

58 ii. Marina Commercial

59 iii. Entertainment

60 d. Additional Topics related to Zoning for Quick Poll
61 *(moved to the next meeting agenda)*

62

63 4. Discussion and Revisions to the Site Development Ordinance.
64 *(moved to the next meeting agenda)*

65

66 a. Review of Travis County Standards including Chapter 80, Chapter 82, Chapter 70,
67 and Chapter 64

68 b. Gap Analysis Assignments

69

70 5. Topics for the next meeting.

71 Council and the Planning and Zoning Commission agree to meet for another work session on
72 Sunday, September 20th, 2015.

73

74 6. Adjourn.

75 The Meeting adjourns at 9:22 a.m.

76

77 Passed and Approved this _____ day of _____, 20____.

78

79 Signed:

80

81 _____
Ken Beck, Mayor

82

83 Attest:

84

85 _____
Julia Vicars, City Secretary

86



MINUTES OF THE WORK SESSION OF THE
CITY COUNCIL & PLANNING AND ZONING COMMISSION
OF THE VILLAGE OF VOLENTE, TEXAS
SUNDAY, SEPTEMBER 20, 2015 at 9:00 A.M.
16100 Wharf Cove, Volente, Texas 78641

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8 **1. Open Work Session.**

9 Mayor Pro Tem Connors opens the meeting at 9:16 a.m.
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1 **2. Call Roll.**

2 Julia Vicars, City Secretary calls roll. Present are Mayor Pro Tem Connors, Council Member Belote, Council
3 Member Springer, Council Member Yarbrough, and Council Member Robinson. Also in attendance was
4 Commissioner Judy Barrick of the Planning and Zoning Commission.
5

6 **3. Discussion and Revisions to the Zoning Ordinance.**

7 **a. Density**

- 8 i. Multi-family (addressed on the 16th)
9 ii. Cluster Homes (addressed on the 16th)
0 iii. Condos (addressed on the 16th)
1 iv. RVs (addressed on the 16th)

2 **b. Land Use**

3 **i. Setbacks**

4 Carey Witt proposes a new chart incorporating some changes for setbacks. Council then
5 discusses IR (Infill Redevelopment) and addresses where lots of a smaller size, needing smaller
6 setbacks, would be categorized. Council discusses and makes edits to Chart 1, which lists the
7 setbacks for each zoning district.

8 **ii. Impervious Cover**

9 Council discusses the Community Survey results, which reflect a desire for a higher impervious
0 cover limit. They agree on a sliding scale according to lot size to fall somewhere between 25-
1 40%.

2 **iii. Building Area**

3 Carey Witt presents his suggestions for buildable area. Council discusses setting a buildable area
4 that takes into account the floodplain, topography, etc. The buildable area of a lot would then
5 determine which Residential category and setbacks the lot would have. Council Member
6 Robinson contends that a buildable area provision complicates the matter and variances would
7 handle any lots that are unable to meet the less restrictive setbacks. Council Member Springer
8 states he retracts his idea of buildable area.

9 **iv. Nonconforming Uses**

0 Council discusses the provision that doesn't allow an existing non-compliant structure to
1 remodel without coming into compliance. The new wording would allow a homeowner to
2 remodel as long as the new additions were conforming and didn't encroach further into
3 setbacks.

4 **c. Commercial**

- 5 i. Light Commercial
6 ii. Marina Commercial
7 iii. Entertainment

8 d. Additional Topics related to Zoning

9
0 4. Discussion and Revisions to the Site Development Ordinance.

- 1 a. Review of Travis County Standards including Chapter 80, Chapter 82, Chapter 70, and Chapter 64
2 b. Gap Analysis Assignments

3
4 5. Topics for the next meeting.

5
6 6. Adjourn.

7 Agenda Items 3 (c), 3 (d), 4 and 5 were tabled until the next meeting.
8 The meeting adjourns at 12:01 p.m.

9
0 Passed and Approved this ____ day of _____, 2015.

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2 Signed:

3 _____
4 Ken Beck, Mayor

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6 Attest:

7 _____
8 Julia Vicars, City Secretary

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MINUTES OF THE
CITY COUNCIL & PLANNING AND ZONING COMMISSION
OF THE VILLAGE OF VOLENTE, TEXAS
SEPTEMBER 30, 2015 at 8:00 A.M.
16100 Wharf Cove, Volente, Texas 78641

1. Open Work Session.

Mayor Ken Beck calls the meeting to order at 8:02 a.m.

2. Call Roll.

Present for City Council are Mayor Ken Beck, Mayor Pro Tem Connors, Council Member Yarbrough, Council Member Robinson and Council Member Belote. A quorum is established. Present for Planning and Zoning Commission are Chair Richard Roucloux and Commissioner Judy Barrick. A quorum is not present.

3. Commercial Zoning.

a. Light Commercial

Council discusses proposed changes to impervious cover and setbacks. Discussion takes place on where in the Village light commercial or C1 would be located.

b. Medium Commercial / Restaurant

Impervious Cover, Setbacks, Buffer Zones, and hours of operation are discussed.

c. Marina / Entertainment

The naming of the districts was discussed. Carey Witt and David Gordon's proposal for commercial was discussed.

4. Other Changes to Zoning

These items were not discussed.

a. Judy Graci's list of ten changes.

b. Mother-in-law Suites

5. Topics for the next meeting.

6. Adjourn.

Meeting adjourns at 9:22 a.m.

Passed and Approved this _____ day of _____, 20____.

Signed:

Mayor Ken Beck

Attest:

Julia Vicars, City Secretary



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3 **MINUTES OF THE WORK SESSION OF THE**
4 **CITY COUNCIL & PLANNING AND ZONING COMMISSION**
5 **OF THE VILLAGE OF VOLENTE, TEXAS**
6 **OCTOBER 7, 2015 at 8:00 A.M.**
7 **16100 Wharf Cove, Volente, Texas 78641**
8

9 **1. Open Work Session.**

10 Work Session was opened at 8:01 a.m.
11

12 **2. Call Roll.**

13 A quorum was not established for either the City Council or the Planning and Zoning
14 Commission. The meeting did not continue.
15

16 **3. Commercial Zoning.**

- 17 a. Light Commercial
18 b. Medium Commercial / Restaurant
19 c. Marina / Entertainment
20

21 **4. Other Changes to Zoning**

- 22 a. Judy Graci's list of ten changes.
23 b. Mother-in-law Suites
24 c. Other Zoning minutia
25

26 **5. Topics for the next meeting.**
27

28 **6. Adjourn.**

29 Meeting did not take place due to lack of quorum.
30

31 **Passed and Approved this _____ day of _____, 20_____.**
32

33 **Signed:**

34 _____
35 **Mayor Ken Beck**
36

37 **Attest:**

38 _____
39 **Julia Vicars, City Secretary**
40



MINUTES OF THE WORK SESSION OF THE
CITY COUNCIL & PLANNING AND ZONING COMMISSION
OF THE VILLAGE OF VOLENTE, TEXAS
OCTOBER 11, 2015 at 9:00 A.M.
16100 Wharf Cove, Volente, Texas 78641

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8 1. Open Work Session.

9 Meeting called to order at 9:05 a.m.

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11 2. Call Roll.

12 Present for the Planning and Zoning Commission are Chair Richard Roucloux, Commissioner
13 Nancy Carufel and Commissioner Judy Barrick. A quorum is established. Absent are
14 Commissioners Phil Mitchell and Rett Scudder. Present for City Council are Mayor Ken Beck,
15 Mayor Pro Tem Bill Connors, Council Member Babs Yarbrough and Council Member David
16 Springer. A quorum is established. Absent are Council Members Belote and Robinson.

