

# Village of Volente

Special Council  
Meeting

February 5, 2021

Via Zoom 4:30pm

Information  
Packet



## VILLAGE OF VOLENTE, TEXAS

### NOTICE AND AGENDA City Council Special Meeting 4:30 P.M., Friday, February 5, 2021 **Via Zoom Meeting**

Notice is hereby given that the City Council of the Village of Volente, Texas, will hold a REMOTE Special Called Meeting on **February 5, 2021 at 4:30 PM** at which time the following items will be discussed, to-wit:

#### **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 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 Zoom meeting by connecting through the following link:  
[https://us02web.zoom.us/j/820 6173 1030](https://us02web.zoom.us/j/82061731030)

ID: 820 6173 1030  
Password: 78641

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](mailto:city.secretary@volentetexas.gov). Comments must be received by **12:00 Noon on February 5, 2021**

#### **I. ITEMS OPENING THE MEETING**

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

#### **II. CITIZEN COMMUNICATIONS**

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 per individual for entire meeting (eight (8) minutes if translation is needed). Individuals may yield available time up to four (4) minutes total to other individuals.

#### **III. GENERAL BUSINESS AND ACTION ITEMS**

- A. Appointment of City Secretary
- B. Discussion and possible action regarding Village IT issues and employment of contractors to address the issues
- C. Update, discussion and possible action regarding the BCRUA ILA

#### **IV. ADJOURNMENT**



**VILLAGE OF VOLENTE, TEXAS**

**NOTICE AND AGENDA  
City Council Special Meeting  
4:30 P.M., Friday, February 5, 2021  
Via Zoom Meeting**

I certify that the above meeting notice and agenda of the Village of Volente Council was posted on the Village Website and the Municipal Building Window, 16100 Wharf Cove, Volente, Texas 78641 by 4:30 PM on the 2<sup>nd</sup> of February 2021, and will remain posted continuously until said meeting is convened.

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Dan Thost, Mayor

*The City Council reserves the right to adjourn into executive session at any time during 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.*

# Village Secretary Employment Process

## **November 17, 2021 Council Meeting Executive Session**

Due to vacant Village Secretary position Council met in Executive Session to discuss the employment process and to authorize Council Member Ruff to manage the process.

After discussion and adjournment of the Executive Session a motion made by Evans to direct Council Member Ruff to move forward with City Secretary search by posting on Village Website and on online sites. Seconded by Wilson. The motion was passed unanimously.

Council Member Ruff posts the position on the Village website on November 20th and on Indeed on November 30<sup>th</sup>. Ninety (90) applications were received by January 10<sup>th</sup> so the posting on Indeed was subsequently paused due to sufficient response. The Village website posting remained until January 25<sup>th</sup>.

Council member Ruff proceeded to screen applications and narrows field to 11 potential candidates. Council Member Ruff interviews the 11 candidates and presents 4 most qualified candidates for the interviews by Council team comprise of Mayor Thost, Council Member Hopkins, and Council Member Evans. Interviews conducted on January 8<sup>th</sup> and January 11<sup>th</sup>.

## **January 20, 2021 Council Meeting Executive Session**

Council reviews the 4 shorted listed candidates, after discussion and adjournment of the Executive Session, the following motion was made in open session by Mayor Pro Tem Racht to direct Council Member Ruff to make a job offer within the published salary range to top candidate. The motion was passed unanimously.

Subsequent Council Member Ruff makes job offer (pending reference and background checks) on January 20 to Sonja de la Fuente. Sonja accepts verbal offer and signs Employment Offer.

Reference and back ground completed during the week of January 26<sup>th</sup>. Sonja's expected start date is February 8<sup>th</sup>.

**February 5, 2021 Special Council Meeting** is called for Possible Council Action to appoint Sonja De La Fuente as Village Secretary.

## **Sonja De La Fuente**

Experienced Administrative Professional with extensive experience in municipal government and business development.

