

## NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF BUDA, TX 6:30 PM - Tuesday, July 26, 2022 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 Planning & Zoning 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

### B. INVOCATION

## C. PLEDGE OF ALLEGIANCE TO THE FLAGS OF THE UNITED STATES AND TEXAS

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

### D. ROLL CALL

Chair Jeffrey Cottrill Vice-Chair Emily Jones Commissioner Henry Altmiller Commissioner Virginia Jurika Commissioner Jim Ladner Commissioner David Nuckels Commissioner Matthew Wright

### E. PUBLIC COMMENTS/PUBLIC TESTIMONY

Members of the public who wish to participate in Public Comment must complete a 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 form and turn it into the City Clerk before the item they wish to participate in is called for consideration by the presiding officer.

### F. CONSENT AGENDA

F.1. Approval of the minutes of the regular meeting of the Planning and Zoning commission held June 28, 2022.

#### PZ 6.28.2022 Minutes.docx

F.2. Consideration and approval of the Final Plat of Buda Industrial East Group, Being lots 1 and 2, Block A, being 21.736 +/- acres of the George Herder Survey, Abstract No. 239, Buda, Hays County Texas,

generally located on the IH-35 frontage road, between Hillside Terrace and Marlstone Trail in the Buda ETJ (FP 21-19) (Planner I Tyler Frost).

Buda Industrial Eastgroup (FP 21-19) SR.doc Buda Industrial Eastgroup Final Plat.pdf Hays County 1445 Approval Letter.pdf

F.3. Consideration and approval of the Final Plat of Tunze Subdivision, being 1.706 +/- acres out of the Philip J. Allen Survey No. 5, Abstract No. 1, Buda, Hays County, Texas, generally located at the southeast corner of the intersection of FM 1626 and Cole Springs Road in the Buda ETJ (FP 21-07) (Planner I Tyler Frost).

<u>Tunze FP 21-07 SR.doc</u> <u>Tunze Subdivision Final Plat.pdf</u> Hays County 1445 Approval Letter.pdf

### G. REGULAR AGENDA

G.1. Election of Chair and Vice-Chair.

PZ bylaws 7.5.11 editionsigned 1 .pdf

G.2. Consideration, discussion, and possible action regarding the removal of a signature tree as part of the proposed Tunze development, being 1.705 acres +/- out of the Philip J. Allen Survey No. 5, Abstract No. 1, Buda, Hays County, Texas, generally located at the southeast corner of the intersection of FM 1626 and Cole Springs Road in the Buda ETJ (Planner I Tyler Frost).

<u>Tunze Tree Removal SR.doc</u> <u>Existing Conditions & Tree Survey.pdf</u> <u>Proposed Site Plan.pdf</u> <u>Tunze Driveway Permit.pdf</u>

**G.3.** Public Hearing, Consideration and possible action on the proposed Persimmon Development Agreement (DA) for a total of 775 +/- acres in the City of Buda, Buda ETJ, City of Austin ETJ and Travis and Hays counties on property located north of RM 967 known as the Bailey/Armbruster tracts and Milestone development (DA 22-01) (Planning Director Melissa McCollum).

<u>SR 072922 Persimmon DA Report Update.docx</u> <u>DA-22-01 - Persimmon Development Agreement (redline) 072022.pdf</u> <u>2022 07-18 Armbruster Bailey DA Exhibits.pdf</u> <u>Combined Neighborhood Communicaiton.pdf</u> <u>COA ETJ Release - Persimmon jsh 070622.docx.pdf</u> <u>2022 07-21 Persimmon Buda PZ Presentation 2 per page.pdf</u>

- H. WORKSHOP
  - H.1. Workshop, consideration and discussion regarding a proposed future Municipal Utility District (MUD), Development Agreements (DA) and Planned Development (PD) zoning change to allow residential development on the Reserve at Cole Springs located within City of Buda and Buda Extra Territorial Jurisdictions (ETJ) for approximately 110 +/- acres off Cole Springs Road with some frontage on Old Black Colony Road, Buda, TX 78610 (Planning Director Melissa McCollum).

## H.2. Work Session, presentation, and feedback on the draft FY 2023-27 Capital Improvements Plan (CIP) for the City of Buda (City Manager Micah Grau).

CIP FY2023 - 27 - DRAFT 7.21.22 reduced.pdf

#### I. PLANNING DIRECTOR'S REPORTS

COVID-19, Developments, Engineering Department, FY 2022 Budget, Transportation Mobility and Master Plan, 2014 & 2021 Bond Program, Capital Improvement Projects, Drainage Projects, Wastewater Projects, and Water Project, General/Special Election, Grant Related Projects, Legislative Update, Library Projects, Main Street Program, Buda Economic Development Corporation (EDC), Tourism Projects, Parks & Recreation Department, Historic Preservation Commission, Sustainability Commission, MFV Ad Hoc Committee, Road Projects, Status-Future Agenda Request, Strategic Plan (Planning Director Melissa McCollum)

### J. COMMISSION REQUEST FOR FUTURE AGENDA ITEMS

#### K. ADJOURNMENT

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to the meeting. Please contact City Hall 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 Planning and Zoning Commission 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 July 22, 2022.* 

/s/

Melissa McCollum, AICP Planning Director / Board Liaison



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 meetings may be obtained from the Board Liaison, 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 Board/Commission 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 Board/Commission to allow members of the public to participate and speak to the Board/Commission 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 Board/Commission. 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.

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.

## CITY OF BUDA PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES JUNE 28, 2022 - 6:30 PM.

## A. CALL TO ORDER

Vice-Chair Jones called the meeting to order at 6:34 PM.

## **B.** INVOCATION

## C. PLEDGE OF ALLEGIANCE TO THE FLAGS OF THE UNITED STATES AND TEXAS

## D. ROLL CALL

Chair Jeffrey Cottrill	Present (Virtual)
Vice-Chair Emily Jones	Present
Commissioner Henry Altmiller	Absent
Commissioner Virginia Jurika (substitute Meghan McCarthy)	Absent/ Present
Commissioner Jim Ladner	Present
Commissioner David Nuckels	Present
Commissioner Matthew Wright	Present

## E. PUBLIC COMMENTS/PUBLIC TESTIMONY

No public comments or testimonies were made.

## F. CONSENT AGENDA

## F.1. Approval of the minutes of the regular meeting of the Planning and Zoning commission held on June 14, 2022.

Vice-chair Jones moved to approve the consent agenda. The motion was approved 6-0.

## G. REGULAR AGENDA

G.1 Consideration, discussion, and possible action regarding the replat of Lots 1A and 2 of the Amended Plat of Sunfield Light Industrial, establishing Sunfield Light Industrial Replat, Block A, Lots 1B, 1C, 1D, 1E, 1F and 2A being +/- 57.189 acres out of the George Herder Survey, Abstract No. 537, located in the City of Buda ETJ, Hays County Texas, located east of Fire Cracker Drive between Main Street and Sundown Drive, Buda, TX 78610 (RP 22-04) (Senior Planner Will Parrish).

Senior Planner Will Parrish introduced the item to the Commission. The plat covers roughly 57.189 acres in the Buda ETJ and is subject to the Shops at Sunfield Development Agreement (DA). Through the plat there is dedication of a new road, Deep Roots Drive, and there is a required drainage lot along the northeast corner. Water service is provided by Goforth SUD and wastewater service is provided by the Sunfield MUD. This plat is a replat of an amending plat, which was originally approved administratively by City staff.

Staff recommended conditional approval of the plat, with the following conditions: 1) execution of a maintenance agreement between the Sunfield MUD and property owners regarding perpetual maintenance of the newly established Deep Roots Drive; 2) Opinion of Probable Cost (OPC) is accepted; 3) recordation of the drainage easement; and 4) fee-in-lieu of sidewalks on Deep Roots Drive is paid prior to recordation.

Commissioners had questions regarding the need for the new road dedication, which Senior Planner Will Parrish clarified that it was necessary for the newly established lots to have access. Questions also arose as to what the allowed land use types were listed in the DA in the in the subject area. The intent of the subject property is light industrial and multifamily, which are allowable use types in the DA. It was also clarified that the sidewalk fee-in-lieu was only for Deep Roots Drive. Commissioners also had questions on how Deep Roots Drive would be constructed to handle light industrial uses.

Vice-chair Jones made a motion for conditional approval with the four stated conditions recommended by staff. Chair Cottrill seconded the motion. The motion passed 6-0.

# G.2. Consideration, discussion, and possible action on the tabled Resolution from the May 24, 2022 P&Z meeting, recommending the City Council adopt a policy for "resign-to-run" for the Planning and Zoning Commission (Planning Director Melissa McCollum).

A motion to deny the policy was made by Vice-chair Jones, with Chair Cottrill seconding the motion. The motion to deny the policy carried by a vote of 5-1, with Commissioner Nuckels voting in opposition of the denial.

## H. PLANNING DIRECTORS REPORT

## H.1. Presentation on the City of Buda Drainage and Water Quality Requirements for Development (Senior Engineer Angela Kennedy).

Senior Project Engineer Angela Kennedy gavea presentation to the Commission regarding the City of Buda's drainage and water quality standards for development throughout the city. Specific topics highlighted drainage criteria found in the UDC as well as components of the adopted Engineering Criteria Manual.

## H.2. Presentation and discussion regarding proposed future workshop and text amendments to the Unified Development Code (UDC) from City Council workshop on June 21, 2022 (Planning Director Melissa McCollum).

Planning Director Melissa McCollum gave a presentation to the Commission regarding the proposed future UDC amendments that went before City Council on June 21, 2022. An important potential amendment identified by the Buda EDC is to eliminate the Gateway Corridor Overlay along Robert S. Light Boulevard, as there have been frustrations with overlay by developers in this specific area. Removal of this overlay would only pertain to the section on Robert S. Light. Staff also identified options to alter the overlay requirements if total elimination was not a preferred option. Some of these options include reducing glazing requirements from a minimum of 50% of the front building façade to 30%; requiring

parking to be located behind the front façade of the primary building; and increasing sidewalk width from 6 to 10 feet in width.

Another future amendment would focus on increasing the flexibility for development within the downtown form-based code districts. This could include removing the minimum side setback requirements for the F5H zoning district; removing or relaxing requirements for nonresidential uses in F5H, allow for the ability of small additions to bring the property closer to code conformance rather than triggering a full scale redevelopment; and to allow development to activeate frontage requirements with certain features rather than building facades (e.g. courtyards, play spaces, gardens, outdoor dining, etc.).

Other future minor revisions to the UDC include clarification of swimming pool standards, allowing work within 25% of a tree's drip line, updating the code to the most recent Dark Sky compliant regulations, and more.

## H.3. Future Agenda Item Request: Presentation and discussion on the City of Buda's Development Process (Planning Director Melissa McCollum).

Planning Director Melissa McCollum presented to the Commission on the City's development process to inform the Commission on what goes into staff review of all development types, ranging from full scale development of a tract to issuance of building permits.

## I. COMMISSION REQUEST FOR FUTURE AGENDA ITEMS

There were no requests for future items from the Commission

## J. ADJOURNMENT

Commissioner Wright made a motion to adjourn, with Commissioner McCarthy seconding. The meeting was adjourned at 8:07 PM.



## Planning and Zoning Commission Agenda Item Report

July 26, 2022

Contact – Tyler Frost, Planner 512-523-0063 / <u>tyler.frost@ci.buda.tx.us</u>

<u>SUBJECT</u>: CONSIDERATION AND APPROVAL OF THE FINAL PLAT OF LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EAST GROUP, BEING 21.736 +/- ACRES OUT OF THE GEORGE HERDER SURVEY, ABSTRACT NO. 239, BUDA, HAYS COUNTY, TEXAS, GENERALLY LOCATED ALONG IH-35 BETWEEN HILLSIDE TERRACE AND MARLSTONE TRAIL IN THE BUDA ETJ (FP 21-19).

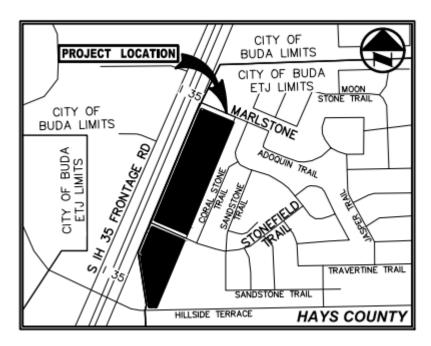
## 1. BACKGROUND/HISTORY

This is the action item for considering approval of the Final Plat for Lots 1 and 2, Block A, Buda Industrial East Group.

Water service will be provided by Goforth WSC and wastewater will be provided by South Buda WCID #1.

## 2. FINDINGS/CURRENT ACTIVITY

The plat covers 21.736 acres, northeast of the intersection of Hillside Terrace and IH-35.



The site is located in the Buda ETJ but is within our limited purpose annexation area. The plat is the proposed site of a warehouse and commercial retail business, of which a site

plan is currently under review by City staff. The proposed layout contains 2 lots. The largest lot, at 14.857 acres, will include the development of two buildings. The smaller lot, at 6.879 acres, will include the development of one building as well as a drainage area.

The site is relatively steep, with the highest elevation in the northeast corner of the lot and decreases moving south. Because of this, the smaller lot south of Stonefield Trail includes a dedicated drainage easement.

Water service will be provided by the Goforth WSC and wastewater will be provided by South Buda WCID #1.

## 3. FINANCIAL IMPACT

The subdivision will generate plat and site plan review fees. As the site is in the ETJ, it will not produce building permit, impact fees, property taxes, or sales taxes.

### 4. ACTION OPTIONS/RECOMMENDATION

Staff recommends approval of the Lots 1 and 2, Block A, Buda Industrial East Group Final Plat as submitted July 21, 2022.

I. Criteria for Approval

The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied:

- 2. Without Prior Approved Preliminary Plat
  - a. The Final Plat conforms to all criteria for approval of a Preliminary Plat;

No Preliminary Plat was required for this subdivision.

b. The Construction Plans conform to the requirements of 3.04.01. Construction Plans and have been approved by the City Engineer;

No Public Improvement Construction Plans are required with this subdivision.

c. An Improvement Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with Subsection 3.04. Construction Plans and Procedures;

No Improvement Agreement or surety is required for this subdivision.

d. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this UDC; and

This lot within the ETJ meets the platting requirements.

e. The Final Plat conforms to the Director of Planning's subdivision Application checklist and UDC regulations.

This plat meets the checklist requirements.

### 5. ATTACHMENTS

Final Plat of Lots 1 and 2, Block A, Buda Industrial Eastgroup Hays County 1445 Approval Letter

	<u>GENERAL NOTES</u>		
1.	Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas South Central Zone 4204. Distances reported have been scaled by applying the surface adjustment factor of 1.0000873875.	KNOW ALL MEN BY 1	THESE PRESENTS
2.	This property is not located within the boundaries of the Edwards Aquifer Contributing, Recharge, or Transition Zone.	l <b>, Alicia Ramirez,</b> Cit	ty Secretary of
2. 3.	This property is located within the City of Buda ETJ and Limited Purpose Annexations.	been submitted to or requirements of the	
4.	This property is located within the Hays County Consolidated Independent School District.	Witness my hand thi	is the day
5.	This property is located within Hays County ESD #2 and #8.		
6.	This property is located in Barton Springs/Edwards Aquifer Conservation District.	Alicia Ramirez, City City of Buda, Texas	
7.	Water service by Goforth WSC.	City of Budd, Texas	
8.	Wastewater service is provided by the South Buda WCID#1.		
9.	Electric service by Pedernales Electric Cooperative, Inc.	THAT I, Kyle C. Har actual survey made	
10.	Telephone service by Time Warner / Spectrum and Verizon.	utility lines or road accordance with the	in place, excep
11.	Building setback lines shall be in accordance with City of Buda zoning ordinance requirements.		j
12.	Sidewalks shall be in accordance with City of Buda zoning ordinance requirements.	TO CERTIFY WHICH,	WITNESS MY HAI
13.	A 15—foot Water Easement is dedicated along Interstate Highway No. 35.		
14.	Easements: Any public utility, including the City, shall have the right to move and keep move all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements or Right—of—Way shown on the Plat (or filed by separate instrument that is associated with said property); and any public utility, including City, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone. Easements shall be maintained by property owners. The City can move trees or any other improvements and does not have the responsibility to replace them.	Kyle C. Harris Registered Profession No. 6266 State of 1	nal Land Survey
15.	Post—Construction Stormwater control measures shall have a maintenance plan. The maintenance plan must be filed in the real property records of Hays County. The owner operator of any new development or redevelopment site shall develop and implement a maintenance plan addressing maintenance requirements for any structural control measures installed on site. Operation and maintenance performed shall be documented and retained and made available for review upon request.		
16.	Post—development conditions runoff rate shall be no greater than the pre—developed condition for 2, 5, 10, 25, and 100 year storm events. Pre and post development runoff calculations shall be included with the construction drawings for this subdivision.	STATE OF TEXAS COUNTY TRAVIS	
17.	Their are two lots to be used for development on this tract with Lot 1 being 6.879 acres and Lot 2 being 14.857 acres. Lot 1 falls inside the larger than 5.0 acres and smaller than 10 acres size category and Lot 2 falls inside the 10 acre or larger size category.	l, Clayton J. Strolle, matters of streets,	
FL	DODPLAIN NOTE:	TO CERTIFY WHICH, W	MITNESS MY HAN
DA1 KNO That	PORTION OF THIS SITE IS LOCATED WITHIN 100-YEAR FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP 48209C0290F, ED SEPTEMBER 2, 2005, THIS TRACT FALLS WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN). OWNER'S CERTIFICATION W ALL MEN BY THESE PRESENTS: the undersigned, EASTGROUP PROPERTIES, L.P., owner of 21.736 acres of land out of the George Herder Survey, Abstract No. 239, situated in Hays County, Texas, eyed by Document Number 21065987, Official Public Records of Hays County, Texas, to be known as LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUP, as	Clayton J. Strolle Registered Profession	
show	n hereon and do hereby dedicate to the public the use of the easements hereon.	No. 108906 State of	f Texas
Witn	ess my hand this day of, 2022		PLAT
		NAME OF LEGAL PRO	
Own	er: Reid Dunbar	ACREAGE: 21.736 AC	
		ENGINEER: PACHECO	
Noto	ry	SURVEYOR: PACHECO	
STA	E OF TEXAS §	NUMBER OF LOTS AN	·
	NTY OF COLLIN §	CENTERLINE LINEAR F	FOOTAGE OF ALL
	RE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Reid Dunbar, known to me to be the person	ADJACENT PROPERTIE	S TO BE CREAT
whos	e name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed. N UNDER MY HAND AND SEAL OF OFFICE this day of, 2022.	SUBMITTAL DATE: 03 ENCOMPASSING LAND 239	
 Noto	ry Public in and for the State of Texas	BENCHMARK DESCRIP	
Witn	ess my hand this day of, 2022	NUMBER OF LOTS BY	
	HAYS COUNTY SIGNATURE BLOCK	KNOW ALL MEN B I <b>, Elaine H Carde</b> i	
stat	e undersigned, director of the Hays County Development Services Department, hereby certify that this subdivision plat conforms to all Hays County Requirements as ed in the Interlocal Cooperation Agreement between Hays County and the City of Buda for the subdivision regulation within the extraterritorial jurisdiction of the of Buda.	foregoing instrum record in my of M., in the 	fice on the
	cus Pacheco, Director,	Witness my hand day of	
нау	s County Development Services <u>HAYS COUNTY WATER/WASTEWATER</u>	Elaine H. Cardena	
No :	structure in this subdivision shall be occupied until connected to an individual water supply or a state-approved community water system. Due to declining water	Hays County, Tex	
supp colle	lies and diminishing water quality, prospective property owners are cautioned by Hays County to question the seller concerning groundwater availability. Rainwater ction is encouraged and in some areas may offer the best renewable water resource. No structure in this subdivision shall be occupied until connected to a public		
sewe withi	r system or to an on—site wastewater system which has been approved and permitted by Hays County Development Services. No construction or other development n this subdivision may begin until all Hays County Development Permit requirements have been met.		NUMBER
	WASTEWATER UTILITY PROVIDER SIGNATURE BLOCK WATER UTILITY PROVIDER SIGNATU	RE BLOCK	2
	Van Gaasbeek, R.S., C.F.M COMPANY: COMPANY: COMPANY: COMPANY: NAME & TITLE: NAME & TITLE:	Г	

DATE: \_

OWNER:

EASTGROUP PROPERTIES, L.P.

IRVING, TEXAS 75039

PH: 972-386-8700 CONTACT: REID DUNBAR

7301 NORTH STATE HIGHWAY 161, SUITE 215

Hays County Floodplain Administrator Marcus Pacheco, Director, Hays County Development Services

ENGINEER/APPLICANT: PACHECO KOCH, INC. 7557 RAMBLER ROAD, SUITE 1400 8701 N. MOPAC EXPRESSWAY, SUITE 320 AUSTIN, TX 78759 PH: 214-451-2765 CONTACT: CLAYTON J. STROLLE

DATE: \_\_\_\_\_

SURVEYOR:

PACHECO KOCH, INC.

DALLAS, TEXAS 75231

CONTACT: KYLE COLEMAN HARRIS

PH: 972-235-3031

## **CITY CERTIFICATION**

S:

the City of Buda, Texas, hereby certify that the above foregoing Final Plat of Lots 1 and 2, Block A, Buda Industrial Eastgroup, has on behalf of the City Council of the City of Buda, Texas on the \_\_\_\_ day of \_\_\_\_\_, 2022. Said Plat shall be subject to all ment code of the City of Buda.

of \_\_\_\_\_, 2022.

## SURVEYOR'S CERTIFICATION

ed Professional Land Surveyor, licensed by the State of Texas, do hereby certify that this plat is true and correctly made from an of the property legally described hereon, and that there are no apparent discrepancies, conflicts, overlapping of improvements, visible ot as shown on the accompanying plat, and that the corner monuments shown thereon were properly placed under my supervision in julations of the City of Buda, Texas.

ND AND SEAL AT DALLAS, TEXAS THIS \_\_\_\_ day of \_\_\_\_\_., 2022.



/or

## ENGINEER'S CERTIFICATE

ofessional Engineer in the State of Texas, do hereby certify that proper engineering consideration has been given to this plat to the is true and correct to the best of my knowledge.

ND AND SEAL AT AUSTIN, TEXAS THIS \_\_TH DAY OF \_\_\_\_\_, 2022



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SUPERVISION OF CLAYTON J. STROLLE, P.E. 108906 ON 06/\_\_/2022 . Alteration of a sealed Document without proper NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

## INFORMATION

## JOHN HORTON

- OTS AND 1 BLOCK
- NEW PUBLIC STREETS: NONE
- TED: NONE

RVEY: GEORGE HERDER SURVEY, ABSTRACT NO.

ION: SEE BENCHMARK LIST

- NT 21.736 ACRES
- LOPMENT LOTS 21.736 ACRES ENTS:

erk of Hays County, Texas, do hereby certify that the with it's certificate of authentication was filed for \_\_\_\_ day of \_\_\_\_\_\_, 2022, at \_\_\_\_\_ o'clock s of Hays County, Texas as Document No.

office of the County Clerk of said County the \_\_\_\_

	NUMBER O	FLOTS	NUMBER OF BLOCKS			
	2		1			
		LOT	TYPE			
	USE	ACRES	SF	NUMBER		
20	DEVELOPMENT	21.736	946,815	2		

## **BENCH MARK LIST**

"⊠ " CUT SET ON A CONCRETE SIDEWALK ON THE SOUTHWEST SIDE BM# 4 OF STONEFIELD TRAIL, 4' $\pm$  South of a stone column, 129' $\pm$  east of the centerline of the intersection of stonefield trail and coral STONE TRAIL AND 26'± NORTH FROM A SANITARY SEWER MANHOLE.

SURFACE NORTHING=13,936,278.02 SURFACE EASTING=2,338,557.38 ELEV=724.68

BM# 6 "X " CUT SET AT THE END OF A CONCRETE SIDEWALK ON THE NORTH SIDE OF MARLSTONE TRAIL, 68'± SOUTHWEST OF THE CENTERLINE INTERSECTION OF MARLSTONE TRAIL AND THE FRONTAGE ROAD OF INTERSTATE HIGHWAY 35, 16'± SOUTH FROM A LIGHT STANDARD AND 78'± SOUTHWEST FROM A FIRE HYDRANT.

SURFACE NORTHING=13,937,981.87 SURFACE EASTING=2,338,779.00 ELEV=747.81

CUT SET ON THE NORTH SIDE OF A CONCRETE SIDEWALK BEING ON BM# 7 THE NORTH SIDE OF MARLSTONE TRAIL, 18'± NORTHWEST OF AN ELECTRIC TRANSFORMER, 153'± SOUTHEAST OF THE CENTERLINE INTERSECTION OF MARLSTONE TRAIL AND RED MORGANITE TRAIL AND 14'± SOUTHWEST OF A STOP SIGN.

SURFACE NORTHING=13,937,816.41 SURFACE EASTING=2,339,175.91 ELEV=759.83

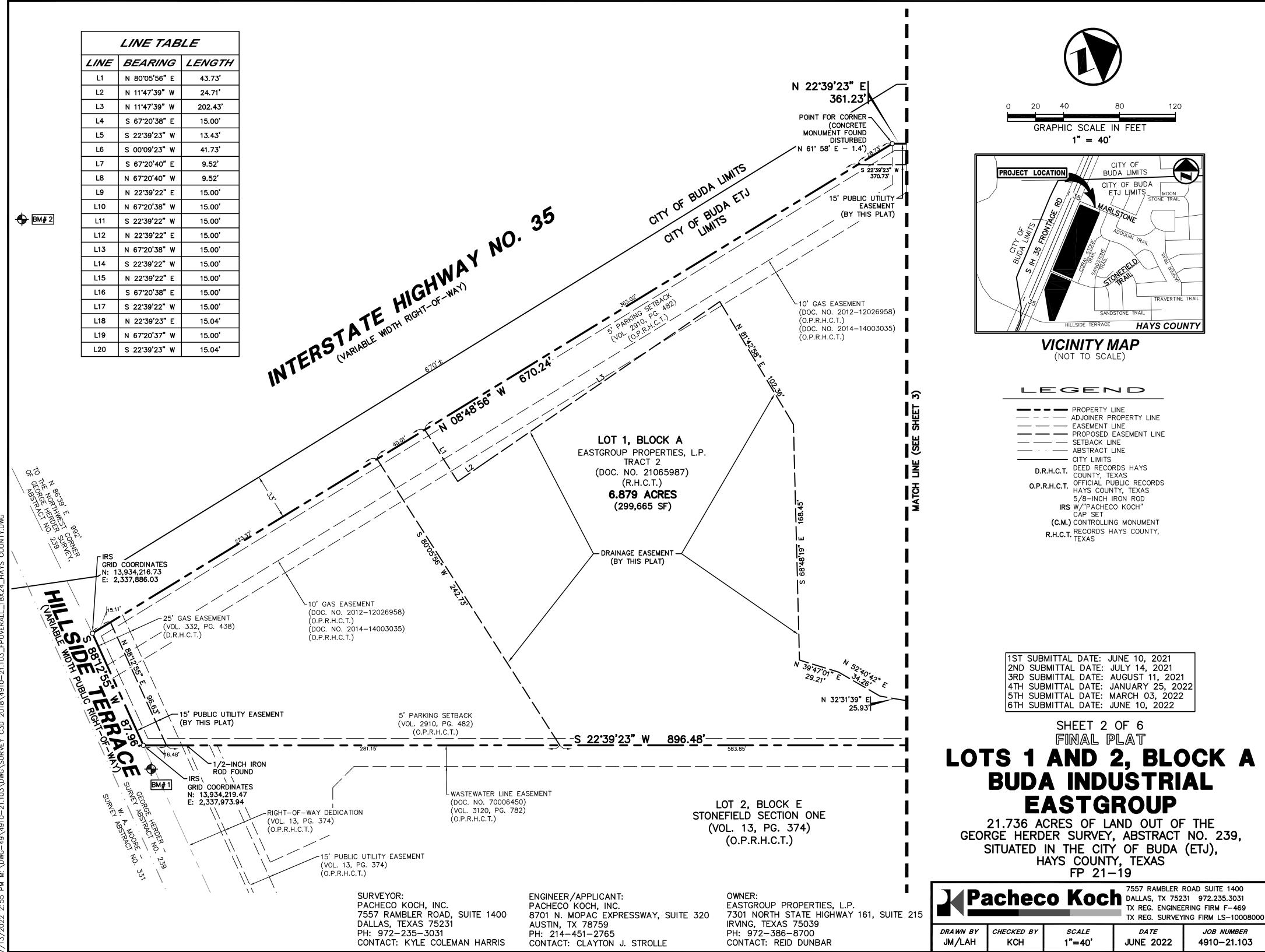
1ST SUBMITTAL DATE:	JUNE 10, 2021
2ND SUBMITTAL DATE	: JULY 14, 2021
3RD SUBMITTAL DATE	: AUGUST 11, 2021
4TH SUBMITTAL DATE	: JANUARY 25, 2022
5TH SUBMITTAL DATE	
6TH SUBMITTAL DATE	: JUNE 10, 2022

SHEET 1 OF 6 FINAL PLAT

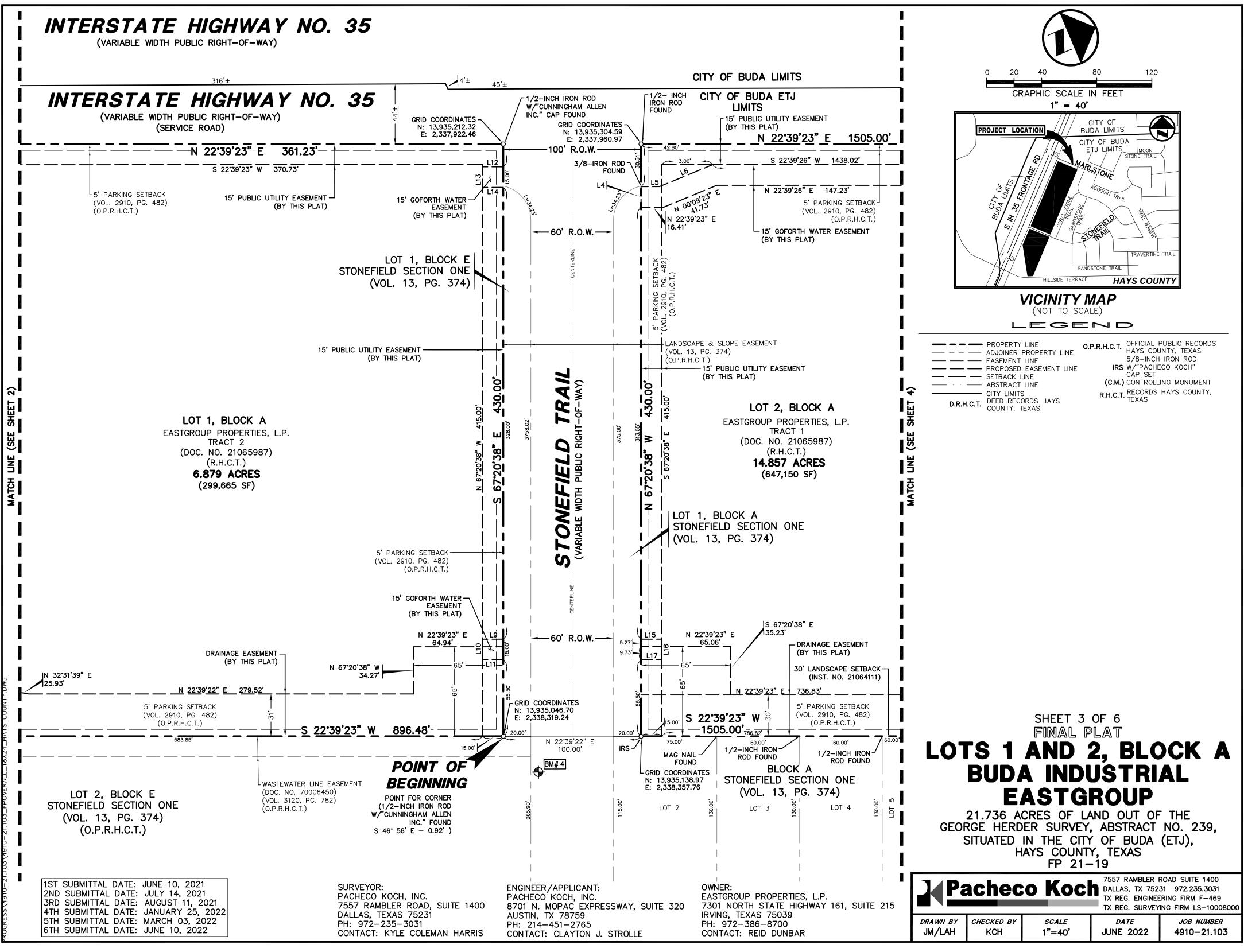
LOTS 1 AND 2, BLOCK A **BUDA INDUSTRIAL** EASTGROUP

21.736 ACRES OF LAND OUT OF THE GEORGE HERDER SURVEY, ABSTRACT NO. 239, SITUATED IN THE CITY OF BUDA (ETJ), HAYS COUNTY, TEXAS ED 21\_10

		FF 21-	-19	
Pa	achec	o Kocl	DALLAS, TX 752 TX REG. ENGINE	ROAD SUITE 1400 31 972.235.3031 ERING FIRM F-469 ING FIRM LS-10008000
<i>drawn by</i> JM/LAH	<i>снескед вү</i> КСН	<i>scale</i> NONE	<i>date</i> JUNE 2022	<i>јов NUMBER</i> 4910—21.103

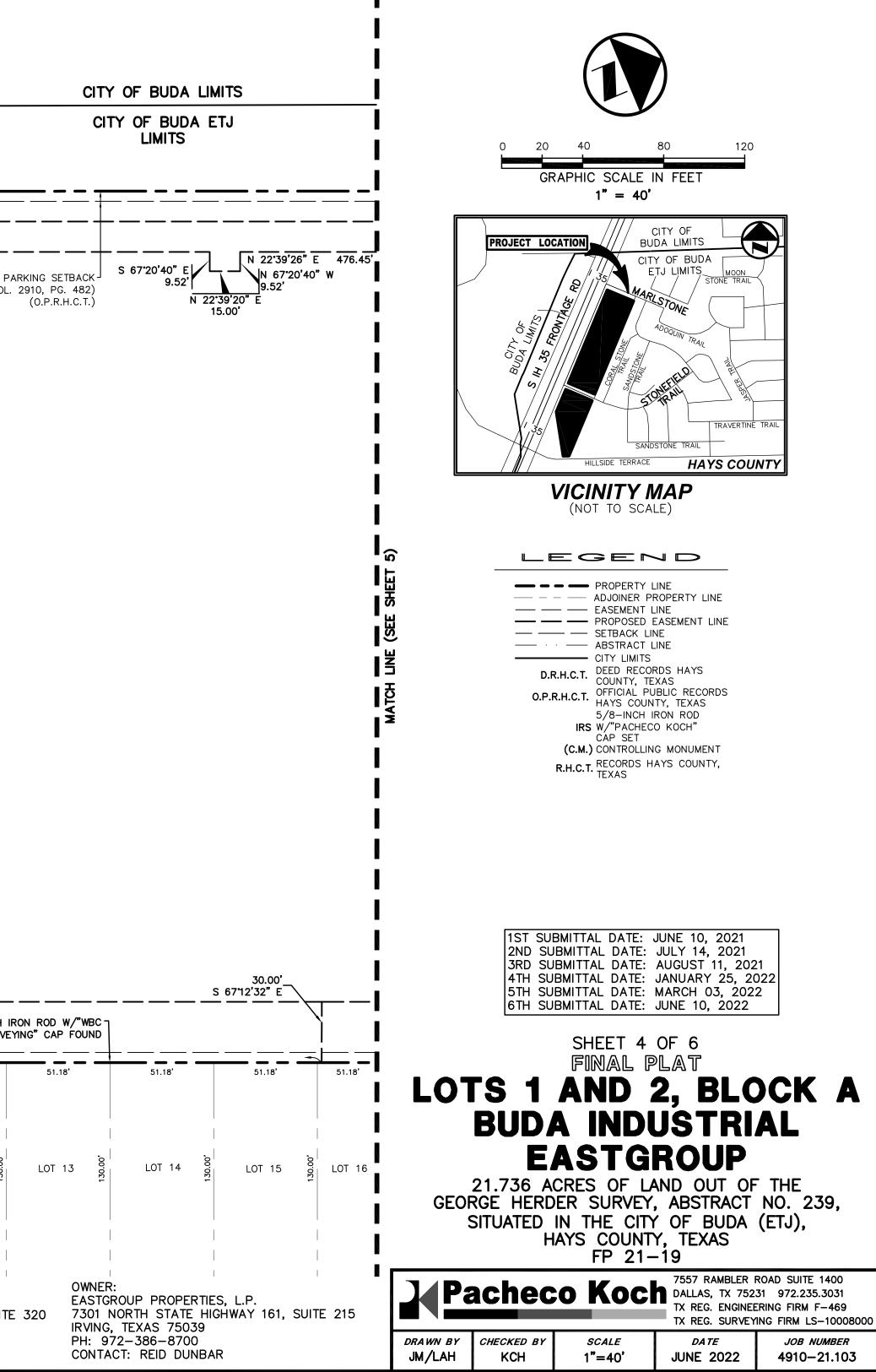


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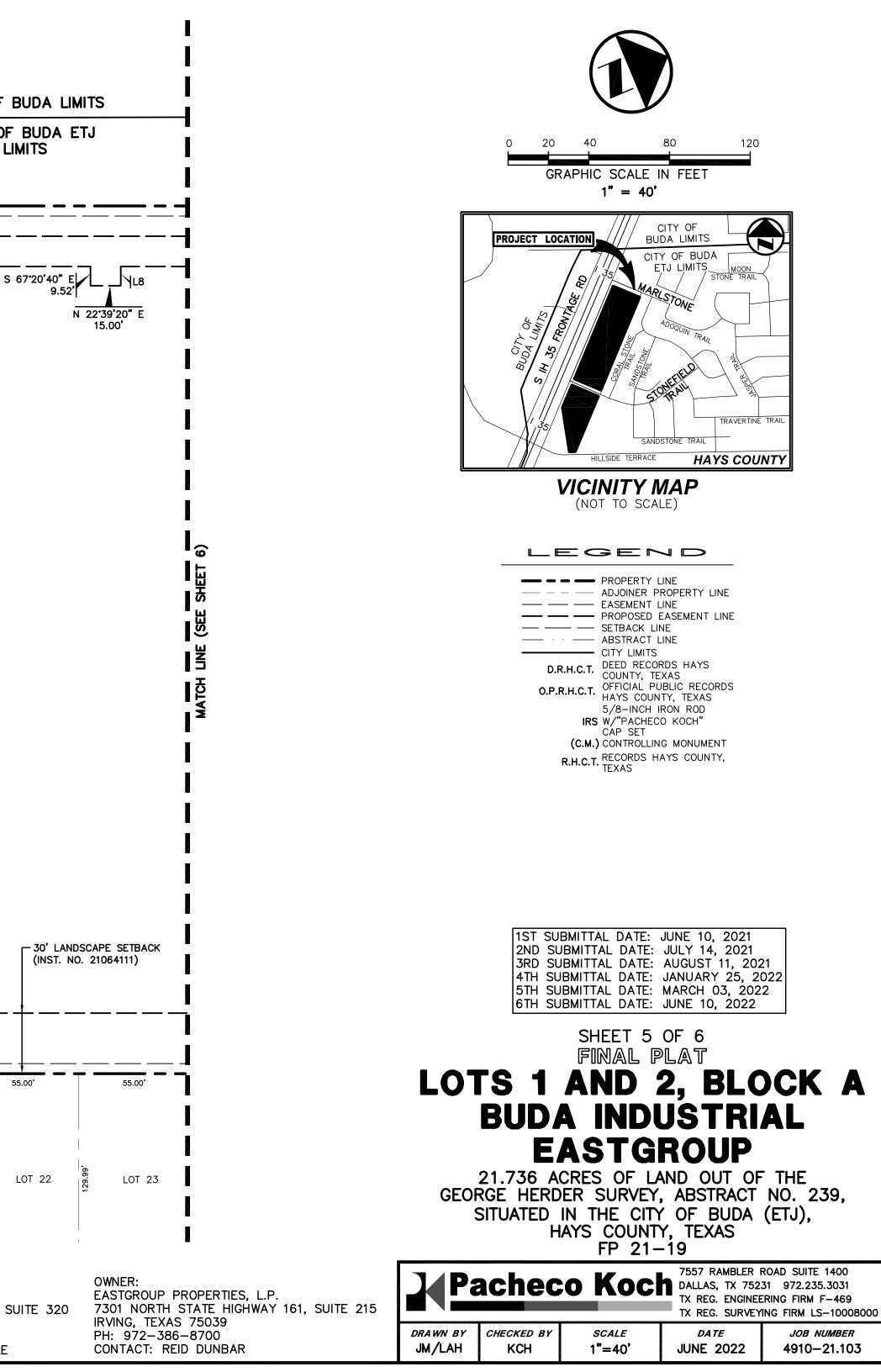


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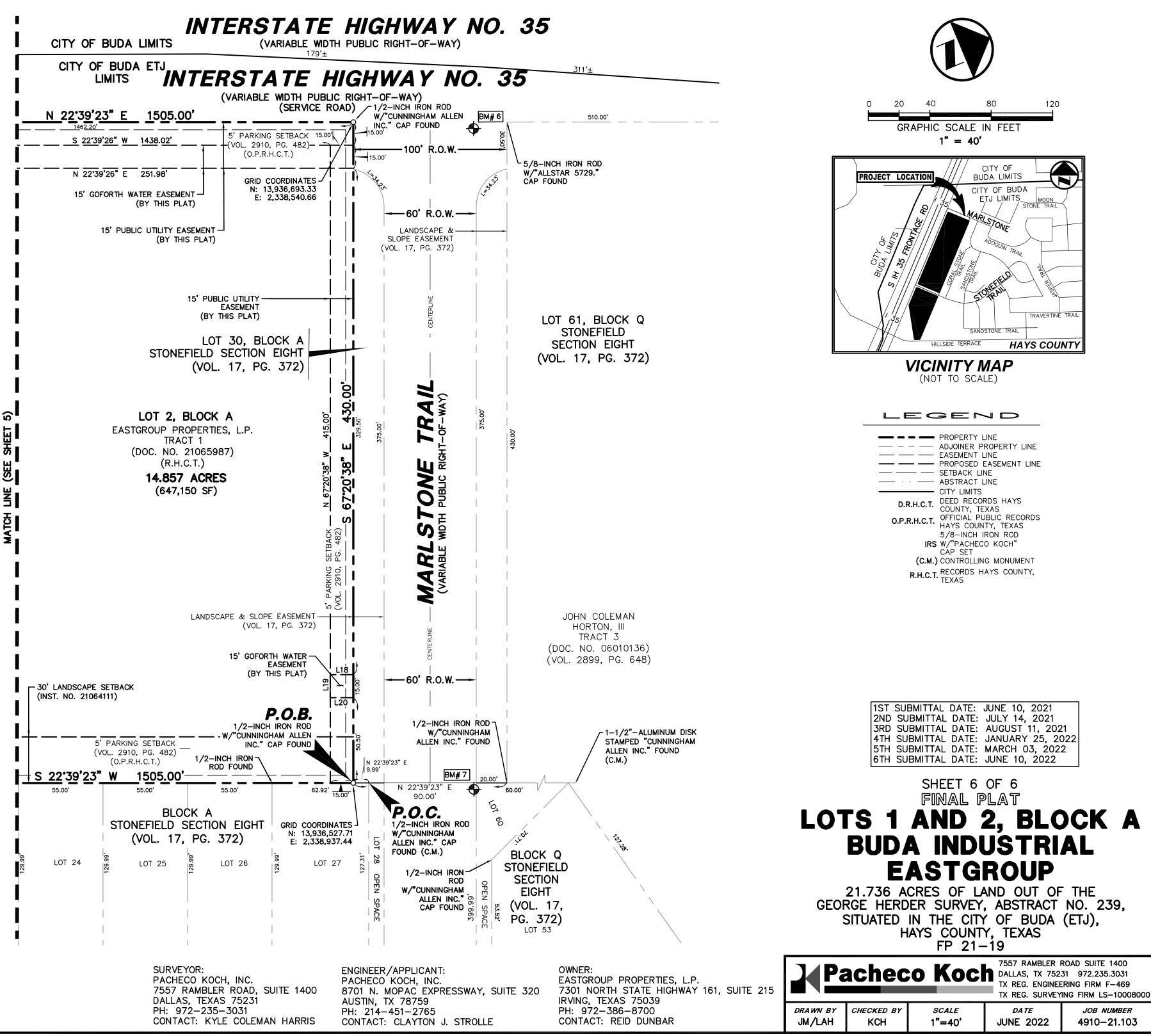
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				<u> </u>			<u> </u>	<u>22°39'26" w</u> _	<u>1438.02'</u>	+	
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		60.00'		6 SETBACK , PG. 482) H.C.T.) 60.00'	30,	DRAINAGE (BY THIS F 7786.82'	PLAT) 		- 30' LANDSCAPE SET (INST. NO. 21064111) S <u>22°39'23"</u>	N <u>22°39'23" E</u> 1/2–INCH IRON ROD V/"CUNNINGHAM ALLEN INC." CAP FOUND	. <u>736.83'</u> 1/2–INCH IF BNG SURVEY 
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MATCH LINE (SEE SHEET 4)					EASTGROUP F TR (DOC. NO (R.I <b>14.85</b> )	BLOCK A PROPERTIES, L.F ACT 1 . 21065987) H.C.T.) 7 ACRES ,150 SF)	D.	
-               	(VOL. 2910	G SETBACK ), PG. 482) .H.C.T.)	- — S 22*39	<u>)'23" W</u> 15	/_ Ŵ/ INC	2—INCH IRON ROD "CUNNINGHAM ALLE :." CAP FOUND M.)	N 1/2–INCH IRON <sup>–</sup> ROD FOUND	
	51.18'		70.00'	82.50'		BLOCK A	55.00'	55.0
51.18'		1				ELD SECTION . 17, PG. 37	-	I



FINAL PLAT - LOTS 1 AND 2, BLOCK A, BUDA INDUSTRIAL EASTGROUF





Hays County Development Services 2171 Yarrington Road, Ste 100, Kyle TX 78640 512-393-2150 / www.hayscountytx.com

June 22nd, 2022

Melissa McCollum Planning Director City of Buda

Re: Buda Industrial Eastgroup, Blk A, Lot 1 and 2, Final (PLN-1978-NP)

Ms. McCollum,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivisions for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Buda for subdivision regulation within the extraterritorial jurisdiction of the City of Buda, please move forward with Approval of the plat as submitted.

If you have any questions, please let me know.

Regards,

Marcus Pacheco

Marcus Pacheco Director Hays County Development Services



## Planning and Zoning Commission Agenda Item Report

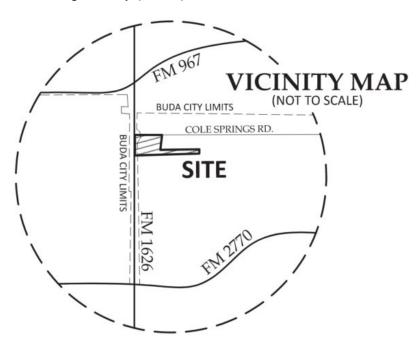
July 26, 2022

Contact – Tyler Frost, Planner 512-312-5745 / <u>tyler.frost@ci.buda.tx.us</u>

<u>SUBJECT</u>: CONSIDERATION AND APPROVAL OF THE FINAL PLAT OF TUNZE SUBDIVISION, BEING 1.705 +/- ACRES OUT OF THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO. 1, BUDA, HAYS COUNTY TEXAS, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 1626 AND COLE SPRINGS ROAD IN THE BUDA ETJ (FP 21-07).

## 1. BACKGROUND/HISTORY

This is the action item for considering approval of the Tunze Subdivision Final Plat. Water service will be provided by rainwater collection and wastewater service provided by an on-site sewage facility (OSSF).



## 2. FINDINGS/CURRENT ACTIVITY

This plat covers 1.705 acres, southeast of the intersection of FM 1626 and Cole Springs Road. The site is located in the ETJ and therefore has no zoning restrictions.

This plat contains one lot for commercial development, with 0.30 acres (57.37' in width) along FM 1626 dedicated for public ROW and an additional 0.089 acres (17.75' in width) of public ROW dedicated along Cole Springs Road. A proposed commercial development site plan has been submitted and is under review by City staff. The site is not located in any FEMA floodplain areas, but is located in the Edwards Aquifer Recharge Zone.

## 3. FINANCIAL IMPACT

The subdivision will generate plat and site plan review fees.

### 4. ACTION OPTIONS/RECOMMENDATION

Staff recommends approval of the Tunze Subdivision Final Plat as submitted on July 19, 2022.

I. Criteria for Approval

The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied:

- 2. Without Prior Approved Preliminary Plat
  - a. The Final Plat conforms to all criteria for approval of a Preliminary Plat;

No Preliminary Plat was required for this subdivision. It is a one lot subdivision with no extension of public utilities.

b. The Construction Plans conform to the requirements of 3.04.01. Construction Plans and have been approved by the City Engineer;

No Public Improvement Construction Plans are required with this subdivision.

c. An Improvement Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with Subsection 3.04. Construction Plans and Procedures;

No Improvement Agreement or surety is required for this subdivision.

d. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this UDC; and

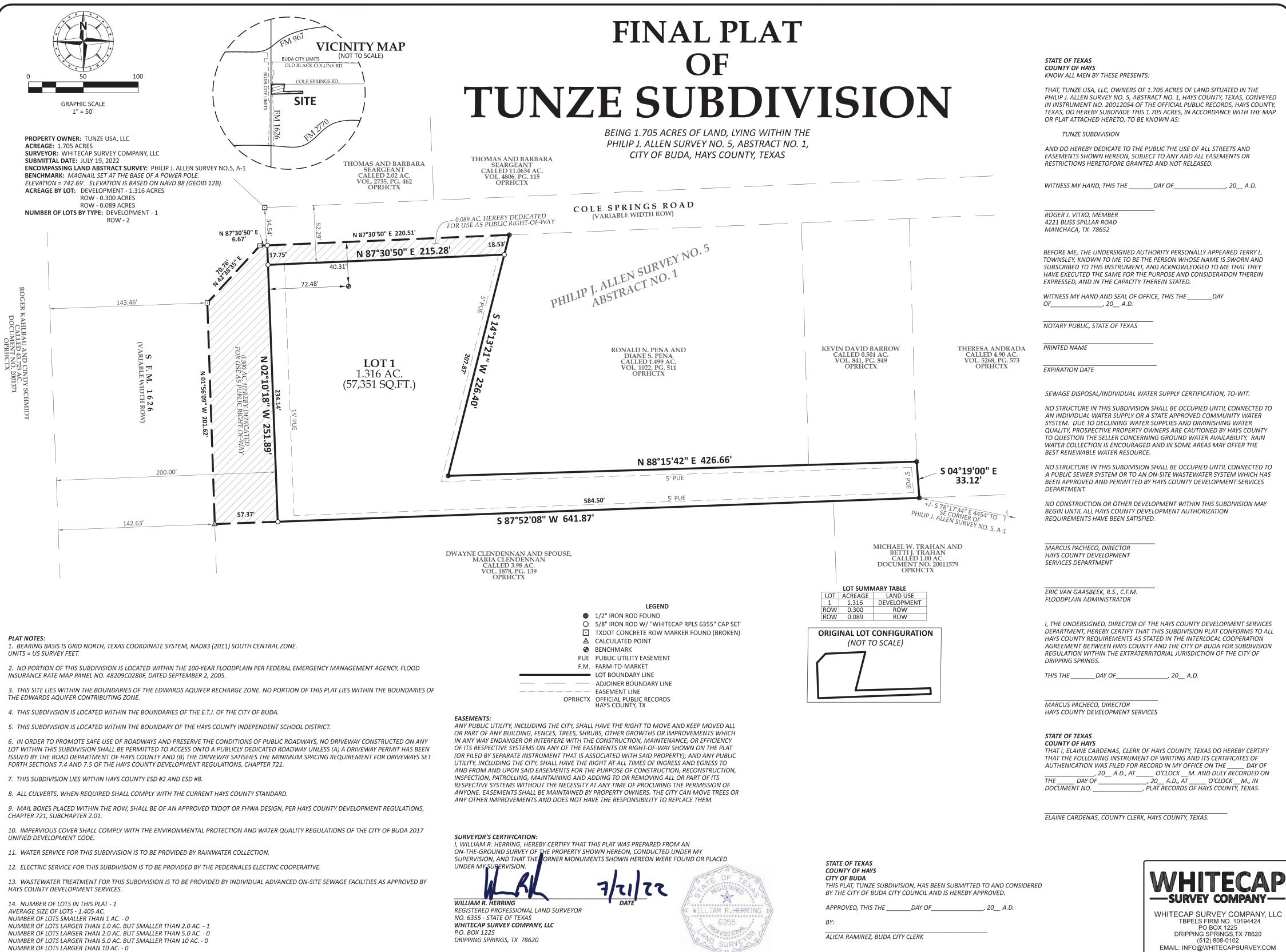
This lot meets the platting requirements.

e. The Final Plat conforms to the Director of Planning's subdivision Application checklist and UDC regulations.

This plat meets the checklist requirements.

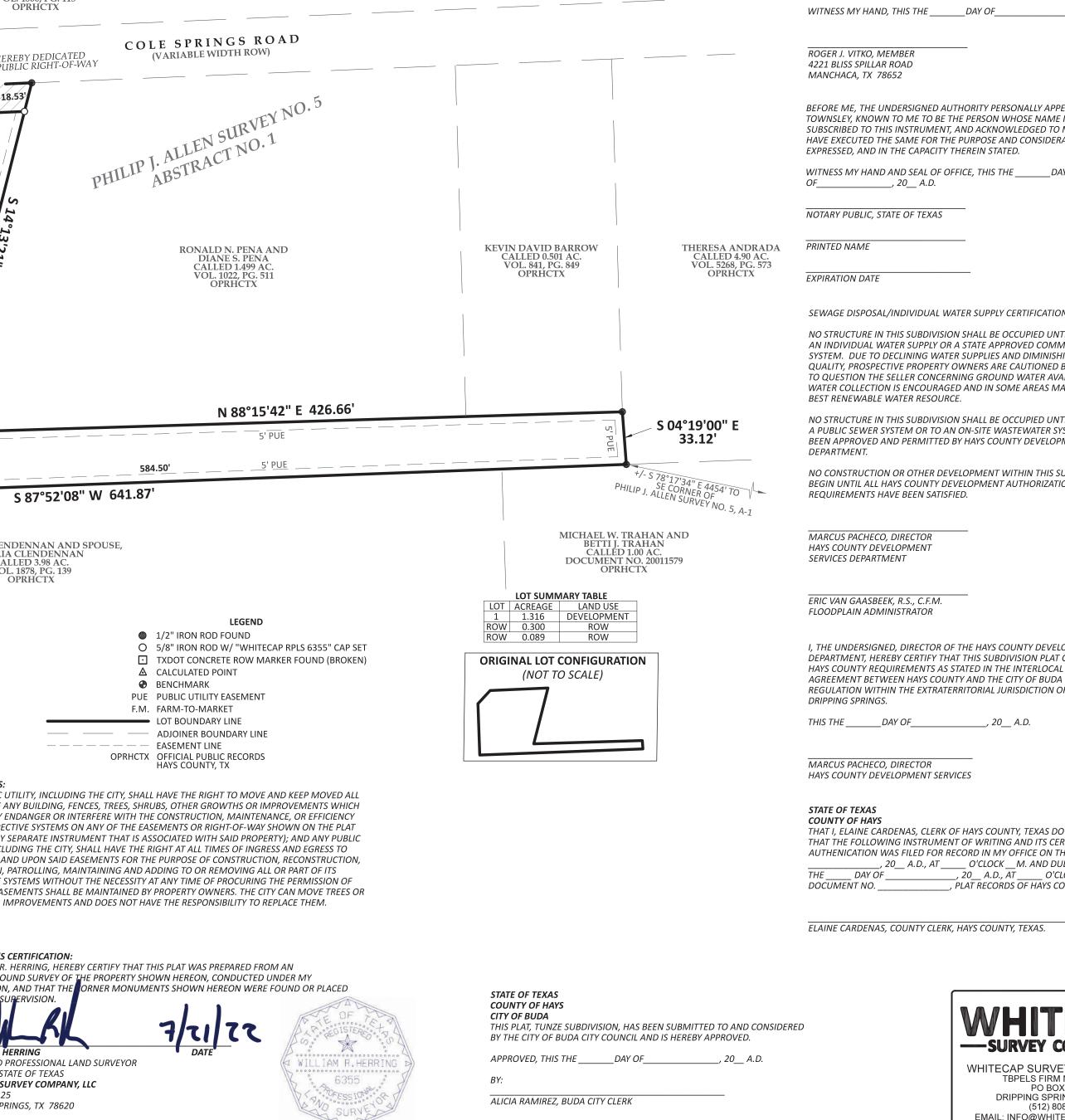
## 5. ATTACHMENTS

Final Plat of Tunze Subdivision Hays County 1445 Approval Letter



NUMBER OF LOTS LARGER THAN 10 AC. - 0

-0



THAT, TUNZE USA, LLC, OWNERS OF 1.705 ACRES OF LAND SITUATED IN THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO. 1, HAYS COUNTY, TEXAS, CONVEYED IN INSTRUMENT NO. 20012054 OF THE OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE THIS 1.705 ACRES, IN ACCORDANCE WITH THE MAP

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR

, 20\_\_ A.D.

