



**REGULAR MEETING OF THE VILLAGE COUNCIL  
VILLAGE OF POINT VENTURE  
Wednesday, February 21, 2024, 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"*

**Agenda**

**A. Items Opening Meeting**

1. Call to Order
2. Pledge
3. Roll Call

**B. Consent Agenda**

1. Approval of Minutes January 17, 2024 Regular Meeting of the Village Council.
2. Authorize Mayor Justin Hamilton to sign annual renewal application for secondary employment for law enforcement with Travis County Sheriffs Office and Agreement With Regard To Use of Vehicle(s) In Connection With Off Duty Employment of County Peace Officer(s) for January 2024-December 2024.
3. Authorize Mayor Justin Hamilton to sign 3-year extension beginning January 2024 with Waste Connections Lone Star Inc as approved by Council on September 28, 2023.

All matters listed under consent agenda are considered to be routine by the Council and will be enacted by one motion. There will not be separate discussion of these items. If so desired, an item may be removed from the consent agenda and considered separately.

**C. Public Comments**

Public comment section to address Council.

Village Council may only make a factual statement or a recitation of existing policy in response to an inquiry regarding subjects not on this agenda.

**D. Mayor Report**

Report on appointment of Mayor's designee, Anthony Goode of Goode Faith Engineering, as Floodplain Administrator.

Report on audit of flag vote count at NNO.

Appreciation to Firewise compliant property owners.

**E. Travis County Sheriff's Report  
Emergency Services Report**

**F. Closed Executive Session.** The Village Council may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code. Notice is hereby given that the City Council may go into Executive Session in accordance with the following provision of the Government Code:

Texas Government Code, Section 551.074 – Deliberations concerning the appointment of the Municipal Judge.

**G. Items to Consider**

1. Discuss and consideration of an ordinance appointing the Municipal Judge of the Municipal Court of the Village of Point Venture and authorizing the execution of a contract with same.
2. Discuss and review Council resolution regarding establishment and use of an official city flag.
3. Discuss and consider future of Planning and Zoning Commission and the requested appointment of two (2) Planning & Zoning members for unexpired terms through June 2024.

**H. Council Reports**

- 1. Financial Report
  - January Cash in Banks
  - December YTD Financials – 1<sup>st</sup> quarter reporting
  - Important dates for budget and tax rate adoption FY2024/2025.
  - Notice of request for application for performance of bank depository services for May 2024 – May 2029 to be published March 7, 2024.
- 2. Building Department
  - January Building Report
- 3. Code Enforcement
  - Update recent non-compliance complaints received.
- 4. Animal Control
  - ACO is certified and scheduled for local rabies control authority training in March.
- 5. Village Services
  - First and third Saturday community collection days continue to be popular. Drop off requirements will be publicized for reminders over the next few months.
- 6. Public Works
  - Invoicing for crack seal project has been received in the amount of \$164,416.20.

**I. Adjourn**




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Justin Hamilton, Mayor  
Village of Point Venture

I certify that a copy of the above Notice was posted on the Village Office Bulletin Board, in a place convenient to the public, in compliance with Chapter 551 of the Texas Government Code at 3:15 p.m. on 2/16, 2024.




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Vickie Knight, Village Secretary  
Village of Point Venture

*Notes to the Agenda:*

- 1. *The Council may vote and/or act upon each of the items listed in this Agenda.*
- 2. *Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or Village boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the bodies, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.*
- 3. *The Village Council may go into Executive Session regarding any item posted on the Agenda as authorized by Title 5, Chapter 551 of the Texas Government Code.*
- 4. *This agenda has been reviewed and approved by the Village's legal counsel, and the presence of any subject in any Executive Session portion of the agenda constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting, considering available opinions of courts of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c), and the meeting is conducted by all participants in reliance on this opinion.*

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

**REGULAR MEETING OF THE VILLAGE COUNCIL  
VILLAGE OF POINT VENTURE**

**Wednesday, January 17, 2024 at 6:30 PM**

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**Point Venture, TX 78645**

*"Partnership with the community. Foster community pride.  
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**Draft Minutes**

