



**NOTICE OF MEETING OF THE  
CITY COUNCIL  
OF  
BUDA, TX  
5:30 PM - Tuesday, May 19, 2020  
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. COVID PRECAUTIONS**

*The operation of a municipality is an Essential Service. The Texas Governor's Executive Order, with the guidance of DSHS Commissioner Dr. Hellerstedt, allows all persons in Texas to obtain essential services; therefore, the public may attend this meeting in person. The Order directs the public to do so by minimizing in-person contact with people who are not in the same household and direct the implementation of social distancing, good hygiene, environmental cleanliness and sanitation. Therefore, the following social distancing rules apply to the public attending this meeting:*

- 1) Any member of the public attending the meeting shall maintain a six-foot distance from others (except for those you live in the same household). City Staff and City Officials shall practice social distancing to the extent able without interfering in the ability to carry out the essential governmental functions to be conducted at this meeting.*
- 2) Attendance in the Council Chamber will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.*
- 3) Coughs and sneezes must be covered with a cloth or tissue, which should then be properly disposed of or washed, and shall not be exposed to others.*
- 4) Public courtesies such as handshakes or other greetings shall be respectfully avoided.*
- 5) Any member of the public approaching city representatives, whether they be city staff or elected or appointed officials must maintain six-foot social distancing.*

*Any person who fails to comply with the COVID-19 Precautions may be removed from the meeting.*

**EXPANDED OPPORTUNITY FOR PUBLIC COMMENT OR PUBLIC TESTIMONY:**

*The City shall continue to allow expanded opportunities for members of the public who do not attend to participate in Public Comment and Public Testimony. Such participation will be allowed when recognized upon the presiding officer's announcement.*

**ANYONE WHO DOES NOT ATTEND BUT DESIRES TO COMMENT ON A MATTER NOT ON THE AGENDA OR TESTIFY ON A MATTER ON THE AGENDA AT THIS MEETING MUST SEND THEIR COMMENT IN WRITING NO LATER THAN ONE (1) HOUR PRIOR TO THE MEETING BY UTILIZING ONE OF THE TWO OPTIONS:**

- 1) Complete the online form for Virtual Public Comment / Public Testimony.*
- 2) Use the email option at [comments@ci.buda.tx.us](mailto:comments@ci.buda.tx.us). Please include which meeting (City Council, or which Board/Commission name, and meeting date in subject line of your email).*

*All written comments must comply with applicable decorum rules for comments made during a public meeting to be read into the record. Up to three (3) minutes shall be allotted for each comment to be read into the record of the meeting. All timely written comments will be read into the record of the meeting at the appropriate time during the meeting. While reasonable efforts will be taken to gather comments received within the hour prior to the meeting or received during the meeting, all such comments are considered untimely and may not be recognized and read during the meeting.*

**B. CALL TO ORDER**

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

**C. INVOCATION**

**D. PLEDGE OF ALLEGIANCE**

**E. ROLL CALL**

**F. ITEMS OF COMMUNITY INTEREST**

**G. PUBLIC COMMENTS**

*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.*

**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 May 5, 2020 City Council Meeting Minutes \(City Clerk Alicia Ramirez\)](#)**

[h1 2020-0505 DRAFT Minutes.pdf](#)

**I. PRESENTATIONS**

**I.1. [Presentation on the City of Buda's 2019 Water Usage, Advanced Metering Infrastructure Project, and WaterSmart Customer Portal \(Water Resource Coordinator Blake Neffendorf\)](#)**

[i1 Council WaterUse-AMI Update May2020.pdf](#)

**I.2. [Presentation and update on the Whispering Hollow/Bayou Bend Drainage CIP Design Project \(Senior Project Engineer Angela Kennedy\)](#)**

[i2 20200515 ASI WhipHlw BayouBendTCEQ01.pdf](#)

[i2 Whispering Hollow BayouBend City Council 20200519 v3.pdf](#)

**J. REGULAR AGENDA**

- J.1. Discussion and possible action to adopt a Resolution authorizing the City Manager to execute Amendment #2 to the License Use Agreement with Inspired Minds, LLC. related to the use of the former city hall facility (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[COB Resolution re Inspired Minds 2nd Amendment 5.19.20.docx](#)

[121 Main Facility License Agreement Amendment #2.docx](#)

[IMAC June 2020 License Fee Suspension Letter.pdf](#)

[Hill Country Ltr to Council 5.11.20.pdf](#)

- J.2. 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 which has been extended through the month of May 2020 by the Texas Governor**

- J.3. Deliberation and possible action to approve the Buda Economic Development Corporation (BEDC) Budget Amendment #5 (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

[BEDC Budget Amendment #5 - Staff Report.pdf](#)

[BEDC Budget 2019-2020 - Budget Amendments #5.xlsx](#)

- J.4. Deliberation and possible action to adopt a Resolution of the City of Buda 4b Corporation ("Buda Economic Development Corporation") requesting the expansion of the City of Buda Still Budaful Program to include additional funding from the Buda Economic Development Corporation and additional eligibility criteria; requesting expenditure approval from the City of Buda for ten separate small business loan projects, in an amount not to exceed \$10,000.00 per project and per applicant, to eligible local business applicants for the promotion of existing businesses within the City of Buda and in conformity with the project terms as may be approved by the Board of the Directors of the Buda Economic Development Corporation (BEDC Director Traci Anderson) [PUBLIC TESTIMONY]**

