

**CALL TO ORDER**

Mayor Ruge called the meeting to order at 6:33 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 Wiley Hopkins  
Council Member Jose Montoya  
Council Member George Haehn  
Council Member Eileen Altmiller  
  
Kenneth Williams, City Manager

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, Parks and Recreation Director Drew Wells, Public Works Director Mike Beggs, and Executive Administrative Assistant Isabel Fernandez.

**PUBLIC COMMENTS**

Public comment was made by Evan Ture of 107 N. San Marcos Street.

**WORKSHOP**

**WORKSHOP REGARDING WATER CONSERVATION, INCLUDING DISCUSSION OF DIRECT POTABLE REUSE**

Planning Director Chance Sparks presented background information. *A copy of the presentation is part of the permanent supplemental record.*

General discussion was held on the required Texas Commission on Environmental Quality (TCEQ) permits and related processes, xeriscaping and related conversion and costs, rainwater harvesting incentives, working with Homeowner Association's (HOA) on acceptable receptacles, study direct potable use, extending the potable water (purple pipe) main to commercial and residential areas, future presentation by Texas Municipal League (TML) consultant, utilizing the Unified Development Code (UDC) to structure subdivision ordinance, seasonal and drought rates, utilizing the water development board manual regarding various calculation rates, 2017 projections; and further review during the 2015-16 budget process.

City Manager Kenneth Williams suggested staff present and Council review the related cost to the various projects noting some project are very expensive. He informed the reasoning to discontinue connecting the purple pipe to the transmission lines was due to the exorbitant cost. He suggested staff present some cost estimates for future consideration. Responding to a question by Council Member Haehn, Mr. Williams informed the developer would be responsible for the infrastructure within the

subdivision; however, the transmission line would require additional work and would be distributed throughout the city.

### **CONSENT AGENDA**

Council Members requested discussion of the minutes and Downtown Master Plan.

### **APPROVAL OF THE FEBRUARY 3, 2015 CITY COUNCIL MEETING MINUTES**

Motion to approve the minutes, as presented, was made by Mayor Ruge and seconded by Council Member Haehn. Mayor Pro Tem Lane abstained from the vote. Motion carried unanimously.

### **ADOPTION OF THE SECOND READING OF AN ORDINANCE ADOPTING THE CITY OF BUDA DOWNTOWN MASTER PLAN (#2015-07)**

Responding to questions by Council Member Haehn, Planning Director Chance Sparks replied additional pedestrian crossings must be Americans with Disabilities Act (ADA) complainant and must be coordinated with the railroad commission. He also noted prescriptive efforts on staff's behalf will be made in working with property owners waste disposal sites.

Motion, to adopt the ordinance on second reading, as presented, was made by Council Member Haehn and seconded by Council Member Montoya. Motion carried unanimously.

### **APPROVAL OF A FINAL PLAT FOR THE SUNFIELD PHASE 2, SECTION 10 SUBDIVISION, BEING APPROXIMATELY 14.823 ACRES OF LAND SITUATED NEAR THE NORTHEAST CORNER OF SUNBRIGHT BOULEVARD AND THE PROPOSED SUNWHEAT BOULEVARD**

Motion, to approve the final plat, as presented, was made by Mayor Ruge and seconded Council Member Montoya. Motion carried unanimously.

### **PRESENTATIONS**

#### **PRESENTATION ON COUNTYWIDE DEVELOPMENTS RELATED TO GROUNDWATER PRODUCTION OUT OF THE MIDDLE TRINITY AQUIFER BY ELECTRO PURIFICATION, LLC (EP)**

Public comments were made by Bob Gillespie of 1124 Todo Lane, Driftwood, TX; Sherrie Overton of 950 Lonesome Trail, Driftwood, TX; Lila Knight of 1701 N Burleson, Kyle, TX; David Crowel at 1400 FM 150, Kyle, TX; Cynthia Pickens of 851 Jennifer Lane, Driftwood, TX; and Mary Gilroy of 300 Buffalo Speedway, Driftwood, TX.

Assistant City Manager Brian LaBorde provided a brief history of the various production developments by EP.

General discussion was held on executing a memorandum of understanding authorizing staff to organize a contract with Hays Trinity and Plum Creek; the recharge zones and related pools and pressure effects; the mitigation plan; and comparing the EP contract cost with other proposed cost.

Mayor Ruge informed until EP proves they are able to produce the water, staff will not expend time on negotiation a mitigation plan.

City Manager Kenneth Williams informed Hays Commissioner PCT2 Mark Jones will host a meeting regarding possible solutions, specifically the Barton Springs paper transfers. He inquired whether the Council was interested in an appointment on a committee to discuss such matters. Mayor Pro Tem Bobby Lane suggested the city participate. Council Member Haehn concurred.

