

VILLAGE OF VOLENTE, TEXAS
AGENDA

NOTICE OF CITY COUNCIL SPECAIL CALLED MEETING
Tuesday, September 22, 2020 at 5:30 PM

REMOTE ACCESS ONLY:

In accordance with the order of the Office of the Governor issued March 16, 2020, the City Council of the Village of Volente will conduct a videoconference meeting in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID19).

The public may participate in this meeting by dialing in to the following toll free number:

(346) 248-7799, Meeting ID 763 391 2006, Password: 08222020

If you wish to speak during the meeting, please provide your name, phone number and the item number you wish to speak on to city.secretary@volentetexas.gov by 12:00 Noon on September 22, 2020.

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing city.secretary@volentetexas.gov. Comments must be received by 12:00 Noon on September 22, 2020.

I. ITEMS OPENING THE MEETING

- A. Call to Order B. Call Roll and Establish Quorum

Mayor Nace Councilmembers: Racht Barrick Evans Metro Wilson

II. CITIZEN COMMENTS 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. Citizen comments on items listed on the agenda will be heard at the time each item is discussed by the Council. (There is a four (4) minute time limit (eight (8) minutes if translation is needed) per individual and time can be yielded to other parties.)

III. GENERAL BUSINESS AND ACTION ITEMS

- A. Consideration and possible action on an Ordinance of the Village of Volente, Texas, approving the 2020 ad valorem tax rate and levy of nine hundredths cents (\$0.09) per one hundred dollars (\$100.00) of assessed valuation of all taxable property within the corporate city limits of the Village; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

A. Applicant Presentation B. Open Public Hearing

C. Close Public Hearing D. Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

B. Discussion and possible action regarding the following variance requests:

1. Request by David Weekley Homes on behalf of Jerry Barnes and Michael Bibeault for a variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install 2 new overhead utility poles as needed at the location of 16308 Jackson Street (Village at Volente Phase 2, Lot 16, Block A, 1.29 acres).

A. Applicant Presentation B. Open Public Hearing

C. Close Public Hearing D. Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

2. Request by Mike and Debbie Gold and Bryan and Ligaya Thompson for a variance in accordance with Village of Volente Code of Ordinances Section 9.05.124 (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install an overhead utility pole as shared use as needed at the property lines of 8017 and 8023 Lakeview Street (Lake Travis Sub. No. 1, Lot C and Lot B, 1.07 acres/1.06 acres)

A. Applicant Presentation B. Open Public Hearing

C. Close Public Hearing D. Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

3. Request by David Weekley Homes on behalf of Michael and Eileen Ditto for a variance in accordance with Village of Volente Code of Ordinances Section 9.05.124 (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install 2 new overhead utility poles as needed at 16313 Jackson Street (Lime Creek Estates, Lake Travis Sub. No. 2, Lot 3, 1.5939 acres)

A. Applicant Presentation **B. Open Public Hearing**

C. Close Public Hearing **D. Discussion**

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

4. Request by David Weekley Homes on behalf of Michael and Eileen Ditto for a variance in accordance with Village of Volente Code of Ordinances Section 9.05.124 (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install 1 new primary pole as needed at the location in the easement at 16304 Jackson Street (Village of Volente Phase 2, Lot 17, Block A, 1.40 acres). Electrical primary pole for power to 16313 Jackson Street (Lime Creek Estates, Lake Travis Sub No. 2, Lot 3, 1.5939 acres)

A. Applicant Presentation **B. Open Public Hearing**

C. Close Public Hearing **D. Discussion**

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

- C. Discussion and possible action to extend the 29 hours per week for Debbie Gold as a temporary contract employee up to 40 hours, on an as needed weekly bases for the duration of the contracted agreement until November 30, 2020.

Barrick/Nace

A. Presentation

B. Open Public Discussion

C. Close Public Discussion

D. Council Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht

Barrick

Evans

Metro

Wilson

- D. Discussion and possible action reinstating Commissioner Linda Olson as appointed on May 8, 2020, by Councilmember Isabelle Evans. Her Subsequent removal from Commissioner to Alternate by Councilmember Isabelle Evans on June 11, 2020 and appointing Missy Thost to Linda Olson's Commissioner position. Barrick/Nace

A. Presentation

B. Open Public Discussion

C. Close Public Discussion

D. Council Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht

Barrick

Evans

Metro

Wilson

- E. Discussion and possible action to approve the following payables:
1. Invoice#2021m 160 Capital Area Council of Governments 2021 CAPCOG Annual Dues-Membership \$61.60.
 2. Invoice # CAMPO-20-041 CAMPO Capital Area Metropolitan Planning Organization Central Texas. Funding transportation planning activities \$385.00.

NOTIFICATION OF RECEIVABLES REGARDING AT&T

3. AT&T services, Inc 2021 franchise fees under Texas Legislature SB1152 amends Chapter 283 of TLGC and Chapter 66 of the utilities code providing for the exemption of paying Chapter 66 franchise fees. AT7T will continue to pay the 1% "PEG" fee and continue to pay the municipal fees under Chapter 283.

A. Presentation

B. Open Public Discussion

C. Close Public Discussion

D. Council Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

- F. Discussion and possible action on selecting an IT Company to provide IT services for the Village of Volente. Metro/Evans

NO BACKUP MATERIALS SUPPLIED BY COUNCILMEMBER METRO

A. Presentation

B. Open Public Discussion

C. Close Public Discussion

D. Council Discussion

E. Motion Made by: _____/_____

Motion:

Vote: Racht Barrick Evans Metro Wilson

IV. EXECUTIVE SESSION

An Executive Session may be held in accordance with the authority contained in Texas Government Code, Section 551.071 (Consultation with Attorney)

V. ADJOURNMENT

I certify that the above notice of the September 19, 2020 City Council Special Called Meeting was posted on the Municipal Building Window, 16100 Wharf Cove, Volente, Texas 78641 on Saturday, September 19, 2020, by 5:30 P.M. and the Village website and will remain posted continuously until said meeting is convened.

