

12/18/2012 - Minutes

A. CALL TO ORDER
B. PLEDGE OF ALLEGIANCE
C. ROLL CALL

City Council Members Present:

Fletcher, Ruge, Montoya, Haehn, Altmiller, Lane

City Council Members Absent:

None

City Staff Present:

City Manager Kenneth Williams, City Attorney Ross Fischer, City Secretary Danny Batts, Assistant City Manager Brian LaBorde, City Engineer Stanley Fees, Public Works Director Mike Beggs, Police Chief Bo Kidd, Parks & Recreation Director Jack Jones, Executive Assistant Isabel Fernandez.

D. CITY COUNCIL ACTIONS

- D.1. CANVASS THE RETURNS OF THE DECEMBER 8, 2012 SPECIAL ELECTION AND DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, DECLARING THE CANVASS AND RESULT OF AN ELECTION HELD ON DECEMBER 8, 2012, TO ELECT MAYOR FOR THE CITY OF BUDA; CONTAINING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE**

Councilmember Fletcher made a motion to approve the item. Mayor Pro Tem Lane seconded the motion, which carried unanimously.

- D.2. ADMINISTER THE OATH OF OFFICE TO MAYOR ELECT TODD RUGE**

Municipal Judge Beth Smith Administered the oath of Office to Mayor Elect Todd Ruge, who then assumed the chair and presided over the remainder of the meeting.

E. RECOGNITION

- E.1. RECOGNITION OF THE SERVICE OF SARAH MANGHAM AS THE MAYOR OF THE CITY OF BUDA**

Mayor Ruge presented former Mayor Mangham with a plaque and thanked her for her service to the City.

F. PUBLIC COMMENTS

Cindy Swink, President of the Chamber of Commerce, formally introduced herself to the City Council.

G. CONSENT AGENDA

Item G.2 was pulled from the consent agenda and considered individually. The remaining items on the consent agenda were considered routine and were approved by one motion. Councilmember Montoya moved to approve the remaining items on the consent agenda. Councilmember Altmiller seconded the motion, which carried unanimously.

- G.1. APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF 12/04/2012**

Approved by consent

- G.2. APPROVAL OF THE SECOND READING OF AN ORDINANCE ADOPTING THE BUDA 2012 PARKS, RECREATION, TRAILS AND OPEN SPACE MASTER PLAN.**

Parks and Recreation Director Jack Jones presented this item to the City Council. He stated that the ordinance caption had changed since first reading to reflect the fact that the master plan was intended to be a stand alone document and not incorporated into the City's comprehensive plan.

After the presentation, Councilmember Altmiller asked if comments she had made during the first reading, specifically regarding the order of priorities in the plan, had been incorporated into the revised ordinance.

City Secretary Batts stated that the original motion to approve the ordinance on first reading had been to approve the plan as presented, with no amendments. He further clarified that the ordinance could be amended on second reading if the Council choose to do so.

Mayor Pro Tem Lane then moved to approve the ordinance on second reading as presented, and with no further amendments besides removing the reference to the City's comprehensive plan from the ordinance caption. Councilmember Montoya seconded the motion, which failed for lack of majority by the following roll call vote: AYES- Ruge, Montoya, Lane. Nays- Fletcher, Haehn, Altmiller.

After the vote, Councilmember Haehn asked if the master plan could be amended later during the City's budgeting process. City Attorney Fischer stated that it could, but that a new ordinance would have to be adopted to effect any changes. Mayor Pro Tem Lane then made another motion to approve the ordinance on second reading as presented, and with no further amendments besides removing the reference to the City's comprehensive plan from the ordinance caption. Councilmember Haehn seconded the motion which carried unanimously.

H. PRESENTATION

H.1. PRESENTATION REGARDING A POST-EVENT REPORT ON BUDAFEST HELD DECEMBER 1 & 2, 2012 IN DOWNTOWN BUDA

Alisha Workman, Tourism Director, presented this item to the City Council. She reported that Budafest includes a Christmas parade, entertainment, carnival, and over 125 artisans selling handcrafted items of every type- jewelry, candles, holiday decorations, salsas, woodcraft's, pottery, and soaps. She stated that the City had awarded the event \$3,500.00 to defray the costs of advertising, which totaled \$3,996.80.

H.2. PRESENTATION REGARDING A POST-EVENT REPORT ON THE BUDA FAN JAM HELD NOVEMBER 15, 2012 AND THE INAUGURAL UNITED STATES GRAND PRIX FORMULA 1 RACE HELD NOVEMBER 16-18, 2012.

Alisha Workman, Tourism Director, presented this item to the City Council. She reported that, in preparation for the inaugural Formula 1 race, the Buda City Council approved a Department of Tourism proposal to host a free concert for visitors to the City of Buda. The Buda "Fan Jam" featured the Fabulous Thunderbirds and was held on Thursday, November 16 from 6:00- 11 :00 PM at Buda City Park. She stated that the event was organized with the assistance of Roadway Productions, who provided event production setup (stage equipment/fencing, etc ..), booking bands, food & beverage vendors, and other concert-related needs. Attendance for the event was approximately 500. She also stated that event related expenses totaled \$37,652.09 and were offset by \$3,540.40 in revenues associated with the concert. In addition to the concert, the City also provided shuttling services to and from the Formula 1 race track.

