



**NOTICE OF THE REGULARLY CALLED MEETING OF THE  
CITY COUNCIL  
OF THE VILLAGE OF VOLENTE, TEXAS  
TUESDAY, OCTOBER 20, 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 20<sup>th</sup> day of October, 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
  - 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**

1. Public Hearing on the proposed changes to the Zoning Ordinance.

***The Staff and Mayor present the following agenda item (items 2-6) 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.***

2. *Accepting the Hill Country News as the Newspaper of Record for the 2015-2016 fiscal year*
3. *Accepting Tom Buckle of Scanlan, Buckle and Young as City Attorney for the 2015-2016 fiscal year*
4. *Accepting Marc Dickey of TRE & Associates as City Engineer for the 2015-2016 fiscal year*

5. *Directing the Public Safety Committee to create an ad hoc committee to determine and address the public health, safety, and crime rate concerns of Wharf Cove.*
6. *Establishing an Ad Hoc Committee to review, vet, and determine the best future location for either a temporary or permanent City Hall location.*
7. Discussion and Amendment of the 2015-2016 fiscal year budget to reconcile figures. (Council Member Robinson)
8. Discussion and Possible Action on updating the Village of Volente land use maps.
9. Discussion and Possible Action on approval of an Ordinance discontinuing Texas Municipal Retirement System supplemental death benefits. (Staff)
  - a. Staff Introduction
  - b. Public Hearing
10. Discussion and Possible Action on proposed Ordinance 2015-O-10 to amend Ordinance 2005-O-44 which removed grandfathering from the Site Development Ordinance for pre-existing legally platted lots. (Council Member Springer)
  - a. Council Member Springer Introduction
  - b. Public Hearing
11. Discussion and Possible Action on a Resolution recognizing a Mayor's ability to vote in a Type B Municipality. (Mayor Ken Beck)
  - a. Mayor Ken Beck's introduction
  - b. Public Hearing
12. Discussion and Possible Action on construction of a new City Hall next to the Volente Fire Hall on Lake Travis Subdivision 5, Lot 16B. (Council Member Springer)
13. Discussion only on possibly repealing the Nuisance Ordinance.
14. Topics for Next Agenda.
15. Adjourn.

**IT IS HEREBY CERTIFIED that the above Agenda was posted at the Village Offices on this 15<sup>th</sup> day of October, 2015.**

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**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.*

**RESOLUTION NO. 2015-R-4**

**A RESOLUTION OF THE CITY COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS  
DESIGNATING AN OFFICIAL NEWSPAPER FOR FISCAL YEAR 2015-2016.**

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**WHEREAS**, the City Council finds that the Hill Country News newspaper is a paper of general circulation within the area of the Village of Volente; and

**WHEREAS**, the City Council finds that the Hill Country News:

- (1) devotes not less than 25% of its total column lineage to general interest items;
- (2) is published at least once each week; and
- (3) has been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice; and

**WHEREAS**, the City Council finds that the Hill Country News is a publication that meets all of the criteria legally required of an officially designated newspaper for the Village of Volente.

**NOW THEREFOR, BE IT RESOLVED BY THE CITY COUNCIL OF THE VILLAGE OF VOLENTE THAT:**

1. The Hill Country News is designated as the official newspaper for the Village of Volente for the fiscal year 2015-2016, commencing on October 1, 2015.
2. The Village of Volente shall pay all applicable fees for its publications in the Hill Country News as agreed upon between the Village and Hill Country News per the attached price list.
3. Until September 30, 2016, the Village of Volente shall continue to publish in the Hill Country news each notice or other matter required to be published by law.
4. The Village of Volente may, from time to time, publish in the Hill Country News notices and other matters which do not require publication but are instead published as a courtesy to the public.

**PASSED AND APPROVED** this, the 20<sup>th</sup> day of October, 2015, by a vote of \_\_\_\_\_ ayes to \_\_\_\_\_ nays to \_\_\_\_\_ abstentions.

**VILLAGE OF VOLENTE, TEXAS**

\_\_\_\_\_  
Ken Beck, Mayor

**ATTEST:**

\_\_\_\_\_  
Julia Vicars, City Secretary

## Alternative City Hall Location Ad Hoc

Ad Hoc Committee formed as a result of meeting with Scott Spurlin and Lonnie Moore:

### Entity Represented

### Parties

Village of Volente

Mayor Ken Beck  
Council Member Yarbrough

Volente Fire Department

Roger Shull  
Jeanne Shull

ESD

Al Blunt

Site Plan

Tom Hatch, htvo Architects  
FAIA (Fellow in the American Institute of Architects)

**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.

**Budget Adoption Voting Results:**

For:

Against:

Abstained:

Absent:

**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*

<b>REVENUE</b>	<b>2014-2015 Budget</b>	<b>2014-2015 Forecast</b>	<b>2015-2016 Budget</b>
Property Tax	\$213,100.00	\$214,573.00	\$192,260.00
			<b>\$177,981</b>
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
<b>TOTAL REVENUE</b>	<b>\$328,600.00</b>	<b>\$366,481.86</b>	<b>\$311,660.00</b>
			<b>\$297,381</b>
<b>EXPENDITURES</b>	<b>2014-2015 Budget</b>	<b>2014-2015 Actuals</b>	<b>2015-2016 Budget</b>
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	\$110,000.00
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
<b>TOTAL EXPENSE</b>	<b>\$346,010.00</b>	<b>\$353,734.10</b>	<b>\$301,389.26</b>
<b>TOTAL SURPLUS OR DEFECIT</b>	<b>\$17,410.00</b>	<b>\$12,747.76</b>	<b>\$10,270.74</b>

\*Note: the amount budgeted for Public Works includes \$30,000.00 to be set aside in reserves for future road improvements.

# VILLAGE of VOLENTE

*Fiscal Year 2015-2016 Budget*

## REVENUE

### 40000 · Property Tax Revenue

40110 · Real Property Tax - Current Yr	192,260.00
<b>Total 40000 · Property Tax Revenue</b>	<b>192,260.00</b>

### 41000 · Sales Tax Revenue

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

### 42000 · Utility Franchise Fees

42110 · Franchisee Fees	37,750.00
<b>Total 42000 · Utility Franchise Fees</b>	<b>37,750.00</b>

### 43000 · Development Fees/Permits

43140 · Sign Permit Fees	750.00
<b>Total 43000 · Development Fees/Permits</b>	<b>750.00</b>

### 44000 Grant Revenue

44110 - Capt Metro	29,000.00
<b>Total 44000 - Grant Revenue</b>	<b>29,000.00</b>

### 47000 · Investment Earning

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

## TOTAL REVENUE

**350,645.00**

# 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
<b>Total 50100 · Office Supplies &amp; Equipment</b>	<b>12,000.00</b>

#### 50200 · Postage and Shipping

50220 · Postage	2,400.00
<b>Total 50200 · Postage and Shipping</b>	<b>2,400.00</b>

#### 50300 · Communications & Internet

50310 · Website Maintenance	1,000.00
50320 · Telephone & Internet	1,200.00
<b>Total 50300 · Communications &amp; Internet</b>	<b>2,200.00</b>

#### 50600 · Computer Services and Support

50610 · Computer Software and Support	1,200.00
50620 · Computer Hardware & Repairs	250.00
<b>Total 50600 · Computer Services and Support</b>	<b>1,450.00</b>

