

pursue its own options in light of the recent changes in the service and collection schedule being implemented by the City in January. Mr. Hunt stated that Round Rock Refuse, which was the City's solid waste contractor, was willing to serve the District directly and that he had invited Mr. Rocco to attend today's meeting to explain the options. Mr. Rocco introduced himself stated that his company had been serving the District, indirectly through the City, for 15 years. He explained that the City was transitioning to a new program that would involve single-stream recycling and one-day-per-week collection and that he could offer the same service to the District directly. He reviewed the benefits of the program, noting that the single-stream recycling carts had lids which reduced wind-blown litter and storm sewer clutter. He added that once-per-week collection would also reduce wear and tear on the streets within the District. Mr. Rocco stated that, in his experience, a single-stream recycling program had the effect of reducing garbage and increasing recycling. He stated that the only downside was that some residents did not like the size of the recycling carts, but he noted that anyone who did not want a recycling cart would not be forced to have a recycling cart. Mr. Rocco stated that his company was in the process of building its own recycling facility in Hutto and that recycling revenues would be shared with the District. Mr. Rocco acknowledged that the changes to garbage service were sudden. He stated that he would keep the current level of service and collection schedule in place until the District made a decision on how it desired to proceed, but noted that he could implement the new program within the District as early as February 1st. Director Young stated that he lived in the City of Austin, which had a single stream recycling program, and that it had taken a while to get used to the program but that he was now a big fan. Mr. Rocco pointed out that his company's bulk waste collection policy was much more flexible than the City of Austin's. Director Douthitt asked if the collection day would be changing under the new program. Mr. Rocco stated that his trucks would be picking up in the District's area on Thursdays and that, whether the District stayed with the City or contracted with his company directly, the collection day would need to be Thursday for logistical reasons.

Director Asbury then inquired as to pricing. Mr. Rocco stated that, if the District were to continue to receive service through the City, the price would be \$16.91 per residence. He stated that, if the District were to contract with his company directly, he could reduce that price to \$15.91 per residence. He noted that other districts in the area, such as the Teravista community, Fern Bluff MUD, and Brushy Creek MUD, were paying over \$17.00 per residence. Mr. Rocco stated that he would like to have a five-year contract due to the capital investment of purchasing new carts for the District but understood that the contract would likely also have a termination without cause provision. Mr. Bartram then summarized the District's options, including continuing with service through the City, contracting directly with Round Rock Refuse, or requesting proposals from multiple providers. Director Douthitt stated that he would like to receive legal advice regarding these options. Accordingly, at 12:40 p.m., Director Douthitt stated that the Board would convene in executive session in order to receive legal advice regarding solid waste and recycling collection services, as permitted by Section 551.071 of the Texas Government Code. The Board reconvened in open session at 12:55 p.m., and Director Douthitt stated that no action had been taken in executive session. Director Asbury stated that contracting directly with Round Rock Refuse would be less expensive than continuing with the City and noted that going out for proposals would be expensive with no

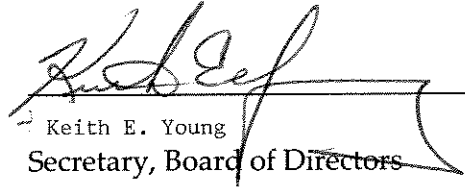
guaranty that anyone else would have a better price. He stated that the quality of service from Round Rock Refuse had been good and that he felt that a \$15.91 per residence price was fair and competitive within the regional area. For these reasons, he moved that the District contract directly with Round Rock Refuse for solid waste and recycling collection services and that the Board direct Mr. Bartram to prepare an appropriate contract and rate order amendment for approval at the Board's January meeting. Director Young seconded the motion, which then passed unanimously. Mr. Bartram recommended that, because the District was contractually obligated to receive garbage service through the City, Mr. Hunt obtain written confirmation from Mr. Thane that contracting directly with Round Rock Refuse was acceptable to the City and that the District have the ability to terminate the new contract with Round Rock Refuse immediately if the City changed its mind. Mr. Rocco stated that such a termination provision would be acceptable.

The Board then discussed the timing of the transition and notification to residents. Mr. Rocco confirmed that the current level of service and collection schedule for both solid waste and recycling collection would remain unchanged for the month of January and that the new program would take effect in February with the existing recycling bins being collected on January 27th and the first collection day under the new program being February 3rd. The Board directed Mr. Hunt to work with Mr. Rocco on an informational mailing to residents explaining the upcoming changes in service.

Director Douthitt then questioned whether there were any future agenda items or further business to come before the Board. There being none, the meeting was adjourned.

(Signature page follows.)

(SEAL)



Keith E. Young
Secretary, Board of Directors

Date: January 10, 2011

**CERTIFICATE OF POSTING FOR
WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 9
IN-DISTRICT POSTING LOCATIONS**

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

I, Brian K. Gilbert hereby certify that at 9:50 a.m. on Dec. 22, 2010, I posted a copy of the attached notice of meeting of the Board of Directors of Williamson County Municipal Utility District No. 9 within the boundaries of the District at a place readily accessible and convenient to the public at the District's two designated posting locations:

1. the mail center at the Northeast corner of the intersection of Vista Hills Blvd. and FM 1431, Round Rock, Texas; and
2. the Southeast corner of the intersection of Royal Vista Blvd. and Vista Isle Blvd., Round Rock, Texas.