BEFORE ME, THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED TERRY L. TOWNSLEY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SWORN AND SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY HAVE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO-WIT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT AUTHORIZATION

I, THE UNDERSIGNED, DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF BUDA FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF

THAT I, ELAINE CARDENAS, CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOLLOWING INSTRUMENT OF WRITING AND ITS CERTIFICATES OF AUTHENICATION WAS FILED FOR RECORD IN MY OFFICE ON THE DAY OF \_\_\_\_\_, 20\_\_ A.D., AT \_\_\_\_\_ O'CLOCK \_\_M. AND DULY RECORDED ON \_\_\_\_\_\_, 20\_\_ A.D., AT \_\_\_\_\_ O'CLOCK \_\_M., IN \_, PLAT RECORDS OF HAYS COUNTY, TEXAS.



Hays County Development Services 2171 Yarrington Road, Ste 100, Kyle TX 78640 512-393-2150 / www.hayscountytx.com

June 9th, 2022

Melissa McCollum Planning Director City of Buda

Re: Tunze Subdivision (PLN-1878-NP)

Ms. McCollum,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivisions for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Buda for subdivision regulation within the extraterritorial jurisdiction of the City of Buda, please move forward with Approval of the plat as submitted.

If you have any questions, please let me know.

Regards,

Marcus Pacheco

Marcus Pacheco Director Hays County Development Services

Agenda Item #G.1.



## Planning and Zoning Commission Agenda Item Report

Date: Tuesday, July 26, 2022

## Agenda Item No. 2019-447- #G.1

Contact: Melissa McCollum

## Subject: Election of Chair and Vice-Chair.

1. Executive Summary

Last elections were July 2021, and February 2022. This will complete the terms until July 2023. Current Chair Cottrill and Vice Chair Jones.

- 2. Background/History
- 3. Staff's review and analysis
- 4. Financial Impact
- 5. Strategic Plan N/A
- 6. Summary/Conclusion
- 7. Pros and Cons
- 8. Alternatives
- 9. Recommendation

These Bylaws govern the <u>Planning and Zoning Commission</u> of the City of Buda.

## ARTICLE ONE ORGANIZATION

1. A. The Planning & Zoning Commission (Commission) shall consist of seven (7) members in accordance with the enabling ordinance adopted by the City of Buda, as it may be amended from time to time.

B. If the enabling ordinance sets specific residency requirements, then those requirements must be observed, provided that if a vacancy occurs as a result of the death, incapacity, resignation, or change of residency of a member (as provided above), the Commission may continue its functions in the interim during the process of filling the vacancy.

2. Unless otherwise required by ordinance or other applicable law, all matters shall be decided by a majority vote of the members present and voting. Proxy voting shall not be permitted.

## ARTICLE TWO MEETINGS

- 1. All meetings of the Commission shall be conducted in strict compliance with the Texas Open Meetings Act. All members shall attend and complete a state approved Open Meetings Act training program.
- 2. The general public, elected officials, the Commission, and city staff may request agenda items subject to approval by the Chairperson. Such items can be submitted via electronically, paper copy, agenda public comment.
- 3. A. The Commission shall establish a date and time for its regular meetings. It shall not be required to give notice of regularly scheduled meetings to members, other than compliance with the Open Meetings Act.
  - B. Special meetings of the Commission may be called by:
    - (1) The Chairperson or interim Chairperson of the Commission;
    - (2) The City Manager or his or her designee; or
    - (3) Three (3) Commission members.

Unless otherwise required by the enabling ordinance, UDC or state law, not less than three (3) days' notice shall be given by the City Manager or his or her designee of special meetings.

C. Emergency meetings may be called in accordance with the Texas Open Meetings Act.

- 4. A member, who attends a meeting for any purpose other than objecting to the meeting because of lack of required notice, waives any objection to the meeting.
- 5. *Conflict of Interest.* A Commission member having any potential conflict of interest, as defined by the City Code of Ordinances or State law, on any policy, decision, or determination before the Commission shall disclose to each of the other members the nature of his potential conflict and shall abstain from voting on such policy, decision or determination. In the event that the Commission member recognizes a conflict or clear potential for conflict of interest, he or she shall recuse him or herself from discussion and action on the topic involving such conflict. The disclosure shall be recorded in the Commission's minutes. Intentional or knowing failure to disclose a conflict of interest shall be governed under the general penalty section as set forth in the City's Code of Ordinances.
  - (1) Any member of the Commission who does not legally have a conflict of interest but would like to avoid the appearance of a conflict of interest may elect to follow the procedure established in Section 5.
  - (2) Members shall not represent any other person, group or interest before the Planning and Zoning Commission, the Zoning Board of Adjustments and Appeals, Historic Preservation Commission, Parks and Recreation Commission, Library Commission, Economic Development Corporation, Local Government Corporation or the City Council on any matter pending before such Board or Commission. <u>This provision shall not preclude a member from representing an</u> <u>interest in his or her real homestead property</u>. Members may represent the Planning and Zoning Commission in reporting on the activities or decisions made of the Commission to the Zoning Board of Adjustments and Appeals, Historic Preservation Commission, Parks and Recreation Commission, Library Commission or the City Council.

## ARTICLE THREE OFFICERS

Unless otherwise required by the enabling ordinance or state statute, the following provisions shall control the officers of the Commission:

- 1. The Commission shall have a Chairperson and a Vice-Chairperson elected from its membership to serve for a one (1) year term. Officers shall be elected annually by the Commission.
- 2. The Chairperson and Vice-Chairperson shall be residents within the city limits.
- 3. The Chairperson shall preside over the Commission and shall have the right to vote on all items before the Commission.

4. The Vice-Chairperson shall fulfill the duties of the Chairperson when the Chairperson is not available for any reason.

## ARTICLE FOUR ATTENDANCE POLICY

Recognizing that members serve voluntarily and that the business of the Commission is advisory in nature, and keeping a proper balance between those principles and the important nature of the public business entrusted to the Commission, the following attendance policy shall apply to all members of the Commission:

- A. The voluntary absence of a Commissioner from three (3) consecutive regular meetings of the Commission will result in automatic resignation of the member from the Commission.
- B. The voluntary absence of a Commissioner from more than twenty-five (25) percent of the Commission's regular meetings during a calendar year will result in automatic resignation of the member from the Commission.

However, in no case shall a Commissioner, regardless of whether excused or voluntary, be absent from more than fifty (50) percent of the Commission's regular meetings during a calendar year. Such absenteeism will result in an automatic resignation of the member from the Commission.

- C. In this section:
  - (1) *Regular meeting* includes only regularly scheduled meetings, and does not include special meetings, workshops, or committee meetings of a board or commission.
  - (2) *Excused absence* means an absence that results from, including but not limited to:
    - a medical reason of a board or commission member or a

relative of the member,

- child care for a newly born or newly adopted child during the first eight weeks of the child's life,
- death of a family member,
- a scheduled vacation
  - More than one (1) scheduled vacation will be deemed a voluntary absence.
- business travel,
- school, or
- from an unexpected factor beyond the control of the Commissioner.

The City Manager or his or her designee shall be responsible for determining whether an absence is excused.

- (3) *Voluntary absence* means an absence other than an excused absence.
- D. Members shall strive to notify the City Manager or his or her designee in advance of any known or planned absence to enable the City Manager or his or her designee to determine if a quorum will be present. Failure to give reasonable notice may be considered when determining whether an absence shall be excused.
- E. In the event where there is an automatic resignation, the City Manager or his or her designee shall coordinate with the City Secretary to provide a list of eligible candidates to the City Council for consideration of replacement for such vacancy.
- F. The City Manager or his or her designee shall keep abreast the City Council on such voluntary absences.

## ARTICLE FIVE RECORDS

All records of the Commission are public records. All such records shall be in the custody of the City Secretary but available to the members in the due course of their proceedings. The City Manager or his or her designee shall be responsible for the care and custody of the records while in the Commission's use. All secretarial duties of the Commission shall be performed by City staff with the aid and assistance of the Chairperson.

## ARTICLE SIX REGULATIONS

The Commission is not a regulatory body and has no authority to adopt regulations governing persons or properties, nor does it have authority to adopt rules implementing City policies. Should the Commission determine rules or regulations would provide a public benefit, those rules or regulations shall be submitted to the City Council for review and adoption.

## ARTICLE SEVEN RULES OF DECORUM

1. A. The purposes of these rules are as follows:

(1) To ensure that meetings of the city boards and commissions are conducted in a way that allows the business of the city to be effectively conducted.

(2) To ensure that members of the public who attend meetings of the city council and of city boards and commissions can be heard in a fair, impartial and respectful manner.

(3) To ensure that meetings of the city boards and commissions are conducted in a way that is open to all viewpoints, yet free from abusive, distracting or intimidating behavior.

(4) To ensure that the rules governing decorum at meetings of the city boards and commissions are understood by persons attending the meetings.

- B. This section applies to meetings of boards and commissions whose membership is wholly appointed by the city council.
- C. Members of the public may address the city board or commission at the following times during a meeting:
  - (1) During citizen comment period, if such a period is on the agenda for the meeting;
  - (2) During a public hearing on an agenda item; or
  - (3) At other times with the permission of the presiding officer.
- D. Members of the public who wish to address a board or commission at any time during a meeting must complete a sign-in form prior to the meeting at the office of the staff liaison, for a board or commission meeting. Speakers must state their name and place of residence, and must limit their remarks to the specified time limit on the agenda unless otherwise determined by the presiding officer. The allotted time will commence from the beginning of the

speaker's remarks and will include any time spent in discussion between the speaker and board or commission members. Issues taking longer to communicate can be addressed outside the meeting to the city staff or to individual members of a board or commission, or submitted in writing.

- E. All comments and questions by members of the public at a meeting will be directed to the presiding officer.
- F. During a citizen comment period, members of the public will be given an opportunity to speak, and they must observe the specified time-limit, unless otherwise determined by the presiding officer, under subsection D.
- G. The presiding officer and members of boards and commissions, will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.
- H. Members of the public shall not engage in any of the following in the meeting room during a board or commission meeting:
  - (1) Shouting, unruly behavior, distracting side conversations, or speaking out when another person is talking.
  - (2) Defamation, intimidation, personal affronts, profanity, or threats of violence.
  - (3) Audible use of phones, pagers, radios, computers or other electronic equipment notwithstanding the use during presentation purposes before a board or commission.
  - (4) Booing, hissing, foot stomping, parading, singing or other similar behavior that impedes or disrupts the orderly conduct of the meeting.
- I. The rules in this section shall be enforced in the following manner:
  - (1) The presiding officer will request that a person who is violating a rule cease the violation.
  - (2) If the violation continues, the presiding officer will warn the person that he or she will be required to leave the meeting room if the violation continues.
  - (3) If the violation continues, the presiding officer will order the person to leave the meeting room.
  - (4) If the person does not leave the meeting room, the presiding officer may order any peace officer at the meeting to remove the person from the meeting room.
- J. It is unlawful for any person to intentionally or knowingly resist removal from a meeting room by a peace officer under subsection I of this Article.

## ARTICLE EIGHT MOTIONS AND MEETING PROCEDURES

The motions and meeting procedures set forth herein are to guide Commissioners during meetings. Any errors and/or omissions by a Commissioner(s) on a procedure during such meeting shall not constitute the action to be illegal. Any motions and/or meeting procedures not expressly defined in this section or any procedures as set forth within the City Charter shall follow under the latest edition of Robert's Rules of Order.

- 1. <u>Motions</u>. After a Commissioner obtains the floor, he/she may make a motion on the particular subject of discussion or a procedural point as permitted. A "Second" to the motion, if required, must be made by another Commissioner within a reasonable but brief time period. A "Second" merely implies that the seconder agrees that the main motion should come before the meeting and not that he/she necessarily favors the motion. Without a "Second", if required, the motion dies.
- 2. <u>Debate</u>. Debate, if permitted, must be limited to the merits of the issue under discussion as stated by the presiding officer.
- 3. <u>Motion Procedures.</u> There are eleven (11) types of motions in three (3) categories: Meeting Conduct Motions (4 types), Disposition Motions (6 types), and Main Motions. When any motion is pending, any motion listed above it on the chart below is in order; those below it are out of order.

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair No Vote	Affirmative Vote by 3 Commissio ners	2/3 Vote
A. Meeting Conduct Mot		· · · · · · · · · · · · · · · · · · ·		J			i
1.point of privilege	yes	no	no	no	yes	no	no
2.point of procedure or order	yes	no	no	no	yes	no	no

3.to appeal a ruling	no	yes	yes	no	no	yes	no
4.to recess	no	yes	yes	yes	no	yes	no
B. Disposition Motions							
5.to withdraw	yes	no	no	no	yes	no	no
6.to postpone	no	yes	yes	yes	no	yes	no
7.to refer	no	yes	yes	yes	no	yes	no
8.to amend	no	yes	yes	yes	no	yes	no
9.to limit; extend or close debate; or to "call the question"	no	yes	yes	yes	no	no	yes
10.to count the vote	no	yes	no	no	no*	no	no
C. Main Motions	·····	1	L	1	I	ļ	
11.to take action or reconsider action taken	no	yes	yes	yes	no	yes**	no

\* Mandatory if seconded; no vote required

\*\* Unless a greater vote is required by the Charter or State law

- 4. <u>Point of Privilege</u>. A point of privilege, sometimes called a point of personal privilege, is a communication from a Commissioner to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an overlooked right of privilege that should have been accorded to the Commissioner(s). In essence, it is a call to the presiding officer for the purpose of assuring a Commissioner's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention and action by the presiding officer, it cannot be debated or amended, and no vote is required.
- 5. <u>Point of Procedure or Order</u>. A point of procedure, sometimes called a point of order, is a question addressed to the presiding officer, no seconding is required, and either inquiring into the manner of conducting

business or raising a question about the propriety of a particular procedure. It is simply an inquiry and is resolved by correction or clarification by the presiding officer. A point of procedure can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, a second is not required, and it cannot be debated or amended, and no vote is taken.

- 6. <u>To Appeal a Ruling</u>. Decisions or rulings of the presiding officer are final on questions of procedure, except that any ruling by the presiding officer's ruling can be appealed to a vote of the Commission. Whenever a Commissioner questions the appropriateness or essential fairness of the presiding officer, that member can appeal the ruling to a vote of the meeting. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of three (3) Commissioners is required.
- 7. <u>To Recess</u>. A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed, or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, it can be amended, and an affirmative vote of three (3) Commissioners is required.
- 8. <u>To Withdraw</u>. Only the maker of the motion can make a motion to withdraw it. It is essentially a communication to the presiding officer that the maker is withdrawing his/her proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Commissioner later can make a similar motion, a withdrawal motion is not subject to debate, amendment, or vote. The presiding officer should simply state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand or a new issue.
- 9. <u>To Postpone</u>. This motion may arise from a need for further information, a matter of convenience, or for any other reason that will enable the Commission to deal with the issue more effectively at a later time. Unless otherwise specifically provided in the motion itself, a postponed motion can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and it is amendable

(particularly as to postponement, timing), and an affirmative vote of three (3) Commissioners is required.

- 10. <u>To Refer</u>. A motion to refer is typically used to submit an issue to a committee, usually for study leading to a subsequent recommendation. Because it ordinarily disposes the motion for purposes of the current meeting, a motion to refer is subject to the same rules that apply to a main motion. (See Section 14.). This motion cannot interrupt a speaker, and a second is required. It is debatable and amendable, and an affirmative vote of three (3) Commissioners is required.
- 11. <u>To Amend</u>. A motion to amend proposes a change in the wording of a motion then under consideration. When a motion to amend is pending and an amendment to the amendment is proposed, the presiding officer should focus discussion on the latest amendment, resolve that question, then proceed to the first amendment before continuing discussion on the main motion. Votes on amendments thus are in reverse order of the sequence in which they are proposed. A motion to amend cannot interrupt a speaker. It requires a second, and it is debatable and amendable. An affirmative vote of three (3) Commissioners is required for approval of the amendment. Note that State law may restrict amendments to proposals that are required to be set forth in the notice of the meeting.
- 12. <u>To Limit, Extend, or Close Debate or "Call the Question"</u>. Because the extent to which an issue is discussed rests primarily with discretion of the presiding officer, it is the presiding officer who carries the burden of ensuring that adequate time and discussion are given to differing points of view. A motion to limit, extend, or close debate is therefore an overruling of the presiding officer's determination. A motion to close debate is the same as a motion to "call the question". Because this motion affects the most fundamental right of any Commissioner, the right to speak one's views, it is the only procedural motion that requires an affirmative vote of two-thirds of the participants voting.
- 13. <u>To Count the Vote</u>. A motion to count the vote should be limited to those circumstances where the convenient hearing of "yeas" and "nays" cannot clearly resolve the issue. It represents the right of a Commissioner to have a vote demonstrated by count. That count can be directed by the presiding officer either as a showing of hands or a standing of voting members while the vote is recorded. Upon completion of the count, the presiding officer announces the result-and final disposition of the issue voted upon. This motion cannot interrupt a speaker. It requires a second; it is neither debatable nor amendable; and, because of the importance of the matter, it should be considered mandatory; thus, no vote is required.
- 14. <u>To Take Action or Reconsider an Action; Main Motions</u>. These main motions state proposed policy or action on a substantive issue being considered by the Commission. As such, the motion can be an initial call

to take particular action; to reconsider action taken; or to rescind a prior decision. Although lowest in precedence among all motions, main motions are clearly the most important: through their content, the business decisions of the Commission are determined. A main motion can be made only when a prior main motion has been disposed of. It cannot interrupt a speaker; a second is required; it is debatable and amendable; and an affirmative vote of three (3) Commissioners is required unless a greater vote is prescribed by the Charter or State law.

## ARTICLE NINE AMENDMENTS TO BYLAWS

These Bylaws may be amended only by the City Council. Requests for amendment may be submitted to the City Council by any member of the Commission.

APPROVED AND ADOPTED by the City Council on \_July 5\_, 2011\_.

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ATTEST:	un manghann, magyor
This D. Dan	
Toni Milam, City/Secretary	



## Planning and Zoning Commission Agenda Item Report

July 26, 2022

Contact – Tyler Frost, Planner 512-312-5745 / <u>tyler.frost@ci.buda.tx.us</u>

<u>SUBJECT</u>: CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE REMOVAL OF A SIGNATURE TREE AS PART OF THE PROPOSED TUNZE DEVELOPMENT, BEING 1.705 +/- ACRES OUT OF THE PHILIP J. ALLEN SURVEY NO. 5, ABSTRACT NO.1, BUDA, HAYS COUNTY, TEXAS, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 1626 AND COLE SPRINGS ROAD IN THE BUDA ETJ.

## 1. BACKGROUND/HISTORY

This is the action item for considering approval the removal of a 21" cedar elm tree (Tag Number 1994). In accordance with subsection 4.04.01.C., removal of a signature tree (between 20 and 30 caliper inches) requires approval by the Planning and Zoning Commission. The need for the tree permit has been identified through a site plan application (2021-190) for the associated commercial development, which is currently under review by staff. Additionally, this item is connected to the Tunze Subdivision Final Plat.

## 2. FINDINGS/CURRENT ACTIVITY

In September of 2021, an arborist completed a condition assessment on several trees located on the subject property. The arborist's report indicated that several trees on site were in Very Poor condition due to the major freeze that occurred in Central Texas in early 2021. Additionally, a driveway permit was issued by Hays County Transportation Department allowing the location of the proposed driveway, which conflicted with the subject tree. As such, several trees were removed by the applicant, including the 21" cedar elm.

As part of the site plan application, the applicant is proposing mitigation, including the planting of fifteen (15) 4" trees of various species as well as retaining several existing trees that are under 8" in diameter, which could be removed by right and without a permit under subsection 4.04.01. It is also important to note that the applicant considers himself an avid naturalist and a proponent of native tree species and is planning on planting more trees than the initial fifteen once his development has been established.

## 3. FINANCIAL IMPACT

N/A

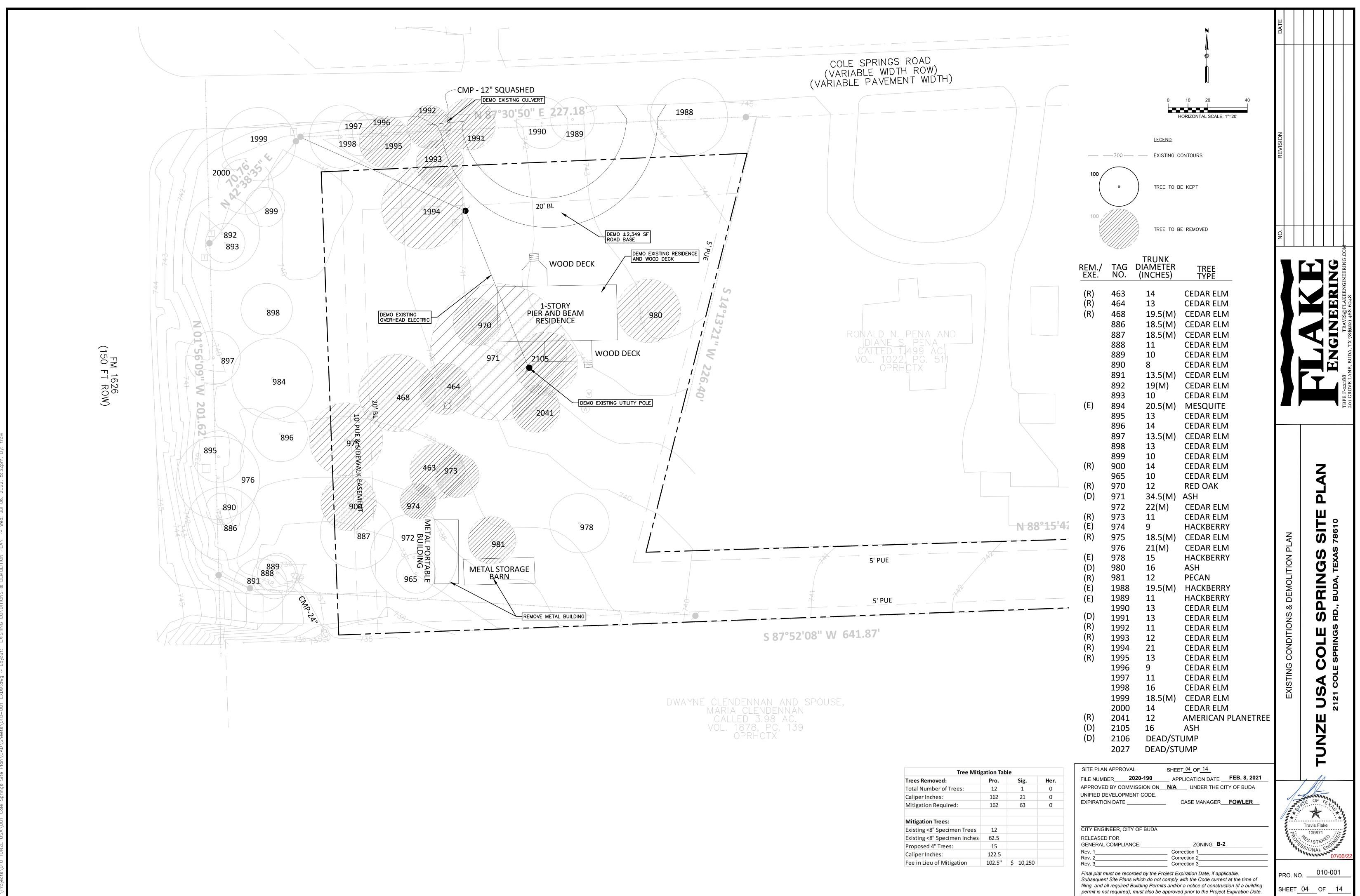
## 4. ACTION OPTIONS/RECOMMENDATION

While the 21" cedar elm has already been removed by the applicant, staff recommends approval of the tree removal due to the location of the tree conflicting with the permitted

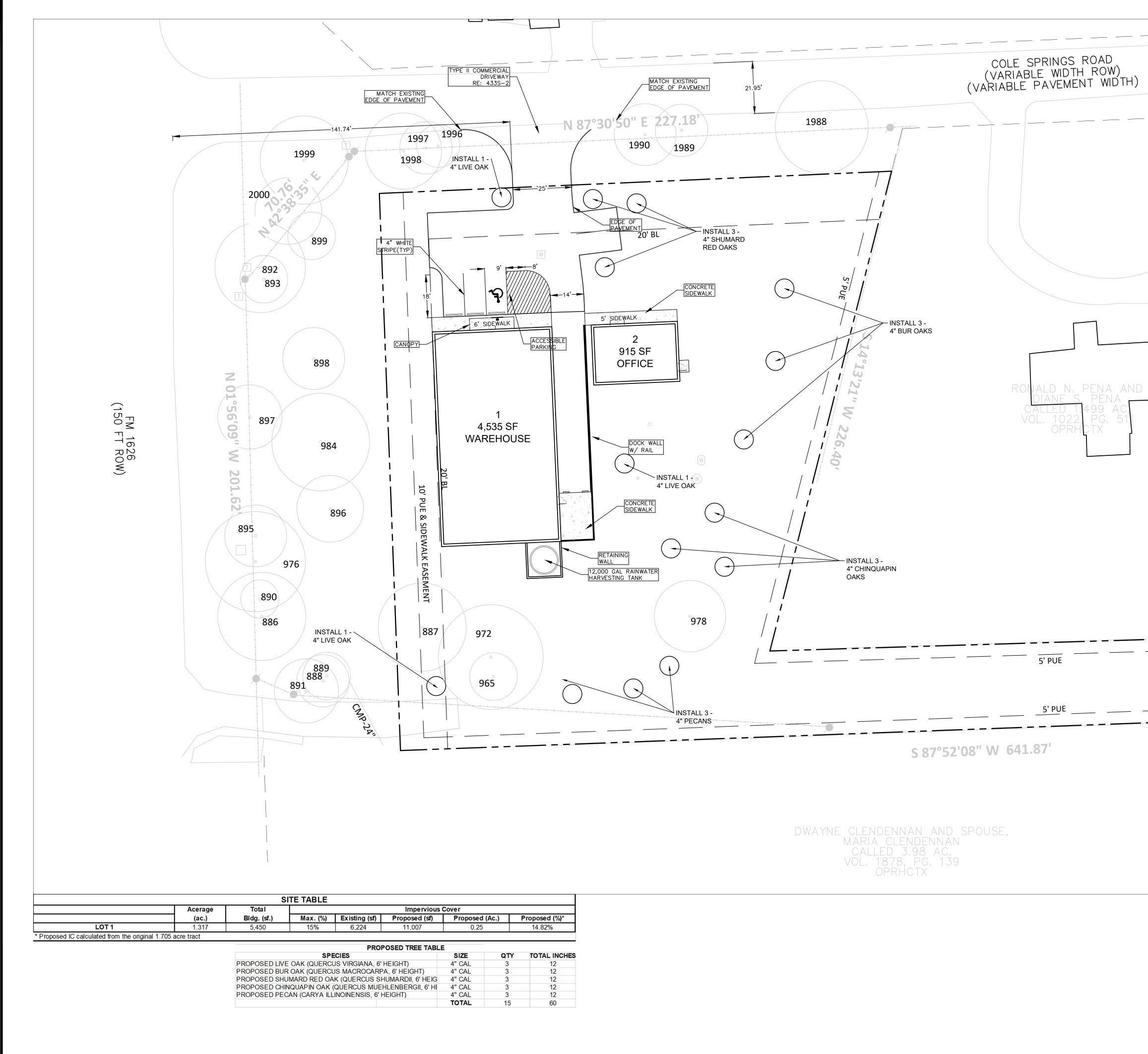
driveway, extensive mitigation, and the damage done to other trees on site from the 2021 winter freeze.

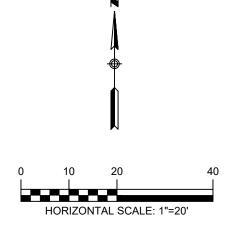
## 5. ATTACHMENTS

Existing Conditions & Tree Survey Proposed Site Plan Hays County Driveway Permit

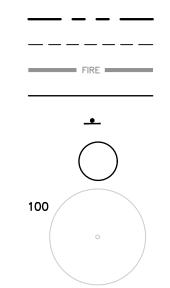


2020-190





## LEGEND



PROPERTY BOUNDARY EASEMENT LINE FIRE LANE EDGE OF PAVEMENT SIGN

PROPOSED 4" TREE

## TREE TO REMAIN

GENERAL NOTES:

- 1. ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT.
- 2. ALL DRIVES AND PARKING AREAS TO BE ASPHALT PAVING UNLESS OTHERWISE NOTED.
- 3. ALL PAVEMENT SHALL BE PER GEOTECHNICAL REPORT.
- 4. IRRIGATION SHALL BE PROVIDED FOR ALL PROPOSED TREES UNTIL ESTABLISHED.

SIDEWALK NOTE: FEE IN LIEU OF SIDEWALK HAS BEEN PAID FOR THE 252.33 LF OF 6' SIDEWALK REQUIRED ALONG THE COLE SPRINGS FRONTAGE.

SITE PLAN APPROVAL	SHEET 07 OF 14		
FILE NUMBER 2020-190	APPLICATION DATE	FEB. 8, 2021	, 11
APPROVED BY COMMISSION ON			
UNIFIED DEVELOPMENT CODE.			Antin
EXPIRATION DATE	_ CASE MANAGER	FOWLER	STATE OF TE
			Travis Flake
CITY ENGINEER, CITY OF BUDA			고: 109871
RELEASED FOR GENERAL COMPLIANCE:	ZONING <b>B-2</b>		OF TEGISTERE
Rev. 1			SSIONAL E
Rev. 2	Correction 2		
Rev. 3	Correction 3		
Final plat must be recorded by the Pr Subsequent Site Plans which do not	comply with the Code current	at the time of	PRO. NO010
filing, and all required Building Permit permit is not required), must also be			SHEET 07 OF

Шÿ E TT1 AN Ω **SITE** 78610 S Ű H SPRIN( RD., BUDA, 1 CONTRO Щ NS NS COLI E ST SITE & DI SA E1 CO 212 212 Ш Ν

SHEET 07 OF 14



# Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640 (P) 512-393-7385 (Web) <u>www.hayscountytx.com</u>

# Permit to Construct Access Driveway Facilities on County Road Right of Way

Permit #: TRN-2021-4347-DW	Date Permit Issued: 06/02/2021	
Owner Information	<b>Contractor Information</b>	
Business Name: TUNZE USA	Business Name:	
Name: Roger Vitko	Name:	
Address: TX	Address: TX	
Home Phone:	Office Phone:	
Cell Phone:	Cell Phone:	

The Hays County Transportation Department, hereinafter called the County, hereby authorizes , herein after called the Grantee, to (re)construct an access driveway on the county right of way abutting **2121 Cole Springs Rd**, **BUDA**, **TX 78610**.

# Legal Description - Subdivision:

SubDivision:

# Legal Description – If not located in a subdivision:

Legal Description:

Parcel ID: R10151

Precinct:2

# Subject to the following:

- 1. The Grantee is responsible for all costs associated with the construction of this driveway.
- 2. Design of the facilities shall be as follows:
  - i. Commercial Culvert- 62Ft. at pavement edge 32Ft. at ROW
  - ii. 18" ROUND CMP (18" X 40')
  - iii. Maintenance of facilities constructed hereafter shall be the responsibility of the Grantee, and the County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the roadway.
- 3. All repairs to improvements caused by the contractor's failure to install improvements in accordance with Hays County specifications shall be the responsibility of the contractor.
- 4. The owner, or his agent, shall notify the Hays County Transportation Department twenty-four (24) hours prior to the time when the inspection is needed.
- 5. This permit will become null and void if the above driveway facilities are not constructed within six (6) months from the issuance of this permit.
- 6. The Grantee will contact the County's representative at (512) 393-7385 at least twenty-four (24) hours prior to beginning the work authorized by this permit.

Inspector: Tyler J Pendergrass Hays County Transportation Dept.



## Planning and Zoning Commission Agenda Item Report July 26, 2022

## Contact – Melissa McCollum, AICP, Planning Director 512-312-5745 / <u>melissa.mccollum@ci.buda.tx.us</u>

<u>SUBJECT</u>: CONSIDERATION, AND POSSIBLE ACTION ON THE PROPOSED PERSIMMON DEVELOPMENT AGREEMENT (DA) FOR A TOTAL OF 775 +/-ACRES IN THE CITY OF BUDA, CITY OF BUDA ETJ, CITY OF AUSTIN ETJ, AND TRAVIS AND HAYS COUNTIES PROPERTY LOCATED NORTH OF RM 967 KNOWN AS THE BAILEY/ARMBRUSTER TRACTS AND MILESTONE DEVELOPMENT. [DA 22-01] (PLANNING DIRECTOR MELISSA MCCOLLUM).

# 1. **PROJECT SUMMARY**

This consideration for Persimmon is only for the Development Agreement ("DA"). Although the Developer is pursuing other entitlements for this project, but this item is for the DA portion only. The following outlines the property under consideration.

- Persimmon Development = 775 +/- acres
  - $\circ$  Bailey Tract = 349 +/- acres
  - Armbruster Tract = 426 + acres
  - o 2,800 residential units, included townhomes no apartments/multifamily
  - o 10 acres minimum of commercial
  - 3,275 LUE (Living Unit Equivalent)- water/sewer service commitment request
- Buda City/ETJ (referenced as "Property" in the DA)
  - o 471+/- acres in the City of Buda/ETJ
    - Bailey 178 +/- acres in the Buda ETJ
    - Armbruster 283 +/- acres in Buda ETJ
    - Armbruster 10+/- acres in the City of Buda zoned B2
    - 2,100 residential units
    - 10 acres minimum of commercial
    - PID/TIRZ financing
- City of Austin ETJ (referenced as "Additional Property" in the DA)
  - o 302 +/- acres in the City of Austin ETJ
    - Bailey = 171 +/- acres in the Austin ETJ
    - Armbruster = 131 +/- acres Austin ETJ
    - 700 residential units

Development Agreements of this scale are usually combined with annexation, zoning, and special financing, such as a Public Improvement District ("PID"), Municipal Utility District ("MUD") and/or Tax Increment Reinvestment Zone ("TIRZ"). Persimmon is asking for special financing (PID/TIRZ) and seeking approval for financing concurrently with consideration of the DA. However, the PID/TIRZ will be a future agenda item. The Developer has not obtained the release of the Austin ETJ portion of the property. Therefore, as currently proposed the PID/TIRZ only applies to the Buda City/ETJ portions of the Persimmon Development (approximately 471 acres or 62% of the area but 75% of

the residential units). Thus, only the Buda/ETJ portion of the property will be subject to the PID Assessments. The City has not established or committed to a PID/TIRZ for this project, but the City Council is currently evaluating a PID policy for adoption. However, the proposed DA seeks to exclude this project from the City's PID policy.

This DA is also unique in that the property is within two counties (Hays and Travis) as well within the City of Buda, Buda's (ETJ) and Austin's ETJ. The DA tries to straddle between the two jurisdictions (Buda and Austin) while not entirely committing to either. Staff has asked Persimmon to work with Buda and Austin to release Austin's ETJ portion so the DA could adequately address utilities and commitments and the special financing for the the entire property. Persimmon submitted a letter request to Austin dated July 6, 2022, but Austin has not responded to the request. Staff is also working to coordinate with City of Austin.

The DA was submitted for review on April 6, 2022. Staff has been working with both internal and external consultants to review the requests and meeting every other week with Milestone to work out questions/details. DAs are detailed documents. Because of numerous changes, Staff needs additional time to review and ensure the DA presented to the Planning and Zoning Commission (P&Z) and City Council complete and adequately addresses the City's concerns. Staff is requesting additional time to review and analyze this DA; the DA under consideration was revised and submitted to the City on July 20, 2022.

Staff has worked with the applicant, P&Z, and City Council to seek input on the terms of the proposed DA. The following are the public meetings related to the Persimmon Development, which as of January 2022, includes both the Bailey and Armbruster tracts.

## PUBLIC MEETINGS:

Planning and Zoning Workshop - 01.11.2022 City Council Workshop - 02.01.2022 City Council Workshop - 03.22.2022 City Council Workshop - 05.03.22 Planning and Zoning Commission - 07.25.2022 (DA)

#### **UPCOMING PUBLIC MEETINGS:**

City Council 1<sup>st</sup> Reading- and Public Hearing, 08.02.2022 (DA) City Council 2<sup>nd</sup> Reading- Future Date (DA)

# 2. BACKGROUND/HISTORY

Development Agreements are established and governed under Section 212, Subchapter G, of the Texas Local Government Code. It is a written contract between a municipality and an owner of land that is located in the ETJ to:

- 1. Guarantee the continuation of the ETJ status of the land and its immunity from annexation;
- 2. Extend the city's planning authority over the land;
- 3. Authorize city enforcement of certain land use & development regulations in the same manner as a property within the city;
- 4. Authorize enforcement of land use and development regulations other than those that apply within the city, as may be agreed to by the landowner and the city;
- 5. Provide for infrastructure for the land;
- 6. Authorize enforcement of environmental regulations;
- 7. Provide for the annexation of the land in whole or in parts and to provide the terms, if annexation is agreed to by the parties;
- 8. Specify uses & development of the land before & after annexation, if annexation is agreed to by the parties; and
- 9. Include other lawful terms & considerations the parties deem appropriate.

The City has utilized Development Agreements in the past, with mixed results. The lessons learned from previous agreements are continuing to be used in discussions regarding this DA.

The staff review for the DA involved the City Manager, Assistant City Manager, Planning Director, City Engineer, Senior Engineer, Senior Planner, and City Attorney.

Two primary criteria apply under the UDC:

- Whether the proposed agreement promotes the health, safety, or general welfare of the city and the safe, orderly, and healthful development of the city;
- Whether the proposed agreement is consistent with the Comprehensive Plan.

The criteria are deliberately broad. Fundamentally, consistency with the new UDC is now a measure of Comprehensive Plan compliance due to its recent update.

## 3. STAFF'S REVIEW AND ANALYSIS

The DA establishes the timelines and requirements for the development of the property. The current draft of the DA was received on July 20, 2022, and Staff has not had enough time to evaluate all the intricacies of the details but does have the following concerns.

- Current DA and proposed PID/TIRZ is slated to apply to the Buda/ETJ portion only. Staff would like the DA to be comprehensive, resolve the potential City of Austin ETJ release, and be applicable to the "Additional Property."
- Initial Comments on Exhibits:
  - Meets and Bounds differ in documents submitted to the City Austin ETJ release versus the "Additional Property." Double-check references to acreage between the exhibits and the text in the DA.
  - Exhibit B, the Concept Plan, shows varying levels of detail, and it should be made clear in the Agreement that the Exhibit is a conceptual rendering, that has not been reviewed for conformance with the Development Agreement or the UDC.
  - Exhibit C, Phasing plan is incomplete, and details differ between Exhibit D, Bubble Plan, and Exhibit G, Parkland Improvement.
  - Northern Tract 1 which is referenced as Commercial is now considered townhomes and should be updated on Exhibits B and D. There are two Tract 1s on Exhibit B.
  - 80' wide lots shown on Exhibit B, should be referenced in the DA Section 8, E 7.
  - Exhibit H, trails plan is incomplete for the entire property.
  - Exhibit I, shows a detention pond in a majority of the commercial Tract 2, shown on Exhibit B.
  - Exhibit N, not available.
- Section 8 Land Uses 2800 units at a density of 3.6 units to the acre for the overall property. Only 10 acres are set aside for commercial uses, a substantial portion of which is planned to be a large multi-acre pond, reducing developed commercial area significantly. Northern, Tract 1, is planned to be used for condominium townhome residential.
  - No multifamily/apartments for rent are intended within this development. Applicants state intent that multifamily "townhome" lots are to be condominiums, however there is no requirement in the DA preventing a for rent multifamily "townhouse" product, or requirement that they be a for sale "condominium" product.
  - The Developer has provided the current breakdown of land uses within the entire 775 +/- acres. Staff has concerns regarding the breakdown and land use details.

Persimmon Land Use Breakdown		
Residential	52%	
Commercial	1%	
Parks & Open Space	25%	
ROW	20%	
School	2%	
ESD	0%	
Total	100%	

• Section 10 Municipal Regulations - Applicant's proposal for "Cluster Development" does not appear to meet City regulations and does not appear to provide the intended benefits of additional opens space (based on submitted exhibits)

- Section 11 Parkland and Open Space- Details regarding parks and open spaces standards are included for the Bailey tract, in the Buda portion of the property. However, the DA is silent on details of the overall open space and trail system connections for the remaining portions of the project. The proposed DA is asking for parkland improvement credit for private parks with no public access. In addition, much of the proposed public parkland does not appear to meet our standards for parkland dedication land suitability in terms of slope and grade. There are questions regarding public parking and access to some of the dedicated parkland areas. In the Development Agreement, the Applicant has identified portions of the trails shown in Exhibit H (Trails Plan) but does not state the intent of the "Neighborhood Trails" shown on Exhibit H. The Applicant has added a open space buffer between the Armbruster Tract and the western neighborhood but has not provided details on width or plans within the buffer.
- Section 12 Utilities and Service Commitments Water and Wastewater is being requested to serve both the Property and Additional Property for a total of 3275 LUEs. Buda needs to evaluate the cost associated with serving these LUEs as the numbers were finalized on July 19, 2022.
- Section 14 Tree Preservation. The applicant is proposing to effectively "tripledip" on tree mitigation through waivers added to the DA, without providing a clear picture of their impact on the current trees on site, by requesting:
  - that trees already required for landscaping purposes count towards mitigation;
  - significant waivers of mitigation requirements (up to 50% of Protected trees can be removed without mitigation, 25% of Signature trees, and 15% of Heritage) and without details/survey showing the current location, species and size; and
  - to be able to count trees planted anywhere on site to count towards the City's Street Tree requirement
- Section 15 Transportation Applicant is proposing to end a master planned road (Hunt Road) within the limits of their project rather than extending it to the limits of their property. The UDC requires the Developer, not the City, to extend the road/bridge to the property line.
  - Applicant is proposing a cross-section for the north/south connector that does not meet the Transportation Mobility Master Plan (TMMP) standards and does not provide clear indication of the off-street improvement widths.
  - TMMP requires a 10-foot shared use path on either side of the north /south collector, applicant is instead promoting a 6 foot "urban trial".
  - Transportation Improvement Assessment (TIA) has not been submitted for the entire project, but a combined TIA scoping meeting was held with TxDOT on July 1<sup>st</sup>, 2022.

- Applicant is proposing to waive block lengths based on Concept Plan without providing details on detailed description of actual degree waived.
- Section 16 Prairie Building, staff has concerns regarding the language included in the current DA.

No other builder in Central Texas follows the practice of "prairie building standards" proposed by Milestone. The completion of all basic required public water, wastewater, storm drainage, or street infrastructure cannot overlap or lag the start of home construction.

To create buildable lots, a preliminary plat must be approved. UDC Subsection 2.03.04.D requires that access to "All lots in the One & Two Family Residential (R-3) District shall be accessed by local streets or collector streets." Further, such access must be via an all-weather improved surface – a street as defined by the City's engineering design standards. The minimum lot size in R-3 is 6,000 square feet; let's assume the lots are 55' x 112'. The minimum front and rear yard setbacks are 20' from the ROW, and a typical front-loaded home will consume 40 feet of additional depth. This leaves a 32-foot swath through the back yard of every lot on a block to build a so-called "prairie streets." It is implausible that a homebuilder would construct a roadbed that day-in and day-out will bear up under the weight of ready-mix concrete trucks, equipment trailers, and haul vehicles under variable weather conditions. Further, the proposed "prairie streets" allow for undesirable non-restrictive use of the lot area. In addition, the creation of "prairie streets" willfully and unnecessarily requires the clear cutting of trees that would otherwise enhance the development.

An approved preliminary drainage plan is a pre-condition of preliminary plat approval. The drainage plan defines all drainage sub-catchments and drainage patterns for each block of lots. A logical approach must be taken to transition predeveloped drainage patterns to post-developed drainage infrastructure without violating the Texas Water Code at any point during subdivision construction. With the preliminary drainage plan, a grading plan is devised, and a lot padding scheme is defined, and relative finished floor elevations for future structures are established. On a subdivision block with any degree of vertical fall or rise between lots, the lot pads will be stepped. If you build a "prairie street" across lot lines, this wholly invalidates the drainage design for capturing and conveying inter-lot flow?

An aspirational efficiency goal in site civil work is to balance cut and fill and minimize material haul distances to and from a site. A site-civil contractor is cutting grade, importing classified materials, and placing structural fill for buildable lots, utility trenching, and public streets in concert. This coordinated effort is required, in large part, to ensure the Engineer's drainage design (e.g., flow lines and patterns) is achieved in a logical, phased, and uniform manner. A site-civil contractor must tie into existing flow lines for receiving drainage channels and storm pipes. Trail cut and "prairie streets" act like channels until curbs and gutters (urbanized) storm infrastructure installed. Grading of lots cannot conflict with the subdivision public street and public storm drainage system gravity flow design.

Possibly the most problematic aspect of "prairie building" is the necessity to have water quality control measures in place to treat storm water runoff from impervious public infrastructure and lot site work. Construction phase storm water discharge permit best management practices do not conform with and cannot replace UDC Subsection 4.05. Environmental Protection and Water Quality Regulations for post-development storm water runoff control.

Once the very first element of vertical construction starts within a subdivision, the post-construction water quality measures that will capture and treat runoff from impervious cover area(s) must be in place and functional. Best management

practices for capture and control of sediment from land disturbance activities are not appropriate for buildings and flatwork. Stormwater runoff from a lot where a home is being built must be captured in an appropriately sized conduit (open or closed channel flow) and conveyed to a post-construction control measure that will serve the development. The City's UDC does not allow for temporary or in lieu post-construction stormwater quality control measures; this would compromise protection of surface and groundwater quality.

## 4. FINANCIAL IMPACT

As proposed, the portion of the property not in the Austin ETJ will be in the city limits and pay ad valorem taxes for the proposed 2100 residential units. The development will produce impact fees and development fees and City water and wastewater customers. Additional homes could be added of 700 units if the Austin ETJ is released.

## 5. SUMMARY/CONCLUSION

This item involves a request for a Development Agreement for Persimmon Development. Development Agreements are governed by Unified Development Code Section 3.03.12. and Texas Local Government Code Chapter 212, Subchapter G.

A Development Agreement was identified as an appropriate tool to address the needs of the developer while also allowing an opportunity to advocate for the residential design standards and offsite roadway improvements of connection to FM 1626. Staff is seeking additional time to work with the Developer to finalize details.

## 6. ALTERNATIVES

The Commission has four alternatives for action.

• Postpone Consideration of the Development Agreement (DA) to the future regular Planning and Zoning Commission Meeting of October 25, 2022 (recommendation) – This recommendation provides the Planning and Zoning Commission an opportunity to further consider the DA at the October 25, 2022 (3 months), or another future meeting with a date certain. This will allow the Planning and Zoning Commission to give Staff time to evaluate the required additional data, or if some recommended modifications to the DA require further review by the City Attorney or Developer representatives. Staff is supportive of this option and recommends that P&Z request specific information to help outline any actions by Staff & the Developer that are needed before the next meeting.

Motion Language:

I make a motion to postpone consideration of the Development Agreement (DA) to <u>October 25, 2022 (or another date certain)</u>.

Approve the Development Agreement (DA) (alternative) – This alternative results in the DA being recommended for approval. Staff and the Developer have negotiated in good faith the terms of this DA. A version of this DA could maximize municipal authority, balance the rights of the property owner, and meet the intent of the UDC and 2030 Buda Comprehensive Plan. However, as currently drafted the DA is incomplete and does not adequately address the City's concerns; At this time, Staff does not recommend this option.

## Motion Language:

I make a motion to recommend approval of the ordinance adopting the Development Agreement (DA).

Modify and Recommend, Development Agreement (DA) (alternative) – This alternative results in the DA being recommended with modifications. Because of

the contractual nature of the DA, it is important for any modifications to be done as an inclusive discussion with the developer applicant.

Motion Language:

I make a motion to recommend the ordinance Development Agreement (DA), subject to the following modifications... (list)

 Recommend Denial of the Annexation, Development and Municipal Utility Consent District Agreement (DA) (alternative) –Staff does not recommend this alternative because the landowners could elect to develop land outside the city limits not subject to most city ordinances. The City would lose some regulatory oversight provided for by the DA.

Motion Language:

I make a motion to recommend denial to the City Council of the Development Agreement.

#### 7. **RECOMMENDATION**

This item is actionable at the discretion of the Planning & Zoning Commission. Staff recommends the Planning and Zoning Commission consider recommending postponing the Development Agreement (to a date certain) to better evaluate the details of the DA.

## 8. ATTACHMENTS

Development Agreement (redline) and Exhibits Surrounding Property Owner Responses to notification City of Austin ETJ release request

#### CITY OF BUDA DEVELOPMENT AGREEMENT BAILEY/ARMBRUSTER TRACT SUBDIVISION

STATE OF TEXAS	
COUNTY OF HAYS	

§ § §

This DEVELOPMENT AGREEMENT ("<u>AGREEMENT</u>"), dated \_\_\_\_\_\_, 2022 (the "<u>EFFECTIVE DATE</u>"), is between the CITY OF BUDA, TEXAS, a home rule municipality located in Hays County, Texas (the "<u>CITY</u>"), Bailey Land Investments, LP. a Texas limited partnership, its successors and/or permitted assigns, and Armbruster Land Investments, LP, a Texas limited partnership, its successors and/or permitted assigns (collectively the "<u>LANDOWNERS</u>"). In this AGREEMENT, the CITY and the LANDOWNERS are sometimes individually referred to as a "<u>PARTY</u>" and collectively referred to as the "<u>PARTIES</u>".

WHEREAS, the LANDOWNERS own approximately 470.6 acres of real property located in Hays County, Texas, within the existing extraterritorial jurisdiction of the CITY ("*ETJ*") and approximately 13 acres within the full purpose jurisdiction of the CITY, such real property being more particularly described in **Exhibit A**, attached hereto and fully incorporated into this AGREEMENT for all purposes (the "*PROPERTY*"); and

WHEREAS, the LANDOWNERS desire to develop the PROPERTY as a mixed-use project containing both a commercial component and a residential component; and

WHEREAS, LANDOWNERS have agreed to voluntarily petition the CITY to annex the PROPERTY into the municipal boundaries of the CITY, with the understanding that the CITY will consider the annexation and zoning of the PROPERTY in the manner and time period set forth in this AGREEMENT; and

WHEREAS, the CITY and the LANDOWNERS acknowledge and agree that this AGREEMENT satisfies the requirements of Sections 43.0671-.0673 and 212.172 of the *Texas Local Government Code*; and

WHEREAS, the CITY and the LANDOWNERS further agree that this AGREEMENT will be recorded in the official public records of Hays County, Texas, and will run with the PROPERTY, as provided by law; and

WHEREAS, in recognition of the mutual benefits to be derived from the controlled development of the PROPERTY and its guaranteed continued extraterritorial status for a certain time, the LANDOWNERS and the CITY desire to enter into this AGREEMENT, pursuant to Section 43.016 and 212.172 of the *Texas Local Government Code*, to evidence their agreements with respect to guaranteeing the continuation of the extraterritorial status of the PROPERTY and its immunity from annexation by the CITY for a specific period; extending the CITY'S regulatory authority over the PROPERTY by providing for the regulations and planning authority of the CITY to be applicable to the PROPERTY as provided herein; and authorizing enforcement by the CITY of the CITY'S land use and development regulations, subject to the terms of this AGREEMENT; and

WHEREAS, the CITY will provide water and wastewater services to the PROPERTY as provided herein; and

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WHEREAS, LANDOWNERS intend to develop an additional 292.06-acre tract of land, such real property being more particularly described in <u>Exhibit ----, O</u>, attached hereto and fully incorporated into this AGREEMENT for all purposes ("<u>ADDITIONAL PROPERTY</u>") located to the immediate north of the PROPERTY in the City of Austin's ETJ and to pursue the release of the ADDITIONAL PROPERTY from Austin's ETJ to Buda's ETJ as provided herein, and the CITY will provide water and wastewater services to the ADDITIONAL PROPERTY as provided herein; and

WHEREAS, the CITY desires that certain regional transportation infrastructure be constructed in connection with the PROJECT, and LANDOWNERS have submitted to the City a petition for the creation of the Persimmon Public Improvement District (the "*PID*") on the PROPERTY (the "*PID*") in order to construct certain AUTHORIZED IMPROVEMENTS (as defined below) including, without limitation, certain regional transportation infrastructure (including without limitation the North-South Parkway and 1626 Connector) to support the PROJECT (as defined below) in a financially feasible manner in accordance with Chapter 372 of the *Texas Local Government Code* (the "*PID ACT*") and any applicable state law (the "*PID PETITION*"); and

WHEREAS, the CITY intends to create the PID in order to plan, finance, construct, acquire, operate and maintain the AUTHORIZED IMPROVEMENTS within the PROJECT without imposing an undue burden on the CITY and its residents and taxpayers; and

WHEREAS, the CITY desires that the AUTHORIZED IMPROVEMENTS be constructed as provided herein, and the CITY and the LANDOWNERS agree that financing the costs of such infrastructure should be facilitated by the (i) creation of the PID and the issuance of PID BONDS (as defined below) to fund such construction pursuant to the PID ACT and (ii) creation of a tax increment reinvestment zone ("*TIRZ*") pursuant to Chapter 311 of the Texas Tax Code; and

WHEREAS, it is intended that special assessments will be levied on the PROPERTY within the PID ("<u>PID ASSESSMENTS</u>"), and PID BONDS will be sold to finance the design, construction and installation of the AUTHORIZED IMPROVEMENTS. The AUTHORIZED IMPROVEMENTS will confer a special benefit to the PROPERTY within the PID; and

WHEREAS, the CITY intends to exercise its powers under the PID ACT, to provide alternative financing arrangements that will enable the LANDOWNERS, at their option, to do the following in accordance with the procedures and requirements of the PID ACT and this AGREEMENT: (i) fund or be reimbursed for a specified portion of the costs of the AUTHORIZED IMPROVEMENTS using the proceeds of the PID BONDS; and/ or (ii) obtain reimbursement for the specified portion of the costs of the AUTHORIZED IMPROVEMENTS, the source of which reimbursement will be installment payments from the PID ASSESSMENTS within the PROPERTY; and

WHEREAS, the CITY, after due and careful consideration, has concluded that the development of the PROPERTY, as provided for herein, will provide public recreational spaces, upgrade public infrastructure within the CITY, result in superior development than would otherwise occur in the City's ETJ, and otherwise be in the best interests of the CITY by furthering the health, safety, morals and welfare of its residents and taxpayers; and

WHEREAS, the CITY'S Planning & Zoning Commission has considered and made its recommendation regarding this AGREEMENT and the City Council has considered, authorized, and approved this AGREEMENT, each at a regularly scheduled meeting subject to and conducted in accordance with the Texas Open Meetings Act and the ordinances and Charter of the CITY; and

**Commented [A1]:** As we discussed, the "Property" is subject to the land use, development regulations, annexation, zoning, and PID provisions of the Development Agreement because it is in the Buda ETJ and the parties are authorized to make this agreement on those topics accordingly. The "Additional Property" is currently only subject to the utility service and ETJ release provisions, which provide that if acceptable terms of the ETJ release are provided, the Additional Property will then become subject to the land use, development regulations, annexation, zoning, and PID provisions of the DA. WHEREAS this AGREEMENT was passed and approved by Ordinance on \_\_\_\_\_\_, 2022, contained in the records of the CITY and recorded minutes adopted and approved for such meeting.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained or referred to herein, the receipt and sufficiency of which are hereby acknowledged by the CITY and the LANDOWNERS, the PARTIES agree as follows:

- 1. *Findings*. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the PARTIES and made a part of this AGREEMENT for all purposes.
- 2. *Effective Date.* The EFFECTIVE DATE shall be noted in the recitals of this AGREEMENT. The EFFECTIVE DATE of this AGREEMENT shall be the effective date of the two ordinances described in this Section of this AGREEMENT. Prior to the execution of this AGREEMENT, the CITY adopted an ordinance approving this AGREEMENT and authorizing the annexation contemplated herein, and considered a zoning ordinance enacting the zoning of the PROPERTYcreation of the PID and TIRZ as contemplated herein.
- 3. *Property*. The LANDOWNERS and the CITY acknowledge and agree that the PROPERTY is, upon the EFFECTIVE DATE of this AGREEMENT, subject to the terms of this AGREEMENT.
- 4. *Term.* The term of this AGREEMENT shall commence on the EFFECTIVE DATE and continue until the earlier to occur of: (i) the expiration of thirty-five (35) years from the EFFECTIVE DATE, or (ii) the date on which the CITY and the LANDOWNERS fully discharge all of their obligations hereunder, including, without limitation: (a) the AUTHORIZED IMPROVEMENTS have been completed and the CITY has accepted all of the AUTHORIZED IMPROVEMENTS, (b) all PID BOND proceeds have been expended for the construction of all of the AUTHORIZED IMPROVEMENTS, and (c) the LANDOWNERS have been reimbursed for all completed and accepted AUTHORIZED IMPROVEMENTS.
- 5. *General Benefits.* LANDOWNERS have voluntarily elected to enter into and accept the benefits of this AGREEMENT and will benefit from the financing, funding and reimbursements set forth herein. The CITY will benefit from this AGREEMENT by virtue of construction of the AUTHORIZED IMPROVEMENTS and of expanding its public amenities by the LANDOWNERS as herein provided.
- 6. Necessary and Appropriate Actions. The PARTIES agree to take such actions, including the execution and delivery of such documents, instruments, petitions, and certifications (and, in the CITY'S case, the adoption of such ordinances and resolutions), as may be necessary or appropriate, from time to time, to carry out the terms -of this AGREEMENT.
- 7. *Definitions*. In addition to the terms defined above in this AGREEMENT, the following terms, when used in this AGREEMENT, will have the meanings set forth below:
  - A) <u>APPRAISAL</u> means the appraisal of the PROPERTY or portions thereof obtained in connection with the PID BONDS to determine whether there is sufficient value associated with the PROPERTY to meet the value to lien ratios set forth in this AGREEMENT.

