



NOTICE OF MEETING OF THE  
CITY COUNCIL  
OF  
BUDA, TX  
6:00 PM - Tuesday, May 4, 2021  
Council Chambers Room 1098  
405 E. Loop Street, Building 100  
Buda, TX 78610

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Regular City Council Meeting** of the City of Buda, TX, will be held at which time the following subjects will be discussed and may be acted upon.

**A. CALL TO ORDER**

*Please turn off your cell phone when you approach the podium.*

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

**D. ITEMS OF COMMUNITY INTEREST**

**E. PROCLAMATIONS**

**E.1. Air Quality Awareness Week, May 3 - 7, 2021, to be received by Mayor Pro Tem Evan Ture.**

[e1 2021 Air Quality Awareness Week Proclamation.pdf](#)

**E.2. 2021 Older Americans Month, May 2021, to be received by Linda Burton Breazeale, Board Chair for the Task Force on Aging.**

[e2 Older Americans Month May 2021.pdf](#)

**E.3. 2021 Public Service Awareness Week, May 2 - 8, to be received by City of Buda Employee Advisory Committee on behalf of the City Employees.**

[Public Service Recognition Week Proclamation.pdf](#)

**F. PUBLIC COMMENTS / PUBLIC TESTIMONY**

*Members of the public who wish to participate in Public Comment must complete a sign-in form and turn it into the City Clerk before the period provided for Public Comment is called for consideration by the presiding officer. Members of the public who wish to participate during the Public Testimony period provided for any item on the agenda must complete a sign-in form and turn it into the City Clerk before the item they wish to participate in is called for consideration by the presiding officer.*

**G. CONSENT AGENDA**

All matters listed under this item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Council Member on any item, that item will be removed from the consent agenda and will be considered separately.

**G.1. Approval of the April 20, 2021 City Council Minutes (City Clerk Alicia Ramirez)**

[2021-0420 DRAFT Minutes.pdf](#)

**G.2. Acceptance of the 2nd Quarter Reports for the Human Services Grants Funding (City Clerk Alicia Ramirez)**

[HS Grant Award Reimbursement FY 20-21.pdf](#)

**G.3. Adoption of a Resolution expressing support for House Bill 1512 of the 87th Texas Legislature which would grant a county commissioner's court the authority to approve commercial signs along farm-to-market or ranch-to-market roadways in Hays County (Deputy City Manager Micah Grau)**

[87\(R\) HB 1512 - Introduced version.pdf](#)  
[g3 Resolution - HB 1512 Billboards Support.pdf](#)

**G.4. Adoption of a Resolution authorizing the City of Buda to submit a grant application to the Texas Commission on Environmental Quality (TCEQ) through the Texas Volkswagen Environmental Mitigation Program to purchase and install an electric vehicle charging station (Deputy City Manager Micah Grau)**

[g4 EV Charging Grant PPT.pdf](#)  
[g4 Resolution - EV Grant.pdf](#)

**G.5. Adoption of a Resolution supporting the City of Buda's application to become an International Dark Sky Community (Deputy City Manager Micah Grau)**

[g5 Resolution - IDA Community Application 5.4.21.pdf](#)  
[g5 IDSC Guidelines Oct2015 9.pdf](#)

**G.6. Approval of three Board, Commission, and Committee composition matters: 1) Ratify the acceptance of a Economic Development Corporation board member resignation; 2) Accept a Library Commission and a Task Force on Aging Committee board member resignation; and, 3) approval of the mid-term appointments using the 2021 pool of applicants (City Clerk Alicia Ramirez)**

[2021 TOC BC Application Roster.pdf](#)  
[Boards Commissions Descriptions 2021.pdf](#)

**H. REGULAR AGENDA**

**H.1. Update and possible action on the Texas 87th Regular Legislative Session and the issues affecting the City of Buda (Deputy City Manager Micah Grau and Texas Solutions Group) [PUBLIC TESTIMONY]**

[City of Buda - 2020-2021 Legislative Priorities \(Booklet\).pdf](#)  
[h1 Legislative Update Memo 4.29.21.pdf](#)

**H.2. Deliberation and possible action to adopt a Resolution giving consent to the issuance of unlimited tax refunding road bonds by Sunfield Municipal Utility District No. 1 (the "District"), conservation and**

reclamation district located within the extraterritorial jurisdiction of the City (Assistant City Manager Lauren Middleton-Pratt) [PUBLIC TESTIMONY]

[h2 ResoCityConsent-Series2021RoadRefundBonds\(10354\).pdf](#)