I understand that the notice was posted in order to comply with the Open Meetings provisions of Chapter 551 of the Government Code and that the Board of Directors of the District will rely on this certificate in determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 22 day of December 2010.

Brian K. Gilbert

Printed Name: Brian K. Gilbert

Company: Capitol Courier

**WILLIAMSON COUNTY
MUNICIPAL UTILITY DISTRICT NO. 9**

December 29, 2010

TO: THE BOARD OF DIRECTORS OF WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 9 AND ALL OTHER INTERESTED PERSONS:

Notice is hereby given that the Board of Directors of Williamson County Municipal Utility District No. 9 will hold a meeting at **12:00 noon on Wednesday, December 29, 2010 at the offices of Gray • Jansing & Associates, Inc., 8217 Shoal Creek Blvd., Suite 200, Austin, Texas.** The following matters will be considered and may be acted upon at the meeting.

PUBLIC COMMENT

1. Citizens' communications and Board member announcements;

DISCUSSION/ACTION ITEMS

2. District name change, including status of application to Texas Commission on Environmental Quality for approval of name change to Vista Oaks Municipal Utility District;
3. Solid waste collection and recycling services, including:
 - (a). Notification from City of Round Rock of increase in fees and change in collection service and schedule;
 - (b). Service options and alternatives, including:
 - (i). Contracting directly with Round Rock Refuse;
 - (ii). Request for proposals;
 - (c). Sixteenth Amendment to Order Establishing Water and Wastewater Service Rates and Tap Fees and Adopting Certain General Policies with Respect to the District's Water, Wastewater, and Drainage Systems and Establishing Fire Protection and Garbage Collection Fees;
4. Future agenda items.

The Board of Directors is authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code, to convene in closed or executive session for certain purposes, including receiving legal advice from the District's attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073), discussing personnel matters (Section 551.074); and discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session to discuss any item on this agenda,

the presiding officer will announce that an executive session will be held and will identify the item to be discussed and the provision of the Open Meetings Act that authorizes the closed or executive session.



John W. Barton
Attorney for the District

Williamson County Municipal Utility District No. 9 is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. Please call Armbrust & Brown, PLLC at (512) 435-2300 for additional information.

CERTIFICATE OF POSTING FOR
WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 9
AT
THE WILLIAMSON COUNTY JUSTICE CENTER (COURTHOUSE ANNEX)
405 MARTIN LUTHER KING STREET
GEORGETOWN, TEXAS 78626-5703

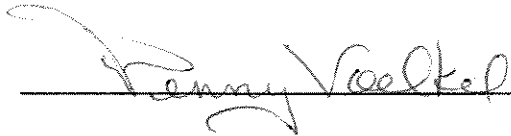
THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

I, PENNY VOELKEL, hereby certify that at 10:50 A.m. on DECEMBER 22 2010, I posted a copy of the attached notice of meeting (agenda) of the Board of Directors of Williamson County Municipal Utility District No. 9 inside the Williamson County Justice Center (Courthouse Annex) and on the outside posting board at the Williamson County Justice Center (Courthouse Annex).

I understand that the notice was posted in order to comply with the Open Meetings provisions of Chapter 551 of the Government Code and that the Board of Directors of the District will rely on this certificate in determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 22 day of DECEMBER 2010.



Printed Name: _____

Company: _____

WILLIAMSON COUNTY
MUNICIPAL UTILITY DISTRICT NO. 9

December 29, 2010

FILED FOR RECORD

10:50 AM

DEC 22 2010

Nancy E. Rister

County Clerk, Williamson Co. TX

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PUBLIC COMMENT

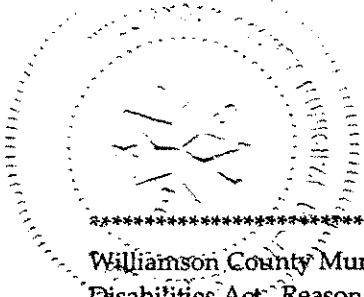
1. Citizens' communications and Board member announcements;

DISCUSSION/ACTION ITEMS

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John W. Barton

Attorney for the District

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Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 14, 2010

Mr. Brian McCabe, President
Shackleford Melton & McKinley
400 W 15th Street, Suite 1405
Austin, Texas 78701

Re: Williamson County Municipal Utility District No. 9; Application Requesting Approval of a Name Change; Pursuant to Texas Water Code Section 49.071.
TCEQ Internal Control No. 07132010-D01 (TC)
CN: 600639868 RN: 101407666

Dear Mr. McCabe:

Enclosed are (1) a copy of the Utilities and Districts Section's signed memorandum that constitutes the official Commission staff report on the referenced application and (2) a copy of the draft Commission order for your review. After we receive your consent, we will finalize the order approving your application and submit it to the Executive Director for signature.