Debbie Gold, Interim City Secretary

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed 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).

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 City Secretary at (512) 250-2075 at least 48 hours in advance.

Meetings



My Meetings (/meeting?type=upcoming) > Manage "Mayor Jana Nace's Zoom Meeting"

Start this Meeting (<https://us02web.zoom.us/j/7633912006>)

Topic

Mayor Jana Nace's Zoom Meeting

Time

Sep 22, 2020 17:30 Central Time (US and Canada)

Add to

Google Calendar (<https://us02web.zoom.us/meeting/tZ0tcuiqqDgvGd2lw8mzCEBSViR6suSBqajb/calendar/google/add>)

Outlook Calendar (.ics) (<https://us02web.zoom.us/meeting/tZ0tcuiqqDgvGd2lw8mzCEBSViR6suSBqajb/ics>)

Yahoo Calendar (http://calendar.yahoo.com/?v=60&VIEW=d&TITLE=Mayor%20Jana%20Nace%27s%20Zoom%20Meeting&in_loc=https%3A%2F%2Fus02web.zoom.us/j/7633912006)

Meeting ID

763 391 2006

Security

Passcode 08222020

Hide

Waiting Room

Invite Link

<https://us02web.zoom.us/j/7633912006?pwd=bnlUSHdoMWRUSUyVMOxmbmRiaU94dz09>

Copy Invitation

Video

Host On

Participant On

Audio

Telephone and Computer Audio

Dial from United States of America

Meeting Options

Enable join before host

Mute participants upon entry

Only authenticated users can join

Automatically record meeting on the local computer

Delete this Meeting

Edit this Meeting (<https://us02web.zoom.us/meeting/89051263539/edit>)

Start this Meeting (<https://us02web.zoom.us/j/7633912006>)



VILLAGE OF VOLENTE
ORDINANCE NO. O-2020-
2020 Tax Levy Ordinance

AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, APPROVING THE 2020 AD VALOREM TAX RATE AND LEVY OF NINE HUNDREDTHS CENTS (\$0.09) PER ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE CITY LIMITS OF THE VILLAGE; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; SAVINGS CLAUSE; PUBLICATION AND EFFECTIVE DATE

WHEREAS, a budget appropriating revenues generated for the use and support of the municipal government of the Village of Volente (“Village”) has been approved and adopted by the City Council of the Village of Volente (“City Council”) as required by Chapter 102 of the Texas Local Government Code; and

WHEREAS, a notice of the meeting to consider the proposed tax rate was published in the Village’s official newspaper; and

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

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the Village to adopt an ordinance establishing an ad valorem tax rate.

NOW, THEREFORE, BE IT ORDAINED BY THE VOLENTE CITY COUNCIL:

1. APPROVAL OF 2020 TAX RATE & LEVY

That there be and is hereby levied and shall be assessed and collected for the year 2020, on all taxable property, real, personal and mixed, situated within the city limits of the Village, and not exempt the Constitution of the State and valid state laws, an ad valorem tax rate of Nine Hundredths Cents (\$0.09) on each One Hundred Dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenses and budget of the municipal government of the Village (maintenance and operations (M&O)), a tax rate of Nine Hundredths Cents (\$0.09) on each One Hundred Dollars (\$100.00) assessed value of taxable property.

- (b) For the purpose of creating a sinking fund to pay interest and principal maturities on all outstanding debt of the Village, not otherwise provided for, a tax rate of \$0.00 on each one

hundred dollars (\$100.00) of assessed value of taxable property within the Village which shall be applied to the payment of interest and maturities of all such outstanding debt

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS MORE THAN LAST YEAR'S TAX RATE.

The Village Secretary shall cause the following notice to be posted on the homepage of the Village's internet website:

THE VILLAGE OF VOLENTE, TEXAS, ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

2. PENALTY & INTEREST

All taxes shall become a lien upon the property against which assessed and the Village Tax Assessor/Collector for the Village of Volente, Texas, shall by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, or the payment of said taxes, penalty and interest for the general fund of the Village of Volente, Texas.

3. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

4. SEVERABILITY CLAUSE

That is any section, subsection, paragraph, clause, phrase, or provision of this Ordinance shall be judged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or provision thereof, other than the part so decided to be invalid or unconstitutional.

5. SAVINGS CLAUSE

That all previous budget ordinances shall remain in full force and effect, save and except as amended by this Ordinance.

6. PUBLICATION CLAUSE

The Village Secretary of the Village of Volente, Texas, is hereby directed to place the information above on the Village's Website and provide all other notice as required by law.

7. EFFECTIVE DATE

The necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this Ordinance shall take effect immediately from and after its passage as the law in such provides.

8. PROPER NOTICE & MEETING

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

PASSED & APPROVED this, the 22nd day of September 2020 by the following City Council of Volente roll call vote:

Mayor Pro Tem Racht	_____ <i>for</i>	_____ <i>against</i>	_____ <i>abstain</i>	_____ <i>absent</i>
Council Member Barrick	_____ <i>for</i>	_____ <i>against</i>	_____ <i>abstain</i>	_____ <i>absent</i>
Council Member Evans	_____ <i>for</i>	_____ <i>against</i>	_____ <i>abstain</i>	_____ <i>absent</i>
Council Member Metro	_____ <i>for</i>	_____ <i>against</i>	_____ <i>abstain</i>	_____ <i>absent</i>
Council Member Wilson	_____ <i>for</i>	_____ <i>against</i>	_____ <i>abstain</i>	_____ <i>absent</i>

VILLAGE OF VOLENTE:

Jana Nace, Mayor

ATTEST:

Interim Assistant Village Secretary, Debbie Gold

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Village of Volente City Council will hold a Special Called Meeting and Public Hearings on Tuesday, September 22, 2020 at 5:30 PM to consider the following:

The meetings will be conducted utilizing a videoconferencing tool. Planning and Zoning Commission, City Council members, staff and citizens will participate via audio only. Instructions and direct links to view the meetings or speak during citizens comment can be found at villageofvolente-tx.gov.