**A. Items Opening Meeting**

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

**B. Public Comment**

- \*Resident property owner addressed Council regarding December 20, 2023 appointment for unexpired council seat. Candidates on the November ballot for council were individuals vetted by the voters. Appointment should be made from these candidates. Encouraged Council to stay transparent, understand the importance and appearance of following the rules while serving in the public sector.
- \*Resident property owner addressed Council once again that elections are important – the candidates who run and the residents that go to vote. At the December meeting the Council did not listen to the Point Venture voters.
- \*Resident property owner addressed the Council to voice his support for the December 20, 2023, appointment of John Schwarz.
- \*Resident property owner addressed the Council to voice his support for the December 20, 2023, appointment of John Schwarz.
- \*Resident property owner addressed the Council regarding different perspectives of the appointment and he supports Council appointment on December 20, 2023, of John Schwarz.
- \*Resident property owner thanked Council for completing roadways crack seal. He also expressed dislike of the appointment process as a whole, should be elected and not appointed.
- \*Resident property owner addressed Council on the following points: fairness and validity of city flag competition; election fraud concerns; National Night Out activities and funds expended; ordinances being selectively enforced; appointment to unexpired council seat; councilmember actions, decisions and due process.
- \*Resident property owner expressed opposition to appointment to unexpired term as public had no opportunity or information regarding individual appointed. He suggested the Village hold a special election to fill vacancy.
- \*Resident property owner expressed astonishment at Council's seeming collusion with unexpired term appointment and National Night Out banners.
- \*Resident property owner addressed the Council to voice his support for the December 20, 2023, appointment of John Schwarz.

**C. Mayor Report**

Draft resolution for adoption of official city flag will be presented at February 21, 2024 meeting. Input, ideas should be forwarded to the Village Secretary.  
Mayor Hamilton will not appoint Council liaisons.

**D. Travis County Sheriff's Report**

No report provided.

## Emergency Services Report

North Lake Church offered to serve as community warming center during extreme cold spell, luckily there was no need. North Lake Church will continue to work toward becoming an overnight shelter for the community.

## E. Items to Consider

1. Introduction and discussion with city engineer, Anthony Goode, regarding current and future road improvement projects.  
Anthony Goode will review 2017 Road Improvement Plan to offer update, options for continued road improvement planning. Anthony Goode will serve as the Mayor's designated appointment for floodplain management.
2. Discuss appointment of municipal court judge.  
Council will meet candidate and discuss appointment of municipal court judge at February Council meeting.
3. Discuss and consider the nomination and appointment, including the process for such nomination and appointment, to fill the unexpired term of the vacant councilmember seat.  
Councilmember Tex Tubbs addressed Council with challenge of violation Texas Government Code Section 551.143 by councilmembers and Texas Government Code Section 551.141 invalidity of votes based on violation of the Texas Open Meetings Act. See Councilmember Tubbs formal written challenge as Exhibit A attached to these minutes of January 17, 2024. Council discussion, Mayor Hamilton statement there is no proof of violation of Texas Open Meetings Act. Mayor Hamilton restated actions/vote of Council for appointment to unexpired council seat of December 20, 2023 and appointment stands.
4. Discuss and consider approval of minutes November 15, 2023 Special Meeting-Canvass of Municipal Election.  
Councilmember Mark Maund made a motion to approve minutes for November 15, 2023 Special Meeting-Canvass of Municipal Election. Councilmember Tex Tubbs seconded the motion. **The vote was unanimous with Councilmembers Jeff Schroeder , Mark Maund, Tex Tubbs and Mayor ProTem Scott Staeb voting for and no one voting no. Motion Passed.**
5. Discuss and consider approval of minutes December 20, 2023 Regular Meeting of the Village Council.  
Councilmember Jeff Schroeder made a motion to approve minutes for December 20, 2023 Regular Meeting of the Village Council. Mayor ProTem Scott Staeb seconded the motion. **The vote was unanimous with Councilmembers Mark Maund, Tex Tubbs, Jeff Schroeder and Mayor ProTem Scott Staeb voting for and no one voting no. Motion Passed.**

## F. Presentations and Recognitions

1. Administration of Oath of Office for unexpired council seat term.  
Mayor Justin Hamilton administered the Statement of Appointed Official and Oath of Office to John Schwarz for unexpired council seat term through November 2024,

## G. Council Reports

### 1. Financial Report

December Cash in Banks

Councilmember Tex Tubbs reported December monies in bank:

Security State Bank & Trust – Money Market	\$ 94,870.75
Security State Bank & Trust – Operating Account	\$959,780.90
TexPool- Money Market	\$309,863.01
TexPool – Road Fund	\$709,695.78
TexPool – Time Warner	\$ 36,518.34
<b>Total cash in banks</b>	<b>\$2,110,728.78</b>

2024/25 budget workshops will be scheduled for Wednesday, April 24; Wednesday, May 22; Wednesday, June 26, 2024.

