



**NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
6:00 PM - Tuesday, April 19, 2022
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

Prophetess Adriane Davis of Just Church Faith Center of the Buda Ministerial Alliance

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ITEMS OF COMMUNITY INTEREST

F. PROCLAMATION

- F.1. Proclamation recognizing April 22, 2022 as the City of Buda's Earth Day, to be received by representatives from the Buda Sustainability Commission**

[Buda Earth Day Proclamation 2022.docx](#)

G. PUBLIC COMMENT / 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 April 5, 2022 City Council Minutes (City Clerk Alicia Ramirez)**

[2022-0405 DRAFT Minutes.pdf](#)

- H.2. Award a term contract for hot mix asphaltic concrete pavement and authorize the Interim City Manager to execute said contract and related renewals (Public Works Director Mike Beggs and Purchasing Manager Charlie Oberrender)**

[IFB 22-036 Asphalt Official Bid Tab.pdf](#)

- H.3. Approval of Buda Economic Development Corporation (BEDC) FY 2021-2022 Budget Amendments: 1) to reallocate \$2,000 from budgeted reserves to the communications category for new cell phone line(s) and 2) to approve and reallocate \$75,000 from EDC budgeted reserves to the Administration category for interim expenses and approval of expenditures for interim services (BEDC Board President Jennifer Storm)**

[BEDC Comm Amd - Staff Report \(JBW edits 04.12.22\).docx](#)

[BEDC Budget Amnt- Interim Service - Staff Report.docx](#)

- H.4. Authorization of the Sustainability Commission's support and recommendation to approve and adopt the City of Buda Integrated Pest Management Policy and Program (Project Manager Kenneth Crawford)**

[IPM Program Consideration of Sustainability Commission s Approval 04.07.22 .pdf](#)

I. WORKSHOP

- I.1. Workshop, consideration, and discussion regarding recruitment of a new City Manager following the retirement of Kenneth Williams, including receiving public comments in the form of preferred characteristics and qualifications for ideal candidates (Human Resources Director Vicki Fuchs)**

J. PRESENTATIONS

- J.1. Presentation on a proposed 2023 KOKE FM Festival to be held in Buda City Park Amphitheater (Parks and Recreation Director Greg Olmer and KOKE FM Market Manager Lise Hudson)**

- J.2. Update and presentation regarding the court and utility collections process and the tools utilized by McCreary Veselka Bragg & Allen (MVBA) (Court Administrator Sondre Crabtre, Judge Beth Smith, and Steve Whigham, MVBA Director of Collections)**

[Fines and Fees Collection Overview](#)

[MVBA Utility Collections Report through March 2022](#)

[MVBA Court Collections Report through March 2022](#)

K. REGULAR AGENDA

- K.1. Hold a public hearing, deliberation and possible action to adopt an Ordinance on first and final reading regarding a comprehensive plan amendment of the Buda Transportation Mobility Master Plan (TMMP) to remove the proposed extension of Blossom Valley Stream (Comp Amend 22-01) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]**

[04.19.22 Comp Plan Amendment TMMP COUNCIL SR.pdf](#)

[20220315-Buda-Ord-Com Plan Amedment-v2.docx](#)

[2020-35 TMMP no Exhibit.pdf](#)
[COMP AMEND 22-01-letter of intent.pdf](#)
[03.08.2022 Memo re Property on RSL Rise Industrial.pdf](#)
[Presentation Comp Plan Amendment - Rise Industrial S Loop 4.pdf](#)

- K.2. Hold a public hearing, deliberation and possible action to adopt an Ordinance on first and final reading authorizing a Specific Use Permit (SUP) application for a restaurant or cafeteria with curbside or drive-thru service in the Interstate-35 Business (B3) Zoning District within the Gateway Corridor Overlay District (O-G) for the property known as 221 North Subdivision, lot 3B-4, being +/- 1.41 acres, located at 2090 Main Street, Buda, TX 78610 (SUP 21-05) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]**

[Dutch Bros SUP \(SUP 21-05\) SR.pdf](#)
[Dutch Bros SUP \(SUP 21-05\) Ordinance.docx](#)
[SUP 21-05-signed sup LOI.pdf](#)
[Buda P&Z - Dutch Bros. Coffee- 2 slides per page.pdf](#)

- K.3. Deliberation and possible on the selection of WSB as the 2021 Bond Program Manager, recommending approval of the proposed scope and fee, and authorizing the Interim City Manager to execute the agreement (Project Manager Kenny Crawford and Jay Kennedy, Vice-Principal WSB) [PUBLIC TESTIMONY]**

[Buda 2021 Bond Program Management Services Presentation.pdf](#)
[22-005 Bond Services Agreement w WSB 04.13.22 \(Final Coordinating Document\).pdf](#)
[RFQ 22-005 Scoring Matrix - Summary.pdf](#)