To participate in the citizens comment portion of the meeting all questions or comments must be submitted 3 hours prior to the beginning of the meetings utilizing the Village's email city.secretary@volentetexas.gov. The virtual login will start approximately 20 minutes prior to the meetings which will begin at 5:30 p.m. For information concerning these matters email city.secretary@volentetexas.gov.

APPLICATION FOR VARIANCE:

Request by Mike and Debbie Gold and Bryan and Ligaya Thompson for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install an overhead utility pole as shared use as needed at the property lines at the location (8017 and 8023 Lakeview Street) Lake Travis Sub. No 1 Lot A/Lot B. 1.07 acres/1.06 acres.

APPLICATION FOR VARIANCE:

Request by David Weekley Homes on behalf of Michael and Eileen Ditto for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install 2 new overhead utility poles as needed at the location (16313 Jackson Street) Lime Creek Estates Lake Travis Sub. No 2 Lot 3. 1.5939 acres.

APPLICATION FOR VARIANCE:

Request by David Weekley Homes on behalf of Michael and Eileen Ditto for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install 1 new primary pole as needed at the location in the easement location 16304 Jackson Street, Lot 17, Block A Village of Volente Phase 2, 1.40 acres property belonging to: Saye Kiaei Trust 4438 North 85th Street Scottsdale, AZ 85251-2827. Electrical primary pole for power to (16313 Jackson Street) Lime Creek Estates Lake Travis Sub. No 2 Lot 3. 1.5939 acres.

APPLICATION FOR VARIANCE:

Request by David Weekley Homes on behalf of Michael and Eileen Ditto for a Variance in accordance with Village of Volente Code of Ordinances Section 9.02.041, (General Requirements and Limitations, Conformity to building setback requirements) Ordinance No. 2016-O-173, Sec 30.108, (16313 Jackson Street) Lime Creek Estates Lake Travis Sub. No 2 Lot 3. 1.5939 acres.

APPLICATION FOR VARIANCE:

Request by David Weekley Homes on behalf of Jerry Barnes and Michael Bibeault for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install 2 new overhead utility poles as needed at the location (16308 Jackson Street) Lot 16 Block A, Village at Volente Phase 2. 1.29 acres.

BOA

the 1990s, the number of people with a mental health problem has increased in the Netherlands (Van't Hof *et al.* 2000).

There are several reasons for this increase. First, the population of the Netherlands has increased. Second, the number of people with a mental health problem has increased. Third, the number of people with a mental health problem who are not receiving treatment has increased. Fourth, the number of people with a mental health problem who are receiving treatment has increased.

The increase in the number of people with a mental health problem who are not receiving treatment is a cause for concern.

There are several reasons for this increase. First, the number of people with a mental health problem who are not receiving treatment has increased.

Second, the number of people with a mental health problem who are not receiving treatment has increased.

Third, the number of people with a mental health problem who are not receiving treatment has increased.

Fourth, the number of people with a mental health problem who are not receiving treatment has increased.

Fifth, the number of people with a mental health problem who are not receiving treatment has increased.

Sixth, the number of people with a mental health problem who are not receiving treatment has increased.

Seventh, the number of people with a mental health problem who are not receiving treatment has increased.

Eighth, the number of people with a mental health problem who are not receiving treatment has increased.

Ninth, the number of people with a mental health problem who are not receiving treatment has increased.

Tenth, the number of people with a mental health problem who are not receiving treatment has increased.

Eleventh, the number of people with a mental health problem who are not receiving treatment has increased.

Twelfth, the number of people with a mental health problem who are not receiving treatment has increased.

Thirteenth, the number of people with a mental health problem who are not receiving treatment has increased.

Fourteenth, the number of people with a mental health problem who are not receiving treatment has increased.

Fifteenth, the number of people with a mental health problem who are not receiving treatment has increased.

Sixteenth, the number of people with a mental health problem who are not receiving treatment has increased.

Seventeenth, the number of people with a mental health problem who are not receiving treatment has increased.

Eighteenth, the number of people with a mental health problem who are not receiving treatment has increased.

Nineteenth, the number of people with a mental health problem who are not receiving treatment has increased.

Twentieth, the number of people with a mental health problem who are not receiving treatment has increased.

Twenty-first, the number of people with a mental health problem who are not receiving treatment has increased.

Twenty-second, the number of people with a mental health problem who are not receiving treatment has increased.

Twenty-third, the number of people with a mental health problem who are not receiving treatment has increased.

Twenty-fourth, the number of people with a mental health problem who are not receiving treatment has increased.

INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement (the “**Agreement**”) is entered into and made effective on **September 2, 2020** (the “**Effective Date**”), by and between Village of Volente, a Texas Type B, General Law municipality, with an address of 16100 Wharf Cove, Volente, Texas 78641 (the “**Client**” or “**Village**”) and Debbie Gold, with an address of _____, (the “**Contractor**”), collectively “the **Parties**.”

1. **Scope of Services.** Client requests and Contractor agrees to perform the following specific Services (the “**Services**”):

Part-Time Interim City Secretary Services duties and responsibilities, which include but are not limited to: attending each meeting of the governing body of the municipality; keeping, in a record provided for that purpose, accurate minutes of the governing body’s proceedings; engrossing and enrolling all laws, resolutions, and ordinances of the governing body; keeping the corporate seal; taking charge of, arranging, and maintaining the records of the governing body; countersigning all commissions issued to municipal officers and all licenses issued by the mayor, and keeping a record of those commissions and licenses; and preparing all notices required under any regulation or ordinance of the municipality; drawing all the warrants on the treasurer, countersigning the warrants, and keeping, in a record provided for that purpose, an accurate account of the warrants; and any other administrative duties as may be prescribed by the Village Council.

