

**Notice of the Village of Volente Regular Council Meeting,
Tuesday, April 21, 2009,
6:30 PM Executive Session
7:00 P.M. Regular Sessions
VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

Notice is hereby given that the Village Council of the Village of Volente will hold an executive session at 6:30 PM and a regular meeting at 7:00 P.M., Tuesday, the 21st day of April, 2009, at the VVFD & Community Center, 15406 FM 2769, Volente, Texas, at which time the following items will be discussed.
To –wit:

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

A. Call to order and Announce a Quorum is Present.

B. Close Public Meeting, Open Executive Session:

The Village Council will announce that it will go into Executive Session, if necessary, pursuant to Chapter 551.071 of the Texas Government Code “Consultations with Attorney” to seek his advice on the following pending or contemplated litigation matters including possible settlement offers and legal matters which involve privileged communications between a client and its attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

a. Discussion with the Village Attorney regarding Grason Volente Investments LLC and Volente Group of Texas LTD vs. Village of Volente, Texas and Jan Yenawine.

Close Executive Session Open Public Meeting.

Any action taken from executive session.

C. PLEDGE TO THE FLAG and reading of Village Vision Statement:

Mayor Yenawine

D. VISTOR/CITIZENS FORUM: 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.

E. FIRST PUBLIC HEARING:

A public hearing on the proposed annexation of all portions of that certain tract or parcel of land not previously annexed into the Village, said tract being described as Tracts V-1, V-2, V-3, V-4, V-5 and V-6, one-half mile or less in width, contiguous and adjacent to the Village, vacant and with out residents and as such can be annexed by the Village of Volente, Type B General Law municipality into the village limits of the Village under the provisions of Section 43.028 of Local Government Code. One of two public hearings.

F. FIRST PUBLIC HEARING:

A public hearing on the proposed deannexation of all portions of that certain tract or parcel of land previously annexed into the Village, said tract being at least ten(10) acres, more or less, described as Tracts A-1, A-2, A-3, A-4, A-5 and A-6 contiguous to the municipality and is vacant and without residents. Pursuant to Section 43.144, Texas Local Government Code, type B General Law Municipality. One of two public hearings.

G. REGULAR AGENDA:

1. Discussion on draft Consent Agreement and the Proposed Settlement Agreement resolving the lawsuit of Grason Volente Investments LLC and Volente Group of Texas LTD vs Village of Volente, Texas and Jan Yenawine

2. Consideration of the preliminary plat for the PDD zoning district filed by Grason Volente Investments, LLC; and Volente Group of Texas, LTD.

3. Discussion on recommendations from the Planning & Zoning Commission regarding:

A) Recommendation and possible action to adopt the proposed modification to well setback standards.

B) Recommendation, Discussion and possible action on the Volente Peak Planned Development District: Grason Volente is requesting the following items:

a) PDD Ordinance Section 30.124 (a) (i) Exempt the PDD from the expiration requirements of this section.

b) Zoning Ordinance; Section 30.109 to allow temporary utilities to serve two temporary residential units.

c) Zoning Ordinance: Volente Peak PDD Section 4 (a) (6) One-half acre PDD lots. Part B modification will exempt the project from the minimum 1000 square foot residential unit requirement for the two temporary manufactured homes required for the confirmation of the MUD.

d) Subdivision Ordinance: Section 31.115 (i) and (l) to extend the preliminary plat and site plan to 10 years with a provision for a 2 year extension.

e) Site Development Ordinance: Section 33.315 (k) to extend expiration of the site plan to 10years with provision for a two year extension.

f) Site Development Ordinance: Section 33.317 to extend expiration of the site development permit to 10years with a provision for a 2 year extension.

g) Site Development Ordinance: Section 33.325 to allow slopes steeper than 3:12 with structural controls or recommendations from a professional geotechnical/structural engineer.

h) Site Development ordinance section 33.333 to allow joint use driveways 24'-30' in width within the public right of ways and 15' in width outside public right of ways.

i) Site Development Section 33.342 (b) (9) (E) (iii) to waive requirement of 15' access drive around the perimeter of detention/retentions pond.

j) Site Development section 33.342 (b)(9) (E)(vii) to waive the requirement of a minimum 15% grade for an access drive and allow up to 20% grade for such access drives.

k) Site Development section 33.342 (b) (9) (E) (vii and viii) to waive the requirement of stone stabilized access road for detention ponds, area inlets and headwalls.

l) Site Development Section 33.392 (a) (1) & (2) waive the requirements of 15' front PUE's and 15' side lot PUE's and allow front lot PUE's abutting the right of way to be 10' in width and side lot line PUE's to be 5' in width.

m) Site development Section 33.318 to allow the use of temporary building permit process for the construction of two temporary residential

units in lieu of the site development permit and building permit process prescribed by the Village code.

n) Noise Ordinance: request exemption from this ordinance of the codes for the infrastructure and residential construction proposed for this subdivision.

o) Site development Section 33.317 (f) (3) (B) (ii) Geologic element. Requesting and exemption from the requirement to locate wells within the one mile of the project and to discuss a plan to protect these water supplies within the geologic report for this project.

p) site development: section 33.339 9e) (3) (4) (5) utility lines. Request and exemption from these options of the code requiring a hydrologist certify that the proposed development will have no adverse impact on ground water supplies of neighboring wells due to the utility line construction proposed within the project.

q) modification site development section 33.347 (c) (3) (F) (i), request an exemption from the exterior design standard for construction of its water and wastewater facilities to serve this project.

4. Discussion with the Village Attorney regarding legislation in connection to the proposed three-city pipeline project.

- a) Report and recommendation
- b) Citizen participation
- c) Council discussion and possible action

5. Discussion and possible action regarding the enforcement of the no parking tow away signs that were installed on Wharf Cove and Lime Creek Rd., and loading and unloading of buses.

- a) Report and recommendation
- b) Citizen participation
- c) Council discussion and possible action

6. Discussion and possible action to review the senior and disabled homestead exemption.

- a) Report and recommendation
- b) Citizen participation
- c) Council discussion and possible action

7. Discussion and possible action on Village of Volente newsletter.

- a) Report from Council member Fred Graber
- b) Public participation
- c) Council only discussion and possible action

8. Discussion and possible action to implement a contract with Volente Fire Department for consulting, regulations and enforcement.

- a) Report from Mayor Yenawine
- b) Public participation
- c) Council only discussion and possible action

9. Discussion and possible action on to award a contract for drainage work on Lime Creek Rd.

10. Discussion and possible action on scheduling herbicide treatment for roads.

11. Discussion and possible action to approve a resolution in support of The Town Of Dish Opposing HB 4441 relating to the authority of the Railroad Commission to establish standards regarding certain pipelines and appurtenant facilities.

- a) Report
- b) Public participation
- c) Council only discussion and possible action

12. Minutes of the March 24, 2009 Council Meeting

13. Financial Statement & Balance sheet

14. Discussion and possible action to transfer funds from budget line item:

Municipal Court Expenditures: \$1800.00 to

FT Salary (City Clerk)	\$550.00
Benefits	50.00
Audit	650.00
Equipment Lease	550.00

14. Discussion and possible action regarding the soil stock piling on the Isle Estates lot on Mary Street,

15. Future Meetings and agenda items.

- a) Regular Meeting Date

16. 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 _____, 2009 Jennifer Zufelt, City Secretary _____