#### 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
<b>Total 50800 · Other Operating Expense</b>	<b>7,800.00</b>

**Total 50000 · Operations** **25,850.00**

### 52000 · Municipal Court

52100 · Municipal Court Costs	500.00
<b>Total 52000 · Municipal Court</b>	<b>500.00</b>

<b>53000 · Facilities and Equipment</b>	
<b>53100 · Facilities and Equip -Other</b>	
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
<b>Total 53100 · Facilities and Equip -Other</b>	<b>9,425.00</b>
<b>53200 · Facility and Equipment Rent</b>	
53210 · Firehall Rental	100.00
53220 · Office Space Lease	24,000.00
<b>Total 53200 · Facility and Equipment Rent</b>	<b>24,100.00</b>
53000 · Facilities and Equipment - Other	442.00
<b>Total 53000 · Facilities and Equipment</b>	<b>33,967.00</b>

<b>55000 · Community Events</b>	
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
<b>Total 55000 · Community Events</b>	<b>7,750.00</b>

<b>57000 · Public Works</b>	
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	70,000.00
57000 · Public Works - Other	15,000.00
<b>Total 57000 · Public Works</b>	<b>110,000.00</b>

<b>64000 · Outside Services</b>	
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
64473 · Pubilc Safety	0.00
<b>Total 64400 · Professional Services</b>	<b>25,900.00</b>
<b>Total 64000 · Outside Services</b>	<b>49,700.00</b>
<b>64100 · Development Costs</b>	
64105 · Flat Rate Schedule	0.00
	Moved up see notes
<b>Total 64100 · Development Costs</b>	<b>notes</b>
<b>65000 · Contract Labor</b>	
65100 · Enforcement Costs	
65110 · Contract Police	5,000.00
65120 · Code Compliance	2,500.00
<b>Total 65100 · Enforcement Costs</b>	<b>7,500.00</b>
<b>Total 65000 · Contract Labor</b>	<b>7,500.00</b>
<b>66000 · Compensation and Benefits</b>	
66100 · Salaries and Wages	
66110 · Salaried wages	49,980.00
<b>Total 66100 · Salaries and Wages</b>	<b>49,980.00</b>
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
<b>Total 66500 · Employee Related</b>	<b>15,142.26</b>
<b>Total 66000 · Compensation and Benefits</b>	<b>65,122.26</b>
<b>Total Expense</b>	<b>301,389.26</b>



TMRS-Term SDB

**TEXAS MUNICIPAL RETIREMENT SYSTEM**

**AN ORDINANCE DISCONTINUING PARTICIPATION IN THE SUPPLEMENTAL DEATH BENEFITS FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM, AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF VOLENTE, TEXAS:**

**WHEREAS**, the City Council of the City has heretofore adopted an ordinance under Section 852.004 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS Act"), authorizing participation by the City in the Supplemental Death Benefits Fund of the Texas Municipal Retirement System; and

**WHEREAS**, the City Council desires to adopt an ordinance discontinuing participation in said fund;

**NOW THEREFORE**, by this ordinance the City Council discontinues participation in the Supplemental Death Benefits Fund as authorized by the TMRS Act.

**EFFECTIVE DATE.** Provided that a signed copy of this ordinance has been furnished to the Texas Municipal Retirement System prior that date, this ordinance becomes effective on January 1, 2016.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
City Secretary or Clerk

\_\_\_\_\_  
Mayor

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.

Village of Volente  
**Village of Volente Special Called Council Meeting**  
**Monday, June 6, 2005 7:00 PM**  
**Village Office 15403 Hill Street**

1. Call to order and establishment of a Quorum. Meeting was moved to back building of Fire Dept. Meeting was called to order at 7:05. Present were Carey Witt, Scott Attwood, Dick Fraser, and Jan Yenawine. Ron Montanez arrived at 7:08. Gary Murphy was absent.
2. Citizen Comments. None
3. Discussion and possible action to amend the Village of Volente Site Development Regulations specifically to repeal or modify Section 33.304 of the Site Development Code. Dick Fraser gave citizens background as to why Council needed to repeal or modify the Site Development section 33.304. A letter was mailed to citizens by an anonymous author. (See attached). Council fielded questions from citizens and clarified the misinterpretation. Dick Fraser made a motion to repeal Site development ordinance section 33.304 with Carey Witt seconding. All agreed.
4. Discussion and possible action on employment of Jeannie Barber for position of part time Administrative Assistant to the City Secretary. Dick Fraser made a motion to hire Jeannie Barber, as temporary part time until the end of this fiscal year at which time the position will be reviewed. Ron Montanez seconded with all in agreement.
5. Future Meetings and Agenda Items. Discussion and suggestions for agenda items for the next regularly scheduled Council meeting. Meeting will be scheduled with Dick Fraser, Ron Montanez, and Planning & Zoning Chair & Co-chair to assist in establishing policy and procedures permitting.
6. Adjournment .Ron Montanez made a motion to adjourn with Dick Fraser seconding. Meeting adjourned at 8:05 PM.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF JUNE, 2005

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Jan Yenawine, Mayor

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Jennifer Zufelt, City Secretary

## **Back-up information for VOV Council Meeting 06-06-05**

**Council Sponsor:** Richard Fraser

**Background:** May 24, 2005, Tom wrote in an e-mail to Council Members (in part): "I am recommending to the Planning & Zoning Commission and the Village Council that they immediately repeal Section 33.304 of the Code as it is in conflict with other provisions in this Article which clearly set forth when a specific application and approval is required. I am also concerned that Section 33.304 violates the Texas and U.S. Constitutions because I do not think there is a rational basis to discriminate between existing lots and newly platted lots by requiring site development permits and building permits on newly platted lots while exempting existing lots from these requirements."

**Reccomended Action:** Pass a motion to repeal Section 33.304 of the Village of Volente Site Development Regulations.

**Impact:** Voting for the motion will allow the Village the authority to require building permits and site development permits for the development of any lot legally platted prior to the enactment of the Site Development Regulation. This action will also clarify what permits are required for single family residential construction on an existing legally platted lot. **Voting for the motion will not require site development plans or conceptual plans for development on existing lots.** The motion is consistent with Village Vision Statement, adopted ordinances and stated policies.

## **Austin exempts single and two family residential from site plan requirement.**

[https://www.municode.com/library/tx/austin/codes/code\\_of\\_ordinances?nodeId=TIT25L\\_ADE\\_CH25-5SIPL\\_ARTISIPLGE\\_DIV1SIPLRENO\\_S25-5-2SIPLEX](https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25L_ADE_CH25-5SIPL_ARTISIPLGE_DIV1SIPLRENO_S25-5-2SIPLEX)

### **§ 25-5-2 - SITE PLAN EXEMPTIONS.**

(A)

The director shall determine whether a project is exempt under this section from the site plan requirement of [Section 25-5-1](#) (*Site Plan Required*). The director may require an applicant to submit information necessary to make a determination under this section or to revise a previously approved site plan under [Section 25-5-61](#) (*Revisions To Released Site Plans*).