Advanced Microsoft Office and other computer program experience. Excellent customer service skills. Outstanding written and verbal communications, loves to work in Excel ... calls herself an Excel Geek.

### Most Recent

Deputy City Clerk, January 2014 to present in City of Banning, California

Prepared agendas and minutes, provided administrative support to City Council and City Manager

Developed and managed a Public Records Act program. She directed the City Elections

### Other Experiences

Administrative Secretary for the City of Palm Desert, reported to the Director of Public Works/City Engineer where she assisted in reviewing site development and building plans. Managed department budget. Provided IT troubleshooting support and training to department staff

Executive Secretary of City Banning, in Human Resources, instrumental in recruitment and staff administration

Contracts Clerk Fiesta Ford, processed vehicle purchases, calculated and processed sales commissions, managed bank accounts

Business Development Coordinator for Annenberg Center for Health Science

### Reference Reviews

Reference interviews were with City Manager of Banning, City Engineer, Banning Coworker and City Engineer of Palm Desert. References could not say enough good things about Sonja. They all spoke about her willingness to tackle any job and see the job through. She is very professional in difficult situations.

**They say she works well with coworkers and is a master at working with the public.** She remains professional at all times when she works with City Council members, the City Manager and public regardless of the issues.

While employed in Palm Desert she worked with the Director of Public Works and reviewed building plans and assisted the City Engineer. She was thorough in her reviews.

One of the references mentioned that City Council members were stopping by to wish her well and but also tried to convince her to stay.

From Volente Council interviewers, the consensus was that Sonja exemplifies the professional and experience that we want. She is the real deal, the whole package.

## **Village Office IT Issues**

- **Fraudulent Check cashed, raising concerns about IT security, as well as Capital One treasury controls.**
  - **Reported to Travis County Sheriff.**
  - **Discussing remedies with Capital One, monitoring account transactions daily.**
  - **Finalizing report on recommended Bank change**
- **Instability of the internet service continued until this week.**
  - **After multiple trips and sessions with Spectrum it was not clear if they could solve the problem**
  - **Engaged services from a local IT security group. Their representative diagnosed the problem in about 2 hours as as an IP problem. Our IP address was being utilized by another party.**
  - **Spectrum reluctantly admitted to the problem before opening an investigation of the problem. They have yet to provide an explanation.**
  - **At one point we were down 6 days.**
- **Clear we must take cybersecurity seriously and sooner than later. Seems since COVID hackers are more active and specifically targeting small businesses and those working from home.**
- **Suggest two steps.**
  - **Propose we engage the IT Security firm which corrected the IP problem to immediately install a commercial grade firewall and intrusion monitoring software. Firewall will be monitored and updated every 24 hours with the latest protection against hackers.**

- **Review the prior IT scope of work are rebid to the 4 original firms contacted last year and add the local IT company, DataNet.**

## **BCRUA Update (Feb 5, 2021)**

- Public Hearings on Feb 16th (P&Z) and Feb 17<sup>th</sup> (Council) to hear and approve:
  - ReZoning of BCRUA Site 4 from Single Family Residential to Utility District
  - Conditional Use Permit to change from “water intake facilities and pumping facilities” to “facilities required by public or private utility providers”
- Notice was placed in the Hill Country News and on the website
- Notice was provided to adjacent landowners of Site 4 by mail.
- Continue to work on the most recent BCRUA markup which was reviewed in the last Executive Session, target is to return Volente’s markup by Wednesday, February 10<sup>th</sup>.
- Should receive most of the remaining site development and building plan for Site 4 next week in time for P&Z to review one week before Public Hearing