After the presentation, City resident Tommy Poer addressed the City Council and asked a question related to the amount of Hotel Occupancy Tax funds expended on the event.

I. REGULAR AGENDA ITEMS

I.1. DISCUSS AND CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF BUDA, TEXAS, TO FILL THE UNEXPIRED TERM FOR COUNCILMEMBER PLACE 2, AND ESTABLISHING AN EARLY VOTING LOCATION AND POLLING PLACE FOR THIS ELECTION; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION.

City Secretary Danny Batts presented this item to the City Council. He stated that the election of Councilmember Ruge to the office of Mayor created a vacancy in the office of Councilmember Place 2, which would have to be filled through a special election. He then reviewed the different scenarios that Council could pursue in setting the special election.

After presentation, Councilmember Fletcher stated that he would like to see the election postponed so that no campaigning would take place over the holidays.

After the discussion, Mayor Pro Tem Lane moved to call the special election for January 26, 2013. The motion was seconded by Councilmember Montoya and approved by the following roll call vote: AYES- Montoya, Ruge, Haehn, Altmiller, Lane. Nays- Fletcher.

I.2. DELIBERATION AND POSSIBLE ACTION REGARDING A RESOLUTION FOR THE HIRING OF A LEGISLATIVE ADVOCATE FOR THE 83RD LEGISLATURE DEALING WITH ISSUES AFFECTING WATER AND SEWER RATES OF PRIVATELY OWNED UTILITIES THAT OPERATE WITHIN THE CITY AND/OR WITHIN THE CITY'S EXTRA-TERRITORIAL JURISDICTION

Assistant City Manager Brian LaBorde presented this item to the City Council. He reported that Mr. Jim Boyle of the Herrera & Boyle, PLLC, law firm, was offering assistance in lobbying efforts regarding water and utility rate case issues during the interim and upcoming legislative session. He also stated that while the Texas Municipal League would be providing legislative assistance for cities on various subject matters, the majority of their efforts will be concentrated supporting or opposing bills different topics. Mr. LaBorde stated that Mr. Boyle would be able to provide additional time and expertise on bill introduction and sponsorship that would be specifically tailored more to the interests of the City of Buda.

After the presentation, Councilmember Altmiller moved to approve the item. Councilmember Lane seconded the motion, which was approved unanimously.

I.3. DELIBERATION AND POSSIBLE ACTION REGARDING FIRST READING OF AN ORDINANCE GRANTING TO CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF BUDA, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF NATURAL GAS.

Assistant City Manager Brian LaBorde presented this item to the City Council. He briefly detailed the negotiations the staff and Centerpoint had conducted and stated that the contract term would be ten years.

After the presentation, Mayor Pro Tem Lane moved to approve the item. Councilmember Haehn seconded the motion, which carried unanimously.

J. STAFF REPORTS

J.1. STAFF REPORT PROVIDING AN UPDATE ON THE WASTEWATER MASTER PLAN.

Stanley Fees, City Engineer, introduced this item to the City Council. Graham Moore with LAN presented this item to the City Council. He stated that there had been some unclear language in the master plan that seemed to indicated that the City would construct a 12 inch bore under IH 35 and replace it shortly thereafter with a 14 inch bore, which was perceived to be an inefficient use of funds. However, Mr. Moore clarified that the language in fact calls for two sperate borings to serve sperate facilities, and reiterated that the 12 inch bore would exist in conjunction with the 14 inch bore, not be replaced by it.

J.2. STAFF REPORT ON A TRAFFIC STUDY AT THE INTERSECTION OF CABELA'S DRIVE AND OLD SAN ANTONIO ROAD

J.3. CITY MANAGER'S REPORT

City Manager Kenneth Williams reported on the following topics:

1. He noted that City Hall would be closed December 24 and 25 for the Christmas Holidays.

2. He expressed appreciation for City Council attendance at the Employee appreciation luncheon on December 14.

3. He noted that the City's emergency generators would be installed at City Hall soon.

4. He reminded the Council that the Trail of Lights would continue until December 21.

5. He stated that he and the Police Chief would meet with local school district officials to discuss mutual efforts to improve school safety.

K. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

1. Councilmember Fletcher requested two future agenda items: 1. a workshop on the City's Effective vs. Roll Back Tax Rates and 2. A workshop on the City's on-street parking regulations in the Whispering Hollow subdivision.

L. ADJOURNMENT

There being no further business to bring before the City Council, Councilmember Montoya moved to adjourn the meeting. Mayor Pro Tem Lane seconded the motion, which carried unanimously.

I certify that the above minutes were approved by the City Council of the City of Buda on 1/15/2013.

Danny S. Batts II, City Secretary