(B)

A site plan is not required for the following development:

(1)

construction or alteration of a single-family residential, single-family attached residential, duplex residential, two-family residential, or secondary apartment special use structure, or an accessory structure, if:

(a)

not more than one principal residential structure is constructed on a legal lot or tract; and

(b)

a proposed improvement is not located in the 100 year flood plain, or the director determines that the proposed improvement will have an insignificant effect on the waterway;

**The following is from LCRA’s watershed management ordinance. It explicitly exempts lots platted before a certain date from having to obtain a site development permit. This is EXACTLY what we would be doing in exempting lots that existed before the date of the site development ordinance.**

[http://www.lcra.org/water/quality/watershed-management-ordinance/Documents/watershed\\_TechnicalManual.pdf#page=19](http://www.lcra.org/water/quality/watershed-management-ordinance/Documents/watershed_TechnicalManual.pdf#page=19)

### 1.3 Written Notification Required

The following Development or Redevelopment activities will not require a development permit provided that written notification of the activities is provided to LCRA and erosion and sedimentation controls are installed and maintained throughout the construction process in accordance with Chapters 2 and 3 of this Manual. Written Notification may be made by letter or by submission of the “No Permit Required Notification” form found in Appendix 1.4. In the written notification, the applicant shall demonstrate how the activity meets one or more of the conditions listed below. A site plan, plat, and erosion and sedimentation control plan may be required as documentation that the activities fall within the listed conditions.

1.3.1 Development or Redevelopment located on a property that obtained final plat approval from a governmental entity prior to February 1, 1990, in the Lake Travis watershed in Travis County, or March 19, 1992, in Llano County or Burnet County in the Colorado River Watershed. Provided that a property has not been replatted after February 1, 1990 in Travis County and March 19, 1992 in Burnet and Llano counties, or

Sec. 30.125 (A) Planned Development District – PDD  
1/10/06 2006-O-59

(d) Application Processing. The process for the filing of an application, requirements for notice and advertisement of public meetings, procedures for protest of the establishment of PDD designation and other related actions shall be the same as those provided for in the rezoning process as described in the Village's zoning and development ordinances. In addition to the PDD process being a re-zoning process, the approval of the Final Development Plan for a PDD will substitute for the approval of the Site Development Plan and the Site Development Permits required by the Village's Site Development Ordinance. However, the owner of land zoned as a PDD must comply with the provisions of the Village's subdivision ordinance, except for those provisions modified by this Ordinance, and must apply for and receive the necessary building permits prior to construction of improvements in a PDD.

**ORDINANCE NO. 2005-O-44**

**AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-36 TO REPEAL SEC.33.304 EXEMPTING EXISTING LOTS FROM HAVING TO APPLY FOR AND OBTAIN A SITE DEVELOPMENT PERMIT; PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETING CLAUSES**

WHEREAS, the Village of Volente finds that Section 33.304 of Article 33.300 of the Village's Site Development Ordinance conflicts with other provisions of Article 33.300; and

WHEREAS, the Village of Volente finds no rational basis for distinguishing between those 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 no 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-O-36, Article 33.300 Site Development Regulations, passed and approved on October 26, 2004, is amended as follows:**

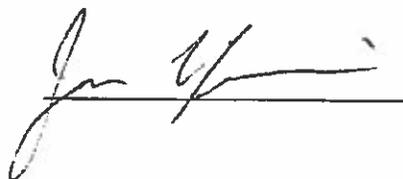
(a) SECTION 33.304 IN ITS ENTIRETY IS REPEALED.

**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 the 6th day of June, 2005.



JAN YENAWINE, MAYOR OF THE  
VILLAGE OF VOLENTE

ATTEST:

  
JENNIFER ZURFELT, CITY SECRETARY

**Sec.33.304 Exemptions**

- A. Development of land legally platted and approved prior to the effective date of this article, except as otherwise provided for herein, and for which no re-subdivision is sought; or
- B. Development of land constituting a single tract, lot, site or parcel for which a legal deed of record describing the boundary of said tract, lot, site or parcel was filed of record in the Deed Records of Travis County, Texas, on or before the effective date of this article;  
or
- C. Improvements to existing cemeteries which comply with all state and local laws and regulations; or

## LCRA OSSF Permit Application

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1. Application Form, LCRA
2. Proof of ownership of property (including warranty deed or tax record)
3. Drawing or survey of property
4. Soil Analysis (from site evaluation)
5. Floor plan of the proposed structure
6. Floodplain compliance letter from the appropriate floodplain administrator
- 7. A drawing showing proposed location of the septic system, wells, structures, etc.
8. A copy of the OSSF system design plans (if professionally designed, two sets should be submitted)
9. Affidavits to the public
10. Appropriate fees

All drawings must be to scale.

If your property is less than 1 acre, you must also submit a recorded plat of the property along with all associated plat notes.

**City Secretary**

---

**Subject:** FW: Mayor's Right to Vote- Type B City

---

**From:** Alan Bojorquez [mailto:alan@texasmunicipallawyers.com]  
**Sent:** Wednesday, September 09, 2015 8:19 AM  
**To:** <city.secretary@volentetexas.gov>  
**Subject:** Re: Mayor's Right to Vote- Type B City

If there is a tie, the motion fails.

Nothing happened. Status quo maintained.

A city council can only take action by majority vote at a public meeting on a properly- noticed agenda item.

If there's a tie, there's no majority, so no action is taken.

Someone can then make a different motion (approaching the subject from a different angle), and they can vote in this new motion, or the council can move on to the next agenda item.

Alan Bojorquez  
Bojorquez Law Firm, PC  
[www.TexasMunicipalLawyers.com](http://www.TexasMunicipalLawyers.com)

On Sep 9, 2015, at 7:52 AM, City Secretary <[city.secretary@volentetexas.gov](mailto:city.secretary@volentetexas.gov)> wrote:

Alan,  
A quick follow up question...

If the Mayor votes, and we have five alderman, or Council Members in our case, then what happens if there is a tie?

Thanks!

*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](mailto:City.Secretary@VolenteTexas.gov)

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## **ATTENTION PUBLIC OFFICIALS**

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---

**From:** Alan Bojorquez [<mailto:alan@texasmunicipallawyers.com>]  
**Sent:** Tuesday, September 08, 2015 9:29 PM  
**To:** '[city.secretary@volentetexas.gov](mailto:city.secretary@volentetexas.gov)'  
**Subject:** RE: Mayor's Right to Vote- Type B City

Hi, Julia.

It is my position (and that of TML) that the mayor of a **Type B** municipality can vote.

There's nothing in any state statute that says with certainty that the mayor of a Type B municipality has authority to vote. But the fact is the law is silent on the voting rights of most mayors and other elected "chairmen" or "presidents" or "presiding officers". It is *presumed* that someone who is elected (or appointed) to a governing body can vote. It is widely held that the ability to vote is *inherent* in holding office on a governing body, and so we look to state law for exceptions.

There is a specific written exception for mayors of **Type A** cities (who can *only* vote to break a tie).

Mayors in **Type C** cities vote. Mayors in many (if not most) **Home-Rule** cities vote.

Absent very specific written law, expressly limiting or restricting the ability to vote, I would not advise any city to prevent an otherwise duly elected (or appointed) mayor from voting.

I hope this helps.