**PUBLISHER'S AFFIDAVIT  
HILL COUNTRY NEWS**

RECEIVED  
2/2/21

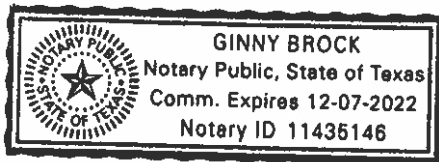
State of Texas  
County of Williamson

BEFORE ME, THE UNDERSIGNED AUTHORITY, this day personally appeared Kirsten Foltz and after being by me duly sworn, says that she is an authorized representative of the Hill Country News, a newspaper published in Williamson & Travis Counties, Texas, and that the Notice, a copy of which is hereto attached, was published in said newspaper on the following dates:

January 28th A.D. 20 21

Kirsten Foltz

SUBSCRIBED & SWORN TO before me, this the 28th day of Jan A.D. 20 21



Ginny Brock  
Notary Public in and for the State of Texas

## **PUBLIC NOTICE**

The Village of Volente Planning & Zoning Commission will meet on Tuesday, February 16, 2021 at 6:30 P.M via Zoom to hold a public hearing and to consider the following:

The public may participate in this Zoom meeting by connecting through the following link:

[https://us02web.zoom.us/j/820 6173 1030](https://us02web.zoom.us/j/82061731030)

ID: 820 6173 1030

Password: 78641

**AND**

The Village of Volente City Council will meet on Wednesday, February 17, 2021 at 6:30 P.M. via Zoom to hold a public hearing to consider the following:

The public may participate in this Zoom meeting by connecting through the following link:

[https://us02web.zoom.us/j/820 6173 1030](https://us02web.zoom.us/j/82061731030)