- J.5. Deliberation and possible action to consider an Ordinance of the City of Buda, Texas, on first reading approving an annexation, development, and municipal utility district consent agreement between the City of Buda, Texas, Fred and Paula Trudeau, Industrial Asphalt, LLC, Meritage Homes of Texas, LLC, M/I Homes of Austin, LLC, and Buda Municipal Utility District No. 1 for The Colony at Cole Springs development, being approximately 168.883 acres of property generally located south of Old Black Colony Road and west and north of Cole Springs Road; adopting an agreement for the provision of services in the area; annexing said property to the City of Buda, Texas, as requested by the owners of such land; extending the boundaries of the City of Buda, Texas, so as to include said property within the corporate limits of the City of Buda, Texas; providing for repeal; providing for severability; providing an effective date; and containing other provisions related to the subject (DA 19-01) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]**

[SR 05192020 Colony Springs DA.doc](#)

[j5 Final Combined CACS DA Item.pdf](#)

[Final CACS Services Agreement with Exhibits.pdf](#)

[ACI Cole Springs Bridge Memo 20200406 1.1.pdf](#)

[Combined Colony at Cole Springs emails sent to comments@ci.buda.tx.pdf](#)

[j5 City Council Presentation 5-19-2020.pdf](#)

- J.6. Deliberation and possible action to consider an Ordinance of the City of Buda, Texas, on first reading instituting the zoning classification of approximately 168.883 acres of land located south of Old Black Colony Road and west and north of Cole Springs Road as planned development No. Z 20-01; describing said 168.883 acres of land; amending the Zoning District Map of the City of Buda, Texas; providing for an amendment to the Comprehensive Plan; providing for repeal; providing for severability; providing a penalty; providing an effective date; and containing other provisions relating to the subject (PD) (Z 20-01) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]

[SR 05192020 Colony Springs PD.doc](#)

[2020.05.12 Zoning Ordinance with Exhibits.pdf](#)

[April 9, 2020 Staff Letter to Mr. Araque re TIA.pdf](#)

[Colony at Cole Springs TIA without Synchro Reports \(Revised 4-8-20\).pdf](#)

- J.7. Deliberation and possible action to consider an ordinance of the City of Buda, Texas, on first reading granting the consent of the City of Buda, Texas to the creation of a municipal utility district to be known As “Buda Municipal Utility District No. 1” within the municipal boundaries of the City of Buda; providing for repeal; providing for severability; providing an effective date; and containing other provisions related to the subject (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]

[SR 05192020 Colony Springs MUD.doc](#)

[Final CACS Consent Ordinance with Exhibits.pdf](#)

**K. EXECUTIVE SESSION**

- K.1. The Council will recess its open session and convene in executive session pursuant to Texas Government Code 1) § 551.071 to deliberate upon and seek the advice of the City Attorney regarding contractual enforcement efforts between the City and Design Workshop, Inc. and The Barr Company AIA related to the design, construction and change orders for Proposition 5 City Park improvements; 2) § 551.071 to deliberate upon, seek the advice of and direct the City Attorney regarding land use regulation negotiations and the related authority of the City Council in connection with the proposed The Colony at Cole Springs Development along Old Black Colony Road including all related legal issues and applicable statutory and existing common law rules applicable to the proposed procedures and consideration of the proposed Development Agreement, Annexation Ordinance, In-City Municipal Utility District Consent Agreement and Zoning Ordinances and related consideration, risks and benefits provided for in the agreements; and, 3) § 551.071 to deliberate upon, seek legal advice from and to direct the City Attorney in connection with the city’s response to a letter from legal counsel representing Creedmoor-Maha Water Supply Corporation requesting the city cease and desist water service to the YMCA Camp Moody property.

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

**M. STAFF REPORT**

- M.1. Staff Report on the City of Austin project to remap FEMA regulatory floodplain hazards in the Onion Creek Watershed (City Engineer John Nett; Senior Project Engineer Angela Kennedy)

**N. CITY MANAGER’S REPORT**

COVID-19, 2014 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 (Haehn)*
- Buda Economic Development Corporation (Bryant & Urbanovsky)*
- Capital Area Council of Governments General Assembly (Haehn)*
- Capital Area Council of Governments Clean Air Coalition (Ture)*
- Capital Area Regional Committee (Haehn)*
- Combined Emergency Communication Center (Haehn)*
- Dupre Local Government Corporation (Fallon, Haehn, & Urbanovsky)*
- Greater San Marcos Partnership (Urbanovsky)*
- San Marcos Regional Animal Shelter Committee (Daugereau)*
- Small Business Stimulus Relief Committee (Ture)*
  
- City of Buda Audit Committee (Cummings, Fallon, & Ture)*
- City of Buda Information Technology Committee (Bryant, Daugereau, & Fallon)*
- City of Buda Board & Commission Nomination Committee (Bryant, Cummings, & Daugereau)*
- City of Buda City Park Planning/Programming Ad-Hoc Committee (Daugereau, Fallon, & Ture)*
- City of Buda Water/Wastewater Committee (Haehn, Daugereau, & Fallon)*

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

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

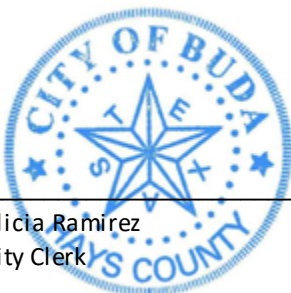
[Pending Items.pdf](#)

**Q. ADJOURNMENT**

*Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Clerk at (512) 312-0084, or FAX (512) 312-1889 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 5:00 pm on May 15, 2020.*

/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.