

**Notice of the Village of Volente Regular Council Meeting,
Tuesday, January 18, 2011, 7:00 P.M.
At VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

A quorum of the Planning & Zoning Commission and the Board of Adjustments may be present.

AGENDA

A. ITEMS OPENING MEETING

1. Call to order. Mayor Justine Blackmore-Hlista
2. Roll Call City Secretary
3. Pledge to the Flag and reading of Village Vision Statement:
4. Presentation of plans for an electrical and communications ductbank, that must be constructed within the Bullick Hollow Road Right-of-Way between RR 620 and Oasis Bluff Drive to supply power to the raw water pump station for Water Treatment Plant # 4. This construction may impact traffic on Bullick Hollow Road. A question and answer session will follow with Jason Bible, City of Austin Representative.

B. CITIZEN COMMUNICATIONS: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Three (3) minute time limit.

C. GENERAL BUSINESS AND ACTION ITEMS

1. Consideration and possible action on Planning and Zoning recommendation to amend the zoning ordinance to define and regulate mobile homes regarding the location and/or use of temporary, manufactured and/or mobile homes on residentially zoned lots.
2. Consideration and possible approval of:
 - a. Minutes December 21, 2010.
 - b. Financial Statement and balance sheet for December 2010
 - c. Call General Election for May 14, 2011
3. Mayors Report
4. Discussion and possible action regarding the Memorandum of Understanding between the LCRA and the Village of Volente.
5. Discussion of developing a strategic plan for the Village for 1, 3 and 5 years.(Councilmember Wilder)

6. Consideration and possible action finalizing the Winter festival/farmer's market.(Councilmember Hammond)

F. Adjourn

If you have questions or comments, please contact the Village Office at (512) 250- 2075.

The Village of Volente reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any enforcement of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

The Village of Volente is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the Village Office at (512) 250- 2075 at least 48 hours in advance.

I certify that a copy of the _____, agenda of items to be considered by the Council of the Village of Volente was posted on the Village Office Window on _____.

Jennifer Zufelt, City Secretary

I certify that the attached notice and agenda of items to be considered by the Village Council was removed by me from the Village Office window on ____ day of _____, 2010 Jennifer Zufelt, City Secretary _____

ORDINANCE NO. 2004-O-32

AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, PROVIDING ZONING DISTRICTS, ZONING REGULATIONS, AND STANDARDS FOR THE DEVELOPMENT AND USE OF LAND WITHIN THE CITY; ESTABLISHING A BOARD OF ADJUSTMENT AND PROVIDING RULES AND REGULATIONS FOR THE BOARD; PROVIDING REGULATIONS FOR CONDITIONAL USE PERMITS AND NON-CONFORMING USES AND STRUCTURES; PROVIDING DEFINITIONS, SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING PENALTIES; AND PROVIDING FOR RELATED MATTERS.

The Planning and Zoning Commission has excerpted sections of this ordinance below and has suggested modification and additions for consideration by the Village of Volente Council.

Original ordinance wording:

Manufactured Home means a complete living unit, manufactured at a location away from the lot on which it will be located, as defined in Article 5221f of the Texas Revised Civil Statutes.

Manufactured Housing. See *Manufactured*

To be replaced by

Manufactured Home or ***Manufactured Housing*** means a "HUD-Code Manufactured Home" as defined by Tex. Occupations Code §1201.003(12), meaning a structure (i) constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; (ii) built on a permanent chassis; (iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; (iv) transportable in one or more sections; and (v) in the traveling mode, is at least eight (8) body feet in width or at least forty (40) body feet in length or, when erected on site, at least 320 square feet; (vi) includes the plumbing, heating, air conditioning, and electrical systems of the home; and (vii) does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g). *A Manufactured Home or Manufactured Housing that is not installed on a permanent foundation system or whose square footage is less than the minimum established in Sec. 30.112 of this ordinance is prohibited in the Village unless it was in place and in use immediately prior to this ordinance being enacted.*

Original ordinance wording:

~~*Mobile Home* means a movable or portable structure constructed prior to June 15, 1976 that is eight (8') feet, or more, in width and forty feet (40'), or more, in length constructed to be towed on its own integral chassis, as defined in Article 5221f of the Texas Revised Civil Statutes. Any mobile home constituting an existing conforming or non-conforming use is prohibited within the Village limits.~~