17
18 3. Commercial Zoning.

19 A new redline with edits to commercial will be distributed via the Council Message Board to the
20 entirety of Council and the Planning and Zoning Commission.

21 a. Light Commercial

22 35 foot setbacks with Impervious Cover to range from 35-45%, based on lot size and
23 an increase in the rear setback from 15' to 25' when abutting residential discussed.
24 Council and the Planning and Zoning Commission discuss adding verbiage that
25 allows someone to revert to residential rules if building a single family residence on
26 a lot zoned commercial.

27 Kit Hopkins, Booth Circle, says that there may be a law prohibiting zoning districts
28 from being interchangeable. She references LGC §211.005.

29 b. Medium Commercial / Restaurant

30 Both Commission and Council agree that C2 is good as edited previously.

31 c. Marina / Entertainment

32 Setbacks, Height and Impervious Cover discussed. Council discusses the issue of a
33 conditional use permit being transferable. Richard Roucloux, Chair of the Planning
34 and Zoning Commission, asks if a CU permit is transferable would that prevent the
35 City from requiring a property to come up to code or standard. After discussion,
36 more research will be done on Conditional Use permits and their transferability.

37 Judy Graci, Booth Circle, states that historically the Village has not treated
38 conditional use permits as transferrable with the sale of a property.

39 David Gordon states that the 35' front setback on C3 is too loose,.

40 Carey Witt presents his proposal setbacks on commercial.

41 The Planning and Zoning Commission will look at Carey's proposal and make a
42 recommendation to Council as to the setback amounts.

43
44 4. Other Changes to Zoning

45 a. Judy Graci's list of ten changes.

46 Mayor Pro Tem Connors replies to the list that resident Judy Graci compiled of
47 changes made to the Zoning Ordinance by Council.

48 b. Mother-in-law Suites
49 Not discussed.

50 c. Other Zoning minutia
51 Not discussed.

52

53 5. Topics for the next meeting.

54

55 6. Adjourn.

56 The meeting adjourns at 11:47 a.m.

57

58 Passed and Approved this _____ day of _____, 20____.

59

60 Signed:

61

62 _____
63 Mayor Ken Beck

63

64 Attest:

65

66 _____
67 Julia Vicars, City Secretary



MINUTES OF A JOINT WORK SESSION OF THE
CITY COUNCIL & PLANNING AND ZONING COMMISSION
OF THE VILLAGE OF VOLENTE, TEXAS
OCTOBER 14, 2015 at 8:00 A.M.
16100 Wharf Cove, Volente, Texas.

1. Open Work Session.

Meeting opens at 8:16 A.M.

2. Call Roll.

Sara Kelly calls roll. In attendance from Council: Mayor Ken Beck, Mayor Pro Tem Bill Connors, Council Member David Springer, Council Member David Robinson and Council Member Babs Yarbrough. A quorum is established. Absent is Council Member Kristi Belote.

In attendance for Planning and Zoning: Chair Richard Roucloux, Vice Chair Rett Scudder, Commissioner Nancy Carufel. A quorum is established. Absent are Commissioners Judy Barrick and Phil Mitchell.

3. Edits to Zoning.

a. Review of Residential. Mayor discusses meeting with Cary Witt, Council Member David Springer & Mayor Pro Tem Bill Connors regarding the proposal of a formula for calculating setbacks. Mayor Pro Tem Connors suggests repeating provisions be placed under a General Provisions section to shorten the document and make it easier to read.

b. Review of Commercial. C1, C2 & C3 were reviewed. David Gordon states they need to go back and edit and shorten the definitions. Mayor states they are currently working on that.

Mayor Pro Tem Bill Connors thanks David Gordon for his input.

Mayor states that whether non-conforming use transfers with the sale of the property is up to them. Conditional use permits do not transfer with the sale of the property. Non-conforming structures can remain as long as they aren't expanded or rebuilt. You can build up but not make the footprint larger. Council agrees to table the item and return to it at a later date.

4. Adjourn at 9:07 A.M.

Passed and Approved this _____ day of _____, 20____.

Signed:

Mayor Ken Beck

Attest:

City Secretary Julia Vicars

Village of Volente
Revenue and Expense Budget Performance
October 2015

	Oct 15	Budget	\$ Over Budget	Oct 15	YTD Budget	\$ Over Budget	Annual Budget
Ordinary Income/Expense							
Income							
40000 - Property Tax Revenue							
40110 - Real Property Tax - Current Yr	0.00	404.50	-404.50	0.00	404.50	-404.50	177,981.00
40120 - Real Property Tax Prior Yr	6.07			6.07			
Total 40000 - Property Tax Revenue	6.07	404.50	-398.43	6.07	404.50	-398.43	177,981.00
41000 - Sales Tax Revenue							
41110 - Mixed Beverage Sales Tax	1,348.39	1,973.01	-624.62	1,348.39	1,973.01	-624.62	3,500.00
41120 - Sales & Use Taxes	4,437.02	6,100.80	-1,663.78	4,437.02	6,100.80	-1,663.78	48,000.00
Total 41000 - Sales Tax Revenue	5,785.41	8,073.81	-2,288.40	5,785.41	8,073.81	-2,288.40	51,500.00
42000 - Utility Franchise Fees							
42110 - Franchisee Fees	219.16	227.25	-8.09	219.16	227.25	-8.09	37,750.00
Total 42000 - Utility Franchise Fees	219.16	227.25	-8.09	219.16	227.25	-8.09	37,750.00
43000 - Development Fees/Permits							
43140 - Sign Permit Fees	0.00	11.91	-11.91	0.00	11.91	-11.91	750.00
43155 - Handling Fees	229.29			229.29			
Total 43000 - Development Fees/Permits	229.29	11.91	217.38	229.29	11.91	217.38	750.00
44000 - Grant Revenue							
44110 - Cap Metro	0.00	0.00	0.00	0.00	0.00	0.00	29,000.00
Total 44000 - Grant Revenue	0.00	0.00	0.00	0.00	0.00	0.00	29,000.00
47000 - Investment Earning							
47120 - Interest Earned /Sava/MMA	28.18	33.34	-5.16	28.18	33.34	-5.16	400.00
Total 47000 - Investment Earning	28.18	33.34	-5.16	28.18	33.34	-5.16	400.00
49100 - Miscellaneous Income							
49150 - Open Records Requests	20.40			20.40			
Total 49100 - Miscellaneous Income	20.40			20.40			
Total Income	6,288.51	8,750.81	-2,462.30	6,288.51	8,750.81	-2,462.30	297,381.00
Gross Profit	6,288.51	8,750.81	-2,462.30	6,288.51	8,750.81	-2,462.30	297,381.00
Expense							
50000 - Operations							
50100 - Office Supplies & Equipment							
50120 - Office Supplies - General	0.00	458.33	-458.33	0.00	458.33	-458.33	5,500.00
50130 - Office Supplies printing	0.00	83.33	-83.33	0.00	83.33	-83.33	1,000.00
50140 - Office Equipment Lease	386.09	458.33	-72.24	386.09	458.33	-72.24	5,500.00
Total 50100 - Office Supplies & Equipment	386.09	999.99	-613.90	386.09	999.99	-613.90	12,000.00
50200 - Postage and Shipping							
50220 - Postage	15.99	200.00	-184.01	15.99	200.00	-184.01	2,400.00
Total 50200 - Postage and Shipping	15.99	200.00	-184.01	15.99	200.00	-184.01	2,400.00
50300 - Communications & Internet							
50310 - Website Maintenance	0.00	83.33	-83.33	0.00	83.33	-83.33	1,000.00
50320 - Telephone & Internet	198.12	100.00	98.12	198.12	100.00	98.12	1,200.00
Total 50300 - Communications & Internet	198.12	183.33	14.79	198.12	183.33	14.79	2,200.00
50600 - Computer Services and Support							
50610 - Computer Software and Support	390.00	100.00	290.00	390.00	100.00	290.00	1,200.00
50620 - Computer Hardware & Repairs	0.00	20.83	-20.83	0.00	20.83	-20.83	250.00
Total 50600 - Computer Services and Support	390.00	120.83	269.17	390.00	120.83	269.17	1,450.00
50800 - Other Operating Expense							
50804 - Advertising/Public Notices	228.39	83.33	145.06	228.39	83.33	145.06	1,000.00
50805 - Books & Publications	0.00	0.00	0.00	0.00	0.00	0.00	500.00
50806 - Dues, Fees, & Subscriptions	2,405.40	2,300.00	105.40	2,405.40	2,300.00	105.40	3,600.00
50808 - Insurance, Liab/workers comp	1,842.52	1,200.00	642.52	1,842.52	1,200.00	642.52	1,200.00
50809 - Training & Ed - Council	0.00	0.00	0.00	0.00	0.00	0.00	1,000.00
50810 - Travel Expense							
50812 - Mileage Reimbursement	39.10	41.67	-2.57	39.10	41.67	-2.57	500.00
Total 50810 - Travel Expense	39.10	41.67	-2.57	39.10	41.67	-2.57	500.00
Total 50800 - Other Operating Expense	4,515.41	3,625.00	890.41	4,515.41	3,625.00	890.41	7,800.00
Total 50000 - Operations	5,505.61	5,129.15	376.46	5,505.61	5,129.15	376.46	25,850.00
52000 - Municipal Court							
52120 - Municipal Court Expenditures	-1,363.77	250.00	-1,613.77	-1,363.77	250.00	-1,613.77	942.00
Total 52000 - Municipal Court	-1,363.77	250.00	-1,613.77	-1,363.77	250.00	-1,613.77	942.00
53000 - Facilities and Equipment							
53100 - Facilities and Equip -Other							
53120 - Office Equipment & Furniture	0.00	20.83	-20.83	0.00	20.83	-20.83	250.00
53130 - Utilities - Electric	0.00	291.67	-291.67	0.00	291.67	-291.67	3,500.00
53140 - Repairs & Maint Facilities	185.00	416.67	-231.67	185.00	416.67	-231.67	5,000.00
53150 - Burglar Alarm	104.97	105.00	-0.03	104.97	105.00	-0.03	425.00
53160 - Pest Control	0.00	0.00	0.00	0.00	0.00	0.00	250.00
Total 53100 - Facilities and Equip -Other	289.97	834.17	-544.20	289.97	834.17	-544.20	9,425.00
53200 - Facility and Equipment Rent							
53210 - Firehall Rental	0.00	25.00	-25.00	0.00	25.00	-25.00	100.00

Village of Volente
 Balance Sheet
 As of October 31, 2015

	Oct 31, 15
ASSETS	
Current Assets	
Checking/Savings	
10100 - Cap One Checking- 5191	3,792.69
10200 - Cap One Tower Fund - 1411	488,262.42
10300 - Cap One Savings - 6099	175,420.13
10400 - Parkland Fund - Restricted	61,250.00
10500 - Temporarily Restricted Cash	-61,250.00
Total Checking/Savings	<u>667,475.24</u>
Accounts Receivable	
12000 - Accounts Receivable	5,627.02
Total Accounts Receivable	<u>5,627.02</u>
Other Current Assets	
12300 - Prepaid Deposits	2,111.00
Total Other Current Assets	<u>2,111.00</u>
Total Current Assets	<u>675,213.26</u>
Fixed Assets	
14100 - Leasehold Improvements	7,777.25
14150 - Accum Depreciation - Leasehold	-3,888.63
14200 - Furniture & Equipment	17,412.03
14250 - Accum Depr Furniture & Equip	-1,963.10
Total Fixed Assets	<u>19,337.55</u>
TOTAL ASSETS	<u><u>694,550.81</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 - Accounts Payable	3,511.42
Total Accounts Payable	<u>3,511.42</u>
Other Current Liabilities	
20100 - Other Payables	
20110 - A/P Accrued Liabilities	5,700.00
Total 20100 - Other Payables	<u>5,700.00</u>
24000 - Payroll Liabilities	576.23
Total Other Current Liabilities	<u>6,276.23</u>
Total Current Liabilities	<u>9,787.65</u>
Total Liabilities	<u>9,787.65</u>
Equity	
39000 - Net Assets - Retained Earnings	626,758.99
39010 - Opening Bal Equity	-74,735.10
39020 - Fund Balance Designated	80,118.02
39100 - Net Assets - Temp Restricted	
39110 - Parkland Fund	61,250.00
Total 39100 - Net Assets - Temp Restricted	<u>61,250.00</u>
Net Income	-8,628.75
Total Equity	<u>684,763.16</u>
TOTAL LIABILITIES & EQUITY	<u><u>694,550.81</u></u>

Village of Volente
Statement of Cash Flows
 October 2015

	Oct 15
OPERATING ACTIVITIES	
Net Income	-8,628.75
Adjustments to reconcile Net Income to net cash provided by operations:	
12000 · Accounts Receivable	-1,832.25
20000 · Accounts Payable	-666.00
24000 · Payroll Liabilities	4.08
24010 · Federal Withholding Tax	48.00
24015 · Social Security - EE	11.22
24020 · Medicare Tax - EE	2.62
24515 · Social Security ER Paid	11.22
24525 · Medicare Tax - ER Paid	2.62
24530 · Texas Unemployment Tax	0.20
Net cash provided by Operating Activities	-11,047.04
Net cash increase for period	-11,047.04
Cash at beginning of period	678,522.28
Cash at end of period	667,475.24