Alan

---

**Alan Bojorquez**  
Attorney at Law

Bojorquez Law Firm, PC  
12325 Hymeadow Dr., Ste. 2-100  
Austin, Texas 78750  
Phone: (512) 250-0411  
Fax: (512) 250-0749  
Email: [alan@texasmunicipallawyers.com](mailto:alan@texasmunicipallawyers.com)  
Web: [www.texasmunicipallawyers.com](http://www.texasmunicipallawyers.com)

<image001.jpg>

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**From:** City Secretary [<mailto:city.secretary@volentetexas.gov>]

**Sent:** Tuesday, September 08, 2015 2:09 PM

**To:** Alan Bojorquez

**Subject:** Mayor's Right to Vote- Type B City

Alan,

In searching through my online edition of the Law and Procedure Manual, I found the following excerpt about a Mayor's duties in a Type B Municipality:

**§1.23. Duties and Powers of Mayor in Type B Municipality.**

The mayor of a Type B municipality has the following duties and powers:

- (1) Serves as president of the city council, which is sometimes known as Board of Aldermen. Tex. Loc. Gov't Code §23.027.
- (2) Is part of a quorum and has a vote as member of the city council. (Do not confuse with Type A municipalities where the mayor does not have a vote.) Tex. Loc. Gov't Code §23.028.
- (3) Presides as the judge of the municipal court unless the city council has authorized the election or appointment of a municipal judge. Tex. Gov't Code §29.004. A mayor who assumes this responsibility must attend the training courses provided for justices of the peace and municipal judges.
- (4) Serves as the municipal budget officer and prepares a proposed budget for the municipality each year. Tex. Loc. Gov't Code §102.001 to §102.005.
- (5) Upon the petition of 20 percent of the qualified voters voting for mayor at the last preceding election, the mayor calls an election to determine whether or not the city or town shall adopt the city manager form of government under Tex. Loc. Gov't Code §25.021 - §25.022, if the city has less than 5,000 population.
- (6) If the municipality has 501 to 999 inhabitants, and the mayor receives a petition of 10 percent of the qualified voters, the mayor is authorized to call an election to determine whether or not to change to a Type C general-law city form of government (commission form of government). Tex. Loc. Gov't Code §8.021; §8.022.
- (7) When a contract or bond is approved by the city council, the mayor is usually the one authorized to sign for the city.
- (8) Usually signs ordinances and resolutions after they are passed by vote of the city council. However, an ordinance is valid after being passed and then published in accordance with Tex. Loc. Gov't Code §52.012.
- (9) Appoints members of a housing authority created by the city council under Tex. Loc. Gov't Code §392.001 et seq. Tex. Loc. Gov't Code §392.031.
- (10) Performs ceremonial duties - the mayor is usually regarded as the political head of the city. Attendance at events such as ribbon-cuttings for new businesses, ground-breakings, award ceremonies, and other public events can take an enormous

amount of time. The mayor may also issue proclamations honoring groups, individuals or organizations.

(11) Performs such other duties as the city council may direct.

(2) is highlighted. I looked up LGC 23.028 and it only specifies that the Mayor is considered when calculating a quorum. Am I right in assuming that because the Mayor is counted towards a quorum, it is implied that he has the ability to vote and discuss matters similar to a Council Member? Is there another section I should reference that describes a Mayor's right to vote in a type B?

Thanks,

*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](mailto:City.Secretary@VolenteTexas.gov)

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## City Secretary

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**From:** Heather Mahurin <heather@tml.org>  
**Sent:** Wednesday, September 09, 2015 5:50 PM  
**To:** 'Mayor Ken Beck'  
**Subject:** RE: Role of Mayor in a General Law B Community

Mayor,

Thanks for your email. You're a General Law Type B city. There's no additional weak mayor/strong council distinction. Home rule cities may be classified as such, depending on what their charter states.

There is no clear answer to whether the mayor votes in a Type B city. Many people argue that he or she does because they are counted for purposes of a quorum. However, others treat them the same as a Type A city. We will defer to your city attorney and any city policies you may have on this point.

As far as the mayor not participating in a discussion, there is no state law prohibiting this. The council as a body can adopt Robert's Rules or any other parliamentary guidelines for meetings. With this, the council can certainly choose to adopt the provisions that were mentioned. State law provides that the council adopt rules for their meeting:

Sec. 22.038. MEETINGS. (a) The governing body of the municipality shall meet at the time and place determined by a resolution adopted by the governing body.

(b) The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. Each member of the governing body, the secretary, and the municipal attorney must be notified of the special meeting. The notice may be given personally or left at the person's usual place of residence.

(c) The governing body shall determine the rules of its proceedings and may compel the attendance of absent members and punish them for disorderly conduct.

(d) An alderman shall be fined \$3 for each meeting that the alderman fails to attend unless the absence is caused by the alderman's illness or the illness of a family member.

I know the above provision applies to Type A cities, but this borrowing provision makes it applicable to you guys:

Sec. 51.035. AUTHORITY, DUTIES, PRIVILEGES. A Type B general-law municipality has the same authority, duties, and privileges as a Type A general-law municipality, unless the Type B general-law municipality in exercising the authority or privilege or performing the duty would be in conflict with another provision of this code or other state law that relates specifically to Type B general-law municipalities.

I hope this helps. Please let me know if you have any other questions.

Sincerely,

Heather Mahurin  
Legal Counsel  
Texas Municipal League  
1821 Rutherford Lane, Suite 400  
Austin, Texas 78754  
(512) 231-7400  
(512) 231-7490 (fax)  
[heather@tml.org](mailto:heather@tml.org)  
[www.tml.org](http://www.tml.org)

Please be advised that the information in this e-mail is provided for informational purposes only. Neither this communication, nor any other communication with the Texas Municipal League (TML), creates an attorney-client relationship between the TML legal department or its attorneys and you or your city or any third party. Once received by a city official, this communication may be subject to public release. Every city official and employee should consult with local legal counsel to ensure that any information or documents comply with current law and the particular facts of each situation.

---

**From:** Mayor Ken Beck [mailto:mayor@volentetexas.gov]  
**Sent:** Tuesday, September 08, 2015 10:05 AM  
**To:** Legalinfo  
**Subject:** Role of Mayor in a General Law B Community

The Village of Volente is a General Law B community in Travis County. We have a mayor and five councilmembers. The mayor does not vote on agenda items unless there is a tie in the vote caused by absence or abstaining. We have adopted Roberts Rules of Order as the control for all of our council meetings.

One of our village councilmen has challenged the role of the mayor in our council sessions. He states that the law does not allow the mayor to participate in the discussion on any agenda item, only voting council members.

He has brought forward the following argument.

**"TIPS FOR THE PRESIDING OFFICER**

1. The presiding officer (the Chair) should not debate motions while presiding; he should preside with impartiality. The astute President will have his prechosen "Lieutenants" promote his point of view or will surrender the Chair in order to debate. He resumes the Chair after the vote is taken.

State law (read the law Ken) makes you president of the governing body and little else except for emergency management powers. Robert's Rules of Order have been adopted as our parliamentary procedure. Your powers and duties have not been expanded by local ordinance so what the state gives is all you get."

(Ken again) This is straight from guidelines on Roberts Rules of Order. Does state law allow the mayor to participate in discussions? Does it allow the mayor to be less than impartial on an issue brought forward?

Please provide me with some guidance and reference to state law.

Thanks, Ken

Ken Beck  
Mayor  
Village of Volente  
16100 Wharf Cove  
Volente, Texas 78641

512-250-2075

Please note my new email address: [mayor@volentetexas.gov](mailto:mayor@volentetexas.gov)

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## City Secretary

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**Subject:** FW: Please RSVP

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**From:** City Secretary [<mailto:city.secretary@volentetexas.gov>]  
**Sent:** Tuesday, September 08, 2015 3:56 PM  
**To:** 'Mayor Ken Beck'; [tbuckle@sbylaw.com](mailto:tbuckle@sbylaw.com)  
**Subject:** RE: Please RSVP

Mayor and Tom,

The following references the Mayor and his duties from Ordinance No. 2013-O-04 – Our administrative provisions Ordinance.

