

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Special Meeting of City Council**  
September 8, 2010 at 4:00 p.m.

City Council meeting called to order at 4:12 p.m. by Mayor Bob Flocke.

Councilmembers Present: Mayor Bob Flocke and Councilmembers Charles Roccaforte, Mac McCullough (arrived at 4:12 p.m.), Bill Appleman, and John White. Councilmember Thurber had an excused absence.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland.

### **Discussion and Action**

Discuss and consider possible action authorizing the city administrator to retain outside legal counsel for the purpose of reviewing and offering recommendations regarding current and future wastewater agreements. (*City Administrator*)

Due to concerns over a possible conflict of interest expressed by Bickerstaff, Heath, Delgado & Acosta LLP, City Administrator Ferguson reviewed three (3) law firms' proposals to provide the City with legal counsel for drafting and review of wastewater agreements. He provided information on the following law firms:

- Denton, Navarro, Rocha & Bernal PC (San Antonio)
- Bishop, London & Dodds PC (Austin)
- Carls, McDonald & Dalrymple LLP (Austin)

Each firm's background, qualifications, and costs were compared. Based on the comparison results, City Administrator Ferguson recommended Carls, McDonald & Dalrymple as the best choice to meet the City's needs. Discussion addressed specific attorneys, rates, expected services, and total cost estimates.

Councilmember McCullough moved to approve the item as recommended by City Administrator Ferguson to utilize the services of Carls, McDonald & Dalrymple LLP. Councilmember Roccaforte seconded. Motion carried on a vote of 4-0.

### **Workshop Session**

Workshop to discuss issues relating to the proposed Fiscal Year 2011 City of Wimberley Budget

Councilmember Appleman provided reasoning for each amendment in his alternate budget, which compares the FY 2010 budget, actual expenditures (through July 31, 2010), and Mayor Flocke's revised FY 2011 budget.

Councilmember Appleman proposed budget includes the following amendments:

<b>EXPENDITURES</b>	<b>Mayor's Revised FY 2011 Budget</b>	<b>Councilmember Appleman's Proposed FY 2011 Budget</b>
<b>ADMINISTRATION</b>		
Copies	750	250
Office Supplies	3,000	2,500
Utilities	9,372	6,500
Equipment Leases	4,416	3,900
Postage	1,750	1,000
Records Management	6,708	4,500
Repairs & Maintenance	8,000	0
<b>LEGAL</b>		
Legal	60,000	30,000
<b>COUNCIL-BOARD</b>		
Training	1,000	200
Public Relations/Receptions	1,250	1,000
<b>PUBLIC WORKS-OPERATING</b>		
Mileage	250	100
Fuel	1,500	1,200
Tools	500	250
<b>PUBLIC WORKS-ROADS</b>		
Road Maintenance	85,000	50,000
Transfer to Road Maintenance Reserve	20,000	0
Capital Outlay Roads	70,000	266,865
Capital Outlay Sidewalks	50,000	0
Mowing/Tree Trimming	8,500	7,500
<b>WATER/WASTEWATER</b>		
Water Quality Testing	1,500	500
<b>PUBLIC SAFETY/COURTS</b>		
Contract Labor (Law Enforcement)	15,600	10,200
<b>PARKS &amp; RECREATION</b>		
Parks Research & Development	5,000	0
<b>COMMUNITY CENTER</b>		
Salaries-Laborer	12,500	0
Payroll Taxes	6,403	5,000
TMRS	2,601	1,800
Maintenance & Repair	3,500	1,200
Advertising	15,000	7,500
Supplies	5,000	4,000
Office Supplies	3,000	750

Discussion addressed:

- Feasibility of each proposed amendment
- Necessity of specific expenditures
- Prioritization of the City's most urgent needs
- Various compromise solutions
- Revenue projections
- Full-time management and a detailed business plan for the Wimberley Community Center (WCC)
- Defining the WCC's role as a revenue-generating business or as a facility to serve public needs

Mayor Flocke's comments on Councilmember Appleman's proposed amendments included the following:

- Did not favor cutting *Copies* and *Office Supplies* in Administration expenditures
- Explained that the \$9,372 *Utilities* Administration expenditure reflected increased costs for downtown street lighting
- Increasing funds for postage/copies/office supplies expenditures by eliminating the *Council-Board Public Satisfaction Survey* item and producing the survey in-house
- Explanation of required spending for *Office Technology* and *Training-Travel*
- Need for adequate reserves for repairs/maintenance of City Hall and replenishment of the City's Fund Balance
- Explanation of *Council-Board Training* and *Public Relations/Receptions* expenditures
- Reasoning for Administration expenditure of \$250 for *Mileage* and \$1,500 for *Fuel*
- Exercising caution in reducing *Public Works-Roads Road Maintenance* expenditures from \$85,000 to \$50,000, particularly in light of recent heavy rains
- Did not favor eliminating \$20,000 for *Transfer to Road Maintenance Reserve* and adding same to *Capital Outlay Roads*, as proposed by Councilmember Appleman
- Paving/repair of specific streets, including Hoots Holler and Little Ranches
- Did not favor maintenance of City streets, if residents do not wish their streets maintained
- Did not favor reducing *Mowing/Tree Trimming* from \$8,500 to \$7,500
- Agreed with reduction of *Water Quality Testing* from \$1,500 to \$500
- Did not favor reducing *Contract Labor (Law Enforcement)* from \$15,600 to \$10,200
- Did not favor reducing *Public Safety/Courts* expenditures for *Training*
- Favored partial cut for *Parks Research & Development* expenditures
- Favored \$12,500 expenditure for on-call, part-time laborer at the WCC
- Agreed with Councilmember Appleman on delaying expenditures for sidewalks until completion of any potential sewer construction
- Favored eliminating \$50,000 for *Capital Outlay-Sidewalks* and adding same to *Capital Outlay Roads*

Wimberley resident Gary Callon spoke in favor of contracting with private entities for WCC and Blue Hole Regional Park management services as a more cost-effective option.

City Administrator Ferguson advised Council of recent correspondence from Capital Area Metropolitan Planning Organization (CAMPO) requesting that the City pay a \$400 membership fee to be part of the organization. Discussion addressed CAMPO's role/authority in disbursing federal funds, small cities representation, and benefits of membership. Agreement was reached to *not* include the \$400 membership fee in the FY 2011 budget.

Discussion favored issuance of a carefully written Request for Proposal (RFP) for WCC management, as opposed to the City's hiring of a full-time director. Discussion addressed potential issues with private management of a public facility and targeted RFP-related dates, interim budget planning, and specific personnel performance standards.

Council agreed on the following:

- Decrease *Legal* expenditures to \$45,000 and add \$15,000 for *Capital Outlay Roads* expenditures
- Leave *Administration, Contract Labor (Law Enforcement)* and *Council-Board* expenditures as proposed in the Mayor's version, except for *Public Relations/Receptions*, which would be reduced to \$1,000 per Councilmember Appleman's proposal
- Leave *Public Works* expenditures for *Mileage, Fuel, and Tools* as proposed in the Mayor's version
- Leave *Mowing/Tree Trimming* expenditures as proposed in the Mayor's version
- Eliminate *Sidewalks* expenditures of \$50,000 and \$20,000 for *Transfer to Road Maintenance Reserves* and add \$70,000 to *Capital Outlay Roads*
- Leave \$85,000 in expenditures for *Road Maintenance* per the Mayor's version
- Keeping the WCC personnel salaries for Director and Facilities Manager at \$18,231 and \$35,182, respectively, along with any associated tax/benefit adjustments
- Reducing WCC *Advertising* expenditures to \$5,000 and WCC *Maintenance & Repair* expenditures to \$2,000
- Reducing WCC *Supplies* to \$3,500 and *Office Supplies* to \$2,500

Mayor Flocke asked that City Administrator Ferguson distribute to Council a revision reflecting the amendments agreed upon at this meeting, with Council directed to provide feedback to City Administrator Ferguson via email in order to eliminate the need for another special meeting.

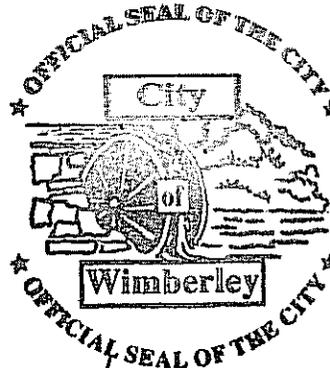
Mayor Flocke called the meeting adjourned at 6:10 p.m.

**Adjournment:** Council meeting adjourned at 6:10 p.m.

Recorded by:

*Cara McPartland*  
Cara McPartland

These minutes approved on the 16th of September, 2010.



**APPROVED:**

*Bob Flocke*

**Bob Flocke, Mayor**