Village of Volente
Job Profitability Summary
Excludes Administrative Costs

	<u>Act. Cost</u>	<u>Act. Revenue</u>	<u>(\$) Diff.</u>
Arifi, Michelle and Zahir 8102 Lime Creek	1,732.93	2,259.63	526.70
Total Arifi, Michelle and Zahir	1,732.93	2,259.63	526.70
Browning, Jeff - Da Vinci Pools 15811 Booth Circle	642.50	879.06	236.56
Total Browning, Jeff - Da Vinci Pools	642.50	879.06	236.56
Busch, Tana 8114 Joy	3,261.00	5,547.05	2,286.05
Total Busch, Tana	3,261.00	5,547.05	2,286.05
Chaudhari, Baldev - Olson Custom Homes 8408 Lime Creek	1,728.50	1,944.57	216.07
Total Chaudhari, Baldev - Olson Custom Homes	1,728.50	1,944.57	216.07
Davison, Terry - Cambridge Custom Homes 16409 Sherman St	1,533.25	1,798.04	264.79
Total Davison, Terry - Cambridge Custom Homes	1,533.25	1,798.04	264.79
Dooley, Richard 8420 Lime Creek	878.12	3,499.53	2,621.41
Total Dooley, Richard	878.12	3,499.53	2,621.41
Gonzales, Ed - DeMoss Plumbing 8033 Arren Terrace	50.00	56.25	6.25
Total Gonzales, Ed - DeMoss Plumbing	50.00	56.25	6.25
Greer, Matthew 15779 Booth Circle	100.00	112.50	12.50
Total Greer, Matthew	100.00	112.50	12.50
Hamblin, Steve 8111 Beauregard	284.00	519.50	235.50
Total Hamblin, Steve	284.00	519.50	235.50
Johnson, Corrinne 8216 Lime Creek	1,406.00	1,581.76	175.76
Total Johnson, Corrinne	1,406.00	1,581.76	175.76
Kerr, Mahlon & Ashley/Lawn Masters 16500 Jackson St.	1,448.50	1,629.57	181.07
Total Kerr, Mahlon & Ashley/Lawn Masters	1,448.50	1,629.57	181.07
Koll, Gloriana Guerra 8201 West Dr - Pool	324.50	365.06	40.56
Total Koll, Gloriana Guerra	324.50	365.06	40.56
Mitchell, Michael B. 7303 Reed Dr	70.88	516.25	445.37
Total Mitchell, Michael B.	70.88	516.25	445.37
Oliver Custom Homes 8325 Lime Creek	372.50	419.06	46.56
Total Oliver Custom Homes	372.50	419.06	46.56
Piercey, Brent - Chaparrel Pools 16508 Jackson	399.00	448.88	49.88
Total Piercey, Brent - Chaparrel Pools	399.00	448.88	49.88
Ratcliffe, Lori 15757 Booth Circle	2,752.88	3,602.39	849.51
Total Ratcliffe, Lori	2,752.88	3,602.39	849.51
Robinson, David 8132 Joy Rd	4,468.63	5,313.61	844.98

Village of Volente
Job Profitability Summary
Excludes Administrative Costs

	<u>Act. Cost</u>	<u>Act. Revenue</u>	<u>(\$)</u> Diff.
Total Robinson, David	4,468.63	5,313.61	844.98
Smith, Christopher 15916 Booth Circle	<u>2,128.75</u>	<u>2,684.23</u>	<u>555.48</u>
Total Smith, Christopher	2,128.75	2,684.23	555.48
Spurlin, Paul - Probuilt Enterprises 15718 Booth Circle	<u>1,265.75</u>	<u>1,616.62</u>	<u>350.87</u>
Total Spurlin, Paul - Probuilt Enterprises	<u>1,265.75</u>	<u>1,616.62</u>	<u>350.87</u>
TOTAL	<u><u>24,847.69</u></u>	<u><u>34,793.56</u></u>	<u><u>9,945.87</u></u>

November Construction Report

Item A5b

Site Address	Owner	Project Type	Status	Start Date	Variance	Notes
15757 Booth Circle	Ratcliffe	Rebuild of SF Home	App Phase	Jan '14	✓	Submitted, pending review
16500 Jackson	Kerr	Addition	Construction	Mar '14	✓	Temp C/O to be issued
8102 Lime Creek	Arifi	SF Home	Construction	Sept '14	✓	Temp C/O extended. Awaiting final
15718 Booth	Spurlin	SF Home	App Phase	Mar '15	✓	Inspections
16501 Sherman	Gleinser	Pool	Construction	May '15		Inspections ongoing
8216 Lime Creek	Johnson	SF Home	App Phase	May '15		Permits Issued
8408 Lime Creek	Chaudhari	SF Home	App Phase	April '14	✓	Inspections ongoing
16409 Sherman	Davison	SF Home	Construction	March '15		Inspections ongoing
15815 Booth Circle	English	Remodel	Site Work	August '15		Pending review
8301 Lime Creek	Ross	Subdivision	Pre-Application	Sept '15		Possible variances forthcoming, waiting on submission
8325 Lime Creek	Sudbrook	SF Home	Pre-Application	Oct '15		ATS Approved, pending changes from 1st review by TRE
ISLE ESTATES		Several SF Homes	Pre-application	Oct '15		Variances determined with submission, pre application mtg held
HENNA PROPERTY		Subdivision	Pre-application and pending research	Nov'15		Waiting on TRE engineering to research for subdivision process to be kept in house

New Fee Schedule	Old Fee Schedule
------------------	------------------



VILLAGE of VOLENTE

Fiscal Year 2015-2016 Budget

This budget will **decrease** total property taxes from last year's budget by **\$34,559** or **16.26%**, and of that amount **\$1,709** is tax revenue to be raised from new property added to the tax roll this year.

Tax Rate Adoption Voting Results:

For: Council Member David Springer, Council Member Babs Yarbrough, Council Member David Robinson

Against: Mayor Pro Tem Connors

Abstained: None

Absent: None

Budget Adoption Voting Results:

For: Council Member David Springer, Council Member Babs Yarbrough, Mayor Pro Tem Bill Connors

Against: Council Member David Robinson

Abstained: None

Absent: None

Municipal Property Tax Rates:

Proposed Property Tax Rate: \$0.1000

Effective Tax Rate: \$0.1203

Effective Maintenance & Operations Tax Rate: \$0.1203

Rollback Tax Rate: \$0.1299

Debt Rate: \$0

Municipal Debt Obligations: \$0

VILLAGE of VOLENTE

Fiscal Year 2015-2016 Budget

Forecast based on actuals through August 31, 2015

REVENUE	2014-2015 Budget	2014-2015 Forecast	2015-2016 Budget
Property Tax	\$213,100.00	\$214,573.00	\$177,981.00
Sales Tax	\$53,000.00	\$48,000.00	\$51,500.00
Utility Franchise Fees	\$31,000.00	\$28,297.00	\$37,750.00
Sign Permits	\$1,000.00	\$620.00	\$750.00
Grant Revenue	\$29,000.00	\$74,689.00	\$29,000.00
Investment	\$1,500.00	\$302.86	\$400.00
TOTAL REVENUE	\$328,600.00	\$366,481.86	\$297,381.00
EXPENDITURES	2014-2015 Budget	2014-2015 Actuals	2015-2016 Budget
Operations	\$34,320.00	\$29,812.00	\$25,850.00
Municipal Court	\$3,000.00	\$1,637.75	\$500.00
Facilities & Equipment	\$37,400.00	\$39,405.68	\$33,967.00
Community Events	\$5,900.00	\$4,357.98	\$7,750.00
Public Works	\$73,860.00	\$80,000.00	\$105,991.74
Outside Services	\$46,290.00	\$73,554.92	\$50,700.00
Contract Labor	\$15,200.00	\$4,323.75	\$7,500.00
Compensation & Benefits	\$120,040.00	\$125,000.00	\$65,122.26
TOTAL EXPENSE	\$336,010.00	\$358,092.08	\$297,381.00
<hr/>			
TOTAL SURPLUS OR DEFECIT	\$-7,410.00	\$8,389.78	\$0.00

VILLAGE of VOLENTE

Fiscal Year 2015-2016 Budget

REVENUE

40000 · Property Tax Revenue

40110 · Real Property Tax - Current Yr	177,981.00
Total 40000 · Property Tax Revenue	177,981.00

41000 · Sales Tax Revenue

41110 · Mixed Beverage Sales Tax	3,500.00
41120 · Sales & Use Taxes	48,000.00
Total 41000 · Sales Tax Revenue	51,500.00