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

The Mayor shall call special meetings of the Council whenever in his or her opinion the public business may require it, or at the express written or oral request of two Council Members. When a special meeting or a workshop is called, each Council Member will be notified either in person, by telephone, by electronic mail, or by hand-delivered notification to the Council Member's residence, stating the date and hour of the meeting and the purpose for which the meeting is called, and no business shall be transacted thereat, except such as is stated in the notice. (still needs the 72 hour requirement, but otherwise at the discretion of the Mayor)

### **SECTION 20.04 PRESIDING OFFICER DUTIES.**

The Presiding Officer of the Council shall be the Mayor. In the absence of the Mayor, the Mayor Pro Tem shall become the Presiding Officer. The Mayor Pro Tem shall also serve all the functions of the Mayor in the Mayor's absence. The Presiding Officer shall preserve strict order and decorum at all meetings of the Council. He or she shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He or she shall sign all ordinances and resolutions adopted by the Council during his or her presence. In the event of the absence of the Mayor, the Presiding Officer shall sign ordinances or resolutions as adopted.

### **SECTION 20.06 QUORUM.**

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

### **SECTION 20.09 RULES OF DEBATE.**

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

(G) **Format of meeting minutes.** The City Secretary shall enter in the minutes a description of the agenda item; the names and addresses of any citizens speaking for or against the item; and any motions or votes taken by the Council, on any question coming before the Council. *(Interesting, as my minutes can be condensed quite a bit).*

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

#### SECTION 20.10 ADDRESSING THE COUNCIL.

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

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

#### SECTION 20.12 DECORUM; ENFORCEMENT.

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

Items that I could not find:

\*Any text prohibiting the Mayor from entering into discussions

\*Any text prohibiting the Mayor from voting

Interestingly, throughout the document it requires the Mayor and Council Members to comply with the same sets of rules and deadlines. If the Mayor was separate of Alderman, would he not need compliance with the same rules?

*Julia Vicars*

NOTE: New Office Hours...

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

Closed on Fridays

City Secretary

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[City.Secretary@VolenteTexas.gov](mailto:City.Secretary@VolenteTexas.gov)

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## **ATTENTION PUBLIC OFFICIALS**

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**From:** Mayor Ken Beck [<mailto:mayor@volentetexas.gov>]  
**Sent:** Tuesday, September 08, 2015 2:34 PM  
**To:** City Secretary  
**Cc:** [tbuckle@sbylaw.com](mailto:tbuckle@sbylaw.com)  
**Subject:** Re: Please RSVP

Julia, would you pull our Administrative Ordinance and copy the key points out of it that apply to the role of the Mayor, and also what it states about Roberts Rules of Order and send them to Tom and I as well? Thank you for this research.

Thanks, Ken

Quoting City Secretary <[city.secretary@volentetexas.gov](mailto:city.secretary@volentetexas.gov)>:

Mayor, I have the section marked for your reference. The excerpt below is from the Texas Municipal Law and Procedure Manual, Sixth Edition. TML and Alan Bojorquez put out this comprehensive guide to municipal law. It is often *the* point of reference for Cities:

### **§1.23. Duties and Powers of Mayor in Type B Municipality.**

The mayor of a Type B municipality has the following duties and powers:

- (1) Serves as president of the city council, which is sometimes known as Board of Aldermen. Tex. Loc. Gov't Code §23.027.
- (2) Is part of a quorum and has a vote as member of the city council. (Do not confuse with Type A municipalities where the mayor does not have a vote.) Tex. Loc. Gov't Code §23.028.
- (3) Presides as the judge of the municipal court unless the city council has authorized the election or appointment of a municipal judge. Tex. Gov't Code §29.004. A mayor who assumes this responsibility must attend the training courses provided for justices of the peace and municipal judges.
- (4) Serves as the municipal budget officer and prepares a proposed budget for the municipality each year. Tex. Loc. Gov't Code §102.001 to §102.005.
- (5) Upon the petition of 20 percent of the qualified voters voting for mayor at the last preceding election, the mayor calls an election to determine whether or not the city or town shall adopt the city manager form of government under Tex. Loc. Gov't Code §25.021 - §25.022, if the city has less than 5,000 population.

(6) If the municipality has 501 to 999 inhabitants, and the mayor receives a petition of 10 percent of the qualified voters, the mayor is authorized to call an election to determine whether or not to change to a Type C general-law city form of government (commission form of government). Tex. Loc. Gov't Code §8.021; §8.022.

(7) When a contract or bond is approved by the city council, the mayor is usually the one authorized to sign for the city.

(8) Usually signs ordinances and resolutions after they are passed by vote of the city council. However, an ordinance is valid after being passed and then published in accordance with Tex.. Loc. Gov't Code §52.012.

(9) Appoints members of a housing authority created by the city council under Tex. Loc. Gov't Code §392..001 et seq. Tex. Loc. Gov't Code §392.031.

(10) Performs ceremonial duties - the mayor is usually regarded as the political head of the city. Attendance at events such as ribbon-cuttings for new businesses, ground- breakings, award ceremonies, and other public events can take an enormous amount of time. The mayor may also issue proclamations honoring groups, individuals or organizations.

(11) Performs such other duties as the city council may direct.

Thanks!

*Julia Vicars*

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

Closed on Fridays

City Secretary

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---

**From:** Mayor Ken Beck [<mailto:mayor@volentetexas.gov>]

**Sent:** Tuesday, September 08, 2015 1:36 PM

**To:** Julia Vickars

**Subject:** Fwd: Please RSVP

Julia, would you mark for me the referenced section by Tom of the Texas LGC so that I can read the specifics?

Thanks, Ken

Ken Beck  
Mayor  
Village of Volente  
16100 Wharf Cove  
Volente, Texas 78641  
512-250-2075

Please note my new email address: [mayor@volentetexas.gov](mailto:mayor@volentetexas.gov)

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Ken Beck  
Mayor  
Village of Volente  
16100 Wharf Cove  
Volente, Texas 78641  
512-250-2075

Please note my new email address: [mayor@volentetexas.gov](mailto:mayor@volentetexas.gov)