To be replaced by:

Mobile Home means a structure (i) constructed prior to June 15, 1976; (ii) built on a permanent chassis; (iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; (iv) transportable in one or more sections; and (v) in the traveling mode, is at least eight (8) body feet in width or at least forty (40) body feet in length or, when erected on site, at least 320 square feet; and (vi) includes the plumbing, heating, air conditioning, and electrical systems of the home, as defined by Tex. Occupations Code §1201.003(20). . Any mobile home constituting an existing conforming or non-conforming use is prohibited within the Village limits unless it was in place and in use immediately prior to this ordinance being enacted

Original ordinance wording:

~~*Modular Component* means a structure or building module as defined in Article 5221f-1 of the Texas Revised Civil Statutes that is inspected and permitted by and under the jurisdiction and control of the Texas Department of Licensing and Regulations, that is transportable in one or more sections and designed to be used on a permanent foundation system. The term includes the plumbing, heating, air conditioning and electrical systems contained in the component. The term does not include a mobile home or a manufactured home.~~

To be replaced by:

Modular Component means a structural part of housing or a building permitted by and under the jurisdiction and control of the Texas Department of Licensing and Regulations that is constructed at a location other than the building site in a manner that prevents the construction from being adequately inspected for code compliance at the building site without damage or removal and reconstruction of a part of the housing or building, as defined by Tex. Occupations Code §1202.001(5)..

Original ordinance wording:

Nonconforming Structure or Building means a structure or building the size, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

To be replaced by:

No change is suggested.

Original ordinance wording:

Nonconforming Use means any building, structure or land lawfully occupied by a use or lawfully existing at the time of passage of this article or amendments thereto, which does not, by reason of design or use, conform after the passage of this article or amendments with the regulations of the article or amendment.

To be replaced by:

Nonconforming Use means the use of any building, structure or land that lawfully existed at the time of passage of this article or amendments thereto, and that does not conform after the passage of this article or amendments with the regulations of the article or amendment.

The following is suggested to be added to the definition section of this ordinance.

Recreational Vehicle (RV) means any self-propelled or towable vehicle designed for and constructed primarily to provide temporary living quarters for recreational, camping, or travel use; primarily intended for recreational purposes, including but not limited to a campervan, truck camper, pop-up camper, travel trailer, teardrop trailer, fifth-wheel trailer, toterhome or toy hauler . Storage of a property owner's RV or a tenant's RV is allowed at the property owner's residence or the tenant's rental home on an Improved Lot and is limited to one RV per residence. For the limited purpose of this Section only, "Improved Lot" means a lot upon which a single family residence has been constructed, for which a valid Certificate of Occupancy has been issued by the Village, and which is connected to a wastewater or septic system and electrical utilities. An RV may

not be stored in any easement or set back areas. RV parking and use by visitors, by property owners during home construction/major remodeling, for emergency purposes, or by a governmental public utility or law enforcement agency while engaged in their official duties, is temporarily allowed for a maximum length of 30 continuous days, with an annual maximum time limit of 3 months total. There must be a minimum of 14 days between stays. To exceed the time provisions or the use restrictions in this ordinance, a permit must be issued by the Village. No RV may be permitted to remain on any lot as a permanent residence, either by property owners or tenants. Permanent residence is defined as the vehicle being attached directly to a power and/or water source and/or sewage facility, or used for more than 30 days at a time or more than 3 months during a calendar year.

Original ordinance wording included below as a reference to the changes proposed above:

Trailer Camp or Park means an area designed, arranged or used for the parking or storing of one or more auto trailers which are occupied or intended for occupancy as temporary living quarters by individuals or families.

Sec. 30.112 Single Family Residential 1 - District "R-1"
Amended 5/6/2007, Ordinance 2007-O-78

- (a) Purpose and Permitted Uses. Permits detached single family dwellings with a minimum of 1,000 square feet of living area, and related accessory structures, on a minimum lot size of 43,500 square

**Village of Volente Regular Council Meeting,
Tuesday, December 21, 2010, 6:00 P.M. at
VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

A quorum of the Planning & Zoning Commission and the Board of Adjustments may be present.