42000 · Utility Franchise Fees

42110 · Franchisee Fees	37,750.00
Total 42000 · Utility Franchise Fees	37,750.00

43000 · Development Fees/Permits

43140 · Sign Permit Fees	750.00
Total 43000 · Development Fees/Permits	750.00

44000 Grant Revenue

44110 - Capt Metro	29,000.00
Total 44000 - Grant Revenue	29,000.00

47000 · Investment Earning

47120 · Interest Earned /Savs/MMA	400.00
Total 47000 · Investment Earning	400.00

TOTAL REVENUE

297,381.00

VILLAGE of VOLENTE

Fiscal Year 2015-2016 Budget

EXPENSE

50000 · Operations

50100 · Office Supplies & Equipment

50120 · Office Supplies - General 5,500.00

50130 · Office Supplies - Printing 1,000.00

50140 · Office Equipment Lease 5,500.00

Total 50100 · Office Supplies & Equipment 12,000.00

50200 · Postage and Shipping

50220 · Postage 2,400.00

Total 50200 · Postage and Shipping 2,400.00

50300 · Communications & Internet

50310 · Website Maintenance 1,000.00

50320 · Telephone & Internet 1,200.00

Total 50300 · Communications & Internet 2,200.00

50600 · Computer Services and Support

50610 · Computer Software and Support 1,200.00

50620 · Computer Hardware & Repairs 250.00

Total 50600 · Computer Services and Support 1,450.00

50800 · Other Operating Expense

50804 · Advertising/Public Notices 1,000.00

50805 · Books & Publications 500.00

50806 · Dues, Fees, & Subscriptions 3,600.00

50808 · Insurance, Liab/workers comp 1,200.00

50809 · Training & Ed - Council 1,000.00

50812 · Mileage Reimbursement 500.00

Total 50800 · Other Operating Expense 7,800.00

Total 50000 · Operations 25,850.00

52000 · Municipal Court

52100 · Municipal Court Costs 500.00

Total 52000 · Municipal Court 500.00

53000 · Facilities and Equipment	
53100 · Facilities and Equip -Other	
53120 · Office Equipment & Furniture	250.00
53130 · Utilities - Electric	3,500.00
53140 · Repairs & Maint Facilities	5,000.00
53150 · Burglar Alarm	425.00
53160 · Pest & Extermination Services	250.00
Total 53100 · Facilities and Equip -Other	9,425.00
53200 · Facility and Equipment Rent	
53210 · Firehall Rental	100.00
53220 · Office Space Lease	24,000.00
Total 53200 · Facility and Equipment Rent	24,100.00
53000 · Facilities and Equipment - Other	442.00
Total 53000 · Facilities and Equipment	33,967.00

55000 · Community Events	
55120 · Village Cleanup, other	1,600.00
55150 · City Council Meetings & Workshop	1,000.00
55160 · Election Expense	1,500.00
55170 · Events - Other	1,550.00
55180 · Town Hall Meetings	2,100.00
Total 55000 · Community Events	7,750.00

57000 · Public Works	
57110 · Park Maintenance	0.00
57120 · ROW Herbicide	0.00
57121 · Mowing	0.00
57123 · Tree Trimming	0.00
57131 · Roads & Right-of-way	25,000.00
57140 · Street Signs (New & Repairs)	0.00
57150 · Road Maintenance Reserves	65,991.74
57000 · Public Works - Other	15,000.00
Total 57000 · Public Works	105,991.74

64000 · Outside Services	
64011 · Audit	12,000.00
64012 · Tax Collection - All	1,500.00
64017 · Consulting Fees	5,500.00
64018 · Bookkeeping Service	4,800.00
64105 · Professional Services Non- Reimb.	1,000.00
64400 · Attorney's Fees	

64410 · Attorney - General Services	18,000.00
64470 · City Professional Services	
64471 · P&Z - Ordinances	7,900.00
Total 64000 · Outside Services	50,700.00
65000 · Contract Labor	
65100 · Enforcement Costs	
65110 · Contract Police	5,000.00
65120 · Code Compliance	2,500.00
Total 65100 · Enforcement Costs	7,500.00
Total 65000 · Contract Labor	7,500.00
66000 · Compensation and Benefits	
66100 · Salaries and Wages	
66110 · Salaried wages	49,980.00
Total 66100 · Salaries and Wages	49,980.00
66500 · Employee Related	
66510 · Employer Paid Health Ins	6,203.75
66530 · Texas Unemployment Tax	344.54
66540 · Social Security ER	2,912.76
66550 · Medicare ER	681.21
66560 · Training & Ed - Staff	5,000.00
Total 66500 · Employee Related	15,142.26
Total 66000 · Compensation and Benefits	65,122.26
Total Expense	297,381

City Secretary

From: City Secretary <city.secretary@volentetexas.gov>
Sent: Monday, November 02, 2015 10:34 AM
To: 'Kit Hopkins'; Andy Fogarasi (andy.fogarasi@gmail.com); steve.baker@btasystems.com; David Robinson (david@davidrinc.com); 'David Springer'; Babs Yarbrough
Cc: city.secretary@volentetexas.gov; Mayor Ken Beck (mayor@volentetexas.gov)
Subject: Mark Your Calendars: Dec 4th Training for New Officials

Good morning Candidates!

I wish you all the best for tomorrow's election day. I know the Holidays are fast approaching and y'all will be busy. Without knowing who will be voted in at this point, I'm notifying all of you about a TML training seminar that I **strongly** recommend you attend in December should you win a place on Council. Breakfast and lunch are included, and the registration fee will be covered by the Village. Topics include Employment Law, Parliamentary Procedures, Handling City Financial Resources, the Open Meetings Act, The Public Information Act, etc.

DEC 4th, 2015

7:30 a.m. to 5:00 p.m.

First Floor Conference Room

TML Headquarters

1821 Rutherford Lane

Austin, TX

*Parking is complimentary

<http://www.tmlnewlyelected.org/>

Again, this training should give you all the base knowledge needed to conduct City Business and be familiar with procedures and laws that effect your position. If you have any questions, or to register, contact me!

Thank you!

Julia Vicars

NOTE: New Office Hours...

M-Th 9:00 a.m. - 4:30 p.m.

Closed on Fridays

City Secretary

Village of Volente (512) 250-2075

16100 Wharf Cove, Volente, TX 78641

City.Secretary@VolenteTexas.gov

Please note that any correspondence, such as e-mail or letters, sent to Village/Board staff or 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.**



Newly Elected **City Officials' Workshop**
You've got questions...we've got answers.



DECEMBER 4, 2015 • AUSTIN, TX

Agenda

Friday, December 4

Sessions and speakers are subject to change.

7:30-8:15 a.m.

Registration and Continental Breakfast

8:15-8:30 a.m.

Welcome

Eddie Daffern, CMO, TAMCC President and Mayor, City of Staples

8:30-9:00 a.m.

Fundamentals of City Regulation

Karen Kennard, City Attorney, City of Austin

9:00-10:00 a.m.

Council-Staff Relations: Employment Law for Newly Elected Officials

Laura Mueller, Assistant General Counsel, Texas Municipal League

10:00-10:15 a.m.

Break

10:15-11:15 a.m.

Parliamentary Procedure: Being Aware of the Key Rules

Kay Allison Crews, PRP, CP, President, American Institute of Parliamentarians

11:15 a.m.-12:15 p.m.

Handling City Financial Resources: Raising and Spending Municipal Revenue

Leela Fireside, Assistant City Attorney, City of Austin

12:15-1:00 p.m.

Networking Lunch

1:00-2:00 p.m.

The Public Official and the Public: Open Meetings Act

Heather Mahurin, Legal Counsel, Texas Municipal League

2:00-2:30 p.m.