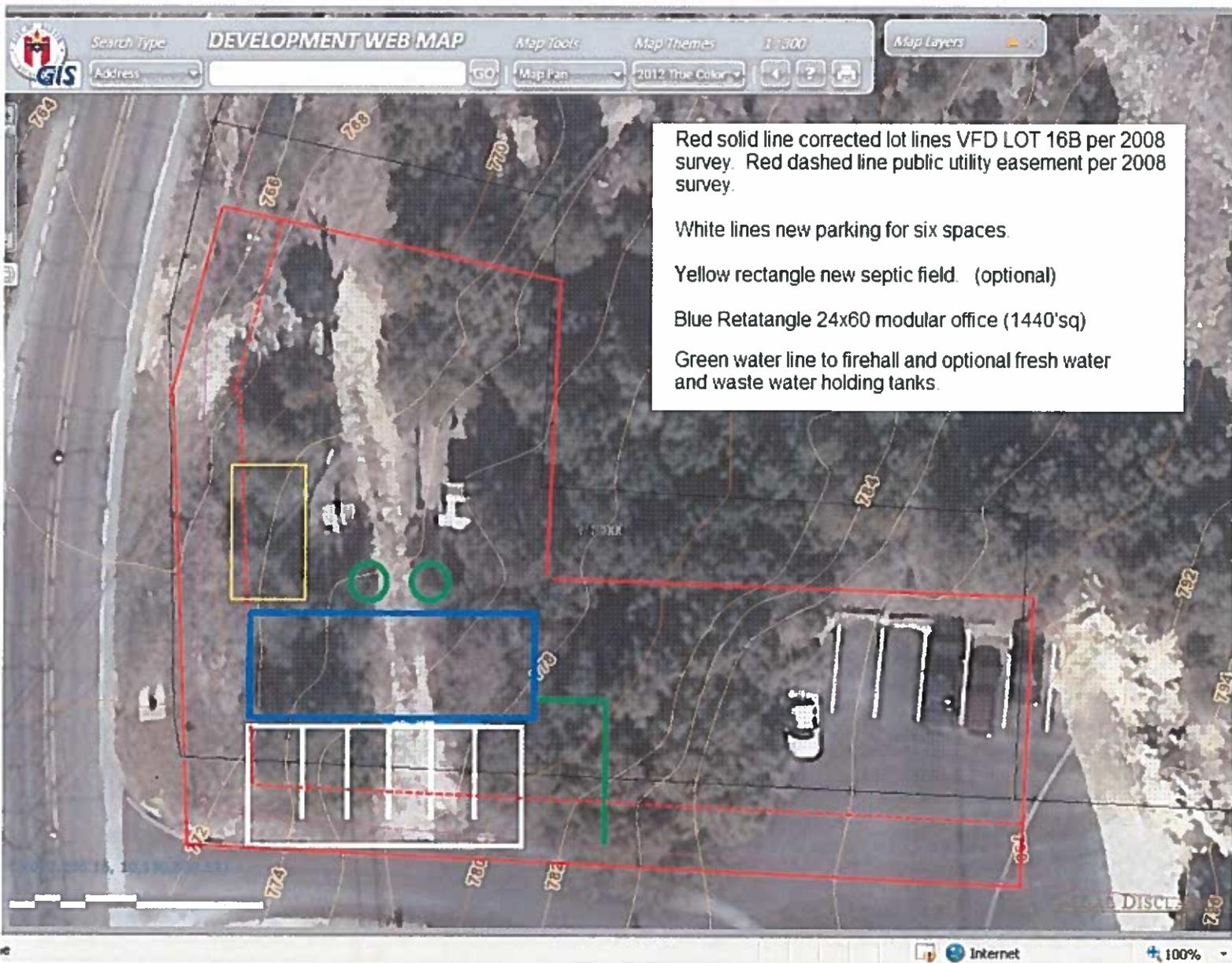
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# Agenda Item C12



impervious cover limit lot 16b.txt

35% for non-residential, 20% residential  
15738 square feet lot size (.3613 times 43560)  
5508 square feet total allowed, non-residential  
3148 allowed, residential

4080 existing impervious cover

1428 left over for non-residential

1440 office building footprint

Summary:

Property not usable for residential use under current impervious cover limits. Enough impervious cover for non-residential 24x60 office building. No room for additional impervious parking under current impervious cover restrictions.

This limits the fair market value of the property with no further residential development possible and only limited use for additional non-residential structures.

## City Secretary

---

**Subject:** FW: backup material for worksession

---

**From:** Marc Dickey [<mailto:mdickey@tr-eng.com>]  
**Sent:** Tuesday, August 11, 2015 11:44 AM  
**To:** Mayor Ken Beck; Julia Vickars  
**Subject:** RE: backup material for worksession

Ken,  
The site location has some steep areas but for the most of the lot appears to be less than 25% slopes. This is a small lot with approximately 26% impervious cover already existing so there would probably be some variances required to make this site work. Also, the current zoning is R1 if it was changed to GOV you could greatly reduce the required setbacks.

**15418 FM 2769 (FIRE DEPARTMENT LOT, LOT 16B)**

- Platted 2005, doc. #200500218
- Lot size: 15,739 sqft, 0.361 acres
- Allowable impervious: 35% - 5,508 sqft, 4,080 existing (potential variance to exceed 35%)
- Zoning: R1 Single Family, Potentially changing the zoning to "GOV" would allow for smaller setbacks.
  - Lot width at setback or building location – 130'
  - R1 setbacks:** Front 50', side 25', street side 50'
  - GOV setbacks:** Front 25', side 15', street side 15'
- For new construction only, all vehicle maneuvering shall take place on-site. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot. (Potential variance or relocate the parking area)
- A few areas on the site exceed 25% but the location as shown appears to comply from the City of Austin's GIS. A survey would be required for site development.
- A 50-foot throat length should be provided before the first parking space.

Please let me know if you have any other questions or comments.

