



**NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
5:30 PM - Tuesday, August 3, 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. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ITEMS OF COMMUNITY INTEREST

F. PUBLIC COMMENTS / PUBLIC TESTIMONY

Members of the public who wish to participate in Public Comment must complete a 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 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 [PUBLIC TESTIMONY]

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 July 20, 2021 City Council Minutes (City Clerk Alicia Ramirez)

[2021-0720 DRAFT Minutes.pdf](#)

G.2. Acceptance of the 3rd 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 approving the City of Buda's Investment Policy (Interim Finance Director Martie Simpson)

[Investment Policy August 2021.pdf](#)
[g3 Investment Policy Resolution.pdf](#)

- G.4. Adoption of a Resolution on second reading authorizing a Performance Agreement between the Buda Economic Development Corporation and Valentina's Tex Mex BBQ, LLC (BEDC Executive Director Traci Anderson)**

[BEDC Valentina's Agreement - Staff Report.pdf](#)

- G.5. Adoption of a Resolution on second reading authorizing a Performance Agreement between the Buda Economic Development Corporation and Buda Mill & Grain Co. (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

[8.3.21 City of Buda Agenda Item BMG Agreement - Staff Report.pdf](#)

- G.6. Authorization of a funding agreement on second reading between the Buda Economic Development Corporation and the City of Buda that reimburses the Buda Economic Development Corporation for qualified financial incentives paid to Buda Mill & Grain Co. in an amount not to exceed One Hundred Fourteen Thousand Three Hundred Fifty-Three Dollars and 50/100ths (\$114,353.50) (BEDC Executive Director Tracy Anderson)**

[BEDC 8.3.21 City of Buda Agenda Item BMG Agreement - Staff Report.pdf](#)

- G.7. Approval of the Buda Economic Development Corporation (BEDC) FY20-21 Budget Amendment #5 related to cleaning services (BEDC Executive Director Traci Anderson)**

[g6 BEDC FY20-21 Budget Amendment 5](#)

H. REGULAR AGENDA

- H.1. Deliberation and possible action to discuss the scope and assignments of the City Park Ad Hoc Committee (Parks and Recreation Director Greg Olmer) [PUBLIC TESTIMONY]**

[h1 City Council Update Aug3 2021.pdf](#)

- H.2. Deliberation and possible action to adopt a Resolution approving the Operating Policy Manual for the Buda Police Department (Police Chief Bo Kidd) [PUBLIC TESTIMONY]**

[Buda PD Policy Manual 2021.pdf](#)

[h2 2021-R Adopting PD Operating Policies and Procedures.pdf](#)

- H.3. Deliberation and possible action to consider an Ordinance on the first and final reading and to adopt said Ordinance amending the established boundaries of Single-Member District B for the purpose of incorporating newly annexed areas into said district, and all other necessary actions; and providing for an effective date (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

[i5 Ord Adding Newly Annexed Areas.pdf](#)

[Exh A Block Assignment Report -Originally Adopted June 5 2018.pdf](#)

[h3 Exh A Council Districts and Limited Purpose Annexations2.pdf](#)

- H.4. Hold a public hearing, deliberation, and possible action upon first reading of an Ordinance requesting to change the zoning from Interstate 35 Business (B-3) to Light Industrial (LI) for the property known as Lifschultz Subdivision, Lots 52, 53 and 54, Hays County, Texas, being 9 +/- acres and addressed as 100, 108, and 110 Rodriguez Street , Buda, TX (Z 21-02) (Senior Planner David Fowler) [PUBLIC TESTIMONY]**

[Z 21-02 Council Staff Report.doc](#)

[Z-21-02 Location Map.pdf](#)

[Z 21-02-re-zoning legal description - lot 52 53 lifshutz subdivision\(4\).pdf](#)

[Z 21-02-20210426 owner authorization combined.pdf](#)

[UDC 02.06.05 Use Chart.pdf](#)

[2021-8-3 Stream Council Powerpoint - Read-Only.pdf](#)

[Z 21-02 Stream zoning change ordinance.pdf](#)

[h4 Buda Presentation for 8.3.21 Council Meetingv1.pdf](#)

- H.5. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance granting an exclusive franchise to Texas Disposal Systems, Inc. for municipal solid waste collection and disposal services including residential, commercial, industrial, and roll-off services (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[TDS Adoptive Franchise Ordinance Fina 2021.pdf](#)

[TDS Solid Waste Renewal 2021-0803 - PENDING.pdf](#)

[h5 TDS Franchise 8.3.pdf](#)

- H.6. Deliberation and possible action on the proposed 2021 General Obligation Bond election (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[h6 Buda City Council Presentation - August 2nd.pdf](#)

- H.7. Deliberation and possible action to authorize the City Manager to execute Additional Services #4 for the Continuation of Professional Services with the Design Workshop for the completion of Proposition 5 City Park, subject to approval of form by the City Attorney (Project Manager Kenny Crawford) [PUBLIC COMMENT]**

[Design Workshop - Additional Services #4.pdf](#)

- H.8. Deliberation and possible action to approve mid-term appointments for Main Street Advisory Board and Economic Development Corporation (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

[Boards Commissions Descriptions 2021.pdf](#)

- H.9. Deliberation and possible action to authorize the City Manager to execute Supplemental Work Agreement #4 to Task Order #5 (Cabela's Connector) with RPS Infrastructure, Inc. for the completion of Proposition 3 (Cabela's Connector), subject to approval of form by the City Attorney (Project Manager Kenny Crawford) [PUBLIC TESTIMONY]**

[RPS Supplement 4 - Task Order 5.pdf](#)

- H.10. 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.** 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 Section 551.071 to deliberate and seek the advice of the City Attorney regarding a) N.M. Edificios, LLC v. City of Buda, Cause No. 19-2627, filed in the 453 District Court, Hays County, Texas; b) The Barr Co. v. The City of Buda, Cause No. 21-0838 filed in Hays County District Court involving the construction of City Park; c) Cause No. 19-2664, City of Buda, Texas vs Pritor Longhorn Buda Hotel, LLC, d/b/a The Microtel Inn & Suites, pending in the 207th District Court, Hays County, Texas; 2) pursuant to 551.071, the Vesting Rights Determination Appeal by the Hartford Group involving the Garlic Creek Commons development; AND 3) pursuant to Section 551.071 and §551.072 to deliberate upon, seek the advice of and direct the City Attorney regarding property acquisition related to the property to be acquired from Whispering Hollow Homeowners Association, Inc. described as Lot 32, Block H, Whispering Hollow Subdivision, Phase 1, Section 8, according to the map or plat thereof recorded at Vol. 17, Pages 60-61, Plat Records of Hays County, Texas for use in support of the City's water utility to increase the city's water supply in connection with the Alliance Regional Water Authority (ARWA) project.

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 (Ture & 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**

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 July 30, 2021.

/s/ _____
Alicia Ramirez
City Clerk

The seal of the City of Buda, Texas, is a circular emblem. It features a five-pointed star in the center, with the words "CITY OF BUDA" arched across the top and "TARRANT COUNTY TEXAS" arched across the bottom. The star has a smaller five-pointed star inscribed within it.

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.