

**PUBLIC HEARING AND  
REGULAR MEETING OF THE VILLAGE COUNCIL  
VILLAGE OF POINT VENTURE  
Wednesday, November 15, 2023 at 6:30 PM  
555 Venture Blvd S  
Point Venture, TX 78645**

*"Partnership with the community. Foster community pride.  
Preserve and enhance the natural beauty of our environment"*

**Minutes**

**A. Items Opening Meeting**

1. Call to Order - Mayor ProTem Justin Hamilton called the meeting to order at 6:30 PM.
2. Pledge - Mayor ProTem Justin Hamilton led the Pledge of Allegiance.
3. Roll Call - Village Secretary called roll: Present were: Mayor ProTem Justin Hamilton, Councilmember Mark Maund, Councilmember Shelly Molina, Councilmember Tex Tubbs, and Councilmember Cliff McInnis. A quorum was present.

**B. Public Hearing/Items for Consideration**

1. Consider testimony and act upon request by Frank & Denise Guzman, owners of the property located at 510 Deckhouse Drive, Point Venture, TX 78645 (Section 2, Lot 437) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2.1(5)(a) pertaining to maximum height of structures.
  - a. Mayor ProTem Justin Hamilton introduced item request for variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2.1(5)(a) pertaining to maximum height of structures.
  - b. Property owners of lot 437, 510 Deckhouse Drive, addressed the Council. Request 28' height restriction be measured from the floodplain building level of 723' as highest point on this lot is 719.5. Based on limitations of this lot, not allowing this variance to height restriction would restrict property owner ability to build a two-story home. Builder, John Johnson, also addressed Council. This request to measure 28' from floodplain building level will allow 10' ceilings in lieu of 8' ceilings if 28' height is measured from highest point on lot is required.

Resident property owner of lot 438 addressed Council on behalf of three neighboring properties that lake view will be affected if height restriction is not upheld. Development could block last bit of view which also reduces value of these "lakeview" properties. Resident request property owners and developer work to modify height to diminish affect to adjacent properties.

Resident property owner of lots 411 and 403 (both within 200' of development) addressed the Council. Property owner felt information provided in variance request of applicant's submission was misleading and incorrect. Per Village zoning ordinance, variances should only be approved under extraordinary circumstances caused by hardship situations, provided such approval will not adversely affect any adjoining property. Property owner commented on three primary concerns: 1) this variance request and project would undoubtedly adversely affect adjoining properties by blocking view which would have negative impact on affected properties value; 2) there are no extraordinary circumstances to support a hardship; 3) FEMA floodplain at 723' building level in effect since 2006 and Village of Point height restriction of 28' from highest point on lot in effect in 2003. Property owner respectfully urged Council to deny this variance request.

Resident property owner of lot 412 addressed the Council. Property owner asked that this variance request and project not be allowed as the development would significantly block view from his home at 511 Deckhouse; would significantly reduce the market value of his home and property; FEMA floodplain and Village code in place long before this development was planned, property owners should have already been well aware of floodplain and height restrictions; the original developer and deed restrictions stated no home should be built that blocks view of Lake Travis