Contractor shall not work more than twenty-nine (29) hours per week. In no event shall the cumulative payment under this Agreement exceed Seven Thousand Four Hundred and Forty dollars (\$7,440.00). Contractor agrees to perform duties and tasks related to the Services as part of the Services. If additional Services, outside the scope of those Services set forth above, are required, the Parties will enter into a new agreement or amend this Agreement. Any request by the Contractor for an increase in the Scope of Services and an increase in the amount listed in paragraph two (Compensation) of this Agreement shall be made and approved by the Village prior to the Contractor providing such services, or the right to payment for such additional services shall be **waived**. If there is a dispute between the Contractor and the Client respecting any service provided or to be provided hereunder by the Contractor, including a dispute as to whether such service is additional to the Services included in this Agreement, the Contractor agrees to continue providing on a timely basis all services to be provided by the Contractor hereunder, including any service as to which there is a dispute.

2. **Compensation.** The Parties agree Contractor will be compensated as follows: \$20.00 an hour, not to exceed 372 hours. The cumulative payment to the Contractor under this agreement shall not exceed Seven Thousand Four Hundred and Forty dollars (\$7,440.00)

Compensation is based on *actual* hours of work/time devoted to providing the described services. The Contractor will be paid at a rate of \$20.00 per hour. The total payment for all invoices on this job shall not exceed the amount set forth in in this Section (\$7,440.00).

The Contractor must submit *monthly* invoices to the Village, accompanied by an explanation of charges, professional fees, services, and expenses. The Village will pay such invoices according to its normal payment procedures.

3. **Ownership of Work Product.** As a result of this Agreement, Contractor will create Work Product, including, but not limited to, documents, presentations, reports and the like, physical and/or electronic. All Work Product shall be owned by Client. Contractor does not maintain any rights to this Work Product and shall turn over all Work Product upon the termination of this Agreement.
4. **Term.** This Agreement shall commence on September 2, 2020 and will continue until November 30, 2020, unless either party provides written notice of termination in accordance with this Agreement. Either party may terminate this agreement, with or without cause, by giving seven (7) days written notice to the other Party. If there is a joint desire to renew, the renewal must be done not later than 30 days prior to the end of the present term.
5. **Independent Contractor Relationship.** The Parties agree that Contractor is providing the Services under this Agreement and acting as an Independent Contractor and not as an employee. This Agreement does not create a partnership, joint venture, or any other fiduciary relationship between Client and Contractor.
6. **Standard of Performance.** The Contractor agrees to abide by and perform her duties in accordance with the applicable ethics or her profession, and all applicable federal, state, and municipal laws, regulations and ordinances regulating her profession.
7. **Amendments.** Any changes to the terms of this agreement will not be effective unless in writing and signed by both parties.
8. **Confidentiality.** During the course of this Agreement, it may be necessary for Client to share proprietary information, including trade secrets, industry knowledge, and other confidential information, to Contractor in order for Contractor to complete the Services. Contractor will not share any of this proprietary information at any time. Contractor also will not use any of this proprietary information for his/her personal benefit at any time. This section remains in full force and effect even after termination of the Agreement by its natural termination or the early termination by either party.
9. **Termination.** This Agreement may be terminated at any time by either Party, with or without cause, upon seven (7) calendar days' prior written notice. Upon receipt of a notice of termination, the Contractor shall promptly cease all further work pursuant to the Agreement, with such exceptions, if any, specified in the notice of termination written notice to the other party. Client will be responsible for payment of all Services performed

up to the date of termination, except for in the case of Contractor's breach of this Agreement, where Contractor fails to cure such breach upon reasonable notice. Upon termination, Contractor shall return all Client content, materials, and all Work Product to Client at its earliest convenience, but in no event beyond thirty (30) days after the date of termination.

10. **Representations and Warranties.** Both Parties represent that they are fully authorized to enter into this Agreement. The performance and obligations of either Party will not violate or infringe upon the rights of any third-party or violate any other agreement between the Parties, individually, and any other person, organization, or business or any law or governmental regulation.
11. **Indemnity.** To the extent permitted by law, the Contractor agrees to indemnify and hold harmless the Village, its respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from the negligence of or breach of this Agreement by the Contractor, its respective successors and assigns that occurs in connection with this Agreement. This section remains in full force and effect even after termination of the Agreement by its natural termination or the early termination by either party.
12. **Limitation of Liability.** UNDER NO CIRCUMSTANCES SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY FOR ANY DAMAGES RESULTING FROM ANY PART OF THIS AGREEMENT SUCH AS, BUT NOT LIMITED TO, LOSS OF REVENUE OR ANTICIPATED PROFIT OR LOST BUSINESS, COSTS OF DELAY OR FAILURE OF DELIVERY, WHICH ARE NOT RELATED TO OR THE DIRECT RESULT OF A PARTY'S NEGLIGENCE OR BREACH.
13. **Notices.** Any notice or communication permitted or required by this Agreement shall be deemed effective when personally delivered or deposited, postage prepaid, in the first class mail of the United States properly, or sent via electronic means, addressed to the appropriate party at the address set forth below:

Notice to the Contractor:

[Redacted]

Notice to the Client:

Village of Volente
ATTN: Mayor
16100 Wharf Cove
Volente, Texas 78641
mayor@volentetexas.gov

14. **Severability.** In the event any provision of this Agreement is deemed invalid or unenforceable, in whole or in part, that part shall be severed from the remainder of the Agreement and all other provisions should continue in full force and effect as valid and enforceable.
15. **Waiver.** The failure by either party to exercise any right, power or privilege under the terms of this Agreement will not be construed as a waiver of any subsequent or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.
16. **Non-appropriation.** This Agreement is a commitment of Village's current revenues only. It is understood and agreed that the Village shall have the right to terminate this Agreement at the end of any Village fiscal year if the governing body of the Village does not appropriate funds sufficient to purchase the services. The Village may terminate for non-appropriation by giving the Contractor a written notice of termination at the end of its then current fiscal year.
17. **Third Party Beneficiaries.** Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Village or the Contractor.
18. **Successors and Assigns.** This Agreement shall bind and inure to the benefit of the parties hereto and any subsequent successors and assigns; provided however, that no right or interest in the Agreement shall be assigned and no obligation shall be delegated by the Contractor without the prior written consent of the Village. Any attempted assignment or delegation by the Contractor shall be void unless made in conformity with this Paragraph.
19. **Legal Fees.** In the event of a dispute resulting in legal action, the successful party will be entitled to its legal fees, including, but not limited to its attorneys' fees.
20. **Legal and Binding Agreement.** This Agreement is legal and binding between the Parties as stated above. The Parties each represent that they have the authority to enter into this Agreement.
21. **Governing Law and Jurisdiction.** This Contract has been made under and shall be governed by the laws of the State of Texas. The parties agree that performance and all matters related thereto shall be in Travis County, Texas.
22. **Compliance with Laws.** The Contractor will comply with all applicable federal, state, and local statutes, regulations, ordinances, and other laws.