MINUTES

A. ITEMS OPENING MEETING

- 1. Call to order. Mayor Justine Blackmore-Hlista**

Mayor Blackmore called the meeting to order at 6:03 PM.

- 2. Roll Call City Secretary**

The following members were present: Mayor Blackmore-Hlista, Councilmember Hammond, Councilmember Graber, Councilmember Wilder, Councilmember Graci and Councilmember Scott.

- 3. Pledge to the Flag and reading of Village Vision Statement:**

Mayor Blackmore-Hlista led the pledge and read the vision statement.

B. CITIZEN COMMUNICATIONS: Nancy Carufel complained to Council that the ordinances were not being enforced and wants it enforced at the property at 8136 Joy Rd. Her complaint is that both the indoor and outdoor lights trespass on her property. She presented a video dated December 18th to Council. She feels that the enforcement of the ordinances is being selective and when can she expect the ordinance to be enforced at 8136 Joy RD.

C. GENERAL BUSINESS AND ACTION ITEMS

- 1. Consideration and possible approval:**

a. of Minutes October 19, 2010

Councilmember Wilder made a motion to approve the minutes. Councilmember Graci seconded. Minutes were approved. Councilmember Scott abstained.

b. Financial Statement and balance sheets for October, November and part of December.

Councilmember Scott made a motion to approve the financial statement. Councilmember Wilder seconded. Statement approved unanimously.

- 2. Discussion and possible action to adopt resolution in support of an economic value study of Lake Travis.**

Mayor Blackmore-Hlista presented a resolution in support for an economic and value study of Lake Travis.

Citizen Nancy Carufel voiced her opinion of being against supporting and spending money stating that Volente does not benefit from Lake Travis and the money can be better spent on roads and drainage. Council acknowledged her concerns.

Councilmember Graci made a motion to adopt the resolution in support of and economic value study of Lake Travis. Matthew Hammond seconded. Motion approved unanimously.

- 3. Discussion and possible action to commit funds towards the commissioning of a consultant to do a Study of the Economic Value of Lake Travis (not to be expended until all monies needed for the project have been formally pledged and/or acquired).**

Mayor Blackmore-Hlista discussed financially pledging money to fund the study along with other entities stating that others have already pledged. Councilmember Scott made a motion to pledge \$5000 toward the commissioning of a consultant to do the Economic Value Study of Lake Travis. Councilmember Graber seconded the motion. Motion carried with four votes for and Councilmember Wilder opposed.

- 4. Discussion and possible action regarding a Winter Festival.**

Councilmember Hammond suggested having the Winter Festival on January 30th or February 13th. Vendors will be more willing to come on a Sunday afternoon than a Saturday. Councilmember Hammond made a motion to have the festival February 13th. Councilmember Wilder seconded. Motion approved unanimously. Councilmember Hammond will have a cost for next meeting.

D. Future meeting & agenda items.

Regular meeting will be January 18th at 7:00 PM. Agenda items will be Water Treatment Plant #4 Presentation, roads and ROW, Farmers Market, joint meeting schedule for strategy planning and call the 2011 election.

F. Adjourn

Councilmember Hammond made a motion to adjourn the meeting. Councilmember Wilder seconded. Motion approved unanimously. Meeting adjourned at 7:00 PM Councilmember's then went Christmas Caroling around the Village.

PASSED AND APPROVED THIS _____ DAY OF JANUARY, 2011

Justine Blackmore-Hlista, Mayor

ATTEST:

Jennifer Zufelt, City Secretary

Village of Volente
Balance Sheet
As of January 14, 2011

Jan 14, 11

ASSETS

Current Assets

Checking/Savings

1010 - General Fund -Capital One 710,507.32

Total Checking/Savings 710,507.32

Total Current Assets 710,507.32

Other Assets

1401. Fixed assets 9/30/09 10,727.00

Total Other Assets 10,727.00

TOTAL ASSETS 721,234.32

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

2000 - Accounts Payable 6,055.32

Total Current Liabilities 6,055.32

Long Term Liabilities

1411. Parkland Fund Collections 61,250.00

TOTAL LIABILITIES 67,305.32

EQUITY

Total Equity 653,929.00

TOTAL LIABILITIES & EQUITY 710507.32

Village of Volente
Revenue & Expenditures
 October 1, 2010 through January 14, 2011