2. Building Department

December Building Report

There were no permits issued for single family home, there were 14 certificates of occupancy issued (13 of these were completion of two townhouse projects).

Update status of 613 Deckhouse Drive lot restoration or building project.

Village Assistant Building Official has had numerous communications with the builder, building plans are in process of redesign to satisfy Village building and zoning code requirements.

3. Code Enforcement

Release First Notice of Violation letter non-compliance lot maintenance/firewise principles.

4. Animal Control

Dog registration underway, ACO will attend basic training end of January.

5. Village Services

Development of Village Council rules and procedures to begin with TML Mayor and Council Handbook subset with Village Council created policies for social media, purchasing, gifts, and staff relations.

6. Public Works

No report provided.

7. Planning and Zoning Commission

P&Z, per January 6, 2024 meeting, recommending two individuals for appointment to unexpired P&Z terms through June 2024. Council will consider appointment at future meeting.

Councilmember Tubbs requested that no councilmember and P&Z member meet outside of open meetings and/or workshop.

**H. Adjourn**

Mayor ProTem Scott Staeb made a motion to adjourn. Councilmember Mark Maund seconded.

**Mayor Justin Hamilton adjourned the meeting at 7:44 PM.**

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Justin Hamilton, Mayor  
Village of Point Venture

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Vickie Knight, Village Secretary  
Village of Point Venture

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# **EXHIBIT A      January 17, 2024**

If you don't mind, in order for me to stay brief, focused, and uninterrupted I'm going to read from my notes.

I'd like to thank Mr. Schwarz for his military service, and I'd like to thank him and all five candidates who ran in the election for stepping up and submitting their interest to serve on council.

I'd also like to apologize to two of these individuals (Mr. Schwarz and Ms. Wells) for being caught in the middle of this discussion, and I believe the both of you, the council and the citizens have been put in a very awkward situation.

I know we're a small community and we're all friends or friends of friends; however, per the State of Texas, the line of demarcation for a government body is clear when it comes to public officials communications amongst themselves regarding public business.

\*It was apparent, that prior to our last open meeting, members of council or some combination of three had spoken with each other regarding the nominations in a prohibited series of communications as defined by Texas Government Code Section 551.143. This created a quorum in violation of the Texas Open Meetings Act, and therefore, per Texas Government Code Section 551.141 an action taken is voidable. Therefore, I uphold the nomination and appointment of Mr Schwarz is invalid.

Unfortunately, not only was the final nomination and appointment tainted by actions of this council but so was the first nomination (of Ms. Wells), and I challenge the validity of both votes based on violations of the Texas Open Meetings Act.

I'll likely lose friends we have in common for speaking out over this (and for that I'd be sad on several levels); maybe, I'll gain respect from others for protecting all of our rights; regardless, I'm willing to take that risk as I'm obligated to call out this violation. I trust that it's important to the council and citizens of this community that we have a fair and open government, and understand that open government ran by the people and for the people is not just a slogan on a t-shirt but it's a constitutional right and open meetings are required by Texas law. I will not give up these rights, and I have a fiduciary responsibility to defend and protect them for all of our citizens. Village business is public business.

Maybe this was naivety on the part of some of our members. However, the others knew better. I also want to make it clear to this council if it happens again I will contact the Texas Attorney General's office for investigation.

I encourage Mr. Schwarz to run in the November election, and if we're both elected I would look forward to serving with him.

Since Mr. Schwarz's nomination is invalid, I recommend we discuss another candidate for consideration for the open council seat.

## **Division 4.05-2 Administration**

### **4.05.041 Designation Of Floodplain Administrator**

The mayor of the village, or the mayor's designee, is hereby appointed as the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance, National Flood Insurance Program Regulations) pertaining to floodplain management.