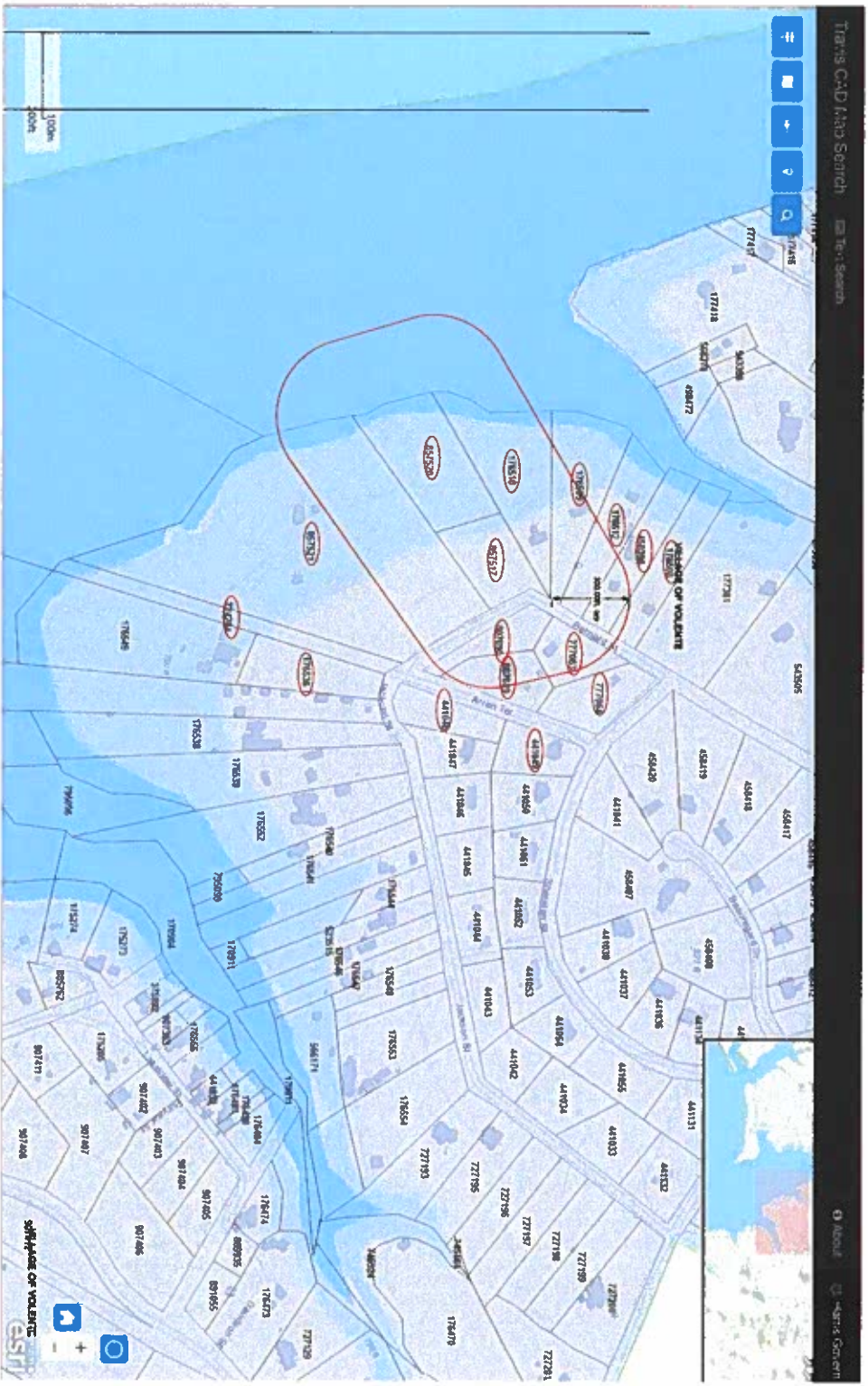
ID: 820 6173 1030

Password: 78641

1) Hold a public hearing and consider action rezoning of parcels of land including 5.217 acres more or less; generally located at the southwest corner of Bernard St and Jackson St ROW in the John Stewart survey No. 551 and the Robert Foster Survey No. 31, in Travis County and comprising parts of Lake Travis Subdivision No. 2 and 6. Currently the property is zoned "SR" Single Family Residential. The applicant is proposing to rezone the property to "UD" Utility District in accordance with Sec 9.02.057 of the code of ordinances. The property will be utilized as the site for a maintenance building which will support operation and maintenance of a deep-water intake. Applicant: Walker Partners on behalf of Brushy Creek Regional Utility.

2) Hold a public hearing and consider action on Conditional Use Permit for 5.217 acres, generally located at the southwest corner of Bernard St and Jackson St ROW in the John Stewart survey No. 551 and the Robert Foster Survey No. 31, in Travis County and comprising parts of Lake Travis Subdivision No. 2 and 6, authorizing the conditional use permitted for Utility District under Volente Code of Ordinances sec. 9.02.057 (c)(3) Facilities required by public or private utility providers. Applicant: Walker Partners on behalf of Brushy Creek Regional Utility.

The virtual meetings will OPEN FOR PARTICIPANT ENTRY approximately 30 minutes (6:00 P.M.) prior to the beginning of each meeting. For information concerning these matters email [city.secretary@volentetexas.gov](mailto:city.secretary@volentetexas.gov).



**Village of Volente  
Notice of Public Hearings**

February 16, 2021, Tuesday at 6:30pm  
Planning & Zoning Commission Meeting

February 17, 2021 Wednesday at 6:30  
Village of Volente City Council Meeting

**The Planning and Zoning Commission** will hold a Public Hearing on February 16, 2021 at 6:30pm concerning the Brushy Creek Regional Utility Authority (BCRUA) request to have the property at the southwest corner of Bernard St. and Jackson St. re-zoned. **This property is located at 16621 Jackson Street, Volente Texas 78641.**

**The Village of Volente City Council** will hold a Public Hearing on February 17, 2021, at 6:30pm concerning the Brushy Creek Regional Utility Authority (BCRUA) request to have the property at the southwest corner of Bernard St. and Jackson St. re-zoned. **This property is located at 16621 Jackson Street, Volente Texas 78641.**

The current zoning on this property is Single-Family Residential (District SR) and the BCRUA is requesting a change to a Utility District (District UD). The requested Conditional Use Permit (CUP) will be for the same property and the same usage. The BCRUA plans to construct their maintenance building on this property.

