



**NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
5:30 PM - Tuesday, August 4, 2020
VIDEO CONFERENCE
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. VIDEO CONFERENCE

*Please register to attend the online Buda City Council Meeting - July 21, 2020 at 5:30 PM CDT at:
<https://attendee.gotowebinar.com/register/8753644585382146573>*

- After registering, you will receive a confirmation email containing information about joining the meeting.*
- Attendees may call in to listen only.*
- CALL-IN NUMBER (LONG DISTANCE) +1 (631) 992-3221*
- ATTENDEE ID-muted 698-041-957*

OPPORTUNITY FOR PUBLIC COMMENT OR PUBLIC TESTIMONY:

Public Comment and Public Testimony will be recognized upon the Mayor's announcement.

An attendee has three options:

- 1) Access the webinar and use the "raise the hand" feature during the meeting.*
- 2) Complete the online form for Virtual Public Comment / Public Testimony.*
- 3) Use the email option at comments@ci.buda.tx.us. Please include the Council, or which Board/Commission name, and meeting date in subject line.*

B. CALL TO ORDER

C. INVOCATION

D. PLEDGE OF ALLEGIANCE

E. ROLL CALL

F. ITEMS OF COMMUNITY INTEREST

*Main Street Construction Update
November 3, 2020 - Early Voting period extended 10/13 - 10/30
City Parking Opened announcement*

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 July 21, 2020 and July 23, 2020 City Council Meeting Minutes (City Clerk Alicia Ramirez)

[h1 2020-0723 DRAFT Minutes.pdf](#)

[h1 2020-0723 DRAFT Minutes.pdf](#)

H.2. Acceptance of the 3rd Quarter Reports for the Human Services Grants Funding (City Clerk Alicia Ramirez)

[HS Grant Award Recipients.pdf](#)

H.3. Adoption of an Ordinance on the second and final reading and to adopt said Ordinance to amend Ordinance 2016-25 granting an exclusive franchise to Texas Disposal Systems, Inc. for the collection of refuse for residential, multi-family, commercial and industrial establishments; adding temporary construction roll offs as part of scope of the exclusive franchise containing various terms and conditions with regard to the grant of such franchise (Deputy City Manager Micah Grau)

[h3 COB Amended Franchise Ord. Temp Roll Off 7.17.20 LGL.pdf](#)

[h3 Ex A - TDS Amendment 4 7.21.20.pdf](#)

I. PRESENTATION

I.1. Presentation and update on the Whispering Hollow/Bayou Bend Drainage CIP Design Project (Senior Project Engineer Angela Kennedy and Tim Osting, Aqua Strategies)

I.2. Presentation on the construction progress and related matters of the City of Buda Wastewater Treatment Plant Phase III Expansion Capital Improvement Project and the new Sunfield Effluent Force Main (City Engineer John Nett; Marty Rumbaugh, AECOM)

[i2 AECOM Buda WWTP Council Update 080420.pdf](#)

J. REGULAR AGENDA

J.1. Deliberation and possible action to consider an Ordinance of the City of Buda, Texas, adding Article 6.04 to the Buda Code of Ordinances; providing rules and regulations related to alarm use in the city; providing for severability; providing for repeal; providing penalty; and providing for an effective date (Police Chief Bo Kidd) [PUBLIC TESTIMONY]

[j1 Alarm Ordinance.pdf](#)

J.2. Deliberation on the Police Department Police Policy Manual, Section 6.1 Use of Force and related matters (Police Chief Bo Kidd) [PUBLIC TESTIMONY]

[j2 Use of Force.pdf](#)

- J.3. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt an Ordinance amending the Fiscal Year 2020 Budget Exhibit B - Appendix A Fee Schedule for activities related to the Parks and Recreation Department (Parks & Recreation Director Greg Olmer) [PUBLIC TESTIMONY]**

[Ordinance Budget Amendment - Appendix A](#)
[Exhibit B \(Appendix A\) - Fiscal Year 2020 Amended Fee Schedule](#)
[j3 City Council Ad Hoc-City Park.pdf](#)
[Draft City Park User Agreement](#)
[Comparable Amphitheater Rental Rates](#)
[Comparable Pavilion Rental Rates](#)

- J.4. Deliberation and possible action to approve the City of Buda 4B Corporation's (Buda Economic Development Corporation) FY 2020-2021 proposed Budget (EDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

[BEDC Budget 2020-2021 - Staff Report.pdf](#)
[BEDC FY 2020-2021 - Board Adopted Budget.pdf](#)
[BEDC FY 2020-2021 Budget Presentation.pdf](#)

- J.5. Deliberation and possible action to authorize the City Manager to execute an agreement, subject to approval of form by the City Attorney, with CVS Health for the "Return Ready" program to provide COVID-19 testing for the City of Buda (Human Resources Director Vicki Fuchs) [PUBLIC TESTIMONY]**

[2020-16 FY20 Budget Amendment.pdf](#)
[Proposed Spending Plan - Coronavirus Relief Fund \(1\).pdf](#)
[City of Buda Return Ready Proposal POC.pdf](#)
[HR City Of Buda COVIDTesting Onsite Standard LOA 7-30-20.pdf](#)