### **4.05.042 Duties And Responsibilities Of Floodplain Administrator**

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this article.
2. Review permit applications to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve, or deny all applications for development permits required by adoption of this article.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the floodplain administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the state commission on environmental quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with section 4.05.007, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of division 3 of this article.
9. When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated

development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

10. Under the provisions of 44 CFR section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in zones A1-30, AE, and AH on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by section 65.12.

#### **4.05.043 Permit Procedures**

1. Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her and shall include, but not be limited to, plans in triplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
  1. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures;
  2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
  3. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 4.05.072(b);
  4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
  5. Maintain a record of all such information in accordance with section 4.05.042(a).
2. Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:
  1. The danger to life and property due to flooding or erosion damage;
  2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  3. The danger that materials may be swept onto other lands to the injury of others;
  4. The compatibility of the proposed use with existing and anticipated development;
  5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  6. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;



7. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable; and
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

#### **4.05.044 Variance Procedures**

1. The village council shall hear and render judgment on requests for variances from the requirements of this article.
2. The village council shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this article.
3. Any person or persons aggrieved by the decision of the village council may appeal such decision in the courts of competent jurisdiction.
4. The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
5. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this article.
6. Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 4.05.043(b) of this article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
7. Upon consideration of the factors noted above and the intent of this article, the village council may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article (section 4.05.003).
8. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
9. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
10. Prerequisites for granting variances:
  1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  2. Variances shall only be issued upon:
    1. Showing a good and sufficient cause;
    2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  3. Any applicant to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
11. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
  1. The criteria outlined in subsections (a) through (i) of this section are met; and
  2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

## CHAPTER 11 – PLANNING AND ZONING COMMISSION

### 1.1.11.1 PLANNING AND ZONING COMMISSION

A) Organization and appointment. There is hereby created a planning and zoning commission which shall be organized, appointed, and function as follows:

(1) Membership. The planning and zoning commission shall consist of five members and up to two alternate members who are residents of the Village or its extraterritorial jurisdiction, each to be appointed by the Village Council to serve at the pleasure of the Village Council for a term of two years until a successor is appointed. Appointees shall fill positions which shall be designated by place numbers (e.g., place 1, place 2, etc.). Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause in the same manner as the original appointment was made. The Village Council may appoint two alternate members of the planning and zoning commission who shall serve in the absence of one or more of the regular members when requested to do so by the chairman of the planning and zoning commission. In the absence of an appointed planning and zoning commission, the Village Council shall serve as the planning and zoning commission.

(2) Terms. The terms of members filling places 1, 3, 5, and Alternate 1 shall expire on June 30[th] of each odd-numbered year and terms of members filling places 2, 4, and Alternate 2 shall expire on June 30 of each even-numbered year. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member or alternate member shall be appointed for a term in excess of two years. Newly appointed members and alternate members shall be installed at the first regular commission meeting after their appointment.

(3) Organization. The commission shall hold an organizational meeting in July of each year. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this ordinance and the requirements of law. The planning and zoning commission shall elect a chairman from its own membership at its annual organizational meeting.

(4) Quorum and compensation. A quorum for the conduct of business shall consist of three members or alternate members of the commission. The members shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

B) Duties and authority. The planning and zoning commission is hereby charged with the duty and invested with the authority to:

(1) Formulate and recommend to the Village Council for its adoption a Village plan for the orderly growth and development of the Village and its environs and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the Village.

(2) Formulate a zoning plan as may be deemed best to carry out the goals of the Village plan; hold public hearings and make recommendations to the Village Council relating to the creation, amendment, and implementation of Village zoning regulations and districts as authorized under state law.

(3) Exercise all powers of a commission as to approval or disapproval of plans, plats, or replats as authorized under state law.

(4) Study and recommend the location, extension, and planning of public rights-of-way, parks, or other public places, and on the vacating or closing of same.

(5) Study and make recommendations regarding the general design and location of public buildings, bridges, viaducts, street fixtures, and other structures and appurtenances.

(6) Initiate, in the name of the Village, proposals for the opening, vacating, or closing of public rights-of-way, parks, or other public places and for the change of zoning district boundaries on an area-wide basis.

