



## VILLAGE OF VOLENTE

### MINUTES

City Council Special Called Meeting  
6:30 P.M., Monday, October 2, 2017  
City Hall, 16100 Wharf Cove, Volente, TX 78641

#### I. ITEMS OPENING THE MEETING

A. Call to Order

Mayor Beck called the meeting to order at 6:30 p.m.

B. Call Roll and Establish Quorum

Present: Baker, Beck, Fogarasi, Hopkins and Yenawine

Absent: Mokry

Also in attendance: Art Rodriguez, Brad Bullock and Caroline Kelley of RRHB, LLP; Alan Bojorquez (arrived at 7:55) of Bojorquez Law Firm, PC; and Zachariah Evans (arrived at 7:42) and Monte Akers (arrived at 7:52) of Akers and Akers, LLP

A quorum was present.

#### II. GENERAL BUSINESS AND ACTION ITEMS

A. **TIME CERTAIN: 6:30 P.M.** - Presentation to council by Bradford Bullock, Russell Rodriguez Hyde Bullock, LLP, in response to the Legal Request for Qualifications to provide City Attorney services.

Art Rodriguez, Brad Bullock and Caroline Kelley presented to council. Each of the firm's four attorneys will offer their expertise to the benefit of the village through team responses. Any of the three attorneys present may attend any given meeting. They are willing to consider a different option if a retainer is not ideal for the Village. The four partners have been together for just a few months. Caroline Kelley lives in Lakeway. Bradford Bullock works with Boerne, Leander, and Lago Vista.

B. **TIME CERTAIN: 7:10 P.M.** - Presentation to council by Alan Bojorquez, Bojorquez Law Firm, P.C., in response to the Legal Request for Qualifications to provide City Attorney services.

See item B minutes below. Due to a miscommunication on timing, Alan Bojorquez presented after items C, D, and E.

C. **TIME CERTAIN: 7:50 P.M.** - Presentation to council by Zachariah Evans, Akers & Akers, LLP, in response to the Legal Request for Qualifications to provide City Attorney services.

Zach Evans began the presentation by informing council that he will be going on a six month sabbatical on December 23<sup>rd</sup>. Monte Akers would be available for meetings until he returns. Zach says that he and Monte will split time working with us. Patty (Aker's wife) is land use expert and has done work for Bee Cave and Marble Falls. Office manager is their daughter. The entire firm is the three lawyers and office manager. Monty says they have "of council" attorneys they contract that can come in to help while Zach is gone for 6 mos.

D. Close public meeting, enter executive session. *The Village Council will announce that it will go into Executive Session (pursuant to Chapter 551.071 of the Texas Government Code),*

*for consultation with Attorney regarding pending or contemplated litigation regarding the building violations occurring at 15939 and 15941 Booth Circle, owned by Fredrick Graber and Mattie Adams.*

Mayor Beck closed the public meeting at 8:12 p.m.

E. Open public meeting, discussion and possible action resulting from executive session, if any.

Mayor Beck reopened the public session at 8:55 p.m.

No action resulting from executive session.

Item B. was addressed at this time.

Alan Bojorquez presented to council. His firm has been in business for fifteen years at the same location eight miles from Volente city hall. The firm has sixteen lawyers, thirty employees and only represents cities, specializing in small cities. He and his attorneys stay involved in many associations to remain on the cutting edge. As a client the Village would be assigned three attorneys, primary, secondary and tertiary.

All his firm has ever done is municipal law. He helped incorporate Volente. Alan was previously a TML lawyer. They have a city planner on staff that can assist Volente with comprehensive plan and zoning ordinance issues. He wrote the bible for city secretaries and has a couple of city secretaries on staff as consultants that can also do temp work for clients. Lakeway is a client he spends a lot of time with. Said that Dripping Springs, Westlake hills are good examples of towns that they did work writing ordinances. He says he will be Volente's point person, he will provide his cell phone number, he will attend all Village meetings if requested, he is available for Volente third Tuesday night meetings. He will pass work onto associates only for research or ordinance writing.

F. Discussion and possible action on selecting a City Attorney.

Mayor Pro Tem Baker summarized:

Akers & Akers – small with potential resource problems, trouble with adequate response times, and Zach will be going on sabbatical leaving only two attorneys in the firm

RRHB – the partners have only been working together for a few months and did not seem comfortable in explaining how their team approach and did not seem to have their processes worked out yet.

Bojorquez Law Firm – most experienced and well spoken, deepest team, the Village would be a small fish in his tank.

He feels strongly about going with Alan.

Council member Fogarasi stated that all of the firms would do a fantastic job of helping the Village enforce ordinances. The Village is working on the comprehensive plan, putting new ordinances in place, setting up a structure and getting things done. Only one of the firms has the horse power to all that and that is the Bojorquez Law Firm.

Council member Yenawine stated that if anything happened to Alan he has at least three lawyers with TML experience.

Council member Hopkins has an issue with Akers & Akers because work will really not be done until Zach returns. She agrees with Steve that RRHB does not have enough experience working together. Alan is willing to scratch the surface with council and is her best choice. Baker stated that Alan's firm will be more expensive.

Mayor Beck feels that Alan would be a great resource working out an ILA for BCRUA.

**Council member Fogarasi motioned to hire Bojorquez Law Firm as Volente legal counsel, seconded by Council member Hopkins.**

**Council member Fogarasi revised the motion to hire Bojorquez Law Firm under the condition that council meets with Bojorquez Law Firm and determine the transition strategy for the ongoing issues, seconded by Council member Hopkins. Motion carried unanimously.**

**III. ADJOURNMENT**

**Council member Hopkins motioned to adjourn the meeting at 10:26 p.m.**

**Approved this 28<sup>th</sup> day of November, 2017.**

Signed:

Attest:

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Ken Beck, Mayor

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Nicole Vicuña, City Secretary