You are receiving this Notice because Village records identify you as an owner of property located within 300' of the property seeking a zoning change. You are welcome to view the BCRUA applications and their supporting documentation at the Village Office. However, due to recommended COVID-19 precautions, visits to the Village Office are by appointment only. If you wish to schedule an appointment, you may do so by calling (512) 250-2075, or emailing us at [city.secretary@volentetexas.gov](mailto:city.secretary@volentetexas.gov).

Additional information about the BCRUA project can also be reviewed on the Village's Official Website at: [villageofvolente-tx.gov](http://villageofvolente-tx.gov).

We encourage your attendance at these Hearings—which will be held via Zoom—especially if you have questions or comments regarding this Application. Zoom meeting IDs and Passwords are the same for both meetings. **ID: 820-6173-1030 Password: 78641**

If you are unable to attend, you are welcome to submit your public input to the above email address.

Attached to this letter is a copy of the Public Hearing Notice that was published in the Hill Country News on January 28, 2021.

Property ID	Geographic ID	Type	Property Address
458420	174550412	Real	8100 BEAUREGARD DR TX 78641
458419	174550411	Real	8104 BEAUREGARD DR VOLENTE, TX 78641
458418	174550410	Real	8108 BEAUREGARD DR TX 78641
458407	174550204	Real	8111 BEAUREGARD DR VOLENTE, TX 78641
458417	174550409	Real	8112 BEAUREGARD DR TX 78641
458416	174550408	Real	8116 BEAUREGARD DR VOLENTE, TX 78641
458408	174550205	Real	8119 BEAUREGARD DR VOLENTE, TX 78641
458415	174550407	Real	8120 BEAUREGARD DR TX 78641
458414	174550406	Real	8124 BEAUREGARD DR LEANDER, TX 78641
458413	174550405	Real	8128 BEAUREGARD DR TX 78641
458412	174550404	Real	8132 BEAUREGARD DR LEANDER, TX 78641
441133	174550202	Real	8133 BEAUREGARD DR VOLENTE, TX 78641
458411	174550403	Real	8136 BEAUREGARD DR TX 78641
807689	172550208	Real	8024 ARREN TERR VOLENTE, TX 78641
777064	172550207	Real	8034 ARREN TERR TX 78641
441049	172550808	Real	8033 ARREN TERR TX 78641

Village of Veterans  
14300 Wilbur Lane  
Victoria, TX 77901

James Thomas  
14300 Wilbur Lane  
Victoria, TX 77901

Village of Veterans  
14300 Wilbur Lane  
Victoria, TX 77901

Robert Miller  
14300 Wilbur Lane  
Victoria, TX 77901

Village of Veterans  
14300 Wilbur Lane  
Victoria, TX 77901

Village of Veterans Chapter Association Inc  
C/O T. J. Miller  
14300 Wilbur Lane  
Victoria, TX 77901

Village of Veterans  
14300 Wilbur Lane  
Victoria, TX 77901

James Miller  
14300 Wilbur Lane  
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14300 Wilbur Lane  
Victoria, TX 77901



16100 WharfCove, Volente, TX 78641

Phone: (512)250-2075

[www.villageofvolente-tx.gov](http://www.villageofvolente-tx.gov)

## APPLICATION FOR RE-ZONING

(INCLUDE NECESSARY SUPPORTING MATERIAL)