23. Entire Agreement. The Parties acknowledge and agree that this Agreement represents the entire agreement between the Parties. In the event that the Parties desire to change, add, or otherwise modify any terms, they shall do so in writing to be signed by both parties.

[ACKNOWLEDGEMENTS APPEAR ON NEXT PAGE]

The Parties agree to the terms and conditions set forth above as demonstrated by their signatures as follows:

“CLIENT”

Signed: _____

By: _____

Date: _____

“CONTRACTOR”

Signed: _____

By: _____

Date: _____

Debbie Gold_independent_contractor_agreement 9.2.20

Cristian Rosas-Grillet <Cristian@texasmunicipallawyers.com>

Thu 9/17/2020 11:15 AM

To: Mayor Nace <Mayor@volentetexas.gov>

Cc: City Secretary <City.Secretary@volentetexas.gov>

 1 attachments (36 KB)

082020 Debbie Gold_independent_contractor_agreement 9.2.20.docx

Mayor,

I have attached the agreement for professional services for Ms. Gold approved on September 1, 2020.

The term of the agreement is 90 days (Sept. 2 – Nov. 30). The compensation is \$20/hour up to 29 hours per week. The total amount of the contract may not exceed \$7,440.

I have highlighted the portions that need to be completed before execution. A copy of the agreement should be attached to the Resolution approved on September 1st.

Let me know if you have any questions.

Best,

Cristian Rosas-Grillet
Attorney at law
Bojorquez Law Firm
11675 Jollyville Rd, Suite 300
Austin, Texas 78759
Work: (512) 250-0411
Fax: (512) 250-0749

the 1990s, the number of people who have been employed in the public sector has increased in all countries.

There are a number of reasons for the increase in public sector employment. One of the reasons is the increase in the size of the public sector. The public sector has grown in size in all countries, and this has led to an increase in the number of people employed in the public sector.

Another reason for the increase in public sector employment is the increase in the number of people who are eligible for public sector employment. This is due to the increase in the number of people who are aged 65 and over, and the increase in the number of people who are disabled.

A third reason for the increase in public sector employment is the increase in the number of people who are employed in the public sector. This is due to the increase in the number of people who are employed in the public sector, and the increase in the number of people who are employed in the public sector.

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Board of Adjustment

Odd year placement

Cowsert, Gary
Gold, Mike
Jordan, James Chair
Lamoroux, Joe (Alternate)

Even Year Placement

Murphy, Gary
Open
Open (Alternate)

Planning and Zoning Commission

Odd year placement

Belote, Kristi Vice-chair
Open
Scudder, Rett (Alternate)

Even year placement

Barrick, Judy
Carufel, Nancy
Mitchell, Phil
Open (Alternate)

Budget, Finance & Administration

Connors, Bill - Council Liaison
Open
Open

Public Relations & Communications

Barrick, Judy
Mallow, Cynthia
Mokry, Robert - Council Liaison
Nace, Jana

Public Safety

(Police & Fire Dept.)

Open - Council Liaison
Open
Open

Public Works

(Streets & Drainage)

Beck, Ken - Council Liaison
Crossett, Scott
Dauskurdas, Joe
Frame, Gary
Schoedle, Daryl

AD HOC COMMITTEES

BCRUA

Beck, Ken
Wilder, Chris - Council Liaison
Yarbough, Babs

Building Regulations

Connors, Bill
Mokry, Robert
Ryan, Seán - Council Liaison

Comprehensive Plan

Connors, Bill - Council Liaison
Wilder, Chris
Open

IT/Automation

Ryan, Seán
Wilder, Chris - Council Liaison
Open

PDD

Beck, Ken - Council Liaison
Connors, Bill
Gordon, David

~David Springer is interested in Building Regulations, Comp Plan, IT/Automation, &/or PDD

Target is 3-5 person committees

Suspended Committees

Planning & Governmental Relations
Environmental (Parks & Trails)

ORIGINAL



VILLAGE OF VOLENTE, TEXAS

AGENDA

City Council Special Called Meeting
3:00 P.M., Friday, May 8, 2020

Volente City Hall, 16100 Wharf Cove, Volente, Texas 78641

PLEASE SILENCE OR TURN OFF ALL MOBILE DEVICES

This meeting will be conducted utilizing a videoconferencing tool. City Council members, staff and citizens will participate via audio only. Instructions and direct links to view the meeting or speak during citizens comment can be found at villageofvolente-tx.gov and Nextdoor.

To participate in the citizens comment portion of the meeting, please submit your questions or comment 1 hour prior to the beginning of the meeting utilizing the Village's email volentetx.publiccomments@gmail.com. Your questions or comments will be read aloud and entered into the minutes of the meeting. The virtual conference meeting will start approximately 10 minutes prior to the meeting which will begin at 3:00 p.m.

I. ITEMS OPENING THE MEETING

- A. Call to Order
B. Call Roll and Establish Quorum

II. CITIZEN COMMENTS All Public Comments submitted in accordance with the procedures outlined in the instructions above will be included in the record for this meeting.

