



NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
5:30 PM - Tuesday, May 18, 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. Motorcycle Safety Awareness Month, May 2021, to be received by Richard Walton.

[Motorcycle Safety Awareness.pdf](#)

E.2. Historic Preservation Month, May 2021, to be received by the members of the City of Buda Historic Preservation Commission and Main Street Advisory Board

[Proclamation - Historic Preservation Month 2021.docx](#)

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. WORKSHOP

G.1. Workshop on the proposed 2021 bond referendum election (Deputy City Manager Micah Grau, Jeff Barton and Kara Buffington of Gap Strategies)

[Buda Bonds 2021 Council Packet Letter.pdf](#)

H. 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.

H.1. **Approval of the May 3, 2021 and May 4, 2021 City Council Minutes (City Clerk Alicia Ramirez)**

[2021-0503 DRAFT Minutes.pdf](#)

[2021-0504 DRAFT Minutes.pdf](#)

H.2. **Adoption of an Ordinance on second reading 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)**

[Z 20-07 and SUP 20-02 P&Z Staff Report--Council 2nd.doc](#)

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

[ExploreUSA Community Meeting Presentation.pdf](#)

H.3. **Adoption of an Ordinance on second reading 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)**

[Z 20-07 and SUP 20-02 P&Z Staff Report--Council 2nd.doc](#)

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

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

H.4. **Adoption of a Resolution receiving and accepting a petition for full-purpose annexation setting dates, times and place for public hearing, authorizing and directing the publication of the notice of such public hearing, and directing the City Manager or his designee to prepare a service plan for approximately 16.14+/- acres located 950 FM 2001, locally known as Emerson Apartments, The Emerson Subdivision, Block A, Lot 1 (Emerson Apartments Annexation) (Planning Director Melissa McCollum)**

[Emmerson Annexation Resolution.docx](#)

[DA 17-01 Executed Development Agreement.pdf](#)

H.5. **Authorization for the City Manager to execute a purchase order to SHI-Government Solutions for the purchase of Barracuda Essential Compliance software through the State of Texas DIR-TSO-3984 (Deputy City Manager Micah Grau)**

[SHI - Barracuda Quote.pdf](#)

H.6. **Approval to authorize the City Manager to submit a grant application to CenterPoint Energy to purchase two Automated External Defibrillators (AED) (Deputy City Manager Micah Grau)**

[CenterPoint Energy Grant.pdf](#)

I. PRESENTATIONS

- I.1. **Presentation regarding the post-event report for the 8th Annual Capital of Texas Police Motorcycle Chute Out held March 3 - 6 (Tourism Director Lysa Gonzales)**

[COTPMCO - Post-Event Report 2020-2021_Redacted.pdf](#)

J. REGULAR AGENDA

- J.1. **Update on the Hays County Parks Bond process and to deliberation on submission of additional City of Buda park projects for consideration (Parks and Recreation Director Greg Olmer) [PUBLIC TESTIMONY]**

[j1 City Council Update May-18 2020.pdf](#)

- J.2. **Deliberation and possible action on establishing voluntary activities related to particulate matter (PM) levels for the City of Buda as part of the Capital Area Council of Government (CAPCOG) Regional Air Quality Plan (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[PM2.5 Proposed Emission Reduction Measures for the MSA.pdf](#)

[CAC - Buda - Particulate Matter Activities.docx](#)

[j2 Buda - CAC - Particulate Matter.pdf](#)

- J.3. **Deliberation and possible action to approve applications from Buck's Backyard and Inspired Minds Art Center with the Central Texas Theatre Academy for Hotel Occupancy Tax grants (Tourism Director Lysa Gonzales) [PUBLIC TESTIMONY]**

[FY2020-2021_HOT grant application Asleep at the Wheel_Redacted.pdf](#)

[FY2020-2021_HOT grant application Seussical_Redacted.pdf](#)

- J.4. **Deliberation and possible action to authorize a Letter of Intent and expenditure for a 5-year exclusive promotional sponsorship between the Buda Economic Development Corporation (BEDC) and WWII Memorial Miniature Golf related to a mural that promotes Buda (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

[j6 BEDC 5.18.21 City of Buda Agenda Item - WWII Sponsorship - Staff Report.pdf](#)

- J.5. **Deliberation and possible action authorizing Buda Economic Development Corporation (BEDC) promotional expenditures in the amount of \$5,000.00 for FY 2020-21 to support a City of Buda Police Department Community At-Risk Youth program and event (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

[j7 BEDC 5.18.2021 City of Buda Police Request Item.pdf](#)

- J.6. **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**

K. EXECUTIVE SESSION

- K.1. **Council will recess regular session and convene into executive session pursuant Texas Government Code Chapter 551, to deliberate upon and seek legal advice on the following: 1) pursuant to 551.071 and**

551.087, Economic Development Negotiations regarding an offer of financial or other incentive to Valentina's Tex Mex BBQ, LLC and Buda Mill & Grain Co; 2) pursuant to 551.071, the Vesting Rights Determination Appeal by the Hartford Group involving the Garlic Creek Commons development, and The Barr Co. v. The City of Buda, Cause No. 21-0838 filed in Hays County District Court involving the construction of City Park; and; 3) pursuant to Section 551.071 and 551.072, regarding property acquisition from Clemente Properties (Taco Clem) involving a currently undeveloped lot described as lot 3A, resubdivision of lot 2-A, replat of lot 2, 221 north subdivision, according to the map or plat thereof, recorded in Volume 14, Page 276, Plat Records, Hays County, Texas and related to the Wastewater Treatment Plant Phase III expansion project's force main extension; and 4) legal issues related to contract negotiations with Texas Disposal Services.

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

- L.1. Deliberation and possible action on the Vesting Rights Determination Appeal by the Hartford Group involving the Garlic Creek Commons development (City Attorney)**
- L.2. Deliberation and possible action to authorize the City Attorney to offer a sum of money in the amount discussed in executive session to Clemente Properties to obtain an easement in support of the Wastewater Treatment Plant Phase III expansion project's force main extension (City Attorney)**
- L.3. Deliberation and possible action to adopt a Resolution authorizing a Performance Agreement between the Buda Economic Development Corporation and Valentina's Tex Mex BBQ, LLC (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**
- L.4. Deliberation and possible action to approve the Economic Development Corporation (BEDC) FY20-21 Budget Amendment regarding expenditures for financial incentives to Valentina's Tex Mex BBQ, LLC (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

M. 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)

N. 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)

O. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

O.1. Update on Pending Items requested by City Council

[Pending Items.pdf](#)

P. 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 May 14, 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.