

# A Writing Sample by Don Cudd

1317 Maryland, Corpus Christi, TX 784115 (361) 877-6484 don@doncudd.com  
*Hill Country News, Cedar Park, Texas*

## City to pay Birkner severance of \$95,000

By Don Cudd  
Staff Writer

Cedar Park City Manager Don Birkner said Tuesday that he is set to get a \$95,000 severance payment from the city.

An agreement reached with city council members during a closed session Jan. 11 night had not been signed, but Birkner said he expected Mayor Bob Young to sign it on Tuesday.

"It's my understanding that the payment will be in one lump sum shortly after the agreement is signed," he said.

"Yes, there will be a severance payment of \$95,000, and that's a lot of money," said City Council member Janet Bartles.

"Most city managers in Texas have severance agreements in their contracts, and there's a reason for that. City managers work for the council, and they can be fired at the drop of a hat. They need to be compensated fairly when that happens," she said.

Other council members who were at the Jan. 11 meeting did not immediately return phone calls before press time Tuesday morning.

Birkner announced last week that he will step down from city hall on

March 15. The announcement came in an emotional retirement speech after the Jan. 11 city council meeting.

Birkner, 49, has said he is "retiring from city manager life" but will seek a job doing something else in another city government. He and his wife will remain in Cedar Park.

Phil DuPrey is the only council member to say publicly that the city needs a new manager, but rumors have been circulating for weeks that he's not alone in that thinking.

City officials did not release the unsigned severance agreement by Tuesday morning.

The contract that was in effect as of Birkner's announcement says, "in

the event of termination without cause" Birkner will get six months salary plus money for benefits.

Birkner's annual salary is \$95,000.

"I've got a lot of vacation time and sick time that I haven't used. When you throw that in with my health insurance benefits and my car, it adds up pretty fast," he said.

The severance agreement also requires Birkner to be available as an occasional paid consultant to the city after March 15, officials said.

"There are a lot of big issues coming up, and the city might need Don's help with some of the things he helped to start here," said City Attorney Leonard Smith.

# A Writing Sample by Don Cudd

1317 Maryland, Corpus Christi, TX 78415 (361) 877-6484 don@doncudd.com

Hill Country News, Cedar Park, Texas

## CITY HALL 101

### The basics about council meetings

By Don Cudd  
Staff Writer

Sooner or later an issue you're interested in will likely find its way to City Council, and you'll be tempted to head down to a meeting to speak your mind (or at least support others who are speaking theirs).

Your trip to the meeting will yield its best results if you know a little about how a city council meeting typically runs. Here are the basics.

All council meetings follow strict agendas which are set by the mayor. State law prohibits council members from straying into topics not listed on the agenda, so it's best to check, before the meeting, to make sure your issue is listed.

State law also requires agendas be posted outside city hall at least 24 hours in advance. In most cases, the agendas for regularly scheduled Thursday night meetings in Cedar Park and Leander



Cedar Park city staff and council members are active in important issues affecting the area.

### Here's a quick guide to help you better understand local government

Getting more involved in your community is always a good New Year's resolution. And, with Cedar Park and Leander both in the midst of unprecedented growth in 2001, making such a resolution this year could actually prove to be interesting — maybe even exciting.

In case you're inclined to get more involved — or maybe you just want to understand your local news better — the *Hill Country News* is kicking off a new feature in this week's edition: City Hall 101.

In the coming weeks, many of our stories about local government will be accompanied by the logo you see below. The blackboard on the logo will have a sentence or two explaining things about your city hall that, while routine to city officials and reporters, can be baffling — even intimidating — to the uninitiated. We hope the explanations will be of help if you want to get involved in the issues we cover.

To get the feature started, this *HCN* edition has two articles which discuss City Hall basics. If there's a chance you'll want to take an issue to city hall in the coming weeks, keeping this edition handy might be wise.

City  
Hall  
101

In coming *HCN* editions, look for this blackboard to see things you might not have known about how your city government works. We hope the lessons will help you better understand the issues we cover.

See **MEETINGS**, Page 2

## City staff carries out important local duties

By Don Cudd  
Staff Writer

City councils make the most important decisions and get the most attention in local government. But the day-to-day grunt work at city hall is done by hundreds of full-time employees.

From building inspectors to street crews to police to utility office cashiers, the city staff is the group

that really runs your local government. These people carry out the wishes of the city council members (who are volunteers and don't necessarily show up at city hall every day).

So, it's important to know a little about the leaders of the staff.

If you walk into your city hall on any given day and ask to talk to the boss, you're not likely to be directed to the mayor.

Instead, if you're in Leander,

you'll probably end up meeting Jake Krauskopf. In Cedar Park, you'll meet Don Birkner.

Those two are the city managers, the professional administrators your city councils have hired to see that your local government runs smoothly.

Krauskopf and Birkner are responsible for their city's operation and, therefore, serve as city spokesmen in many of the important news stories you see.

So you might be familiar with their names.

But you might not know about some of the other important people on your city staff.

Here's a rundown of who some of your city hall department leaders are, and exactly what they do.

#### Planning Director

Jane McAdams — Cedar Park  
Shannon Mattingly — Leander

These women focus on the area's future, particularly in regards to

land development.

While a new development is in the works, the planning director makes sure the developer knows the city's rules, and becomes a liaison between the developers and the council.