- H.3. Deliberation and possible action on the construction progress and related matters of the City of Buda Wastewater Treatment Plant Phase III Expansion Capital Improvement Project (City Engineer John Nett; Marty Rumbaugh, AECOM) [PUBLIC TESTIMONY]**

[AECOM Buda WWTP Council Update \(050421\).pptx](#)

- H.4. Deliberation and possible action to accept Change Proposal Requests #019 through #023 and execution of Change Order #3 in an aggregate amount of \$92,693.00 under the terms of the construction contract with Archer Western Construction, LLC, for the City of Buda Wastewater Treatment Plant Phase III Expansion and to authorize the City Manager to execute said requests (City Engineer John Nett; Marty Rumbaugh, AECOM) [PUBLIC TESTIMONY]**

[Change Order #03 - Signed by AW.pdf](#)

[219029 Buda WWTP Expansion- AW Pay App #21 - 2021-3-31 Schedule of Values.pdf](#)

[219029 Buda WWTP Expansion- AW Pay App #21 - 2021-3-31 Allowance Tracking.pdf](#)

- H.5. Deliberation and possible action to authorize the City Manager to execute Supplement #1 to the professional service agreement with Walker Partners, LLC. for Owner's Representation and Construction Inspection Services associated with the City of Buda Wastewater Treatment Plant Phase III Expansion Capital Improvement Project (City Engineer John Nett; Joe Jenkins, Walker Partners) [PUBLIC TESTIMONY]**

[Walker Partners Supplemental Services Proposal Buda WWTP Rev 1.pdf](#)

[Request for Extended Owner Rep Inspection Services Buda WWTP Rev 1.pdf](#)

[h5 2021-0504 Walker Partners PPT.pdf](#)

- H.6. Deliberation and possible action to authorize the City Manager to execute a professional services agreement with Cobb, Fendley & Associates, Inc. for design, bid, construction, and post-construction services for the relocation of City of Buda utilities in conflict with the pending RM 967 West Safety Enhancements construction project (City Engineer John Nett; Julie Hastings, CobbFendley) [PUBLIC TESTIMONY]**

[COB PSA CobbFendley RM 967 Utility Relocations \(Rev 20210406\).pdf](#)

[COB RM 967 Utility Relocations EOPC \(Rev 20210303\).pdf](#)

[h6 20210504 Buda City Council Meeting CobbFendley Presentation.pdf](#)

- H.7. Hold a Public Hearing, deliberation, and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance for a revised Specific Use Permit (SUP) for Automobile or Other Motorized Vehicle Sales, and Equipment Sales in the Interstate 35 Business (B-3) zoning district for the property known as John Deere Final Plat, Lot 1, City of Buda, Hays County, TX, being 20.481 acres +/- and addressed as 17301 North Interstate Highway 35, Suite 200, Buda, TX 78610 (SUP 19-01) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]**

[h7 John Deere revised SUP SUP 19-01 SR.pdf](#)

[h7 John Deere Revised SUP SUP 19-01 Ordinance.pdf](#)

[SUP 19-01 Notification Map.pdf](#)

[h7 SUP 19-01-Correction Plans 4.22.2021 reduced.pdf](#)

- H.8. Hold a Public Hearing, deliberation and possible action on first reading of an Ordinance regarding a request to change the zoning from Form District 4 (F4) to Interstate 35 Business (B-3) for Camper Clinic Subdivision, Block A, Lot 1, Hays County, TX, being +/- 22.98 acres and addressed as 15855 S. IH 35, Buda, TX 78610 (Z 20-07) (Director of Planning Melissa McCollum) [PUBLIC TESTIMONY]**

[h8 Z 20-07 and SUP 20-02 P Z Staff Report--Council.pdf](#)

[h8 Z 20-07 Explore USA Rezoning ordinance.pdf](#)

[ExploreUSA Community Meeting Presentation.pdf](#)

- H.9. Hold a Public Hearing, deliberation and possible action on first reading of an Ordinance regarding a request for a Specific Use Permit (SUP) application for Automobile or Other Motorized Vehicle Sales in the Interstate 35 Business (B-3) Zoning District for Camper Clinic Subdivision, Block A, Lot 1, Hays County, TX, being +/- 22.98 acres and addressed as 15855 S. IH 35, Buda, TX 78610 (SUP 20-02) (Senior Planner David Fowler) [PUBLIC TESTIMONY]**

[h9 Z 20-07 and SUP 20-02 P Z Staff Report--Council.pdf](#)

[h9 ExploreUSA SUP SUP 20-07 Ordinance.pdf](#)

[h9 2020-707-2021-04-14 explore usa airstream buda site plans Reduced.pdf](#)

- H.10. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance amending the Fiscal Year 2021 Budget (Finance Director June Ellis) [PUBLIC TESTIMONY]**