Marc Dickey

**TRE & Associates, LLC**

6101 W. Courtyard Dr. Bldg. 1, Suite 100

Austin, Texas 78730

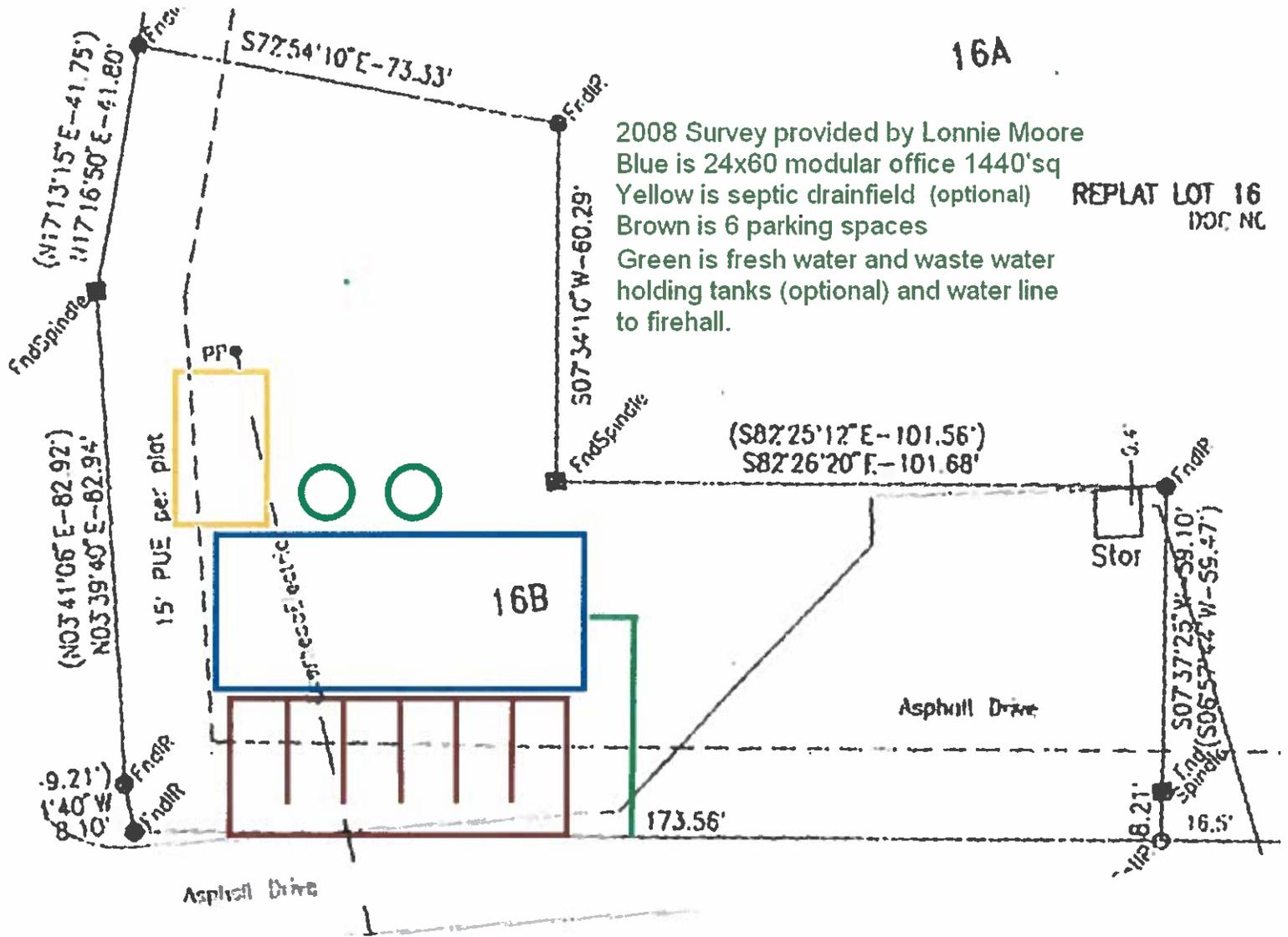
O: (512) 358-4049

[mdickey@tr-eng.com](mailto:mdickey@tr-eng.com)

16A

2008 Survey provided by Lonnie Moore  
Blue is 24x60 modular office 1440'sq  
Yellow is septic drainfield (optional)  
Brown is 6 parking spaces  
Green is fresh water and waste water holding tanks (optional) and water line to firehall.

REPLAT LOT 16  
DOC NC



Partial Termination of Declaration of Covenants,  
Conditions and Restrictions

The undersigned, as Owner of Lot 16, LAKE TRAVIS SUBDIVISION NO. 5, a subdivision in Travis County, Texas (the "Property"), according to the map or plat thereof recorded in Book 4, Page 81, Plat Records of Travis County, Texas, imposed certain Covenants, Conditions and Restrictions on the Property as set out in Document No. 1999115721, Official Public Records of Travis County, Texas.

The following described property is hereby released from said Covenants, Conditions and Restrictions, and all subsequent amendments and modifications thereto:

Lot 16B, replat of Lot 16, Lake Travis Subdivision No 5, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 4, page 81, Plat Records of Travis county, Texas; SAVE AND EXCEPT that property hereto fore conveyed to the State of Texas in Volume 2639, Page 402, Real Property Records of Travis County, Texas.

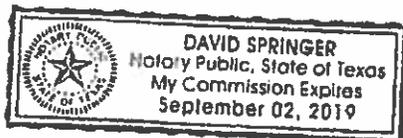
Executed to be effective August 28, 2015.

Ship & Sheri Development, Inc.

By: John A. Shipley  
John A. Shipley, President

THE STATE OF TEXAS  
COUNTY OF Travis

This instrument was acknowledged before me on the 15 day of <sup>Sept.</sup>~~August~~, 2015 by John A. Shipley, President of Ship & Sheri Development, Inc., on behalf of said corporation.



David Springer  
Notary Public, State of Texas

W:/kj/realst/ShipSheriDevelopment.ReleaseRestrictions  
RJW/kj



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir  
DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

October 15 2015 12:38 PM

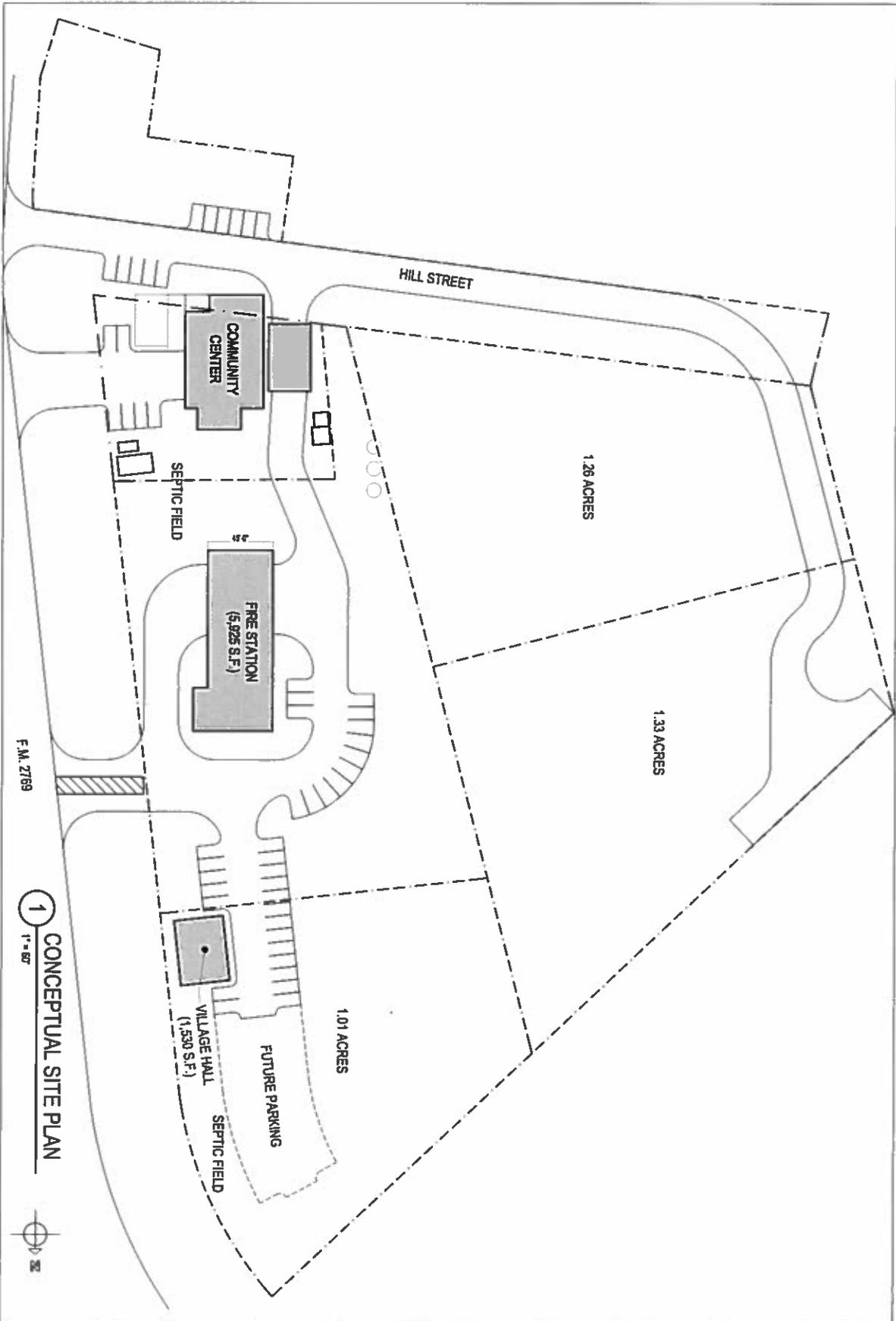
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# Alternative City Hall Location Cost Estimate

