

**CALL TO ORDER**

Mayor Ruge called the meeting to order at 6:31 p.m.

**ROLL CALL**

City Secretary Alicia Ramirez certified a quorum with the following Council Members present:

Mayor Todd Ruge  
Mayor Pro Tem Bobby Lane  
Council Member Angela Kennedy  
Council Member Eileen Altmiller  
Council Member Wiley Hopkins  
Council Member George Haehn  
Kenneth Williams, City Manager

Council Member Jose Montoya was absent and excused from the meeting.

City Staff in attendance: Assistant City Manager Brian La Borde, City Secretary Alicia Ramirez, Finance Director Sidonna Foust, City Engineer Stanley Fees, Planning Director Chance Sparks, Chief of Police Bo Kidd, Library Director Melinda Hodges, Tourism Director Lysa Gonzalez, Public Works Director Mike Beggs, Parks & Recreation Director Drew Wells, and Economic Development Executive Director Ann Miller.

**PUBLIC COMMENTS**

None.

**CONSENT AGENDA**

**APPROVAL OF THE DECEMBER 16, 2014 CITY COUNCIL MEETING MINUTES**

**APPROVAL OF A REVISION TO THE SPECIAL EVENT APPLICATION PACKET**

Motion, to approve the Consent Agenda, as presented, was made by Mayor Pro Tem Lane and seconded Council Member Kennedy. Motion carried unanimously.

**REGULAR AGENDA**

**TABLING OF THE ADOPTION OF AN ORDINANCE ON SECOND READING AMENDING THE UNIFIED DEVELOPMENT CODE SECTION 5.8(2) AND TABLE 5-3, PERTAINING TO CLUSTER DEVELOPMENT FLEXIBLE ZONING**

Responding to questions by Council, Planning Director Chance Sparks informed when such zoning is approved, the use for the land may be approved as dedicated parkland or other alternative, i.e. deed as a trust, conservation easement, etc. He noted plats require approval at various board levels. Once the zoning is approved, then 40% of land is part of the conservation. Mr. Sparks remarked staff will research and consult with the city attorney regarding dedicated parkland in lieu of dedicated parkland fees.

Further discussion was held on designating green belt space or other uses, e.g. trail easements in and around the development. Mr. Sparks stated changes to the development may be made throughout the various processes.

Mayor suggested tabling the item.

Motion, to table the item, as recommended, was made by Mayor Ruge and seconded Mayor Pro Tem Lane. AYE: Ruge, Lane, Kennedy, Hopkins, Montoya, and Haehn. NAY: Altmiller. Motion carried 6-1.

### **PRESENTATIONS**

#### **UPDATE AND PRESENTATION ON PEDERNALES ELECTRIC COOPERATIVE (PEC)**

Dr. Patrick Cox, PEC Board President, John Hewa, CEO, and Trista Fugate, PEC Community & Economic Development Supervisor presented background information. Ms. Fugate distributed the 2013 Annual Report. *A copy of the report and presentation is part of the permanent supplemental record.*

General discussion was held on plans for developing renewable energy/resources, an integrated resource plan, solar energy, and diversifying the company's portfolio to include various types of energy.

Council Member Altmiller suggested, in the spirit of collaboration, working with PEC to renegotiate the 50-year agreement noting several attempts have been made in the last 20 years. Mr. Cox acknowledged Council's concern and noted PEC is willing to work with the City.

### **PUBLIC HEARINGS**

**PUBLIC HEARING HELD IN REGARD TO AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BUDA PERTAINING TO 98.71 ACRES OF LAND OUT OF THE SVR EGGLESTON SURVEY, ABSTRACT NO. 5, BEING GENERALLY LOCATED ALONG THE WEST SIDE OF FM 967, SOUTH OF CULLEN COUNTRY SUBDIVISION, EAST OF WHISPERING HOLLOW SUBDIVISION AND NORTH OF THE ST. ELIZABETH EPISCOPAL CHURCH; THE CHANGE WILL RESULT IN (A) 2.91 ACRES UNCHANGED AS C2/R2 ZONING, (B) 76.80 ACRES CURRENTLY PENDING ANNEXATION TO ESTABLISH INITIAL ZONING OF MR WITH FZ1 ZONING AND (C) 19.00 ACRES CURRENTLY ZONED C2/R2 CHANGED TO MR WITH FZ1 ZONING (CHITWOOD/WENTZ TRACT)**

Planning Director Chance Sparks presented background information.

Mayor Ruge opened the public comment period at 7:10 p.m. Public comments were made by Citizens Paul Morgan, 165 Enchanted Hills Trail, Roger Beck, 177 Enchanted Woods Trail, Joe Hudgins, 139 Enchanted Woods Trail, Tommy Poer, 101 S. San Marcos Street, Royce Ruppy, 1301 S. Capital Hwy, and Jennifer Brooke Davidson, Vicar of St. Elizabeth Episcopal Church.