- B) <u>AUTHORIZED IMPROVEMENTS</u> means the authorized public improvements within or benefitting the PROPERTY (including without limitation the North-South Parkway and 1626 Connector, utilities, internal streets, public parks, drainage improvements, and all other improvements authorized by the PID ACT) to the maximum extent authorized by the PID ACT, and any other applicable State law, and to be constructed and funded in connection with the PID BONDS that will be more particularly described in the PID creation resolution, the PID FINANCING AGREEMENT (hereinafter defined) and the SAP (hereinafter defined).
- C) <u>BOND AUTHORIZATION DATE</u> means the date that the City Council authorizes the issuance of the PID BONDS.
- D) <u>CITY MANAGER</u> means the City Manager of the CITY, or his/her designee.
- E) <u>COMMERCIAL TRACTS</u> means the tracts identified as <u>the southernmost "F-4</u> <u>Zoning Tract 1" and the "F-4 Zoning Tract 2"Commercial Tracts</u> on <u>the</u> CONCEPTUAL PLAN, as defined herein and attached hereto as <u>Exhibit B</u>.
- F) <u>COMMERCIAL USES</u> means the nonresidential uses permitted as a use by right under Form District (F4), except as expressly modified by this AGREEMENT.
- G) CONDOMINIUM RESIDENTIAL USES means the for-sale, multi-family residential uses where individual residential units are within a condominium regime pursuant to Chapter 82 of the Texas Property Code, which uses shall be permitted as a use by right in the CONDOMINIUM TRACT under Form District (F4) development standards, except as expressly modified by this AGREEMENT.
- F)H) CONDOMIUMIUM TRACT means the tract identified as the northernmost "F-4 Zoning Tract 1" on the CONCEPTUAL PLAN, as defined herein and attached hereto as Exhibit B.
- G)] CONCEPTUAL PLAN means the Conceptual Plan for the PROPERTY, attached as Exhibit B, as amended from time to time in accordance with this AGREEMENT. The proposed PROJECT is further illustrated, for informational purposes only, by the bubble plan attached hereto as Exhibit D.
- **H)J)** CONNECTING FACILITIES means the improvements necessary to connect the INTERNAL FACILITIES to the CITY's water and wastewater systems at the points of connection described in Subsection 10.ASection 12).
- <u>+)K)</u> <u>CRZ</u> means the area intended to define the drip line of the tree and is represented by a concentric circle that is centered on the trunk with a diameter equal in feet to the number of inches of the tree's trunk diameter.
- D) FORCE MAJEURE means acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders of any kind of the government of the United States, the State of Texas, or any other civil or military authority; insurrections; riots; epidemics; landslides; earthquakes; lightning; fires; hurricanes; storms; floods; washouts; or other natural disasters; arrests; restraint of government and people; civil disturbances; explosions; breakage or accidents to

**Commented [A2]:** As we discussed, we are adding back in the F-4 Tract previously contemplated, but this tract will allow for-sale residential use under the F-4 form (but not rental MF use).

machinery, pipelines or canals; or other causes not reasonably within the control of the PARTY claiming such inability.

- <u>K)M</u> <u>HOA</u> means a homeowners' association, with mandatory assessment powers, created by the LANDOWNERS as a Texas non-profit corporation.
- L)N) INDENTURE OF TRUST means an Indenture of Trust between the CITY, a trustee acceptable to the CITY<sub>a</sub> and the LANDOWNERS covering the PID BONDS, as the same may be extended from time to time.
- M)O) INTERNAL FACILITIES means the potable water distribution system and related facilities and the wastewater collection system and related facilities to be constructed by the LANDOWNERS within the PROPERTY, and within the ADDITIONAL PROPERTY if the CITY provides water and wastewater to the ADDITIONAL PROPERTY as provided herein.
- <u>MINOR MODIFICATIONS</u> mean variations between any preliminary plat or final plat of the PROPERTY from the CONCEPTUAL PLAN, limited to minor adjustments of street or alley alignments or lengths, and minor changes in lot lines, provided that those changes do not increase the overall density of the single-family residential units included in the PROPERTY in excess of the increases authorized by Subsection <del>6-8.A</del> of this AGREEMENT.
- →<u>○</u>) PARKLAND IMPROVEMENT FUNDS means the funds to be expended by the LANDOWNERS pursuant to Subsection <u>911</u>.C) of this AGREEMENT, which will be used as provided in Subsection <u>911</u>.D) of this AGREEMENT.
- P)R) PHASE means an individual phase of development of the PROJECT as depicted and described in the conceptual PHASING PLAN. A PHASE may be referred to by its assigned number, as shown on the conceptual PHASING PLAN.
- ↔S) PHASING PLAN means the conceptual plan showing the LANDOWNERS' current proposed order of development of portions of the PROPERTY attached as Exhibit C.
- PID BONDS means special assessment revenue bonds authorized by the CITY to be issued, in one or more series, for multiple improvement areas, in accordance with the PID ACT and the PFA (as defined below).
- S)U) PID FINANCING DOCUMENTS means the PFA and SAP, collectively.
- T)V) PID FINANCING AGREEMENT or <u>PFA</u> means a PID Financing Agreement to be entered into between the CITY and the LANDOWNERS to provide for the assessment, levying, and collection of PID ASSESSMENTS on the PROPERTY, the construction and maintenance of the AUTHORIZED IMPROVEMENTS, the issuance of PID BONDS and other matters related thereto.
- U)W) PROJECT means the development of the PROPERTY as described in this AGREEMENT.
- Y)X) PROJECT APPROVALS means this AGREEMENT and all approvals, variances, waivers and exceptions to the UDC approved by the CITY that are necessary or

required for the development of the PROPERTY in accordance with this AGREEMENT, including those expressly set forth in this AGREEMENT and shown on the CONCEPTUAL PLAN as well as any other future regulatory approvals required for the development of the PROPERTY, including plat approval, final zoning designation, site development plans and building permits. If there is any conflict between the PROJECT APPROVALS and the UDC or any other rule, regulation or ordinance of the CITY, the PROJECT APPROVALS will control.

- W)Y) PRAIRIE BUILDING PROGRAM means the requirements set forth in Section 14 16 of this AGREEMENT.
- X)Z) <u>REIMBURSEMENT AGREEMENT</u> means a PID reimbursement agreement, PID construction funding agreement, or similar agreement between the CITY and the LANDOWNERS.
- YAA) RESIDENTIAL TRACTS means the tracts located in the PROPERTY identified as <u>"R3/R4 Zoning Residential" and "80' Single Family Lots" Residential Tracts on</u> Exhibit B.
- Z)BB) SAP means a Service and Assessment Plan to be entered into contemporaneously with the levy of all requisite PID ASSESSMENTS on the PROPERTY in support of the PID BONDS in accordance with the PID FINANCE DOCUMENTS and further subject to the PID BOND issuance requirements set forth below.
- AA)CC) SPECIFIC USE PERMIT means a Specific Use Permit or SUP as defined in the UDC.
- BB)DD) <u>TXDOT</u> means the Texas Department of Transportation.
- CC)EE)UDC means the Unified Development Code of the City of Buda as adopted on October 2, 2017, as amended by Ordinance Number 2019-24 adopted December 3, 2019, and by Ordinance Number 2020-04, adopted on March 24, 2020, excluding any provisions thereof which have been, or which may in the future be, preempted or otherwise invalidated by State law.
- DD)FF)BAILEY TRACT means the portion of the PROPERTY owned by Bailey Community Development, Inc., and being 177.26 acres of real property located in Hays County, Texas, within the existing extraterritorial jurisdiction of the CITY as more particularly described in **Exhibit A-1**.
- **EE)**GG) ARMBRUSTER TRACT means the portion of the PROPERTY owned by Armbruster Community Development, Inc<sub>10</sub> and being 293.34 acres of real property located in Hays County, Texas, within the existing extraterritorial jurisdiction of the CITY and 12 acres within the full purpose jurisdiction of the CITY (the "ARMBRUSTER TRACT") as more particularly described in **Exhibit A-2**.
- 8. Land Uses.
  - A) <u>Permitted Uses; Conceptual Plan</u>. The LANDOWNERS covenant and agree not to use the PROPERTY for any use other than (i) the existing uses of the PROPERTY

**Commented [A3]:** I think the 3/24/2020 UDC changes is correctly identified here. Developer is not agreeing to be subject to later changes based on the vesting established to date.

as of January 1, 2022, and (ii) except as provided herein, the uses provided for pursuant to this AGREEMENT, including those uses shown on the CONCEPTUAL PLAN, without CITY approval as evidenced by a duly adopted ordinance or CITY approval of an amendment of this AGREEMENT, The RESIDENTIAL TRACTS may be used for any uses allowed in the UDC for the R3/ R4 Zoning Districts, except as may be modified herein. The COMMERCIAL TRACTS may be used for any uses allowed in the UDC for the F-4 Zoning District, except as may be modified herein. The CONDOMINIUM TRACT may be used for CONDOMINIUM RESDIENTIAL USES and any other uses allowed in the UDC for the F-4 Zoning District, except as may be modified herein. The CITY confirms that the CONCEPTUAL PLAN sets forth the current development plan for the PROPERTY, has been reviewed and approved by all required departments, boards and commissions, and complies with the Buda 2030 Comprehensive Plan, as amended. The CITY agrees that the PROPERTY may be developed by LANDOWNERS in accordance with the CONCEPTUAL PLAN and this AGREEMENT. Any preliminary plat or final plat of the PROPERTY may include MINOR MODIFICATIONS from the CONCEPTUAL PLAN, however, in no event may the single-family residential units (to include single-family detached, single-family attached, condominium, and townhome residential units) in the PROPERTY currently located within the CITY ETJ exceed 2,100 units or the total number of units using the maximum density of the R-3/R-4 Zoning Districts as set forth in the UDC for the RESIDENTIAL TRACTS and the F-4 Zoning District of the CONDOMIMIUM TRACT, whichever is less, where such maximum density is calculated within the boundaries of and based on the acreage of each final plat approved within the PROPERTY. Notwithstanding the foregoing, for any singlefamily attached, condominium, or townhome development proposed within the PROPERTYRESIDENTIAL TRACTS, the maximum density of the R-4 Zoning District as set forth in the UDC shall apply, and any single-family attached condominium, or townhome development proposed within the CONDOMIMUM TRACT, the maximum density of the F-4 Zoning District as set forth in the UDC shall apply. Increases in the single-family residential density of any PHASE of the PROPERTY, subject to the limitation set forth in the previous sentence, that do not exceed 10% will constitute MINOR MODIFICATIONS, will not require an amendment to this AGREEMENT or the CONCEPTUAL PLAN, and may be approved administratively by the CITY MANAGER. Changes from the CONCEPTUAL PLAN that do not constitute MINOR MODIFICATIONS will require an amendment of the CONCEPTUAL PLAN and this AGREEMENT. Notwithstanding the foregoing or any other provision of this AGREEMENT, unless and until the City of Austin releases the ADDITIONAL PROPERTY to the City of Buda CITY as provided herein, the PARTIES acknowledge and agree that the ADDITIONAL PROPERTY is not subject to the rules and regulations of the CITY or the limitations set forth in this AGREEMENT (except for any rules and regulations regarding connection to the CITY's utility system and provision of CITY water and wastewater service, if applicable) and the LANDOWNERS may use and develop the ADDITIONAL PROPERTY in accordance with applicable law.

B) <u>Generally</u>. The PROJECT will include the COMMERCIAL TRACTS, containing no less than <u>25acresten</u> (10) acres, the <u>CONDOMIMIUM TRACT</u> contacting approximately ten (10) acres, and the RESIDENTIAL TRACTS <u>containing the balance of the PROPERTY</u> located in the <u>PROPERTY</u> within the current CITY ETJ, and containing no more than 2,100 single-family residential lots and/or units **Commented [A4]:** This provision is needed based on the gap between Development Agreement approval and annexation contemplated by the timeline.

**Commented [A5]:** This provision added for clarity.

**Commented** [A6]: New Exhibits have been provided as requested.

**Commented [A7]:** Clarified as requested.

**Commented [A8]:** If the Additional Property is not released, we anticipate developing the Additional Property as a SF residential project based on applicable Austin ETJ subdivision regulations.

**Commented [A9]:** As we discussed, this is not a reduction since the Developer previously included MF rental in the Commercial Tracts as an allowable use. Because we have deleted MF rental use as requested, the portion of the Property which can be dedicated to purely commercial use remains the same.

within the current CITY ETJ and within the PROPERTY in a range of lot and unit sizes, no more than 2,800 single-family residential lots and/or units within the within both the PROPERTY and ADDITIONAL PROPERTY if the Austin ETJ is released as provided herein, in a range of lot and unit sizes.

- C) <u>Historic Preservation</u>. The LANDOWNERS agree that the dairy house and historic dairy barn located on the BAILEY TRACT will, through restoration or re-use of its architectural elements, be incorporated into a modern amenity structure that echoes and honors the historic structure, as depicted on the attached <u>Exhibit E</u>. The LANDOWNERS agree to install a plaque on the amenity center site that recognizes and honors the Bailey family and the PROPERTY'S history. In addition, elements within the PROPERTY'S open space, amenity sites, and signage will reference and honor the PROPERTY'S agricultural history and, where practicable, existing agricultural artifacts and materials that are found on-site will be salvaged and re-used.
- D) <u>COMMERCIAL TRACTS AND CONDOMIUM TRACT</u>. The development of the COMMERCIAL TRACTS <u>and CONDOMINIUM TRACT</u> will comply with all requirements of Form District (F4), subject to the modifications set forth in this AGREEMENT and the following:
- 9. INTENTIONALLY DELETED.

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- (1) Assisted Living/Nursing Home uses are prohibited within the minimum area required for COMMERCIAL USES as specified in subsection 6.D)(2) of this AGREEMENTCOMMERCIAL TRACTS, but permitted within the CONDOMINIUM TRACT.
- (2) INTENTIONALLY DELETED.
- (3) No single-family dwelling, two-family dwelling, or townhome structures or uses are allowed in the COMMERCIAL TRACTS, but such uses are permitted in the CONDOMINIUM TRACT in addition to the CONDOMINIUM RESIDENTIAL USES.
- (4) INTENTIONALLY DELETED.
- (5) The increased block lengths shown on the CONCEPTUAL PLAN are approved.
- (6) Gasoline Filling or Service Station/Car Wash and Automobile Service Garage (Minor) uses are prohibited within the COMMERCIAL TRACTS and the CONDOMINIUM TRACT.
- (7) Grocery Store, Market, and Farmers Market are included as uses within the COMMERCIAL TRACTS and the CONDOMINIUM TRACT, and SPECIFIC USE PERMITS are not required for such uses.
- (8) Water quality facilities shall be designed to address maximum build-out of the PROJECT.

- (9) Adequate provision must be made based on final development for the acceptance, collection, conveyance, detention, and discharge of storm water runoff drainage onto, through and originating within COMMERCIAL TRACTS.
- (10) No detention facilities other than underground detention facilities shall be allowed in the COMMERCIAL TRACTS on the **PROPERTY** (and ADDITIONAL PROPERTY, if applicable)BAILEY TRACT.
- (11) No detention facilities serving the RESIDENTIAL TRACT shall be located in the COMMERCIAL TRACTS on the <u>PROPERTY (and ADDITIONAL</u> <u>PROPERTY, if applicable)BAILEY TRACT</u>.
- B)E) Residential Tracts. Subject to the modifications set forth in this AGREEMENT, which are hereby approved by the CITY, the RESIDENTIAL TRACTS will be developed in accordance with (i) in the case of single-family detached residential development, the requirements of the One & Two Family Residential District (R-3), limited to single-family dwellings and the following incidental uses: parks, playgrounds, trails, water quality features and other public infrastructure and utility facilities, and as clustering development under Section 2.09.07. E of the UDC, or (ii) in the case of any single-family attached, condominium, or townhome development, the requirements of the Transitional Residential District (R-4). The specific R-3 dimensional regulations applicable to the PROPERTY are as follows:

Residential Dimensional Regulations	R-3
Minimum Front Yard Setback (ft)	20
Minimum Front Yard Setback (ft) Alley Load/Rear Garage	10
Minimum Side Yard Setback (Interior/Corner) (ft)	7.5/10
Minimum Side Yard Setback (Interior/Corner) (ft) Alley Load/Rear Garage	5/10
Minimum Rear Yard Setback (ft)	10
Minimum Lot Area (sqft) or Maximum Dwelling Units per Acre	4,400/8 DUA*
Minimum Lot Frontage	35
Minimum Lot Width (Interior/Corner) (ft)	40/45
Minimum Lot Depth (ft)	100
Maximum Height (ft)	30
Maximum Building Coverage (%)	50
Maximum Impervious Cover (%)	60

The following additional regulations shall apply to the RESIDENTIAL TRACTS:

(1) No more than 2100 single-family dwellings (to include single-family detached, single-family attached, condominium, and townhome residential units) shall be constructed in the RESIDENTIAL TRACTS and CONDOMINIUM TRACT located within the PROPERTY that is currently

**Commented [A10]:** As we discussed, the topography on the Armbruster Tract limits this and the next provision to the Bailey Tract.

**Commented [A11]:** Updated Exhibits provided as requested.

within the CITY ETJ. If the ADDITIONAL PROPERTY is released from the Austin ETJ as provided herein, no more than 2800 single-family dwellings (to include single-family detached, single-family attached, condominium, and townhome residential units) shall be constructed on both the PROPERTY and ADDITIONAL PROPERTY.

- (2) Notwithstanding the table above, the minimum lot width of any singlefamily detached residential lot shall be fifty-five (55) feet for the RESIDENTIAL TRACTS located in the ARMBRUSTER TRACT.
- (3) Each single-family residential developments<u>detached residence</u> on a lot with lot width equal or greater than 40 feet but less than 55 feet within the RESIDENTIAL TRACTS located in the BAILEY TRACT shall include five of the CITY's single-family residential element design options; provided that, one of such design options must be rear-loaded garages, and such rearloaded garages shall satisfy the requirements of Section 2.09.08.C.4<u>of the</u> <u>UDC</u>.
- (4) Each single-family residential developments<u>detached residence</u> on a lot with lot width of 55 feet or larger within the RESIDENTIAL TRACTS shall include four of the CITY's single-family residential element design options.
- (5) The maximum number of single-family detached lots on the BAILEY TRACT less than fifty-five (55) feet wide shall be 60% of the total number of single family detached lots on the BAILEY TRACT.
- (6) The minimum number of single-family detached residential lots on the ARMBRUSTER TRACT greater than or equal to sixty-five (65) feet shall be 25% of the total number of single family detached residential lots on the ARMBRUSTER TRACT.
- (7) The minimum single-family detached residential lot width on the ARMBRUSTER TRACT for lots that are located adjacent to existing residential lots in the existing subdivisions located adjacent to the western boundary of the ARMBRUSTER TRACT shall be eighty (80) feet.
- (8) Except as otherwise provided in this AGREEMENT, the single-family design standards set forth in the Subsection 2.09.08 of the UDC shall apply to the single-family detached residential lots located on the RESIDENTIAL TRACTS.
- (9) The owners of all developed and improved residential lots within the RESIDENTIAL TRACTS, exclusive of greenbelt, park, drainage, or utility lots, and exclusive of the SCHOOL SITE (as described and defined in Section 17-19 below) and ESD SITE (as described and defined in Section 18 20 below) will be required to be members of the HOA. The HOA will be formed by the LANDOWNERS on or before the date of conveyance of the first developed and improved residential lot within the RESIDENTIAL TRACT to an ultimate homeowner (i.e., not to a builder).
- (10) The LANDOWNERS agree to construct a subdivision wall, in phases, along the frontage of North-South Parkway adjacent to the RESIDENTIAL

TRACTS, as phases of the PROJECT are completed. The subdivision wall will be constructed of pre-cast concrete, of a design similar to that depicted on the attached **Exhibit F**. The subdivision wall and adjacent, exterior landscaping will be located on an easement to be granted to and maintained by the HOA. Under the restrictive covenants applicable to the RESIDENTIAL TRACTS, the HOA will be required to include a line item for subdivision wall and landscape maintenance in its annual budget<sub>7</sub> to keep the subdivision wall and landscaping in a well-maintained condition at all times, and to collect assessments sufficient for such purpose.

- (11) The neighborhood local streets terminating at the northern boundary of the PROPERTY shall be constructed as cul-de-sacs in conformance with section Section 3.05.08.C.4.b of the UDC and must remain as cul-de-sacs until such time as North-South Parkway is designed and constructed to the standards of a collector or larger facility and connects to an access point other than FM 967.
- Contemplated Zoning. Based on the PROJECT, the CONCEPTUAL PLAN, and the uses and <del>10.</del>9. development authorized by this AGREEMENT, the LANDOWNERS contend, and the CITY acknowledges, that the appropriate zoning for the PROPERTY is Planned Development District (PD), including (i) the regulations for Form Based District 4 (F4), modified as provided in this AGREEMENT for the COMMERCIAL TRACTS (including the portions currently in the corporate CITY limits) and the CONDOMINIUM TRACT, (ii) the regulations for One & Two Family Residential District (R-3), modified as provided in this AGREEMENT for single-family detached residential units and the regulations for Transitional Residential District (R-4) for single-family attached, condominium, and townhome residential units on the RESIDENTIAL TRACTS, and (iii) all of the other provisions of this AGREEMENT including other modifications to the CITY's applicable use and development regulations set forth herein. The CITY shall consider Planned Development District (PD) zoning of the PROPERTY in accordance with this AGREEMENT concurrently with annexation of the PROPERTY as provided in Section 17 of this AGREEMENT. The PARTIES acknowledge that zoning is a legislative act that cannot be guaranteed or agreed to by contract; however, if the CITY does not zone the PROPERTY as provided in this Section 9, the LANDOWNERS and the PROPERTY will be and remain entitled to the rights and benefits provided for in this AGREEMENT which shall supersede and govern over any contrary CITY regulations and the LANDOWNERS shall have the rights and remedies set forth in Sections 17 and 33 of this AGREEMENT.

#### 11.10. Municipal Regulations.

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A) Agricultural Wildlife Management and Timber Uses. As of the EFFECTIVE DATE of this AGREEMENT and except as otherwise provided herein, pursuant to Section 43.016 of the Texas Local Government Code, the CITY is authorized to enforce all CITY land use regulations and planning authority within the PROPERTY authorized by this AGREEMENT. If the PROPERTY continues to be used for agriculture, wildlife management or timber uses in effect at the time this AGREEMENT is entered into, the CITY is authorized to enforce all CITY land use regulations authorized by this AGREEMENT that do not materially interfere with such uses, and the PARTIES covenant and agree that all such regulations and planning authority are hereby extended to the PROPERTY. The LANDOWNERS further authorize, subject to the terms of this AGREEMENT, as amended from

time to time, in the same manner the regulations are enforced within the CITY's boundaries. Pursuant to Section 43.016(b)(1)(B) of the *Texas Local Government Code*, the CITY is authorized, subject to the terms of this AGREEMENT, to enforce all CITY regulations that do not materially interfere with the use of the PROPERTY for agriculture, wildlife management or timber, in the same manner the regulations are enforced within the CITY's boundaries and that do not conflict with the uses and development allowed in this AGREEMENT for the PROJECT. The CITY specifically reserves its authority pursuant to Chapter 251 of the *Texas Local Government Code* to exercise eminent domain over property that is subject to a development agreement recognized by Chapter 43 or Chapter 212 of the *Texas Local Government Code*. Except as otherwise provided herein, the UDC is applicable to the PROPERTY as if the PROPERTY is within the CITY limits.

- B) Extension of CITY Planning and Land Use Regulations. LANDOWNERS acknowledge and agree that, subject to the terms of this AGREEMENT, the CITY is authorized, pursuant to Section 212.172 of the *Texas Local Government Code*, to extend the CITY's planning and land use regulations authorized by this AGREEMENT over the PROPERTY. The CONCEPTUAL PLAN has been approved by the CITY and sets forth certain general uses and development for the PROPERTY which are hereby authorized by the CITY. The PARTIES covenant and agree that the CITY's planning authority, land use and development regulations that do not conflict with the uses and development allowed in this AGREEMENT for the PROJECT are hereby extended and applied to the PROPERTY, except as otherwise provided in this AGREEMENT. The PARTIES further agree that:
  - (1) Application and enforcement by the CITY of these regulations will, except as otherwise provided in this AGREEMENT, be in the same manner as such regulations are enforced within the CITY's boundaries and, if regulations are established by this AGREEMENT that are not applied within the CITY'S boundaries, those regulations will be applied and enforced as provided herein.
  - (2) Except as otherwise provided in this AGREEMENT, the CITY may also enforce all environmental regulations applicable to its jurisdiction.
  - (3) Except as otherwise provided in this AGREEMENT, the UDC is applicable to the PROPERTY as if the RESIDENTIAL TRACTS are within the CITY's limits and being developed under the R-3 and R-4 zoning districts (as a clustering development for the BAILEY TRACT) and as if the COMMERCIAL TRACTS are within the CITY's limits and being developed under the F4 zoning district.
  - (4) The CITY's building and permitting regulations and requirements will apply to all development on the PROPERTY, except as otherwise provided in this AGREEMENT.
  - (5) After the EFFECTIVE DATE, the LANDOWNERS shall make good faith, commercially reasonable efforts to cooperate with the CITY in seeking the release of the ADDITIONAL PROPERTY from the City of Austin's ETJ on terms and conditions acceptable to both PARTIES. Notwithstanding the foregoing, if the City of Austin staff do not recommend such a release or recommend such a release on terms and conditions which are not

**Commented [A12]:** As discussed, clustering only applies to the Bailey Tract.

acceptable to LANDOWNERS in their sole discretion, then the LANDOWNERS shall not be required to further pursue such a release of the ADDITIONAL PROPERTY from the Austin ETJ. In the event that City of Austin agrees to release the ADDITIONAL PROPERTY from its ETJ on terms and conditions that are acceptable to LANDOWNERS, then the terms of this AGREEMENT shall apply to the ADDITIONAL PROPERTY (except as may be modified by the CITY and LANDOWNERS in order to make the terms and conditions of the ETJ release acceptable) with such ADDITIONAL PROPERTY being (i) annexed in accordance with the terms hereof (as may be modified), (ii) zoned with the PD Zoning District as provided herein for a RESIDENTIAL TRACT with the same applicable regulations as apply to the ARMBRUSTER TRACT, (iii) subject to all of the rights, privileges, benefits and requirements in this AGREEMENT as apply to the RESIDENTIAL TRACTS in the ARMBRUSTER TRACT, and (iv) included within a PID and TIRZ as provided in this AGREEMENT. As a condition to any such release of the Austin ETJ, the PARTIES shall prepare an amendment to this AGREEMENT incorporating the specific terms of the ADDITIONAL PROPERTY'S inclusion into the City of Buda's ETJ and application of this AGREEMENT.

#### 12.11. Parkland and Open Space.

- Open Space. LANDOWNERS agree that a minimum of 30% of the net area of A) **RESIDENTIAL TRACTS** located within the BAILEY TRACT, determined as provided in the following sentence, will be designated as open space. The PARTIES agree that the COMMERCIAL TRACTS and all right-of-way dedicated for North-South Parkway, the FM 967 intersection, the 1626 connector, Hunt Road, and any landscaping or signage lots located on the COMMERCIAL TRACTS or street rightof way, are excluded from the area of the RESIDENTIAL TRACTS located within the BAILEY TRACT for purposes of making the calculation of the net area of the RESIDENTIAL TRACTS. The parties agree that all public parkland; publicly accessible open space, including floodplain; the private amenity park to be owned by the HOA; amenitized or multi-use detention areas and/or wet ponds; landscape lots; and signage lots located on the RESIDENTIAL TRACTS located within the BAILEY TRACT will be included as open space for purposes of making this calculation. The PARTIES agree that the area of open space, as calculated by this Subsection 911.A), meets the minimum open space requirements set forth in Subsection 2.09.07.E or Subsection 4.04.02 of the UDC. LANDOWNERS agree that the parkland dedication requirements for development of the ARMBRUSTER TRACT shall comply with the UDC, except to the extent such requirements are modified herein.
- B) <u>Park Facilities</u>. All park facilities provided by the LANDOWNERS as shown on the Parks and Open Space Summary attached as <u>Exhibit G</u> and the CONCEPTUAL PLAN, exclusive of the private HOA amenity parks and amenity centers, shall be open to the public. The CITY shall be responsible for establishing any rules or regulations regarding the use of such public use facilities, which will include reasonable hours of use regulations consistent with those applicable to other CITY park facilities. The private amenity park and amenity center and any other park facilities that may be developed by the HOA in addition to those required by this

**Commented [A13]:** Note: As discussed, the Developer believes that the City of Austin may want to apply its more stringent environmental regulations as a condition to releasing the Additional Property. Such additional regulations may be unacceptable if coupled with the DA provisions because the combined impact could have too great an impact on yield.

**Commented** [A14]: These areas have been excluded from the calculation, and so this needs to be reinserted.

AGREEMENT will be private facilities, for use by the HOA's members only, and no public access to those facilities will be required.

- C) <u>Park Dedication and Improvement FeesFunds</u>. In addition to the requirements set forth above, <u>Tthe LANDOWNERS</u> will pay \$<del>1,8001,300.00</del> per unit for each single-family dwelling unit developed within the PROPERTY in accordance with the UDC, which expenditures will be used by the LANDOWNERS to plan, design, permit, and construct public parkland, open space, and trail improvements on the <u>PROPERTY</u>.
- D) Use of PUBLIC IMPROVEMENT FUNDS. The CITY acknowledges and agrees that the PARKLAND IMPROVEMENT FUNDS expended by LANDOWNERS shall satisfy the CITY'S parkland improvement requirements provided that such funds are used solely as provided in Section 4.04.02.F of the UDC.
- E) <u>Parkland Dedication</u>. Public open spaces will, at the CITY's discretion, either be dedicated to the CITY as parkland or overlaid with a dedicated permanent public access easement. Landscape lots and signage lots, except for any that are located within the COMMERCIAL TRACTS, will count toward requirements for open space, but will not be dedicated to the CITY and will be owned and maintained by the HOA. Unless otherwise agreed by the LANDOWNERS and the CITY, all parkland within the PROPERTY that is to be dedicated to the CITY will be dedicated in phases as the adjacent land within the PROPERTY is final platted.
- F) Adequacy of Park Contributions. In consideration of the private HOA amenity parks, including the related amenity centers; the public parkland, open space, greenbelts, trails and improvements to be designed, constructed, installed and provided by the LANDOWNERS; and the LANDOWNER'S funding of the PARKLAND IMPROVEMENT FUNDS as provided above, the CITY agrees that no additional dedication of parkland, provision of park improvements, or payment of park-related fees will be required from the LANDOWNERS for the PROPERTY.
- G) <u>Trails</u>. The LANDOWNERS will design and construct, at the LANDOWNERS' sole cost except as otherwise provided in this Subsection 911.G<sup>1</sup>, a six-foot wide Urban Trail following North-South Parkway; a six-foot wide Nature Trail following Garlic Creek; and a six-foot wide Neighborhood Trail connecting the Urban Trail and the Nature Trail within the North Greenbelt, as shown on Exhibit H. The trails will be constructed in accordance with the standards set out in Exhibit H (Trails Plan and Standards). Except for the portion of the Nature Trail that begins at the intersection of the North/South Parkway and FM 967 and extends to the right-of-way line for the Hunt Road, which will be designed, constructed and completed within two years of the CITY's approval of the final plat of PHASE 1, each of these trails will be designed, constructed and completed within two years of the CITY's approval of the PROPERTY within which the trail in question is located. The cost of construction of these trails will not be eligible for reimbursement from the PARKLAND IMPROVEMENT FUND.

#### 13.12. Utilities.

A) <u>Extension of Wastewater and Water Services</u>. The CITY will provide wastewater service to the PROPERTY and the ADDITIONAL PROPERTY (if requested by the LANDOWNERS and service to the ADDITIONAL PROPERTY is not otherwise **Commented [A15]:** Sections 11.C, D and F should remain as they represent Developer's significant parkland proposal.

provided by the City of Austin) through a connection to the CITY's Garlic Creek Lift Station, located adjacent to the PROPERTY on FM 967. The CITY will provide water service to the PROPERTY and the ADDITIONAL PROPERTY (if requested by the LANDOWNERS and service to the ADDITIONAL PROPERTY is not otherwise provided by the City of Austin) through a connection to the CITY's existing 12-inch water line in FM 967, adjacent to the PROPERTY. The LANDOWNERS will design, construct and install the INTERNAL FACILITIES and the CONNECTING FACILITIES in order to enable the CITY to provide water and wastewater service to the PROPERTY and the ADDITIONAL PROPERTY (if requested by the LANDOWNERS and service to the ADDITIONAL PROPERTY is not otherwise provided by the City of Austin).

B) Sizing of Facilities; Oversizing; Credits for Oversizing. The LANDOWNERS agree to give the CITY at least 30 days' written notice before commencing the design of any CONNECTING FACILITIES and/or INTERNAL FACILITIES, which notice will include a schematic plan showing the general location and size of the facilities proposed to be designed and constructed to serve only the PROPERTY and the ADDITIONAL PROPERTY (if applicable). If the CITY determines that it would be in its best interests to oversize any of such facilities in order to serve areas other than the PROPERTY and the ADDITIONAL PROPERTY (if applicable), the CITY may request such oversizing by giving written notice to the LANDOWNERS within that 30-day notice period, specifying, in LUEs, the amount of oversized capacity the CITY requests be included within each of the facilities depicted on the schematic plan. If the CITY fails to give the LANDOWNERS written notice within the time and in the manner required, the CITY agrees that the LANDOWNERS will be authorized to proceed will design of the facilities in question, sized only to serve the PROPERTY and the ADDITIONAL PROPERTY (if applicable), and no oversizing of any of such facilities may be required by the CITY at any time thereafter. If oversizing is timely requested by the CITY as to any of the facilities shown on a schematic plan, the LANDOWNERS agrees to cooperate with the CITY to accommodate the CITY's oversizing request, provided that (a) the oversizing does not result in an unreasonable delay in design, construction or development; and (b) the CITY pays the incremental cost of the oversizing (i.e., the difference between the cost of the facilities with the CITY's requested increase in capacity and the cost of those facilities if they were designed and constructed as originally proposed by the LANDOWNERS). Any facilities that are oversized at the CITY's request will be bid by LANDOWNERS at both the size originally proposed by the LANDOWNERS for service only to the PROPERTY and the ADDITIONAL PROPERTY (if applicable) and at the size required to accommodate the CITY's requested increase in capacity, and the CITY's cost share will be determined based on the difference between the bid amount for the facilities if built at the size originally proposed by the LANDOWNERS and the cost of the facilities built at the size required by the CITY. The resulting percentage of the total construction cost allocated to the CITY will also be used to determine the CITY's share of all other costs of the oversized facilities, including engineering, inspection and permitting costs. The CITY will grant LANDOWNERS credits against the CITY's water and wastewater impact fees for the PROPERTY and the ADDITIONAL PROPERTY (if applicable) to compensate LANDOWNERS for the CITY's allocated share of engineering, inspection, permitting and construction costs of any oversized facilities under this Subsection 10.B). Except as provided in this Subsection 10.B), the CITY will not require the LANDOWNER to design or construct any facilities

other than the INTERNAL FACILITIES and the CONNECTING FACILITIES to provide water and wastewater service to the PROPERTY and the ADDITIONAL PROPERTY (if applicable) and the LANDOWNERS will have no obligation to construct or cost participate in any water or wastewater facilities other than the INTERNAL FACILITIES and the CONNECTING FACILITIES, to oversize any INTERNAL FACILITIES or CONNECTING FACILITIES, or to construct any offsite facilities other than the CONNECTING FACILITIES.

C) Service Commitment. Subject to the terms and conditions set forth herein, the CITY commits and agrees to provide retail water and wastewater services to the PROPERTY as and when required by customers within and/or for development of the PROPERTY in an aggregate amount not to exceed 2400 2575 LUEs and within and/ or for development of the ADDITIONAL PROPERTY in an aggregate amount not to exceed 1000-700 LUEs, at flow rates and pressures and in quantities, sufficient to meet the minimum requirements of the UDC, including fire flow, in the same manner and on the same terms and conditions as the CITY provides service to similarly situated retail customers inside its corporate limits for the PROPERTY and, if the Austin ETJ is released on terms and conditions acceptable to LANDOWNERS in their sole discretion, the ADDITIONAL PROPERTY. Notwithstanding the foregoing, if the City of Austin does not recommend or approve the release of the ADDITIONAL PROPERTY from the Austin ETJ on terms and conditions acceptable to LANDOWNERS in their sole discretion, the LANDOWNERS will agree to pay the CITY'S utility fees and rates applicable to property outside the CITY's corporate limits.

<u>14.13.</u> Environmental. The LANDOWNERS agree to provide the following environmental enhancements:

- A) <u>Use of Reclaimed Water</u>. Irrigated open space areas within the PROPERTY will be developed with a "Purple Pipe" irrigation system that can be adapted to utilize Type I reclaimed water pursuant to the requirements of the Texas Commission on Environmental Quality under 30 Texas Administrative Code 210 if and when the CITY elects to extend and connect facilities to deliver such reclaimed water to the PROPERTY. These irrigation systems will utilize potable water until reclaimed water service is provided.
- B) <u>Water Quality</u>. Alternative water quality/batch detention will be provided as set forth on the attached <u>Exhibit I</u>.
- C) <u>Green Building</u>. "Green" building code/1 Star elements will be provided as set forth on the attached <u>Exhibit J</u>.
- <u>15-14.</u> *Tree Preservation, Replacement and Mitigation.* The CITY approves the following modifications to Subsection 4.04.01 of the UDC, Tree Preservation and Mitigation Code:
  - A) <u>Street Trees</u>.
    - (1) All roadways internal to the PROPERTY will be planted with street trees spaced at minimum 40' on center, in accordance with the UDC's Form Based Street Sections. Street trees will not be required in locations in which they would conflict with the canopies of existing shade trees. All street trees will be included in the calculation of replacement planted trees under the

**Commented [A16]:** As we discussed, the 2575 includes 2100 SF plus additional amounts for the school site, commercial, and other uses proposed for the PROPERTY. Updated information was provided to the City.

CITY's tree mitigation requirements. These trees will be maintained by either the adjacent property owner or the HOA, under the terms of the restrictive covenants applicable to the PROJECT. The CITY agrees that no license agreement with the CITY for the installation or maintenance of street trees will be required.

- (2) If the CITY or any utility provider prohibits any proposed street trees from being planted in the right-of-way, the CITY agrees that an equal number of trees may be planted in other locations on the PROPERTY to meet the overall street tree requirement under Subsection <u>1214</u>.A)-(1).
- B) <u>Landscape Trees</u>. The CITY agrees that any tree required under Subsection 2.09.01 of the UDC, Landscaping, will also be counted as a replacement tree under the CITY's tree mitigation requirements.
- C) <u>Street and Replacement Tree Requirements</u>. The LANDOWNERS agree that all street trees and other replacement trees planted within the PROPERTY will meet the following requirements:
  - (1) Canopy trees will, at a minimum, be three-inch caliper Texas-grown nursery stock complying with the "American Standards for Nursery Stock."
  - (2) Trees will be irrigated using an automatic irrigation system and zoned separately from turf areas.
  - (3) Trees will be covered by a replacement warranty provided by the landscape contractor for two years from the date of planting. The LANDOWNERS will be responsible for ensuring any necessary replacement of trees during such two-year warranty period.
  - (4) Trees on public property (including right-of-way and open space) will, in addition to the two-year replacement warranty required by Subsection 1214.C)-(3), be maintained for a minimum period of two years after planting by the LANDOWNERS or HOA.
- D) <u>Tree Preservation and Mitigation Modifications</u>. The CITY hereby approves the following modifications to Section 4.04.01 of the UDC, Tree Preservation and Mitigation Code:

- Up to 50% of the Protected Trees on the <u>BAILEY TRACTPROPERTY</u> may be removed, in accordance with Exhibit \_\_\_\_\_. w mitigation, without mitigation, upon approval of the CITY's Director of Planning.
- (2) Trees located within right-of-way and within easements to be dedicated to the CITY will be exempt from the CITY's tree preservation requirements and will not be included in calculating the authorized 50% removal percentage specified above.
- (3) During construction, the LANDOWNERS will retain a Certified Arborist to observe and make recommendations regarding the protection and health of all existing trees to be preserved. The Certified Arborist will review all tree protection measures at the start of construction and will visit the site

**Commented [A17]:** The Developer's significant tree preservation proposal needs to remain as proposed.

at least twice per month during construction to review tree health and preservation measures and make recommendations.

- (4) A tree will be considered saved or preserved if one-half of the total area of the CRZ outside the <sup>1</sup>/<sub>2</sub> CRZ is preserved, and the entire <sup>1</sup>/<sub>2</sub> CRZ is preserved. Within the <sup>1</sup>/<sub>2</sub> CRZ, no cut or fill will be allowed. A qualified arborist will be retained by LANDOWNERS and will review the viability of any affected tree during design.
- (5) For lots with 7.5 foot side setbacks, the side setback on one side of the lot may be reduced to no less than 5 feet if this reduction would reduce the impact on the CRZ of a tree on the other side of the lot, so long as the total of the side setbacks on the lot is 15 feet.
- (6) This AGREEMENT constitutes CITY approval of Tree Removal Permits for the removal of 25% of regulated Signature Trees from the <u>PROPERTY</u>. <u>These Tree Removal Permits will be administratively approved by the</u> <u>Director of Planning.BAILEY TRACT</u>, in accordance with Exhibit . Mitigation will be required at the rates specified in Subsection 4.04.01 of the UDC.
- (7) This AGREEMENT constitutes Planning & Zoning Commission and City Council approval of Tree Removal Permits for the removal of up to 15% of regulated Heritage Trees from the PROPERTY. <u>These Tree Removal Permits will be administratively approved by the Director of Planning. BAILEY\_TRACT.</u> Mitigation will be required at the rates specified in Subsection 4.04.01 of the UDC.

#### 16.15. Transportation.

- A) <u>Right-of-Way Dedications</u>. The LANDOWNERS will dedicate the portions of right-of-way for the North-South Parkway, Hunt Road, the 1626 Connector, and the intersection of North-South Parkway with FM 967 that are located within the PROPERTY and shown on the attached **Exhibit K**, at no cost to the CITY and without the CITY's grant of any development fee credits to the LANDOWNERS. LANDOWNERS will use commercially reasonable efforts to acquire any additional right-of-way needed for the 1626 Connector. Notwithstanding the foregoing, in the event that the LANDOWNERS are not able to secure such right-of-way within 60 days of completing the design for the 1626 Connector, the CITY agrees to utilize its powers of eminent domain under Chapter 251 of the *Texas Local Government Code* to acquire such right-of-way; and in that event, LANDOWNERS shall be responsible for any and reasonable costs incurred by the CITY to acquire such right-of-way.
- B) <u>FM 967 Intersection Improvements</u>. The LANDOWNERS will design, permit and construct improvements to the intersection of FM 967 and North-South Parkway at no cost to the CITY and without the CITY's grant of any development fee credits to the LANDOWNERS.
- C) <u>North-South Parkway</u>. Subject to and upon creation of the PID and TIRZ and issuance PID bonds are issued as provided in Section <u>18+6</u> of this AGREEMENT to provide LANDOWNERS with construction funding, the LANDOWNERS will

**Commented [A18]:** This is a standard provision for municipal development agreements that require offsite improvements and is necessary to ensure that critical ROW benefitting the public is obtained. The Developer remains responsible for the cost, and this just ensures fair market value is given. design and construct North-South Parkway in full as shown on Exhibit K and -as one-half of the street cross-sections included in Exhibit L, and with (i) Segment 1 and Segment 2 (as both are defined below) of the North-South Parkway required to be designed and constructed concurrently with the development of PHASE 1 of the PROJECT and completed prior to the CITY's issuance of any Certificates of Occupancy for homes within PHASE 1, and (ii) the design of the remainder of the North-South Parkway required to be started within 30 days of the execution of this document and construction required to be commenced within 60 days after issuance of permits and will be completed within 18 months of issuance of all necessary permits. The remaining one-half of the North-South Parkway cross section, if required by the project, shall be designed and constructed as development of the ARMBRUSTER TRACT adjacent to such roadway occurs. Notwithstanding the foregoing or in the subsequent sections and subsections below, LANDOWNERS may design and construct the North-South Parkway in a narrower configuration, if such narrower configuration is recommended by a subsequent roadway sizing analysis approved by the CITY. If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds as provided in Section 1816 of this AGREEMENT, then the LANDOWNERS will design and construct the North-South Parkway in segments as provided in the following Subsectionssubsections.

- (1) If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds, a LANDOWNER will design, permit and construct the first segment of North-South Parkway ("Segment 1") as shown on Exhibit K as a 30-foot wide (face of curb to face of curb) roadway with curb and gutter as shown on Exhibit L from FM 967 to first traffic circle as indicated in such exhibits. The LANDOWNER will submit plans and specifications for Segment 1 concurrently with its submission of plans for the PHASE 1 of the PROJECT. The CITY's approval of such plans and specifications will not be unreasonably withheld, conditioned or delayed. Segment 1 will be constructed concurrently with the development Phase 1 and must be completed prior to the CITY's issuance of any Certificates of Occupancy for homes within PHASE 1.
- (2) If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds, a LANDOWNER will design, permit and construct the second segment of North-South Parkway ("Segment 2") as shown on Exhibit K as a 22-foot wide (edge of pavement to edge of pavement) rural roadway as shown on Exhibit L, with no storm sewer or curb and gutter, from the termination of Segment 1 through the last subdivision street connection. In that event, the LANDOWNER will submit plans and specifications for Segment 2 concurrently with the submission of plans for PHASE 3 of the PROJECT. The CITY's approval of such plans and specifications will not be unreasonably withheld, conditioned or delayed. Also, in that event, Segment 2 will be constructed concurrently with development of that phase and completed prior to the issuance of any Certificates of Occupancy for homes in PHASE 3.
- (3) If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds, concurrently with its design of Segment 2, the LANDOWNER will design the third segment of North-South Parkway

("<u>Segment 3</u>") as shown on <u>Exhibit K</u> as a 22-foot wide (edge of pavement to edge of pavement) rural roadway with no storm sewer or curb and gutter, as shown on <u>Exhibit L</u> from the termination of Segment 2 to the northern boundary of the PROPERTY. In that event, the LANDOWNER will submit the plans and specifications for Segment 3 concurrently with the submission of plans for Segment 2. The CITY's approval of such plans and specifications will not be unreasonably withheld, conditioned or delayed. Also in that event, the CITY may elect to require LANDOWNER to construct and complete Segment 3 concurrently with Segment 2 or to defer such construction until such time as LANDOWNER begins development of the ADDITIONAL PROPERTY, but no later time.

D) <u>1626 Connector</u>. Subject to and upon creation of the PID and TIRZ and issuance of PID bonds as provided in Section <u>1846</u> of this AGREEMENT to provide LANDOWNERS with construction funding, the LANDOWNERS will design and construct the East-West connector from the North-South Parkway to FM 1626 as shown on <u>Exhibit K</u> and on <u>Exhibit L</u>. The design of the 1626 Connector must be started within 30 days of the execution of this document. Construction will begin within 60 days after the issuance of permits and acquisition of any needed right-of-way and will be completed within 18 months of issuance of all necessary permits and acquisition of necessary Right of Way. If the City fails to consent to the creation of the PID and the TIRZ or to issue the PID bonds as provided in Section <u>1846</u> of this AGREEMENT, LANDOWNERS shall have no obligation or responsibility to design, permit, or construct the 1626 Connector.

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- E) <u>Hunt Road</u>. A LANDOWNER will design and construct the onsite segment of the Hunt Road East-West arterial as shown on <u>Exhibit K</u> and on <u>Exhibit L</u> at no cost to the CITY and without the CITY's grant of any development fee credits to the LANDOWNER. The improvements to the onsite section of the Hunt Road East-West Arterial must be completed prior to the CITY's issuance of any Certificates of Occupancy for homes within PHASE 1. <u>The CITY acknowledges and agrees that construction of the Hunt Road East-West arterial beyond the location shown in the above-referenced exhibits to the eastern boundary of the BAILEY TRACT is not feasible and is not required because the eastern boundary line is in the center line of a creek. Notwithstanding the foregoing, A LANDOWNER shall dedicate right-of-way for the Hunt Road East-West arterial to the eastern boundary of the BAILEY TRACT as that portion of the PROPERTY is platted.</u>
- F) <u>Subdivision Streets</u>. Streets within the PROPERTY, as illustrated in Exhibit M, will be constructed in accordance with the form-based code sections for on-site streets contained in Subsection 2.08.05 of the UDC, with the dimensions shown on the attached Exhibit L.
- G) <u>Modification</u>. Anything herein to the contrary notwithstanding, the CITY acknowledges that the design of the intersections of FM 967 and North-South Parkway and FM 1626 and 1626 Connector are subject to approval by TXDOT and/ or Hays County and that any modifications required by TXDOT and/ or Hays County may affect the configuration and location of <u>such roadways and</u> other roadways in and adjacent to the PROPERTY. If changes to roadway configurations or locations are necessary due to modifications by TXDOT and/ or Hays County, the CITY and the LANDOWNERS agree to amend the corresponding provisions of

**Commented [A19]:** Developer does not currently know when development of the Additional Property might start. It will depend on numerous factors such as plan, approval construction timelines, and market absorption. this Section <u>19 15</u> to facilitate needed traffic improvements while ensuring that all contemplated right-of-way is dedicated, all traffic improvements are <del>constructed,</del> and <u>constructed and</u> the LANDOWNERS receive the <u>development fee creditsPID</u> and <u>TIRZ financing and funding</u> as contemplated by this AGREEMENT.

17.16. Prairie Building Program.

- A) The Prairie Building Program shall be allowed in Phase 1 pursuant to the terms of this section <u>1614</u> of the AGREEMENT. The use of the Prairie Building Program in any future phases shall be at the discretion of the CITY.
- B) A building permit within a platted lot will be released by the CITY when all the following conditions are fully satisfied by the LANDOWNER:
  - (1) The final plat must be recorded.
  - (2) An improvement agreement must be fully executed with the appropriate surety provided in accordance with <u>subsection Section 3</u>.04.05 of the UDC.
  - (3) All requirements of the CITY's Stormwater Management Program shall be met to the satisfaction of the CITY as approved by the CITY MANAGER.
  - (4) An engineering-stamped plan documenting erosion and sedimentation controls and tree/natural area protective fencing shall be provided to the CITY and must be approved by the CITY MANAGER prior to any construction.
  - (5) All detention ponds shall comport with CITY standards as set forth in the CITY's drainage criteria manual as established in Section 1.01.06 of the UDC. All outlet structures shall be constructed prior to any grading. The outlet system must consist of a sump pit outlet and an emergency spillway meeting the requirements of the CITY's drainage criteria manual and environmental criteria manual, as established in section Section 1.01.06 of the UDC. The outlet system shall be protected from erosion and shall be maintained throughout the course of construction until completion of the permanent water quality pond(s). Construction-phase sedimentation basins shall comply with the requirements of TPDES Construction General permit (CGP) TXR150000
- C) Prior to any construction on the PROPERTY, an emergency services and access plan must be submitted to and approved by Hays County Emergency Services Districts #2 and #8. At all times during construction, the public water system fire flow requirement of 1,500 minimum gpm shall be provided. Distribution system pipe sizes shall be sized in accordance with a hydraulic report prepared by a licensed professional engineer. Water distribution network capacity analyses related to development are the sole responsibility of the Owner. A minimum pressure of 35 psi at all points within the potable water distribution network at flow rates of at least 1.5 gpm per connection must be maintained. When any portion of the public water distribution system is intended to provide fire-fighting capability, the network must also be designed to maintain a minimum pressure of 20 psi under combined fire and drinking water flow conditions.

D) No certificate of occupancy for any structures within a particular phase of development shall issue until all public infrastructure for such phase provided within the final plat is approved and accepted by the CITY subject to the maintenance warranty period by the CITY.

