



NOTICE OF MEETING OF THE  
CITY COUNCIL  
OF  
BUDA, TX  
5:30 PM - Tuesday, September 7, 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**

*Next City Council meeting - Monday, September 20, 2021*

**F. PROCLAMATIONS**

- F.1. Hays County Food Bank National Hunger Action Month, September 2021, to be accepted by HCFB Representatives.**

[Proclamation\\_Buda.pdf](#)

- F.2. Emergency Preparedness Month, September 2021, to be accepted by Emergency Management Coordinator Mike Beggs**

[National Preparedness Month Proclamation.docx](#)

- F.3. Falls Prevention Awareness Month, September 2021, to be accepted by representative of the Task Force on Aging**

[Fall Prevention Month Proclamation .docx](#)

**G. 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.*

**H. 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.*

**H.1. [Approval of the August 17, 2021 City Council Minutes \(City Clerk Alicia Ramirez\)](#)**

[2021-0817 DRAFT Minutes.pdf](#)

**H.2. [Acceptance of the Certification of Unopposed Candidates for the November 2021 General Election \(City Clerk Alicia Ramirez\)](#)**

[2021-0907 Cert of Unopposed Candidate.pdf](#)

**H.3. [Acceptance of the City's Investment Report for the quarter ending June 30, 2021 \(Interim Finance Director Martie Simpson\)](#)**

[9 - June Investment Report - Qtrly.pdf](#)

**H.4. [Adoption of a Resolution of support for Hays County's nomination of Commissioner Walt Smith to the Region K State Water Planning Group \(Water Resource Coordinator Blake Neffendorf\)](#)**

[h4 Resolution Support Region K September 2021.pdf](#)

**H.5. [Approval of a Buda EDC expense for a proposal from Flyer View Group, LLC for a Dynamic Map Poster Program, an online mapping program \(BEDC Executive Director Traci Anderson\)](#)**

[Agenda Item Report E5 Attachment - Flyer View.pdf](#)

[Agenda Item Review E5 Attachment - Sole Source Provider Letter.pdf](#)

**H.6. [Approval of a Buda EDC expense for a proposal from Executive Pulse, a Customer Relationship Management \(CRM\) Program, to host the Buda EDC Business Retention and Expansion information and Prospect Leads \(BEDC Executive Director Traci Anderson\)](#)**

[Agenda Item Report E6 Attachment - Executive Pulse CRM Quote for Buda TX.pdf](#)

**H.7. [Post-Event Report for Seussical the Musical theater production hosted July 1-3 in conjunction with Red, White, and Buda and July 9 and 10 at Buda Amphitheater and City Park \(Tourism Director Lysa Gonzales\)](#)**

[Seussical the Musical Post Event Report Redacted.pdf](#)

**H.8. [Approval of a Hotel Occupancy Tax Reimbursement Grant for the Plein Air Festival hosted by Inspired Minds Art Center on September 15-18 \(Tourism Director Lysa Gonzales\)](#)**

[h](#)

[8](#)

[Exhibit A Hotel Occupancy Tax Reimbursment Grant Application Inspired Minds Art Center Redacted.pdf](#)

- H.9. Authorization for the City Manager to execute a professional services agreement with Freese & Nichols, Inc., for the designated review of development permit applications (City Engineer John Nett; Chance Sparks, Freese & Nichols) [PUBLIC TESTIMONY]**

[FNI PSA 3P Designated Permit Review \(Draft 20210831\).pdf](#)  
[Designated Permit Review Policy.pdf](#)

- H.10. Adoption of a Resolution establishing an exception to Buda Code of Ordinances Section 18.01.064 “Regulated/Prohibited Items and Activities”, Subsection (u), prohibiting of the use of metal detectors in any public park, as provided by City of Buda Code of Ordinances Section 18.01.064(w) when authorized by City Council approval (Parks and Recreation Director Greg Olmer)**

[Resolution excepting certain metal detecting in public parks v2.pdf](#)

- H.11. Approval of a Resolution designating The City of Buda as a Bee City USA Affiliate (Project Manager Kenny Crawford)**

[h11 Bee City Resolution.pdf](#)  
[h11 PowerPoint Presentation.pdf](#)  
[h11 Infographic.pdf](#)  
[Pollinator Plants Texas.pdf](#)

## **I. PUBLIC HEARINGS**

- I.1. Hold a public hearing on the proposed Fiscal Year 2022 Tax Rate (Interim Finance Director Martie Simpson)**

[FY22 Tax Rate Public Notice Draft.pdf](#)

- I.2. Hold a public hearing on the proposed Fiscal Year 2022 Budget (Interim Finance Director Martie Simpson)**