**REGULAR AGENDA**

**AUTHORIZATION FOR THE CITY MANAGER TO AWARD AND EXECUTE A CONTRACT TO ECM INTERNATIONAL, INC., TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR THE CITY OF BUDA FOR ALL FIVE (5) PROPOSITIONS OF THE 2014 GENERAL OBLIGATION BOND PROGRAM PURSUANT TO TERMS APPROVED TO FORM BY THE CITY ATTORNEY**

Assistant City Manager Brian LaBorde presented background information and introduced the ECM team. *A copy of the presentation is part of the permanent supplemental record.*

General discussion was held on maintaining and making timely decisions in order to keep the projects on schedule; working with multiple adopted city plans which are integral parts of the pre-project planning process; and minimizing change orders.

Motion, to select ECM International, Inc. and authorize the City Manager to execute said contract, as presented, was made by Mayor Ruge and seconded by Mayor Pro Tem Lane. Motion carried unanimously.

**APPROVAL OF THE SELECTION OF THE ENGINEERING FIRM BINKLEY & BARFIELD TO PROVIDE ENGINEERING SERVICES FROM THE REQUEST FOR QUALIFICATIONS SUBMITTED FOR THE GENERAL ENGINEERING SERVICES FOR THE CITY OF BUDA AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SUCH AGREEMENT**

City Engineer Stanley Fees presented background information.

Motion, to approve the selection and authorize the City Manager to execute said agreement, as presented, was made by Mayor Pro Tem Lane and seconded by Council Member Haehn. Motion carried unanimously.

**APPROVAL OF THE RENEWAL AND EXTENSION OF THE INTERLOCAL AGREEMENT AMONG HAYS COUNTY, CALDWELL COUNTY, CITY OF LULING, CITY OF KYLE, CITY OF BUDA, CITY OF LOCKHART, CITY OF UHLAND, GUADALUPE-BLANCO RIVER AUTHORITY, PLUM CREEK CONSERVATION DISTRICT, CALDWELL-TRAVIS SOIL AND WATER CONSERVATION DISTRICT #304, AND HAYS COUNTY SOIL AND WATER CONSERVATION DISTRICT #351, REGARDING IMPLEMENTATION OF THE PLUM CREEK WATERSHED PROTECTION PLAN AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SUCH AGREEMENT**

City Engineer Stanley Fees presented background information.

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

**AWARD OF BID FOR THE GARLIC CREEK AND BONITA VISTA WATER STORAGE TANKS REHABILITATION PROJECT TO CORROSION ELIMINATORS AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SUCH AGREEMENT**

City Engineer Stanley Fees presented background information and he suggested going to Stage 3 Drought Level conditions due to the repairs affecting the entire city. He noted the City is currently in Stage 1 of the Water Conservation Plan.

Motion, to award the bid to Corrosion Eliminators for a total bid award of \$281,778.00 and authorize the City Manager to execute said agreement, as presented, was made by Mayor Pro Tem Lane and seconded by Council Member Haehn. Motion carried unanimously.

**APPROVAL OF A CHANGE ORDER FOR THE BONITA VISTA 2014 STREET RECONSTRUCTION PROJECT FOR ADDITIONAL DRIVEWAY RECONSTRUCTION, RECONSTRUCTING THE REMAINING SIDEWALKS, MAKING DRAINAGE IMPROVEMENTS AND INSTALLING 2 ADDITIONAL STREETLIGHTS AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SUCH AGREEMENT**

City Engineer Stanley Fees presented background information. *A copy of the presentation is part of the permanent supplemental record.*

Council Member Haehn commented on the flooding issue on LaJolla Street, specifically during the October 2014 flood. Mayor Ruge added the project was completed under budget; therefore, the proposed improvements will be paid from the savings. He noted further work may be submitted as a change order.

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

**ADOPTION OF A RESOLUTION TO EXECUTE A GATEWAY MONUMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION AND MAINTENANCE OF A CITY OF BUDA MONUMENT SIGN APPROXIMATELY 830 FEET NORTH OF THE INTERSECTION OF COUNTY ROAD 149 (KELLY SMITH LANE) BETWEEN THE IH-35 MAIN LANES AND FRONTAGE ROAD AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE AGREEMENT (#2015-R-01)**

City Engineer Stanley Fees presented background information. *A copy of the presentation is part of the permanent supplemental record.*

Motion, to adopt the Resolution, as presented, was made by Council Member Haehn and seconded by Council Member Altmiller. Motion carried unanimously.

**ADOPTION OF A RESOLUTION OF SUPPORT AND A RESOLUTION OF FINANCIAL COMMITMENT FOR PICERNE DEVELOPMENT, LLC'S THE POINTE AT OVERLOOK LOCATED NEAR THE CORNER OF RM 967 AND COLE SPRINGS ROAD, BEING A LOW INCOME HOUSING TAX CREDIT (LIHTC) APPLICATION (#2015-R-02) (#2015-R-03)**

Planning Director Chance Sparks presented background information and introduced Picerne Development Associate Owen Dundee.

