

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Minutes of Special Meeting of City Council
July 24, 2015 at 3:00 p.m.

City Council meeting called to order at 3:04 p.m. by Mayor Steve Thurber.

Councilmembers Present: Mayor Steve Thurber, Councilmembers Bob Dussler, Mac McCullough, Pam Showalter, and John White. Councilmember Cindy Anderson was absent.

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland, and City Attorney Emily Rogers (via telephone conference)

Executive Session

After it convenes in Open Session, the City Council will recess into an Executive (closed) Session for the following:

Consultation with legal counsel, pursuant to Chapter 551.071 of the Texas Government Code, regarding legal issues relating to City of Wimberley, SOAH Docket No. 582-15-3337, TCEQ Docket No. 2015-0482-MWD Permit No. WQ0013321001.

Upon completion of the Executive Session, the City Council will reconvene in Open Session before taking action, if necessary.

Mayor Thurber adjourned Open Session and convened Executive Session at 3:05 p.m., pursuant to §551.071 of the Texas Local Government Code for consultation with legal counsel.

Mayor Thurber adjourned Executive Session and reconvened Open Session at 3:56 p.m.

No action was taken in Executive Session.

Discussion and Action

- A. Discuss and consider action authorizing legal counsel and City staff to proceed with matters discussed in Executive Session. (*Mayor Steve Thurber*)

Councilmember Showalter moved to approve authorizing legal counsel and City staff to proceed with matters discussed in Executive Session, as presented. Councilmember White seconded.

Motion carried on a vote of 4-0.

- B. Discuss and consider action authorizing the Mayor to execute a professional services agreement with LBG-Guyton Associates, a division of Leggette, Brashears & Graham, Inc. (LBG), to provide professional hydrogeologic services and expert witness work

relating to the City of Wimberley's application for a wastewater discharge permit. (*City Administrator*)

City Administrator Ferguson explained the need for services included in the agreement and recommended approval.

Councilmember Showalter moved to approve authorizing the Mayor to execute the professional services agreement with LBG, as presented. Councilmember McCullough seconded. Motion carried on a vote of 4-0.

- C. Discuss and consider possible action to approve the form and content of the City of Wimberley's application for private property debris removal ("PPDR"), approve a resolution in support of the application and confirm the City Administrator may take any and all further actions to establish a PPDR program within the City of Wimberley. (*City Administrator*)

City Administrator Ferguson noted the August 2nd deadline for property owners to place debris at the curb or in the right-of-way for pick-up by the current debris management contractor. He explained the next phase of debris removal to include its removal from eligible residential private properties located in the flood area. He introduced Hays County General Counsel Mark Kennedy and invited him to speak to Council.

Hays County General Counsel Mark Kennedy distributed handouts to Council members and briefed them on specific aspects of the agreement, including FEMA reimbursement, matching requirements, and credits for volunteer labor hours. He explained FEMA's strict submission requirements and reasoning for submitting separate applications for Hays County and the City of Wimberley, even though there is an interlocal agreement between the parties.

Mr. Kennedy provided details on where and how the PPDR program will be implemented, its staff training, and extensive interview process to thoroughly educate property owners before they decide to participate in the program, which is intended to eliminate immediate threats to life, public health, and safety. He introduced Mr. Boyer of Tetra Tech, explained its role in the PPDR program, and noted the City's and County's legal responsibility, duty, and authority to abate declared public health nuisances.

Discussion addressed riparian restoration efforts, right-of-entry granted by property owners, subsequent Blanco River clean-up and clarification of GBRA's role and responsibilities, specific documents distributed to Council, scope of the PPDR program to remove debris from private properties (as opposed to the Blanco River bed), and coordination between Hays County and the City of Wimberley.

Councilmember McCullough moved to approve the form and content of the City of Wimberley's application for the Private Property Debris Removal Program (PPDR), to approve a resolution in support of the application, and confirm the City Administrator may take any and all further actions to establish a PPDR Program, as presented. Councilmember Showalter seconded. Motion carried on a vote of 4-0.

Adjourn

Mayor Thurber called the meeting adjourned at 4:26 p.m.

Recorded by:

Cara McPartland
Cara McPartland

These minutes approved on the 6th of August, 2015.

APPROVED:

Steve Thurber
Steve Thurber, Mayor