18-17. Annexation. Subject to the terms and conditions set forth in this AGREEMENT, the LANDOWNERS agree to voluntarily consent to and request that the CITY approve annexation of the PROPERTY as provided this AGREEMENT. Within 60 days of the EFFECTIVE DATE, each LANDOWNER agrees that it shall request annexation of the PROPERTY, which request shall be expressly conditioned on the zoning required in Section 7 109 of this AGREEMENT. The PROPERTY will be annexed into the corporate limits of the CITY in accordance with and subject to the provisions of this AGREEMENT. The CITY agrees that annexation and zoning of the PROPERTY shall occur concurrently with annexation. Notwithstanding the foregoing, annexation and zoning shall not occur unless and until the PID and TIRZ described in Section 18 of this AGREEMENT are created and the first series of PID BONDS are issued as provided in this AGREEMENT, which PID BOND issuance may occur concurrently with annexation and zoning. The adoption of all required readings of the zoning ordinance of the PROPERTY as provided in Section 9 of this AGREEMENT concurrently and simultaneously with the annexation of the PROPERTY, the creation of the PID and TIRZ prior to annexation, and the issuance of first series of PID BONDS concurrently with annexation shall be (i) pre-conditions of LANDOWNERS' consent to annexation such that if such zoning does not occur concurrently and simultaneously and such creation and issuance do not occur as provided herein, LANDOWNERS' consent to the annexation and their petitions for annexation shall be deemed withdrawn and revoked as the annexation of the PROPERTY shall not be voluntary and shall be null and void ab initio, and (ii) incorporated in the terms of the annexation services agreement pursuant to Section 43.0672 of the Texas Local Government Code. Pursuant to Section 212.172(b)(8) of the Texas Local Government Code, the CITY agrees that the land uses, development, and development intensity shown on and allowed in the CONCEPTUAL PLAN and this AGREEMENT shall be allowed for the PROPERTY after annexation regardless of the zoning approved by the CITY. Without waiving or limiting the application of the foregoing consequences, if the CITY does not zone the PROPERTY as provided in Section 9 of this AGREEMENT, create the PID and TIRZ prior to annexation, or issue the first series of PID BONDS as provided herein, then any affected owner, may seek and obtain dis-annexation of the PROPERTY for failure to provide services contained within the annexation service agreement pursuant to the Texas Local Government Code, and the PROPERTY shall be and remain entitled to the rights and benefits provided in this AGREEMENT notwithstanding any such failure. The CITY agrees to cooperate with any and all reasonable efforts of LANDOWNERS to document the PROPERTY's status as provided in this Section 17.

19.18. Creation of PID and TIRZ.

- A) <u>Contemplated Sequence of Events</u>. The sequence of events with respect to the PID as contemplated by this AGREEMENT is as follows:
  - (1) Submittal of the PID PETITION and the setting of a public hearing for the creation of the PID by the CITY;
  - (2) Approval of this AGREEMENT by the CITY and the LANDOWNERS;

**Commented [A20]:** Some additional comments here were provided by Patrick Bourne.

(3) <u>Concurrently with the approval of this AGREEMENT, Rr</u>eview of the PID PETITION and creation of the PID, subject to approval by City Council;

- (4) Submittal and review of preliminary plats for the various phases of the PROPERTY;
- (5) Review and approval of a <u>PFA-preliminary and final project and finance</u> <u>plan</u> for the TIRZ and creation of the TIRZ;
- (6) The CITY and the LANDOWNERS' negotiation and execution of various agreements and the City Council's consideration of resolutions and ordinances to effectuate the terms of this AGREEMENT, including, but not limited to: the preparation and approval of the SAP, formal approval of the TIRZ project and finance plan, the levy of PID ASSESSMENTS on PROPERTY within the PID, and the issuance of the first series of PID BONDS; and
- (7) Review and consideration of annexation and zoning for the PROPERTY, which shall be approved as provided in this AGREEMENT.
- B) <u>CITY'S Obligations</u>. The CITY will reasonably cooperate with the LANDOWNERS and use its best efforts, in good faith, to:
  - (1) Negotiate and enter into the PFA and a REIMBURSEMENT AGREEMENT, if any, and approve the form of SAP and TIRZ project and finance plan prior to the issuance of the PID BONDS, provided that:
    - (i) The PFA and the SAP will specifically identify the AUTHORIZED IMPROVEMENTS; and
    - (ii) LANDOWNERS can reasonably demonstrate that they have or will have adequate funding to timely construct or cause to be constructed the AUTHORIZED IMPROVEMENTS for the PROJECT which will not be paid for or reimbursed by the PID BONDS; and
  - (2) Authorize issuance of the PID BONDS within three (3) months after receiving a bond issuance request from the LANDOWNERS (the "<u>BOND</u> <u>AUTHORIZATION DATE</u>") in accordance with the PID BOND issuance requirements set forth in this AGREEMENT and the PID Finance Exhibits attached hereto, provided CITY is proceeding in good faith and LANDOWNERS have provided all necessary documentation to effectuate the transaction; and
    - An APPRAISAL of the PROPERTY has been prepared by a third party selected by the CITY and reasonably approved by the LANDOWNERS prior to issuance of PID BONDS;
    - (ii) The PARTIES have entered into the PFA and a Reimbursement Agreement, if applicable;
    - (iii) PID ASSESSMENTS in an amount adequate to finance the PID BONDS have been levied against the PROPERTY and the SAP has been adopted.
    - (iv) LANDOWNERS can reasonably demonstrate to the CITY and its financial advisors that, as of the time of the proposed bond sale that

(i) all applicable tests requirements in the PFA necessary for issuance of the PID BONDS have been satisfied, and (ii) sufficient security for the PID BONDS based upon the existing market conditions at the time of such bond sale; and

- (3) Subject to the conditions set forth in Sections 18(B)(i1) and (ii2), approval of the PFA, a REIMBURSEMENT AGREEMENT, if any, the SAP, and issuance of the PID BONDS.
- C) PID BOND Issuance Requirements. The PARTIES acknowledge (i) the CITY'S "Public Improvement District Policy" as of the EFFECTIVE DATE; (ii) that the PID PETITION was submitted prior to adoption of such policy; and (iii) agree that as consideration for the LANDOWNERS' development of the PROJECT, the CITY'S issuance of PID BONDS and the PID FINANCING DOCUMENTS shall be subject to the following requirements, and shall not be subject to such policy:
  - (1) <u>PID BOND Operations</u>. The PID BONDS may be used to fund: (i) the actual costs of the AUTHORIZED IMPROVEMENTS, (ii) to the extent permitted by law, required reserves, additional interest, and capitalized interest during the period of construction and not more than twelve (12) months after the completion of construction of all AUTHORIZED IMPROVEMENTS covered by the PID BOND issue in question and in no event for a period greater than thirty-six (36) months from the date of the initial delivery of the PID BONDS, (iii) a PID reserve fund and administrative fund, and (iv) any costs of issuance for the PID BONDS; provided, however, that to the extent the law(s) which limit the period of capitalized interest to twelve (12) months after completion of construction change, the foregoing limitation may, with the agreement of the PARTIES, be adjusted to reflect the law(s) in effect at the time of future PID BOND
  - (2) <u>Maturity</u>. The final maturity for each series of PID BONDS shall occur no later than thirty (30) years from the issuance date of said PID BONDS.
  - (3) <u>Value to Lien Ratio</u>. The minimum value to lien ratio based on the anticipated final lot and parcel values as provided in an APPRAISAL at the issuance date of each series of PID BONDS shall be at least 3 to 1 overall, as set forth in the INDENTURE OF TRUST, <u>unless a lower ratio is approved by City Council</u>.
  - (4) <u>Maximum PID Administrative Expenses</u>. The administrative expenses related to the PID, as set forth in the SAP, shall not increase by more than two percent (2%) on an annual basis.
  - (5) No Cap on Equivalent Tax Rate. There shall be no cap on the amount of PID ASSESSMENTS that may be levied if the other items in this Section 18(C) are satisfied.

D) \_\_\_\_\_\_Funding of AUTHORIZED IMPROVEMENTS. The PARTIES agree that the CITY shall have no obligation under this AGREEMENT to fund or reimburse

<sup>(5)</sup> 

certain project costs for AUTHORIZED IMPROVEMENTS within the PID except for remittance of PID ASSESSMENTS collected from property owners within the PROPERTY. The PID project costs to be funded by the PID (the "PID PROJECT COSTS") will be described in the SAP, which AUTHORIZED IMPROVEMENTS confer a special benefit on the PROPERTY. The PID PROJECT COSTS will also be stated in the PID Service and Assessment Plan. The PID PROJECT COSTS will include the cost of one-year maintenance bonds for all PID project faculties funded with the proceeds of PID BONDS. The CITY shall review and update the SAP consistent with the requirements of Section 372.013(b) of the PID Act and this AGREEMENT.- As needed to implement the SAP, the CITY and the LANDOWNERS will enter into a REIMBURSEMENT AGREEMENT that provides for the LANDOWNERS construction of certain AUTHORIZED IMPROVEMENTS and the CITY's allowance of PID PROJECT COSTS to be funded out of the project account established with PID BOND proceeds. The CITY will use its best efforts to issue one or more series of PID BONDS secured, in whole or in part, by assessments levied against benefited property within the PID. The net proceeds from the sale of PID BONDS (i.e., net of PID administration costs, net of costs and expenses of issuance and amounts for debt service reserves and capitalized interest) will be used to pay PID PROJECT COSTS. Notwithstanding the foregoing, the obligation of the CITY to issue PID BONDS is conditioned upon the adequacy of the bond security and the financial ability and obligation of the LANDOWNERS to pay the amount, if any, by which PID PROJECT COSTS exceed the net proceeds from the sale of PID BONDS and the amount, if any, of cost overruns. The CITY may require the LANDOWNER to secure its obligation to pay such deficit and cost overruns by providing a performance bond, letter of credit, lender set-aside letter, or other security reasonably acceptable to the CITY prior to the issuance of the PID BONDS. The net proceeds from the sale of the PID BONDS will be deposited in and disbursed from a construction fund created and administered pursuant to the indenture under which the PID BONDS are issued. The PARTIES agree that the LANDOWNERS shall have no obligation to provide any such financial assurance to the CITY for any AUTHORIZED IMPROVEMENTS that are funded by the LANDOWNER, and which are reimbursed by the PID (either from the proceeds of PID BONDS or by payment of PID ASSESSMENTS to the LANDOWNERS).

#### D)

E) <u>Creation of TIRZ</u>. In addition to the PID, the CITY acknowledges and agrees that in order to deliver the AUTHORIZED IMPROVEMENTS and public infrastructure contemplated in this AGREEMENT that all of the annual installments of the PID ASSESSMENTS by property owners within the PROPERTY will be offset each year (until the PID ASSESSMENTS are paid) by 60% of the incremental CITY *ad valorem* taxes due for such property owners' portion of the PROPERTY that year in excess of the amount of such taxes that were due for and allocated to such portions of the PROPERTY in 2022. The CITY will take any all actions reasonably necessary to create, establish, operate and maintain the TIRZ prior to annexation of the PROPERTY and prior to the issuance of the first series of PID BONDs so that 60% of such tax increment is established and available as a credit to annual installments of the PID ASSESSMENTS. Alternatively, the LANDOWNERS may request that the TIRZ revenues be used to reimburse the LANDOWNERS for improvements or COSTS authorized by Chapter 311 of the Texas Tax Code.

- 20:19. School Site. LANDOWNERS agree to designate and reserve a site on the PROPERTY as reasonably determined by LANDOWNERS for use by the Hays Consolidated Independent School District ("<u>HCISD</u>") as an elementary school (the "<u>SCHOOL SITE</u>") on the following terms and conditions: (i) the SCHOOL SITE shall be a minimum of 15 acres, (ii) the SCHOOL SITE shall be available for purchase by HCISD on commercially reasonable terms acceptable to LANDOWNERS, (iii) the SCHOOL SITE must be purchased by HCISD on before final PHASE of the PROJECT is approved for development, and (iv) if the SCHOOL SITE is not purchased by HCISD in such time period, the SCHOOL SITE may be used and developed as allowed for the RESIDENTIAL TRACTS as set forth in this AGREEMENT.
- 21.20. Emergency Services Site. LANDOWNERS agree to designate and reserve a site on the PROPERTY as reasonably determined by LANDOWNERS for use by the Hays County Emergency Services District as an emergency services site (the "ESD SITE") on the following terms and conditions: (i) the ESD SITE shall be a minimum of 3.5 acres, (ii) the ESD SITE shall be available for purchase by HCES on commercially reasonable terms acceptable to LANDOWNERS, (iii) the ESD SITE must be purchased by HCES on before final PHASE of the PROJECT is approved for development, and (iv) if the ESD SITE is not purchased by HCES in such time period, the ESD SITE may be used and developed as allowed for the RESIDENTIAL TRACTS as set forth in this AGREEMENT.
- 22.21. Contractors' Bonds. The LANDOWNERS will require the contractor for any public improvements constructed to name the CITY as an additional beneficiary under the contractor's payment and performance bond for the public improvements.
- 23:22. Development Obligations. If there is a conflict between the CONCEPTUAL PLAN and the written terms of this AGREEMENT, the written terms of this AGREEMENT will control. If there is a conflict between the UDC or other applicable CITY regulations and the terms of this AGREEMENT, the terms of this AGREEMENT will control.
- 24.23. Municipal Services. The LANDOWNERS acknowledge and agree that the CITY is under no obligation to provide the LANDOWNERS with any municipal services (such as police protection, fire protection, drainage and street construction, or maintenance), with respect to the PROPERTY prior to annexation of the PROPERTY, except as otherwise specifically provided for this AGREEMENT.
- <del>25:24.</del> *Extraterritorial Status.* The CITY hereby guarantees the extraterritorial status of the PROPERTY and that it shall not annex the PROPERTY for the time period provided for in this AGREEMENT, subject to the terms and conditions of this AGREEMENT.
- 26:25. Voluntary Annexation. By entering into this AGREEMENT, LANDOWNERS irrevocably agree to voluntarily petition the CITY to annex and include the PROPERTY within the jurisdictional city limits of the CITY <u>subject to and as provided in the terms and conditions set forth in this AGREEMENT</u>-concurrently with CITY approval of a preliminary plat covering the PROPERTY that is consistent with the terms of this AGREEMENT. The LANDOWNERS agree that all conditions to annexation required by statute have been met on or before the EFFECTIVE DATE.
- 27:26. Written Agreement Regarding Services. The LANDOWNERS and CITY have entered into the written agreement regarding services, attached as <u>Exhibit M</u>, as required by Section 43.0672, *Texas Local Government Code*, regarding the provisions of services to the PROPERTY <u>upon annexation as provided in this AGREEMENT</u>.

- **28:27.** LANDOWNER'S Right to Continue Development. In consideration of the LANDOWNERS' agreements hereunder, except as provided herein, the CITY agrees that it will not, during the term of this AGREEMENT, impose or attempt to impose (a) any moratorium on building or development within the PROPERTY, or (b) any land use or development regulation that limits the rate or timing of land use approvals, whether affecting preliminary plats, final plats, site plans, or other necessary approvals, within the PROPERTY unless the moratorium is mandated by an agency of the State of Texas or the United States, or is applicable to the CITY in its entirety. The CITY may impose temporary moratoria provided that any such moratorium is applicable to the CITY's entire jurisdiction and is due to an emergency constituting an imminent threat to the public health or safety, provided that any such moratorium may continue with respect to the PROPERTY only during the duration of the emergency.
- 29:28. Vesting of Rights. The CONCEPTUAL PLAN, which has been approved by the CITY as of the EFFECTIVE DATE of this AGREEMENT, constitutes a development plan as provided in Section 212.172, Texas Local Government Code, is an application by the LANDOWNERS for the development of the PROPERTY, and initiates the development permit process for the PROPERTY. Except in the event and the extent that the LANDOWNERS have previously filed an application related to the development of the Property (in which event such prior development application shall be the first permit application), this This AGREEMENT shall constitute the first (permit) in a series of applications for the purposes of rights accruing as contemplated in Chapter 245 of the Texas Local Government Code. To the extent applicable, an accrued right under this Section 28 shall not apply to those regulations identified in Section 245.004 of the Texas Local Government Code. LANDOWNERS and CITY each acknowledge that the detailed submissions to the CITY (in the aggregate) regarding the planned uses and development of the PROPERTY illustrate the planned use for the land which existed before the 90<sup>th</sup> day before the date any annexation proceedings will be instituted in connection with this PROPERTY. LANDOWNERS and CITY each further acknowledge that one or more licenses, certificates, permits, approvals or other forms of authorization by the CITY were required by law for the planned uses, and that LANDOWNERS filed one or more completed applications for the initial authorization for such uses with the CITY before the date any annexation proceedings were instituted in connection with this PROPERTY. LANDOWNERS and CITY also acknowledge that the preceding detailed submissions regarding the development of the PROPERTY meet all requirements and conditions set forth in Texas Local Government Code Section 43.002(a) of the Texas Local Government Code, triggering the statutory prohibition upon annexation which prohibits the CITY from prohibiting LANDOWNERS from continuing to develop the PROPERTY in the manner planned prior to the annexation. This acknowledgement does not otherwise constitute approval or denial of any regulatory power or contractual agreement related to the PROPERTY.
- **30.29.** Force Majeure. If any PARTY is rendered unable, wholly or in part, by Force Majeure, hereinafter defined, to carry out any of its obligations under this AGREEMENT other than an obligation to pay or provide money, such PARTY shall give written notice of the particulars of such FORCE MAJEURE to the other PARTY within a reasonable time after the occurrence thereof. The obligations of the PARTY giving notice, to the extent affected by such FORCE MAJEURE, will be suspended during the continuance of the inability to the extent provided above, but for no longer period. The PARTY giving notice shall use due diligence is being used to resume performance at the earliest practicable time. The cause, as far as possible, must be remedied with all reasonable diligence; however, the

**Commented [A21]:** As discussed, the Developer has previously submitted a preliminary plan application and utility service request, both of which trigger Chapter 245. settlement of strikes and lockouts will be entirely within the discretion of the PARTY affected, and the requirement that any FORCE MAJEURE be remedied with all reasonable dispatch will not require the settlement of strikes and lockouts by acceding to the demand of the opposing PARTY or parties if settlement is unfavorable to it in the judgment of the affected PARTY.

- **31:30.** Severability. If any part of this AGREEMENT or its application to any person or circumstance is held by a court of competent jurisdiction to be invalid or unconstitutional for any reason, the PARTIES agree that they will cooperate to amend or revise this AGREEMENT to accomplish, to the greatest degree practical, the same purpose as the part determined to be invalid or unconstitutional. It is the intent of the PARTIES to preserve and protect, to the maximum extent possible, the PARTIES' contractual rights and benefits under this AGREEMENT.
- 32:31. Good Faith. Each PARTY agrees that, notwithstanding any provision herein to the contrary, it will not unreasonably withhold or unduly delay any consent, approval, decision, determination or other action required or permitted under the terms of this AGREEMENT, it being agreed and understood that each PARTY will act in good faith and will at all times deal fairly with the other PARTY.
- 33.32. Default and Remedies.
  - A) <u>Default: Notice of Default: Opportunity to Cure</u>. If a PARTY defaults in the performance of any obligation under this AGREEMENT, the non-defaulting PARTY may give written notice to the other PARTY specifying the alleged event of default and extending to the defaulting PARTY 30 days from the date of the notice in order to cure the default complained of or, if the curative action cannot reasonably be completed within 30 days, 30 days to commence the curative action and a reasonable additional period, not to exceed 90 days, to diligently pursue the curative action to completion.
  - B) <u>Dispute Resolution</u>. If any default is not cured within the curative period specified above, the PARTIES agree to use good faith, reasonable efforts to resolve any dispute among them by agreement, including engaging in mediation or other nonbinding alternative dispute resolution methods, before initiating any lawsuit to enforce their respective rights under this AGREEMENT. The PARTIES will share the costs of any alternative dispute resolution method equally.
  - C) Legal or Equitable Remedies. If the PARTIES are unable to resolve any dispute through alternative dispute resolution methods, a non-defaulting PARTY will have the right to pursue all remedies existing at law or in equity. The PARTIES acknowledge that a default in the performance of the CITY's obligations hereunder could not be adequately compensated in money damages alone and that the curtailment or discontinuance of water and/or wastewater service to a residential subdivision is often an unattainable remedy because of the potential threat to the health, safety, and welfare and property of the residents of the PROPERTY; therefore, the CITY agrees, in the event of any default on its part, that LANDOWNER will have available to it the equitable remedies of mandamus and specific performance in addition to any other legal or equitable remedies that may also be available.

- D) <u>Non-Waiver</u>. Any failure by a PARTY to insist upon strict performance by the other PARTY of any material provision of this AGREEMENT will not be deemed a waiver of such provision or of any other provision of this AGREEMENT, and such PARTY will have the right at any time thereafter to insist upon strict performance of any and all of the provisions of this AGREEMENT.
- 34-33. Amendments. Neither this AGREEMENT nor any term herein may be changed, waived, discharged, or terminated except by an agreement in writing signed by all PARTIES hereto.
- **35-34.** *Notice*. Any notice given under this AGREEMENT must be in writing and may be given: (i) by depositing it in the United States mail, certified, with return receipt requested, addressed to the PARTY to be notified and with all charges prepaid; or (ii) by depositing it with a service guaranteeing "next day delivery", addressed to the PARTY to be notified and with all charges prepaid; or (iii) by personally delivering it to the PARTY, or any agent of the PARTY listed in this AGREEMENT. Notice will be effective only when received. For purposed of notice, the addresses of the PARTIES will, until changed as provided below, be as follows:

CITY:	City of Buda 405 E. Loop St. Building 100 Buda, Texas 78610 Attn: City Manager
With Required Copy to:	Alan Bojorquez Bojorquez Law Firm, PC 11675 Jollyville Rd. Ste. 300 Austin, Texas 78759
LANDOWNERS:	Bailey Land Investments, LP Armbruster Land Investments, LP 2100 Northland Drive Austin, Texas 78756

The LANDOWNERS and the LANDOWNERS' successors, and assigns shall give the CITY written notice within fourteen (14) days of any change in the agricultural exemption status of the PROPERTY.

- 36-35. Law Governing. This AGREEMENT shall be deemed to be a contract under the laws of the State of Texas, which is performable in Hays, County, Texas, and for all purposes shall be construed and enforced in accordance with and governed by the laws of the State of Texas.
- 37-36. Assignment; Binding Effect. Neither PARTY may assign this AGREEMENT or any benefit or obligation, including the selling or conveyance of any unimproved portion of the PROPERTY, under this AGREEMENT to any other person or entity without the prior written consent of the other PARTY. No assignment may occur that divorces obligations from rights. This AGREEMENT and all its terms and provisions shall be binding upon and inure to the benefit of the CITY and the LANDOWNERS and their respective successors

and permitted assigns. The foregoing notwithstanding, as provided in Section 212.172(f), *Texas Local Government Code*, this AGREEMENT is not binding on, and does not create any encumbrance to title as to, any end-buyer of a fully developed and improved lot within the PROPERTY, except as to any land use and development regulations provided for by this AGREEMENT that may apply to a specific lot developed out of the PROPERTY.

- 38:37. Authority. By their execution hereof, each individual signing this AGREEMENT on behalf of a PARTY represents and warrants that he or she has the authority to execute this AGREEMENT on behalf of the PARTY in the capacity shown below and to thereby fully bind the PARTY represented to the terms and obligations contained herein.
- **39-38.** *Counterparts.* To facilitate execution, this AGREEMENT may be executed in any number of counterparts, and it will not be necessary that the signatures of all PARTIES be contained on any one counterpart. Additionally, for purposes of facilitating the execution of this AGREEMENT: (a) the signature pages taken from separate, individually executed counterparts of this AGREEMENT may be combined to form multiple fully executed counterparts; and (b) a facsimile or electronic signature will be deemed to be an original signature for all purposes. All executed counterparts of this AGREEMENT will be deemed to be originals, but all such counterparts, when taken together, will constitute one and the same instrument.
- **40:39.** *Headings, Construction.* The paragraph headings contained in this AGREEMENT are for convenience only and do not enlarge or limit the scope or meaning of the paragraphs. Wherever appropriate, words of the masculine gender include the feminine or neuter, and the singular includes the plural, and vice-versa. The PARTIES acknowledge that each of them has been actively and equally involved in the negotiation and drafting of this AGREEMENT. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting PARTY will not be employed in interpreting this AGREEMENT or any exhibits hereto.
- 41:40. Interested Parties. LANDOWNERS acknowledge that Section 2252.908, Texas Government Code ("Section 2252.908") requires disclosure of certain matters by business entities entering into a contract with a local government entity such as the CITY. LANDOWNERS confirm that they have reviewed Section 2252.908 and that LANDOWNERS will 1) complete Form 1295, using the unique identification number specified on page 1 of this AGREEMENT, and electronically file it with the Texas Ethics Commission ("TEC"); and 2) submit to the CITY the completed Form 1295, including the certification of filing number of the Form 1295 with the TEC, at the time the LANDOWNERS execute and submit this AGREEMENT to the CITY Form 1295 is available at the TEC's website: https://www.ethics.state.tx.us/filinginfo/1295/.
- **42.41.** Chapter 2271 Representation. If required under Chapter 2271 of the Texas Government Code, LANDOWNERS represent and warrant that, at the time of execution and delivery of this AGREEMENT, neither LANDOWNERS, nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same that exists to make a profit, if any, boycotts Israel or will boycott Israel during the term of this AGREEMENT. The foregoing verification is made solely to comply with Section 2271.002, Texas Government Code, and to the extent such Section does not contravene applicable Federal law. As used in the foregoing verification, "boycotts Israel" and "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-

controlled territory, but does not include an action made for ordinary business purposes. LANDOWNERS understand "affiliate" to mean an entity that controls, is controlled by, or is under common control with LANDOWNERS.

**43.42.** Chapter 2252 Representation. If required under Chapter 2252 of the Texas Government Code, LANDOWNERS represent and warrant that, neither LANDOWNERS, nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same that exists to make a profit, if any, are companies identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Sections 2252.153 or 2270.0201<del>, of the</del> Texas Government Code<del>,</del> and posted on the following pages of such officer's internet website:

https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf, https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, https://comptroller.texas.gov/purchasing/docs/fto-list.pdf.

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The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable Federal law and excludes LANDOWNERS and each parent company, wholly- or majority-owned subsidiaries, and other affiliates of the same that exist to make a profit, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan, Iran or a foreign terrorist organization. LANDOWNERS understand "affiliate" to mean any entity that controls, is controlled by, or is under common control with LANDOWNERS.

- 444.43. Verification Regarding Energy Company Boycotts. To the extent the AGREEMENT constitutes a contract for goods or services for which a written verification is required under Section 2274.002, Texas Government Code, (as added by Senate Bill 13, 87th Texas Legislature, Regular Session) as amended, the LANDOWNERS hereby verify that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, do not boycott energy companies and, will not boycott energy companies during the term of the AGREEMENT. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code, does not contravene applicable Texas or federal law. As used in the foregoing verification, "boycott energy companies" shall have the meaning assigned to the term "boycott energy company" in Section 809.001, Texas Government Code. The LANDOWNER understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the LANDOWNERS and exists to make a profit
- 45:44. Verification Regarding Discrimination Against Firearm Entity or Trade Association. To the extent the AGREEMENT constitutes a contract for the purchase of goods or services for which a written verification is required under Section 2274.002, Texas Government Code, (as added by Senate Bill 19, 87th Texas Legislature, Regular Session, "SB 19"), as amended, the LANDOWNERS hereby verify that it and its parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any,
  - A) do not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association; and
  - B) will not discriminate during the term of the AGREEMENT against a firearm entity or firearm trade association.

The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, "discriminate against a firearm entity or firearm trade association" shall have the meaning assigned to such term in Section 2274.001(3), Texas Government Code (as added by SB 19). The LANDOWNERS understand "affiliate" to mean an entity that controls, is controlled by, or is under common control with the LANDOWNERS and exists to make a profit.

- <u>46:45.</u> *Recordation.* This AGREEMENT shall be filed in the Hays County deed records for the PROPERTY. Any filing fees shall be paid by the LANDOWNERS.
- **47:46.** Duration; Expiration. The initial term for this AGREEMENT shall be seven (7) years from the EFFECTIVE DATE. After the initial term of this AGREEMENT, the term of this AGREEMENT will be extended for an additional eight (8) years, so long as any permitted development provided for by this AGREEMENT is has occurred during the initial sevenyear term. All terms of this AGREEMENT in effect during the initial term shall remain in full force and effect during the any successive term. The LANDOWNERS' obligations to comply with the terms of this AGREEMENT survive annexation until the uses and on-site improvements provided by this AGREEMENT are complete and survive to bind the LANDOWNERS' successors and assigns as to all terms, including the irrevocable agreement for voluntary annexation.
- **48**<u>.47</u>. *Exhibits*. The following exhibits are attached to this AGREEMENT and incorporated herein for all purposes:

Exhibit A	_	Property
Exhibit A-1	-	Bailey Tract
Exhibit A-2	-	Armbruster Tract
Exhibit B	-	Conceptual Plan
Exhibit C	-	Phasing Plan
Exhibit D	-	INTENTIONALLY DELETEDBubble Plan
Exhibit E	-	Historic PreservationAmenity Concept
Exhibit F	-	Subdivision Wall Design
Exhibit G	-	Parks and Open Space
Exhibit H		Trails Plan and Standards
Exhibit I	-	Alternative Water Quality/Batch Detention
Exhibit J	-	Green Building/Star Energy Elements
Exhibit K	-	Depiction of Right-of-Way Dedications and North-South Parkway
		Segments
Exhibit L	-	Depiction of Subdivision Street Sections
Exhibit M	-	Roadway Classifications
Exhibit <mark>MN</mark>	-	Written Agreement Regarding Services
Exhibit O	-	Additional Property

#### [SIGNATURE PAGES FOLLOW]

EXECUTED by the PARTIES hereto to be effective as of the EFFECTIVE DATE.

#### CITY:

CITY OF BUDA, a home rule municipality in Hays County, Texas

By:	_
Name:	
Title:	

ATTEST:

Title:

THE STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_

s s s

\_\_\_\_\_, of City of Buda, 2022 by\_ a home rule municipality in Hays County, Texas, on behalf of said municipality.

(SEAL)

Notary Public Signature

#### **LANDOWNER:**

Bailey Land Investments, LP, a Texas limited partnership

By: Bailey Land Investments GP, LLC, a Texas limited liability company, its General Partner

By:		
Name:		
Title:		

THE STATE OF TEXAS		§
	§	
COUNTY OF		§

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, \_\_\_\_\_ of Bailey Land Investments GP, LLC, a Texas limited liability company, General Partner of Bailey Land Investment, LP, a Texas limited partnership, on behalf of said company.

(SEAL)

Notary Public Signature

#### **LANDOWNER:**

Armbruster Land Investments, LP, a Texas limited partnership

By: Armbruster Land Investments GP, LLC, a Texas limited liability company, its General Partner

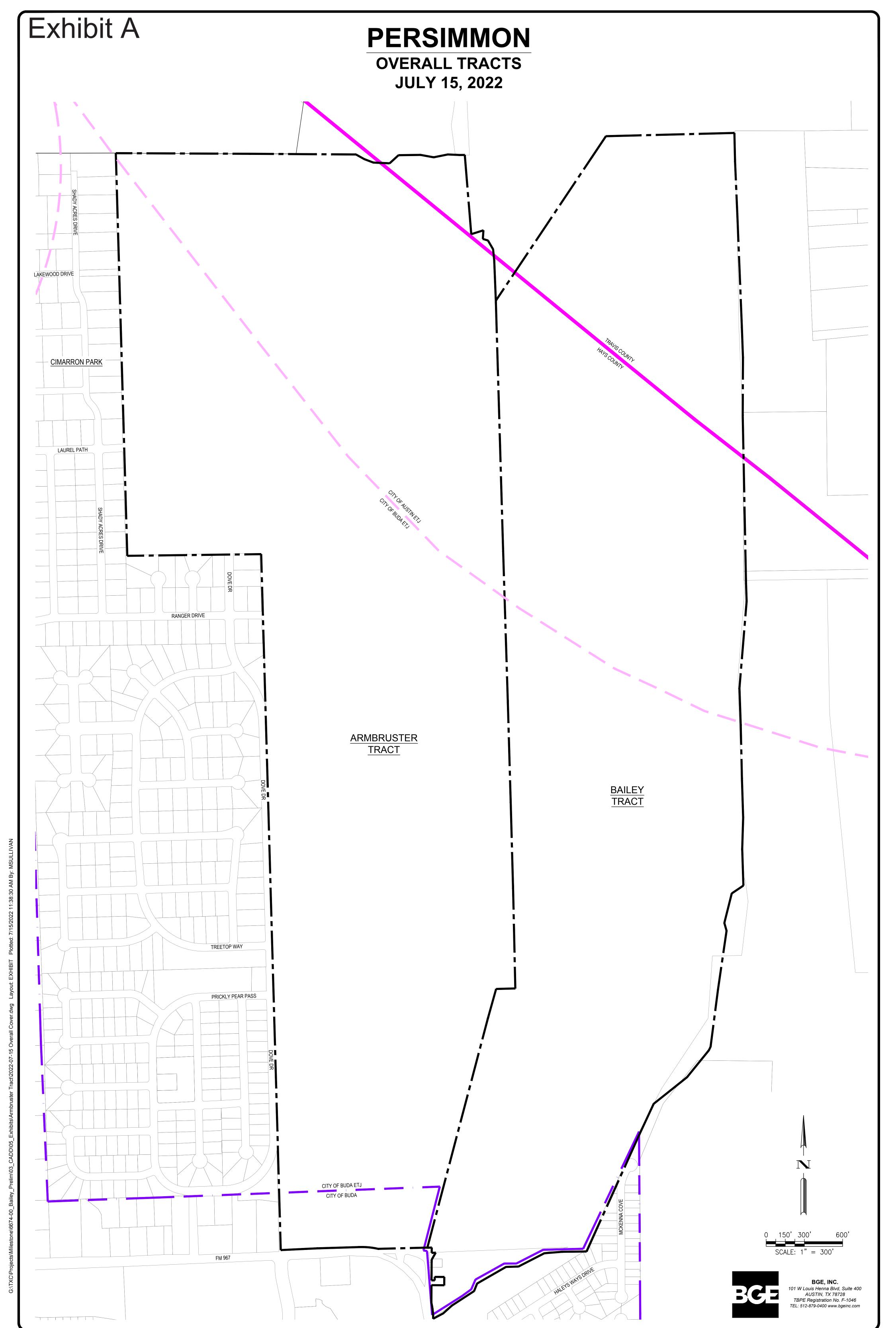
By:		
Name:		
Title:		

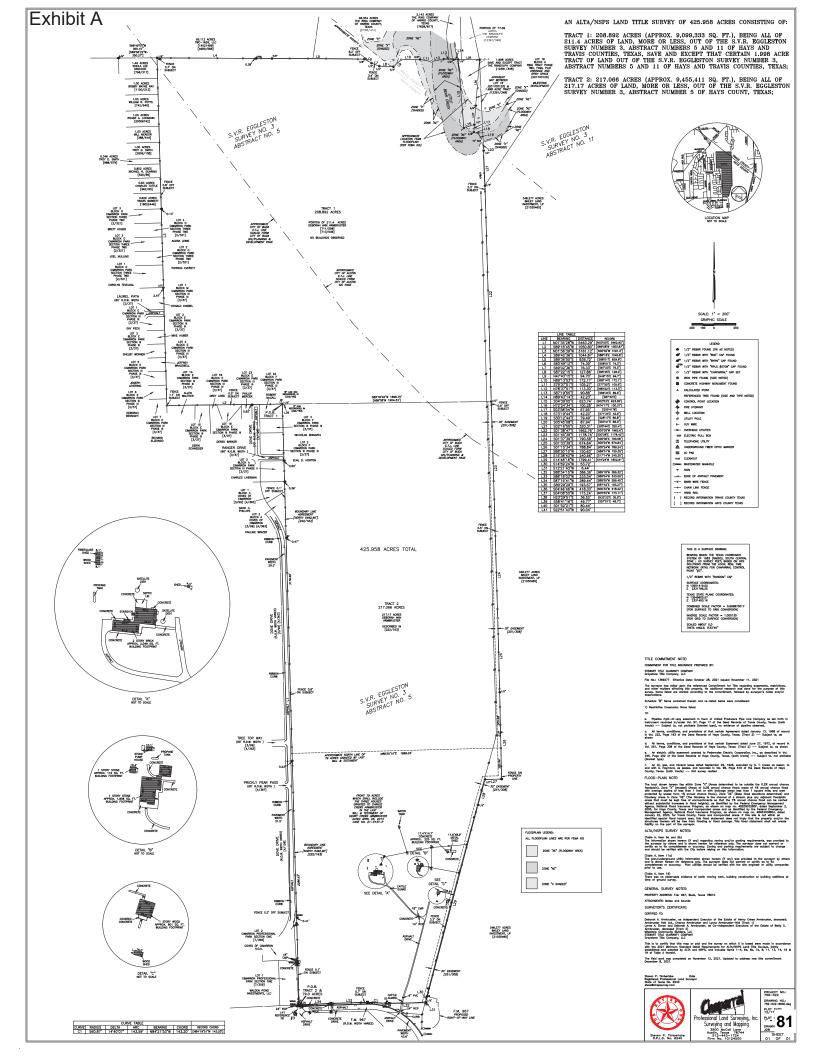
THE STATE OF TEXAS		§
	§	
COUNTY OF		§

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2022 by \_\_\_\_\_\_, \_\_\_\_\_ of Armbruster Land Investments GP, LLC, a Texas limited liability company, General Partner of Armbruster Land Investments, LP, a Texas limited partnership, on behalf of said company.

(SEAL)

Notary Public Signature





#### METES & BOUNDS DESCRIPTION

FIELD NOTES FOR 172.206 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NO. 5 OF HAYS COUNTY, TEXAS; BEING A PORTION OF A CALLED 349.690 ACRE TRACT OF LAND AS CONVEYED TO LABENSH BRANCH, LP BY GENERAL WARRANT DEED RECORDED IN DOCUMENT NUMBER 2018/19702 OF THE OFFICIAL PUBLIC RECORDS OF TRACT OF LASS AND DOCUMENT NUMBER 1062/027 OF THE OFFICIAL PUBLIC RECORDS OF HEAR OFFICIAL DEVICENT NUMBER 1062/027 OF THE OFFICIAL PUBLIC RECORDS OF HEAR OFFICIAL TO AND AND THE OFFICIAL PUBLIC RECORDS OF HEAR ORDER, TSASDABON THEORED NO VOLUME S AND SHOT THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAND TIZ206 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, AND SHOWN ON THE ATTACHED SKETCH:

Projects\5577-00 Bailey Tract\04\_Finals\Drawings\6861-00\_TitleSurvey\_Buda\_ETJ.dwg,

4/29/2020 9:58 AM

BY METES AND BOUNDS AS FOLLOWS, AND SHOWN ON THE ATTACHED SKETCH: COMMENCING FOR POINT OF REFERENCE at a 4x4 Concrete highway monument found on the north right-of-way line of M9 57 (80-feet wide at this point), same being the South line of a called 217.17 acre tract of land as conveyed to Henry Crews Armbruster by Boundary Line Agreement recorded in Volume 222, Page 163 of the Deed Records of Hays County, Texas; Thence, with the north right-of-way line of soid RM 967, N 8822067 a distance of 33.30.8 feet to a 4x4 Concrete highway monument found for the point of curvature of a curve to the right; Thence, continuing with the east line of soid RM 967, N 8822067 and distance of 33.30.8 feet to a 4x4 Concrete highway monument found for the point of curvature of a curve to the right; Thence, continuing with the east line of soid RM 967, N 8822067 acre to a soid curve to the right; an or distance of 14.3.90 feet, howing a radius of 50.012.01 to the state of the total to the State of Texas by Right-of-way Died recorded in Volume 146, Page 33.5 of the Deed Records of Hays County, Texas; Thence, continuing with the north right-of-way of soid RM 967, N 857.013° cost a possing a 1/2--inch inor not with cap starmed T6G line; set at the southeast corner of soid 217.17 acre tract and at the southwest corner of a called 5.000 county, Texas at a distance of 356.32 feet, and continuing on for a total distance of 41.3.37 feet to a 1/2--inch inor not with cap starmed T6G line; set at the most southerly southeast corner of soid 316-300 acre tract of total distance of the total distance of 356.32 feet, and continuing on for a total distance of the herein described tract; DENCE mit the acretement and earthead line of acide 500 acre tract of the southers to acre of 366.32 feet, and continuing on the south distance of the herein described tract;

THENCE, with the easterly and northerly lines of said 5.000 acre tract the following five (5)

- N 14'47'39" E a distance of 1,851.96 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 15'43'56" E a distance of 55.95 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an interior corner of said 5.000 acre tract, for an exterior corner of the herein described tract;
- 3) EAST a distance of 740.06 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly southeast corner of said 5.000 acre tract, for an interior corner of the herein described tract;
- 4) NORTH a distance of 267.38 feet to a  $1/2-{\rm inch}$  iron rod with cap stamped "BGE inc" set at the northeast corner of said 5.000 acre tract, for an interior corner of the herein described tract;
- WEST a distance of 224.76 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 6) S 76'50'47" W a distance of 348.25 feet to a 1/2-inch iron rod found at an exterior corner of said 217.17 acre tract, at an angle point in the north line of said 5.000 acre tract, for an exterior corner of the herein described tract;
- THENCE, generally along a fence, with the east line of said 217.17 acre tract and the west line of said 349.690 acre tract the following three (3) courses:
- 1) N 01"14'08" W a distance of 788.84 feet to a 1/2-inch iron pipe found for an anale
- N 01"24"34" W a distance of 622.22 feet to a 1/2-inch iron rod found for an angle point; and
- 3) N 01'44'45" W a distance of 1,600.55 feet to a 1/2-inch iron rod with cap stamped 'BGE Inc." set on the northerly City of Buda Extraterritorial Jurisdiction line and the southerly City of Austin 2-Mile Extraterritorial Jurisdiction line (as extracted from City of Buda GIS data), for the northwest corner of the herein described tract;
- THENCE, over and across said 349.690 acre tract, with the common Extraterritorial Jurisdiction lines of said City of Austin and City of Buda, the following five (5) courses:
- S 54\*27'08" E a distance of 84.54 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- S 57'40'22" E a distance of 887.17 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- S 65~19'16" E a distance of 381.65 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- $64^{*1}0^{\prime}31^{\prime\prime}$  E a distance of 395.95 feet to a 1/2-inch iron rod with cap tamped "BGE Inc" set for an angle point; and
- 5) S 72'26'48" E a distance of 347.68 feet to a 1/2-inch iron rod with cap stamped 'BOE inc' set on the east line of said 349.690 acre tract and the west line of a called 97.36 acre tract of land described as "first Tract" as conveyed to Gene Ledoux by Deed recorded in Volume 153, Page 490 of the Deed Records of Hays County, Texas, for the northeast corner of the herein described tract;
- THENCE, generally along a fence, with the east line of said 349.690 acre tract and the west line of said 97.36 acre tract, the following four (4) courses:
- 1) S 0178'09" E a distance of 400.41 feet to a 1/2-inch iron rod found for an angle
- S 01°46′48″ E a distance of 310.90 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) S 01 + angle poi  $01^{*}45^{'}49^{''}$  W a distance of 241.89 feet to a 60d nail found in a dead tree for an ngle point; and
- 15 0150'33" E a distance of 288.45 feet to a 26-inch Live Oak found at a west corner of said 97.36 acre tract, and at the northwest corner of a colled 98.01 acr tract of land described as Second Tract as conveyed to Gene Ledoux by Deed recorded in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron pipe bears S 19"11"27" E a distance of 28.07 feet;
- THENCE, generally along a fence, with the east line of said 349.690 acre tract and the west line of said 98.01 acre tract, the following six (6) courses
- 1) S 55'03'49" W a distance of 24.59 feet to a 1/2-inch iron rod found for an angle
- S 56'08'39" W a distance of 85.68 feet to a 60d nail found in a fence post for an angle point;
- 3) S 14°07'00" W a distance of 239.07 feet to a 15-inch Cedar Elm for an angle point;
- S 15"54"31" E a distance of 63.94 feet to a 60d nail found on the east side of a 21-inch Live Oak for an angle point;
- 5) S 0818'35" W a distance of 463.00 feet to a 1/2-inch iron rod found for an angle
- 6) S 07'22'38" W a distance of 455.90 feet to a 1/2-inch iron rod in concrete found at the apparent north corner of a graveyard as described in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an angle point;
- THENCE, generally along a fence, with the east line of said 349.690 acre tract, S  $25^{\circ}57^{\prime}19^{\circ}$  W a distance of 31.27 feet to a 60d nail found in the fence for an angle point;
- THENCE, generally along a fence, with the east line of said 349.690 acre tract, S 39705'02" W a distance of 272.60 feet to a 604 nail found at the most northerly northwest corner of a set recorded in Yolume 1001. Page 24 of the Deed Records of Hays County, Texas, being further described in Volume 158, Page 362 of the Deed Records of Hays County, Texas, for an angle point:
- THENCE, generally along a fence, with the northwest line of said 81.67 acre tract and the southesst line of said 349.690 acre tract, S  $51^{\circ}26^{\circ}41^{\circ}$  W a distance of 333.89 feet to a  $1/2^{-1}$ inch iron pipe found for an angle point;
- THENCE, continuing generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 25'00'46" W a distance of 238.99 feet to a 1/2-inch iron road found at the most northerly corner of CREEKSDE PARK SECTION TWO P.U.D., a subdivision recorded in Volume 8, Page 233 of the Plat Records of Hays County, Texas, and at the most westerly northwest corner of said 81.67 acre tract, for an angle point;
- THENCE, generally along a fence, with the northwest line of soid CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.680 acre tract, S  $2436^{+}9^{+}$  W a distance of 35.08 feet to a 1/2-inch from pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.600 acre tract, S 2416<sup>5</sup>3<sup>37</sup> W a distance of 999.35 feat to a 1/2-inch iron rod found at an interior corner of said CREEKSIDE PARK SECTION TWO P.U.D., for the southeast corner of the herein described tract;

THENCE, generally along a fence, with the north line of sold CREEKSIDE PARK SECTION TWO P.U.D. and the south line of sold 349.690 acre tract, N $8758\,40^\circ$  W a distance of 9.41 feet to a 1/2-inch iron rod found at a vestery correr of sold CREEKSIDE PARK SECTION TWO P.U.D., and at the northeast corner of CREEKSIDE PARK SECTION NOT P.U.D., a subdivision recorded in Volume 8, Page 103 of the Plat Records of Hoys County, Texas, for an angle point:

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S $892226^{\circ}$  W a distance of 182.09 feet to a 1/2-inch iron root found for an ongle point;

THENCE, continuing with the north line of soid CREEKSIDE PARK SECTION ONE P.U.D. and the south line of soid 349,680 acre tract, S 851814" W a distance of 140.04 feet to a calculated point on the southerest line of Lot 1, Block T of THE WOODS OF BEAR CREEK, a subdivision recorded in Volume 3, Page 347 of the Plat Records of Hays County, Texas, lying in the center of Gardi Creek

THENCE, with the northwest lines of said CREEKSIDE PARK SECTION ONE P.U.D., the southeast lines of said Lot 1, Block T of THE WOODS OF BEAR CREEK, the southeast lines of said 349.690 acre tract, and the menoders of Garlic Creek, the following seven (7) acurse:

- 1) S 62\*49'33" W a distance of 229.00 feet to a calculated angle point;
- 2) S 88"24'33" W a distance of 97.00 feet to a calculated angle point;
- 3) S 60°06'42" W a distance of 262.00 feet to a calculated angle point;
- 4) S 21'49'52" W a distance of 64.00 feet to a calculated angle point;
- 5) S 56\*52'57" W a distance of 208.35 feet to a calculated anale point:
- 6) S 48'06'33" W a distance of 92.00 feet to a calculated angle point; and
- 7) S 62'01'33" W a distance of 88.26 feet to a calculated point on the curving east right-of-way of said RM 967 (width varies at this point), at the northwest corner of said CREEXISIDE PARK SCFONO NOE PLU. D and the southwest corner of said Lot 1, Block T of THE WOODS OF BEAR CREEK, for the beginning of a non-tangent curve to the left and the southwest corner of the herein described tract;

THENCE, with the east right-of-way line of said RM 967, along said curve to the left, an arc distance of 127.07 feet, having a radius of 560.87 feet, a central angle of 1258<sup>50</sup> and a chord which bears N 06<sup>2</sup>24'30° W a distance of 126.80 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most southerly corner of said Tract °C, for an angle point;

THENCE, continuing with the Easterly right-of-way of said RM 967, N 00°22'18" E a distance of 137.26 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southwest corner of a called 0.1337 acre tract of land as conveyed to the City of Buda, Texas by Special Warranty Deed recorded in Document Number 14037989 of the Official Public Records of Hays County, Texas, for an exterior corner of the herein described tract;

- THENCE, with the perimeter of said 0.1337 acre Lift Station tract the following five (5)
- S 89'37'42" E a distance of 100.00 feet to a 1/2-inch iron rod with cap stamped 'BGE inc' set at the southeast corner of solid 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
- 2) N 00'22'15" E a distance of 65.00 feet to a 1/2-inch iron rod with cap stamped 'BGE Inc' set at the northeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
- N 89'37'42" W a distance of 75.00 feet to a calculated point at the most northerly northwest corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
- 4) S 00'22'18" W a distance of 27.00 feet to a calculated point at an interior come said 0.1337 acre Lift Station tract, for an exterior corner of the herein described tract; and
- 5) N 89'37'42" W a distance of 25.00 feet to a 1/2-inch iron rod with cap stamped 'BGE inc: set on the Eastery right-of-way line of said RM 967, at the most westerly northwest corner of said 0.1337 acre Lift Station tract, for an exterior corner of the herein described tract;

THENCE, with the east right-of-way line of said RM 967, N 00°22'15" E a distance of 257,09 feet to a 60d Nail found at the northeast corner of said right-of-way Tract "C, at an interior corner of said 349,809 acer track, for an interior corner of the herein described tract, from which a 1/2-inch iron rad found at the edge of a gravel drive bears South 67342' West, 1557 feet;

THENCE, with the north right—of—way line of said RM 967, S 88°30'13'' W a distance of 11.10 feet to the POINT OF BEGINNING and containing 172.206 acres of land, more or less.

#### GENERAL NOTES

- BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NADB3. COMBINED SCALE FACTOR = 0.9999247624
- THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN). IN ZONE "A" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 178 ANNUAL CHANCE FLOOD EVENT BASE FLOOD ELEVATIONS DETERMINED) AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS. MAP NUMBER 4820902807, REVISED SEPTEMBER 2, 2005. ALL FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY. 2
- THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY AND COUNTERSIGNED BY GRAYSTORE TITLE COMPANY, LLC UNDER FILE NUMBER 706780, DATED EFFECTIVE APRIL 2, 2020 AND ISSUED ON APRIL 13, 2020. 3.
- REGAT-OF-WAY APPEARS TO HAVE BEEN BEDICATED BY THE PLAT OF THE WOODS OF BEAR CREEK RECORDED IN VOL. 3, PG. 347, P.R.H.C. AND BY SEPARATE INSTRUMENTS RECORDED IN VOLUME 540, PAGE 845 AND VOLUME 540, PAGE 851 OF THE D.R.H.C. DOCUMENTS RECORDED IN VOLUME 540, PAGE 851 AND VOLUME 540, PAGE 845 HAVE BEAR ABANDONED PER DECLARATION ABANDONMENT OF RIGHT-OF-WAY RECORDED IN VOLUME 11133, PAGE 941 OF THE REAL PROPERTY RECORDED OF TRANS CONTY, TEXAS.
- POLITICAL BOUNDARIES SHOWN HEREON ARE EXTRACTED FROM GIS DATA AND ARE APPROXIMATE. THE CITY OF BUDA ETJ AND CITY OF BUDY CITY LIMITS LINE WORK WAS DOWNLOADED FROM THE CITY OF BUDA GIS. (https://budatx.maps.arcgis.com)

To Milestone Community Builders, International Bank of Commerce, a Texas banking association and its successors and assigns, and Stewart Title Guaranty Company:

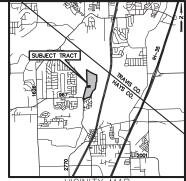
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1-4, 7a, 9, 11 (observe evidence only), 14 & 16 of Table A thereof. The field work was completed on September 13, 2018.