General discussion was held on the project timeframe based on the point system, the financing approval resolution option and its relation to the project application process; lining up the roadway to a future traffic signal; school crossing and zoned for Elm Groove Elementary which would require busing service; incorporating a sidewalk and providing a buffer zone between the busy street; HUD rent limits; development will not be Section 8 housing; developer would pay for the realignment of Old Black Colony Road; no swimming pool; xeriscaping; tenant must be on the lease; zone change application process; maximum state reimbursement amount; increased road congestion; similar rezoned property; city's administrative cost for the loan; and the flexibility of the resolution language pertaining to the funding.

Mayor spoke in support of the project.

Motion, to adopt the Resolution of support and Resolution of finance commitment \$118,000.00, as presented, was made by Mayor Pro Tem Lane and seconded by Council Member Altmiller. AYE: Ruge, Lane, Kennedy, Hopkins, Montoya, and Altmiller. NAY: Haehn. Motion carried 6-1.

**ADOPTION OF A RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH REGARDS TO THE FACILITATION AND IMPLEMENTATION OF THE 2014 GENERAL OBLIGATION BOND (#2015-R-04)**

Assistant City Manager Brian LaBorde presented background information.

Motion, to adopt the Resolution, as presented, was made by Council Member Montoya and seconded by Council Member Hopkins. Motion carried unanimously.

**EXECUTIVE SESSION**

At 9:20 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, §551.071 Consultations with Attorney on the following items: Consideration of legal issues related to city's water supply contract with Electro Purification, legal obligations, impact and implications related to a proposed resolution supporting state legislation regulating groundwater production in areas not within conservation or other districts, and legal obligations, impact and implications related to proposed state legislation regulating groundwater production in areas not within conservation or other districts.

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

At 10:13 P.M., Council reconvened, and the following business was transacted, if any, on matters discussed in executive session.

**ADOPTION OF A RESOLUTION SUPPORTING THE REGULATION OF GROUNDWATER TO MEET THE NEEDS OF ALL GROUNDWATER USERS IN HAYS COUNTY AND SUPPORTING REGULATIONS THAT PROVIDE FOR SHARED RESPONSIBILITIES AND OBLIGATIONS BETWEEN ALL GROUNDWATER USERS (#2015-R-05)**

Motion, to adopt the Resolution, as presented, was made by Mayor Ruge and seconded by Council Member Haehn. Motion carried unanimously.

City Secretary Alicia Ramirez read the resolution into the record.

**STAFF REPORT**

**STAFF REPORT REGARDING THE 2014 BUDA TRAIL OF LIGHTS.**

Parks & Recreation Director Drew Wells presented background information. *A copy of the presentation is part of the permanent supplemental minute record.*

Mayor Pro Tem Lane commended staff for conducting the most cost effective community impact event.

**STAFF REPORT REGARDING THE PEDESTRIAN CROSSING SIGNAL LOCATED ON MAIN STREET AT BRADFIELD PARK.**

Parks & Recreation Director Drew Wells presented background information. He informed the signs will be updated accordingly.

General discussion was held on the lack of pedestrian crossing that would justify the signal crossing, reconfiguring the drainage to the Bradfield Park, and the lighting.

**STAFF REPORT REGARDING THE TRAFFIC SYSTEM AND SIGNAL QUEUING ON MAIN STREET AT INTERSTATE HIGHWAY (IH) 35 FRONTAGE ROAD, AND CABELA'S DRIVE AT IH 35 FRONTAGE ROAD**

Public Works Director Mike Beggs presented background information.

Council directed staff to review the signal and apply a demand camera trip system at Cabela's Drive and Main Street.

**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
- Transportation projects
- Tourism projects
- Wastewater projects
- Water projects

Mr. Williams informed on the following:

- City received permission from Texas Commission on Environmental Quality to utilize the reuse water at Stage Coach Pond.
- Six staff members will be attending the Ammerman Media Training on February 23 - 24, 2015.
- Healthy sales tax at a 20.7% increase; 20% over last year.

Regarding a previous public comment statement, Mr. Williams explained all contracts approved and authorized for execution are dated on the date approved by City Council.

**ITEMS OF COMMUNITY INTEREST**

Mayor Ruge invited staff and City Council to join him on Wednesday, February 18, 2015, for the Buda Elementary 3<sup>rd</sup> grade visit at City Hall.

**CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

Council Member Altmiller requested staff follow up on water conservation pertaining to landscaping ideas from the special meeting on February 12, 2015.

Council Member Haehn suggested staff research methods and/or means to prohibit commercial vehicles from traveling on Main Street.

He also requested staff follow up on a possible change order for the drainage projects on LaJolla Street to assist in resolving the drainage and flooding issue for local residents.

Mayor Pro Tem Bobby Lane requested an update on the annual audit and a new project completion date for Bonita Vista.

He commended staff for all of their hard work and efforts, especially during the last few weeks. Mayor Ruge concurred.

**ADJOURNMENT**

Motion, to adjourn the meeting, was made by Mayor Ruge and seconded by Mayor Pro Tem Lane. Motion carried unanimously.

There being no further business, the meeting was adjourned at 10:52 p.m.

**THE CITY OF BUDA, TEXAS**

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Todd Ruge, Mayor

ATTEST:

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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.)**

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