\*\*These amounts are not complete and are instead up-to-date estimations of the anticipated amount\*\*

LAND	Purchase of 1 acre from ESD	\$60,000.00
SITE PREP	Cleaning, Grading	
BUILDING	1550 sq. ft., metal roof for rain water collection, basic finishes, stained concrete floor, restroom, kitchenette, light fixtures. 1550 sq. ft @ \$125/sq. ft.	\$193,750.00
SEPTIC SYSTEM	Per Robert Nelson	\$10-15,000.00
WATER SYSTEM	Tank & distrib. Per Gary Frame	
FLATWORK	Driveway, parking, walks	
ELECTRICAL SERVICE	From nearest pole	
TELEPHONE & CABLE	From nearest service	

**ALTERNATIVE: Purchase & Install modular pre-built building on same site.**



1  
1" = 60'  
CONCEPTUAL SITE PLAN



	<p>Project: Volente Municipal Center          15400 F.M. 2769, Volente, Texas 78641          11/11/2011          11/11/2011          11/11/2011</p>	<h2>VOLENTE MUNICIPAL CENTER</h2>	<p>CONCEPTUAL SITE PLAN  <b>A1.0</b></p>
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15400 F.M. 2769, Volente, Texas 78641

**Subject:** FW: voltente site plan

**Date:** Saturday, October 10, 2015 at 12:30:25 PM Central Daylight Time

**From:** Ken Beck

**To:** Ken Beck

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**From:** Ken Beck <[kbeck@thecypresscreek.com](mailto:kbeck@thecypresscreek.com)>

**Date:** Saturday, October 10, 2015 at 12:26 PM

**To:** Al Blunt <[acblunt@yahoo.com](mailto:acblunt@yahoo.com)>, Roger Shull <[RShull@austin.rr.com](mailto:RShull@austin.rr.com)>, "jshull@gmail.com" <[jshull@gmail.com](mailto:jshull@gmail.com)>, Babs Yarbrough <[babs@laketravislivin.com](mailto:babs@laketravislivin.com)>

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**Subject:** FW: voltente site plan

The only change that it appears is necessary on this drawing is to place the words "septic field" just to the right of the words "Village Hall" above the Right of Way dotted line.

To the rest of the members of our ad hoc committee I would like to suggest that this plan now be shared with your respective boards for general approval. With that presentation we should be highlighting the benefits of this plan. As such, I have drafted the beginnings of a benefit statement and would like to present that to you and ask for your review and your updates/changes.

#### Volente Municipal Center - Benefits Statement

##### 1. Community

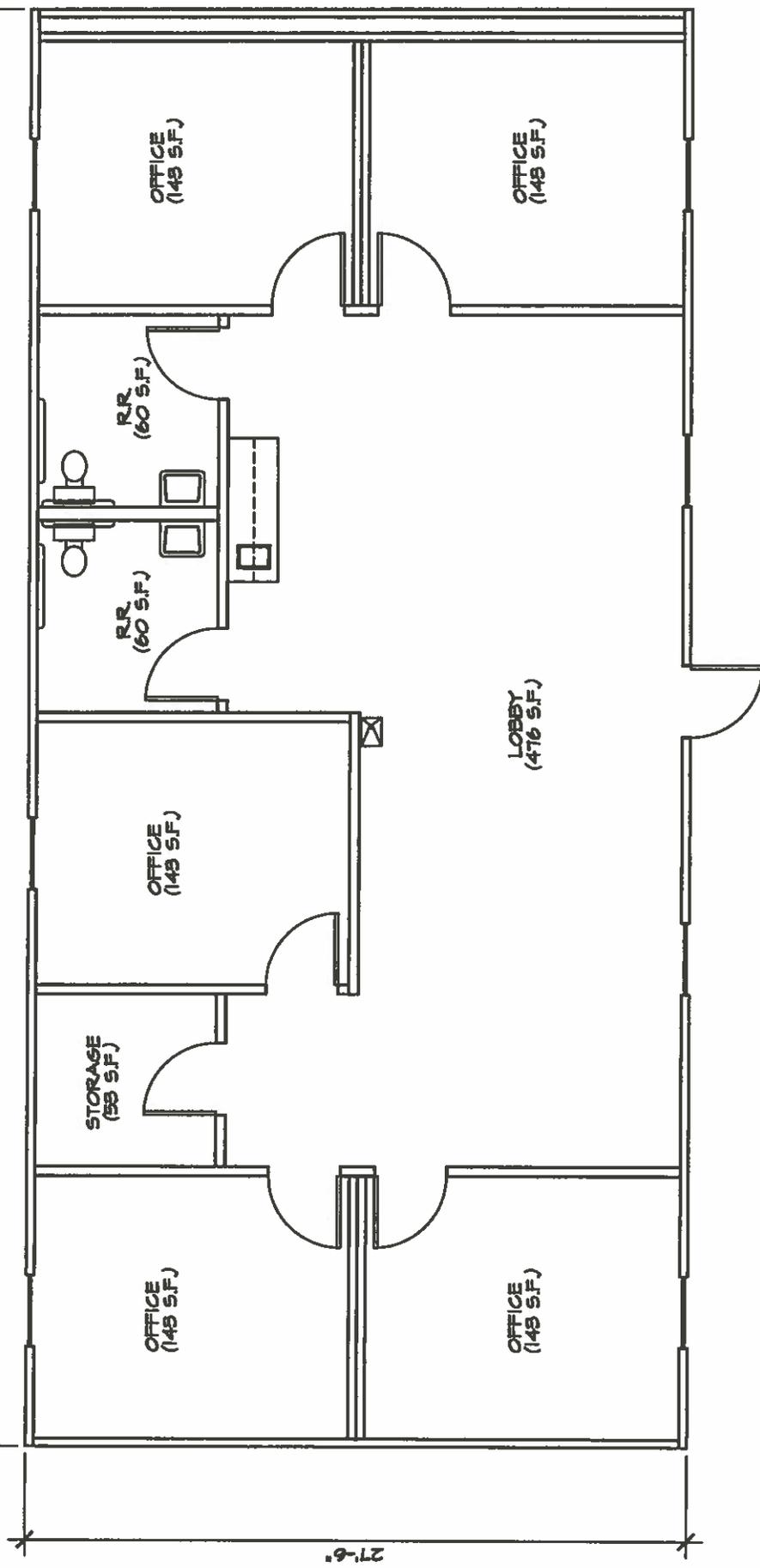
- o All governmental buildings are located in the same location within the Village
- o Common look and feel to the buildings
- o Ultimately more services to the community
  - Senior Center
  - Community Center
  - Library
- o Very easy to find
- o Supports more community events at a common location

##### 2. Fire Department - VFD and ESD

- o Planned space for a new fire station
- o Sale of 1 acre of ESD land to the Village of Volente
- o Potential sale of two 1 acre private lots which generates income for the ESD in the next

- One Restroom
- Breakroom, coffee bar
- CONF. ROOM
- Utilities closet

60'-0"



27'-6"

OFF-1650-A

1650 Sq. Ft.

- 5 OFFICES
- RESTROOM

- STORAGE
- LOBBY

**CONTACT INFORMATION:**  
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