No further comments being made, Mayor Ruge closed the public comment period at 7:21 p.m.

### **REGULAR AGENDA ITEMS**

**APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BUDA AND DUNHAM ENGINEERING FOR PROFESSIONAL SERVICES FOR PROVIDING PROJECT MANAGEMENT AND OVERSIGHT FOR THE FY14-15 WATER TANK REPAIRS AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT**

Public Works Director Mike Beggs presented background information.

General discussion was held on the Garlic Creek tank defective coating, the age of the tank, and future tank coating processes.

Motion, to approve the agreement, as presented, was made by Council Member Altmiller and seconded Council Member Kennedy. Motion carried unanimously.

**APPROVAL OF THE RENEWAL OF MANAGED INFORMATION TECHNOLOGY SERVICES WITH MINDSHIFT AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE AGREEMENT**

Assistant City Manager Brian LaBorde presented background information.

General discussion was held on whether to handle the technology service in house, the related personnel costs, and the contract cost over the three-year term.

Motion, to approve the renewal agreement, as presented, was made by Mayor Pro Tem Lane and seconded Council Member Altmiller. Motion carried unanimously.

**FIRST READING AND INTRODUCTION OF AN ORDINANCE ANNEXING APPROXIMATELY 76.80 ACRES OF LAND LOCATED ON THE WEST SIDE OF RM 967, SOUTH OF CULLEN COUNTRY SUBDIVISION, EAST OF WHISPERING HOLLOW SUBDIVISION AND NORTH OF THE SAINT ELIZABETH'S EPISCOPAL CHURCH (CHITWOOD/WENTZ TRACT)**

Planning Director Chance Sparks presented background information.

Council Member Haehn clarified the zoning classification for this area, as discussed earlier in this meeting, has been tabled and will be considered and approved at a future meeting.

Motion, to introduce the Ordinance, as presented, was made by Council Member Hopkins and seconded Mayor Pro Tem Lane. Motion carried unanimously.

**FIRST READING AND INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BUDA PERTAINING TO 98.71 ACRES OF LAND OUT OF THE SVR EGGLESTON SURVEY, ABSTRACT NO. 5, BEING GENERALLY LOCATED ALONG THE WEST SIDE OF FM 967, SOUTH OF CULLEN COUNTRY SUBDIVISION, EAST OF WHISPERING HOLLOW SUBDIVISION AND NORTH OF THE ST. ELIZABETH EPISCOPAL CHURCH; THE CHANGE WILL RESULT IN (A) 2.91 ACRES UNCHANGED AS C2/R2 ZONING, (B) 76.80 ACRES CURRENTLY PENDING ANNEXATION TO ESTABLISH INITIAL ZONING OF MR WITH FZ1 ZONING AND (C) 19.00 ACRES CURRENTLY ZONED C2/R2 CHANGED TO MR WITH FZ1 ZONING (CHITWOOD/WENTZ TRACT)**

Planning Director Chance Sparks presented background information.

General discussion was held on the requested zoning classification noting Council's suggestion to table the public hearing earlier in the meeting.

Motion, to introduce the Ordinance, as presented, was made by Council Member Kennedy.

City Attorney George Hyde stated with this action, questions that have been raised regarding the Unified Development Code (UDC) amendment will be addressed at a future date. He also noted the ordinance operates under the existing related policies when the application is made unless the proponent formally agrees to the newly adopted policies.

A vote was taken on the motion on the floor. The motion was seconded by Council Member Altmiller. Motion carried unanimously.

#### **APPOINTMENT OF A SEVEN (7) MEMBER PROPOSITION 5 PARK ADVISORY COMMITTEE**

Parks & Recreation Director Drew Wells presented background information. He recommended the following candidates: Louis Calvo, Beth Hagan Martinez, Nancy Hart, Vincent Lecca, John Montez, Wendy Scott, and Jennielle Strother.

Mayor Ruge commended all who applied and concurred with staff's recommendation. Mayor Pro Tem Lane also recognized the seventeen applicants and staff's efforts through the various outreach programs, particularly the Citizens' Academy to recruit the individuals. Council Member Altmiller encouraged the other candidates to apply for other upcoming board position vacancies.

Motion, to appoint Louis Calvo, Beth Hagan Martinez, Nancy Hart, Vincent Lecca, John Montez, Wendy Scott, and Jennielle Strother to serve on the newly created Proposition 5 Park Advisory Committee, as presented, was made by Mayor Pro Tem Lane and seconded Council Member Haehn. Motion carried unanimously.