Date of Plat or Map: April 29, 2020



Jon O. Nor

ONATHAN O. NOBLES RPLS NO. 5777 BGE, INC. 101 WEST LOUIS HENNA BLVD., SUITE 400 AUSTIN, TEXAS 78728 TELEPHONE: (512) 879-0400 FIELD BOOK:



CINITY MA



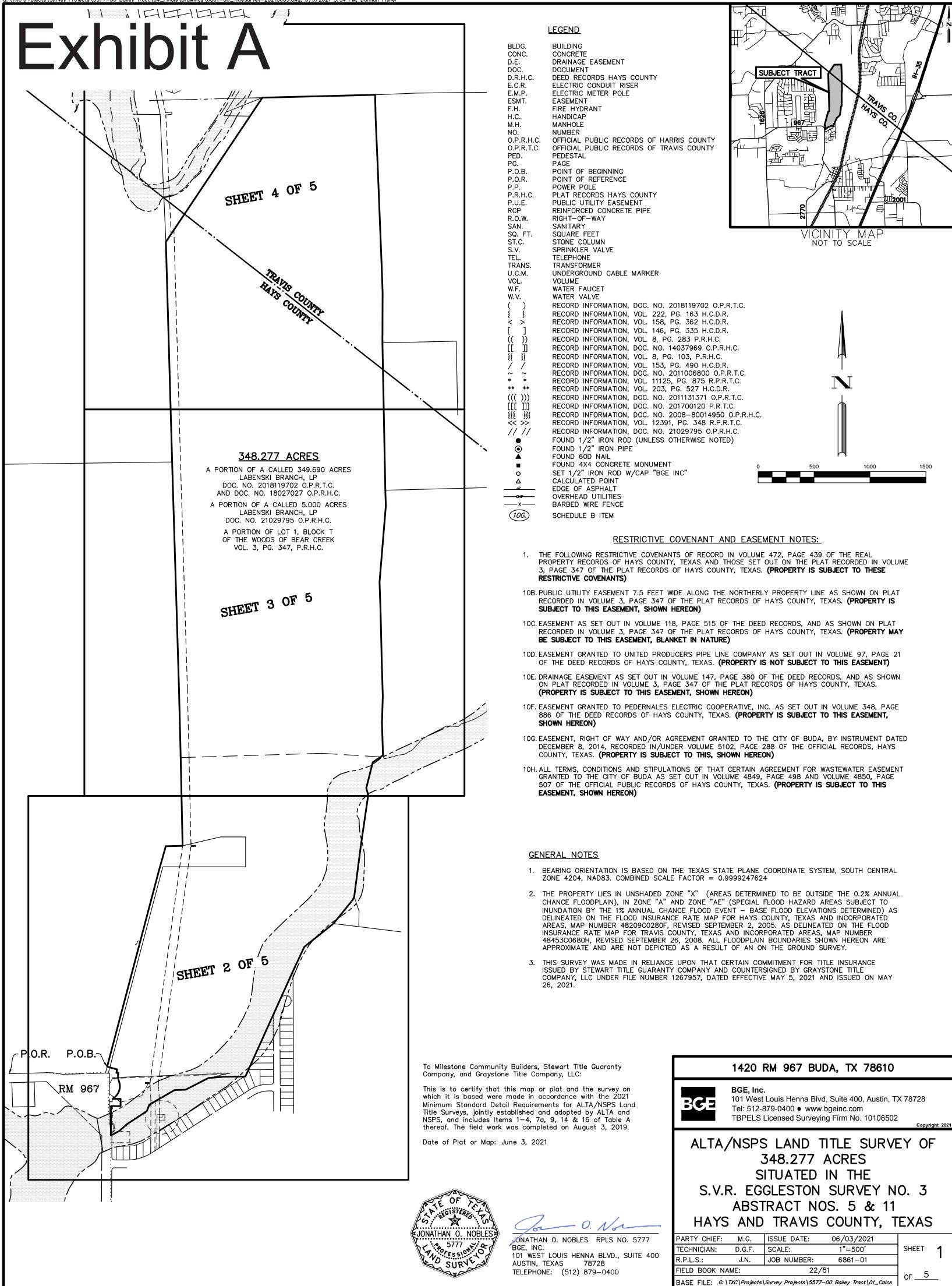
- THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD IN VOLUME 472, PAGE 439 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS AND THOSE SET OUT ON THE PLAT RECORDED IN VOLUME 3, PAGE AND THE PLAT RECORDED IN VOLUME 3, PAGE (PROPERTY IS SUBJECT TO THESE RESTRICTIVE (COVENANTS) TEXAS.
- 108. PUBLIC UTLITY EASEMENT 7.5 FEET WIDE ALONG THE NORTHERLY PROPERTY LINE AS SHOWN ON PLAT RECORDED IN VOLUME S, PAGE 347 OF THE PLAT RECORDED IN VOLUME S, PAGE 347 OF THE PLAT RECORDS OF THAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS LASEMENT, SHOWN HERECN)
- 10C. EASEMENT AS SET OUT IN VOLUME 118, PAGE 515 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
- 10D. EASEMENT GRANTED TO UNITED PRODUCERS PIPE LINE COMPANY AS SET OUT IN VOLUME 97, PAGE 21 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
- 10E. EASEMENT AS SET OUT IN VOLUME 138, PAGE 522 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
- 10F. DRAINAGE EASEMENT AS SET OUT IN VOLUME 147, PAGE 380 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF T PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPER IS SUBJECT TO THIS EASEMENT, SHOWN HEREON) 347 OF THE (PROPERTY
- 106. EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. AS SET OUT IN VOLUME 348, PAGE 886 OF THE DEED RECORDS OF HAYS COUNT TEXAS. (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON) JNTY.
- 10H.EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF BUDA, BY INSTRUMENT DATED DECEMBER 8, 2014. RECORDED IN/UNDER VOLUME 5102, PAGE 288 OF THE OFFICIAL RECORD HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS, SHOWN HEREON)
- 101. ALL TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN AGREEMENT FOR WASTEWATER EASEMENT GRANTED TO THE CITY OF BUDA AS SET OUT IN VOLUME 4849, PAGE 498 AND VOLUME 4850, PAGE 507 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HERCON)

#### EVISED 4/29/2020 - UPDATED CERTIFICATION

#### 1420 RM 967 BUDA, TX 78610

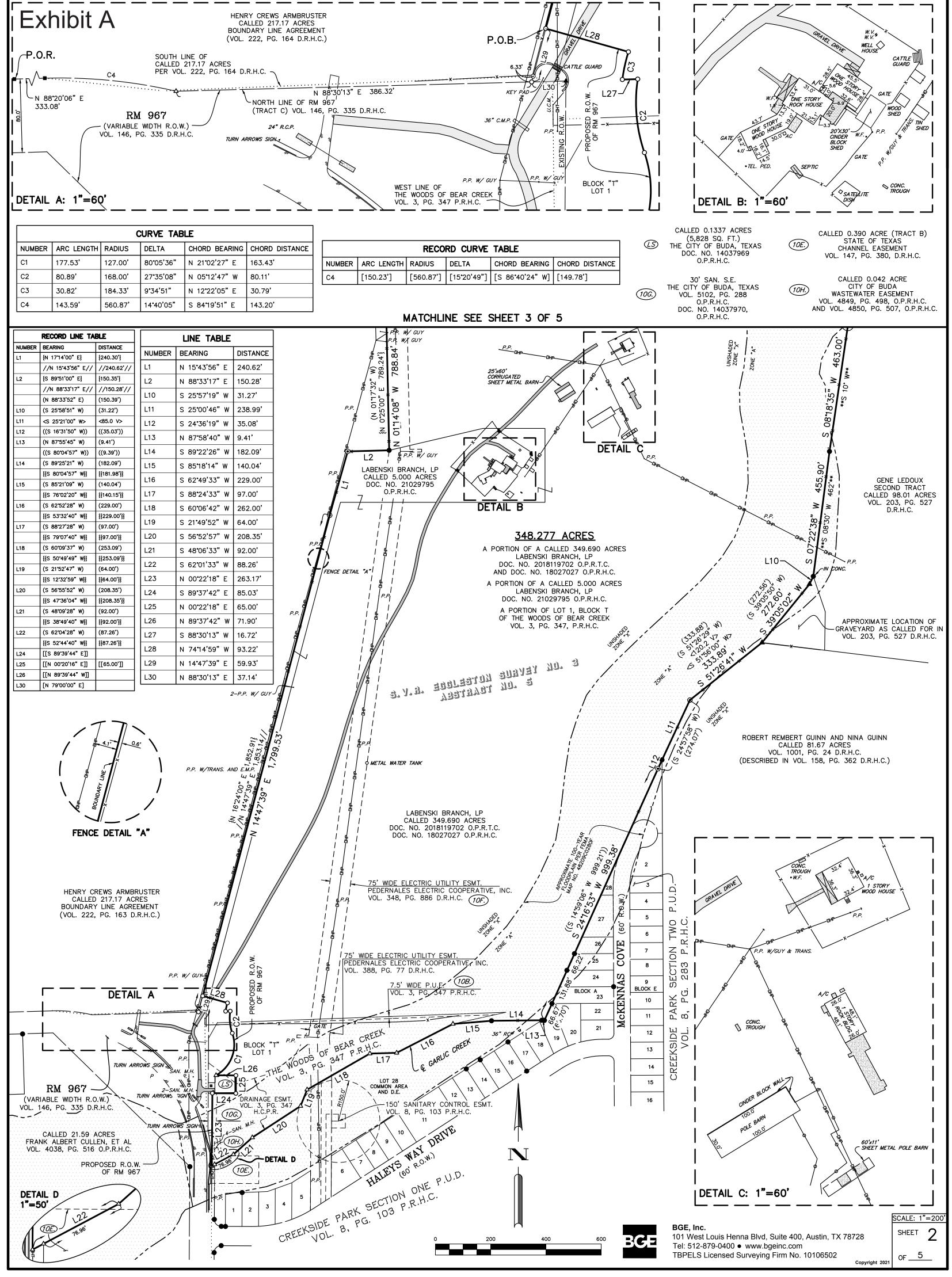
BGE, Inc. 101 West Louis Henna Blvd, Suite 400, Austin, TX 78728 Tel: 512-879-0400 • www.bgeinc.com TBPLS Licensed Surveying Firm No. 10106502 BGE ALTA/NSPS LAND TITLE SURVEY OF A 172.206 ACRE TRACT OF LAND SITUATED IN THE S.V.R. EGGLESTON SURVEY NO. 3 ABSTRACT NO. 5 HAYS COUNTY, TEXAS PARTY CHIEF: M.G. ISSUE DATE: 04/13/2020 REVISED DATE: SHEET 1 D.G.F 04/29/2020 TECHNICIAN: .P.L.S.: SCALE: 22/51 JOB NUMBER: 6861-00 OF\_3 82

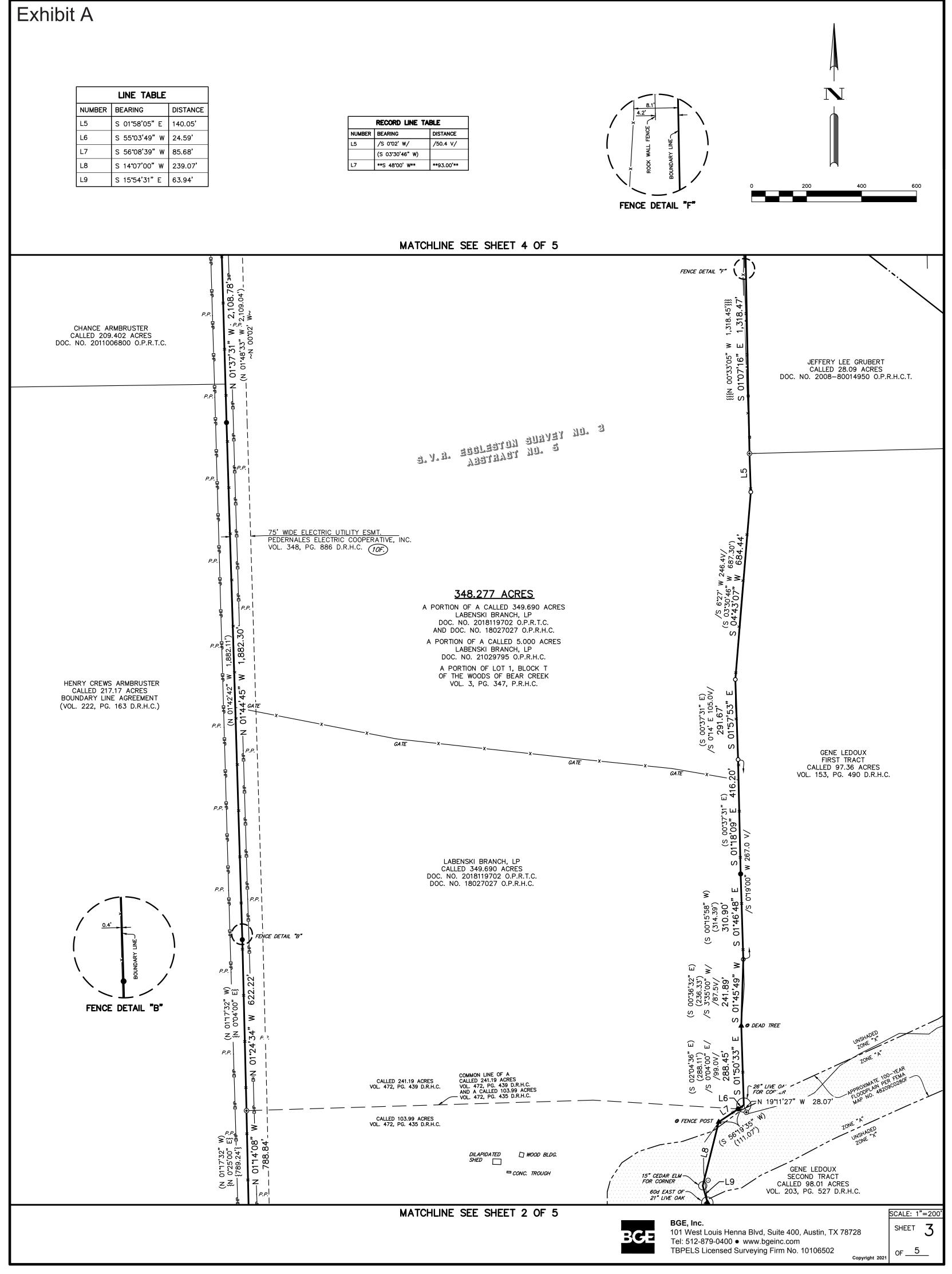
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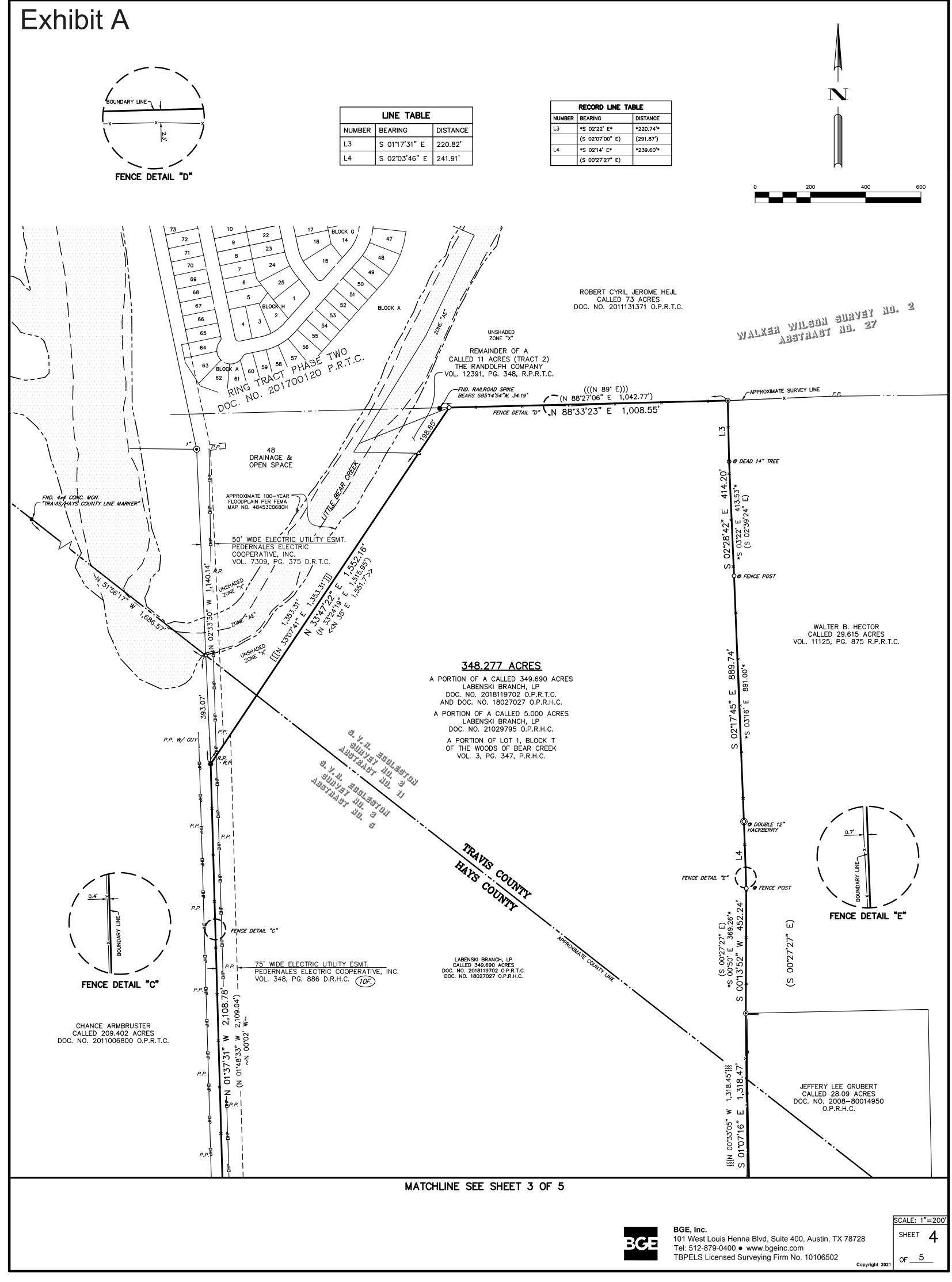
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	Tel: 512-8	Louis Henna Blv 379-0400 ● www	rd, Suite 400, Austir /.bgeinc.com ing Firm No. 10106			jht 202
S.V.R	S S E. EG ABST	348.277 ITUATED GLESTON RACT NO		N( 11	0.3	
PARTY CHIEF:	M.G.	ISSUE DATE:	06/03/2021			
TECHNICIAN:	D.G.F.	SCALE:	1"=500'		SHEET	1
R.P.L.S.:	J.N.	JOB NUMBER:	6861-01			•
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<u>G: \TXC\Projects\Survey Projects\5577-00 Bailey Tract\04\_Finals\Drawings\6861-00\_TitleSurvey-20210603.dwg, 6/3/2021 3:54 PM, Damian Fisher</u>



### Exhibit A

#### METES & BOUNDS DESCRIPTION

FIELD NOTES FOR 348.277 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NOS. 5 AND 11 OF HAYS AND TRAVIS COUNTIES, TEXAS; BEING A PORTION OF A CALLED 349.690 ACRE TRACT OF LAND AS CONVEYED TO LABENSKI BRANCH, LP BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2018119702 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NUMBER 18027027 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 5.000 ACRE TRACT OF LAND AS CONVEYED TO LABENSKI BRANCH, LP BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 21029795 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND FURTHER BEING A PORTION OF LOT 1, BLOCK T OF THE WOODS OF BEAR CREEK, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS; SAID 348.277 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR POINT OF REFERENCE at a 4x4 Concrete highway monument found on the North right-of-way line of RM 967 (80-feet wide at this point), same being the South line of a called 217.17 acre tract of land as conveyed to Henry Crews Armbruster by Boundary Line Agreement recorded in Volume 222, Page 163 of the Deed Records of Hays County, Texas; Thence, with the north right-of-way line of said RM 967, N 88°20'06" E a distance of 333.08 feet to a 4x4 Concrete highway monument found for the point of curvature of a curve to the right; Thence, continuing with the east line of said RM 967, along said curve to the right, an arc distance of 143.59 feet, having a radius of 560.87 feet, a central angle of 14°40'05" and a chord which bears S 8419'51" E a distance of 143.20 feet to a calculated point for corner marking the most westerly corner of Tract "C" as dedicated to the State of Texas by Right-of-way Deed recorded in Volume 146, Page 335 of the Deed Records of Hays County, Texas; Thence, continuing with the north right-of-way of said RM 967, N 88'30'13" E a distance of 386.32 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southeast corner of said 217.17 acre tract and at the southwest corner of the above described 5.000 acre tract, from which a 60d nail found at the northeast corner of said Tract "C", and at an interior corner of said 349.690 acre tract, bears N 88'30'13" E a distance of 37.14 feet; Thence, generally along a fence, with the line common to said 217.17 acre tract and said 5.000 acre tract, N 14\*47'39" E, pass a 1/2-inch iron pipe found at a fence corner at a distance of 6.33 feet, and continuing on for a total distance of 59.93 to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most westerly southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, continuing generally along a fence, with the line common to said 217.17 acre tract and said 5.000 acre tract, the following three (3) courses:

- 1) N 14°47'39" E a distance of 1,799.53 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 15\*43'56" E a distance of 240.62 feet to a 1/2-inch iron pipe found at an interior corner of said 217.17 acre tract and at the northwest corner of said 5.000 acre tract, for an exterior corner of the herein described tract; and
- 3) N 88'33'17" E a distance of 150.28 feet to a 1/2-inch iron rod found at an exterior corner of said 217.17 acre tract, and at an exterior corner of the remaining portion of said 349.690 acre tract, for an interior corner of the herein described tract;

THENCE, generally along a fence, with the east line of said 217.17 acre tract and the west line of said 349.690 acre tract, the following three (3) courses:

- 1) N 01°14'08" W a distance of 788.84 feet to a 1/2—inch iron pipe found for an angle point;
- 2) N 01°24'34" W a distance of 622.22 feet to a 1/2—inch iron rod found for an angle point; and
- 3) N 01°44'45" W a distance of 1,882.30 feet to a 1/2—inch iron rod found for an angle point;

THENCE, generally along a fence, continuing with the west line of said 349.690 acre tract and continuing partly with the east line of said 217.17 acre tract and partly the east line of a called 209.402 acre tract of land as conveyed to Chance Armbruster by Special Warranty Deed recorded in Document Number 2011006800 of the Official Public Records of Travis County, Texas, N 01\*37'31" W a distance of 2,108.78 feet to a 1/2-inch iron rod found at the most southerly corner of RING TRACT PHASE TWO, a subdivision recorded in Document Number 201700120 of the Plat Records of Travis County, Texas, for the most westerly northwest corner of the herein described tract, from which a 1-inch iron pipe found for an angle point on the west line of said RING TRACT PHASE TWO, bears N 02\*33'30" W a distance of 1,140.14 feet;

THENCE, partly with the southeast line of said RING TRACT PHASE TWO and partly with the southeast line of the remainder of a called 11 acre tract of land described as Tract 2 as conveyed to The Randolph Company by Correction Warranty Deed recorded in Volume 12391, Page 348 of the Real Property Records of Travis County, Texas, N 33°47'22" E a distance of 1,552.16 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of a called 73 acre tract of land as conveyed to Robert Cyril Jerome Hejl by Executor's Deed recorded in Document Number 2011131371 of the Official Public Records of Travis County, Texas, at the most easterly corner of said 11 acre tract, for the most northerly northwest corner of the herein described tract, from which a found Railroad Spike bears S 85°14'54" W a distance of 34.19 feet;

THENCE, generally along a fence, with the east line of said 349.690 acre tract and the west line of said 98.01 acre tract, the following six (6) courses:

- 1) S 55'03'49" W a distance of 24.59 feet to a 1/2-inch iron rod found for an angle point;
- 2) S 56°08'39" W a distance of 85.68 feet to a 60d nail found in a fence post for an angle point;
- 3) S 14°07'00" W a distance of 239.07 feet to a 15-inch Cedar Elm for an angle point;
- 4) S 15'54'31" E a distance of 63.94 feet to a 60d nail found on the east side of a 21-inch Live Oak for an angle point;
- 5) S 08°18'35" W a distance of 463.00 feet to a 1/2-inch iron rod found for an angle point; and
- 6) S 07\*22'38" W a distance of 455.90 feet to a 1/2-inch iron rod in concrete found at the apparent north corner of a graveyard as described in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, continuing generally along a fence, with the east line of said 349.690 acre tract, S 25°57'19" W a distance of 31.27 feet to a 60d nail found in the fence, for an angle point;

THENCE, continuing generally along a fence, with the east line of said 349.690 acre tract, S 39'05'02" W a distance of 272.60 feet to a 60d nail found at the most northerly northwest corner of a called 81.67 acre tract of land as conveyed to Robert Rembert Guinn and Nina Guinn by Deed recorded in Volume 1001, Page 24 of the Deed Records of Hays County, Texas, being further described in Volume 158, Page 362 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 51°26'41" W a distance of 333.89 feet to a 1/2-inch iron pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said 81.67 acre tract and the southeast line of said 349.690 acre tract, S 25'00'46" W a distance of 238.99 feet to a 1/2-inch iron rod found at the most northerly corner of CREEKSIDE PARK SECTION TWO P.U.D., a subdivision recorded in Volume 8, Page 283 of the Plat Records of Hays County, Texas, and at the most westerly northwest corner of said 81.67 acre tract, for an angle point;

THENCE, generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.690 acre tract, S  $24^{\circ}36'19''$  W a distance of 35.08 feet to a 1/2-inch iron pipe found for an angle point;

THENCE, continuing generally along a fence, with the northwest line of said CREEKSIDE PARK SECTION TWO P.U.D. and the southeast line of said 349.690 acre tract, S 24\*16'53" W a distance of 999.38 feet to a 1/2-inch iron rod found at an interior corner of said CREEKSIDE PARK SECTION TWO P.U.D., for the southeast corner of the herein described tract;

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION TWO P.U.D. and the south line of said 349.690 acre tract, N 87\*58'40" W a distance of 9.41 feet to a 1/2-inch iron rod found at a westerly corner of said CREEKSIDE PARK SECTION TWO P.U.D., and at the northeast corner of CREEKSIDE PARK SECTION ONE P.U.D., a subdivision recorded in Volume 8, Page 103 of the Plat Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S 89°22'26" W a distance of 182.09 feet to a 1/2-inch iron rod found for an angle point;

THENCE, continuing with the north line of said CREEKSIDE PARK SECTION ONE P.U.D. and the south line of said 349.690 acre tract, S 85'18'14" W a distance of 140.04 feet to a calculated point on the southeast line of Lot 1, Block T of THE WOODS OF BEAR CREEK, a subdivision recorded in Volume 3, Page 347 of the Plat Records of Hays County, Texas, lying in the center of Garlic Creek;

THENCE, with the northwest lines of said CREEKSIDE PARK SECTION ONE P.U.D., the southeast lines of said Lot 1, Block T, the southeast lines of said 349.690 acre tract, and the meanders of Garlic Creek, the following seven (7) courses:

1) S 62'49'33" W a distance of 229.00 feet to a calculated angle point;

2) S 88°24'33" W a distance of 97.00 feet to a calculated angle point;

THENCE, generally along a fence, with the south line of said 73 acre tract and the north line of said 349.690 acre tract, N 88'33'23" E a distance of 1,008.55 feet to a 1/2-inch iron pipe found at the northwest corner of a called 29.615 acre tract of land as conveyed to Walter B. Hector by General Warranty Deed recorded in Volume 11125, Page 875 of the Real Property Records of Travis County, Texas, and at the northeast corner of said 349.690 acre tract, for the northeast corner of the herein described tract;

THENCE, generally along a fence, with the west line of said 29.615 acre tract and the east line of said 349.690 acre tract, the following five (5) courses:

- 1) S 01°17'31" E a distance of 220.82 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point at a 14—inch dead tree;
- 2) S 02°28'42" E a distance of 414.20 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post;
- 3) S 02°17'45" E a distance of 889.74 feet to a to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a double trunk 12-inch Hackberry;
- 4) S 02°03'46" E a distance of 241.91 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post; and
- 5) S 00°13'52" W a distance of 452.24 feet to a 1/2-inch iron pipe found at the northwest corner of a called 28.09 acre tract of land as conveyed to Jeffery Lee Grubert by Warranty Deed with Vendor's Lien recorded in Document Number 2008-80014950 of the Official Public Records of Hays County, Texas, for an angle point;

THENCE, with the west line of said 28.09 acre tract and the east line of said 349.690 acre tract, S 01°07'16" E a distance of 1,318.47 feet to 1/2-inch iron pipe found at the southwest corner of said 28.09 acre tract, and at the northwest corner of a called 97.36 acre tract of land described as "First Tract" as conveyed to Gene Ledoux by Deed recorded in Volume 153, Page 490 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the west line of said 97.36 acre tract and the east line of said 349.690 acre tract, the following seven (7) courses:

- 1) S 01°58'05" E a distance of 140.05 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) S 04°43'07" W a distance of 684.44 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) S 01°57'53" E a distance of 291.67 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 4) S 01<sup>1</sup>8'09" E a distance of 416.20 feet to a 1/2-inch iron rod found for an angle point;
- 5) S 01°46'48" E a distance of 310.90 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 6) S 01°45'49" W a distance of 241.89 feet to a 60d nail found in a dead tree for an angle point; and
- 7) S 01\*50'33" E a distance of 288.45 feet to a 26-inch Live Oak found at a west corner of said 97.36 acre tract, and at the northwest corner of a called 98.01 acre tract of land described as Second Tract as conveyed to Gene Ledoux by Deed recorded in Volume 203, Page 527 of the Deed Records of Hays County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron pipe bears S 19\*11'27" E a distance of 28.07 feet;

- 3) S 60°06'42" W a distance of 262.00 feet to a calculated angle point;
- 4) S 21°49'52" W a distance of 64.00 feet to a calculated angle point;
- 5) S 56°52'57" W a distance of 208.35 feet to a calculated angle point;
- 6) S 48°06'33" W a distance of 92.00 feet to a calculated angle point; and
- 7) S 62'01'33" W a distance of 88.26 feet to a calculated point on the east right-of-way of said RM 967 (width varies at this point), at the northwest corner of said CREEKSIDE PARK SECTION ONE P.U.D., at the southwest corner of said Lot 1, Block T, and at the southwest corner of said 349.690 acre tract, for the most southerly southwest corner of the herein described tract;

THENCE, over and across said Lot 1, Block T and said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, N 00°22'18" E a distance of 263.17 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of a called 0.1337 acre tract of land as conveyed to the City of Buda, Texas by Special Warranty Deed recorded in Document Number 14037969 of the Official Public Records of Hays County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron rod set at the southwest corner of said 0.1337 acre Lift Station bears N 89°37'42" W a distance of 14.67 feet;

THENCE, with the perimeter of said 0.1337 acre Lift Station tract the following three (3) courses:

- S 89°37'42" E a distance of 85.03 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the southeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract;
- 2) N 00°22'18" E a distance of 65.00 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the northeast corner of said 0.1337 acre Lift Station tract, for an interior corner of the herein described tract; and
- 3) N 89°37'42" W a distance of 71.90 feet to a calculated point for the beginning of a non-tangent curve to the left and an exterior corner of the herein described tract;

THENCE, over and across said Lot 1, Block T and said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, along said curve to the left, an arc distance of 177.53 feet, having a radius of 127.00 feet, a central angle of 80°05'36" and a chord which bears N 21°02'27" E a distance of 163.43 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for a point of reverse curvature;

THENCE, continuing over and across said Lot 1, Block T and said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, along said curve to the right, an arc distance of 80.89 feet, having a radius of 168.00 feet, a central angle of 27\*35'08" and a chord which bears N 05\*12'47" W a distance of 80.11 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of the herein described tract;

THENCE, continuing over and across said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, S 88°30'13" W a distance of 16.72 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the beginning of a non-tangent curve to the right and an exterior corner of the herein described tract;

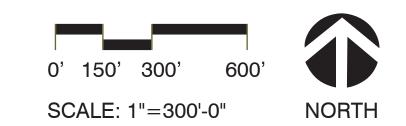
THENCE, continuing over and across said 349.690 acre tract, with an easterly proposed right-of-way line of RM 967, along said curve to the right, an arc distance of 30.82 feet, having a radius of 184.33 feet, a central angle of  $09^{3}4'51''$  and a chord which bears N  $12^{2}2'05''$  E a distance of 30.79 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of the herein described tract;

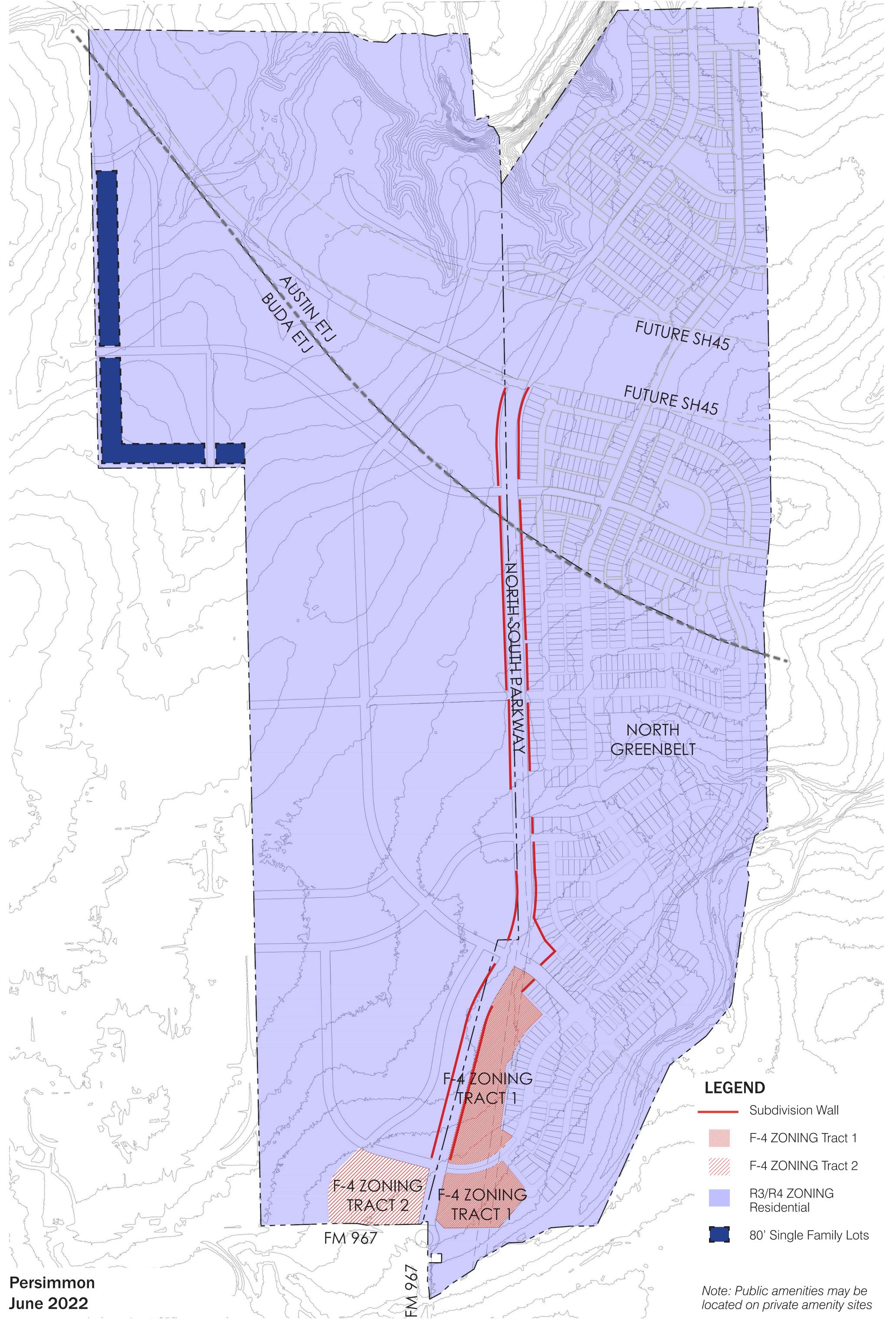
THENCE, continuing over and across said 349.690 acre tract and said 5.000 acre tract, with a northerly proposed right-of-way line of RM 967, N 74°14'59" W a distance of 93.22 feet to the POINT OF BEGINNING and containing 348.277 acres of land, more or less.



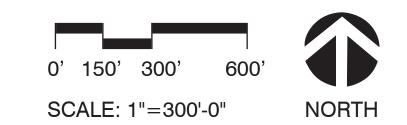
 $\begin{array}{c} \text{SCALE: } N/A \\ \text{SHEET } 5 \\ \text{Copyright 2021} \\ \text{OF } 5 \end{array}$ 

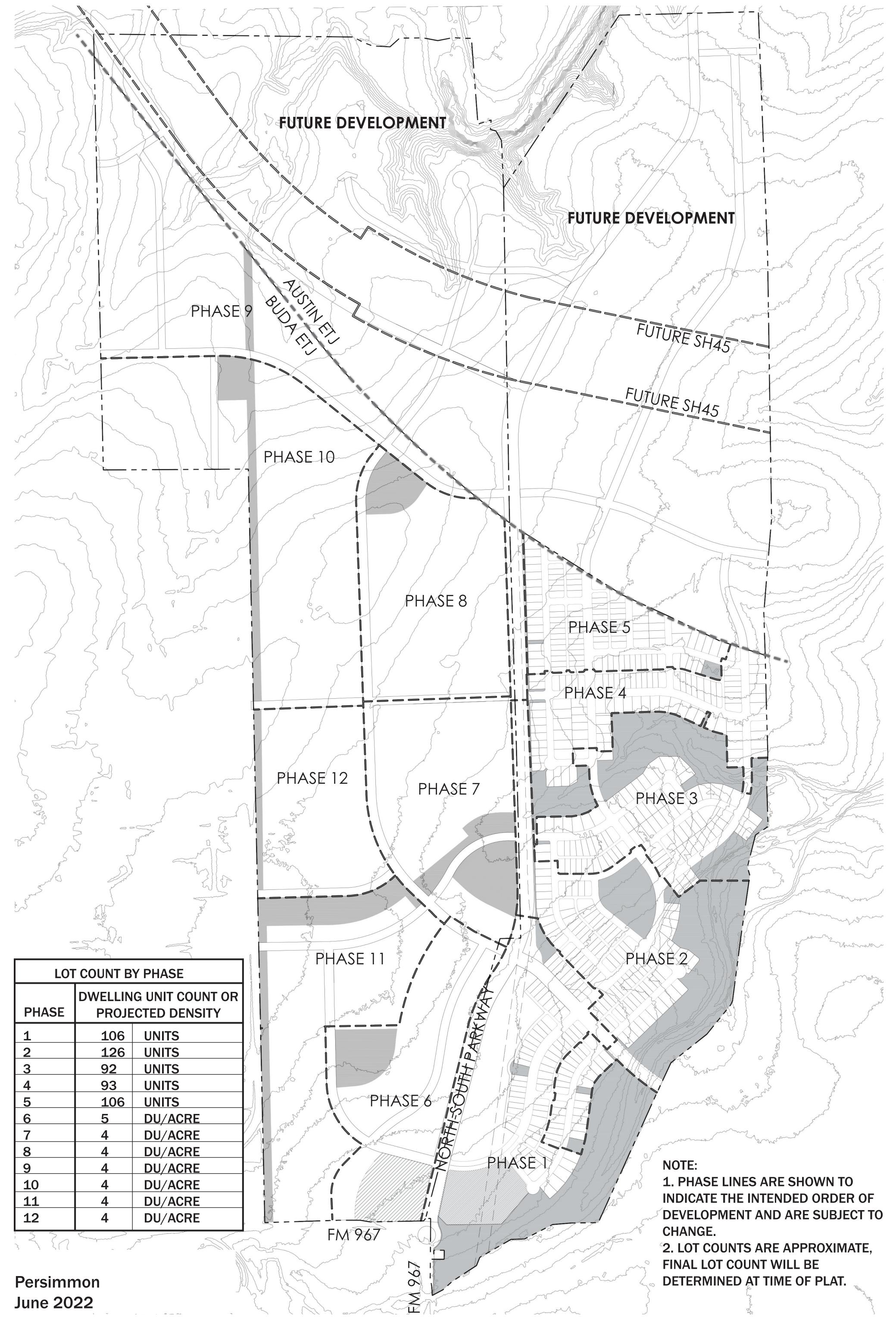
### **EXHIBIT B - CONCEPTUAL PLAN**



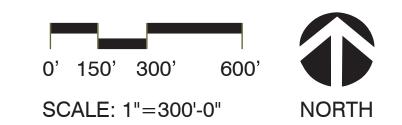


## **EXHIBIT C - PHASING PLAN**

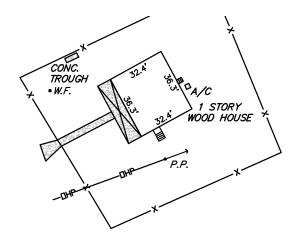




### **EXHIBIT D - BUBBLE PLAN**

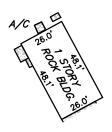








DAIRY HOUSE





DAIRY BARN



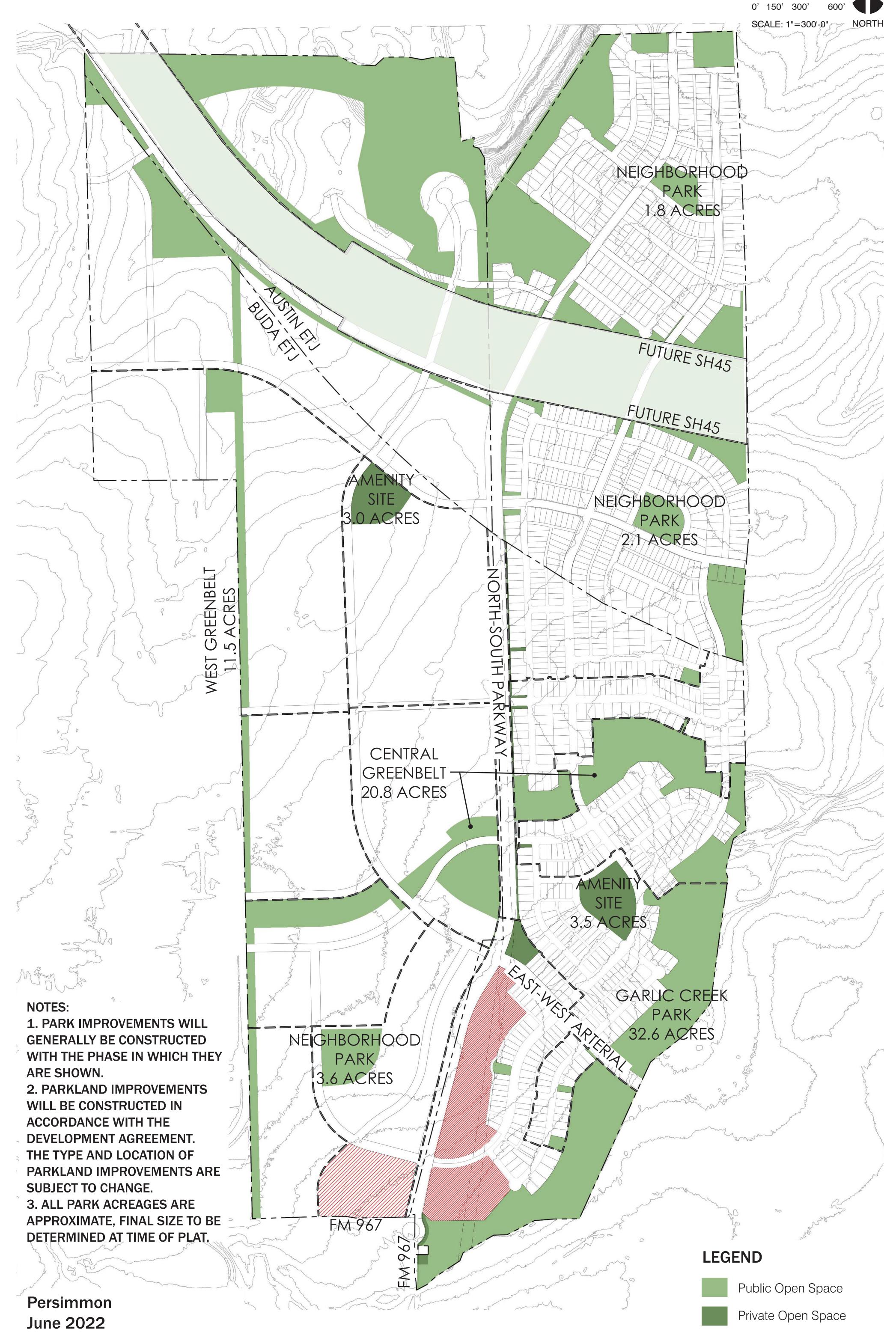
Persimmon June 2022



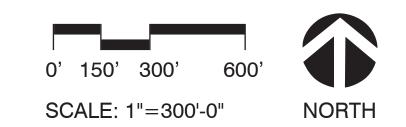
### Post-Tension Rock Wall

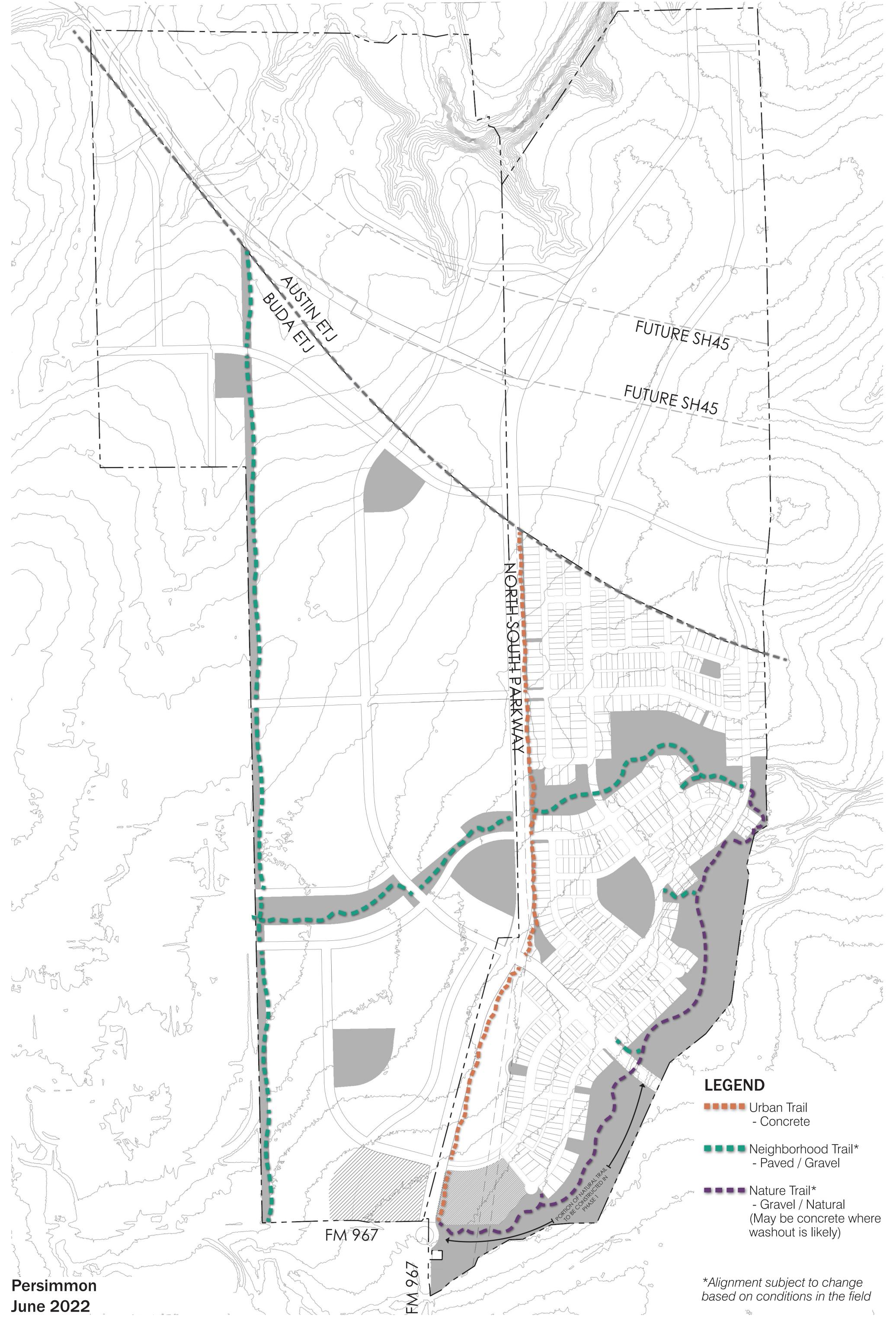
The subdivision wall shall be no less than six (6) feet and no more than eight (8) feet tall and shall be constructed of one of the above styles.

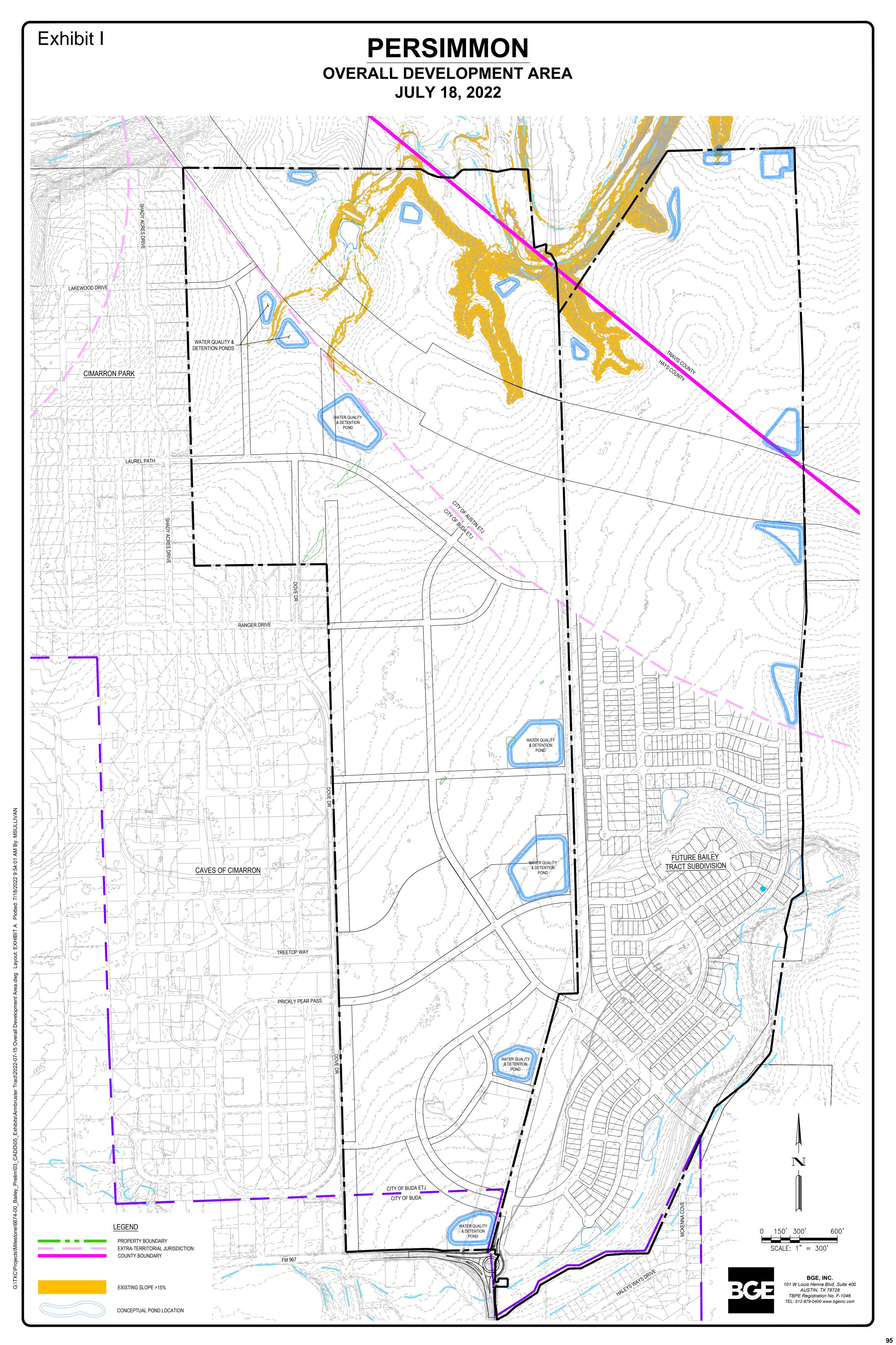
## **EXHIBIT G - PARKLAND IMPROVEMENTS**



## **EXHIBIT H - TRAILS PLAN**







#### 1. Codes and Energy Performance

#### Intent

To build a green building rated home, which must comply, at a minimum to meet all current codes and laws associated with the built environment. These codes are in place to assure energy-efficient quality buildings and protect the health and safety of building occupants, our community, and the natural environment.

#### Requirements

All new construction residential buildings, as defined by the 2015 IECC as amended by the City of Austin, shall meet all current City of Austin Codes as amended.

• City of Austin Energy Code compliance can be met by one of the following methods:

o Minimum percentage above code required shall be 0% using International Code Compliance Calculator (IC3),

OR

o Maximum Energy Rating Index (ERI) value of 59.

#### 2. HVAC Efficiency and Design

#### Intent

To reduce energy use and increase occupant comfort through energy-efficient and climate-appropriate design and appropriate sizing of mechanical cooling systems.

#### Requirements

Meet all of the following:

- Cooling and heating equipment and duct sizing based on complete and accurate manual J and manual D calculations.
- Design home such that 600 sq. ft. of living space per ton of cooling is met. Homes smaller than 900 sq. ft. must be equipped with a mini-split or other appropriate system
- Cooling equipment minimum efficiency for split systems 15 SEER / 12 EER o Gas furnace rated at 80 AFUE or greater
  - o Heat Pump rated at 8.2 HSPF or greater
- Ductwork is masked/sealed at supplies and returns during construction
- Ceiling registers: curved blade-type--fixed or adjustable

#### 3. Insulation Installation

#### Intent

To reduce energy use and increase occupant comfort through energy efficient and climate appropriate Design

#### Requirements

Meet all of the following:

- Insulation installation meets 2015 IECC criteria and ENERGY STAR Grade I requirements, including
- insulated headers, 2-stud corners, and ladder blocking
- Insulation contains no added urea formaldehyde

#### 4. Skylights

#### Intent

To reduce heat gain and heat loss associated with skylights

#### Requirements

Meet one of the following:

- No skylights in the conditioned space OR
- Any skylights installed meet current ENERGY STAR criteria for SHGC and U-Factor

#### 5. Indoor Environmental Quality

#### Intent

To reduce air contaminants that are odorous or potentially irritating and unhealthy for both installers and occupants

#### Requirements

Meet all of the following:

- Exhaust fans for bathrooms with a tub or shower:
  - o Must vent to the outside
- Range hood exhaust vents to outside
- Low-VOC (volatile organic compound) interior wall and ceiling paint: o Max VOC level of 50 grams per liter
  - o City of Austin recycled paint

#### 6. Electrical

#### Intent

To install ENERGY STAR appliances, which incorporate advanced technologies that use 10–50% less energy and water than standard models. The money saved on utility bills can make up for the cost of a more expensive but very efficient ENERGY STAR model.

#### Requirements

Meet all of the following:

- Incorporate a minimum of 4 ENERGY STAR rated appliances and fixtures; no more than 2 of any item type in this measure or combined with Energy 6.
- Install a minimum of two ceiling fans within the conditioned space

#### 7. Homeowner Education

#### Intent

To provide homeowners with information about their homes so that they may more efficiently operate and maintain them.