The Executive Director is authorized to sign the order on behalf of the Commission in accordance with Section 5.122 of the Texas Water Code and the Commission's rules. **Please e-mail the executed consent form to technical manager Kim D. Grona at <kgrona@tceq.state.tx.us>. Please do not send additional copies via mail or fax. If the executed consent form is not received within 5 working days, the application for your district will be considered "contested" and finalization of the order could be delayed significantly.** After the Executive Director signs the order, the Chief Clerk's office will provide you with a signed copy.

If you request amendments to the staff memorandum and/or draft order because of changes to your application or because you provide more information, additional time will be required to review the requested changes and modify the staff memorandum and/or draft order. **This could result in significant delays for obtaining approval of your application.**

Mr. Brian McCabe
Page 2
December 14, 2010

If you have any questions, please contact Kim Grona at (512) 239-2173 or by email at kgrona@tceq.state.tx.us.

Sincerely,




Tammy Benter
Utilities and Districts Section
Texas Commission on Environmental Quality

TB/kdg

cc: Mr. David Gray, P.E. – Gray Jansing & Associates, Inc. (via email)

_____ I concur with the recommendations contained in the staff memorandum dated December 14, 2010 and the associated draft order.



I intend to respond to the recommendations contained in the staff memorandum dated December 14, 2010 and the associated draft order.

Signed: John W. Bartram Date: 12/20/2010



Printed Name: John W. Bartram
Attorney for the District

Texas Commission on Environmental Quality

TECHNICAL MEMORANDUM

To: Linda Brookins, Director
Water Supply Division

Date: December 14, 2010

Thru:  Tammy Benter, Manager, Utilities and Districts Section
 Anthony Schneider, P.E., Leader, Districts Creation Review Team

From: Districts Creation Review Team

Subject: Williamson County Municipal Utility District No. 9; Application Requesting Approval of a Name Change; Pursuant to Texas Water Code Section 49.071.
TCEQ Internal Control No. 07132010-D01 (TC)
CN: 600639868 RN: 101407666

A. GENERAL INFORMATION

On July 13, 2010, the Commission received an application from the District requesting Commission approval to change the District's name from "Williamson County Municipal Utility District No. 9" to "Vista Oaks Municipal Utility District". According to the application, the District's Board of Directors wish to adopt a new name for the District to more clearly define the location of the District to the Vista Oaks subdivision, which is the name of the property where the District is located, and to distinguish the District from other districts in the county having names that include "Williamson County Municipal Utility District".

The District was created in 1987, by the Commission and is governed by Article XVI, Section 59 of the Texas Constitution and Texas Water Code Chapter 54 related to municipal utility districts. The District is located in southwest Williamson County on the north side of F.M. 1431, about 3 miles west of IH-35.

According to Commission files, no water district within the State currently operates with the Districts proposed new name.

B. CONCLUSIONS

1. Pursuant to Texas Water Code Section 49.071, the Commission may consider the Districts request for a name change.
2. The recommendations made under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

C. RECOMMENDATION

1. Approve the District's request to change its name from "Williamson County Municipal Utility District No. 9" to "Vista Oaks Municipal Utility District".
2. Advise the District to properly publish, as well as give notice by mail, the name change of the District as prescribed in Texas Water Code, Section 49.071(c).
3. Direct the District to install new name signs as prescribed in Texas Water Code Section 49.451.

D. ADDITIONAL INFORMATION

Attorney: Mr. Brian McCabe – Shackelford Melton & McKinley
Engineer: Mr. David Gray, P.E. – Gray Jansing & Associates, Inc.

Kim D. Grona
Districts Creation Review Team

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN (DRAFT) ORDER APPROVING A REQUEST BY WILLIAMSON COUNTY
MUNICIPAL UTILITY DISTRICT NO. 9 TO CHANGE ITS NAME TO VISTA OAKS
MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY

An application by Williamson County Municipal Utility District No. 9 (hereafter "District") was presented to the Executive Director of the Texas Commission on Environmental Quality (hereafter "Commission") for consideration of approval pursuant to TEXAS WATER CODE §§ 5.122 and 49.071. The District requests approval to change the District's name from Williamson County Municipal Utility District No. 9 to Vista Oaks Municipal Utility District of Williamson County.

The Commission has jurisdiction to consider this matter after examining the application and supporting documentation and finds that the District's request to change its name from Williamson County Municipal Utility District No. 9 to Vista Oaks Municipal Utility District of Williamson County should be approved. The District should be directed to follow the requirements of TEXAS WATER CODE § 49.071(c) regarding publishing and mailing notice of the name change. The District should be directed to install new name signs as prescribed in TEXAS WATER CODE § 49.451.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the request by Williamson County Municipal Utility District No. 9 to change its name to Vista Oaks Municipal Utility District of Williamson County is approved. The District is directed to follow the requirements of TEXAS WATER CODE § 49.071(c) regarding publishing and mailing notice of the name change. The District is directed to install new name signs as prescribed in TEXAS WATER CODE § 49.451.

Issue Date:

For the Commission