- J.6. Deliberation and possible action to adopt the prioritized list of respondents for the Parks Master Plan RFQ#20-006 and to direct the City Manager to negotiate a professional services agreement with the top rated firm for future City Council consideration (Parks and Recreation Director Greg Olmer and Purchasing Manager Rose Esparza) [PUBLIC TESTIMONY]**

[RFQ 20-006 Ranked List of Respondents](#)

- J.7. Deliberation and possible action to create an Ad Hoc Committee to assist in analysis of current Mobile Food Vendor (MFV) ordinances (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]**

- J.8. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance to suspend the solicitor permit process – Chapter 14, Article 14.02, Section 14.02.007, Peddlers and Solicitors; establishing penalty; providing severance; providing an effective date (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

[Ord suspending solicitor permits 072720.pdf](#)

- J.9. Deliberation and possible action to adopt a Resolution ordering an Election to be held in the City of Buda, Texas, on Tuesday, November 3, 2020 for the following purposes and establishing early voting locations and polling places for this election; making provisions for the conduct of the election; and providing for a runoff election in the City of Buda (Deliberación y posibles medidas para adoptar un**

Resolución de la Ciudad de Buda, Texas ordenar una elección general que se celebrará en la Ciudad de Buda, Texas, el martes, 03 de noviembre 2020 con el propósito de la elección de dos (2) miembros del concejo y el establecimiento de unos centros de votación anticipada y los lugares de votación para esta elección; haciendo disposiciones para la conducta de dichas elecciones; y haciendo disposiciones para un elección de desempate en la Ciudad de Buda) a) General Election for electing a Mayor, Councilmember Position 2 At-Large, and Councilmember Single Member District B (Elección general para elegir un Alcalde, un puesto de Miembro del Concejal en General, Position 2 y Miembro único del Concejo Distrito B) (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]

[2020-R- Order General Election RES.docx](#)

[2020-R- Order general election RES - Spanish.docx](#)

- J.10.** Deliberation and possible action to adopt a Resolution ordering a Special Election to be held in the City of Buda, Texas, on Tuesday, November 3, 2020 for the purposes of electing one Councilmember for an unexpired term in Position 1 A-Large, establishing an early voting location and polling place for this election; making provisions for the conduct of the election; and providing for a runoff election in the City of Buda (Deliberación y posible acción para adoptar un Resolución de la Ciudad de Buda, Texas que ordene una Elección Especial que se llevará a cabo en la Ciudad de Buda, Texas, el martes 3 de noviembre de 2020 con el propósito de elegir un Miembro del Consejo para un período no vencido en la Posición 1 en General, establecer un lugar de votación anticipada y un lugar de votación para esta elección; hacer disposiciones para la realización de la elección; y preso para una elección de escorrentia en la ciudad de Buda (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]

[2020-R- Order SP Pos1At-Large RES.docx](#)

[2020-R- Order SP Pos1 AtLarge SPANISH RES.docx](#)

K. EXECUTIVE SESSION

- K.1.** Council will recess in executive session pursuant to the Texas Government Code Chapter § 551.071 to deliberate upon, seek legal advice from and direct the City attorney regarding: 1) Pursuant to Section 551.071, regarding a Texas Workforce Commission application for unemployment benefits against the City of Buda, Texas which is pending before the Texas Workforce Commission; 2) Pursuant to Section 551.071, regarding legal issues related to the facts described in Buda City Council Resolution 2019-R-13 adopted in May 2019; 3) Pursuant to Section § 551.071 and §551.072, regarding property acquisition and permitting related to Proposition 4 drainage projects; 4) Pursuant to Section 551.071 regarding code and UDC violation and enforcement efforts of the city with Driпти, LLC, operating at 17020 I-35, Buda, Texas 78610.

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

- L.1.** Deliberation and possible action to authorize the City Attorney to make a final offer to purchase the necessary drainage and construction easements situated on approx. 11.5 acres located on EL of FM 2770 (Jack C Hays Trail), S. of Barton Crossing (1101 FM 2770), Buda, Hays County, Texas owned by Centex Materials, Inc, for the total recommended compensation identified in the June 22, 2020 Independent Appraisal obtained by the city and authorize the City Manager to execute all necessary closing documents to acquire said easements in support of Proposition 4 (City Attorney George Hyde) [PUBLIC TESTIMONY]

- L.2. Deliberation and possible action to authorize the City Manager to execute all necessary settlement documents to settle and resolve the code and UDC violation and enforcement action currently underway with Dripti, LLC. operating at 17020 I-35, Buda, Texas 78610 (City Attorney George Hyde) [PUBLIC TESTIMONY]**

M. 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)

N. 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)*

*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)*

O. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

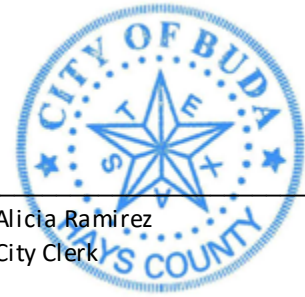
O.1. Update on Pending Items requested by City Council

[Pending Items.pdf](#)

P. ADJOURNMENT

Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Clerk at (512) 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 July 31, 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.