#### Requirements

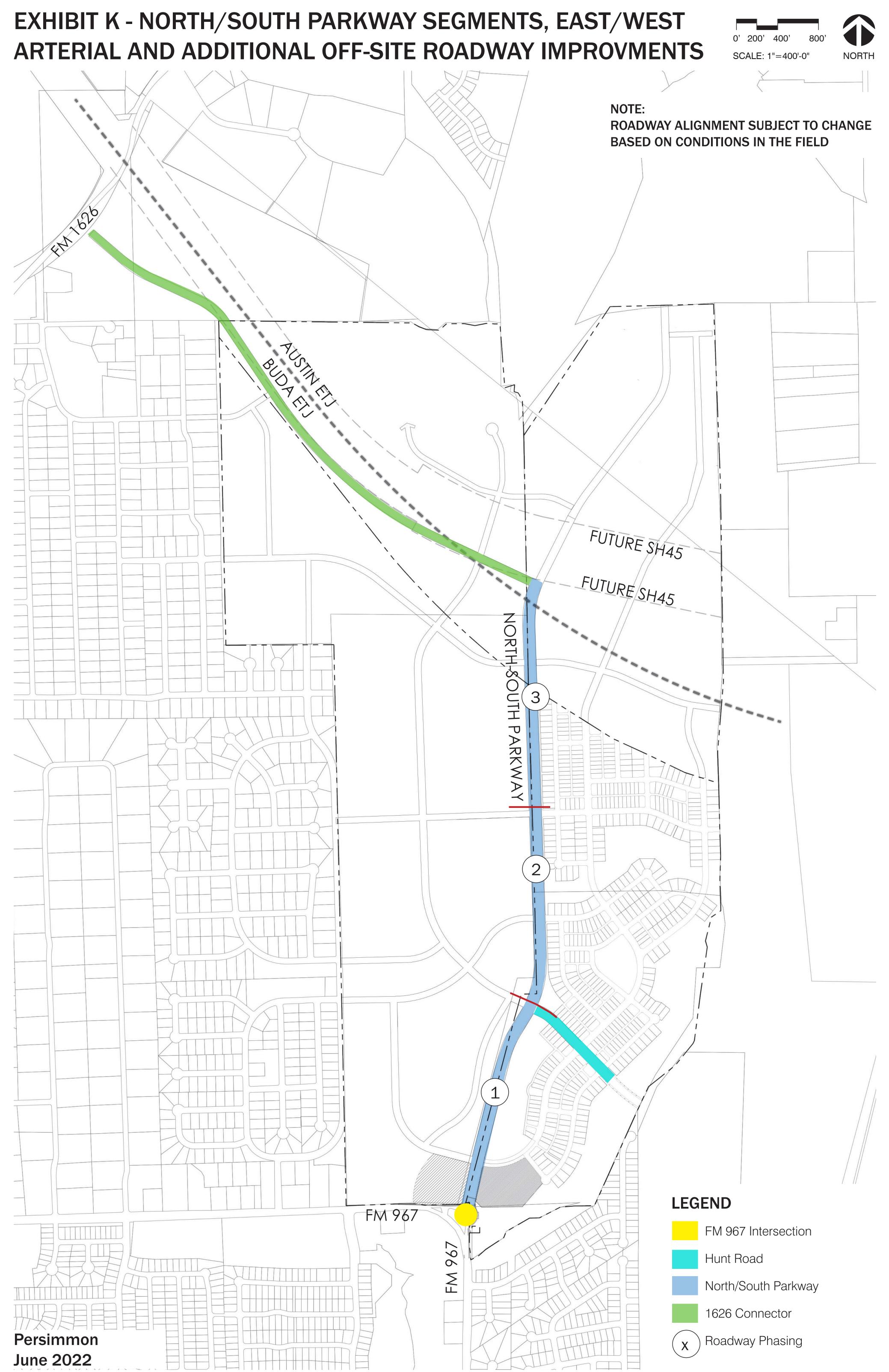
Provide the following to the homeowner:

- Warranty information for home systems, appliances, and coatings
- Walk-through review of home system and appliance operations and maintenance
- Cover at a minimum:

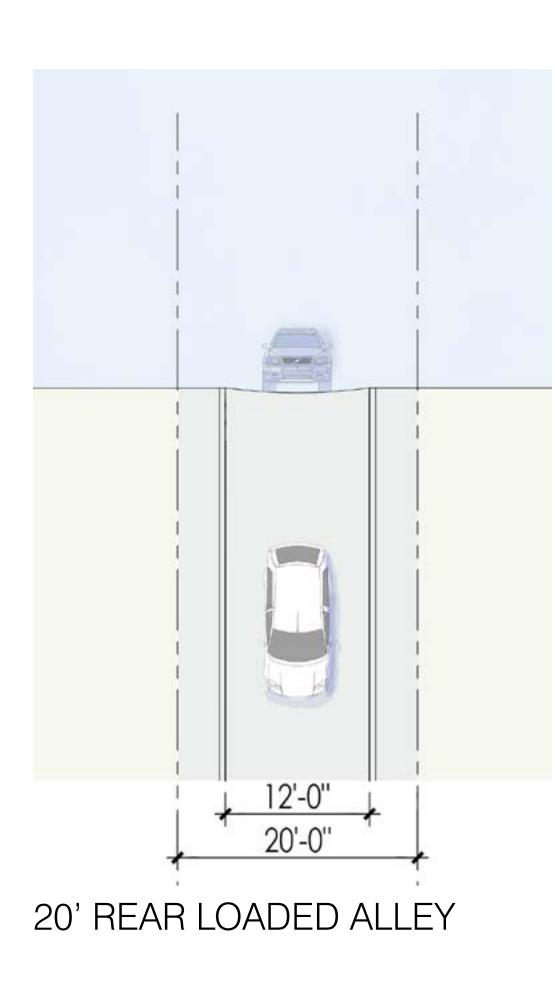
o Heating and air conditioning and ventilation system – filter types and changes, annual maintenance, and condensate overflow

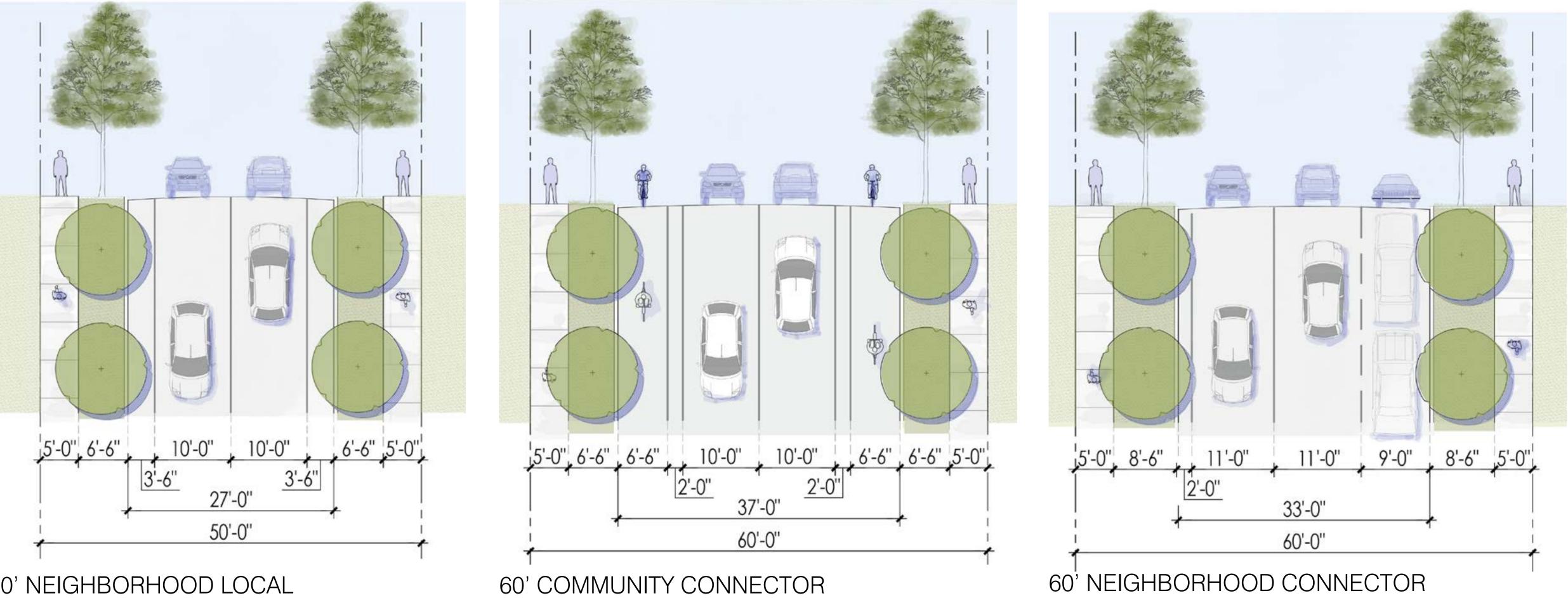
o Water heater operation and annual maintenance, plumbing system temperature and other settings, shut-off valve location, and freeze prevention

- o Kitchen appliance operation
- o Vent fan operation
- o Irrigation system operation and maintenance
- o Landscape plant establishment and maintenance information
- o Gutter maintenance
- o Exterior cladding maintenance
- o Decking maintenance
- o Flooring and/or floor coating maintenance
- o Pest control
- o Fire and CO2 alarm system warnings and maintenance
- o Electrical panel location and basic electrical safety information
- o Gas system safety related to appliance operation
- o Location of all operations and maintenance manuals



# **EXHIBIT L - DEPICTION OF RIGHT-OF-WAY DEDICATIONS AND SUBDIVISION STREET CROSS-SECTIONS**

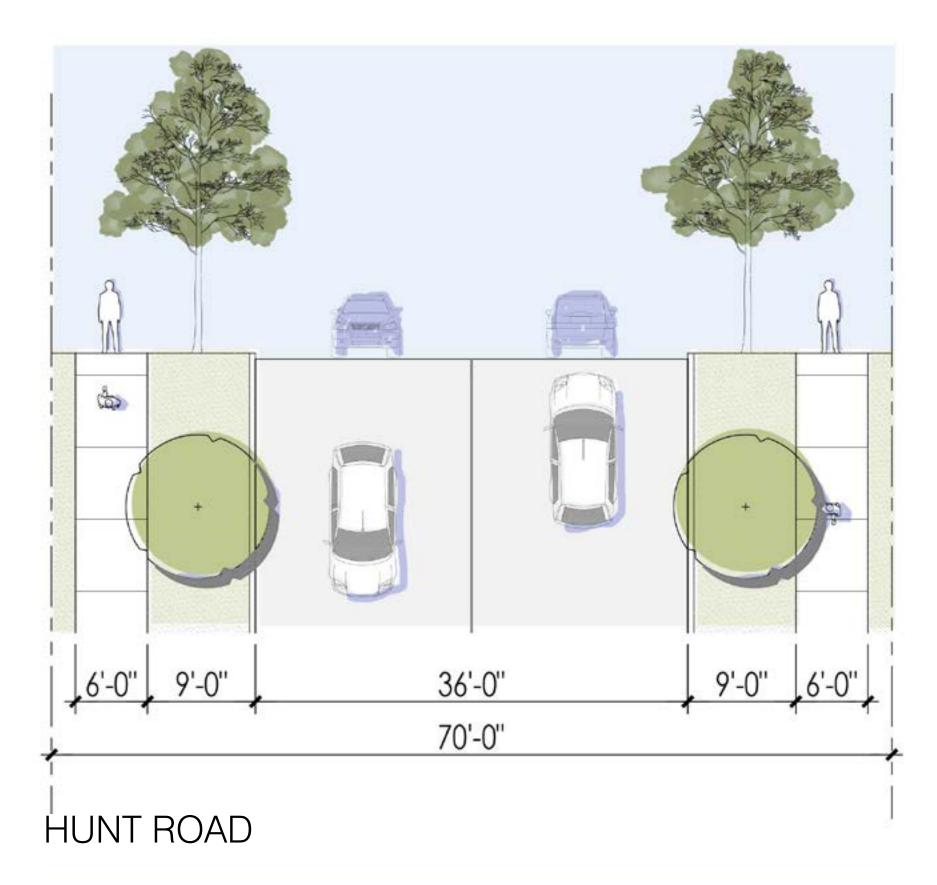


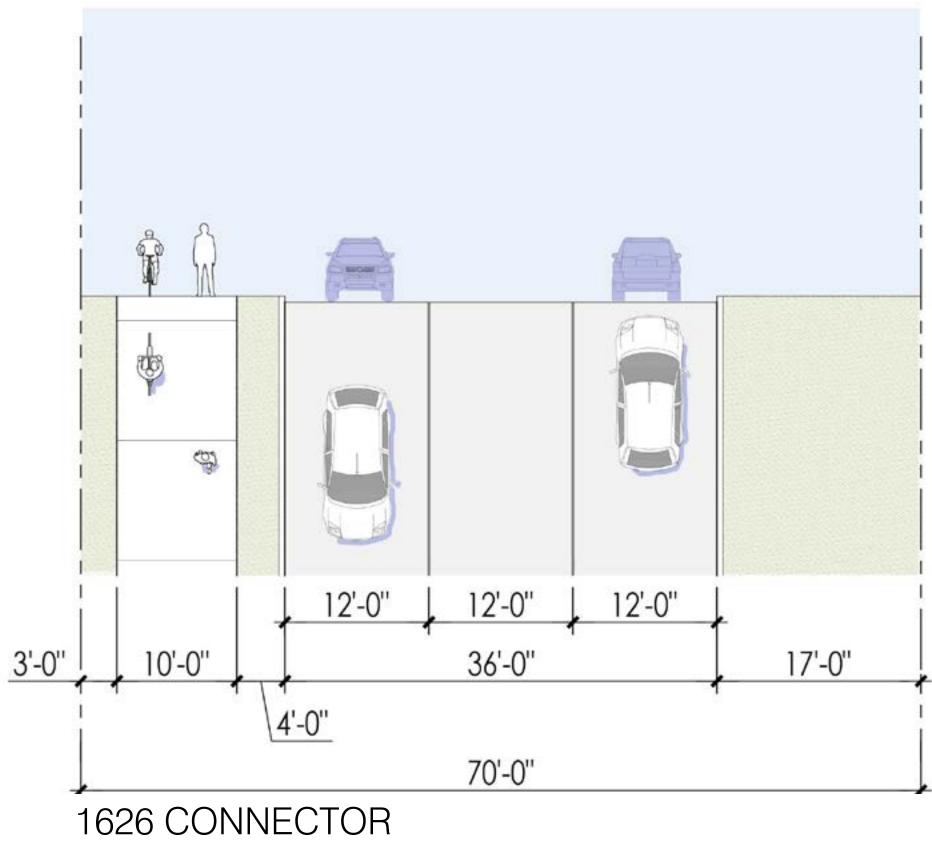


50' NEIGHBORHOOD LOCAL

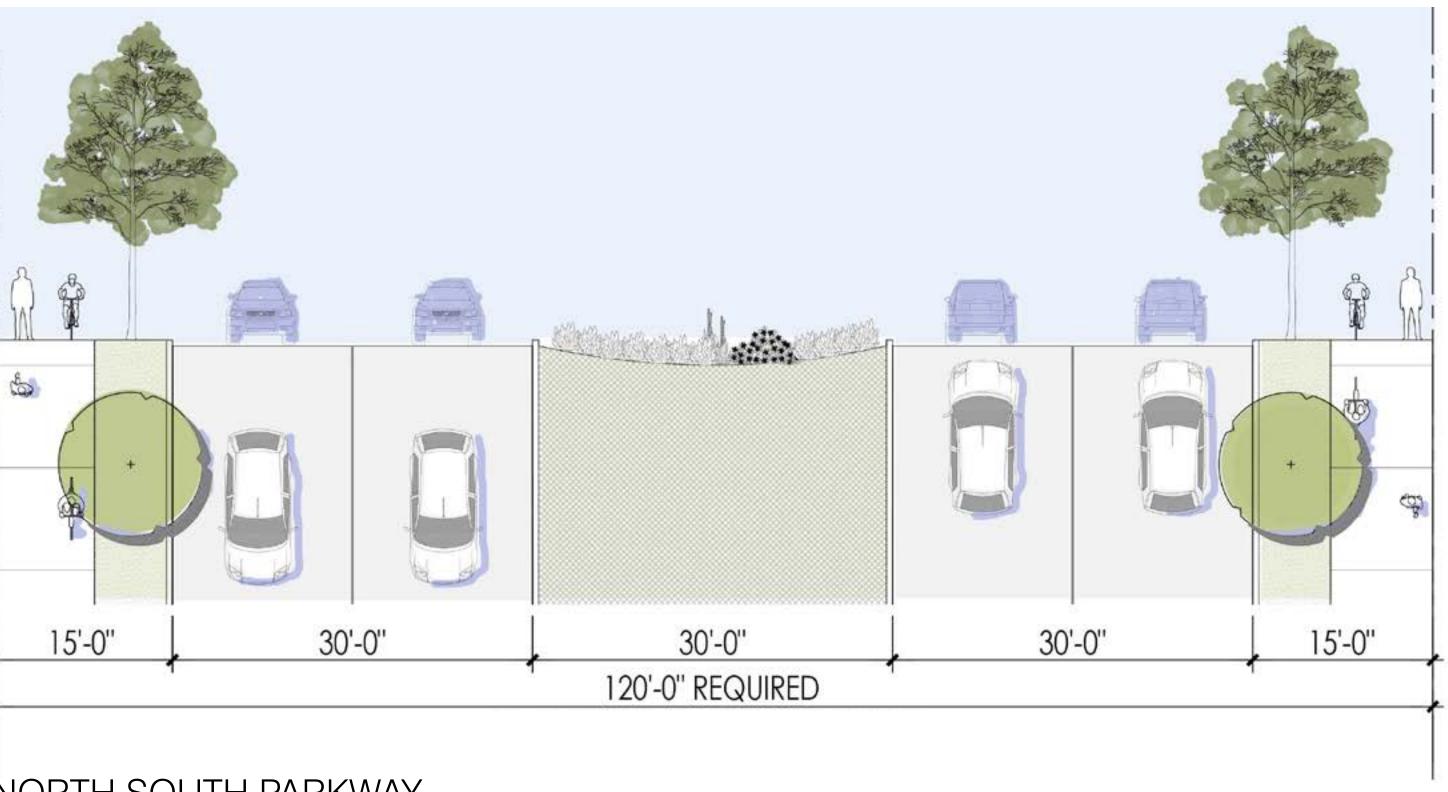
Persimmon June 2022

# EXHIBIT L - DEPICTION OF RIGHT-OF-WAY DEDICATIONS AND SUBDIVISION STREET CROSS-SECTIONS

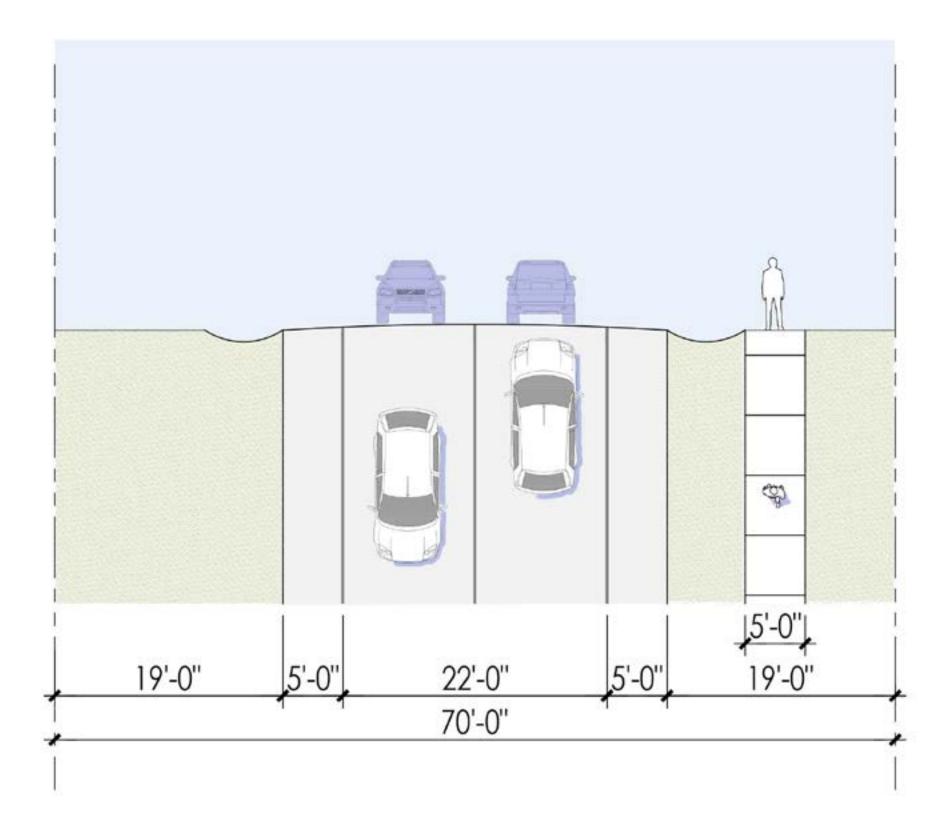




Persimmon June 2022

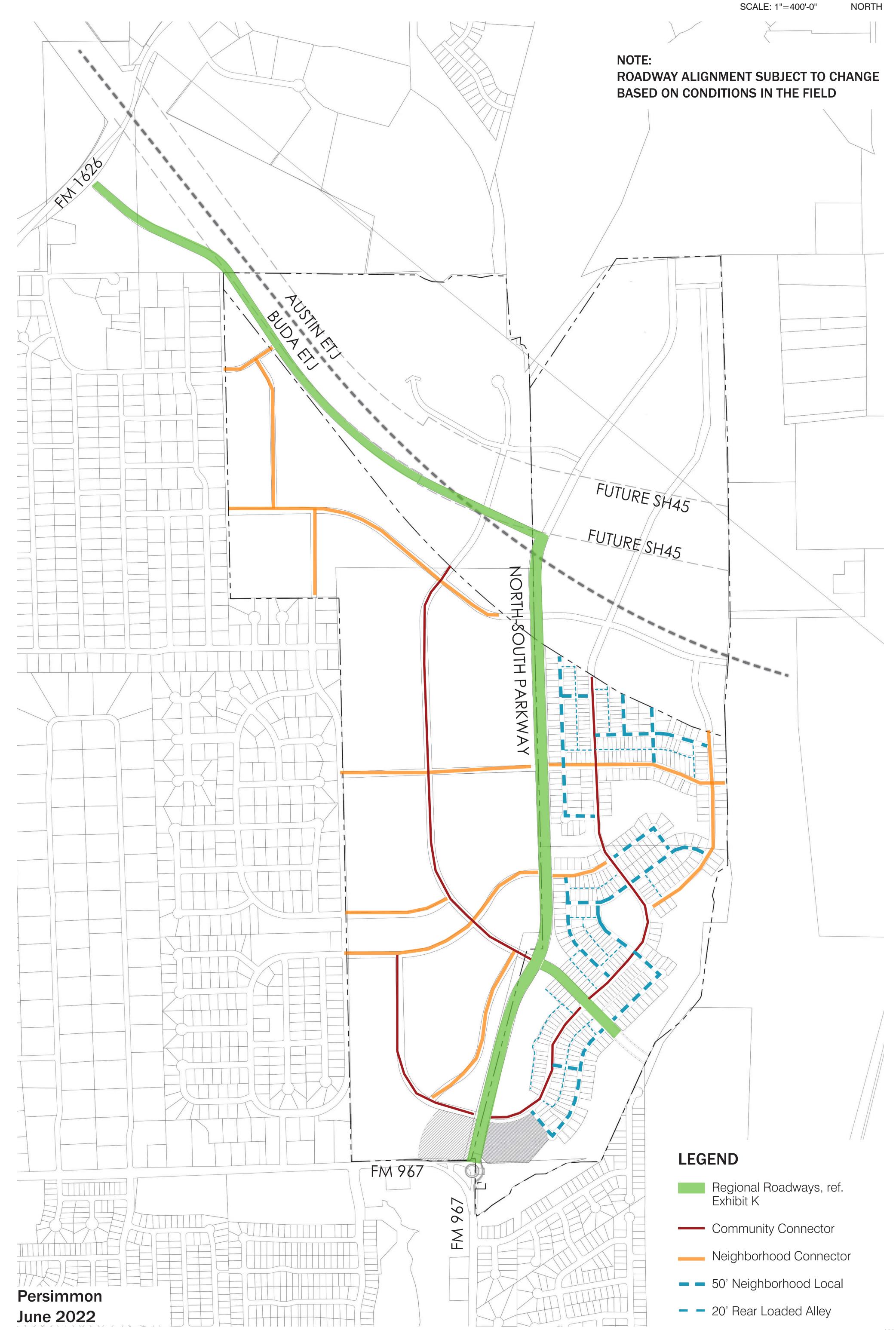


### NORTH SOUTH PARKWAY



RURAL ROADWAY

### **EXHIBIT M - ROADWAY CLASSIFICATIONS**



0' 200' 400'

800'

EXHIBIT N Written Agreement Regarding Services

To be provided at a later date

Download Attachment Available until Aug 11, 2022

I live in CreekSide Park on Haley's way. I back to our HOA Greenbelt on Garlic Creek. I've attached a video that shows how far the water rose on Garlic Creek when we had 18" of rain. My concern is with this development and the impervious cover it will create a massive watershed issue. Has there been a complete study of this issue? Can you forward this to the other Commissioners?

Terry Carroll 1137 Haley's Way Buda, TX 78610

Click to Download IMG 2380.MOV 0 bytes

### Sent from my iPhone



Fyi

Get Outlook for iOS

From: Kathryn <artography2000@gmail.com> Sent: Wednesday, July 6, 2022 12:36:27 PM To: Comments <comments@budatx.gov> Subject: DA 22-01

Our home backs us to Dove Drive. The traffic has increased tremendously in the past few years. Cars and commercial vehicles speed down the road. There has been a fatality on Dove Dr and numerous accidents. It is dangerous to get on 967 from Dove Dr at rush hour. The roads must be made safe and constructed to handle the increase in traffic before any new homes and cars are added to the area. Dove Drive is already dangerous **today**. What will happen to the wildlife currently living on the acreage? What about the beautiful trees?

12708 Shady Acres Drive Buda, Texas 78610 July 4, 2022

Will Parrish, AICP/ City of Buda Planning and Zoning Commission:

I am writing this letter in response to a letter that I received from you notifying me of a proposed development DA 22-01. I may not be able to attend the public hearing on Tuesday, July 12, 2022, but I would like to submit my input in opposition of this development.

My concerns would include:

1. An increase in the already traffic pattern through my neighborhood. I have noticed this at the beginning of school and whenever there is a traffic jam on 967 drivers divert through Coves of Cimmaron on Dove Dr, then on Shady Acres Dr or other streets that connect to 1626. The problem exists now, therefore I predict that it will become worse if the proposed development is approved.

2. We get our water supply from the Edwards Aquafer. Will this new development also tap into the Aquafer? If so, I feel that the increase in the new housing development will be an issue of any future water supply problems.

The proposed development would negatively affect the quality of life in my neighborhood, therefore I am opposed to this development.

Sincerely,

Engulichman

Evelyn Wehman

July 6, 2022

Mayor Steve Adler Spencer Cronk, City Manager City of Austin 301 W 2nd St, Austin, TX 78701

> Re: Release of the Bailey Tract and Armbruster Tract (Persimmon Development) 1420 FM 967 Buda, Texas, and Comprising Approximately 292 Acres, from in the Austin Extraterritorial Jurisdictions ("ETJ")

Dear Honorable Mayor Adler and City Manager Spencer Cronk,

Pursuant to City of Austin Resolution No. 20071011-006 (the "ETJ Adjustment Policy Resolution), and as owners of the above-described property which is more particularly described and shown on **Exhibit A** attached hereto, the undersigned hereby notify you of our current support for the request from the City of Buda, Texas that the City of Austin release the subject property currently in Austin's ETJ so that the City of Buda may expand its ETJ over such property. Please be advised that our support is subject to and conditioned on a City of Buda utility service agreement for water and wastewater being executed and the application of the City of Buda land development codes, ordinances, and rules and regulations as they may be modified by a development agreement entered into by and between the undersigned owners and the City of Buda pursuant to Section 212.172 of the Texas Local Government Code.

The undersigned owners believe development under a single jurisdiction and subject to a single set of development standards will encourage a cohesive master plan with respect to zoning regulations, subdivision regulations, drainage, water quality, and environmental rules, street construction standards and planning. The undersigned owners also believe that the City of Buda is in a better position to provide utility services and other municipal services and that the annexation potential by the City of Austin is minimal.

The property owned by the owners consists of 776.6 acres of land area of which approximately 292.0 acres (37.6%) is in the Austin ETJ and 483.6 acres (62.4%) is in Buda's jurisdiction. The portion of tract within Austin's ETJ is south of Little Bear Creek and has no vehicular access without traversing Buda's ETJ. Access is provided on FM 967, a state controlled right of way, and water and wastewater services are available from the City of Buda located in FM 967.

Subject to the conditions of our support as set forth in this letter, the undersigned owners believe that the City of Buda's request meets the requirements of the ETJ Adjustment Policy Resolution regarding requests for ETJ releases for the following reasons:

- <u>Annexation Potential</u> The subject tract does not adjoin the City of Austin Full Purpose jurisdiction. The southern portion of the subject tract contains approximately 13 acres of Buda Full Purpose jurisdiction and access is provided via FM967, a TxDOT controlled facility.
- <u>Environmental Impact</u> The City of Buda has comparable or greater drainage, environmental, and tree preservation regulations as would apply in the Austin ETJ.
- <u>Infrastructure Investment</u> There are no adverse impacts to City of Austin as no water, wastewater, or roadway infrastructure exists in the immediate area to serve this property. Most of Austin's utility infrastructure is located north of Little Bear Creek and property south of Little Bear Creek is largely undeveloped, including the subject tract.
- <u>Long-term Effects of Release to Other Jurisdictions</u> Geographic expansion of the City of Austin ETJ to the south is bounded by other municipalities.

• <u>Hardship or Extenuating Circumstances</u> - This letter of support is being made to relieve an undue hardship regarding the availability of infrastructure for the development of the subject tract and the desire for unified development regulations.

Notwithstanding the foregoing, please be advised that if the undersigned owners and the City of Buda fail to enter into a utility service agreement and a development agreement pursuant to Section 212.172 of the Texas Local Government Code on mutually acceptable terms and conditions prior to any release of the Austin ETJ, then this letter of support shall be deemed withdrawn. Please be further advised that if any agreement between the City of Buda and the City of Austin regarding the release of the Austin ETJ contain or impose any regulations on development of the subject property that are not acceptable to the owners, this letter of support shall be deemed withdrawn.

Your favorable consideration of the City of Buda's request is greatly appreciated.

Sincerely,

#### **OWNERS**:

BAILEY LAND INVESTMENTS, LP, a Texas limited partnership

By: Bailey Land Investments GP, LLC, a Texas limited liability company, its General Partner

	DocuSigned by:
	Garrett Martin
By:	GarPettimaren
Name:	
Title:	Manager

### ARMBRUSTER LAND INVESTMENTS, LP, a Texas limited partnership

By: Armbruster Land Investments GP, LLC, a Texas limited liability company, its General Partner

By: Name: Title: SKETCH TO ACCOMPANY A DESCRIPTION OF 131.6 ACRES, OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 5 OF HAYS COUNT, TEXAS AND THE S.V.R.
EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 11 OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 217.066 ACRE TRACT, SAVE AND EXCEPT 79.000 ACRES, CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO. 2021284020 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107 AND 21071108 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS AND ALSO BEING A PORTION OF A 208.892 ACRE TRACT CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO(S). 2021280420, 2021280421, 2021280422, 2021280423, 2021280424, 2021280425 AND 2021280426, ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107, 21071109, 21071110, 21071111, 21071112, 21071114 AND 21071115, ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

	LINE TABLE	
LINE	BEARING	DISTANCE
L1	S89°42'36"E	1044.87'
L2	S89°36'55"E	839.72'
L3	S60°49'12"E	74.39'
L4	S69°02'36"E	76.33'
L5	S87°22'15"E	127.86'
L6	N47°43'15"E	94.70'
L7	N89°13'53"E	172.17'
L8	S79°37'01"E	105.27'
L9	N78°37'51"E	113.30'
L10	S87°19'55"E	90.88'
L11	N89°43'14"E	42.23'
L12	S04°39'05"E	623.74'
L13	N72°24'34"E	100.28'
L14	S03°58'54"W	67.95'
L15	S73°19'44"E	42.20'
L16	S30°12'44"E	79.49'
L17	S05°45'08"E	87.94'
L18	S02°16'55"E	320.31'
L19	S01°38'47"E	1962.76'
L20	S01°45'39"E	461.18'
L21	N57°51'25"W	216.55'
L22	N50°36'22"W	482.65'
L23	N43°40'39"W	1026.83'
L24	N37°11'33"W	2952.81'
L25	N01°36'39"W	69.07 <b>'</b>

0 1/2" REBAR WITH "CHAPARRAL" CAP SET  $\bigcirc$ IRON PIPE FOUND (SIZE NOTED) Δ CALCULATED POINT REFERENCED TREE FOUND (SIZE AND TYPE NOTED) ⊚ RECORD INFORMATION TRAVIS COUNTY TEXAS ş Γ RECORD INFORMATION HAYS COUNTY TEXAS

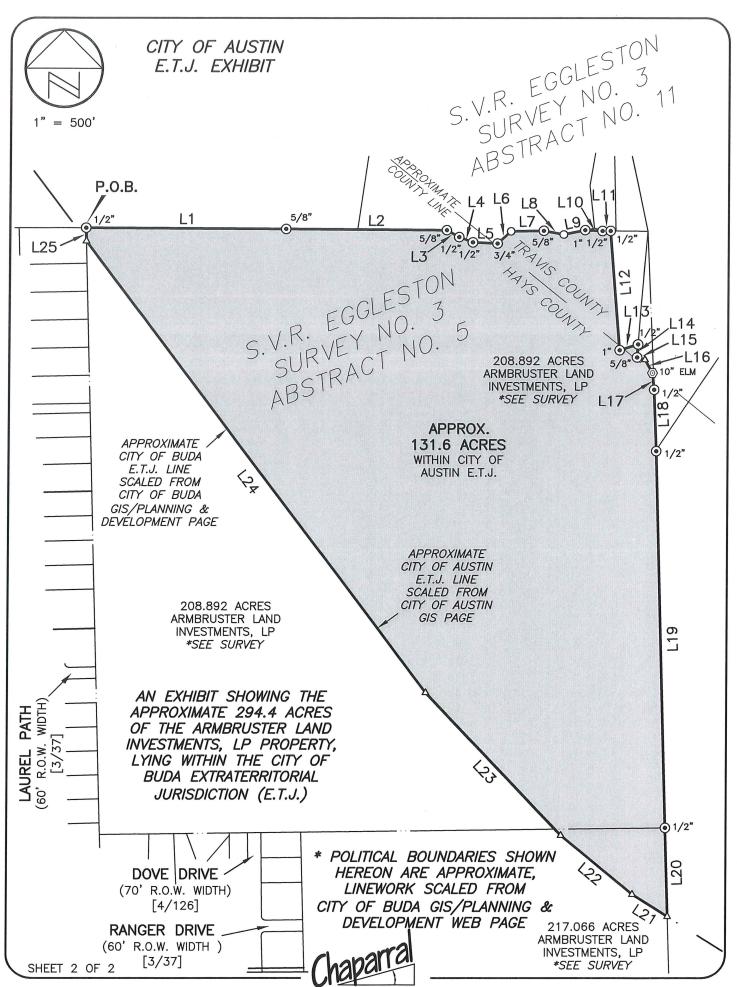
LEGEND



DATE OF SURVEY: 12/08/21 PLOT DATE: 07/07/22 DRAWING NO.: 759-022-EX PROJECT NO.: 759-022 T.B.P.E.L.S. FIRM NO. 10124500 DRAWN BY: JDB SHEET 1 OF 2 BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 759-022-EX

Exhibit A





Professional Land Surveying, Inc. Surveying and Mapping Office: 512-443-1724 Fax: 512-389-0943

3500 McCall Lane Austin, Texas 78744

131.6 ACRES S.V.R. EGGLESTON SURVEY NO. 3, ABS. NO. 5, HAYS COUNTY, TEXAS AND THE S.V.R. EGGLESTON SURVEY NO. 3, ABS. NO. 11 TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 131.6 ACRES, OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3. ABSTRACT NUMBER 5 OF HAYS COUNT, TEXAS AND THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NUMBER 11 OF TRAVIS COUNTY, TEXAS. BEING A PORTION OF A 217.066 ACRE TRACT, SAVE AND EXCEPT 79.000 ACRES, CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO. 2021284020 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107 AND 21071108 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS AND ALSO BEING A PORTION OF A 208.892 ACRE TRACT CONVEYED TO ARMBRUSTER LAND INVESTMENTS, LP., IN DOCUMENT NO(S). 2021280420, 2021280421, 2021280422, 2021280423, 2021280424, 2021280425 AND 2021280426, ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NO(S). 21071107, 21071109, 21071110, 21071111, 21071112, 21071114 AND 21071115, ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 131.6 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** a 1/2" iron pipe found for the northwest corner of said 208.892 acre tract, being the northeast corner of a 1.46 acre tract described in Volume 796, Page 317 of the Deed Records, all of Hays County, Texas and also being an angle point in the south line of a 65.112 acre tract described in Document No. 14021499 of the Official Public Records of Hays County, Texas;

**THENCE** South 89°42'36" East, with the north line of the 208.892 acre tract, same being the south line of the 65.112 acre tract, a distance of 1044.87 feet to a 5/8" iron pipe found for an angle point in the north line of the 208.892 acre tract, same being the south line of the 65.112 acre tract;

**THENCE** South 89°36'55" East, continuing with the north line of the 208.892 acre tract, same being the south line of the 65.112 acre tract and the south line of a 48.354 acre tract described in Volume 7588, Page 451 of the Deed Records of Travis County, Texas, a distance of 839.72 feet to a 5/8" iron pipe found for an angle point in the north line of the 208.892 acre tract, same being the south line of said 48.354 acre tract;

**THENCE** continuing with the north line of the 208.892 acre tract, same being the south

## Exhibit A

Page 2

line of the 48.354 acre tract, the following seven (7) courses and distances:

- 1. South 60°49'12" East, a distance of 74.39 feet to a 1/2" iron pipe found;
- 2. South 69°02'36" East, a distance of 76.33 feet to a 1/2" iron pipe found;
- 3. South 87°22'15" East, a distance of 127.86 feet to a 3/4" iron pipe found;
- 4. North 47°43'15" East, a distance of 94.70 feet to a 1/2" rebar with "Chaparral" cap set;
- 5. North 89°13'53" East, a distance of 172.17 feet to a 5/8" iron pipe found;
- South 79°37'01" East, a distance of 105.27 feet to a 1/2" rebar with "Chaparral" cap set;
- 7. North 78°37'51" East, a distance of 113.30 feet to a 1" iron pipe found;

**THENCE** continuing with the north line of the 208.892 acre tract, the following two (2) courses and distances:

- 1. South 87°19'55" East, crossing Little Bear Creek, a distance of 90.88 feet to a 1/2" iron pipe found;
- North 89°43'14" East, a distance of 42.23 feet to a 1/2" iron pipe found for the northwest corner of a 1.998 acre tract, described in Volume 12391, Page 348 of the Real Property Records of Travis County, Texas, being in the south line of a 2.143 acre tract described in Volume 7628, page 817 of the Deed Records of Travis County, Texas;

**THENCE** with the common lines of the 208.892 and said 1.998 acer tract, the following two (2) courses and distances:

- 1. South 04°39'05" East, a distance of 623.74 feet to a 1" iron pipe found for the southwest corner of the 1.998 acre tract;
- 2. North 72°24'34" East, a distance of 100.28 feet to a 1/2" iron pipe found for the southeast corner of the1.998 acre tract, being in the easternmost northeast corner of the 208.892 acre tract;

**THENCE** with the east line of the 208.892 acre tract, the following four (4) courses and distances:

1. South 03°58'54" West, a distance of 67.95 feet to a 5/8" iron pipe found on the north bank of Little Bear Creek;

Page 3

- South 73°19'44" East, a distance of 42.20 feet to a calculated point in Little Bear Creek;
- 3. South 30°12'44" East, a distance of 79.49 feet to a 10" Elm tree found on the south bank of Little Bear Creek, as referenced in Volume 711, Page 598 of the Deed Records of Hays County, Texas;
- South 05°45'08" East, a distance of 87.94 feet to a 1/2" iron pipe found in the west line of said Lot 16, Block A, Ring Tract Phase Two, Final Plat, a subdivision of record in Document No. 201700120 of the Official Public Records of Travis County, Texas;

**THENCE** South 02°16'55" East, with the east line of the 208.892 acre tract, same being the west line of Lot 16, a distance of 320.31 feet to a 1/2" iron pipe found in the west line of a 348.277 acre tract described in Document No. 21030465 of the Official Public Records of Hays County, Texas;

**THENCE** South 01°38'47" East, with the east line of the 208.892 acre tract, same being the west line of said 348.277 acre tract, a distance of 1962.76 feet to a 1/2" iron pipe found for the southeast corner of said 208.892 acre tract, being the northeast corner of said 217.066 acre tract;

**THENCE** South 01°45'39" East, with the east line of the 217.066 acre tract, same being the west line of the 348.277 acre tract, a distance of 461.18 feet to a calculated point;

**THENCE** crossing the 217.066 acre tract and the 208.892 acre tract, the following four (4) courses and distances:

- 1. North 57°51'25" West, a distance of 216.55 feet to a calculated point;
- 2. North 50°36'22" West, a distance of 482.65 feet to a calculated point;
- 3. North 43°40'39" West, a distance of 1026.83 feet to a calculated point;
- 4. North 37°11'33" West, a distance of 2952.81 feet to a calculated point in the west line of the 208.892 acre tract, same being the east line of said 1.46 acre tract;

Page 4

**THENCE** North 01°36'39" West, with the west line of the 208.892 acre tract, same being the east line of the 1.46 acre tract, a distance of 69.07 feet the **POINT OF BEGINNING**, containing 131.6 acres of land, more or less.

Surveyed on the ground on November 12, 2021. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), South Central Zone, based on GPS solutions from The National Geodetic Survey (RTN) on-line positioning user service (OPUS) for Chaparral control point "3". Attachments: Survey Drawing No. 759-022-EX2.

Steven P. Timberlake Date Registered Professional Land Surveyor State of Texas No. 6240 TBPLS Firm No. 10124500

072 STEVEN P. TIMBERLAKE

Exhibit A

#### METES & BOUNDS DESCRIPTION

FIELD NOTES FOR 171.664 ACRES OF LAND OUT OF THE S.V.R. EGGLESTON SURVEY NUMBER 3, ABSTRACT NOS. 5 AND 11 OF HAYS AND TRAVIS COUNTIES, TEXAS; BEING A PORTION OF A CALLED 349.690 ACRE TRACT OF LAND AS CONVEYED TO LABENSKI BRANCH, LP BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2018119702 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NUMBER 18027027 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 171.664 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the east line of a called 209.402 acre tract of land as conveyed to Chance Armbruster by Special Warranty Deed recorded in Document Number 2011006800 of the Official Public Records of Travis County, Texas, at the most southerly corner of RING TRACT PHASE TWO, a subdivision recorded in Document Number 201700120 of the Plat Records of Travis County, Texas, for the most westerly northwest corner of the herein described tract, from which a 1-inch iron pipe found for an angle point on the west line of said RING TRACT PHASE TWO bears N 02'33'30" W a distance of 1,140.14 feet

THENCE, partly with the southeast line of said RING TRACT PHASE TWO and partly with the southeast line of the remainder of a called 11 acre tract of land described as Tract 2 as conveyed to The Randolph Company by Correction Warranty Deed recorded in Volume 12391, Page 348 of the Real Property Records of Travis County, Texas, N 33'47'22" E a distance of 1,552.16 feet to a 1/2-inch iron rod with cap stamped 'BGE Inc" set on the south line of a called 73 acre tract of land as conveyed to Robert Cyril Jerome Hejl by Executor's Deed recorded in Document Number 2011131371 of the Official Public Records of Travis County, Texas, at the most easterly corner of said 11 acre tract, for the most northerly northwest corner of the herein described tract, from which a found Railroad Spike bears S 85°14'54" W, 34.2 feet;

THENCE, generally along a fence, with the south line of said 73 acre tract and the north line of said 349.690 acre tract, N 88°33'23" E a distance of 1,008.55 feet to a 1/2-inch iron pipe found at the northwest corner of a called 29.615 acre tract of land as conveyed to Walter B. Hector by General Warranty Deed recorded in Volume 11125, Page 875 of the Real Property Records of Travis County, Texas, and at the northeast corner of said 349.690 acre tract, for the northeast corner of the herein described tract;

THENCE, generally along a fence, with the west line of said 29.615 acre tract and the east line of said 349.690 acre tract, the following five (5) courses:

- 1) S 01°17'31" E a distance of 220.82 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a dead 14-inch tree;
- 2) S 02°28'42" E a distance of 414.20 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post;
- 3) S 02°17'45" E a distance of 889.74 feet to a to a 1/2-inch iron rod with cap stamped 'BGE Inc" set for an angle point at a double 12-inch Hackberry;
- 4) S 02°03'46" E a distance of 241.91 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point at a fence post; and
- 5) S 00°13'52" W a distance of 452.24 feet to a 1/2-inch iron pipe found at the northwest corner of a called 28.09 acre tract of land as conveyed to Jeffery Lee Grubert by Warranty Deed with Vendor's Lien recorded in Document Number 2008-80014950 of the Official Public Records of Hays County, Texas, for an angle point:

THENCE, with the west line of said 28.09 acre tract and the east line of said 349.690 acre tract, S 01°07'16" E a distance of 1,318.47 feet to 1/2-inch iron pipe found at the southwest corner of said 28.09 acre tract, and at the northwest corner of a called 97.36 acre tract of land described as 'First Tract" as conveyed to Gene Ledoux by Deed recorded in Volume 153, Page 490 of the Deed Records of Hays County, Texas, for an angle point;

THENCE, generally along a fence, with the west line of said 97.36 acre tract and the east line of said 349.690 acre tract, the following four (4) courses:

- 1) S 01°58'05" E a distance of 140.05 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) S 04'43'07" W a distance of 684.44 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) S 01°57'53" E a distance of 291.67 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 4) S 01°18'09" E a distance of 15.79 feet to a 1/2-inch iron rod with cap



NOT TO SCALE

#### RESTRICTIVE COVENANT AND EASEMENT NOTES:

1. THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD IN VOLUME 472, PAGE 439 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS AND THOSE SET OUT ON THE PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THESE RESTRICTIVE COVENANTS)

- 10B. PUBLIC UTILITY EASEMENT 7.5 FEET WIDE ALONG THE NORTHERLY PROPERTY LINE AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS NOT SUBJECT TO THIS EASEMENT)
- 10C. EASEMENT AS SET OUT IN VOLUME 118, PAGE 515 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
- 10D. EASEMENT GRANTED TO UNITED PRODUCERS PIPE LINE COMPANY AS SET OUT IN VOLUME 97, PAGE 21 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)
- 10E. EASEMENT AS SET OUT IN VOLUME 138, PAGE 522 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY MAY BE SUBJECT TO THIS EASEMENT, BLANKET IN NATURE)

stamped "BGE Inc" set on the northerly City of Buda Extraterritorial Jurisdiction (ETJ) line and the southerly City of Austin 2-mile ETJ line (as extracted from City of Buda GIS data), for the southeast corner of the herein described tract;

THENCE, over and across said 349.690 acre tract, with the common ETJ lines of the City of Austin and the City of Buda, the following five (5) courses:

- 1) N 72°26'48" W a distance of 347.68 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 64°10'31" W a distance of 395.95 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) N 65°19'16" W a distance of 381.65 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 4) N 57°40'22" W a distance of 887.17 feet to a 1/2—inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 5) N 54°27'08" W a distance of 84.54 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the east line of a called 217.17 acre tract of land as conveyed to Henry Crews Armbruster by Boundary Line Agreement recorded in Volume 222, Page 163 of the Deed Records of Hays County, Texas and on the west line of said 349.690 acre tract, for the southwest corner of the herein described tract;

THENCE, generally along a fence, with the east line of said 217.17 acre tract and the west line of said 349.690 acre tract, N 01'44'45" W a distance of 281.74 feet to a 1/2-inch iron rod found for an angle point;

THENCE, generally along a fence, continuing with the west line of said 349.690 acre tract and continuing partly with the east line of said 217.17 acre tract and partly the east line of said 209.402 acre tract, N 01°37'31" W a distance of 2,108.78 feet to the POINT OF BEGINNING and containing 171.664 acres of land, more or less.

- 10F. DRAINAGE EASEMENT AS SET OUT IN VOLUME 147, PAGE 380 OF THE DEED RECORDS, AND AS SHOWN ON PLAT RECORDED IN VOLUME 3, PAGE 347 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS NOT SUBJECT TO THIS EASEMENT)
- 10G. EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. AS SET OUT IN VOLUME 348, PAGE 886 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS SUBJECT TO THIS EASEMENT, SHOWN HEREON)
- 10K. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT GRANTED TO THE CITY OF BUDA, BY INSTRUMENT DATED DECEMBER 8, 2014, RECORDED IN/UNDER VOLUME 5102, PAGE 288 OF THE OFFICIAL RECORDS, HAYS COUNTY, TEXAS. (PROPERTY IS NOT SUBJECT TO THIS EASEMENT)
- 10L. ALL TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN AGREEMENT FOR WASTEWATER EASEMENT GRANTED TO THE CITY OF BUDA AS SET OUT IN VOLUME 4849, PAGE 498 AND VOLUME 4850, PAGE 507 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (PROPERTY IS NOT SUBJECT TO THIS EASEMENT)

#### GENERAL NOTES

- 1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD83. COMBINED SCALE FACTOR = 0.9999247624
- 2. THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48209C0280F, REVISED SEPTEMBER 2, 2005, AND THE FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48453C0680J, REVISED JANUARY 22, 2020. ALL FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY.
- 3. THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY AND COUNTERSIGNED BY GRAYSTONE TITLE COMPANY, LLC UNDER FILE NUMBER 01460-6368, DATED EFFECTIVE SEPTEMBER 13, 2018 AND ISSUED ON SEPTEMBER 24, 2018.
- 4. RIGHT-OF-WAY APPEARS TO HAVE BEEN DEDICATED BY THE PLAT OF THE WOODS OF BEAR CREEK RECORDED IN VOL. 3, PG. 347, P.R.H.C. AND BY SEPARATE INSTRUMENTS RECORDED IN VOLUME 540, PAGE 845 AND VOLUME 540, PAGE 851 OF THE D.R.H.C. DOCUMENTS RECORDED IN VOLUME 540, PAGE 851 AND VOLUME 540, PAGE 845 HAVE BEEN ABANDONED PER DECLARATION OF ABANDONMENT OF RIGHT-OF-WAY RECORDED IN VOLUME 11193, PAGE 941 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.
- 5. POLITICAL BOUNDARIES SHOWN HEREON ARE EXTRACTED FROM GIS DATA AND ARE APPROXIMATE. THE CITY OF BUDA ETJ AND CITY OF BUDY CITY LIMITS LINE WORK WAS DOWNLOADED FROM THE CITY OF BUDA GIS. (https://budatx.maps.arcgis.com)

To Milestone Community Builders; and Stewart Title Guaranty Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 9, 11 (observed evidence only), 14 & 16 of Table A thereof. The field work was completed on September 13, 2018.

Date of Plat or Map: April 2, 2020

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

> JONATHAN O. NOBLES RPLS NO. 5777 BGE, INC. 101 WEST LOUIS HENNA BLVD., SUITE 400 AUSTIN, TEXAS 78728 TELEPHONE: (512) 879-0400

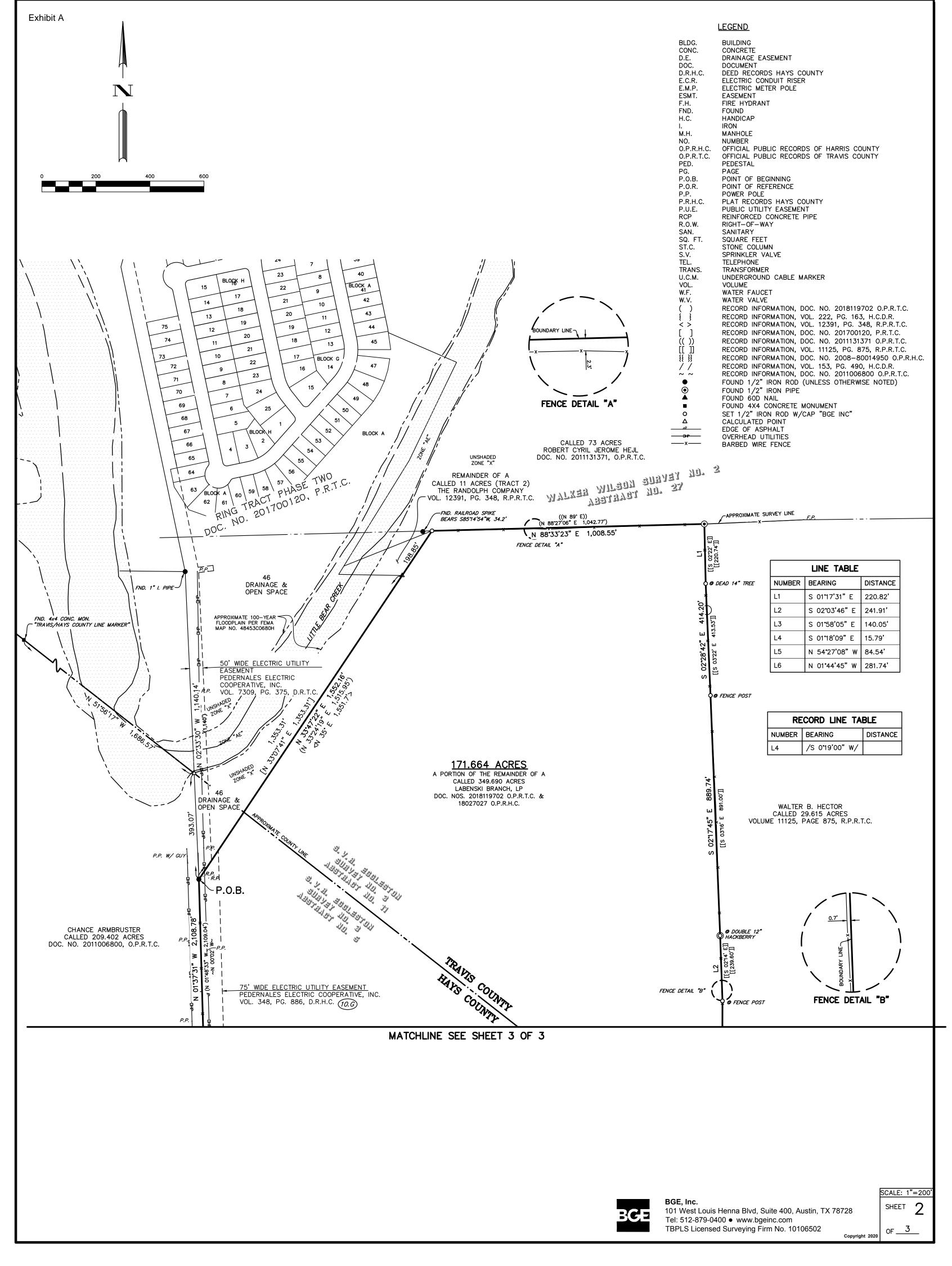


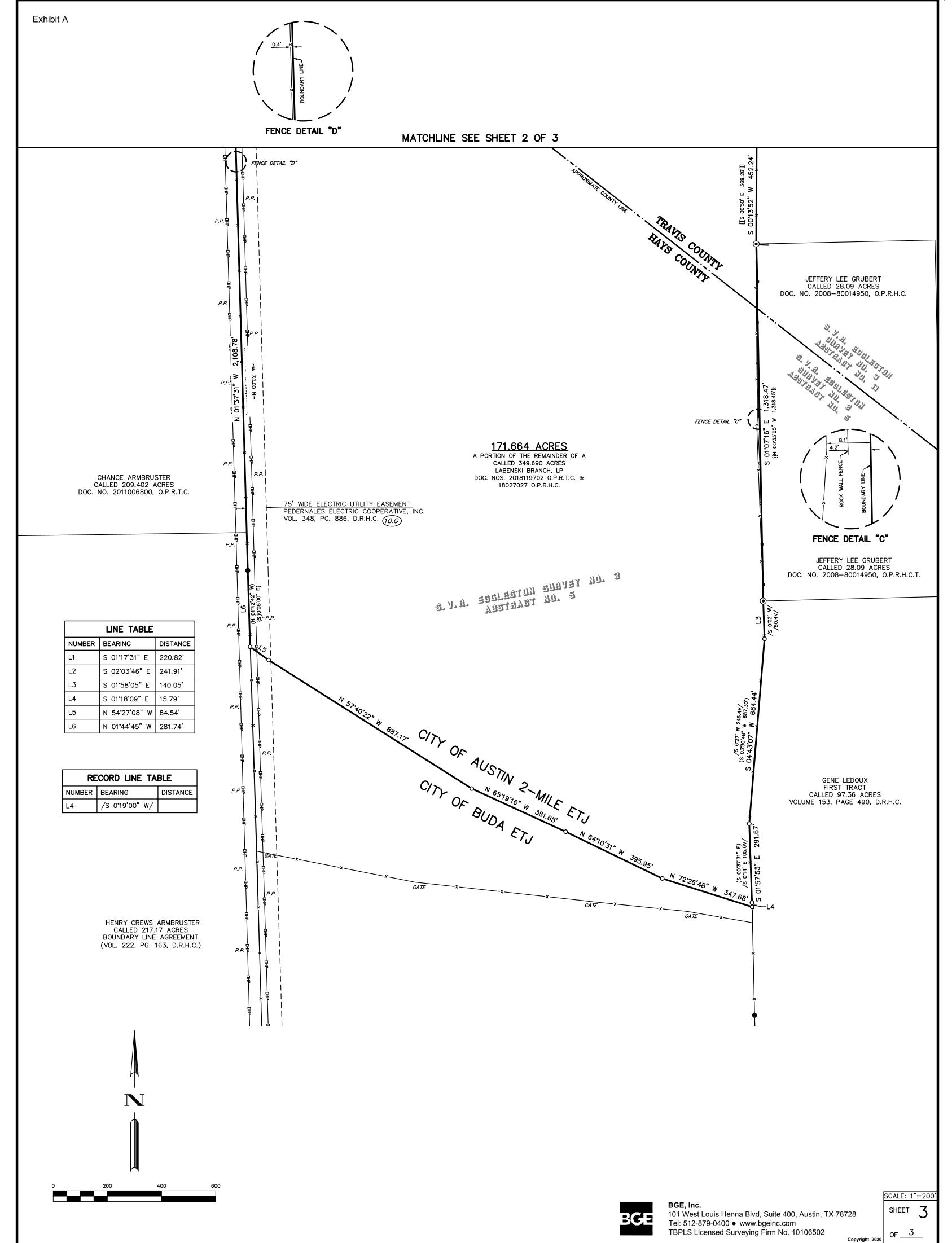
101 West Louis Henna Blvd, Suite 400, Austin, TX 78728 Tel: 512-879-0400 • www.bgeinc.com TBPLS Licensed Surveying Firm No. 10106502

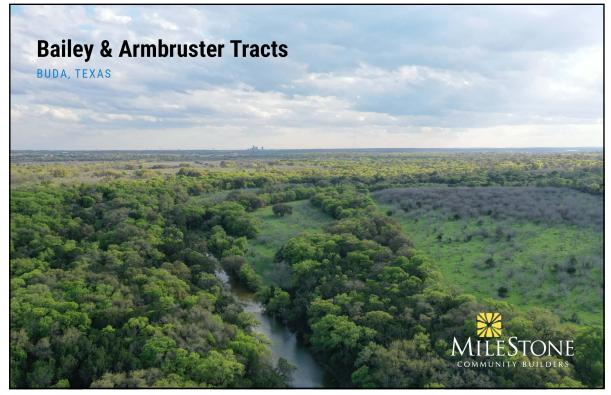
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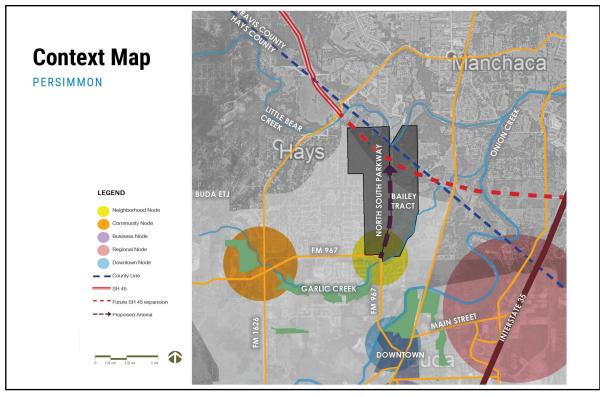
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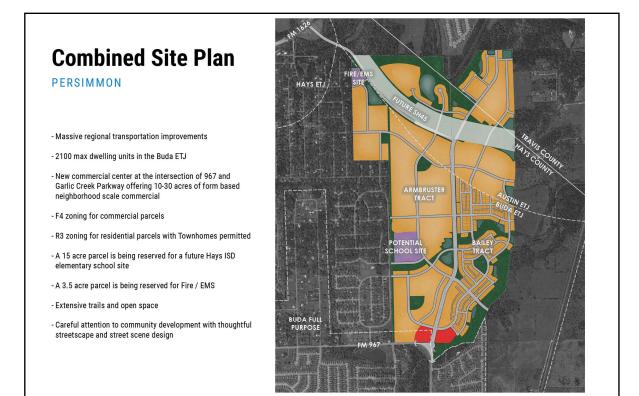
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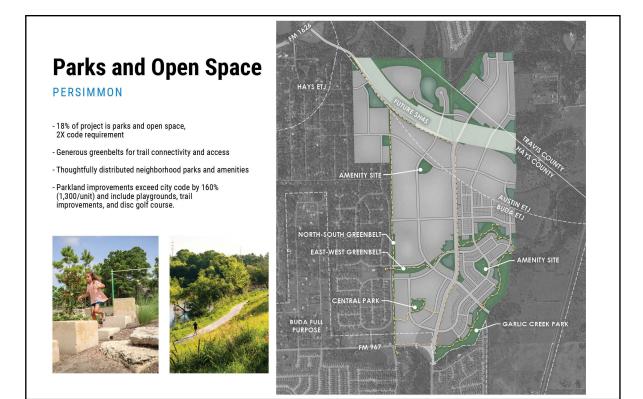




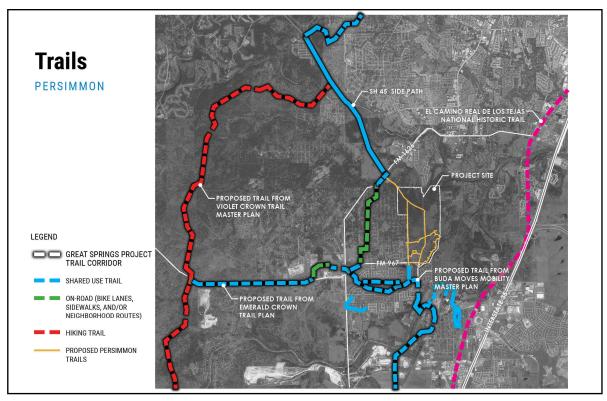


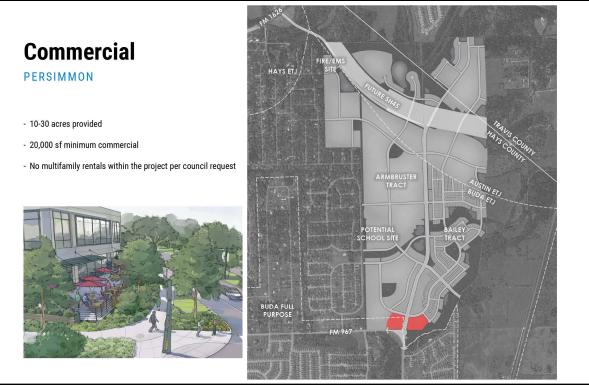






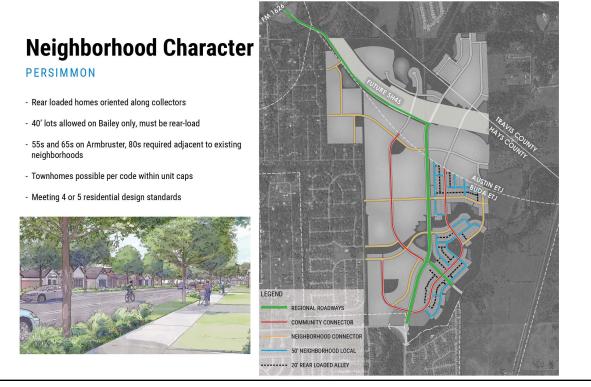


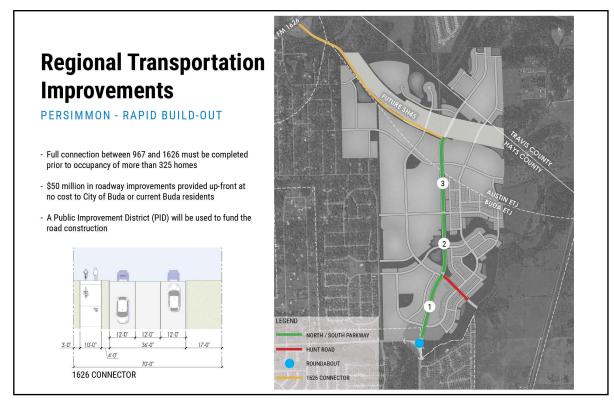


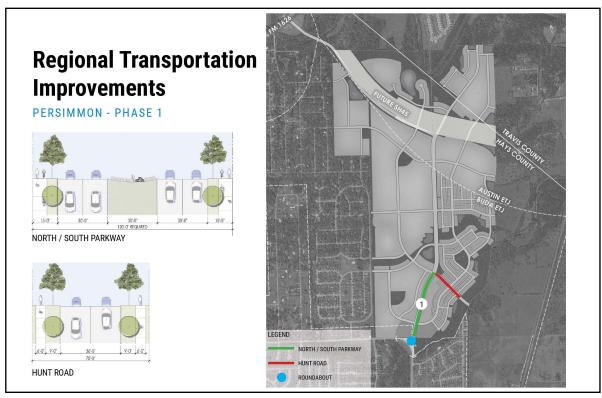


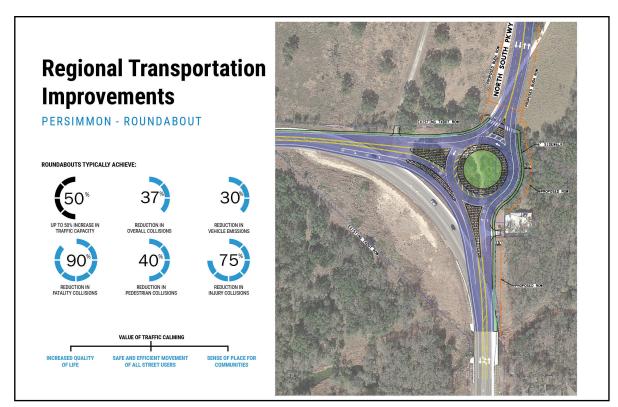


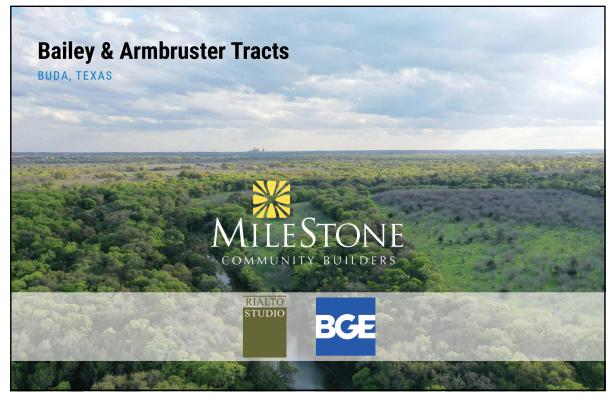












Agenda Item #H.1.