The Public Official and the Public: Public Information Act

Neal Falgoust, Assistant Attorney General – Open Records Division, Texas Attorney General

2:30-2:45 p.m.

Break

2:45-3:45 p.m.

Governing Ethically

Monte Akers, Akers & Akers LLP

3:45-4:15 p.m.

Open Meetings Act & Public Information Act Training for Newly Elected Officials

Sec. 551.005. OPEN MEETINGS TRAINING. (a) Each elected or appointed public official who is a member of a governmental body subject to this chapter shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and its members under this chapter not later than the 90th day after the date the member:

(1) takes the oath of office, if the member is required to take an oath of office to assume the person's duties as a member of the governmental body; or

(2) otherwise assumes responsibilities as a member of the governmental body, if the member is not required to take an oath of office to assume the person's duties as a member of the governmental body.

To Complete this training visit:

<https://www.texasattorneygeneral.gov/faq/og-open-government-training-information>

Click on the links in the left bar for BOTH the “Open Meetings Act training video” AND the “Public Information Act training video”.

Once you complete the video, an access code will be given to you. *WRITE IT DOWN!* Then, click the link for “Print course completion certificate(s)”, use your access code, and print both your TOMA and PIA certificates.

TURN BOTH OF YOUR CERTIFICATES INTO MY OFFICE AS SOON AS POSSIBLE BUT NO LATER THAN FEBRUARY 16, 2015.

PROFESSIONAL SERVICES AGREEMENT TABLE OF CONTENTS

PART I. CODIFICATION AND LEGAL REVIEW SERVICES

(1) Copies of Ordinances to be Provided.....	1
(2) Editorial Review, Analysis and Codification	1
(3) Preliminary Draft.....	1
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PROFESSIONAL SERVICES AGREEMENT FOR CODIFICATION AND LEGAL REVIEW SERVICES

FRANKLIN LEGAL PUBLISHING, INC., a corporation duly authorized and existing under the laws of the State of Texas, hereinafter referred to as "Franklin Legal Publishing," hereby agrees to edit, codify and publish a new and revised Code of Ordinances for the VILLAGE OF VOLENTE, TEXAS, hereinafter referred to as "Village," according to the following terms and conditions.

PART I: CODIFICATION AND LEGAL REVIEW SERVICES

(1) **Copies of Ordinances to be Provided.** The Village will provide one (1) copy of all ordinances adopted by the Village. Such materials will be provided in an editable electronic format, if available, within thirty (30) days of execution of this agreement. Only copies are to be provided, as these materials will not be returned to the Village. Logs of all materials received will be prepared and submitted to the Village for approval prior to proceeding with preparation of the new code to ensure that all materials have been provided.

(2) **Editorial Review, Analysis and Codification.** The ordinances of the Village will be arranged into a new Code of Ordinances for the Village. During this process, Franklin Legal Publishing will analyze each code provision and ordinance and identify any conflicts, ambiguities, obsolete, and/or duplicative provisions which may be found.

(3) **Preliminary Draft.** Franklin Legal Publishing will provide a preliminary draft code. The preliminary draft will be complete with the exception of the code comparative table, the ordinance disposition table, and the index. The preliminary draft will include all graphics and textual tables at no extra cost to the Village. The preliminary draft will be provided electronically or by printed copy if requested.

(4) **Legal Review (Optional).** Attorneys for Franklin Legal Publishing will review all of the Village's ordinances against state, federal and case law to determine if any provisions are unlawful, unconstitutional, obsolete, or otherwise unenforceable. A written report of any findings will be prepared and submitted to the Village for review along with recommendations. Ordinances adopted up to the date of the delivery of this review will be incorporated into the final code. Ordinances subsequently will be included as part of the first code supplement.

(5) **Editorial and Legal Conference (Optional).** Upon completion of the editorial and legal review, an attorney for Franklin Legal Publishing will meet with key Village officials in an editorial and legal conference to discuss any findings revealed during the editorial and legal analysis and to determine how to remedy the conflicts. Following this conference, Franklin Legal Publishing will submit to the Village a written memorandum of understanding outlining the substantive

changes approved at the editorial and legal conference. Changes will then be drafted and incorporated into the final draft at no additional charge.

(6) New Ordinances and Code Provisions (Optional). During the course of the work, Franklin Legal Publishing will make recommendations for new provisions where there is an obvious need for legislation on specific subjects. Franklin Legal Publishing will provide sample ordinances or Code provisions to accomplish this, if requested by the Village. Since the need for such new legislation is of a local nature and varies from city to city, Franklin Legal Publishing will also rely on the Village for guidance with regard to any specific legislation needed.

Note: Because of the political implications and legal restrictions, Franklin Legal Publishing will not be responsible for the preparation of new zoning and subdivision ordinances. These ordinances, if published, will be incorporated in the Code exactly as they have been adopted and amended, and will be included as exhibits to the pertinent code chapters. Review of these ordinances shall extend only to the relationship of these ordinances to other ordinances with regard to conflicts and/or repetition.

(7) Arrangement, Notations, and State Law References. Franklin Legal Publishing will arrange the Code to be all-inclusive and subject matter will be arranged in an orderly and logical fashion. References to ordinances or old code provisions will be cited to indicate the ordinance from which each section or subsection is derived. Also, editorial footnotes and cross references will be incorporated where deemed appropriate so that related Code provisions can be tied together. State law references will also be provided as footnotes to applicable Code provisions.

(8) Code Index and Table of Contents. Franklin Legal Publishing will prepare a comprehensive general index by subject matter and a table of contents for the Code. Separate tables of contents for inclusion at the beginning of each chapter will also be prepared.

(9) Ordinance Disposition Table. Franklin Legal Publishing will list all ordinances in a chronological and/or numerical sequence setting out the location of such code provision or ordinance in the Code or indicating whether they have been repealed, deleted or superseded. The ordinance disposition table will be detailed and will include all ordinances adopted by the Village, whether or not they are codified within the Code.

(10) Final Draft and Adopting Ordinance. Following the editorial conference, Franklin Legal Publishing will provide a proof (draft copy) to the Village for final review before adoption. Following this review, the Village will notify Franklin Legal Publishing of any changes needed in the Code, if any. Franklin Legal Publishing will make any changes needed and send the Village amended pages to effect the

changes. Franklin Legal Publishing will not include ordinances adopted since the date of delivery of the editorial and legal conference. Any such ordinances shall be included in the first supplement to the code, which, at the Village's request, can be completed prior to adoption of the code. Franklin Legal Publishing will prepare an ordinance to adopt the revised Code, which will be submitted to the Village prior to the Village Council meeting at which it is being considered for adoption.

(11) Printing and Final Copies. Franklin Legal Publishing will print the adopted Code on 8-1/2" X 11", 60 lb. offset white paper. The Code will be typed in a single-column, 11 point Times New Roman font. Franklin Legal Publishing will provide the required number of copies of the adopted revised Code to the Village in 3-ring binders. All binders will be specially ordered heavy-duty, turned-edge binders. The Village's name will be embossed in gold-leaf on the binder. Franklin Legal Publishing will also furnish custom-made mylar separator tabs for each chapter and other major divisions of the Code.

PART II: LOOSELEAF SUPPLEMENTAL SERVICE

(1) Service Provided As Requested. Supplemental service will be provided to the Village on an annual, semiannual or quarterly basis, or as otherwise requested by the Village. All supplements will be completed and mailed to the Village within forty-five (45) business days of receipt of the ordinances, assuming there are no missing or conflicting materials. The Village agrees to permit Franklin Legal to prepare the annual Code supplement(s) for at least three (3) years or for the first three (3) Code supplements, whichever is longer.

