

**City of Woodcreek City Council Meeting  
September 9, 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 September 9, 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, 2009 Road Construction Project and proposed Utility Street Cut Ordinance. (Public Works Director Frank Wood)
  - B. National Night Out October 6, 2009 (Councilmember Rasco)
  - C. Treasurer's Report: August, 2009. (City Administrator Sybesma)
- 7. 6:45 p.m. Public Hearing**
  - a. **Tax Rate:** Consider an Ordinance authorizing a tax rate of 0.12 cents per \$100 valuation for 2009.
  - b. **Staff Briefing.**
  - c. **Public Hearing: All persons wishing to speak for or against shall be heard.**
  - d. **Deliberation and Action.**
- 8. 6:45 p.m. Public Hearing**
  - a. **2009-2010 Budget:** Consider an Ordinance adopting the Operating Budget for the City of Woodcreek for Fiscal Year 2009-2010 beginning October 1, 2009.
  - b. **Staff Briefing.**
  - c. **Public Hearing: All persons wishing to speak for or against shall be heard.**
  - a. **Deliberation and Action.**
- 9. 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. (Continued from August 12, 2009) (Mayor Eskelund)
  - B. Discussion and consider approval of the City of Woodcreek Street Cut Ordinance. (Mayor Eskelund)
  - C. Discussion and consider entering into an Interlocal Agreement with the Lower Colorado River Authority for the purchase and maintenance of Emergency Radios for Emergency Communications. (City Administrator Sybesma)
  - D. Discussion and consider entering into an Agreement with American Youth Works for pathway and landscaping work for the Ranch Road 12/Woodcreek

Drive entrance area in an amount not to exceed \$17,550.00. (City Administrator Sybesma)

- E. Discussion and consider funding \$4,000.00 for the second year of the City of Woodcreek's participation in the Hays County Flood Protection Planning Study from the 2008-2009 Budget. (City Administrator Sybesma)

#### **10. Consent Items**

- A. Approval of the minutes of the regular Woodcreek City Council Meeting of August 12, 2009 and Special Council Meeting of August 26, 2009.
- B. Approval of Warrants.

#### **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. Discussion of Security System for Woodcreek City Hall.

#### **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. 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*

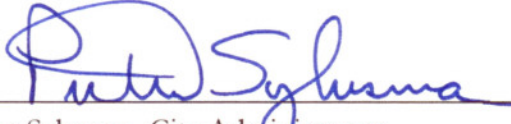
*Establish Water and Sewer Rates Charged by Aqua Utilities, Inc., d/b/a Aqua Texas Inc., and Aqua Development Inc."*

- C. Discussion 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.
- D. Discussion and possible action on Security System for Woodcreek City Hall.

### **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 4th day September, 2009 at 5:15 p.m.

By:  \_\_\_\_\_  
Pieter Sybesma, City Administrator