



**NOTICE OF MEETING OF THE  
CITY COUNCIL  
OF  
BUDA, TX  
6:00 PM - Wednesday, November 4, 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-19 PRECAUTIONS - IN-PERSON MEETINGS AT CITY HAL**

*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**

*11/5 Municipal Court Interactive Voice Response*

11/7 Arbor Day events  
11/11 Veterans Day Holiday  
11/17 November 3rd Canvass of Election  
11/17 Recognition of Outgoing Councilmembers 5:30

## G. PROCLAMATION

### G.1. Texas Arbor Day, November 6, 2020, to be accepted by Deputy City Manager Micah Grau and Library Director Melinda Hodges

[Arbor Day Proclamation 2020.docx](#)

## H. 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.*

## I. 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.*

### I.1. Approval of the October 20, 2020 and October 29, 2020 City Council Meeting Minutes (City Clerk Alicia Ramirez)

[2020-1020 DRAFT Minutes.pdf](#)

[2020-1029 DRAFT Minutes.pdf](#)

### I.2. Adoption of a Resolution authorizing the City Manager to execute an interlocal cooperation agreement with Hays Consolidated Independent School District related to eligible expenditures incurred due to COVID-19 (Deputy City Manager Micah Grau)

[Cares Act ILA with HCISD.pdf](#)

### I.3. Adoption of a Resolution of the City of Buda, Texas expressing support for the Unites States House of Representatives Bill 7197 to establish a \$120,000,000,000.00 restaurant revitalization fund to provide structured relief to food service or drinking establishments through December 31, 2020, and for other purposes (Main Street Manager Maggie Gillespie)

[MSAB Resolution in support of RESTAURANTS Act 102320.pdf](#)

## J. REGULAR AGENDA

### J.1. Conduct a Public Hearing, deliberate and possible action to approve on first reading, an Ordinance of the City of Buda, Texas granting a Specific Use Permit (SUP) for a Restaurant or Cafeteria, with Curb or Drive-Thru Service in the Form District 4 (F4) Zoning District for the property known as Resubdivision of lot 2A CVS Buda Subdivision, lots 3B, 4B, and 6B, being +/- 3.068 acres located at the southwest corner of FM 967 and FM 1626 (SUP 19-06) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]

[SR 110419 Buda Commons SUP \(SUP 19-06\).doc](#)

[SUP 19-06 Garlic Creek Ordinance.doc](#)  
[Buda UDC Form Based Code-General Building Type.pdf](#)  
[Neighborhood Comments.pdf](#)  
[2020-11-4 SUP 16-06 Powerpoint.pdf](#)  
[ji site plan Exhibits.pdf](#)

- J.2. Conduct a public hearing, deliberation and possible action to approve on first reading, an Ordinance regarding proposed amendments to the City of Buda Unified Development Code (UDC), Subsection 2.09.12 Lighting (Z 20-08) (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[IDSC Guidelines\\_Oct2015\\_9\(1\).pdf](#)  
[j2 Buda Light Ordinance for City Council 11.4.pdf](#)  
[Draft Buda Lighting Ordinance Amendment Final Draft - Redline.docx](#)  
[Draft Buda Lighting Ordinance Amendment Final Draft - Blackline.docx](#)  
[Public Hearing Notice for UDC 2.09.12 Lighting Ordinance.docx](#)  
[Ordinance 2020 - Amending UDC Subsection 2.09.12.doc](#)

- J.3. 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 Wastewater and Reuse Master Plan (City Engineer John Nett and Water Resource Coordinator Blake Neffendorf) [PUBLIC TESTIMONY]**

[Buda Wastewater and Reuse Master Plan\\_Final.pdf](#)  
[Ordinance\\_2020\\_WWRMP.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 (City Engineer John Nett; Shelby Eckols, AECOM) [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 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; Shelby Eckols, AECOM) [PUBLIC TESTIMONY]**

[j5 AECOM Buda WWTP Council Update\\_110420.pdf](#)

- J.6. 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 the Texas Government Code Chapter 551, to consider the following: 1) Section 551.071 to deliberate upon, seek legal advice and direct the City Attorney regarding a petition by Creedmoor-Maha Water Supply Corp. seeking a cease and desist order against the City of Buda, Texas from the Texas Public Utility**

Commission; 2) 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; 3) Section 551.071 to deliberate upon and seek legal advice regarding a right-of-way license agreement between the City of Buda, Texas and Round Rock Gas Station Holdings, LLC; and, 4) Section 551.071 to deliberate, seek the advice of, and direct the City Attorney and City Manager regarding the proposed Transportation Mobility Master Plan and related objections raised by legal counsel representing HFH Investments LP and the Urban family.

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

**M. 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)*

**N. 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)*

**O. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

**O.1. Update on Pending Items requested by City Council**

[Pending Items.pdf](#)

**P. 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 30, 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.