[Notice Of Budget Public Hearing.pdf](#)

## **J. PRESENTATIONS**

- J.1. Presentation regarding Buda Bonds 2021 education campaign and materials (Tourism Director Lysa Gonzales)**

[BudaBond2021 PamphletSide1.png](#)  
[BudaBond2021 PamphletSide2.png](#)  
[BudaBond21 DisplayPropA.jpg](#)  
[BudaBond2021 DisplayPropB.jpg](#)  
[BudaBond2021 DisplayVoterInfo.jpg](#)  
[BudaBond2021 DisplayTaxInfo.jpg](#)  
[Buda Bonds 2021 - Education Campaign Materials.Outreach.pdf](#)

## **K. REGULAR AGENDA**

**K.1. Deliberation and possible action regarding funding allocations for Human Service Grants for the FY 2021-2022 Budget Year and recommended changes to the Grant Application (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

**K.2. Deliberation and possible action to approve three Board, Commission, and Committee composition matters: 1) Accept a Sustainability Commission member resignation; and 2) to approve mid-term appointments for Main Street Advisory Board, Economic Development Corporation, and Sustainability Commission (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

[Boards Commissions Descriptions 2021.pdf](#)  
[k2 Applicant Roster.pdf](#)

**K.3. Deliberation and possible action to amend the 2021 City Council Meeting Schedule (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

[2021 Meeting Schedule](#)

**K.4. Deliberation and possible action to adopt a Resolution requesting the Texas Department of Transportation initiate the process to remove portions of RM 967 (from FM 1626 to 0.185 mile north of the intersection with I-35) and FM 2770 (from RM 967 to 0.127 mile north of the intersection with Robert S. Light) from the State Highway System and convey to the City of Buda for future ownership of the right-of-way and maintenance) (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[Map Depicting Roadway Swap](#)  
[TxDOT Turn Back Resolution.pptx](#)  
[k4 BudaRM967-RSL ROWSwap Resolution.pdf](#)

**K.5. Deliberation and possible action to adopt a Resolution to authorize the City Manager to execute Amendment #1 to separate Project Area 1A (TXDOT No. CSJ 0016-16-031) from Project Area 1B (CSJ 0016-16-031) as a standalone project (Project Manager Kenny Crawford) [PUBLIC TESTIMONY]**

[k5 Resolution Amendment Authorizing Execution of RM 967 FM 2770 AFA.pdf](#)  
[AFA 0016-16-031 Executed Original](#)  
[k5 AFA 0016-013 Amendment No1.pdf](#)

**K.6. Deliberation and possible action to authorize the City Manager to execute Change Order #15 (Project Closeout Reconciliation) to the Main Street Improvements Project (Project Manager Kenny Crawford) [PUBLIC TESTIMONY]**

[CO #15 \(Project Closeout Cost Overruns\).docx](#)  
[k6 Graphics.pdf](#)

**K.7. 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**

## **L. EXECUTIVE SESSION**

- L.1.** Council will recess regular session and convene into executive session pursuant Texas Government Code on the following: 1) pursuant to 551.071 and 551.087, to deliberate upon an offer of financial or other incentive to a company or companies with whom the City and the City of Buda Economic Development Corporation is conducting economic development negotiations with and which the City of Buda seeks to have, locate, stay, or expand in Buda for Project Simulator; 2) pursuant to Section 551.071 to deliberate and seek the advice of the City Attorney regarding 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 regarding the Sunfield Interlocal Agreement for expedited permit review; 3) pursuant to Section 551.071, 551.087 and 551.072, regarding property acquisition related to the Wastewater Treatment Plant Phase III expansion project's force main extension and South Loop 4 Wastewater Improvements; 4) pursuant to Section 551.071 and 551.087, to deliberate upon and seek legal advice regarding development and economic development agreement terms and conditions related to the development of property located along Dacy Lane and involving wastewater expansion opportunities; and 5) Section 551.071 to deliberate and seek the advice of the City Attorney regarding the city's participation in the Global Opioid Settlement as presented by the Texas Attorney General's Office.

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

- M.1.** Discussion and possible action to adopt a Resolution of the City Council of the City of Buda, Texas, finding a public need and necessity and authorizing the City Attorney to file proceedings in eminent domain to acquire property interests (City Attorney George Hyde) [PUBLIC TESTIMONY]
- M.2.** Deliberation and possible action to adopt a Resolution in support of the allocation method for opioid settlement proceeds as set forth in the State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet (City Attorney George Hyde) [PUBLIC TESTIMONY]

**N. 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)*

**O. 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)*

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

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

[Pending Items.pdf](#)

**Q. 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 September 3, 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.