(7) Formulate and recommend to the Village Council for its adoption policies and regulations consistent with the adopted Village plan governing the location or operation of utilities, public facilities, and services owned or under the control of the Village.

(8) Submit each May a progress report to the Village Council summarizing its activities for the past year and a proposed work program for the coming year.

C) Public hearing and notice.

(1) Upon filing of an application for an amendment to the Village zoning regulations or map, the planning and zoning commission shall call a public hearing on the application.

(2) Written notice of hearing shall be sent to the owner of the property or his agent and to all owners of real property lying within 200 feet of the property on which the change in classification is proposed. The notice shall be given not less than ten days before the date of such hearing, to all such owners as the ownership appears on the last approved Village tax roll. The notice may be served by depositing the same, properly addressed and postage paid, in the Village post office. Where property lying within 200 feet of the property proposed to be changed is located in territory which was annexed to the Village after the final date for making the renditions which are included on the last approved Village tax roll, notice to such owners shall be given by one publication in the official newspaper at least 15 days before the time of hearing. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

(3) If, at the conclusion of the hearing, the planning and zoning commission recommends amendment of this ordinance to the Village Council, the recommendation shall be by resolution of the planning and zoning commission carried by the affirmative votes of not less than a majority of its total membership present and voting. A copy of any recommended amendment shall be submitted to the Village Council and shall be accompanied by a report of findings, summary of hearing and any other pertinent data.

(4) If, after public hearing, the planning and zoning commission recommends denial of an application, the applicant may appeal the determination to the Village Council by filing a written notice of appeal with the Village secretary within ten days after the determination of the planning and zoning commission.

D) Action of the Village Council.

(1) If the planning and zoning commission has recommended approval of an application or if the planning and zoning commission has recommended denial of an application and a notice of appeal has been filed pursuant to subsection (c) of this section, the Village Council shall set the application for public hearing and shall give notice of the time and place of the hearing by one publication in the official newspaper at least 15 days prior to such hearing, and in addition shall send written notices to the owner of the property or his agent, and to all owners of real property lying within 200 feet of the subject property pursuant to subsection (c) of this section.

(2) If the planning and zoning commission has recommended to the Village Council that a proposed amendment be disapproved, the Village Council may refuse to adopt the amendment by a simple majority vote of the council members present and voting. However, in order to adopt the amendment which has been recommended for disapproval by the planning and zoning commission, the amendment shall not become effective except by the favorable vote of three-fourths of all members of the Village Council present and voting.

(3) When the planning and zoning commission has recommended to the Village Council that a proposed amendment be approved, the Village Council may disapprove the petition or application for amendment by a simple majority vote of the Village Councilmembers present and voting. In the event of a tie vote of the Village Councilmembers present and voting, the mayor may cast the deciding vote.

(4) In the case of a protest against an amendment to the ordinance signed by the owners of 20 percent or more either of the area of the lots or land included in such proposed change, or of the area of the lots or land immediately adjoining the area included in the proposed change and extending 200 feet from that area, such amendment shall not become effective except by the favorable vote of three-fourths of all members of the Village Council.

(5) In making its determination, the Village Council shall consider the following factors:

a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the Village as a whole.

b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers and other utilities to the area and shall note the findings.

c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere

in the Village, and any special circumstances which may make a substantial part of such vacant land unsuitable for development.

d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

e. The manner in which other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether such designation for other areas should also be modified.

f. Any other factors which will substantially affect the public health, safety, morals or general welfare.

E) Effect of denial of petition.

1) In case an application for an amendment to this ordinance is denied by the planning and zoning commission, and no appeal therefrom is taken to the Village Council, or in case an application for an amendment to this ordinance is denied by the Village Council (in either of the events), the application shall not be eligible for reconsideration for one year subsequent to such denial. A new application affecting or including all or part of the same property must be substantially different from the application denied, in the opinion of the planning and zoning commission, to be eligible for consideration within one year of the denial of the original application.

2) In the event a reapplication affecting the same land is for a zone that will permit the same use of the property as that which would have been permitted under the denied application, the same shall not be considered as being substantially different from the application denied.

F) Final approval and ordinance adoption. If the amending ordinance is not approved within six months from the time of its original consideration, the zoning request, at the option of the Village Council, may be recalled for a new public hearing.