- K.4. Deliberation and possible action establishing the bond par amount to be issued as part of the 2021 General Obligation Bonds - Series 2022 (Finance Director Bianca Redmon and Jennifer Ritter of Specialized Public Finance) [PUBLIC TESTIMONY]**

[Project Funds by Year for Debt Sizing 3.24.22.pdf](#)
[Buda Bonds - Election Overview Pamphlet.pdf](#)
[Buda CIP \(4-6-22\).pdf](#)
[Buda CIP November election \(8-5-21\).pdf](#)

- K.5. Deliberation and possible action to award Request for Qualifications (RFQ) 22-004 Broadband Study and authorize the Interim City Manager to execute a professional services agreement with Cobb, Fendley & Associates, Inc. (Interim City Manager Micah Grau and Casey Cronin and Jarod Branstetter, Cobb, Fendley & Associates, Inc.) [PUBLIC TESTIMONY]**

[22-004 Broadband Study Agreement - Cobb Fendley.pdf](#)
[Scoring Matrix - Summary 22-004 w Interview scores.pdf](#)
[k5 Cobb Fendley Presentation.pdf](#)

- K.6. Deliberation and possible action to accept Change Proposal Requests #31 through #33 and execute Change Order #5 in an aggregate amount of \$45,778.00 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 Interim City Manager to execute said requests (City Engineer John Nett; Marty Rumbaugh, AECOM) [PUBLIC TESTIMONY]**

[Change Order #5 \(041422 to City and AW\).pdf](#)
[219029 Buda WWTP Expansion- AW Pay App #30 - 2021-12-31 Allowance Tracking.pdf](#)

[219029 Buda WWTP Expansion- AW Pay App #30 - 2021-12-31 Schedule of Values.pdf](#)
[Buda WWTP Phase III Substantial Completion 03292022 \(COB Signed\).pdf](#)
[k6 AECOM Buda WWTP Council Update 041922 Rev 1.pdf](#)

- K.7. Deliberation and possible action to authorize the Interim City Manager to execute a Park Improvement Funding Agreement, subject to approval of form by the City Attorney, with the Buda EDC in a total amount not to exceed \$93,430.00 for improvements to playground safety surfacing at City Park and the purchase of temporary fencing for use at special events at city parks and city-approved recreational events (BEDC Board President Jennifer Storm) [PUBLIC TESTIMONY]**

[BEDC Park Improvement Funding Agreement SR \(JBW 04.12.22\).docx](#)
[BEDC PARK IMPROVEMENTS FUNDING AGREEMENT \(V2 JBW 04.012.22\).docx](#)
[BEDC Exhibit- A- Park Funding Agreement.pdf](#)

- K.8. Presentation of the Phase I Downtown Build Out Assessment and deliberation and possible action to approve the Buda EDC to expend up to \$39,000.00 and enter into an agreement with Pape-Dawson Engineers for a Boundary & Improvement Survey of City-owned property in downtown (BEDC Board President Jennifer Storm) [PUBLIC TESTIMONY]**

[BEDC Pape Dawson Staff Report.docx](#)
[k9 Pape Dawson 220307a2 Buda Site Exhibit 24x36.pdf](#)
[k9 Pape Dawson Signed Ltr.pdf](#)

- K.9. Deliberation and possible action to award Invitation For Bid (IFB) 22-021 Cabela's Connector Construction Project and authorize the Interim City Manager to execute the contract with MA Smith Contracting Co., Inc. and to authorize a 10% construction project contingency (Project Manager Kenny Crawford) [PUBLIC TESTIMONY]**

[k9 Cabela s Connector Bid Award Recommendation 04.19.pdf](#)

L. EXECUTIVE SESSION

- L.1. The Council will recess its open session and convene into executive session pursuant to Texas Government Code Sections 551.071 (Consultation with Attorney) regarding Garlic Creek Vested Rights Determination Appeal and 551.074 (Personnel Matters) pertaining to the recruitment of a City Manager.**

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

N. CITY MANAGER'S REPORT

COVID-19, 2014 & 2021 Bond Program, Capital Improvement Projects, Destination Services 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, Redistricting Program, Road Projects, Status-Future Agenda Request, Special Projects, Transportation, Wastewater Projects, and Water Projects (Interim City Manager Micah Grau)

O. CITY COUNCIL'S BOARD AND COMMITTEE REPORTS

Alliance Regional Water Authority (Urbanovsky)

Buda Economic Development Corporation (Davidson, Horne-Williams, & Ture)
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 & Urbanovsky)
Greater San Marcos Partnership (Urbanovsky)

City of Buda Audit Committee (Cummings, Davidson, & Ture)
City of Buda Information Technology Committee (Daugereau, Horne-Williams & 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)

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 April 14, 2022.

/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. All items listed above are eligible for deliberation and possible action unless expressly limited.

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.