<b>ADDRESS OF PROPERTY:</b> Southwest corner of Bernard St. and Jackson St. ROW, current road ends at Bernard Street cul-de-sac in Volente, TX		<b>NUMBER OF ACRES:</b> 5.215	
<b>LEGAL DESCRIPTION (SUBDMISION, SECTION, LOT)</b> Lot 1, Block 1, B.C.R.U.A. Addition		<b>CURRENT ZONING:</b> SR	<b>PROPOSED RE-ZONING:</b> UD
<b>PROPERTY OWNER FIRM:</b> Brushy Creek Regional Utility Authority	<b>CONTACT NAME:</b> Ms. Karen Bondy	<b>TELEPHONE:</b> 512-215-9151	<b>E-MAIL:</b> kbondy@bcrua.org
<b>MAILING ADDRESS:</b> 221 E. Main Street		<b>CITY:</b> Round Rock	<b>STATE:</b> Texas
			<b>ZIP CODE:</b> 78664
<b>APPLICANT FIRM:</b> Walker Partners / Freese and Nichols Joint Venture	<b>CONTACT NAME:</b> S. Jared Niermann, P.E.	<b>TELEPHONE:</b> 512-382-0021	<b>E-MAIL:</b> jniermann@walkerpartners.com
<b>MAILING ADDRESS:</b> 804 Las Cimas Parkway, Ste. 150		<b>CITY:</b> Austin	<b>STATE:</b> Texas
			<b>ZIP CODE:</b> 78746

**PROJECT AND PURPOSE FOR WHICH RE-ZONING CHANGE IS SOUGHT:**

The property being rezoned is part of Phase 2 of the Regional Water System improvement project performed by the Brushy Creek Regional Utility Authority (BCRUA). The project provides raw water to the cities of Round Rock, Cedar Park and Leander. Overall, the project includes a deep-water intake on the Sandy Creek Arm of Lake Travis, approximately 11,000 linear feet of subsurface tunnels, and a pump station located adjacent to the City of Cedar Park's Water Treatment Plant on Lime Creek Road. The 5.215-acre property will be utilized as the site of a maintenance building which will support operation and maintenance to the intake, including invasive mussel control systems.

**SUBMITTAL VERIFICATION/INSPECTION AUTHORIZATION:**

That I, as owner or duly authorized officer of the property hereinafter referenced, do hereby execute this document, acknowledge the above statements to be true and accurate to the best of knowledge, and understand that knowing and willful falsification of information will result in rejection of my application and may be subject to criminal prosecution. I have received, read and understand the terms and conditions of this request, and agree to compliance with all applicable codes and ordinances of the City. I authorize the City or their representatives to visit and inspect the property for which this application is being submitted.

  
 \_\_\_\_\_  
 APPLICANT SIGNATURE

S. Jared Niermann, P.E.  
 \_\_\_\_\_  
 PRINTED NAME

07/09/2019  
 \_\_\_\_\_  
 DATE

**PERMIT NUMBER:**  
 \_\_\_\_\_

**AMOUNT RECEIVED:**  
 \_\_\_\_\_

**NOTES:**  
 \_\_\_\_\_

January 21, 2021

Village of Volente  
16100 Wharf Cove  
Volente, TX 78641

Attn: Pat McLemore

**Re: BCRUA Maintenance Building Site for Deep Water Intake  
Conditional Use Permit Application Amendment  
Walker Partners Project No.: 3-00670.01**

Dear Pat McLemore and Members of the Planning and Zoning Commission for the Village of Volente:

Walker Partners/Freese and Nichols Joint Venture is submitting this amendment to our Conditional Use Permit delivered to the Village on July 24, 2019. The Village asked that the requested conditional use for our property be changed from "water intake facilities and pumping stations" (Volente Code Section 9.02.057(c)(2)) to "facilities required by public or private utility providers" (Volente Code Section 9.02.057(c)(3).

In our original cover letter, dated July 24, 2019, for the Conditional Use Permit Application, please delete the paragraph beginning "We are requesting that the..." in its entirety and replace it with the following:

"We are requesting that the 5.215-acre property in Volente be approved for a conditional use permit for the construction and operation of "facilities required by public or private utility providers" as mentioned is acceptable for a property zoned as UD – Utility District in the Volente Code of Ordinances Section 9.02.057(c)(3). Per Section 9.02.141(d)(2)(A), we have included our rezoning application here as well for your consideration as the current zoning is SR – Single Family Residential and must be rezoned to UD – Utility District."