G) Changes in Village zoning regulations. Amendments to this ordinance not involving a particular property but involving a change in the Village zoning regulations generally do not require notice to individual property owners. In such cases, notice of the required public hearing shall be given by publication in the official newspaper of the Village, stating the time and location of the public hearing, which time shall not be earlier than 15 days from the date of such publication.

(Ordinance 2020-06-18, ex. A, adopted 6/17/20)

Village of Point Venture  
Cash in Banks  
As of January 31, 2024

02/13/24  
Accrual Basis

	Jan 31, 24
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
Banks	
1010 · Security State - Money Market	94,878.79
1015 · Security State - Operating Fund	1,112,775.39
1030 · TexPool - Money Market	311,269.77
1046 · TexPool - Road Fund	712,917.77
1047 · TexPool TimeWarner	36,684.19
Total Banks	2,268,525.91
Total Checking/Savings	2,268,525.91
Total Current Assets	2,268,525.91
<b>TOTAL ASSETS</b>	<b>2,268,525.91</b>
<b>LIABILITIES &amp; EQUITY</b>	<b>0.00</b>

**Village of Point Venture**  
**Budget vs. Actual YTD 12.31.23**  
 October 2023 through December 2023

	<u>Oct '23 - Dec '23</u>	<u>2024 Annual Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Cap Metro</b>	0.00	73,000.00	0.0%
<b>Fines</b>	0.00	900.00	0.0%
<b>Franchise Fees</b>	11,376.29	75,600.00	15.05%
<b>Inspection Fees</b>	7,890.00	13,020.00	60.6%
<b>Permits</b>	6,294.00	44,080.00	14.28%
<b>Trash and Recycling Service</b>	7,813.41	33,000.00	23.68%
<b>Tax Income</b>	231,689.47	476,824.02	48.59%
<b>Interest Earned - Bank</b>	14,378.78	15,000.00	95.86%
<b>Miscellaneous</b>	5,000.00	0.00	100.0%
<b>Total Income</b>	<u>284,441.95</u>	<u>731,424.02</u>	<u>38.89%</u>
<b>Gross Profit</b>	284,441.95	731,424.02	38.89%
<b>Expense</b>			
<b>Capital Outlay</b>	18,998.00	133,000.00	14.28%
<b>Maintenance and Repair</b>	2,488.88	15,500.00	16.06%
<b>Trash and Other Muni Expense</b>	11,746.10	56,500.00	20.79%
<b>Professional Expenses</b>	5,439.21	74,700.00	7.28%
<b>Education and Training</b>	775.00	4,000.00	19.38%
<b>Insurance Expense</b>	10,165.70	12,600.00	80.68%
<b>Animal Control Costs</b>	1,455.00	5,600.00	25.98%
<b>Administration Expenses</b>	3,015.34	18,500.00	16.3%
<b>Dues Fees and Subscriptions</b>	10,079.22	45,400.00	22.2%
<b>Contracted Services</b>	13,230.00	74,780.00	17.69%
<b>Wages, Benefits and Payroll Exp</b>	50,048.25	276,320.00	18.11%
<b>Bank related charges and fees</b>	0.55	0.00	100.0%
<b>Travel</b>	152.83	8,000.00	1.91%
<b>Utilities</b>	1,279.61	6,350.00	20.15%
<b>Total Expense</b>	<u>128,873.69</u>	<u>731,250.00</u>	<u>17.62%</u>
<b>Net Ordinary Income</b>	<u>155,568.26</u>	<u>174.02</u>	<u>89,396.77%</u>
<b>Net Income</b>	<u><u>155,568.26</u></u>	<u><u>174.02</u></u>	<u><u>89,396.77%</u></u>