(2) Incorporation of New Ordinances. All new ordinances adopted by the Village since the adoption of the Code or last supplement will be studied in conjunction with existing Code provisions to determine if any provisions of the Code are repealed, amended, or replaced. New pages will be printed to remove any such repealed or amended provisions and to allow for the insertion of newly adopted provisions. The numbering system and style of the newly adopted provisions will remain consistent with the remainder of the Code.

(3) Index, Table of Contents and Ordinance Reference Table. The Index, Table of Contents, and Ordinance Reference Table will be fully updated with each supplement.

(4) Instructions Provided. A Code Supplement Instruction Sheet will be prepared with each supplement to provide instructions for the removal of obsolete pages and insertion of new pages.

(5) Supplement Fees. Franklin Legal Publishing will prepare and print the required number of copies of each supplement at the rate as provided for in Part III hereof. This price is guaranteed for three (3) years.

PART III. FEES

(A) CODIFICATION SERVICE

- (1) Base Codification Fee, includes\$5,950.00***
 - a. Typesetting and Printing of Proofs
 - b. Pages containing color images, maps, etc.,
if applicable..... \$10.00 per image
 - c. Indexing
 - d. Printing and Binding
 - i. Number of copies.....3
 - ii. Number of binders3
 - iii. Number of sets of custom tabs.....3
 - e. Shipping and Delivery (NO CHARGE)

NOTE: No additional charges for: (1) additional pages; (2) pages containing tables and/or graphics; (3) travel costs; (4) revisions subsequent to onsite legal conference and prior to adoption (if applicable); or (5) shipping/delivery costs.

(2) Additional Services.

- a. Editorial and Legal review including On-Site Conference with Texas-licensed Franklin Legal Attorney and Memorandum of Understanding.....\$2,000.00
- b. Completed code on CD-ROM integrated with Folio Views search and retrieval software**
 - i. One License.....\$995.00
 - ii. Each Additional License.....\$100.00
 - iii. Training sessions (either onsite or via telephone)..... (NO CHARGE)
- c. Code on Internet, per year\$375.00
- d. Additional complete bound
copies of completed codeQuotation on request
- e. Reprints of ChaptersQuotation on request
- f. Laserfiche Document Imaging SoftwareQuotation on request
- g. NovusAgenda Electronic Agenda SoftwareQuotation on request

* **Note:** The base cost is all-inclusive and covers the recodification process entirely. The Village will in no way experience an increased cost due to the code being larger than originally estimated. (Franklin Legal Publishing does not base the cost of the project on the number of pages in the complete code.) Further, there are no extra hidden charges relating to graphics, tables, etc. Finally, postage and delivery is included in this cost.

** **Note:** Prices include hyperlinking of all internal and cross references throughout the code text with no additional charge.

(3) Payment Schedule for Codification.

- a. Upon execution of agreement..... 10%
- b. Upon delivery of preliminary draft (but not before
October 1, 2015 unless requested by the Village).....40%
- c. Upon delivery of draft for adoption.....40%
- d. Upon delivery of completed new codes 10%

(Note: This schedule may be revised to better suit budget needs at the request of the Village.)

(B) SUPPLEMENTATION SERVICE

(1) Printed Supplement Service

- a. Annual Fee..... None
- b. Number of Printed Copies..... 3
- c. Supplement Service
 - i. Cost per printed page (Note: No additional charge for
tables and/or graphics)..... \$20.00
 - ii. Pages containing color images, maps,
etc., if applicable..... \$10.00 per image
 - iii. Cost for updated Folio CD-ROM, per supplement \$150.00
 - iv. Additional sets of Folio CD-ROM..... \$75.00

(2) Rapid Web Update ServiceSM Monthly Internet Updates.

(Note: Cost includes printed copy supplementation
on quarterly basis.)..... \$24.00

(3) Payment For Supplementation Service

- a. Payment for supplementation service will be due upon receipt of
invoice.
- b. Supplements will be invoiced when shipped.

PART IV: AGREEMENT IS BINDING

When executed by both Franklin Legal and the Village, this proposal constitutes an agreement between the parties. There are no other agreements or representations other than those set forth in this agreement. This agreement may not be modified except in writing, signed by both parties. The proposed terms of this agreement shall remain in force and effect for a period of ninety (90) days from the date appearing below.

Supplement services as provided for herein shall be in full force and effect for a period of three (3) years from the date of execution of this agreement by the Village. Thereafter, services will be automatically renewed from year to year, provided that either party may alter or cancel the terms of this agreement upon sixty (60) days' written notice.

The foregoing agreement is limited strictly to the terms contained herein, and in no way implies any representation of the Village by Franklin Legal Publishing and/or attorneys associated therewith. This agreement does not constitute agreement by Franklin Legal Publishing to represent the Village, and Franklin Legal Publishing shall provide only those review services as provided for herein. Any and all findings, comments and/or recommendations made by Franklin Legal Publishing should be fully reviewed by an attorney appropriately designated to represent the Village. Liability for services as outlined herein shall extend only to correction of errors in the code and supplements and not to acts or occurrences resulting from any such errors.

Submitted by:



R. Kirk Franklin

R. Kirk Franklin
President/Attorney at Law
Franklin Legal Publishing, Inc.

Date: July 15, 2015

Accepted by:

Ken Beck

Title *Mayor*
Village of Volente, Texas

Date: 9/23/15

ORDINANCE NO. 2015-O-XX

AN ORDINANCE AMENDING ORDINANCE NO. 2004-0-36 TO EXEMPT EXISTING LOTS FROM HAVING TO APPLY FOR AND OBTAIN A SITE DEVELOPMENT PERMIT FOR SINGLE AND TWO FAMILY RESIDENTIAL USE; PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETING CLAUSES

WHEREAS, the Village of Volente finds that exempting existing legally platted lots does not conflict with other provisions of Article 33.300; and

WHEREAS, the Village of Volente finds a rational basis for distinguishing between those platted lots existing before the passage of Article 33.300 and those lots coming into existence after the passage of Article 33.300; and

WHEREAS, the Village of Volente finds a rational basis for distinguishing between land platted and approved before the passage of Article 33.300 and land platted and approved after the passage of Article 33.300;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE:

1. The Village of Volente Ordinance No. 2004-0-36, Article 33.300 Site Development Regulations, passed and approved on October 26, 2004, is amended as follows:

(a) SECTION 33.304 IS ADDED AS FOLLOWS:

Sec. 33.304 Exemptions

A. Development of land for single and two family residential use legally platted prior to the effective date of this article, except as otherwise provided for herein, and for which no re-subdivision is sought;

2. SEVERABILITY: In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed, and all remaining provisions shall remain in full force and effect as though such void or unenforceable provisions had never formed a part of this Ordinance.

3. EFFECTIVE DATE: This Ordinance shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of Chapter 52 of the Texas Local Government Code.

4. OPEN MEETINGS: It is hereby officially found and determined that the meeting at which the enacting ordinance of this article is passed was open to the public as required

and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ORDINANCE NO. 2015-O-~~10XX~~

AN ORDINANCE AMENDING ORDINANCE NO. 2004-~~00~~-36, THE SITE DEVELOPMENT ORDINANCE OF THE VILLAGE OF VOLENTE, TO EXEMPT ~~EXISTING LOTS~~ PLATTED PRIOR TO OCTOBER 26, 2004 FROM HAVING TO COMPLY WITH SECTIONS 33.316, 33.318, AND 33.319 ~~APPLY FOR AND OBTAIN A SITE DEVELOPMENT PERMIT~~ FOR SINGLE AND TWO FAMILY RESIDENTIAL USE; PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETING CLAUSES.

