

City of Woodcreek City Council Meeting
August 12, 2009; 6:30 p.m.

NOTICE/AGENDA

This notice is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551). The Woodcreek City Council will hold a Council Meeting on August 12, 2009, at 6:30 p.m. at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas at which time the following items will be considered:

- 1. Call to Order**
- 2. Invocation**
- 3. Pledge**
- 4. Roll Call**
- 5. Public Comments:** Comments will be limited to three minutes per speaker.
- 6. Report Items**
 - A. Report on Public Works Matters and 2009 Road Construction. (Public Works Director Frank Wood)
 - B. Reports on Fence at 56 Canyon Creek, Inoperable Vehicle at 5 Woodview Court and High Grass at 60 Augusta Drive. (City Administrator Sybesma)
 - C. Report on new Community Emergency Response Team (CERT) effort. (Mayor Eskelund)
 - D. Report on Emergency Planning Efforts in the Wimberley Valley. (Mayor Eskelund)
 - E. Report on Municipal Court Ordinances. (City Administrator Sybesma)
 - F. Treasurer's Report: July, 2009. (City Administrator Sybesma)
- 7. Discussion and Action Items**
 - A. Discussion of request of Mr. Don Ferguson, City Administrator of the City of Wimberley, to designate Winters Mill Parkway as a Through Truck Route. (Mayor Eskelund)
 - B. Discussion of organizational responsibilities for each City Councilmember. (Mayor Eskelund)
 - C. Discussion and consider appointment of Mr. Eugene Golembiewski as Woodcreek City Treasurer. (Mayor Eskelund and Councilmember Rasco)
 - D. Discussion and consider appointing members to the Citizen's Committee to review the 2020 Vision-Master Plan for the City of Woodcreek. (Mayor Eskelund)
 - E. Discussion and consider appointing member to the Planning and Zoning Commission. (Mayor Eskelund)
 - F. Discussion and consider adopting an Ordinance Establishing the Required Mental State for Commission of Certain Criminal Misdemeanor Offenses. (City Administrator Sybesma and Municipal Court Judge Ross Fischer)
 - G. Discussion and consider adopting an Ordinance Establishing Regulations for the Issuance of Citations Stemming from Alleged Criminal Violations of Ordinances. (City Administrator Sybesma and Municipal Court Judge Ross Fischer)

- H. Discussion and consider adopting an Ordinance Establishing a Municipal Court Technology Fund and Providing for the Assessment and Collection of a Municipal Court Technology Fee. (City Administrator Sybesma and Municipal Court Judge Ross Fischer)
- I. Discussion and consider adopting an Ordinance Establishing a Municipal Court Building Security Fund and Providing for the Assessment and Collection of a Municipal Court Building Security Fee. (City Administrator Sybesma and Municipal Court Judge Ross Fischer)
- J. Discussion and consider amending the 2008-2009 Annual Operating Budget of the City of Woodcreek.

8. Public Hearing

- a. **Subdivision Final Plat:** A request by Ten Robles, Inc., Harry E. Gumbert, Jr. & Dorothy M. Gumbert to approve a final plat for the development of 10.48 acres located within the City of Woodcreek pursuant to a Development Agreement.
- b. **Staff Briefing and Presentation of Planning and Zoning Commission Recommendation.**
- c. **Presentation by Applicant.**
- d. **Public Hearing: All persons wishing to speak for or against shall be heard.**
- e. **Deliberation and Action.**

9. Consent Items

- A. Approval of the minutes of the regular Woodcreek City Council Meeting of July 8, 2009 and Special Council Meeting of July 29, 2009.
- B. Approval of Warrants.

10. Executive Session As Authorized by Sections 551.071, Related to Consultation with Attorney, and 551.074, Texas Government Code, Related to Personnel Matters

- A. Discuss the qualifications, work experience, job responsibilities and duties of the position of City Treasurer.

11. Executive Session As Authorized by Sections 551.071, Related to Consultation with Attorney

- A. Discussion on Cause No. 08-1889, Roger Hopkins, Inc. v. City of Woodcreek, in the 207th Judicial District Court of Hays County, Texas.
- B. Consultation with City Attorney regarding "*Aqua Utilities, Inc., and Aqua Development, Inc., d/b/a Aqua Texas, Inc. v. Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality, The Texas Commission on Environmental Quality ("TCEQ"), and Its Commissioners Buddy Garcia, Larry Soward and Bryan Shaw, Defendants,*" filed July 2, 2009 in the District Court of Travis County, Texas, appealing the TCEQ final order in the matter of State Office of Administrative Hearings Docket No. 582-06-1366, TCEQ Docket No. 2006-0072-UCR ("*The*

Woodcreek Ratepayers Coalition's Petition to Appeal the City of Woodcreek's Decision to Establish Water and Sewer Rates Charged by Aqua Utilities, Inc., d/b/a Aqua Texas Inc., and Aqua Development Inc."

- C. Discussion on Cause No. A08CA851JN; Westridge Joint Venture v. City of Woodcreek; in the United States District Court; Western District of Texas; Austin Division.
- D. Discuss Cause No. 07-1588; City of Woodcreek v. Aqua Texas & MMMDK 1205 LTD; in the 207th Judicial District Court of Hays County, Texas.

12. Reconvene in Open Session

- A. Discussion and possible action on Cause No. 08-1889, Roger Hopkins, Inc. v. City of Woodcreek, in the 207th Judicial District Court of Hays County, Texas.
- B. Discussion and possible action regarding "*Aqua Utilities, Inc., and Aqua Development, Inc., d/b/a Aqua Texas, Inc. n. Mark R. Vickery, Executive Director of the Texas Commission on Environmental Quality, The Texas Commission on Environmental Quality ("TCEQ"), and Its Commissioners Buddy Garcia, Larry Soward and Bryan Shaw, Defendants,*" filed July 2, 2009 in the District Court of Travis County, Texas, appealing the TCEQ final order in the matter of State Office of Administrative Hearings Docket No. 582-06-1366, TCEQ Docket No. 2006-0072-UCR ("*The Woodcreek Ratepayers Coalition's Petition to Appeal the City of Woodcreek's Decision to Establish Water and Sewer Rates Charged by Aqua Utilities, Inc., d/b/a Aqua Texas Inc., and Aqua Development Inc."*).
- C. Discussion and possible action on Cause No. A08CA851JN; Westridge Joint Venture v. City of Woodcreek; in the United States District Court; Western District of Texas; Austin Division.
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13. Adjourn

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

I certify that the above notice was posted on the 7th day August, 2009 at 6:00 p.m.

By: _____

Pieter Sybesma, City Administrator