Village of Point Venture  
Activities by Dept  
October through December 2023

	Animal Control	Building Admin	CEO	General Admin	General Fund	Public Works	Sheriff's	Short Term Rental Reg	TOTAL
<b>Ordinary Income/Expense</b>									
<b>Income</b>									
Franchise Fees	0.00	0.00	0.00	0.00	11,376.29	0.00	0.00	0.00	11,376.29
Inspection Fees	0.00	7,890.00	0.00	0.00	0.00	0.00	0.00	0.00	7,890.00
Permits	24.00	2,670.00	0.00	0.00	0.00	0.00	0.00	3,600.00	6,294.00
Trash and Recycling Service	0.00	0.00	0.00	0.00	0.00	7,813.41	0.00	0.00	7,813.41
Tax Income	0.00	0.00	0.00	0.00	231,689.47	0.00	0.00	0.00	231,689.47
Interest Earned - Bank	0.00	0.00	0.00	0.00	14,378.78	0.00	0.00	0.00	14,378.78
Miscellaneous	0.00	0.00	0.00	5,000.00	0.00	0.00	0.00	0.00	5,000.00
<b>Total Income</b>	<b>24.00</b>	<b>10,560.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>257,444.54</b>	<b>7,813.41</b>	<b>0.00</b>	<b>3,600.00</b>	<b>284,441.95</b>
<b>Expense</b>									
Capital Outlay	0.00	0.00	0.00	1,098.00	0.00	17,900.00	0.00	0.00	18,998.00
Maintenance and Repair	160.74	0.00	0.00	1,994.10	0.00	334.04	0.00	0.00	2,488.88
Trash and Other Muni Expense	0.00	0.00	0.00	0.00	0.00	11,746.10	0.00	0.00	11,746.10
Professional Expenses	0.00	1,750.00	180.00	1,466.71	0.00	1,165.00	0.00	877.50	5,439.21
Education and Training	150.00	0.00	0.00	625.00	0.00	0.00	0.00	0.00	775.00
Insurance Expense	0.00	0.00	0.00	10,165.70	0.00	0.00	0.00	0.00	10,165.70
Animal Control Costs	1,455.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,455.00
Administration Expenses	211.83	25.73	0.00	2,685.42	0.00	92.36	0.00	0.00	3,015.34
Dues Fees and Subscriptions	0.00	0.00	0.00	7,393.81	2,685.41	0.00	0.00	0.00	10,079.22
Contracted Services	0.00	1,810.00	2,000.00	0.00	0.00	5,500.00	3,920.00	0.00	13,230.00
Wages, Benefits and Payroll Exp	0.00	0.00	0.00	50,048.25	0.00	0.00	0.00	0.00	50,048.25
Bank related charges and fees	0.00	0.00	0.00	0.00	0.00	0.55	0.00	0.00	0.55
Travel	0.00	0.00	0.00	0.00	0.00	152.83	0.00	0.00	152.83
Utilities	56.00	0.00	0.00	1,223.61	0.00	0.00	0.00	0.00	1,279.61
<b>Total Expense</b>	<b>2,033.57</b>	<b>3,585.73</b>	<b>2,180.00</b>	<b>76,700.60</b>	<b>2,685.41</b>	<b>36,890.88</b>	<b>3,920.00</b>	<b>877.50</b>	<b>128,873.69</b>