WHEREAS, the Village of Volente finds that exempting ~~existing legally platted~~ lots legally platted before October 26, 2004 does not conflict with other provisions of Article 33.300; and

WHEREAS, the Village of Volente finds a rational basis for distinguishing between those platted lots existing before the passage of Article 33.300 and those lots coming into existence after the passage of Article 33.300; and

WHEREAS, the Village of Volente finds a rational basis for distinguishing between land platted and approved before the passage of Article 33.300 and land platted and approved after the passage of Article 33.300;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE:

1. The Village of Volente Ordinance No. 2004-~~00~~-36, Article 33.300 Site Development Regulations, passed and approved on October 26, 2004, is amended as follows:

(a) SECTION 33.304 IS ADDED AS FOLLOWS:

Sec. 33.304 Exemptions

A. Development of land for single and two family residential use, legally platted prior to the effective date of this article, is exempted from compliance with the following sections, except as otherwise provided for herein, and for which no resubdivision is sought:

1. Sec. 33.316 Application for Site Plan Approval

2. Sec. 33.318 Application for a Single Family Residential Project Site Development Permit

3. Sec. 33.319 Application for Site Development Permit except as otherwise provided for herein, and for which no re-subdivision is sought;

2. SEVERABILITY: In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed, and all remaining provisions shall remain in full force and effect as though such void or unenforceable provisions had never formed a part of this Ordinance.

3. EFFECTIVE DATE: This Ordinance shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of Chapter 52 of the Texas Local Government Code.

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

PASSED AND APPROVED on this 20th day of October 2015.

Signed:

Ken Beck, Mayor

Attest:

Julia Vicars, City Secretary

City Secretary

From: City Secretary <city.secretary@volentetexas.gov>
Sent: Wednesday, August 26, 2015 4:16 PM
To: city.secretary@volentetexas.gov
Cc: Mayor Ken Beck (mayor@volentetexas.gov)
Subject: Zoning Map Update

*****Information Only***Do NOT Reply All***All of Council Included*****

Mayor and Council,

I heard back from Jay Engineering regarding the update of our Zoning Map. They estimate that if the property lines do not need updating, and the boundaries of our city are the same, a simple change to colors and labels should only take about 4 hours from their CAD professional, who bills at \$90/hour. An update to our map should cost under \$400. I will need to supply them with a draft map calling out the properties and how they've changed, which I have already underway. Overall, not a big expense or a delay in turnaround.

Thank you,

Julia Vicars

NOTE: New Office Hours...

M-Th 9:00 a.m. - 4:30 p.m.

Closed on Fridays

City Secretary

Village of Volente (512) 250-2075

16100 Wharf Cove, Volente, TX 78641

City.Secretary@VolenteTexas.gov

Please note that any correspondence, such as e-mail or letters, sent to Village/Board staff or 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.

City Secretary

Subject: FW: Directions & Expectations for Planning and Zoning

From: Mayor Ken Beck [<mailto:mayor@volentetexas.gov>]
Sent: Tuesday, November 10, 2015 10:48 AM
To: City Secretary; roudwg@earthlink.net
Subject: Re: Directions & Expectations for Planning and Zoning

To Richard:

I believe that where we stand at the moment is as follows: The village council has worked for three fourths of this year on a rework of the Zoning Ordinance. There have been two Town Hall meetings and numerous public hearings. In June the council and P&Z began joint work sessions as we worked together on creating a draft of a new Zoning Ordinance.

That is what was handed off to P&Z to fulfill our legal obligations.

I would suggest that P&Z use our old Zoning Ordinance as a reference, but go through a detailed review of the draft document that we provided to you. Your commission should be going through this with an eye to agreeing with the changes that have been suggested, or making suggestions as to how P&Z would see it better implemented.

What should come back from P&Z is a document that points to the draft ordinance that you were given, and that summarizes all portions that you agree with, and lays out in detail any and all recommendations of changes to that draft document that you are recommending to the Village Council. The council will then review your recommendations and will vote as to accepting them or rejecting them.

At that point the document with accepted changes would be submitted to our legal council and our engineer for a detailed review with an eye to ensuring that it is in the format of a good executable ordinance. Any changes suggested by legal and engineering at that point would be passed back to both council and P&Z, and the council will vote on them.

Thanks, Ken

City Secretary

From: Bill Connors <council.member3@volentetexas.gov>
Sent: Monday, November 02, 2015 3:44 PM
To: Julia Vicars
Cc: Mayor Ken Beck
Subject: Re: Directions & Expectations for Planning and Zoning

Ken,

My expectations of the process are that we will have a complete review by both legal and engineering after the document has been reviewed and studied by P&Z and has a consensus agreement from Council. I think they should feel free to bring their thoughts and concerns to either Tom or Marc. I'd just ask that they do so economically, i.e. stack up the questions or points, then get them answered.

I had hoped that with Council doing a lot of the legwork, reviewing the ordinance in detail, proposing changes, hearing public opinion, revising the documents, that the burden would be lightened for P&Z. They can do as deep a dive as they want, but most of this has been publicly debated since July, I don't think that there are any substantive differences remaining. My suggestion to Richard would be to follow the same rough path that Council followed;

A - Review State enabling laws

- Why we are allowed to zone - LGC 211
- what we are allowed to restrict - LGC 211
- consider LGC 245, 43, and 211.017 and the implications for the Village

B - Consider Districts

- Should we have more than one for single family?
- Is there a better way to do this?
- Is the current split appropriate, i.e. 1 acre plus vs. historical small and odd lots?
- Look at Ridgetop, Cluster, and Multi-Family
- Do current or proposed Commercial districts capture what we have and what we want?
- Review need for Industrial, (may be a question for TML or legal)

C - Consider Uses

- Review existing and proposed uses,
- Consider what Council has removed,
- Add anything they'd like to keep
- Consider under each District permitted uses for each

D - Consider Restrictions

- Front setbacks

- Side setbacks
- Street setbacks
- Height limits
- Impervious cover
- Non-conforming structures & expansion
- Non-conforming uses
- Parking requirements
- Paving
- Residential buffers

E - Review completed document and note any changes they'd like to see

F - Consider joint session to discuss changes with Council. Consensus from both sides will be a good idea.

G - Submit consensus copy of revisions to legal and engineering, route recommendations to both Council and P&Z, possible meet to hash out any substantive recommendations.

H - Make final recommendation to Council

On Mon, Nov 2, 2015 at 2:47 PM, City Secretary <city.secretary@volentetexas.gov> wrote:

Mayor and Council,

Richard Roucloux has requested for his committee a letter from each of you, in writing (via email will suffice), of your directions and expectations to the Planning and Zoning commission for their review of the Zoning Ordinance. The goal is that this will clear up certain questions such as if this is a replacement or amendment, what type of document are you expecting from the Commission (such as a cursory glance or a completely vetted document with legal, engineering and citizen input) and what type of process you visualize Planning and Zoning using to review this document.

Please send me your response to the above before November 4th so that I can have your responses to them for their Work session on Thursday.

Thank you!

ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.002. PURPOSE. (a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.003. DELIVERY OF COPY OF CODE. (a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.

(2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.

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

(4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.

(5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.

(6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.

(7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and

enforcement of this chapter.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.