III. GENERAL BUSINESS AND ACTION ITEMS Metro/Racht Evans, Barrick, Wilson.

- A. Combine items A, B & C on the agenda
Discussion & possible action on City Hall Lease options. Racht/Metro
B. Discussion & possible action regarding the preliminary proposal (submitted by Council member Metro to council on 4/26/20) from the VOV to the fire department regarding Village office space rental, additional considerations cubicle space/ trailer rental and storage costs. Nace
C. Discussion & possible action regarding proposals for city hall. Evans/Metro
D. Discussion & possible action to request RFQ updating the Village Website software. Barrick/Metro
E. Discussion & possible action to RFQ regarding current website hosting. Racht/Metro
F. Discussion & possible action to RFQ to purchase agenda and Minutes software. Barrick/Metro
G. Discussion & possible action on homeowner fees, deposit's, and possible refunds. Metro



H. Discussion and possible action regarding parkland funds and refunding residential funds on request. Barrick/

I. Discussion & possible action on evaluation and review of scope and options (TSCO/TC Constable) for Off Duty Law Enforcement patrol, traffic safety & enforcement. Racht /Metro

J. Discussion & possible action to request a TCSO/DPS Radar Speed Sign placement on 2769/Lime Creek Road. Racht/Metro

K. Discussion & Possible action to address the motorcycle and drag racing along Lime Creek Road. Nace

L. Discussion regarding the concerns of resident Mary Munsinger regarding reckless driving, speeding, along Mary Street which is located between Ray Vista off 2769 & Lime Creek Road. Ms. Munsinger in addition has requested speed bumps to be installed along Mary Street to Ray Vista. If not, she wants to know what course of action council plans to pursue for the safety and welfare of the residents. Nace

M. Discussion & possible action requesting the Public Safety Committee to do a traffic study for best options for traffic/pedestrian flow at the corner of 2769/Lime Creek Road. Barrick/

N. Discussion & possible action on the P & Z to update the VOV Map regarding adding Balcones Parkland and change definition on map to green space. Barrick/

O. Discussion & possible action on P & Z to review or zoning Ordinance and create a Utility District. Barrick/

P. Discussion & possible action on the P & Z to continue updating the site development ordinance. Barrick/

Q. Review and discuss Council designating rotating Mayor Pro Tem position. Racht/Evans

R. Discussion & possible action on the required training for VOV Committee Members. Evans/Metro

S. Discussion & possible action to re-appointment of BOA member: Cynthia Mallow 4 to 1 Passed (Evans/Wilson) Metro dropped

T. Discussion and Possible action for appointment to the Board of Adjustments: Kit Hopkins, Sean Ryan Barrick/Racht Unanimously

U. Discussion & possible action to re-Appointment of Planning & Zoning Commissioners: Phil Mitchell, Linda Olson Evans/Barrick Unanimously

V. Discussion and possible action for appoint to Planning and Zoning Commission: Mary Scherer, Missy Thost Evans/Racht Unanimously

W. Appointment of committee members:

1. Environmental: Cindy Metro, Jana Nace, Joyce Beck, Lisa Correll Evans/Wilson
2. Finance, Budget, and Admin: Chair Steve Baker, Co-Chair Jana Nace, Kit Hopkins Evans/Wilson Racht
3. Governmental Relations: Judy Barrick, Ken Beck, David Gordon, Judy Graci, Jana Nace, Brent Pierce, Judy Schlotzhauer, Claudia Wilson, Frank Wolfe Barrick/Metro
4. Public Relations: Isabelle Evans, Jana Nace, Judy Graci, Lauren Zarrella Evans/Metro John Frasier
5. Public Safety: Ed Racht, Judy Barrick, Nancy Carufel, Missy Thost Evans/Racht
6. Public Works: Claudia Wilson, Jana Nace, Judy Graci, Bill Wilson, Jan Yenawine Evans/Barrick

Accept appoint of committee members
approve

IV. CONSENT AGENDA:

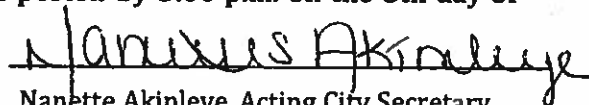
Minute Approval:

Baker-Financials

V. ADJOURNMENT

Barrick/Metro All in favor

IT IS HEREBY CERTIFIED that the above Agenda was posted by 3:00 p.m. on the 5th day of May 2020.


Nanette Akinleye, Acting City Secretary

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed 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).

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 City Secretary at (512) 250-2075 at least 48 hours in advance.

Board of Adjustment

Odd year placement

Cowsert, Gary

Gold, Mike

Jordan, James Chair

Lamoroux, Joe (Alternate)

Even Year Placement

~~Mokry, Robert~~

~~Schlozauher, Judy~~

Murphy, Gary (Alternate)

Public Safety

(Police & Fire Dept.)

Carufel, Nancy No response

Mallow, Cynthia No response

Scudder, Rett No response

Yenawine, Jan Chair

Budget, Finance & Administration

~~Baker, Steve~~

Gordan, David No response

~~Scott, Mark~~

Public Works

(Streets & Drainage)

Beck, Ken Chair

Crossett, Scott

Dauskurdas, Joe No response

Frame, Gary

Schoedle, Daryl No response

Planning and Zoning Commission

Odd year placement

Belote, Kristi Vice-chair

Thrash, Allison Chair

Scudder, Rett (Alternate)

Even year placement

Barrick, Judy

Carufel, Nancy

Mitchell, Phil No response

Mallow, Cynthia (Alternate) No response

Planning & Governmental Relations

~~Fogarasi, Andy~~

~~Graci, Judy~~

Hopkins, Kit No Response

Piercy, Brent No Response

One more position to be filled

Environmental

(Parks & Trails)

Fogarasi, Andy Tentative

Graber, Fredrick No Response

Ratica, Curtis No Response

Steichen, Anne No Response

One more position to be filled

Public Relations & Communications

Barrick, Judy

Mokry, Robert Chair

One more position to be filled

Council and Committee Roster and Contact Information

Rev 10/2016

CITY COUNCIL

Name	Position	Email	Phone	Address	placement
Ken Beck ✓	Mayor	mayor@volentetexas.gov	512-917-5188	15911 Booth Circle	even
Steve Baker ✓	Pro-Tem	mayor.protem@volentetexas.gov			odd
Kristi Belote ✓	Pos. 1	council.member1@volentetexas.gov	512-970-6269		even
Andy Fogarasi ✓	Pos. 4	council.member4@volentetexas.gov	512-694-3635		odd
Bill Connors ✓	Pos. 3	council.member3@volentetexas.gov	512-422-8344		even
Kit Hopkins ✓	Pos. 2	council.member2@volentetexas.gov	713-569-1027		odd