# Planning and Zoning Commission Agenda Item Report

Date: Tuesday, July 26, 2022

## Agenda Item No. 2022-144- #H.1

Contact: Melissa McCollum

Subject: Workshop, consideration and discussion regarding a proposed future Municipal Utility District (MUD), Development Agreements (DA) and Planned Development (PD) zoning change to allow residential development on the Reserve at Cole Springs located within City of Buda and Buda Extra Territorial Jurisdictions (ETJ) for approximately 110 +/- acres off Cole Springs Road with some frontage on Old Black Colony Road, Buda, TX 78610 (Planning Director Melissa McCollum).

### 1. Executive Summary

This item is a workshop requested by the applicant, who seeks feedback regarding a proposed extension of the residential subdivision of the Conly at Cole Springs, to be known as the Reserve at Cole Springs. The Reserve at Cole Springs is an additional 110 acres to an already planned 177-acre residential subdivision. The Reserve section proposes approximately 279 single family lots in addition to the existing Colony lots of 499. This will be a combined total of approximately 778 residential lots on 286 acres for an overall density of 2.72 units to the acre.

### 2. Background/History

Most of the property located on these new tracts (Lacker and Home Living Hospitality) are within the ETJ, but one tract (Stanfield) approximately 11.5 acres is within the city limits and zoned AG, Agricultural. This project is planned to be an extension of the Colony at Cole Springs and the current property entitlements of a Municipal Utility District, (MUD), Development Agreement (DA) and Planned Development (PD) zoning will be revised/added to include this new 109 acres.

The proposed developers/home builders, MI Homes and Meritage Homes are seeking feedback regarding the proposed development before proceeding with consideration to make sure all questions are considered prior to commencing the enticement process.

### 3. Staff's review and analysis

The development review process allows governmental entities to review proposed development standards from applicants who petition the City for a new development project that lies within the City's planning jurisdiction. The process consists of, but is not limited to, meetings with City of Buda

development staff and the Buda Economic Development Corporation; industry-specific planning, building, and engineering review discussions; and board and commission workshops and public hearings. The City of Buda has not solicited, sought, or promoted this project, but is simply exercising its development review authority, which protects the health, safety, and general welfare of the City of Buda and its citizens.

#### 4. Financial Impact

This project is proposing utilizing the MUD financing mechanisms to support the proposed infrastructure (transportation and utilities). The Developer is requesting the existing Colony at Cole Springs MUD be expanded for this development. The Developer is seeking feedback from the decision makers.

#### 5. Strategic Plan

N/A

#### 6. Summary/Conclusion

The goal of this workshop is to allow the developers to share their vision and seek feedback on proposed development concepts.

#### 7. Pros and Cons

Pros: Expanded/enhanced infrastructure (transportation and utilities) in this area. Cons: Development, additional traffic and change.

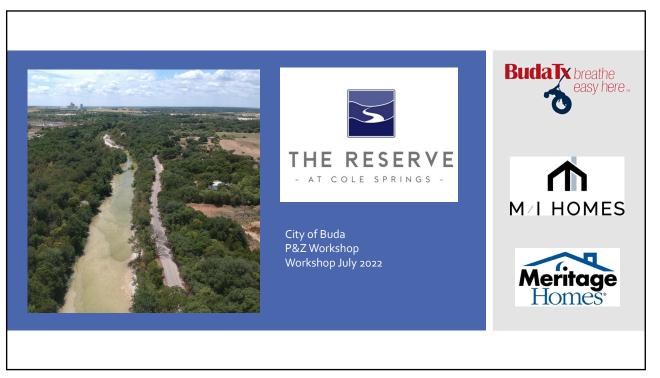
#### 8. Alternatives

A small portion of this property is in the City limits (11.5 acres) and the remaining portion is in the ETJ..

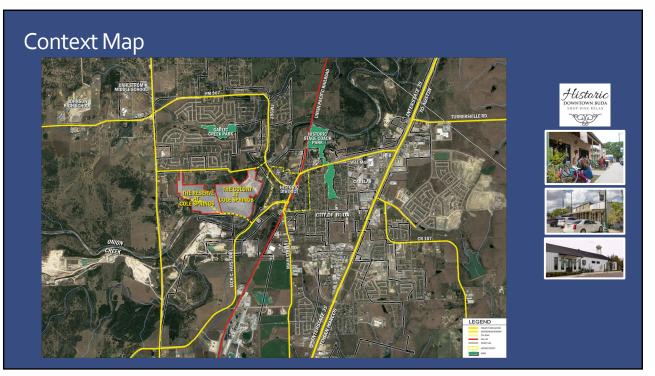
The applicant hopes this will be an extension to the existing Colony at Cole Springs development.

#### 9. Recommendation

No action is required but the workshop gives the P&Z the opportunity to provide the Developer and Staff direction on potential future developer permit applications.







# Colony at Cole Springs Update



- DA approved June 2020
- Preliminary Plan approved September 2021
- Bridge and Phase 1 Construction: Working through final comments with staff. Bidding soon.
- DA: No Phase 2 building permits until bridge complete
- OBC and New collector anticipated completion Fall 2023
- Bridge status: Anticipated completion Fall 2023
- First homes anticipated complete Spring 2024

Colony at Cole Springs Park Improvements Update



- 10.62 Park Acres Required.
   33.1 park acres provided
- <u>9,000 linear feet</u> of trails, including 8 foot, concrete Onion Creek trail
- No Phase 2 building permits allowed until all Phase 1 trails are installed and inspected
- No Phase 3 building permits allowed until all Phase 2 trails are installed and inspected
- Prior to completion of Phase 3, a public trailhead and parking area with 12 spaces will be constructed for the Onion Creek Trail

# Existing Site Conditions – Reserve at Cole Springs



- □ 110.48 Acres
- Electric Easement in northern third
- Tree cover in northern third
- Cole Springs Road on the southern boundary

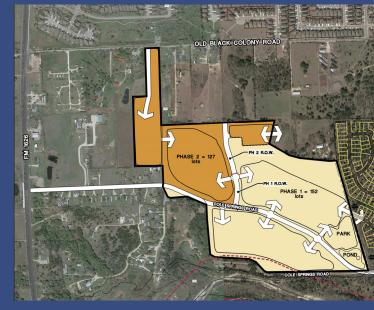
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## Land Use Plan – Reserve at Cole Springs



- Supplement Colony at Cole Springs DA: All other terms and conditions of the DA stay in effect.
- Expands MUD boundary to include additional 110 acres
- Re-align, widen and straighten Cole Springs Road to 1626
- Create north south collector in compliance with City thoroughfare map
- Lot Sizes 55 foot width and 75 foot width
- Approx. 279 lots (62 lots, 75 foot wide or larger)
- Lot standards in compliance with UDC regulations for zoning category R-3
- 7.5' side setbacks on R-3 homes
- Approximately 30 acres of open space

# Land Use Plan



#### Phase 1: EST. START 2024

- 152 Lots
- Cole Springs Improved and straightened to edge of Reserve Property
- Dependence Phase 2: EST. START 2025
  - 127 Lots
  - Cole Springs Improved to 1626

7

# Park and Trails Plan

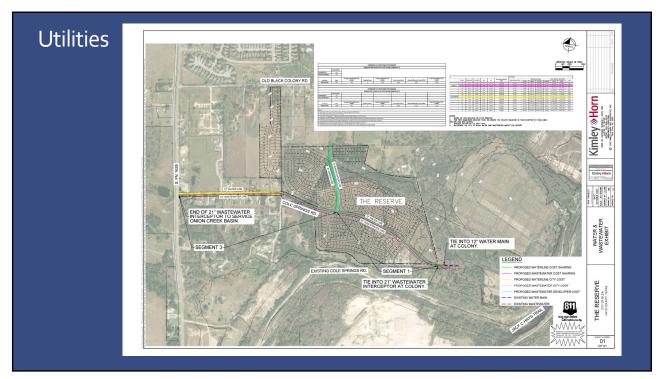






- Code Requirement 1 acre per 50 units = 5.5 acres
- Parkland Proposed = 16.2 acres
- Wider sidewalks along each side of collector road and ultimately across bridge
- Bike lanes along each side of Cole Springs and the new N/S collector roadway
- New hike and bike trail along Onion Creek linking to Colony at Cole Springs trail
- Internal trails connected to Colony
- Neighborhood park with playground, picnic area, outdoor gaming, trails





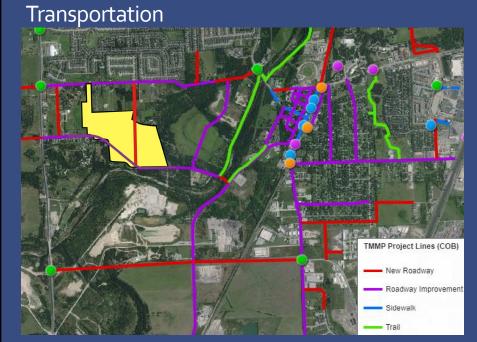
#### Community Benefits made possible by MUD:

- Transportation Improvements exceed traditional development requirements
  - New North South Connections
  - New Cole Springs Alignment
- Masonry Standards imposed for new homes despite State Legislation
- Home designs that exceed ENERGY STAR rating
- Oversized waste water line and water line connection to serve future growth
- Connectivity to downtown businesses
- Parks / trails exceed requirements
- Master Planned Community cohesive design utilizing City UDC





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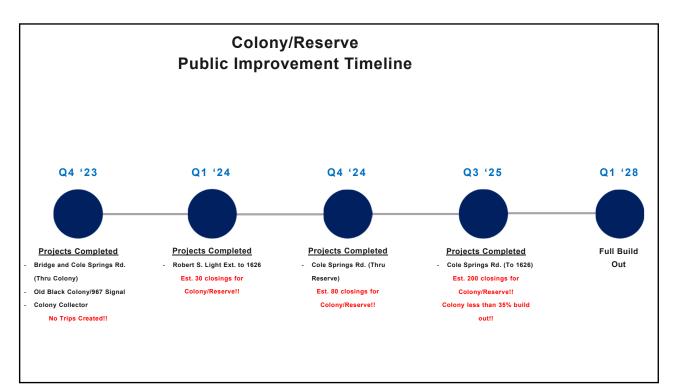


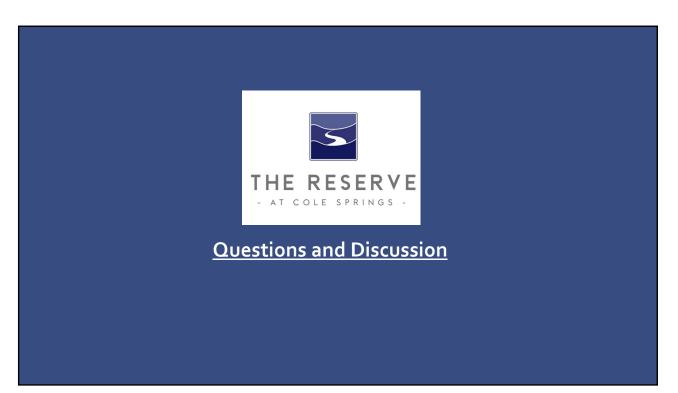
#### <u>Buda Move!</u> <u>Transportation Mobility</u> <u>Master Plan</u>

- Straighten Cole Springs Alignment
- Provide new North/South Connection between OBC and Cole Springs Road



		-	PROPOSED MI	TIGATION AND DEV	ELOPER SHARE			
ltem	Intersection/Street	Approach	Mitigation Measure	Total Estimated Cost	% Site Traffic at Location	Pro-Rata Cost Share	% Contribution by Developer	Developer Contribution Cost
				Phase 1				
	Main Street & FM 967	EB	Restripe roadway to add a 65' EB Left Turn Lane with Taper	\$2,000	1%	\$385	1%	\$385
	Main Street & Jack C Hays Trail	ALL	Install Traffic Signal	\$300,000	6%	\$18,860	6%	\$18,860
	Main Street & Jack C Hays Trail	NB	Install 210' NB Left Turn Lane with Taper	\$91,000	13%	\$11,483	13%	\$11,483
	Cole Springs Rd. & FM 967	NB	Install 195' NB Right Turn Lane with Taper	\$85,750	0%	\$0	0%	\$0
	FM 1626 & Old Black Colony Rd.	ALL	Install Traffic Signal	\$300,000	3%	\$7,502	3%	\$7,502
	FM 1626 & Cole Springs Rd.	ALL	Install Traffic Signal	\$300,000	3%	\$9,795	3%	\$9,795
				Phase 2				
	Cole Springs Rd.	N/A	Road Const. between Reserve & FM 1626	\$950,000	Additional Mitigation not required by UDC, but proposed by developer to improve health and safety		100%	\$950,000
			Total			\$48,025		\$998,025







Elliot Jones Division Vice President

8920 Business Park Drive Suite 350 Austin, Texas 78759



Royce Rippy Vice President of Land Development

Austin Evetts Director of Land Development

6801 N. Capital of Texas Highway Lakewood II, Suite 100 Austin, Texas 78731





## Design / Consulting Team

PLANNING | LANDSCAPE ARCHITECTURE: SEC Planning, LLC. Mark Baker, ASLA Principal

4201 W. Parmer Lane. Building A, Suite 220 Austin, Texas 78727

#### CIVIL ENGINEERING:

Kimley-Hom William Buzzelli 10814 Jollyville Road. Campus IV. Suite 300 Austin, TX 78759

LEGAL:

Armbrust and Brown, PLLC Sean Abbott 100 Congress Avenue. Suite 1300 Austin, Texas 78701

#### FINANCIAL ADVISOR:

Public Finance Group, LLC Cheryl Allen President goo South Capital of Texas Highway Building IV, Suite 475 West Lake Hills, Texas 78746



#### Proposed 70 foot collector right of way

- New Collector Road: 2 lane with 6 foot bike lanes.
- 6 foot wide walks on each side
- Street tree and landscaped parkway
- Implement connection from Cole Springs to Old Black Colony as indicated on City Transportation Master Plan
- Allows improved north/south circulation and brings traffic away from flood prone Cole Springs roadway
- Cole Springs re-alignment designed and constructed with Phase 1 of the development

Agenda Item #H.2.



# Planning and Zoning Commission Agenda Item Report

Date: Tuesday, July 26, 2022

## Agenda Item No. 2020-388- #H.2

Contact: Micah Grau

# Subject: Work Session, presentation, and feedback on the draft FY 2023-27 Capital Improvements Plan (CIP) for the City of Buda (City Manager Micah Grau).

#### 1. Executive Summary

The purpose of this item is to seek feedback from the Planning & Zoning Commission on the proposed draft FY2023-27 Capital Improvement Plan (CIP).

### 2. Background/History

The City of Buda five year Capital Improvements Plan (CIP) is a planning tool to help the City forecast the timing and funding of future capital projects. The Plan is reviewed and updated annually as part of the annual budget development process. Projects are derived from the Buda 2030 Comprehensive Plan as well as infrastructure specific master plans. Projects are also identified through staff observations, citizen comments, and development trends occurring in and around the City. A staff team that includes representatives from the Public Works, Parks, Planning, Engineering, and Finance departments work together to develop the project scopes and to prioritize needs. Input on the document is also solicited from the Parks Commission and the Planning and Zoning Commission in order to account for the impact of growth on the City's infrastructure system.

The five year CIP outlines capital improvements, those projects with a value greater than \$50,000 and a useful lifespan that exceeds 20 years. The CIP document is reviewed annually for project prioritization based on growth and needs in the community.

Adoption of the Capital Improvements Plan is done with the adoption of the annual budget in September.

#### 3. Staff's review and analysis

Staff is seeking feedback from the Planning & Zoning Commission on project priorities and funding options. Following input from the P&Z and other boards and commissions, the CIP will be presented to the City Council. Once initial direction is received from the City Council, staff will post the draft

CIP online for public inspection and comments. Final adoption of the CIP is expected to occur concurrently with the adoption of the Fiscal Year 2023 Budget. Only the projects shown as previously funded or approved in the budget process are considered funded and approved to continue. Projects in future years are shown for reference and are used to assist the City with financial planning and rate setting.

### 4. Financial Impact

Funding for projects can come from many sources including operating funds, fund balance, debt, and special revenue sources such as impact fees, hotel occupancy taxes, and park dedication fees.

#### 5. Strategic Plan

N/A

#### 6. Summary/Conclusion

Staff is seeking input from the P&Z on the draft CIP.

### 7. Pros and Cons

Not applicable.

#### 8. Alternatives

Not applicable.

#### 9. Recommendation

Staff seeks feedback from the P&Z on the proposed CIP. P&Z may choose to provide a recommendation for adoption of the proposed CIP to City Council.









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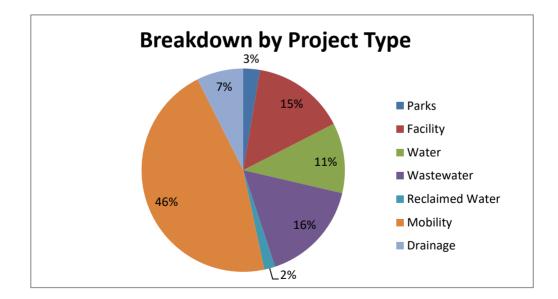
## **EXECUTIVE SUMMARY**

The City of Buda five year Capital Improvements Plan (CIP) is a planning tool to help the City forecast the timing and funding of future capital projects. The Plan is reviewed and updated annually as part of the annual budget development process. Projects are derived from the Buda 2030 Comprehensive Plan, the 2036 Strategic Plan, as well as infrastructure specific master plans. Projects are also identified through staff observations, citizen feedback, and development trends occurring in and around the City. A staff team that includes representatives from the Public Works, Parks, Planning, Engineering, and Finance departments work together to develop the project scopes and to prioritize needs. Input on the document is also solicited from the various Boards and Commissions in order to account for the impact of growth on the City's infrastructure system.

The inclusion of a project in the Capital Improvements Plan does not guarantee that the City will design or construct the project in the time frame noted in the document. Project funding and construction is always subject to change and annual appropriation. The CIP is evaluated annually by the City Council in order to prioritize projects and identify funding sources based on needs and the availability of funding. Some projects shown in the CIP may be constructed by private development as it is needed to serve future development with or without participation by the City of Buda. Projects such as these are shown in the CIP to reflect the City's master plans and to help identify how future projects may impact the existing infrastructure network.

Identified funding sources noted in the document are representative of funding options but are not a guaranty of project funding or source. The City Council will annually evaluate funding availability to determine the best funding source as part of the annual budget process. Project costs are shown at today's dollars. No inflationary factor is included in the projections. Most project costs are based on early estimates as typically no engineering has been completed on the project. The costs of projects in the document will be reviewed and updated during the annual review to adjust for cost changes.

A referendum bond election totaling \$89.66 million was approved by Buda voters in November 2021 - \$73.57 million for mobility and \$16.09 million for park projects. The City is also anticipates receiving \$4.2 million as its allocation from the American Rescue Plan Act (ARPA). Those funds may be used for water and wastewater infrastructure in addition to other uses. Congress is also debating an infrastructure bill that could provide significant federal funds for future capital projects including mobility.



## **DEFINITIONS & ACRONYMS**

Below is a list of terms and acronyms used in this document.

ADA. The Americans with Disabilities Act of 1990.

ARPA. American Rescue Plan Act of 2021.

ARWA. Alliance Regional Water Authority. Formerly the Hays Caldwell Public Utility Authority.

ASR. Aquifer Storage and Recovery well. A means by which surplus water is pumped into the aquifer for future use.

BBAC. The Buda Bond Advisory Committee. A committee appointed by City Council to evaluate potential projects for inclusion in a possible bond referendum election.

BEDC. The Buda Economic Development Corporation. Also referred to as the "EDC."

BODs. Biochemical oxygen demand.

CIP. Capital Improvements Plan. The five year planning document used by the City of Buda to plan out capital expenditures.

COs. Certificates of Obligation bonds.

DPR. Direct Potable Reuse water.

Duration. Duration is shown in months.

FM. Farm to Market roadway or wastewater force main, depending on the context.

FY. Fiscal Year.

GOs. General Obligation bonds. Also known as referendum bonds.

HCISD. Hays Consolidated Independent School District.

HDPE. High-density polyethlyne is a strong thermoplastic used for piping.

HOA. Home owners association.

Impact Fee. A charge made to new development to connect to the city's roadway, water, or wastewater system in accordance with Ch. 395 of the Texas Local Government Code.

LF. Linear Feet.

LS. Lift station.

MG. Million gallons.

MGD. Million gallons daily.

Parks Capital Fund. A fund of the City of Buda that accounts for Park Dedication Fees that are charged during the development process. These fees are used to make improvements to the City's park system.

PCI. Pavement Condition Index. A numerical index between 0 and 100, which is used to indicate the general condition of a pavement section. A score of 100 indicates a new roadway, and a score of 0 indicates that the pavement has completely failed.

PVC. Polyvinyl chloride pipe.

Reuse Water. Water such as wastewater that is treated to a level to meet TCEQ standards for reuse as non-potable water for irrigation or another use.

Rd. or St. Road or street.

RM. Ranch to Market roadway.

ROW. Right of way.

Sq. Ft. or SF. Square foot.

TCEQ. Texas Commission on Environmental Quality.

TMMP. Transportation Mobility Master Plan - the City's mobility master plan that was completed in 2020.

TSS. Total suspended solids.

WWMP. The City's Wastewater Master Plan that was completed in 2020.

WWTP. Wastewater Treatment Plant.

COMBINED PROJECT SUMMARY								
PROJECT		Fiscal Year						
CATEGORY	Prior Years	23	24	25	26	27	Future	Total
								15 000 000
Parks	20,558,000	1,991,000	200,000	185,000	-	-	22,348,000	45,282,000
Facility	28,000	110,000	6,936,000	170,000	6,087,000	-	32,897,000	46,228,000
Water	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	-	19,925,400
Wastewater	11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	5,930,000	31,843,480
Reclaimed Water	510,000	-	975,000	75,000	510,000	-	3,425,000	5,495,000
Mobility	29,492,718	9,519,686	29,665,920	1,400,000	616,000	-	66,709,000	137,403,324
Drainage	610,000	3,588,000	664,000	250,000	2,170,000	-	-	7,282,000
Total	72,382,143	18,774,141	46,415,920	4,965,000	13,438,000	6,175,000	131,309,000	293,459,204

	PROJECT CATEGORY SUMMARY								
	PROJECT				Fiscal Year				
	CATEGORY	Prior Years	23	24	25	26	27	Future	Total
Park Pr		11 100 000						0 000 000	00 400 000
P03 P04	Garison Memorial Park Development	11,400,000 998,000	-	-	-	-	-	9,000,000	20,400,000 5,246,000
P04 P05	Sports Complex Improvements Greenbelt Improvements (Downtown Plan)	998,000	-	-	-	-	-	4,248,000 900,000	5,246,000 900,000
P05 P06	Eastside Community Park Land Acquisition	- 8,000,000	-	-	-	-	-	900,000	8,000,000
P00 P07	Recreation Center with Pool	8,000,000	-	75,000	-	-	-	8,200,000	8,275,000
P08	Bradfield Park Playground and Restroom	160,000	-		_	-	-	- 0,200,000	160,000
P10	Green Meadows and Stoneridge Park Improvements		283,500	-	-	-	_	_	283,500
P11	Stagecoach Park Improvements	-	-	125,000	-	-	-	-	125,000
P13	City Park Shade Structures	-	100,000	-	-	-	-	-	100,000
P14	City Park Parking Areas	-	607,500	-	-	-	-	-	607,500
P16	Main Street / S Loop 4 Sidewalk to Norris Skate Park	-	-	-	185,000	-	-	-	185,000
		-	-	-	-	-	-	-	-
Total Us	e of Funds	20,558,000	1,991,000	200,000	185,000	-	-	22,348,000	45,282,000
Facility	Projects								
F01	Current Public Works & Parks Facility Expansion Projects	28,000	-	6,736,000	-	6,087,000	-	32,897,000	45,748,000
F02	Convention Center	_	-	-	-	-	-	-	-
F05	121 Main Street Exterior Siding Replacement	-	55,000	-	-	-	-	-	55,000
F06	Stagecoach House Historic Restoration	-	55,000	175,000	-	-	-	-	230,000
F07	Downtown Parking Lot Site Lighting	-	-	25,000	170,000	-	-	-	195,000
Total Us	e of Funds	28,000	110,000	6,936,000	170,000	6,087,000	-	32,897,000	46,228,000
Water F	rojects								
W01	ASR / Trinity Well #1	1,896,000	-	150,000	700,000	-	-	-	2,746,000
W03	Water Master Plan	175,000	-	-	-	-	-	-	175,000
W04	IH-35 12" Transmission Main Loop	-	-	-	135,000	1,000,000	-	-	1,135,000
W09	Old Black Colony Road 12" Transmission Main & Pressure Valve	-	250,000	1,250,000	-	-	-	-	1,500,000
W11	Old Black Colony Water Storage Facilities	7,650,000	-	-	-	-	-	-	7,650,000
W12	Old Black Colony to Treehaven 12" Line Upsize	135,000	-	-	-		-	-	135,000
W13	ASR/Trinity #2 & 3	-	-	-	-	750,000	4,250,000	-	5,000,000
W14	FM 2770 12" Waterline	-	125,000	575,000	-	-	-	-	700,000
W15	South Loop 4 Water Tank Paint and Rehabilitation	-	320,000	-	-	-	-	-	320,000
W17	S. Loop 4 Utility Relocations for Roadway Reconstruction - Water	44,400	260,000	-	-	-	-	-	304,400
W18	Upsize Main Street 2" Waterline to 8"	-	-	-	260,000	-	-	-	260,000
Total Us	e of Funds	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	-	19,925,400
	ater Projects								
WW04	Wastewater Manhole Rehabilitation	202,880	-	-	-	-	-	-	202,880

WW07	South Loop 4 Lift Station Decommission & Gravity Interceptor Extension	797,545	2,045,455	-	-	-	-	-	2,843,000
WW10	Northwest IH-35 15" Gravity Interceptor	-	-	-	-	-	1,275,000	-	1,275,000
WW11	Bradfield/Lifschutz 12"/16"/18" Gravity Interceptor Expansion	450,000	-	3,000,000	-	-	-	-	3,450,000
WW12	Direct Potable Reuse (DPR) Feasibility Study	-	-	-	-	-	-	450,000	450,000
WW13	Garlic Creek Basin Inflow & Infiltration Study	50,000	-	-	-	-	-	· -	50,000
WW14	Edwards Aquifer Recharge Zone Integrity Testing & Rehabilitation	-	-	50,000	-	-	-	-	50,000
WW15	Overlook Lift Station Upsize and Interceptor for Cole Springs Road			-	700,000	_	_	_	700,000
WW15 WW16	Sunfield Effluent Wastewater Discharge Force Main	9,504,000			700,000				9,504,000
		9,504,000	-	-	-	-	-	-	
WW17	Carpenter Hill Lift Station, Gravity Influent And Force Main Expansion	=	-	-	-	-	-	2,480,000	2,480,000
WW18	FM 967 Interceptor Expansion to 12"	-	-	-	75,000	-	650,000	-	725,000
WW19	Lower Garlic Creek Interceptor Expansion 18" to 21"	-	-	-	215,000	1,885,000	-	-	2,100,000
WW20	Upper Garlic Creek Interceptor Expansion to 15"	-	-	-	50,000	420,000	-	-	470,000
WW21	Dacy Lane Lift Station and Force Main	-	-	2,800,000	-	-	-	-	2,800,000
WW22	FM1626 Wastewater Service Extension Study	75,000	-	-	-	-	-	-	75,000
WW23	Lift Station Condition and Capacity Assessment	100,000	-	-	-	-	-	-	100,000
WW24	Nighthawk Lift Station Capacity Increase	-	-	-	-	-	-	3,000,000	3,000,000
WW25	South Loop 4 Utility Relocations for Roadway Reconstruction - Wastewater	103,600	565,000	-	-	-	-	-,	668,600
WW26	Coves of Cimarron Wastewater Line Replacement	100,000	-	150,000	750,000	_		-	900,000
VV VV 20	Coves of Ciniaron wastewater Line Replacement	-	-	150,000	750,000	-	-	-	900,000
Tetellis	a of Frinds	44 000 005	0.040.455	0 000 000	4 700 000	0.005.000	4 005 000	5 000 000	04 0 40 400
l otal Us	se of Funds	11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	5,930,000	31,843,480
	ed Water Projects								
RW00	Reclaimed Water Ground Storage Tank	50,000	-	-	-	-	-	-	50,000
RW01	Main Street and Interstate 35 Reuse Loop	-	-	975,000	-	-	-	-	975,000
RW02	Reuse Water System Expansion	460,000	-	-	-	-	-	-	460,000
RW03	Westside Reuse Expansion Analysis	-	-	-	75,000	-	-	-	75,000
RW04	RM 967 Force Main Conversion and Reuse Line	-	-	-	-	510,000	-	-	510,000
RW05	Buda Sportsplex Reuse Line	-	-	-	-	-	-	1,825,000	1.825.000
RW06	Reuse Ground Storage Tank and Pump Station	-	-	-	-	-	-	1,600,000	1,600,000
								1,000,000	1,000,000
Total Lie	se of Funds	510,000	_	975,000	75,000	510,000		3,425,000	5,495,000
Total Os		510,000		373,000	75,000	510,000		3,423,000	3,433,000
Mah 114.	Designate								
	Projects	~~~~~							
M01	Roadway Impact Fee Study	60,000	-	-	-	-	-	-	60,000
M03	Cabela's Drive at Old San Antonio Road Traffic Signal	-	-	-	400,000	-	-	-	400,000
M04	Garlic Creek Parkway and SH 45/Bailey East-West Corridor Planning Study	-	350,000	-	-	-	-	430,000	780,000
M05	Cabela's Connector	1,420,000	-	-	-	-	-	-	1,420,000
M06	IH-35 to Old San Antonio Connector	-	854,686	-	-	-	-	-	854,686
M07	Downtown Streetscaping Improvements - Main St.	-	-	-	-	-	-	1,500,000	1,500,000
M09	Old Black Colony Road Reconstruction	10,021,000	-	13,984,800	-	-	-	-	24,005,800
M10	West Goforth Road Reconstruction	9,237,248	-	11,693,000	-	-	-	-	20,930,248
M11	FM 2001 Pedestrian and Bicycle Trail	600,000	-	-	_	_	_	_	600,000
M12	South Loop 4 Sidewalk (Downtown to Meadows at Buda)	666,000				_	_	1,303,000	1,303,000
M13		-	240,000	-	-	-	-	1,303,000	
	FM 1626 and RM 967 Intersection Study	-	,	-	-	-	-	-	240,000
M14	Talley Loop Rehabilitation	409,230	713,000	-	-		-	-	1,122,230
M15	Oyster Creek Drive Rehabilitation	-	-	-	-	616,000	-	-	616,000
M16	Green Meadows Lane Rehabilitation	-	-	-	-	-	-	3,142,000	3,142,000
M17	Middle Creek Drive Rehabilitation	864,000	2,931,000	-	-	-	-	-	3,795,000
M20	Railroad Street Reconstruction	-	-	-	-	-	-	1,600,000	1,600,000
M21	Austin Street Reconstruction	3,492,040	-	3,267,000	-	-	-	-	6,759,040
M23	Interstate Drive Reconstruction	-	-	-	1,000,000	-	-	-	1,000,000
M24	Cole Springs Road Reconstruction	-	-	-	-	-	-	34,734,000	34,734,000
M25	Old Goforth Rd / Old FM 2001 Reconstruction - Overpass to Hillside Terrace Connector	-	-	-	-	-	-	6,800,000	6,800,000
M26	Downtown Streets Reconstruction	_	-	-	-	_	-	4,100,000	4,100,000
M27	Overpass Road / FM 2001 Intersection Improvements	-	-	- 721,120	-	-	-	4,100,000	721,120
		-	-	121,120	-	-	-	-	
M28	Oyster Creek / Mark's Overlook at RM 967 Signal	-	-	-	-	-	-	400,000	400,000
M29	RM 967 Accel / Decel Lanes	930,650	1,639,000	-	-	-	-	-	2,569,650
M30	Main Street Pedestrian Crossings	-	-	-	-	-	-	1,500,000	1,500,000
M31	Downtown Railroad Crossing Safety Improvements	-	-	-	-	-	-	8,400,000	8,400,000
M32	Harvest Meadows Roadway Extension	-	-	-	-	-	-	1,900,000	1,900,000

M33	RM 967 Sidewalk from Old Buda Elementary to Downtown	177,000							177,000
M34	Cabela's Drive Sidewalk Connection	177,000	50,000	_	_			-	50,000
M35	Old San Antonio Rd. Sidewalk Gap	_	67,000	_	_	_	-	-	67,000
M36	Garlic Creek Trail	745,500	07,000	_	_	_	-	-	745,500
M37	Onion Creek Trail from RM 967 to Garison Park	553,500	_	_	_	_	_	-	553,500
M38	Bradfield Trail Connection to West Goforth	75,000					_	_	75,000
M39	FM 2770 Trail from Cole Springs Road to Bluff Street	73,000					-	592,000	592,000
M35 M40	RM 967 Sidewalk from FM 1626 to City Limits							308,000	308,000
M40 M41	Pavement Management Plan Implementation		_						300,000
M41 M42	RM 967 Right Turn Lane onto FM 1626	444,260	1,037,000					-	1,481,260
M42	FM 2770 / Main St / China St Pedestrian Connections	355,790	816,000					-	1,171,790
M44	ADA Transition Plan		100.000	_	_			-	100,000
M44 M45	Existing Robert S. Light Blvd Rehabilitation	107,500	605,000		_			-	712,500
M46	Bella Vita Sidewalk to West Goforth	-	117,000	_	_	_	-	-	117,000
MHO			117,000						117,000
Total U	se of Funds	29,492,718	9,519,686	29,665,920	1,400,000	616,000	-	66,709,000	137,403,324
Draina	je Projects								
<b>Draina</b> D02	<b>ge Projects</b> Whispering Hollow Street Drainage	410,000	-	-	-	-	-	-	410,000
		410,000	-	-	- 50,000	- 270,000	-	-	410,000 320,000
D02	Whispering Hollow Street Drainage	410,000	- - 1,700,000	- -	- 50,000 -	270,000	- -		,
D02 D03	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967	· -	- 1,700,000 175,000	- - -	- 50,000 -	- 270,000 -	- - -	-	320,000
D02 D03 D05	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage	- -		- - -	- 50,000 - - -	270,000 - -	- - - -	-	320,000 1,700,000
D02 D03 D05 D06	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan	- -	175,000	- - - -	50,000 - - - -	270,000 - - -		- -	320,000 1,700,000 175,000
D02 D03 D05 D06 D07	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage	-	175,000	- - - - -	50,000 - - - - - -	270,000			320,000 1,700,000 175,000 1,408,000
D02 D03 D05 D06 D07 D08	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements	150,000	175,000 1,408,000 -	- - - - 50,000	50,000 - - - - 150,000	270,000	- - - - - -		320,000 1,700,000 175,000 1,408,000 150,000
D02 D03 D05 D06 D07 D08 D09	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements Wild Wind Cove Groundwater Solutions	150,000 50,000	175,000 1,408,000 -	- - - - 50,000	-	270,000	- - - - - - -		320,000 1,700,000 175,000 1,408,000 150,000 200,000
D02 D03 D05 D06 D07 D08 D09 D10	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements Wild Wind Cove Groundwater Solutions Bradfield Park / Onion Creek Watershed Protection Pilot Project	150,000 50,000	175,000 1,408,000 - 150,000	- - - 50,000 - 400,000	-	270,000			320,000 1,700,000 175,000 1,408,000 150,000 200,000 200,000
D02 D03 D05 D06 D07 D08 D09 D10 D11	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements Wild Wind Cove Groundwater Solutions Bradfield Park / Onion Creek Watershed Protection Pilot Project Drainage Inventory, Inspection and Maintenance Plan	150,000 50,000	175,000 1,408,000 150,000 55,000	-	-	270,000			320,000 1,700,000 175,000 1,408,000 150,000 200,000 200,000 55,000
D02 D03 D05 D06 D07 D08 D09 D10 D11 D12	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements Wild Wind Cove Groundwater Solutions Bradfield Park / Onion Creek Watershed Protection Pilot Project Drainage Inventory, Inspection and Maintenance Plan Flood Property Buyouts - Claudia Drive	150,000 50,000	175,000 1,408,000 150,000 55,000	-	-	270,000			320,000 1,700,000 175,000 1,408,000 150,000 200,000 200,000 55,000 400,000
D02 D03 D05 D06 D07 D08 D09 D10 D11 D12 D13	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements Wild Wind Cove Groundwater Solutions Bradfield Park / Onion Creek Watershed Protection Pilot Project Drainage Inventory, Inspection and Maintenance Plan Flood Property Buyouts - Claudia Drive Downtown Regional Stormwater Study	150,000 50,000	175,000 1,408,000 150,000 55,000 100,000	400,000	-	270,000			320,000 1,700,000 175,000 1,408,000 150,000 200,000 200,000 55,000 400,000 100,000
D02 D03 D05 D06 D07 D08 D09 D10 D11 D12 D13 D14 D15	Whispering Hollow Street Drainage Garlic Creek Tributary Under RM 967 West Lifschutz Area Drainage Stormwater Drainage Master Plan Lifschutz Central Area Drainage West Goforth Drainage Improvements Wild Wind Cove Groundwater Solutions Bradfield Park / Onion Creek Watershed Protection Pilot Project Drainage Inventory, Inspection and Maintenance Plan Flood Property Buyouts - Claudia Drive Downtown Regional Stormwater Study Elm Grove Channel Improvements	150,000 50,000	175,000 1,408,000 150,000 55,000 100,000	400,000	- - - 150,000 - - -				320,000 1,700,000 175,000 1,408,000 150,000 200,000 55,000 400,000 100,000 214,000

		FUNDING SU	JMMARY				
	Prior Years	23	24	Fiscal Year 25	26	27	Five Year Total
Park Projects							
Operating Fund	-	-	75,000	185,000	-	-	260,00
Parks Capital Fund	85,000	100,000	125,000	-	-	-	225,00
Fund Balance 2021 CO Bonds	- 400,000	- 1,000,000	-	-	-	-	1,000,00
2021 GO Bonds	14,000,000	891,000	-	-	-	-	891,00
Future Debt	-	-	-	-	-	-	001,00
Other/Grants	6,073,000	-	-	-	-	-	
Total	20,558,000	1,991,000	200,000	185,000	-	-	2,376,00
acility Projects							
General Fund	28,000	55,000	25,000	170,000	-	-	250,00
Fund Balance	-	-	-	-	-	-	40.000.00
Future Debt Proceeds Other		- 55,000	6,736,000 175,000	-	6,087,000	-	12,823,00 230,00
	-	55,000		-	-	-	
Total	28,000	110,000	6,936,000	170,000	6,087,000		13,303,00
Vater Projects	170 100						
Operating Fund Future Utility Debt	179,400	-	-	260,000 700,000	-	-	260,00
Impact Fees	9,546,000	-	1,825,000 150,000	135,000	1,750,000	4,250,000	8,525,00 285,00
Other/Grants	175,000	955,000	-	-	-	-	955,00
Total	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	10,025,00
astewater Projects							
Operating Fund	153,600	-	50,000	-	-	-	50,0
Future Utility Debt	-	-	3,000,000	1,450,000	2,305,000	1,925,000	8,680,0
2017 COs	9,504,000	-	-	-	-	-	
2021 COs	-	-	-	-	-	-	
2022 COs Impact Fees	450,000 797,545	-	- 750,000	- 340,000	-	-	1,090,00
Other/Grants	377,880	2,610,455	2,200,000	- 340,000	-	-	4,810,45
Total	11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	14,630,45
Reclaimed Water Projects							
Operating Fund	50,000	-	-	75,000	-	-	75,00
Future Utility Debt	-	-	975,000	-	510,000	-	1,485,00
2022 COs	460,000	-	-	-	-	-	
Other/Grants	-	-	-	-	-	-	
Total	510,000	-	975,000	75,000	510,000	-	1,560,00
lobility							
General Fund	512,000	100,000	-	400,000	-	-	500,0
2014 GO Proposition 3	420,000	-	-	-	-	-	
2014 GO Proposition 5 2021 CO Bond	300,000 1,000,000	-	-	-	-	-	
2021 GO Proposition A	26,860,718	- 8,939,686	- 29,665,920	-	-	-	38,605,6
Future Debt Proceeds	-	-	- 20,000,020	1,000,000	616,000	-	1,616,0
Other/Grants	400,000	480,000	-	-	-	-	480,0
Total	29,492,718	9,519,686	29,665,920	1,400,000	616,000	-	41,201,60
rainage							
General Fund	200,000	480,000	264,000	250,000	270,000	-	1,264,0
2014 GO Proposition 3	-	-	-	-	-	-	
2014 GO Proposition 4	410,000	-	-	-	-	-	
2014 GO Proposition 5 2021 GO Proposition A		-	-	-	-	-	
Future Debt Proceeds		-	-	-	1,900,000	-	1,900,0
Other/Grants		3,108,000	400,000	-	-	-	3,508,0
Total	610,000	3,588,000	664,000	250,000	2,170,000	-	6,672,0
Grand Total	72,382,143	18,774,141	46,415,920	4,965,000	13,438,000	6,175,000	89,768,0
	,,,,,,,,		.,,•=•	,,•••	.,,•••	.,,	

Total	72,382,143	18,774,141	46,415,920	4,965,000	13,438,000	6,175,000	89,768,06
Grants/Other	7,025,880	7,208,455	2,775,000	-	-	-	9,983,45
Impact Fees	797,545	-	900,000	475,000	-	-	1,375,00
Future Utility Supported Debt	9,546,000	-	5,800,000	2,150,000	4,565,000	6,175,000	18,690,00
Future Tax Supported Debt		-	6,736,000	1,000,000	8,603,000	-	16,339,00
Parks Capital Fund	85,000	100,000	125,000	-	-	-	225,00
2022 CO Bond	910,000	-	-	-	-	-	
2021 CO Bond	1,400,000	1,000,000	-	-	-	-	1,000,00
2017 CO Bond	9,504,000	-	-	-	-	-	
2021 GO - Proposibtion B	14,000,000	891,000	-	-	-	-	891,00
2021 GO - Proposition A	26,860,718	8,939,686	29,665,920	-	-	-	38,605,60
2014 GO Proposition 5	300,000	-	-	-	-	-	
2014 GO Proposition 4	410,000	-	-	-	-	-	
2014 GO Propostion 3	420,000	-	-	-	-	-	
Wastewater Fund	153,600	-	50,000	-	-	-	50,00
Water Fund	229,400	-	-	335,000	-	-	335,00
General Fund	740,000	635,000	364,000	1,005,000	270,000	-	2,274,0
nary							

#### Parks Capital Improvement Program FY 2023 - 2027



The Parks improvement projects reflect projects identified thorugh the Parks, Recreation, Open Spaces, and Trails Master Plan and through the Parks Advisory Commission. Funding for some projects is derived from Parkland Dedication Fees that are paid by new development in the City. The Parks Master Plan was updated in 2021. The City will explore grant funding opportunities including funds from Texas Parks and Wildlife. Furthermore, Hays County passed a County Parks Bond in 2020. A portion of those proceeds will be made available for communities to complete local park projects.

Sources of Funding	Prior						2023-27
	Years	23	24	25	26	27	Total
General Fund	-	-	75,000	185,000	-		260,000
Parks Capital Fund	85,000	100,000	125,000	-	-	-	225,000
Fund Balance	-	-	-	-	-	-	-
2021 CO Bonds	400,000	1,000,000	-	-	-	-	1,000,000
2021 GO Bonds	14,000,000	891,000	-	-	-	-	891,000
Future Debt Proceeds	-	-	-	-	-	-	-
Other/Grants	6,073,000	-	-	-	-	-	-
Total	20,558,000	1,991,000	200,000	185,000	-	-	2,376,000

Uses of Funds	Prior							
	Years	23	24	25	26	27	Future	Total
Parks Projects:								
P03 Garison Memorial Park Development	11,400,000	-	-	-	-	-	9,000,000	20,400,000
P04 Sports Complex Improvements	998,000	-	-	-	-	-	4,248,000	5,246,000
P05 Greenbelt Improvements (Downtown Plan)	-	-	-	-	-	-	900,000	900,000
P06 Eastside Community Park Land Acquisition	8,000,000	-	-	-	-	-	-	8,000,000
P07 Recreation Center with Pool	-	-	75,000	-	-	-	8,200,000	8,275,000
P08 Bradfield Park Playground and Restroom	160,000	-	-	-	-	-	-	160,000
P09 City Park Repairs	-	1,000,000	-	-	-	-	-	1,000,000
P10 Green Meadows and Stoneridge Park Improvements	-	283,500	-	-	-	-	-	283,500
P11 Stagecoach Park Improvements	-	-	125,000	-	-	-	-	125,000
P13 City Park Shade Structures	-	100,000	-	-	-	-	-	100,000
P14 City Park Parking Areas	-	607,500	-	-	-	-	-	607,500
P16 Main Street / S Loop 4 Sidewalk to Norris Skate Park	-	-	-	185,000	-	-	-	185,000
Total Use of Funds	20,558,000	1,991,000	200,000	185,000	-	-	22,348,000	45,282,000

**Cumulative Balance** 

Sources Over/(Under) Uses - - - - - - -



	e Department:	Parks				CIP No.	P03
ncial Pl	an :						
	Prior		Projected				
	Years 23	24	25	26	27	Future	Tota
	11,400,000		-	-	-	9,000,000	20,400
oration.	arison Park developmen Future phases of the pro homestead.						
	Site Plan Draft	OPOSED TRAIL		MEADOW PE	STORATION DAY	E FIRANS	
			Anno	Darias Baras Darias		NRE TO CITY PASE	
	Estimated Project Co Design/Engineering			Project Task:	0 10 to	Duration 24	
	Estimated Project Co Design/Engineering ROW Acquisition	est: 1,250,000			o no e	Duration	
	Design/Engineering ROW Acquisition Construction			Project Task: Planning/Desig Right-of-way/U Construction	o no e	<u>Duration</u> 24 - 18	
	Design/Engineering ROW Acquisition Construction Other	1,250,000 - 19,150,000 -		Project Task: Planning/Desig Right-of-way/U	o no e	Duration 24 -	
	Design/Engineering ROW Acquisition Construction	1,250,000		Project Task: Planning/Desig Right-of-way/U Construction	o no e	<u>Duration</u> 24 - 18	
	Design/Engineering ROW Acquisition Construction Other	1,250,000 - 19,150,000 -		Project Task: Planning/Desig Right-of-way/U Construction	gn Jtilities	Duration 24 - 18 42	
	Design/Engineering ROW Acquisition Construction Other Total	1,250,000 - 19,150,000 -		Project Task: Planning/Desig Right-of-way/L Construction Total Ongoing Ope Personnel	gn Utilities	Duration 24 - 18 42	
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt	1,250,000 - 19,150,000 - 20,400,000 - 15,400,000		Project Task: Planning/Desig Right-of-way/U Construction Total Ongoing Ope Personnel Supplies & Ma	gn Utilities	Duration 24 - 18 42 pact: -	-
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt Grants/Other	1,250,000 - 19,150,000 - 20,400,000 - 15,400,000 5,000,000		Project Task: Planning/Desig Right-of-way/L Construction Total Ongoing Ope Personnel Supplies & Ma Repair & Main	gn Utilities rational Im terials t.	Duration 24 - 18 42	-
25:	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt	1,250,000 - 19,150,000 - 20,400,000 - 15,400,000		Project Task: Planning/Desig Right-of-way/U Construction Total Ongoing Ope Personnel Supplies & Ma	gn Utilities rational Im terials t.	Duration 24 - 18 42 pact: -	



#### **Sports Complex Improvements Responsible Department:** Parks CIP No. P04 Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 998,000 4,248,000 5,246,000 **Description**: Phase 1 added an LED lighting system to the softball/baseball and soccer fields. This will allow teams to utilize the fields more times of the year and opens up the facility to host tournaments. Phase 2 could include additional parking and approximately 1000' of sidewalks to the softball fields, construction of a pavilion with restrooms at the center of the fields, maintenance shed, parking lot expansion, high fencing on the north side of soccer fields, two additional fields, irrigation repairs, replace softball field fencing, and batting cages. The items could be phased in over multiple years or paid for through a bond. 0 1 STE PLAN Estimated Project Cost: Project Task: Duration Design/Engineering 250,000 Planning/Design 5 Right-of-way/Utilities **ROW Acquisition** Construction 3,000,000 Construction 9 Other Total 14 998,000 4,248,000 Total Funding Source: **Ongoing Operational Impact: Operating Fund** 398,000 Personnel Debt 3,250,000 Supplies & Materials 35,000 Grants/Other 600,000 Repair & Maint. Total 4,248,000 Capital & Other Notes: Total 35,000 Funding for lighting project is \$600,000 from the Buda EDC and \$398,000 from the Hotel Occupancy Tax fund. The future funds could come from a future bond election, CO bonds, or the Parks Capital Fund.