- from adjacent properties. Property owner request that this variance be denied.
- c. Council discussion regarding property owners opposition to the request for relief of height restriction based on property (lot 437) limitations by being located completely with FEMA floodplain level and Village code designating building height for single family residents at 28' from highest parapet on lot. Council discussed proposed project should be able to fit within FEMA and Village guidelines. Council reviewed that FEMA floodplain and Village code have been firmly in place for many years.
  - d. **Councilmember Tex Tubbs made a motion to deny variance request to maximum height of structure for single family dwelling project at 510 Deckhouse. Councilmember Mark Maund seconded the motion to deny variance request to maximum height of structure for single family dwelling project at 510 Deckhouse. Councilmember Shelly Molina in agreement with motion and second to deny request for variance. Councilmember Cliff McInnis in agreement with motion and second to deny request for variance. Mayor ProTem Hamilton in agreement with motion and second to deny request for variance. Request for variance to Village Zoning Code Section 1.1.5.2.1(5)(a) pertaining to maximum height for structures is denied for 510 Deckhouse Drive.**
2. Consider testimony and act upon request by Rick Sanchez on behalf of Carlos & Mirna Platero, owners of the property located at 221 Lakefront Drive, Point Venture, TX 78645 (Section 3-1, Lot 481) for a variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement.
    - a. Mayor ProTem Justin Hamilton introduced item request for variance to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement.
    - b. Rick Sanchez addressed the Council on behalf of owners of property located at 221 Lakefront Drive. Property owner seeking approval to construct a 20'x20' Tuff Shed on this property which would exceed maximum allowable lot coverage specified in Village zoning regulations. This proposed shed would result in lot coverage of 57%. This storage shed is desired for functional storage purposes. Resident property owner lot 483, 213 Lakefront Drive, provided Council pictures to support that maximum lot coverage appears to be closer to 80-85% and not 57%. Resident requested additional impervious coverage to stop at 221 Lakefront.
    - c. Councilmember Tubbs asked owner of property at 221 Lakefront when the concrete was added in the back yard area. Owners believe approximately 3 years ago. Councilmember McInnis asked Rick Sanchez if proposed shed would be installed on already existing concrete pad in the back yard. The proposed shed would be installed on existing concrete, no additional concrete will be poured.
    - d. **Councilmember Tex Tubbs made a motion to deny variance request to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement. There was no second received. Motion fails. Councilmember Shelly Molina made a motion to approve variance request to the Village of Point Venture Zoning Ordinance Chapter 5 Section 1.1.5.2(b)(4)(F) pertaining to maximum lot coverage requirement for construction of storage shed on existing concrete pad at 221 Lakefront Drive. Councilmember Mark Maund seconded the motion to approve variance request pertaining to maximum lot coverage requirement for construction of storage shed on existing concrete pad at 221 Lakefront Drive. Councilmember Cliff McInnis in agreement with motion and second to approve request for variance. Mayor ProTem Hamilton in agreement with motion and second to approve request for variance. Councilmember Tex Tubbs does not agree or support request for variance to Village Zoning Code Section 1.1.5.2.(b)(4)(F) pertaining to maximum lot coverage requirement. Request for variance to Village Zoning Code Section 1.1.5.2.(b)(4)(F) pertaining to maximum lot coverage requirement is approved for 221 Lakefront Drive.**

**C. Mayor ProTem Hamilton concluded Public Hearing and convened into Regular Council Meeting at 7:21 PM.**

November 15, 2023



**D. Public Comments**

Resident property owner expressed gratitude for residents that chose to run for council positions and residents that chose to get out and vote. Resident addressed the Council that she would love to collaborate with Council to work toward an environment of compliance and unity and move away from neighbor to neighbor conflict and divides that have emerged.

**E. Mayor Pro-Tem expressed his sincere thanks to Councilmember Shelly Molina and Councilmember Cliff McInnis for their service to the Village of Point Venture. Councilmember Molina and McInnis have completed their terms of office.**

**F. Travis County Sheriff's Report** – Travis County Sheriff were not able to attend meeting. No report given.

**Emergency Services Report** – Greg Johnston and Chris Colunga with Travis County Emergency Services District 1 attended the meeting. Deputy Fire Marshal Chris Colunga reported on Point Venture community firewise initiative. From July to August 115 lots were found to be in violation of the firewise community act ordinance Sec 7.05.006 and courtesy letters were sent to all property owners. On November 2 all 115 properties were re-inspected to verify compliance. Of the 115 original properties, 79 were found to still be in violation. A notice of violation letter will be sent to property owners still not in compliance to grant 4-week compliance period for property owners to rectify their individual lots issues of non-compliance. At conclusion of designated time allowance to bring notified properties into compliance a determination will be made regarding compliance and issuance of citations will begin.