Oct 1, '10 - Jan 14, 11

Ordinary Income/Expense	
Income	
1030 · Savings account 7/8/10	123.32
4010 · Real Property Tax - Current Yr	96,634.79
4020 · Penalties & Interest	12.36
4040 · Franchise Fees	6,129.66
4050 · Sales & Use Taxes	9,703.22
4400 · Building Review Fees.	1,360.00
4402 · Sign Permit Fees	390.00
4998 · Farmers Market	704.80
4999 · Uncategorized Income	494.12
Total Income	<u>115,552.27</u>
Gross Profit	115,552.27
Expense	
10000 · Bank service charges	63.06
5020 · Wages Reg Employees	12,264.99
5026 · Employment Taxes	849.27
5027 · Payroll Services	262.92
5028 · Emp Benefits Ins	1,875.48
5100 · Attorney	3,038.41
5113 · Development Inspection Serv Rei	730.00
5114 · Development Plan Review Reimb	967.92
5115 · Professional Services Non Reimb	320.00
5120 · Special Engineering Consultant	1,000.00
5127 · Tax Collection - Travis Co	1,051.68
5128 · Advertising/Public Notices	0.00
5211 · Events	3,054.35
5212 · Office Supplies - General	339.22
5213 · Office Supplies printing	333.52
5214 · Office Supplies - Postage	59.60
5216 · Equipment Rental	1,197.33
5217 · Office Equipment & Furniture	48.70
5218 · Website Maintenance	300.00
5220 · Dues, Fees, & Subscriptions	135.00
5222 · Utilities - Electric	256.69
5223 · Telephone Internet	490.97
5240 · Insurance, Liab/workers comp	893.67
5263 · Street Signs (New & Repairs)	686.00
5266 · Energy Grant Project	10,124.00
66901 · *Reconciliation Discrepancies	-4.90
Total Expense	<u>40,337.88</u>
Net Ordinary Income	75,214.39
Other Income/Expense	
Other Income	
1045 · Lime Creek Escrow Interest	24,419.86
Total Other Income	<u>24,419.86</u>
Net Other Income	<u>24,419.86</u>
Net Income	<u><u>99,634.25</u></u>

RESOLUTION NO. 2011-

A RESOLUTION OF THE VILLAGE OF VOLENTE, TEXAS, ORDERING A GENERAL VILLAGE OFFICER'S ELECTION TO BE HELD ON THE 14TH DAY OF MAY, 2011; APPROVING JOINT ELECTION AND CONTRACT WITH TRAVIS COUNTY FOR ELECTION SERVICES INCLUDING USE OF DIRECT RECORDING ELECTRONIC (DRE) VOTING SYSTEM; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS:

Section 1: It is hereby ordered that a General Election be held in the Village of Volente on the 14th day of May, 2011, at which election the following officers shall be elected by the qualified voters of the Village:

THREE CITY COUNCIL MEMBER POSITIONS

Section 2: The present boundaries of the Village constituting one election precinct, the polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the election at said polling place:

POLLING PLACE

Volente Fire Dept & Community Center
15406 FM 2769
Volente, Texas 78641

ELECTION OFFICERS

TO BE APPOINTED BY TRAVIS COUNTY.

The City Secretary is hereby authorized and directed to provide a copy of the RESOLUTION to the judge as written notice of their appointment as required by Section 32.009 of the Texas Election Code.

Section 1: The Election Officer is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the Election Officer shall be in accordance with Section 83.001 et seq. of the Texas Election Code.

Section 2: All ballots shall be prepared in accordance with Texas Election Code. Paper Ballots shall be used for early voting by mail and DRE's shall be used for early voting by personal appearance and voting on election day. The City Council hereby adopts for use in early and election day voting DRE's as approved by the Secretary of State. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

Section 3: The City Secretary & Travis County jointly are hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 4: Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary after the closing of the polls.

Section 5: Said election shall be held in accordance with Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

PASSED, APPROVED and RESOLVED this the 18th day of January, 2011.

Justine Blackmore-Hlista, Mayor
Village of Volente

ATTEST:

Jennifer Zufelt, City Secretary
Village of Volente