



**NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
5:30 PM - Tuesday, December 1, 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 - IN-PERSON MEETINGS AT CITY HALL

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:

- 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.*
- Attendance in the Council Chamber will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.*
- 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.*
- Public courtesies such as handshakes or other greetings shall be respectfully avoided.*
- 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.

B. CALL TO ORDER

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

C. INVOCATION

Moment of Silence.

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 November 16, 2020 and November 17, 2020 City Council Meeting Minutes (City Clerk Alicia Ramirez)

[h1 2020-1116 DRAFT Minutes.pdf](#)

[h1 2020-1117 DRAFT Minutes.pdf](#)

H.2. Acceptance of the City's Investment Report for the quarter ending September 30, 2020 (Finance Director June Ellis)

[Quarterly Investment Report - thru September 2020.pdf](#)

H.3. Submittal of the Fiscal Year 2020 Fourth Quarter Financial Update (Finance Director June Ellis)

[h3 FY 2020 Fourth Quarter Financial Update.pdf](#)

H.4. Appointment of City Engineer John Nett as the City of Buda's representative to the Capital Area Metropolitan Planning Organization Technical Advisory Committee (Deputy City Manager Micah Grau)

[2021 TAC Appointment Form \(Hays Co Smaller Cities Representative\).pdf](#)

H.5. Adoption of an Ordinance of the City of Buda, Texas, on second reading, to adopt the City of Buda 2020 Transportation Mobility Master Plan report, future Capital Improvement Plan mobility projects, and recommended transportation-related policies (City Engineer John Nett)

[Ordinance 2020 TMMP.pdf](#)

[Buda TMMP Final Report \(Rev 11122020\).pdf](#)

H.6. Authorization for the City Manager to execute a contract renewal with Alcon Data-Tel Solutions for Information Technology and Network Support (Deputy City Manager Micah Grau)

[Alcon DTS - CONTRACT AND PURCHASING RIDER 2019.pdf](#)

[ALCON DTS-CityOfBuda-Service Agreement-Oct2020 \(003\).pdf](#)

H.7. Authorization for the City Manager to execute an Interlocal Agreement with Hays County for the provision of library services to Hays County residents (Library Director Melinda Hodges)

[hays county ila fy21.pdf](#)

I. PRESENTATION

- I.1. **Presentation on the upcoming Texas 87th Regular Legislative Session and the issues affecting the City of Buda (Deputy City Manager Micah Grau and Texas Solutions Group) [PUBLIC TESTIMONY]**

[City of Buda - 2020-2021 Legislative Priorities \(Booklet\).pdf](#)

J. REGULAR AGENDA

- J.1. **Deliberation and possible action to adopt a Resolution establishing and appointing members to serve on the Buda Bond Advisory Committee for the City of Buda (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[i1 Resolution - Est and Appointing Members Community BAC 2021.pdf](#)

[i1 Bond Election Calendar - November 2021 12.1.20.pdf](#)

[i1 Bond Committee - Council Appointed.pdf](#)

[Bond Election Committee - Appointments to Bond Advisory Committee.pdf](#)

- J.2. **Deliberation and possible action to approve the Buda Economic Development Corporation (BEDC) Budget Amendment #2 (BEDC Executive Director Traci Anderson) [PUBLIC TESTIMONY]**

[EDC FY20-21 Budget Amendment 2 - Staff Report.pdf](#)

[EDC FY 2020-2021 - Budget Amendment 2.pdf](#)

- J.3. **Deliberation and possible action on the construction progress and related matters of the City of Buda Wastewater Treatment Plant Phase III Expansion Capital Improvement Project (City Engineer John Nett) [PUBLIC TESTIMONY]**

[i3 AECOM Buda WWTP Council Update 120120 .pdf](#)

- J.4. **Deliberation and possible action to accept Change Proposal Requests #011 through #018 and execution of Change Order #2 in an aggregate amount of \$130,116.00 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 City Manager to execute said requests (City Engineer John Nett) [PUBLIC TESTIMONY]**