**G. Items to Consider**

1. Approval of Minutes October 18, 2023, Public Hearing and Regular Council Meeting.

**Mayor ProTem Hamilton made a motion to approve minutes for October 18, 2023, meeting as presented. Councilmember Cliff McInnis seconded the motion. Councilmember Tex Tubbs, Councilmember Mark Maund, and Councilmember Shelly Molina in agreement. Motion carried.**

2. Authorize Mayor ProTem Hamilton to sign on behalf of the Village of Point Venture the Notice to Proceed and contract agreement for Road Improvements 2023-Crack Seal with National Industrial Maintenance, Inc.

**Councilmember Shelly Molina made a motion to authorize Mayor ProTem Hamilton to sign notice to proceed and contract agreement with National Industrial Maintenance Inc. for Road Improvement 2023-Crack Seal. Councilmember Cliff McInnis seconded the motion. Councilmember Tex Tubbs, Councilmember Mark Maund, and Mayor ProTem Justin Hamilton in agreement. Motion carried.**

3. Discuss and possible approval authorizing Mayor ProTem Justin Hamilton to engage Neffendorf & Blocker, P.C. to perform FY2023 financial audit.

**Councilmember Tex Tubbs made a motion to authorize Mayor ProTem Justin Hamilton to authorize and sign letter of engagement with Neffendorf & Blocker, P.C. to perform the fiscal year 2023 financial audit. Mayor ProTem Hamilton seconded the motion. Councilmember Shelly Molina, Councilmember Mark Maund, and Councilmember Cliff McInnis in agreement. Motion carried.**

4. Discuss and approve Travis County Hazard Mitigation Action Plan Update per Federal Disaster Mitigation Act of 2000 and FEMA requirements for Point Venture to be eligible for full range of pre-disaster and post-disaster federal funding for mitigation purposes.

An update to hazard mitigation action plan is required every five years. Councilmember Tex Tubbs reminded Council that acceptance of this update also includes mitigation action item responsibilities from our community in the next five years. Copy of the full Hazard Mitigation Update Plan may be viewed at the Village administration office.

**Councilmember Cliff McInnis made a motion to approve Travis County Hazard Mitigation Action Plan Update. Councilmember Shelly Molina seconded the motion. Councilmember Mark Maund, Councilmember Tex Tubbs, and Mayor ProTem Justin Hamilton in**



**agreement. Motion carried.**

5. Discuss and possible approval for estimates received from S&M Construction Pro for ditch grading at Venture Dr/Demarett and Valley Hill Ln/Southwind Rd.  
Rainwater overflow at these two locations has resulted in water flow across roadway and adjacent properties. Rocks placed in right of way by property owners are too small and rainwater flow forces these rocks through culverts creating blockage.  
**Councilmember Tex Tubbs made a motion to approve estimates for ditch grading at Venture Drive/Demarett with engineers' suggestion to increase river stone size to 5"x8" and approve estimate for Valley Hill Lane/Southwind Road location. Councilmember Shelly Molina seconded the motion. Mayor ProTem Hamilton, Councilmember Mark Maund, and Councilmember Cliff McInnis in agreement. Motion carried.**
6. Discuss and possible approval to hire a part time animal control officer.  
Interest received to fill the part time/as needed animal control officer. The position has been budgeted for up to 30 hours per week at \$25.00 per hour. The position may also provide additional assistance if needed for public works activities.  
**Councilmember Cliff McInnis made a motion to approve part time/as needed animal control position and offer position to Anthony Reynolds. Mayor ProTem Justin Hamilton seconded the motion. Councilmember Shelly Molina, Councilmember Mark Maund, and Councilmember Tex Tubbs in agreement. Motion carried.**
7. Discuss and approve resolution of appreciation to all those who donated/sponsored National Night Out, October 14, 2023, and declare this event as a public purpose community event.  
**Mayor ProTem Justin Hamilton made a motion to approve resolution 2023-10-14 to acknowledge donations and sponsors for National Night Out public service event on October 14, 2023. Councilmember Cliff McInnis seconded the motion. Councilmember Shelly Molina, Councilmember Mark Maund, and Councilmember Tex Tubbs in agreement. Motion carried.**
8. Discuss and possible approval to establish and approve official City flag for the Village of Point Venture.  
Councilmember Tubbs expressed concern about how the flag contest was initiated and conducted and requested a full audit of all contests that were held before any action is considered by the Council. Councilmember Mark Maund was not aware of contests and had not viewed any of the flags received or voted upon. Mayor ProTem Justin Hamilton request the Council table this discussion and consideration of an official city flag until the December Council meeting.  
Councilmember Cliff McInnis seconded this motion. All in agreement to table for further discussion at December Council meeting.
9. Discuss and approval solicitation for two additional Planning and Zoning Commission members appointment.  
Mayor ProTem Justin Hamilton request to speak to both item 9 and 10 together as P&Z Commission requires two additional members for full commission prior to a joint workshop with Council regarding zoning code amends/updates. Councilmember Shelly Molina requested clarification to position of one year or two year term prior to solicitation of new P&Z Commission members.
10. Discuss format, agenda and dates for combined workshop with the P&Z Commission regarding zoning code amends/updates.  
**Councilmember Cliff McInnis made a motion to table discussion of possible dates for a joint workshop with P&Z Commission regarding zoning code amends/updates to the December Council meeting. Councilmember Tex Tubbs seconded the motion. Councilmember Shelly Molina, Councilmember Mark Maund, and Mayor ProTem Hamilton in agreement. Motion carried.**