#### **EXECUTIVE SESSION**

At 7:46 P.M., Council convened in Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open, Code §551.071 Consultations with Attorney and §551.072 Deliberations about Real Property to deliberate and seek the advice of the city attorney on the a) land acquisition of real property related to the Garlic Creek Lift Station Project and b) land acquisition related to the city facilities.

At 8:08 P.M., Council reconvened, and the following business was transacted, if any, on matters discussed in executive session.

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

#### **ACTION TO RATIFY ACCEPTANCE OF DEEDS FOR THE GARLIC CREEK LIFT STATION EASEMENT AND REAL PROPERTY FOR LIFT STATION ON BAILEY TRACT**

Motion, to ratify the acceptance of deeds, as presented, was made by Mayor Ruge and seconded Mayor Pro Tem Bobby Lane. Motion carried unanimously.

#### **ACTION TO RATIFY CITY MANAGER'S EXECUTION OF ALL DOCUMENTS IN CONNECTION WITH THE ACQUISITION OF 8.6 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY SITUATED IN THE CITY OF BUDA, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT 24.994 ACRES OF LAND DESCRIBED IN**

**SPECIAL WARRANTY DEED FROM JARDINE FOODS, INC. (GRANTOR), TO JF LANDLORD, LTD. (GRANTEE, RECORDED ON JUNE 20, 2008 AS DOCUMENT NO. 2008-80016823, IN VOLUME 3414, PAGE 287, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS FOR USE TO CONSTRUCT NEW CITY HALL, LIBRARY AND POLICE FACILITIES**

Motion, to ratify the City Manager's execution of all documents, as presented, was made by Mayor Pro Tem Bobby Lane and seconded Council Member Altmiller. Motion carried unanimously.

**STAFF REPORT**

**STAFF REPORT REGARDING THE DANCE UNLIMITED 5K EVENT**

Parks & Recreation Director Drew Wells presented background information.

General discussion was held on the number of anticipated participants for the benefit run.

**CITY MANAGER'S REPORT**

Kenneth Williams, City Manager

- 2014 Bond Program
- Capital Improvement projects
- Developments
- Drainage projects
- Engineering Department
- Finance Department
- Grant related projects
- Law Enforcement
- Legislative Update
- Library Projects
- Parks & Recreation Department
- Planning Department
- Road projects
- Special projects
- Tourism Projects
- Transportation
- Wastewater projects
- Water projects

Planning Director Chance Sparks distributed a handout and presented an update on the Capital Metro Transit Development Plan. *A copy of the handout is part of the supplemental minute record.* He informed LoneStar Rail is still a potential project.

City Manager Kenneth Williams informed the City's Christmas Event was held on December 19, 2014 and noted the recognition of the City Employees of the Year - Public Works Crew Leader Esabel Rodriguez and Assistant City Manager Brian LaBorde.

**ITEMS OF COMMUNITY INTEREST**

Council Member Haehn commented on the Whispering Hollow home fire tragedy and noted the home was a total loss. He recognized Mr. Jim Lewis, Property Manager of Noah's Ark Storage and Wendy Hightower, for their assistance and contributions. Mayor commended Mr. Haehn for being the point of contact and for his assistance in the matter.

Mayor Pro Tem Lane also commented on the Chaparral Park house fire. He recognized the responding local fire departments.

Mayor commended City Manager Kenneth Williams, City Attorney George Hyde, Land Broker Lori Bible, and staff for their efforts on the City facility land purchase.

**CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

Council Member Altmiller commented on the Unified Development Code process and the need to review items of contention. She suggested conducting a workshop.

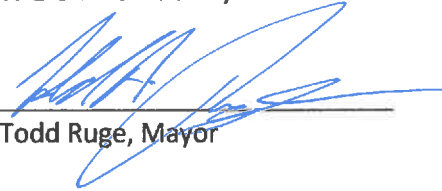
Mayor Pro Tem Bobby Lane suggested City staff work with Texas Department of Transportation (TxDOT) to synchronize the traffic system and signal queuing on IH35, IH35 frontage, and Old San Antonio Road within Buda.

**ADJOURNMENT**

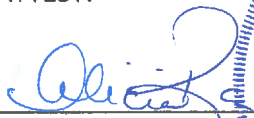
Motion, to adjourn the meeting, was made by Mayor Ruge and seconded by Council Member Haehn. Motion carried unanimously.

There being no further business, the meeting was adjourned at 8:25 p.m.

**THE CITY OF BUDA, TEXAS**

  
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Todd Ruge, Mayor

ATTEST:

  
\_\_\_\_\_  
Alicia Ramirez, TRMC  
City Secretary



**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 Secretary'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.)**