[Change Order #02 - Signed by AW.PDF](#)

[Change Order #02 - Costing Backup.pdf](#)

[219029 Buda WWTP Expansion- AW Pay App #15 - 2020-09-30 Schedule of Values.pdf](#)

- J.5. **Deliberation and possible action to authorize the City Manager to execute Supplement #5 to the professional service agreement with AECOM for the Buda Wastewater Treatment Plant Phase III Expansion Project (City Engineer John Nett; Marty Rumbaugh, AECOM) [PUBLIC TESTIMONY]**

[Buda WWTP Expansion SA5 Rev 1 Executable 112420.pdf](#)

- J.6. **Deliberation and possible action to approve on first reading, an Ordinance request to consider a Zoning Map amendment request from Form District 4H (F4H) and Form District 3H (F3H) to Planned Development (PD) for the property known as A005 S V R Eggleston Survey, City of Buda, Hays County, TX being +/- 6.57 acres located at the southeast corner of Main Street and Sequoyah Street and addressed as 767 Main Street Buda, TX 78610 (Z 20-03) (Director of Planning Melissa McCollum) [PUBLIC TESTIMONY]**

[SR CC 12.01.2020 Cantina PD.pdf](#)
[i6 Cantina Zoning PD Ordinance edits 12.01.20.pdf](#)
[Neighborhood Communication Cantina PD.pdf](#)
[Buda Cantina Development Plan exhibits 11172020 with PZ Conditions.pdf](#)
[Neighbor opposition.pdf](#)
[Staff Cantina 2 per page.pdf](#)
[Cantina Presentation 2 per page.pdf](#)

- J.7. Deliberation and possible action to adopt a temporary curbside program in Historic Downtown Buda as a response to the COVID-19 pandemic (Main Street Manager Maggie Gillespie) [PUBLIC TESTIMONY]**

[Downtown Buda Curbside Pilot Program v2.pdf](#)
[i7 Downtown Buda Curbside Parking Pilot Program.pdf](#)

- J.8. Deliberation and possible action regarding the following committee appointments: Alliance Regional Water Authority, Capital Area Regional Committee, Combined Emergency Communication Center, City of Buda Audit Committee, City of Buda Information Technology Committee, City of Buda City Park Planning/Programming Ad-Hoc Committee, City of Buda Planning Mobile Food Vendor Ad-Hoc Committee, and City of Buda Water/Wastewater Committee (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

- J.9. Deliberation and possible action to appoint members (mid-term vacancies) to the Economic Development Corporation, Dupre Local Government Corporation, and Parks & Recreation Commission (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

- J.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**

K. EXECUTIVE SESSION

- K.1. Council will recess regular session and convene into executive session pursuant to Texas Government Code Chapter 551, Section 551.071 to deliberate, seek legal advice, and direct the City Manager and City Attorney regarding contractual non-compliance by the Barr Company in connection with the construction and completion of Proposition 5 City Park, park improvements and related legal and administrative remedies, and regarding settlement negotiations with Driпти, LLC, operating at 17020 I-35, Buda, Texas 78610 regrading ongoing code and UDC violations and enforcement efforts.**

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

M. STAFF REPORT

- M.1. Staff report on Parks Master Plan Process (Parks and Recreation Director Greg Olmer)**

[m1 City Council Update Dec.pdf](#)
[DRAFT Survey Questions 11.6.20.pdf](#)

M.2. Update on the COVID Enforcement (Assistant City Manager Lauren Middleton-Pratt)

[COVID Enforcement .pdf](#)

M.3. Update on 2014 Buda Bond Propositions 3 - Streets, Proposition 4 - Drainage, and Proposition 5 - Parks and Trails (Project Manager Kenny Crawford and Parks Director Greg Olmer)

[m3 Bond Proposition Update 12.01.pdf](#)

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)

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 Planning Mobile Food Vendor Ad-Hoc Committee (Fallon)

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 November 27, 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.