PLANNING AND ZONING

Name	Position	Email	Phone	Address
Richard Roucloux ✓	Chair	roudwg@earthlink.net	512-809-2353	8140 Joy Rd
Rett Scudder	Vice Chair	captrrett@msn.com	512-748-5082	15809 Booth Circle
Judy Barrick ✓	Secretary	judy@celebrateaustin.com	512-948-7395	15907 Booth Circle
Phil Mitchell	Commissioner	philom1@aol.com	512-913-6700	8028 Lakeview
Nancy Carufel ✓	Commissioner	niccar@msn.com	512-587-7969	8138 Joy Rd

BOARD OF ADJUSTMENT

Name	Position	Email	Phone	Address
Mike Gold ✓	Chair	mike@goldexecs.com	512-257-7652	8018 Lakeview
Roe Fleenor		twystd3@yahoo.com	512-351-3865	7803 Lime Creek
Gary Cowsett		gdcowsett@aol.com	512-762-0564	8136 Joy Rd
James Jordan		austinjpi@gmail.com	512-785-5314	7406 Reed
Joe Lamoroux	Alternate 1	joe.lamoroux@gmail.com		

Council and Committee Roster and Contact Information

Rev 10/2016

PUBLIC RELATIONS AND COMMUNICATIONS COMMITTEE

Name	Position	Email	Phone	Address
Kristi Belote	Chair	council.member1@volentetexas.gov	512-970-6269	
Judy Barrick		judy@celebrateaustin.com	512-944-7395	15907 Booth Circle
Linda Attwood	Secretary	lnixon7491@aol.com		
Joyce Beck		jbeck@2cypresscreek.com		
Terry Spurlin		tspurlin@austin.rr.com		

PARKS AND ENVIRONMENT COMMITTEE

Andy Fogarasi	Chair	council.member4@volentetexas.gov	512-694-3635	
Frederick Graber		fred@i2igroup.net	512-431-8855	15941 Booth
Anne Steichen		asteichen@austin.rr.com		
Curtis Ratica		cratica@austin.rr.com		

IT/ELECTRONICS/WEB COMMITTEE

Ken Beck	Chair	mayor@volentetexas.gov	512-917-5188	15911 Booth Circle
Jason Hansen				
Chris Wilder		christopher.wildertx@gmail.com	512-656-2795	8014 Beaugard

David Spurgeon
Kelly Spurgeon

Council and Committee Roster and Contact Information 2015

CITY COUNCIL

Name	Position	Email	Phone	Address	placement
Ken Beck	Mayor	mayor@volentetexas.gov	512-917-5188	15911 Booth Circle	even
Mark Scott	Pro-Tem	mayor.protem@volentetexas.gov	512-293-7036	15749 Booth Circle	odd
Kristi Belote	Pos. 1	council.member1@volentetexas.gov	512-970-6269		even
Babs Yarbrough	Pos. 4	council.member4@volentetexas.gov	512-656-6667	8100 Joy Rd	odd
Bill Connors	Pos. 3	council.member3@volentetexas.gov	512-422-8344		even
David Springer	Pos. 2	council.member2@volentetexas.gov	512-633-3934		odd

PLANNING AND ZONING

Name	Position	Email	Phone	Address
Jeff Brown	Chair	jmb9320@yahoo.com	512-970-4279	15811 Booth Circle
Rett Scudder	Vice Chair	captrrett@msn.com	512-748-5082	15809 Booth Circle
Judy Barrick	Secretary	judy@celebrateaustin.com	512-258-0797	15907 Booth Circle
Phil Mitchell		philom1@aol.com	512-913-6700	8028 Lakeview
Richard Roucloux	Pos. 3	roudwg@earthlink.net	512-809-2353	8140 Joy Rd
Nancy Carufel	Alternate	niccar@msn.com	(512) 587-7969	8138 Joy Rd (512) 587-7969
Joe Lamoreux	Alternate	joe.lamoreux@gmail.com	512-986-6384	15210 FM 2769

BOARD OF ADJUSTMENTS

Name	Position	Email	Phone	Address
Mike Gold	Chair	mike@goldexecs.com	512-257-7652	8018 Lakeview
Roe Fleenor		twvstd3@yahoo.com	512-351-3865	7803 Lime Creek
Gary Murphy		garvm7@austin.rr.com	512-748-4689	7324 Reed Dr
Gary Cowser		gdcowser@aol.com	512-762-0564	8136 Joy Rd
Judy Schlozauer		johnandjudy@austn.rr.com		
James Jordan	Alternate	austinjpi@gmail.com	512-785-5314	7406 Reed
Open	Alternate			

Council and Committee Roster and Contact Information 2015

PUBLIC SAFETY COMMITTEE

Name	Position	Email	Phone	Address
Babs Yarbrough	Chair	council.member4@volentetexas.gov	512-656-6667	
Walter Groman		wgroman@vfd.net		
Jan Yenawine		janawine@earthlink.net		
Rett Scudder		captrett@msn.com	512-748-5082	15809 Booth Circle
Nancy Carufel		nicar@msn.com		
Chris Wilder		christopher.wildertx@gmail.com	512-656-2795	8014 Beauregard

GOVERNMENTAL RELATIONS COMMITTEE

Name	Position	Email	Phone	Address
Bill Connors	Chair	council.member3@volentetexas.gov	512-422-8344	
Roger Shull				
Mark Metro				
David Springer		council.member2@volentetexas.gov		