[Exhibit A FY2021 Bud Amend #5.pdf](#)

[Exhibit B - Fiscal Year 2021 Fee Schedule 5-4-2021.pdf](#)

[April 6th Agenda Item Report.pdf](#)

[h10 Ordinance Budget Amendment 5-4-2021.pdf](#)

- H.11. Mayor's report on Emergency Management Director activities related to the declared state of disaster regarding COVID-19 and discuss and consider any action or direction considered appropriate and necessary by the City Council to respond to the current State of Disaster as renewed by the Texas Governor**

**I. EXECUTIVE SESSION**

- I.1. The Council will recess its open session and convene in executive session pursuant to Texas Government Code §551.071 to deliberate and seek the advice of the City Attorney regarding 1) N.M. Edificios, LLC v. City of Buda, Cause No. 19-2627, filed in the 453 District Court, Hays County, Texas; 2) Garlic Creek Commons Vested Rights Determination Appeal and related anticipated litigation; and 3) legal issues related to contract negotiations with Texas Disposal Services.**

**J. RECONVENE INTO REGULAR SESSION AND TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.**

**K. CITY MANAGER'S REPORT**

*COVID-19, 2014 & 2021 Bond Program, Capital Improvement Projects, Developments, Drainage Projects, Engineering Department, Finance Department, General/Special Election, Grant Related Projects, Human*

*Resources, Law Enforcement, Legislative Update, Library Projects, Main Street Program, Parks & Recreation Department, Planning Department, Road Projects, Status-Future Agenda Request, Special Projects, Tourism Projects, Transportation, Wastewater Projects, and Water Projects (City Manager Kenneth Williams)*

**L. CITY COUNCIL'S BOARD AND COMMITTEE REPORTS**

*Alliance Regional Water Authority (Urbanovsky)  
Buda Economic Development Corporation (Bryant & Davidson)  
Capital Area Council of Governments General Assembly (Urbanovsky)  
Capital Area Council of Governments Clean Air Coalition (Ture)  
Combined Emergency Communication Center (Urbanovsky)  
Dupre Local Government Corporation (Davidson, Smith, & Urbanovsky)  
Greater San Marcos Partnership (Urbanovsky)*

*City of Buda Audit Committee (Cummings, Davidson, & Ture)  
City of Buda Information Technology Committee (Bryant, Daugereau, & Smith)  
City of Buda Board & Commission Nomination Committee (Bryant, Cummings, & Daugereau)  
City of Buda City Park Planning/Programming Ad-Hoc Committee (Daugereau, Smith, & Ture)  
City of Buda Planning Mobile Food Vendor Ad-hoc Committee (Davidson)  
City of Buda Water/Wastewater Committee (Davidson, Daugereau, & Urbanovsky)*

**M. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

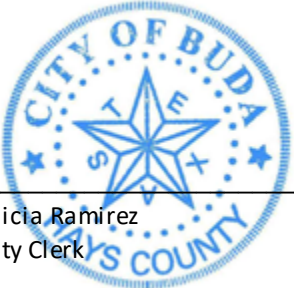
**M.1. Update on Pending Items requested by City Council**

[Pending Items.pdf](#)

**N. ADJOURNMENT**

*Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Clerk at (512) 523-1014, or FAX (512) 641-5817 for information or assistance.*

*I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Buda, was posted on the bulletin board in front of Buda City Hall, which is readily accessible to the public at all times, by 6:00 pm on April 30, 2021.*

/s/   
Alicia Ramirez  
City Clerk

Meetings scheduled in the Council Chambers are set up to publicly broadcast meetings. You may be audio and video recorded while in this facility. Meetings scheduled in other City Facilities are set up to publicly audio record meetings. You may be audio recorded in the other City Facilities.

In accordance with Article III, Section 3.10, of the Official Code of the City of Buda, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office, or video of the entire meeting may be downloaded from the website. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

A Public Comment period will be provided to allow for members of the public to participate and speak to the City Council on any topic that is not on the meeting agenda. At this time, comments will be taken from the audience on non-agenda related topics. A Public Testimony period will be provided at each meeting of the City Council to allow members of the public to participate and speak to the City Council on any topic that is on the meeting agenda, prior to any vote on the matter up for consideration. During these periods, the presiding officer shall routinely provide three (3) minutes to each person who desires to speak but may provide no less than one (1) minute and no more than five (5) minutes to each person addressing the City Council. The amount of time provided to each person, if altered by the presiding officer, shall be announced by the presiding officer prior to recognizing persons to speak and shall be objectively applied to all persons speaking during Public Comment or each Public Testimony period.

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.