## H. Council Reports

### 1. Financial Report

Councilmember Tex Tubbs reported October monies in bank:

Security State Bank & Trust – Money Market	\$ 94,854.89
Security State Bank & Trust – Operating Account	\$724,169.38
TexPool- Money Market	\$307,100.23
TexPool – Road Fund	\$703,368.14
TexPool – Time Warner	\$ 36,192.77
<b>Total cash in banks</b>	<b>\$1,865,685.41</b>

Councilmember Tex Tubbs gave brief overview of FYE 2023 budget to actual. The Village of Point Venture was over budget approximately \$96,000 income, largely due to sales tax revenue and interest on cash in banks. The Village of Point Venture was under budget approximately \$100,000, largely due to lower payroll expense (unfilled staff position) and security expense for hours budgeted but not performed and billed by Travis County Sheriff deputy and vehicle.

Village Treasurer has requested required two signatures on Security State Bank operating account. This item will be presented for approval at the December Council meeting with authorization of update to bank signatories.

### 2. Building Department

Councilmember Shelly Molina presented the October Building Report: There no permits issued for single family dwelling. There were no certificates of occupancy issued. There were permits issued for cowboy pool, inground pool, lot clearing permit and one permit extension.

### 3. Code Enforcement

No additional reporting.

### 4. Animal Control

Nine deceased deer picked up, no additional reporting.

### 5. Village Services

52 drops made at the CCC on Saturday, November 3, 2023.

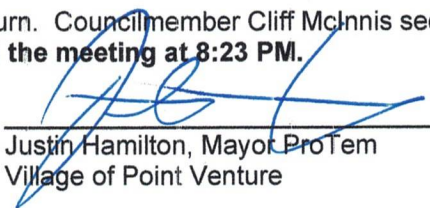
Acceptable use Community Collection Center discussion that no contractor drops are allowed, homeowner proof of Point Venture address required and homeowner must be present to make a drop at the Community Collection Center.

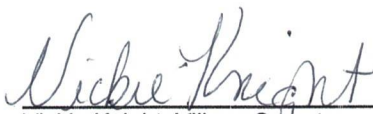
### 6. Public Works

Cold patch asphalt street repair at Venture Drive and Lakeland Circle has been completed in-house staff. Councilmember Tex Tubbs request that a discussion of purpose and process to establish priority guidelines for Village of Point Venture right of way culvert/ditch grading be considered in detail at the December Council meeting.

## I. Adjourn

Councilmember Shelly Molina made a motion to adjourn. Councilmember Cliff McInnis seconded the motion. **Mayor ProTem Justin Hamilton adjourned the meeting at 8:23 PM.**

  
Justin Hamilton, Mayor Pro Tem  
Village of Point Venture

  
Vickie Knight, Village Secretary  
Village of Point Venture

*\*This facility is wheelchair accessible and accessible parking spaces are available. Reasonable modifications and equal access to communications will be provided upon request.*