Also, please delete in its entirety the completed Village of Volente Conditional Use Application form submitted with our original Conditional Use Permit Application and replace it with the amended and completed application form attached.

Please feel free to reach me at 512-382-0021 or [jniermann@walkerpartners.com](mailto:jniermann@walkerpartners.com) if you have any questions or need additional information to support your review.

Sincerely,  
Walker Partners/Freese and Nichols J.V.



S. Jared Niermann, P.E.  
Project Manager





# VILLAGE OF VOLENTE CONDITIONAL USE PERMIT APPLICATION

WALKER PARTNERS / FREESE AND

Applicant's Name: NICHOLS JOINT VENTURE Contact Phone: 512-382-0021  
804 LAS CIMAS PKWY, STE. 150,

Mailing Address: AUSTIN, TX 78746  
SOUTHWEST CORNER OF BERNARD ST. AND JACKSON ST. ROW, CURRENT ROAD

Property Address (if different): ENDS AT BERNARD STREET CUL-DE-SAC IN VOLENTE, TX

Legal Description of Property: LOT 1, BLOCK 1, B.C.R.U.A. ADDITION

### Conditional Use Requested:

- |   |  |
|---|--|
| <input type="checkbox"/> Water Storage Tanks or Towers  | <input type="checkbox"/> Vacation Rental Dwellings                         |
| <input type="checkbox"/> Telecommunications Facilities  | <input type="checkbox"/> Commercial, Recreational or Amusement Development |
| <input type="checkbox"/> Restaurant, Cafes, Bars and Similar Uses   | <input type="checkbox"/> Marinas and Similar Uses                          |
| <input type="checkbox"/> Warehouse, convenience store, offices, Retail Shop and Similar Uses                | <input type="checkbox"/> Parking Lots                                      |
| <input type="checkbox"/> Alcoholic beverages  | <input type="checkbox"/> Schools – Public and Denominational               |
| <input type="checkbox"/> Commercial in "OS" Zone  | <input type="checkbox"/> Amusement Park                                    |
| <input checked="" type="checkbox"/> Other uses as identified in the specific district/definition of the use | <input type="checkbox"/> Utility Districts                                 |
- FACILITIES REQUIRED BY PUBLIC OR PRIVATE UTILITY PROVIDERS (per Volente Code of Ordinances Section 9.02.057 (c)(3))

Additional Information: PART OF THE PHASE 2 OF THE REGIONAL WATER SYSTEM IMPROVEMENT PROJECT PERFORMED BY THE BRUSHY CREEK REGIONAL UTILITY AUTHORITY (BCRUA). SITE WILL SUPPORT OPERATION AND MAINTENANCE TO THE INTAKE, INCLUDING MUSSEL CONTROL SYSTEMS.

Photos included?  Yes  No Site Plan included?  Yes  No

Signature of Applicant X *S. Joel Niss* Date 01/21/2021

The City Council may grant a conditional use permit for the above listed uses, with the recommendation of the Planning and Zoning Commission, and with approval by 75% affirmative votes. The City Council may impose additional conditions on the permit, as appropriate. See Section 9.02.141(4)(E)

### For City Use Only

Application fee paid: _____	Received by: _____
Date of Publication of Public Hearing Notice: _____	Notices Mailed: _____
P&Z Meeting Date: _____	City Council Meeting Date: _____
Staff Notes: _____ _____	

**Attachments: Conditional Use Permit Application**

**Electronic Delivery**

**Cc: Ms. Karen Bondy, BCRUA General Manager  
Mr. Dan Thost, Volente Mayor  
Ms. Kit Hopkins, Volente Councilmember  
Mr. Marc Dickey, Volente Engineer  
Ms. Erin Flanagan, Freese and Nichols Project Manager  
Project File**