



**NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
6:00 PM - Tuesday, October 20, 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. CALL TO ORDER

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

B. INVOCATION

The Rev. Jessica Cain, Living Word Lutheran Church, Buda Ministerial Alliance

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ITEMS OF COMMUNITY INTEREST

F. 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.

G. 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.

G.1. [Approval of the October 7, 2020 City Council Meeting Minutes \(City Clerk Alicia Ramirez\)](#)

[2020-1007 DRAFT Minutes.pdf](#)

G.2. [Acceptance of the 4th Quarter Reports for the Human Services Grants Funding \(City Clerk Alicia Ramirez\)](#)

[HS Grant Award Recipients.pdf](#)

H. PRESENTATIONS

- H.1. Presentation regarding the 2020 City of Buda holiday season activities (Tourism Director Lysa Gonzales, Park & Recreation Director Greg Olmer & Main Street Program Manager Maggie Gillespie)**

[h1 2020 Holiday Activities Main Street Holiday Activities Budafest Holiday Tour.pdf](#)
[h1 Buda Council TOL 2020.pdf](#)

I. REGULAR AGENDA

- I.1. Deliberation and possible action to adopt a Resolution approving the Alliance Regional Water Authority (ARWA) issuing Contract Revenue Bonds for the City of Buda in the Aggregate Principal Amount of \$6,225,000, including Approval of the Bond Resolution and Other Related Matters in Accordance with the Regional Water Supply Contract (Finance Director June Ellis, Graham Moore, Executive Director of ARWA) [PUBLIC TESTIMONY]**

[ResApprovingResBuda 10-5-20.pdf](#)
[Authorizing Resolution Buda 10-5-2020 w Exhibits.pdf](#)
[Final Debt Service Amortization Schedule.pdf](#)
[i1 Buda Phase 1B Financing Update 2020-10-20.pdf](#)

- I.2. Conduct a Public Hearing, deliberation and possible action to approve on first reading, an Ordinance of the City of Buda, Texas 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; Joe Cantalupo K Friese + Associates)**

[i3 Buda TMMP CC Meeting 102020 ppt.pdf](#)
[Ordinance 2020 TMMP.pdf](#)
[Buda TMMP Final Report \(Rev 10162020\).pdf](#)

- I.3. Conduct a public hearing, deliberation and possible action to approve on first reading an ordinance to change the zoning from Interstate 35 Business (B-3) to Light Industrial (LI) for the property Known as Lifschultz Subdivision, Lot 1, being 2.899 +/- acres and addressed as 16290 S. IH-35, Buda, TX 78610 (Z 20-05) (Director of Planning Melissa McCollum) [PUBLIC TESTIMONY]**

[Z 20-05 Pence Property zoning change ordinance.pdf](#)
[Pence Zoning Correspondence.pdf](#)
[i5 Z 20-05-2020-05-21-SurveyTopo 2.90ac 2.pdf](#)
[Use Charts UDC 09.18.2020.pdf](#)
[Z 20 05 Notification 8 12 2020.pdf](#)
[Z 20-05 Council Staff Report.pdf](#)
[i5 20-05 Council PPT.pdf](#)

- I.4. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance amending the Fiscal Year 2021 Budget for \$168,000 for Still Budaful Stimulus Program 2.0 (Finance Director June Ellis) [PUBLIC TESTIMONY]**

[i2 COB Ord Amending Budget re StillBudaful Stimulus 2.0.pdf](#)
[Exhibit A FY2021 Bud Amend #1.pdf](#)

- I.5. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance to provide new articles 24.08.000 and 24.09.000, Identity Theft Prevention Program, to comply**

with Federal Regulations for Red Flags and Identity Theft (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]

[i7 Red Flag Program.pdf](#)

[i7 Red Flag Rules Ordinance.pdf](#)

- I.6. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance establishing the Hotelier Incentive Program to promote new or expanded business development and increase tourism (Tourism Director Lysa Gonzales) [PUBLIC TESTIMONY]

[Hotelier Incentive Program 380 Agreement Ord.pdf](#)

[Exhibit 1 - 2020 Hotelier Incentive Program procedure.pdf](#)

[Exhibit 2 - Hotelier Incentive Program reimbursement form.pdf](#)

- I.7. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance establishing the Downtown Buda Co-Marketing Grant Program to promote new or expanded business development and increase tourism (Main Street Manager Maggie Gillespie) [PUBLIC TESTIMONY]

[Downtown Co-Marketing Grant Program 380 Agreement.pdf](#)

[Exhibit 1 Downtown Co-Marketing Application.pdf](#)

- I.8. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance of the City Council of the City of Buda, Texas, granting to Pedernales Electric Cooperative, Inc., its successors and assigns, a transmission and distribution electric utility franchise for a five year term commencing on the effective date; containing various terms and conditions with regard to the grant of such franchise; containing a severability clause; providing for the repeal of any and all kinds of ordinances, regulations, rules, or policies that are in conflict with this ordinance; and providing an effective date (Deputy City Manager Micah Grau and City Attorney George Hyde) [PUBLIC TESTIMONY]

[i11 Buda 2020-2025 PEC Franchise Ordinance Agreement 1001520.pdf](#)

- I.9. 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

J. EXECUTIVE SESSION

- J.1. Council will recess in executive session pursuant to the Texas Government Code Chapter 551, on the following items: 1) Section 551.071 and 551.074 to deliberate upon and seek and receive legal advice pertaining to the annual evaluations of the City Manager and the Municipal Court Judge; 2) Section 551.071 and 551.072 to deliberate upon, seek and receive legal advice regarding an offer of a financial or other incentive to property owners for easements in support of the Wastewater Treatment Plant expansion and extension of a force main involving property parcels R131953, R131954 and R131957 as shown in the Hays County Tax Assessor Collector records (property generally located within the city and known as the Holiday Inn Express and Suites lot and the properties between the Holiday Inn Express and Suites lot and Main Street.

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

L. 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)

M. 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)*

N. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

N.1. [Update on Pending Items requested by City Council](#)

[Pending Items.pdf](#)

O. 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 October 16, 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.