**Village of Point Venture**  
**Statement of Financial Position**  
As of December 31, 2023

	Dec 31, 23	Dec 31, 22
<b>ASSETS</b>		
<b>Current Assets</b>		
<b>Checking/Savings</b>		
<b>Banks</b>		
1010 · Security State - Money Market	94,870.75	94,775.94
1015 · Security State - Operating Fund	959,780.90	800,825.44
1030 · TexPool - Money Market	309,863.01	294,758.73
1046 · TexPool - Road Fund	709,695.78	626,582.77
1047 · TexPool TimeWarner	36,518.34	34,738.24
<b>Total Banks</b>	2,110,728.78	1,851,681.12
<b>Total Checking/Savings</b>	2,110,728.78	1,851,681.12
<b>Accounts Receivable</b>		
1100 · Accounts Receivable	-2,420.28	4,727.22
<b>Total Accounts Receivable</b>	-2,420.28	4,727.22
<b>Other Current Assets</b>		
<b>Accounts Receivable - Misc</b>		
1105 · A/R - Taxes	9,364.81	9,364.81
<b>Total Accounts Receivable - Misc</b>	9,364.81	9,364.81
1499 · Undeposited Funds	0.00	187.62
<b>Total Other Current Assets</b>	9,364.81	9,552.43
<b>Total Current Assets</b>	2,117,673.31	1,865,960.77
<b>TOTAL ASSETS</b>	2,117,673.31	1,865,960.77
<b>LIABILITIES &amp; EQUITY</b>		
<b>Liabilities</b>		
<b>Current Liabilities</b>		
<b>Accounts Payable</b>		
1500 · Accounts Payable	67,959.49	11,341.07
<b>Total Accounts Payable</b>	67,959.49	11,341.07
<b>Credit Cards</b>		
1605 · SSBT MasterCard VKnight	98.95	256.57
1606 · SSBT-MasterCard T Low	0.00	406.81
<b>Total Credit Cards</b>	98.95	663.38
<b>Other Current Liabilities</b>		
2010 · Building Contractors Bond	29,653.00	79,653.00
2100 · Payroll Liabilities	10,164.70	8,010.90
2230 · Deferred Revenue - Taxes	9,364.81	9,364.81
<b>Council Reserved Funds</b>		
2243 · SCGF monthly allocation	2,406.08	1,263.73
2241 · Deferred Revenue - PEG Revenue	38,934.90	34,997.92
2242 · Deferred Revenue - CLFRF	0.00	252.93
2011 · Dedicated Road Fund	666,956.95	616,956.95
<b>Total Council Reserved Funds</b>	708,297.93	653,471.53
<b>Total Other Current Liabilities</b>	757,480.44	750,500.24
<b>Total Current Liabilities</b>	825,538.88	762,504.69
<b>Total Liabilities</b>	825,538.88	762,504.69
<b>Equity</b>		
3000 · Opening Bal Equity	26,368.59	26,368.59
3200 · Retained Earnings	1,110,197.58	905,703.98
Net Income	155,568.26	171,383.51
<b>Total Equity</b>	1,292,134.43	1,103,456.08
<b>TOTAL LIABILITIES &amp; EQUITY</b>	2,117,673.31	1,865,960.77

# BUDGET PREPARATION CALENDAR

*Fiscal Year 10/24-9/25*

Date	Activity	Responsible Persons	
1/17/24	Set budget workshop dates: April 24, May 22, June 26	Council	<b>complete</b>
2/21/24	Review budget process and important dates	Council	
3/20/24	Request staff/council budget 'wish list' preparation-due April 15	Council	
4/15/24	Budget 'wish list' submitted to Village Secretary for budget workshop 4/24 discussion	Staff/Council	
4/24/24	Budget Workshop	Council	
5/22/24	Budget Workshop	Council	
6/26/24	Budget Workshop	Council	
8/7/24	Submit no new, voter approval tax rates to Council	Village Secretary	
8/29/24	Deadline to submit proposed budget to Village Secretary	Council	
8/29/24	Deadline to <b>order</b> notice of hearing to adopt budget and small taxing unit notice to adopt tax rate (by 9/18/24 order sooner if date prior)	Village Secretary	
9/5/24	Deadline to <b>publish</b> notice of hearing to adopt budget and small taxing unit notice to adopt tax rate	Village Secretary	
9/18/24	Public Hearing to adopt budget, meeting to adopt tax rate	Council	

## PUBLIC NOTICE

The Village of Point Venture is requesting applications for bank depository services. Applications will be received until 3:00 PM, April 5, 2024. Submit applications to: Village Secretary, Village of Point Venture, 411 Lohmans Ford Rd, Point Venture, TX 78645. Applications must be clearly marked "Bank Depository Application".

Bank Depository Application RFP may be obtained by email to: [villagesecretary@vopv.org](mailto:villagesecretary@vopv.org) or in person at Village Administration, 411 Lohmans Ford Rd., Point Venture, TX 78645

Applications will be presented to Village Council for possible award on April 17, 2024.

## Village of Point Venture Building Department –January 2024

In the quiet month of January: Zero permits were issued for a single-family home. No certificates of occupancy were issued. Two permits were issued, one for a tuff shed and one for an addition/remodel and roof replacement on a townhome.

### NEW HOMES ISSUED PERMITS

2010	8
2011	8
2012	6
2013	12
2014	23
2015	18
2016	36
2017	53
2018	30
2019	31
2020	28
2021	27
2022	33
2023	4

### CERTIFICATE OF OCCUPANCIES ISSUED

2010	11
2011	6
2012	4
2013	5
2014	15
2015	18
2016	38
2017	33
2018	58
2019	24
2020	34
2021	17
2022	23
2023	30