The planning director is also the city's expert on zoning issues.

In Leander, Mattingly is also the assistant city manager.

See **OFFICIALS**, Page 2

continued on next page

## OFFICIALS

Continued from Page 1

### City Secretary

LeAnne Barnes — Cedar Park  
Lori Dismore — Leander

The City Secretary is responsible for filing and maintaining important city records, such as city council agendas and minutes.

She's also in charge of city elections.

You can see both of these women at every council meeting taking notes to use in writing the minutes, the official record of the meeting.

If you ever want a copy of an offi-

cial document, the City Secretary is usually the one to contact.

### City Engineer

Sam Roberts — Cedar Park  
Chris Reid — Leander

Actually this position has a different name in Cedar Park. Roberts is called the Director of Public Works, but his job is basically the same as Reid's.

These men are responsible for the city's many technical details.

They design and order maintenance for the city's streets, drainage system, water system and buildings.

They, like the planning director, work closely with land developers to

assure that new building plans will meet city rules.

### City Attorney

Leonard Smith — Cedar Park  
Barney Knight — Leander

Neither of these men is, technically, on the city staff, but they both play important roles.

Both work on a contract basis and are called upon by city staff or council members as needed to answer complicated legal questions.

They also represent the city in lawsuits.

Typically, before an ordinance becomes a law, the city attorney screens it for potential legal problems.

### Finance Director

Wes Vela — Cedar Park  
Zelmar Tovar — Leander

These men handle all accounting and finance issues in the city.

While they're responsible for everything from paying bills to preparing monthly financial reports, their biggest job each year is preparing the city's budget. Still others whose titles are probably self explanatory: police chief, fire chief, librarian, human resource director, parks director, and municipal court judge. (In Leander, the fire chief and librarian are not on the city staff. Instead, they are leaders of the group that contracts to provide services.)

## MEETINGS

Continued from Page 1

are posted by 5 p.m. on Friday.

If driving to city hall to read the agenda is inconvenient, you can call City Hall and ask the city secretary to fax or mail you a copy. In Leander the city secretary is Lori Dismore. In Cedar Park it's LeAnn Barnes.

Cedar Park agendas are posted on-line at [www.cedar-park.ci.tx.us](http://www.cedar-park.ci.tx.us). Leander agendas will also be on-line in the near future. Leander's website is at [www.leander.ci.tx.us](http://www.leander.ci.tx.us).

To ask for an issue to be put on a council agenda, you should talk to your mayor, the person who has final say in what the council discusses. Cedar Park's Mayor is Bob Young. While he does not have an office at City Hall, you can leave a message for him there. You can also call him at 379-4002. Leander's Mayor is Larry Barnett. He has an office at City Hall and can be reached at 259-7805.

When calling the mayors, you should keep in mind that both men are volunteers who also have other full-time jobs.

If you should get to a meeting and discover that your issue is not listed on the agenda, all is not lost. At the start of each meeting, Young and Barnett allow residents to speak about anything not listed on the agenda. But, in such cases, council members are legal-

ly limited in what they can say back, and they definitely can't take any action on the matter.

Meetings generally last at least an hour. Sometimes they take three or four hours. A typical agenda will have 15-20 items. Some are extremely routine and take mere seconds to discuss. Debates on others can rage for hours.

Meetings run according to Roberts Rules of Order, a customary system dating back hundreds of years. The rules can get rather complicated occasionally (and entire books on the system are available at any library) but, for the most part, they're easy to follow.

In a nutshell: the mayor controls the meeting, allowing council members and residents to speak only on agenda items. When a council member wants the group to take action on an agenda item, he makes a verbal "motion" describing what he wants the council to do. The mayor then asks for a "second" to that motion. If another council member gives the verbal second, the mayor then calls for a vote. Council members then verbally vote on the motion. The majority wins, of course.

For a decision to be legal a "quorum" of at least four council members must vote. Council members will sometimes have conflicts of interests in a particular issue and, thus, "abstain" from voting. (They are also occasionally absent from meetings, of

course.)

(The "quorum" rule can sometimes be sticky when council members run into each other outside of meetings. When four council members get together, state law considers that a meeting. Therefore, if four council members meet by chance at, say, a party which has not been formally announced at city hall 72 hours in advance, the council would be violating Texas Open Meetings laws. That's why council members sometimes leave social functions early, when they see a fourth member arrive.)

Near the end of meetings, city councils sometimes go into an "executive session" to discuss some matters which state law allows them to talk about privately.

The law is very picky about what topics councils can discuss in executive sessions. Typically, they can only discuss lawsuits, real estate, or personnel matters in closed sessions. It's a crime for them to discuss any other topics privately.

Councils can't legally vote in an executive session. If they want to take action on a topic discussed in executive session, council members must make a motion when the group reconvenes in public.

Cedar Park and Leander councils meet at least twice a month, and occasionally they have additional "emergency" meetings called by the mayor.

(Agendas for these, of course, still must be posted 72 hours in advance.)

The Leander City Council's regular meetings are at 7 p.m. on the first and third Thursday of each month. Cedar Park's meetings are at 6:30 p.m. on the second and fourth Thursday. Be careful, though. These dates are subject to change, particularly around holidays.

The Leander council meets in its chamber at city hall, 200 West Willis.

Cedar Park council's chamber is in the city's public library, 550 Discovery Boulevard.