PUBLIC WORKS COMMITTEE

Name	Position	Email	Phone	Address
Ken Beck	Chair	mayor@volentetexas.gov	512-917-5188	15911 Booth Circle
Daryl Schoedle		qualityboat@yahoo.com		
David Woodward		david.woodward@xerox.com	310-864-2663	16321 Jackson
Jan Yenawine		janawine@earthlink.net		
Scott Crosssett		scott@appleleasing.com		

BUDGET, FINANCE, AND ADMINISTRATION COMMITTEE

Name	Position	Email	Phone	Address
Mark Scott	Chair	mayor.protem@volentetexas.gov	512-293-7036	
Danny Davila		danny@dktxcpa.com		
Gina Woodward		ginawoodward34@yahoo.com		16321 Jackson

Council and Committee Roster and Contact Information 2015

David Robinson

PUBLIC RELATIONS AND COMMUNICATIONS COMMITTEE

Name	Position	Email	Phone	Address
Kristi Belote	Chair	council.member1@volentetexas.gov	512-970-6269	
Judy Barrick		judy@celebrateaustin.com		
Linda Attwood	Secretary	lnixon7491@aol.com		
Joyce Beck		jbeck@2ypresscreek.com		
Terry Spurlin		tspurlin@austn.rr.com		

PARKS AND ENVIRONMENT COMMITTEE

David Springer	Chair	council.member2@volentetexas.gov	512-633-3934	
Frederick Graber		fred@i2igroup.net	512-431-8855	15941 Booth
Anne Steichen		asteichen@austin.rr.com		
Curtis Ratica		cratica@austin.rr.com		
Andy Fogarasi		andy.fogarasi@gmail.com	512-694-3635	

IT/ELECTRONICS/WEB COMMITTEE

David Springer	Chair	council.member2@volentetexas.gov	512-633-3934	
Jason Hansen				
Chris Wilder		christopher.wildertx@gmail.com	512-656-2795	8014 Beauregard



Capital Area Council of Governments
 6800 Burleson Road
 Building 310, Suite 165
 Austin, TX 78744
 Phone: 512-916-6000 Fax: 512-916-6001
 Federal Tax ID: 74-1689381
 State of Texas Vendor #17416893810

Invoice

RECEIVED: _____
 SCANNED: _____
 ENTERED: _____
 DEPOSITED: _____
 PAID: _____
 CHECK: _____

Date: August 14, 2020
Invoice No.: 2021M 160

To: Village Of Volente
 Attn: Accounts Payable
 16100 Wharf Cove
 Volente, TX, 78641

Description	Amount
2021 CAPCOG Annual Dues-Membership	\$ 61.60
Total Due	\$ 61.60

Visit our website at www.capcoq.org

Serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson counties.

For assistance, please contact Mason W. Canales at 512-916-6163 or mcanales@capcoq.org, or Lisa Bowman at 512-916-6174 or lbowman@capcoq.org.

Thank you.

Remittance Stub

Please detach and return with payment

Invoice Date: August 14, 2020
2021 Annual Membership Dues

Customer ID: VOLENTE
 Village Of Volente
 16100 Wharf Cove
 Volente, TX 78641

Invoice No.: 2021M 160

Total Amount Due: \$ 61.60

Amount Enclosed: _____

PLEASE MAKE CHECKS PAYABLE TO:
 Capital Area Council of Governments

Capital Area Council of Governments
 6800 Burleson Road, Building 310, Suite 165
 Austin, TX 78744



January 31, 2020

INVOICE# CAMPO-20-041

Village of Volente
The Honorable Mayor Jana Nace
16100 Wharf Cove
Volente, Texas 78641

RECEIVED: _____
SCANNED: _____
ENTERED: _____
DEPOSITED: _____
PAID: _____
CHECK: _____

Dear Mayor Nace:

We appreciate your support in contributing to the overall success of the CAMPO region. Your local contribution will be used to fund numerous CAMPO projects and help us provide the federally required local match we need to conduct transportation planning activities on your behalf.

Please submit your local contribution for the total invoice amount.

TOTAL INVOICE AMOUNT: \$385.00

Thank You Sincerely,

CAMPO

PLEASE REMIT TO:

Capital Area Metropolitan Planning Organization (CAMPO)
Attention: Ashby Johnson, Executive Director
3300 N Interstate 35, Suite 630
Austin, Texas 78705





AT&T Services, Inc.
816 Congress Avenue
Suite 1100
Austin, TX 78701

September 11, 2020

City of Volente
16100 Wharf Cove
Volente, TX 78641

City Clerk/Manager/Administrator:

Re: Annual Notification Pursuant to SB 1152

Last year, the Texas Legislature adopted SB 1152, which amends Chapter 283 of the Local Government Code ("Chapter 283") and Chapter 66 of the Utilities Code ("Chapter 66"). The amendment impacts the obligation of certificated telecommunications and franchised video providers,¹ such as AT&T, to pay fees for use of municipal rights-of-way. Accordingly, AT&T is providing this notification for filing regarding the payment of annual compensation to your city in calendar year 2021.²

The amended statutes require that each entity that pays both Chapter 283 municipal fees and Chapter 66 video franchise fees must identify the amounts of both such compensations collectively for all municipalities in the state, compare the two amounts – and cease paying the lesser of the two fees, statewide, for the next calendar year.³ Based upon that review, AT&T has determined that for 2020, the Company paid more, statewide, in municipal fees under Chapter 283 than it would have paid in video franchise fees under Chapter 66.

Therefore, in 2021, AT&T will pay municipal fees to your city under Chapter 283 but is exempt from paying Chapter 66 video franchise fees. However, the company will continue to pay the one percent "PEG" (Public, Educational and Government television) fee, in Chapter 66, to those cities receiving this compensation in 2020, as SB 1152 does not impact the PEG fee.

Please contact me should you have any questions.

Regards,

Eva Munoz
AT&T External Affairs
512.457.2212
e.m@att.com

¹ Certificated telecommunications providers and holders of state-issued certificates of franchise authority.

² See Local Government Code, §283.051(f) and Utilities Code, §66.005(f).

³ See Local Government Code §283.051(d) and Utilities Code, §66.005(d).