#### **Greenbelt Improvements (Downtown Plan) Responsible Department:** Parks CIP No. P05 Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 900,000 900,000 **Description :** The Greenbelt Park (Action 5, 2015 Downtown Master Plan) is intended to be configured for every-day use as a beautiful contemplative signature public space in Downtown Buda as well as a location for events. Walkways should encompass the event lawn area, and new garden-like landscaping should be installed in the area between the lawn and Main Street to create a vegetative buffer. A terminus sight-line feature should be incorporated at the end of Elm Street and the Greenbelt Park. As part of the project, improvements to the gazebo are needed including replacement of wooden steps with an ADA accessible ramp and upgrades to the electrical system for special events. Estimated Project Cost: Project Task: Duration Design/Engineering 150,000 Planning/Design 9 **ROW Acquisition** Right-of-way/Utilities Construction 700,000 Construction 9 Other Total 18 50,000 Total 900,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel 8.000 Debt 900,000 Supplies & Materials 1,000 Grants/Other Repair & Maint. 900,000 Total Capital & Other Notes: Total 9,000 Project was identifed in the 2015 Downtown Master Plan. The space is already utilized for markets and craft fairs.

Project was identifed in the 2015 Downtown Master Plan. The space is already utilized for markets and craft fairs. Improvements will naturally tie into the future use of the former Library located at 303 Main Street. This project was ranked as a Tier 2 project by the Buda Bond Advisory Committee.



#### **Eastside Community Park Land Acquisition Responsible Department:** CIP No. P06 Parks Financial Plan (thousands of dollars) : Projected Prior 24 Future Total Years 23 25 26 27 8,000,000 8,000,000 ---**Description**: All existing Community and Regional Parks are located on the west side of IH-35. The residents on the eastern side of Buda do not have easy access to a community park. An approximately 70-acre site for a future community park on the east side of IH-35 should be identified and acquired while land values remain relatively affordable. While land acquisition for a community park is a priority, development of the park might not be needed for another 5 to 10 years. PRIORITY: high for identifying park site; long-term for developing the park. Colocate adjacent to a future maintenance facility. Service Area Legend mile Sportsplex sood **Need for future** 0 Community Bradfield park Estimated Project Cost (000's): Project Task: Duration Design/Engineering Planning/Design **ROW** Acquisition 7,500,000 Right-of-way/Utilities Construction 500,000 Construction Other Total Total 8,000,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt Supplies & Materials 8,000,000 Grants/Other Repair & Maint. 2,000 Total 8,000,000 Capital & Other Notes: Total 2.000 Identified in the Parks Master Plan. Funded through the 2021 GO bond election. Operational impact is pre-development of park and is staff time, supplies, and machinery for maintaining the property.



#### **Recreation Center with Pool Responsible Department:** Parks CIP No. P07 Financial Plan : Prior Projected 23 24 25 26 27 Future Total Years 8,200,000 8,275,000 75,000 **Description**: The Parks Master Plan recommends the city should evaluate the need for a community center and recreation center that includes a public pool to perform a variety of recreation and social needs. The only swimming facilities in Buda are private or semi-private, located at six (6) HOA parks or the YMCA. A feasibility study is recommended to be completed first to identify the size of the facility and specific components that should be included along with the operating costs and potential revenues. **Recreation Center Recreation Center** As Buda gains population, the more likely that a community center and recreation center will be needed to offer a variety of recreation and social needs. One of those might be the first public outdoor pool in Buda. Cost Estimate Range: \$6-9 million Estimated Project Cost: Project Task: Duration Design/Engineering Planning/Design 1,230,000 14 **ROW** Acquisition **Right-of-way/Utilities** Construction 6,970,000 Construction 16 Other 75,000 Total 30 8,275,000 Total Funding Source: **Ongoing Operational Impact: Operating Fund** 75.000 TBD Personnel Debt 8,200,000 Supplies & Materials TBD Grants/Other Repair & Maint. TBD 8,275,000 Total Capital & Other Notes: Total -Initial cost would be to conduct a feasibility study and to develop schematic plans. Full design and construction would occur in the future. This project could be included in a future bond election. The ongoing operational impact should be

evaluated as part of the feasibility study.



				Playgroun				
sponsib	le Department:	Р	arks				CIP No.	P08
ancial P	lan ·							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Tota
	160,000	-	-	-	-	-	-	160
scription	· ·							
	of ADA accessible	restrooms fo	or trail and p	oark users at	Bradfield Pa	rk. Cost base	d on estimate	of constru
	relocating a comp				Park. Additic	onally, the Bu	da EDC provi	ded \$75,0
ding to re	eplace the playgrou	und structure	e in Fiscal Y	'ear 2021.				
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	Total		160,000	_				
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	Grants/Other		160,000	-	Repair & M		480	J
	Total		160,000	_	Capital & O	ther		
					Total		480	)
es:								
	the restroom is fur	nded from th	e Parks Ca	pital Fund. Th	ne \$75,000 fo	or the playgro	ound was fund	



			Cit	y Park Repa	airs			
Responsible	Department:		Parks				CIP No.	P09
Financial Pl	an : Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	1,000,000	-	-	-	-	-	1,000,000
Pending litigate the need for	: ened in 2021. ation with the c landscaping ar ractor to compl	ontractor has	also prema rs to be cov	turely ended tl ered directly b	ne warranty p y the City. Th	period require the City will co	ed for the projection of the projection of the project of the proj	ect, prompting
		Insert m	ap showing	location of pro	ject or related	d picture		
	Estimated Pr Design/Engine ROW Acquisit Construction Other Total	ering	- - 1,000,000 - 1,000,000	• •	Project Tasl Planning/Der Right-of-way Construction Total	sign /Utilities	<u>Duratior</u> - - 4 4	
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Notes:					Total		-	



esponsi	ble Department:	Parks				CIP No.	P10
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manciai	Prior		Projected				
	Years	23 24	25	26	27	Future	Total
	-	283,500 -	-	-	-	-	283,5
xpansion	adows Park is in nee of the parking lot, court needs resurfac	along with picnic t	tables and addit	tional shade s	structures we	ould complem	ent the p
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	sadowstan					No and the second secon	
	Estimated Project	ng 50,00	00	Project Task Planning/Des	ign	Duration 6	
	ROW Acquisition Construction		-	Right-of-way/ Construction	Utilities	-	
	Other	233,50	-	Total		<u> </u>	-
	Total	283,50	00	Τσται			-
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	Funding Source	<u>.</u>		<b>D</b>			
	Operating Fund		-	Personnel	- (	-	
	Operating Fund Debt	<u>-</u> 283,50	- 00	Supplies & Ma		-	-
	Operating Fund		-		nt.	-	-



sponsib	ble Department:	Parks			CIP No.	P11
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	Prior	Proj	ected			
	Years 23		25 26	27	Future	Tota
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the ann	ual festival (\$12,500 annua	ally). Trail improvements	including drainage im	provements	s, are also ne	eded to en
	system for users to enjoy.	<i>,</i> , ,	0 0			
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	Design/Engineering ROW Acquisition Construction Other	15,000 - 110,000 -	Planning/Desig Right-of-way/U		2	3
	Design/Engineering ROW Acquisition Construction	15,000	Planning/Desig Right-of-way/U Construction		2	3 - 4
	Design/Engineering ROW Acquisition Construction Other Total	15,000 - 110,000 -	Planning/Desig Right-of-way/U Construction Total	tilities		3 - 4
	Design/Engineering ROW Acquisition Construction Other Total Funding Source:	15,000 - 110,000 -	Planning/Desig Right-of-way/U Construction Total <u>Ongoing Ope</u> t	tilities		3 - 4
	Design/Engineering ROW Acquisition Construction Other Total <u>Funding Source:</u> Operating Fund	15,000 - 110,000 -	Planning/Desig Right-of-way/U Construction Total	tilities		3 - 4
	Design/Engineering ROW Acquisition Construction Other Total Funding Source:	15,000 - 110,000 -	Planning/Desig Right-of-way/U Construction Total <u>Ongoing Oper</u> Personnel	tilities rational Im		3 - 4
	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt	15,000 - 110,000 - 125,000	Planning/Desig Right-of-way/U Construction Total <u>Ongoing Oper</u> Personnel Supplies & Ma	tilities rational Im terials		3 - 4
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt Grants/Other	15,000 - 110,000 - 125,000 - 125,000	Planning/Desig Right-of-way/U Construction Total <u>Ongoing Oper</u> Personnel Supplies & Mar Repair & Maint	tilities rational Im terials		3 - 4
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ies:	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt Grants/Other Total	15,000 - 110,000 - 125,000 - - 125,000 125,000	Planning/Desig Right-of-way/U Construction Total <u>Ongoing Oper</u> Personnel Supplies & Mar Repair & Maint	tilities rational Im terials		3 - 4
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt Grants/Other	15,000 - 110,000 - 125,000 - - 125,000 125,000	Planning/Desig Right-of-way/U Construction Total <u>Ongoing Oper</u> Personnel Supplies & Mar Repair & Maint Capital & Othe	tilities rational Im terials		3 - 4



### **City Park Shade Structures** CIP No. **Responsible Department:** Parks P13 Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 100,000 100,000 **Description**: Add shade structures to City Park to active amenity areas such as the BBQ area, playground and splash pad. These were not constructed as part of the initial construction but have been requested by patrons now that the park is open. SOUTH ELEVATION WEST ELEVATION PERSPECTIVE VIEW Estimated Project Cost: Project Task: Duration Design/Engineering Planning/Design 2 **ROW Acquisition Right-of-way/Utilities** Construction Construction 100,000 1 Other Total 3 Total 100,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt Supplies & Materials Repair & Maint. Grants/Other 100,000 Total 100,000 Capital & Other Notes: Total -Possible funding source is the Parks Capital Fund or from the Buda Economic Development Corporation.



City Park Parking Are	as

al Plan :					
Prior	Pro	jected			
Years		25 26	27	Future	Тс
-	607,500 -		-	-	6
nately 250 all weather	surface for parking area re surface parking spots for e are not able to be parked as	events at City Park. C	urrently, the a	area is used	for o
				BUDA PARKS AND TRAILS PARKS BOIR BUOK, TEAS	
Estimated Project		Project Task: Planning/Desig		Duration	
ROW Acquisition Construction	547,500	Right-of-way/L Construction		- 3	
Other Total	10,000 607,500	Total		3	
Funding Source: Operating Fund	-	Ongoing Ope Personnel	rational Impa	<u>ct:</u>	
Debt	607,500	Supplies & Ma Repair & Main		-	
Grants/Other Total	607,500	Capital & Othe			



cial Plan : Prior Projecte Years 23 24 25		CIP No.	P16
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Years 23 24 25	ed		
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ruct a 6' - 220 linear foot sidewalk from Main Street / Loop		racks to Jackson N	Norris Skate
HAWK pedestrian beacon to allow safer access across the	e highway.		
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## Municipal Facilities Capital Improvement Program FY 2023 - 2027



Facilities projects will be funded through a number of funding sources including General Obligation debt, cash, grants, and other sources as available.

Sources of Funding	Prior Years	23	24	25	26	27	2023-27 Total
General Fund	28,000	55,000	25,000	170,000	-	-	250,000
Fund Balance	-	-	-	-	-	-	-
Future Debt Proceeds	-	-	6,736,000	-	6,087,000	-	12,823,000
Other	-	55,000	175,000	-	-	-	230,000
Total	28,000	110,000	6,936,000	170,000	6,087,000	-	13,303,000

Uses of	Funds	Prior							
		Years	23	24	25	26	27	Future	Total
Facility	Projects:								
F01	Current Public Works & Parks Facility Expansion Pro	28,000	-	6,736,000	-	6,087,000	-	32,897,000	45,748,000
F02	Convention Center	-	-	-	-	-	-	-	-
F05	121 Main Street Exterior Siding Replacement	-	55,000	-	-	-	-	-	55,000
F06	Stagecoach House Historic Restoration	-	55,000	175,000	-	-	-	-	230,000
F07	Downtown Parking Lot Site Lighting	-	-	25,000	170,000	-	-	-	195,000
Total Us	se of Funds	28,000	110,000	6,936,000	170,000	6,087,000	-	32,897,000	46,228,000

**Cumulative Balance** 

Sources Over/(Under) Uses

-

-

-

-

-

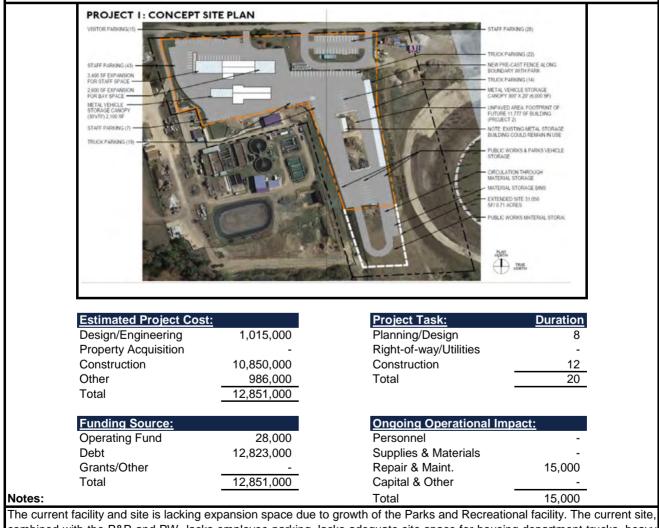


## **Current Public Works & Parks Facility Expansion Projects**

Responsible	Department:		Public Works				CIP No.	Fac01
Financial Pla	an : Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	28,000	-	6,736,000	-	6,087,000	-	32,897,000	45,748,000

#### **Description** :

The City hired PGAL Architects to conduct a Facility Needs Assessment and to develop programming space needs for the Parks and Public Works Departments. The study shows that the current site can be expanded through a series of phases (Projects 1 - 3). Projects 1 and 2 would expand the current site as a combined Public Works and Parks site. Project 1 includes an additional 6,000 sf of interior space added onto the existing Public Works Building with 3,400 sf for staff and 2,600 sf for equipment bays and renovation of the existing space. Additionally, two canopies would be added for storage of vehicles/equipment. Project 2 includes the construction of a new 11,777 sf building. Project 3 (future) would include the development of a new Public Works yard and renovation of the current site to fit the needs of the Parks Department. Project 3 is expected to be needed by 2030 or when the population reaches 40,000.



combined with the P&R and PW, lacks employee parking, lacks adequate site space for housing department trucks, heavy construction equipment, material and parts storage and site area laydown for materials. The current facilities building also lacks office space expansion for staff.



nsible Depa	rtment:		ministratio	n			CIP No.	Fac02
nsible Depa	rtment.	Adi	auo				OF NO.	1 000
ial Plan :								
	rior			Projected			_	
Ye	ears	23	24	25	26	27	Future	То
	-		-	-	-	-	-	
ption :								
	I the Tourisr	m Department	t conducted	a study to de	etermine the fea	sibility of co	onstructing a	and oper
tion center.	Initial mark	et research in	dicates that	t a 22,000 sq	uare foot conve	ntion cente	er would be	viable ir
udy was con	ducted by C	BRE in 2017	. The study	evaluated a	variety of location	ons in the I	Buda area.	Funding
is unknown	as a public-	private partne	rship would	l be the prefe	rred project deliv	very metho	d.	
	•		•		. ,	,		
			Recomm	mended Fac	ilities			-
		Propos			ference Cente	r		
			В	uda, Texas				
								-
Nhu	mber of Gu	uastrooma		120				
1401	inper of Or	Jeshooms		120				
Тур	e of Hotel		S	elect-Service	e			
-								
	eting Space	9					1-2-5 6	
	allroom			7,500			by 3 or 4	
Ju	nior Ballro	oom		2,500	sq. ft.	divisible	by 2 or 3	
M	eeting Roo	oms		1,500		various s		
	oardroom	21113		500			51205	
					sq. ft.			
E>	chibition Sp	oace		10,000	sq. ft.	Optiona	1	
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		a oberee		/				
								-
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	nated Proje				Project Task:		<u>Duratio</u>	<u>on</u>
Desig	n/Engineeri	ing	-	Ī	Planning/Design		Duratio	<u>-</u>
Desig Prope	n/Engineeri erty Acquisit	ing	- - -		Planning/Design Right-of-way/Util		<u>Duratio</u>	<u>-</u> -
Desig Prope Const	n/Engineeri erty Acquisit truction	ing			Planning/Design Right-of-way/Util Construction		<u>Duratio</u>	<u>-</u> - -
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## 121 Main Street Exterior Siding Replacement

ponsip	le Department:		Facilities				CIP No.	Fac05
ancial F	Plan ·							
literari	Prior			Projected				
	Years	23	24	25	26	27	Future	Tota
	-	55,000	-	-	-	-	-	55
aged s	t would remodel the siding with Hardi-Plan caulking and provide	k lap sic	ding, perform	general repa	airs to the buil	lding, repaint	ting the exter	ior, minor
	Estimated Project	Cost:			Project Task	<b>7</b> 8	Duration	
	Design/Engineering		-		Planning/Des		Durution	9
	Property Acquisition		-		Right-of-way/		-	
	Construction		55,000		Construction		2	
	Other			_	Total		2	_
	Total	-	55,000	-				_
	Funding Source:				Ongoing Op	erational Im	pact:	
	Operating Fund		55,000	•	Personnel		-	
	Debt				Supplies & M	aterials	-	
	Grants/Other		-		Repair & Mai		-	
	Total	-	55,000	-	Capital & Oth		-	
		-	22,000	-	Total			
es:								

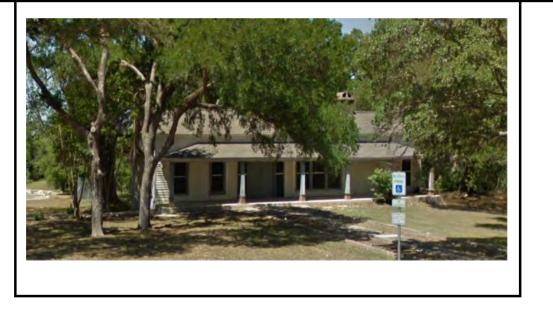


## **Stagecoach House Historic Restoration**

Responsible	Department:		Facilities				CIP No.	Fac06
Financial Pla	an : Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	55,000	175,000	-	-	-	-	230,000

## **Description**:

Restoration and repairs to Stagecoach House to create a museum and public meeting space and to help preserve the historic significance of the building's history. Physical construction work would include preserving and refinishing wood floors, repointing masonry, reworking doors, wood trim, refinishing wood ceilings, general repairs to wood deck, plumbing and electrical repairs, re-roofing, fascia trim repairs and repainting inside and out. Purchase perioid antique furnishings for the museum portion of the building.



	Estimated Project Cost:		Project Task:	Duration
	Design/Engineering	55,000	Planning/Design	3
	Property Acquisition	-	Right-of-way/Utilities	-
	Construction	175,000	Construction	4
	Other	-	Total	7
	Total	230,000		
	Funding Source:		Ongoing Operational Impa	act:
	Operating Fund	-	Personnel	-
	Debt	230,000	Supplies & Materials	-
	Grants/Other		Repair & Maint.	-
	Total	230,000	Capital & Other	-
Notes:			Total	-

Design Fees - \$55,000. Construction work: \$175,000. Funding might be needed to acquire period appropriate furniture for display in the house and in the former post office. Eligible for funding from the Hotel Occupancy Tax funds. The repair construction amount is estimated until a full design assessment is completed.



### **Downtown Parking Lot Site Lighting Responsible Department:** Facilities CIP No. Fac07 Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 195,000 25,000 170,000 **Description** : This project will provide parking light coverage for safety purposes at the current City owned facilities and parking lots including the Former City Hall, Former Library (New Welcome Center) and the Main Street parking lots. The lighting would comply with the Dark Sky requirements. Fixtures will match the current street lighting in the downtown area and along Main Street. This project supports the Downtown Parking Plan. **Estimated Project Cost:** Project Task: Duration Design/Engineering 25,000 Planning/Design 3 **Property Acquisition Right-of-way/Utilities** Construction 170,000 Construction 4 Total Other 7 Total 195,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Supplies & Materials Debt 195,000 Grants/Other Repair & Maint. 2,500 195,000 Capital & Other Total Notes: Total 2,500

## Water Capital Improvement Program FY 2023 - 2027



The City serves potable water to residential and non-residential customers of the City of Buda. Not all residents are provided water by the City of Buda as Monarch and Goforth Special Utility District serve portions of the city. The proposed water capital projects are needed to extend services to growing areas of the city, upsize infrastructure to increase the city's service capacity, the development of new water sources, and overall projects that improve the city's efficiency to deliver safe and reliable water.

Sources of Funding	Prior Years	23	24	25	26	27	2023-27 Total
Operating Fund Future Utility Debt Impact Fees Other/Grants	179,400 9,546,000 - 175,000	- - 955,000	- 1,825,000 150,000 -	260,000 700,000 135,000	- 1,750,000 - -	- 4,250,000 - -	260,000 8,525,000 285,000 955,000
Total	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	10,025,000

Uses o	of Funds	Prior Years	23	24	25	26	27	Future	Total
Water	Projects:								
W01	ASR / Trinity Well #1	1,896,000	-	150,000	700,000	-	-	-	2,746,000
W03	Water Master Plan	175,000	-	-	-	-	-	-	175,000
W04	IH-35 12" Transmission Main Loop	-	-	-	135,000	1,000,000	-	-	1,135,000
W09	Old Black Colony Road 12" Transmission Main & Pressure Valve	-	250,000	1,250,000	-	-	-	-	1,500,000
W11	Old Black Colony Water Storage Facilities	7,650,000	-	-	-	-	-	-	7,650,000
W12	Old Black Colony to Treehaven 12" Line Upsize	135,000	-	-	-	-	-	-	135,000
W13	ASR/Trinity #2 & 3	-	-	-	-	750,000	4,250,000	-	5,000,000
W14	FM 2770 12" Waterline	-	125,000	575,000	-	-	-	-	700,000
W15	South Loop 4 Water Tank Paint and Rehabilitation	-	320,000	-	-	-	-	-	320,000
W17	S. Loop 4 Utility Relocations for Roadway Reconstruction - Water	44,400	260,000	-	-	-	-	-	304,400
W18	Upsize Main Street 2" Waterline to 8"	-	-	-	260,000	-	-	-	260,000
Total U	lse of Funds	9,900,400	955,000	1,975,000	1,095,000	1,750,000	4,250,000	-	19,925,400

Cumulative Balance

Sources Over/(Under) Uses



		ASR / Trir	nity Well #1		
sponsil	ole Department:	Public Works		CIP No.	W01
nancial	Dian .				
lancial	Prior	Proi	ected		
	Years 23			27 Future	Total
	1,896,000		700,000 -		2,746,
scriptic			- C the same is a C in short - a sur		
			of the project includes up		
			ment, and installation of a		
oster sta	ation. Remaining work. if t	he ASR pilot well is s	uccessful, will be to desig	n the pumpstation	upgrades.
sign is e	expected to occur in late 2	022 after the cycle tes	ting is performed, followed	by construction in	2023. The
av also p	ursue a Trinity Well permit	during this time.			
iy also p		during this time.			
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		ASR (	Plant .		
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		Storage			
		JUIAge			
	Estimated Project Cos	st:	Project Task:	Duratio	on
		700.000	Project Task:	4	~
	Design/Engineering	<u>it:</u> 700,000	Planning/Design	1	8
	Design/Engineering	700.000	Planning/Design	1	~
	Design/Engineering ROW Acquisition	700,000	Planning/Design Right-of-way/Utilitie	1 s	8
	Design/Engineering ROW Acquisition Construction	700.000	Planning/Design Right-of-way/Utilitie Construction	s2	8 - 4
	Design/Engineering ROW Acquisition	700,000 - 1,646,000	Planning/Design Right-of-way/Utilitie Construction	s2	8
	Design/Engineering ROW Acquisition Construction Other	700,000 1,646,000 400,000	Planning/Design Right-of-way/Utilitie	s2	8 - 4
	Design/Engineering ROW Acquisition Construction	700,000 - 1,646,000	Planning/Design Right-of-way/Utilitie Construction	s2	8 - 4
	Design/Engineering ROW Acquisition Construction Other Total	700,000 1,646,000 400,000	Planning/Design Right-of-way/Utilitie Construction Total	s1	8 - 4
	Design/Engineering ROW Acquisition Construction Other	700,000 1,646,000 400,000	Planning/Design Right-of-way/Utilitie Construction	s1	8 - 4
	Design/Engineering ROW Acquisition Construction Other Total <u>Funding Source:</u>	700,000 1,646,000 400,000	Planning/Design Right-of-way/Utilitie Construction Total	s1	8 - 4
	Design/Engineering ROW Acquisition Construction Other Total <u>Funding Source:</u> Operating Fund	700,000 - 1,646,000 <u>400,000</u> 2,746,000	Planning/Design Right-of-way/Utilitie Construction Total <u>Ongoing Operatio</u> Personnel	s 4 <u>4</u>	8 - 4 2
	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt	700,000 1,646,000 400,000	Planning/Design Right-of-way/Utilitie Construction Total <u>Ongoing Operatio</u> Personnel Supplies & Materia	1 s <u>2</u> 4 <u>nal Impact:</u> is 20,00	8 - 4 2 - 0
	Design/Engineering ROW Acquisition Construction Other Total <u>Funding Source:</u> Operating Fund	700,000 - 1,646,000 <u>400,000</u> 2,746,000	Planning/Design Right-of-way/Utilitie Construction Total <u>Ongoing Operatio</u> Personnel	s 4 <u>4</u>	8 - 4 2 - 0
	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt Grants/Other	700,000 - 1,646,000 <u>400,000</u> 2,746,000 - 2,746,000	Planning/Design Right-of-way/Utilitie Construction Total <u>Ongoing Operatio</u> Personnel Supplies & Materia Repair & Maint.	1 s <u>2</u> 4 <u>nal Impact:</u> is 20,00	8 - 4 2 - 0
	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt	700,000 - 1,646,000 <u>400,000</u> 2,746,000	Planning/Design Right-of-way/Utilitie Construction Total Ongoing Operatio Personnel Supplies & Materia Repair & Maint. Capital & Other	s <u>2</u> 4 <u>nal Impact:</u> (s 20,00 5,00	8 - 4 2 - 0 0 -
tes:	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt Grants/Other	700,000 - 1,646,000 <u>400,000</u> 2,746,000 - 2,746,000	Planning/Design Right-of-way/Utilitie Construction Total <u>Ongoing Operatio</u> Personnel Supplies & Materia Repair & Maint.	1 s <u>2</u> 4 <u>nal Impact:</u> is 20,00	8 - 4 2 - 0 0 -

was chosen to locate the first ASR project. Permitting is underway with the initial well expected to be drilled in 2020. Cycle testing will occur in 2021. Completion of the project and pump station improvements at Well #5 site will occur in 2022-23 and into 2023-24. Remaining portion of project may use ARPA funds.



ononoihi	le Denertment						CIP No.	W03
sponsibl	le Department:		Engineering				CIP NO.	WU3
ancial P	lan :							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	175,000	-	-	-	-	-	-	175,0
scriptior	n :							
	ng range water mas	ster plan t	to enable Cit	y staff to mak	e the best info	rmed decisi	ons regardin	g developm
	ts, long term CIP's,							
	will address long							
	e City's potable wate				·	,		
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	1+P	14 n	TA :	CITY OF WOODS OF AUSTIN EAR CREEK TER CO INC.	1	-1	9	
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	SN -	INC.	WATER CO.	111	ман	IA WSC		
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	Estimated Project	ct Cost:			Project Task:		Duratio	n
	Design/Engineerir		175,000	•	Planning/Desi		12	
	ROW Acquisition	.9			Right-of-way/L			
	Construction		-		Construction	Junitoo	-	
	Other		_		Total		12	· · ·
	Total	-	175,000	-			12	
	Total	-	175,000	-				
	Funding Source:				Ongoing Ope	rational Im	oact:	
	Operating Fund				Personnel			
	Debt		-		Supplies & Ma	aterials		
	Grants/Other		175,000		Repair & Main			
		-	175,000	-	Capital & Othe		-	
	Total							
tes:	Total	-	170,000	-	Total			_



	IH-35 12" 17a	ansmission	Main Loop	)		
nsible Department:	Public Works	;			CIP No.	W04
cial Plan : Prior		Projected				
Years	23 24	25	26	27	Future	То
-	-	135,000	1,000,000	-	-	1,13
i <b>ption :</b> project cost to install a r ate 35. Project 3 and par				linear feet	, including or	ne bore
		and the liter	and the second se	the state of	2	
Estimated Project			Project Task:		Duration	
Estimated Project Design/Engineerin ROW Acquisition	ng 110,000 -	F	Project Task: Planning/Desi Right-of-way/L	gn	Duration 6 12	;
Design/Engineerir ROW Acquisition Construction	ng 110,000 - 700,000	F F (	Planning/Desig Right-of-way/L Construction	gn	6 12 9	; ; ;
Design/Engineerir ROW Acquisition Construction Other	ng 110,000 700,000 325,000	F F (	Planning/Desig Right-of-way/L	gn	6 12	; ; ;
Design/Engineerir ROW Acquisition Construction Other Total	ng 110,000 - 700,000 <u>325,000</u> 1,135,000	F C T	Planning/Desi Right-of-way/L Construction Fotal	gn Jtilities	6 12 9 27	; ; ;
Design/Engineerir ROW Acquisition Construction Other Total Funding Source:	ng 110,000 - 700,000 <u>325,000</u> 1,135,000	F F C	Planning/Desi Right-of-way/L Construction Fotal Ongoing Ope	gn Jtilities	6 12 9 27	; ; ;
Design/Engineerir ROW Acquisition Construction Other Total Funding Source: Operating Fund	ng 110,000 700,000 <u>325,000</u> 1,135,000 135,000	F ( T F	Planning/Desi Right-of-way/L Construction Fotal Dingoing Ope Personnel	gn Jtilities <del>rational Im</del>	6 12 9 27	; ; ;
Design/Engineerir ROW Acquisition Construction Other Total Funding Source:	ng 110,000 - 700,000 <u>325,000</u> 1,135,000	F ( T F S	Planning/Desi Right-of-way/L Construction Fotal Ongoing Ope	gn Jtilities trational Im	6 12 9 27	
Design/Engineerir ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt	ng 110,000 700,000 <u>325,000</u> 1,135,000 135,000	F F S F	Planning/Desig Right-of-way/L Construction Fotal Dingoing Ope Personnel Supplies & Ma	gn Jtilities trational Im aterials t.	6 12 9 27 <u>pact:</u>	



# Old Black Colony Road 12" Transmission Main & Pressure Valve

esponsi	ble Department:		Public Works				CIP No.	W09
nancial	Plan :							
lanolai	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	250,000	1,250,000	-	-	-	-	1,500,0
scriptio								
	ct will complete a 12							
	bad to be able to mov ately 6.700 linear fee							
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	021 Bond and also th							
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		S. LY	and the second			6	1 2.	
	Estimated Project	ct Cost:			Project Task:		Duration	
	Design/Engineeri		175,000		Planning/Desig	n	6	3
	ROW Acquisition	ing	170,000		Right-of-way/U		6	
	•		1 100 000		0 ,	unues		
	Construction		1,100,000		Construction			
	Other	_	225,000		Total		21	<u> </u>
	Total	_	1,500,000					
								_
	<b>Funding Source</b>				<b>Ongoing Oper</b>	rational Imp	bact:	
	Operating Fund		-		Personnel			-
	Debt		1,500,000		Supplies & Ma	terials		_
			1,000,000				1 500	<b>`</b>
	Grants/Other	-	-		Repair & Maint		1,500	)
	Total	-	1,500,000		Capital & Othe	r		
					T - ( - 1		4 500	<b>`</b>
otes:					Total		1,500	)
	es may be used to c	offset a po	ortion of the C	ity's annual o		quirement. T		

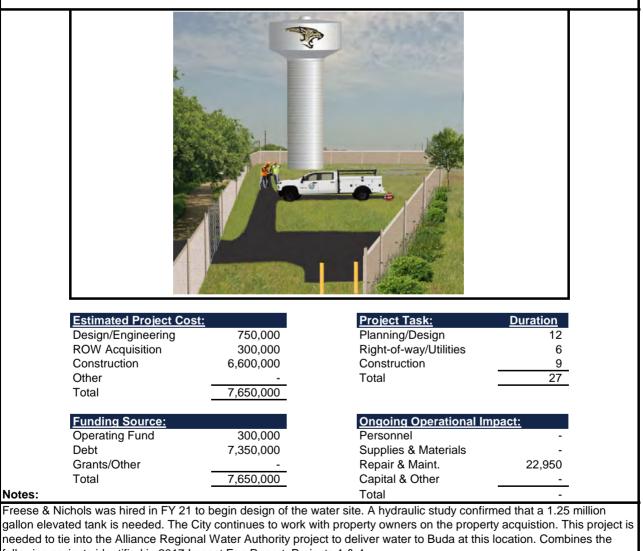


## Old Black Colony Water Storage Facilities

Responsible	Department	:	Public Works	5			CIP No.	W11
Financial Pla								
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	7,650,000	-	-	-	-	-	-	7,650,000

## **Description** :

City would need to acquire approximately 1 acre of land for this project. Utility improvements are necessary to keep up with demand and pressure for a growing system at the entry point for Alliance Regional Water Authority water into our system. Construction of the following items are included: 1.25 Million Gallon Elevated Storage Tank to help relieve demand off Beacon Hill Tower, install 12" water line along FM 1626 to Elm Grove Elementary School to create redundancy and improve distribution system operations, and upsize to 16" approximately 200 linear feet of water line to Whispering Hollow Subdivision.





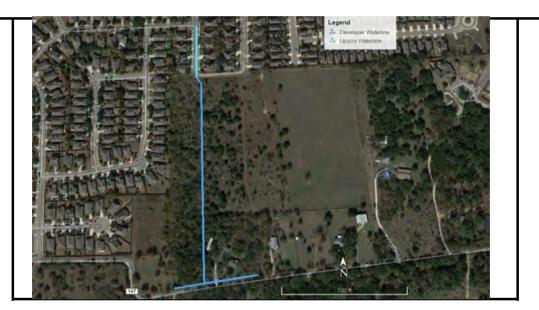
## Old Black Colony to Treehaven 12" Line Upsize

Responsible	Department:		Public Work	S			CIP No.	W12
Financial Pla				Duciente d				
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	135,000	-	-	-	-	-	-	135,000

## Description :

Notes:

Project 6 from 2017 Impact Fee Study. Work with developer to upsize approximately 1,250 linear feet of proposed 8-inch waterline serving new development to a 12-inch waterline. Replace approximately 325 linear feet of existing 8-inch line along Treehaven Court in Whispering Hollow to a 12-inch line in order to complete a full 12-inch loop in the water distribution system. This allows for better system operation and connectivity which improves public health. Upsizing the line while the development is being constructed saves significant capital and resources from having to tear up roads and replacing pipe post-development.



Estimated Project Cost:		Project Task:	<u>Duration</u>
Design/Engineering	15,000	Planning/Design	
ROW Acquisition	-	Right-of-way/Utilities	
Construction	120,000	Construction	
Other		Total	
Total	135,000		
Funding Source:	45.000	Ongoing Operational Imp	bact:
Operating Fund	15,000	Personnel	bact:
	15,000 -	-	bact:
Operating Fund	15,000 - 120,000	Personnel	bact:
Operating Fund Debt	-	Personnel Supplies & Materials	bact:

Project cost is for the 325 linear feet along Treehaven Court. Estimates from Impact Fee Study for wateline (\$108/ft) and pavement repair (\$85/ft). Project was put out to bid in 2021, but no bids were received.



#### ASR/Trinity #2 & 3 **Responsible Department:** Public Works CIP No. W13 Financial Plan : Projected Prior Years 23 24 25 26 27 Future Total 750,000 4,250,000 5,000,000 -**Description :** Construction of the second and third ASR Trinity wells. The wells will be sized and constructed for production capability. Well 4 site includes new booster pump station and water storage tank, and the Triangle Site is only for the production well and potential monitoring well. Bringing both wells online at the same time saves time and cost, reduces the need for additional lead and copper sampling if timed for completion with ARWA water coming online. **Estimated Project Cost:** Project Task: Duration Design/Engineering Planning/Design 750,000 12 ROW Acquisition Right-of-way/Utilities Construction Construction 4,250,000 18 Other Total 30 5,000,000 Total **Ongoing Operational Impact:** Funding Source: Operating Fund Personnel Debt 5,000,000 Supplies & Materials Grants/Other Repair & Maint. Total 5,000,000 Capital & Other Total Notes: There is potential to utilize the well at one of the two sites for a Trinity production well if water quality proves to be adequate or blendable with existing supplies.



## FM 2770 12" Waterline

Responsible	Department	:	Public Works	5			CIP No.	W14
Financial Pla				Dreiseted				
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	125,000	575,000	-	-	-	-	700,000

## Description :

Notes:

Installation of a new 12-inch waterline along FM 2770 in order to connect to the proposed Colony at Cole Springs subdivision. This line will connect to the developer built waterline to be included with the new bridge across Onion Creek. Having a secondary line crossing the creek increases system resiliancy and improves waterflow throughout the water system. This project inlcudes the installation of approximately 3,100 linear feet of 12-inch waterline and two bore crossing of FM 2770 and the Project 1B drainage channel. Using existing public utility easements should limit the need for right-of-way acquisition. A portion of this project will be constructed by Buda Fire as part of the Central Fire Station project.



-unding Source:		<b>Ongoing Operational Impac</b>	<u>:t:</u>
Dperating Fund	125,000	Personnel	-
ebt	575,000	Supplies & Materials	-
rants/Other		Repair & Maint.	-
tal	700,000	Capital & Other	-
		Total	-

Bridge completion projected for Summer 2023. Right-of-way acquisition and Engineering design/procurement services allocated in FY2023 with construction in FY2024. Project 7 from the 2017 Water/Wastewater Impact Fee Report.



	Pu	ublic Works				CIP No.	W15
cial Plan :							
Prior		Pr	ojected				
Years	23	24	25	26	27	Future	То
-	320,000	-	-	-	-	-	32
••••••		•					
iption :							
pilitate and paint the out	tside of the 10	0,000 gallon ele	evated water	storage tank	located at	South Loop 4	ŀ.
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		No.					
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Estimated Pro				oject Task:		Duration	
Design/Enginee	ering	35,000	PI	anning/Desig		Duration 2	2
Design/Enginee ROW Acquisitio	ering	-	PI				
Design/Enginee ROW Acquisitio Construction	ering	35,000 285,000	PI Ri Co	anning/Desig ght-of-way/U Instruction			-
Design/Enginee ROW Acquisitio	ering	- 285,000 -	PI Ri Co	anning/Desig ght-of-way/U		2	<u>                                     </u>
Design/Enginee ROW Acquisitio Construction	ering	- 285,000 -	PI Ri Co	anning/Desig ght-of-way/U Instruction		2 - 4	<u> </u>
Design/Enginee ROW Acquisitio Construction Other Total	ering on —	-	PI Ri Ca Ta	anning/Desig ght-of-way/U Instruction tal	tilities	2 	<u>                                     </u>
Design/Enginee ROW Acquisitio Construction Other Total Funding Source	ering on 	- 285,000 -	PI Ri Ca To	anning/Desig ght-of-way/U instruction tal	tilities	2 	<u>                                     </u>
Design/Enginee ROW Acquisitio Construction Other Total Funding Source Operating Fund	ering on 	- 285,000 -	PI Ri Ca To Pe	anning/Desig ght-of-way/U instruction tal igoing Oper rsonnel	tilities rational Im	2 	<u>                                     </u>
Design/Enginee ROW Acquisitio Construction Other Total <b>Funding Source</b> Operating Fund Debt	ering on 	- 285,000 -	PI Ri Ca To Pe	anning/Desig ght-of-way/U instruction tal	tilities rational Im	2 	<u> </u>
Design/Enginee ROW Acquisitio Construction Other Total Funding Source Operating Fund	ering on 	- 285,000 - 320,000 - -	PI Ri Ca Ta Pe Su	anning/Desig ght-of-way/U instruction tal <u>igoing Ope</u> rsonnel pplies & Ma	tilities rational Im terials	2 	- <u> </u>
Design/Enginee ROW Acquisitio Construction Other Total <b>Funding Source</b> Operating Fund Debt	ering on 	- 285,000 -	PI Ri Ca To Pe Su Re	anning/Desig ght-of-way/U instruction tal <u>igoing Ope</u> rsonnel pplies & Mai pair & Maint	tilities rational Im terials	2 	<u>                                     </u>
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esponsi	ble Department:		Public Works	8			CIP No.	W17
nancial	Plan :							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	44,400	260,000	-	-	-	-	-	304,4
	water lines to accor ea 1B Drainage Imp			tion of S. Lo	oop 4 by Hays	County (\$2 <sup>-</sup>	10,000) and th	e City's 20
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		+1/2	11	1			PLANT R	
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	CITY OF BUGA 12" MATER AND MALTERATER IN CONFLICT WITH F DRAINAGE PROJECT(12)	ST HERE			a second second	and the		
				• Adiu	t City of Puda f	acilities in con	flict with	
	PRC		PE AND NEED	2 the t	st City of Buda fa wo projects pric truction	or to Roadway	/Drainage	
	111		CITY OF BUDA	const	ruction		1111	
	121		VASTEWATER	RM90	67S Improveme of wastewater f	nts: 690' of v	vaterline,	
		F	RELOCATIONS	• Phase	e 18 Drainage:	50' of waterli	ne, 430' of	
				waste	e 1B Drainage: ewater line and	forcemain	10,450 01	
								•
	Estimated Proje				Project Task		<u>Duration</u>	
	Design/Engineer		44,400		Planning/Des		-	
	ROW Acquisition	n	-		Right-of-way/	Utilities	-	
	Construction		260,000		Construction			-
	Other	-	-		Total		-	-
	Total	-	304,400					
	Funding Course				Ongoing On	orational lm	poot.	
	Funding Source	e:			Ongoing Op	erational Im	pact:	
	Operating Fund		-		Personnel	atoriala	-	
	Debt		-		Supplies & M		-	
	Grants/Other	-	260,000 260,000		Repair & Mai Capital & Oth		-	
							_	
otes:	Total	-	200,000		Total			-



-       -       260,000       -       -         sription :       ace 750 LF of 2" Watermain on the North side of Main Street from the East Corner of East Loop S         JPRR tracks with 8" C-900 to improve area fire flow and loop the water system. Install approximatel g and connect water line in at the corner of Cedar Street. Installation includes automatic flush values get relydrants, four gate valves, one T, and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and loop the water system. Install approximatel g and connect water line in at the corner of Cedar Street. Installation includes automatic flush values get relydrants, four gate valves, one T, and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and loop the water system. Install approximatel g and connect water line in at the corner of Cedar Street. Installation includes automatic flush values get relydrants, four gate valves, one T, and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and Three 90's.         Image: tracks with 8" C-900 to improve area fire flow and the prove area fire f		ble Department:	Pub	lic Works				CIP No.	W18
Prior         Projected           Years         23         24         25         26         27         Future           -         260,000         -         -         280,000         -         -           Idace 750 LF of 2" Watermain on the North side of Main Street from the East Corner of East Loop S         UPRR tracks with 8" C-900 to improve area fire flow and loop the water system. Install approximatel ng and connect water line in at the corner of Cedar Street. Installation includes automatic flush valing Fire Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, four gate valves, one T, and Three 90's.         Image: Street Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, four gate valves, one T, and Three 90's.         Image: Street Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, four gate valves, one T, and Three 90's.         Image: Street Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, four gate valves, one T, and Three 90's.         Image: Street Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, four gate valves, one T, and Three 90's.         Image: Street Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, four gate valves, one T, and Three 90's.         Image: Street Hydrants, four gate valves, one T, and Three 90's.           Image: Street Hydrants, Street Hydrants, Street Hydrants, Street Hydrants, Street Hydrants, Street Hydrants, Stree	ancial	Plan :							
Image: seription image: series ima		Prior			Projected				
scription :         place 750 L.F of 2" Watermain on the North side of Main Street from the East Corner of East Loop S         UPRR tracks with 8" C-900 to improve area fire flow and loop the water system. Install approximateling and connect water line in at the corner of Cedar Street. Installation includes automatic flush valing Fire Hydrants, four gate valves, one T, and Three 90's.         Image: Street S		Years	23	24	25	26	27	Future	Total
Estimated Project Cost: Design/Engineering TotalProject Task: Planning/Design Right-of-way/Utilities Construction TotalDurat Planning/Design Right-of-way/Utilities Construction TotalEnding Source: Operating Fund260,000Orgoing Operational Impact: Personnel		-	-	-	260,000	-	-	-	260,
Estimated Project Cost: Design/Engineering TotalProject Task: Planning/Design Right-of-way/Utilities Construction TotalDurat Planning/Design Right-of-way/Utilities Construction TotalEuting Source: Operating Fund Design Fund SourceEuting Source: PersonnelDurat Planning/Design Right-of-way/Utilities Construction Total	UPRR ing and	tracks with 8" C-900 connect water line	to improve an in at the corne	ea fire flow er of Cedar	and loop the Street. Insta	water system	. Install appr	oximately 90' o	f bored s
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Operating Fund 260,000 Personnel		Design/Engineeri ROW Acquisition Construction Other	ng	- 175,000 50,000	-	Planning/Desig Right-of-way/L Construction	gn	Duration 4 - 4 - 8	
Debt     -     Supplies & Materials       Grants/Other     -     Repair & Maint.       Total     260,000     Capital & Other       es:     Total     Total		Total							

## Wastewater Capital Improvement Program FY 2023 - 2027



The City provides retail wastewater services to a portion of Buda and wholesale service to areas of Buda that are served by other water providers. The City has previously invested in expansion of wastewater services through expansion of the wastewater treatment plant. A Wastewater Master Plan was completed in 2020 to guide the planning process of the current CIP.

Sources of Funding	Prior Years	23	24	25	26	27	2023-27 Total
Operating Fund	153,600	-	50.000	-	-	-	50,000
Future Utility Debt	-	-	3,000,000	1,450,000	2,305,000	1,925,000	8,680,000
2017 COs	9,504,000	-	-	-	_,	-	-
2021 COs	-	-	-	-	-	-	-
2022 COs	450,000	-	-	-	-	-	-
Impact Fees	797,545	-	750,000	340,000	-	-	1,090,000
Other/Grants	377,880	2,610,455	2,200,000	-	-	-	4,810,455
Total	11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	14,630,455

Uses of Funds	Prior Years	23	24	25	26	27	Future	Total
Wastewater Projects:								
WW04 Wastewater Manhole Rehabilitation	202,880	-	-	-	-	-	-	202,880
WW07 South Loop 4 Lift Station Decommission & Gravity Interceptor Extension	797,545	2,045,455	-	-	-	-	-	2,843,000
WW10 Northwest IH-35 15" Gravity Interceptor	-	-	-	-	-	1,275,000	-	1,275,000
WW11 Bradfield/Lifschutz 12"/16"/18" Gravity Interceptor Expansion	450,000	-	3,000,000	-	-	-	-	3,450,000
WW12 Direct Potable Reuse (DPR) Feasibility Study	-	-	-	-	-	-	450,000	450,000
WW13 Garlic Creek Basin Inflow & Infiltration Study	50,000	-	-	-	-	-	-	50,000
WW14 Edwards Aquifer Recharge Zone Integrity Testing & Rehabilitation	-	-	50,000	-	-	-	-	50,000
WW15 Overlook Lift Station Upsize and Interceptor for Cole Springs Road	-	-	-	700,000	-	-	-	700,000
WW16 Sunfield Effluent Wastewater Discharge Force Main	9,504,000	-	-	-	-	-	-	9,504,000
WW17 Carpenter Hill Lift Station, Gravity Influent And Force Main Expansion	-	-	-	-	-	-	2,480,000	2,480,000
WW18 FM 967 Interceptor Expansion to 12"	-	-	-	75,000	-	650,000	-	725,000
WW19 Lower Garlic Creek Interceptor Expansion 18" to 21"	-	-	-	215,000	1,885,000	-	-	2,100,000
WW20 Upper Garlic Creek Interceptor Expansion to 15"	-	-	-	50,000	420,000	-	-	470,000
WW21 Dacy Lane Lift Station and Force Main	-	-	2,800,000	-	-	-	-	2,800,000
WW22 FM1626 Wastewater Service Extension Study	75,000	-	-	-	-	-	-	75,000
WW23 Lift Station Condition and Capacity Assessment	100,000	-	-	-	-	-	-	100,000
WW24 Nighthawk Lift Station Capacity Increase	-	-	-	-	-	-	3,000,000	3,000,000
WW25 South Loop 4 Utility Relocations for Roadway Reconstruction - Wastewater	103,600	565,000	-	-	-	-	-	668,600
WW26 Coves of Cimarron Wastewater Line Replacement	-	-	150,000	750,000	-	-	-	900,000
Total Use of Funds	11,283,025	2,610,455	6,000,000	1,790,000	2,305,000	1,925,000	5,930,000	31,843,480

Cumulative Balance

Sources Over/(Under) Uses

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le Departme	nt:	Public Works				CIP No.	WW
Plan :							
Prior			Projected				
Years	23	24	25	26	27	Future	
202,88	- 0	-	-	-	-	-	
<u>n :</u> approximatel	v fiftv manhole	es throughout t	he Citv that	are in need o	f rehabilita	ation. This n	nainlv
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rout will need	to be applied to	o stop ground w	ater infiltratio	n.			
	100.00						
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	and the second	N and the second	the second second	YESTAL S	19.94	2	
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Estimated	Project Cost:			Project Task:		Duration	
	Project Cost:			Project Task:		Duration	
Design/Eng	gineering	-	•	Planning/Desig		<u>Duration</u>	
Design/Eng	gineering	-	•	Planning/Desig		<u>Duration</u>	
Design/Eng ROW Acqu	gineering uisition	-		Planning/Desig Right-of-way/Ut			- -
Design/Eng	gineering uisition	- - -		Planning/Desig Right-of-way/Ut Construction			
Design/Eng ROW Acqu Constructio	gineering uisition	- - - 202 880		Planning/Desig Right-of-way/Ut Construction			
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Design/Eng ROW Acqu Construction Other Total Funding S Operating I Debt Grants/Oth	gineering uisition on <u>ource:</u> Fund	202,880	l	Planning/Desig Right-of-way/Ut Construction Total Ongoing Oper Personnel Supplies & Mate Repair & Maint.	ilities <u>ational Im</u> erials	3 3	
Design/Eng ROW Acqu Constructio Other Total <b>Funding S</b> Operating I Debt	gineering uisition on <u>ource:</u> Fund	202,880	l	Planning/Desig Right-of-way/Ut Construction Total Ongoing Oper Personnel Supplies & Mat Repair & Maint. Capital & Other	ilities <u>ational Im</u> erials	3 3	
Design/Eng ROW Acqu Construction Other Total Funding S Operating I Debt Grants/Oth	gineering uisition on <u>ource:</u> Fund	202,880	l	Planning/Desig Right-of-way/Ut Construction Total Ongoing Oper Personnel Supplies & Mate Repair & Maint.	ilities <u>ational Im</u> erials	3 3	



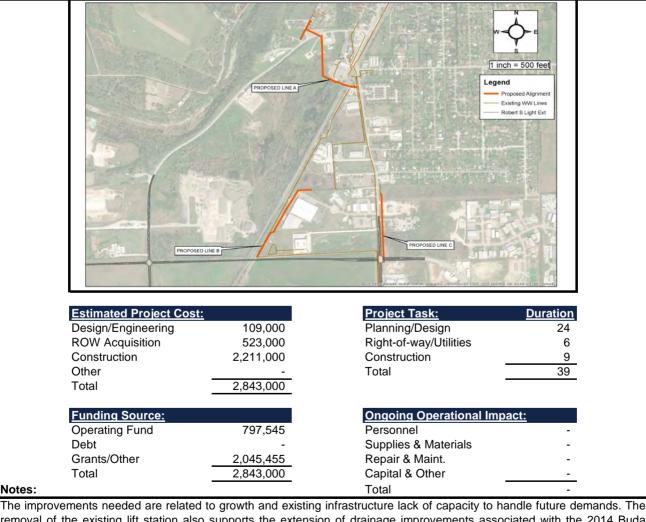
#### South Loop 4 Lift Station Decommission & Gravity Interceptor Extension

Responsible	e Department:		Public Works				CIP No.	WW07
Financial Pla				Duciente				
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	797,545	2,045,455						2,843,000

#### **Description :**

Notes:

Segment A involves the decommission an existing lift station near the South Loop 4 and West Goforth Road intersection. and installation of ~1.800 L.F of 8-inch PVC/HDPE to divert flow to existing manhole on Bluff Street. Segments B & C will extend wastewater service to Robert S. Light Blvd. to serve existing and future commercial development. This project is funded through a partnerships with the Buda Economic Development Corporation. Congressional funding has been secured for Segments B & C with a 20% local match pledged by the Buda EDC. The City will reimburse ESD#8 to install a portion of the interceptor as part of the Fire Station reconstruction.



removal of the existing lift station also supports the extension of drainage improvements associated with the 2014 Buda Bond Proposition 4 - Drainage; Project Area 1 - West Goforth Drainage Improvements. The Congressional Appropriation totals \$1,636,364. Buda EDC funding totals \$409,091. The reimbursement to the ESD#8 is estimated at \$288,335.



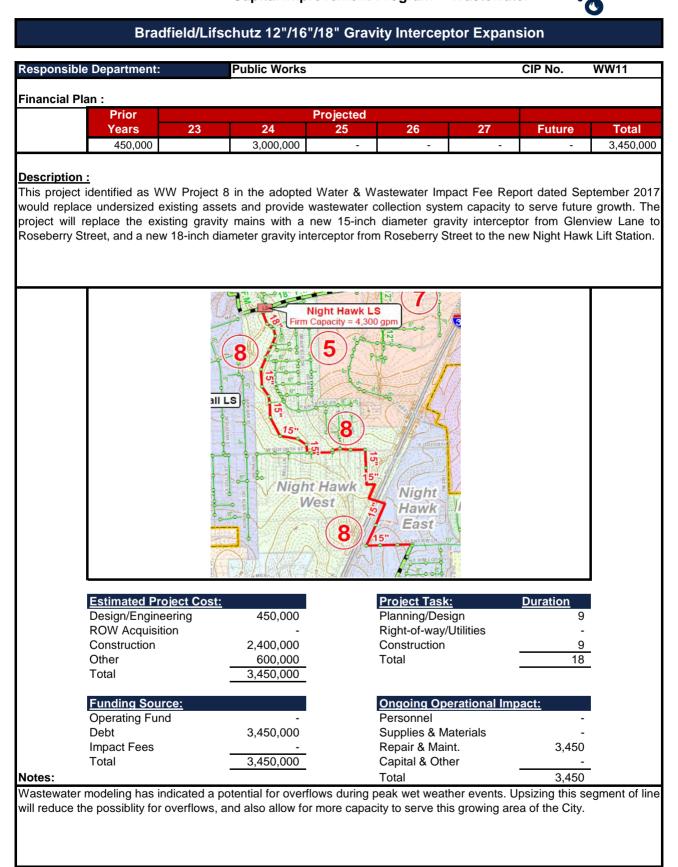
esponsible	e Department:	Public Work	(S		CI	P No.	WW10
nancial Pl	an :						
	Prior		Projected				
	Years 23	24	25	26	27	Future	Total
	-		-		1,275,000	-	1,275,0
	_						
scription						<u> </u>	
	I-35 interceptor is a prop						
tallation o	f a 15" wastewater line o	on the western si	de of Interstate	e 35 north of Mai	n Street and	along Ma	in Street to
rsett Lift S	Station.						
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	Estimated Project Cos			Project Task:		<u>Duratio</u>	<u>n</u>
	Design/Engineering	150,000		Planning/Design			-
	ROW Acquisition	-		Right-of-way/Util			-
	Construction	900,000		Construction			_
	Other	225,000		Total			-
	Total	1,275,000					
			-				
				0	tional Imnac	t:	
	Funding Source:			Undoind Obera			
	Funding Source:			Ongoing Opera Personnel		<u></u>	
	Operating Fund	-	_	Personnel		<u></u>	-
	Operating Fund Debt	- 1,275,000		Personnel Supplies & Mate			-
	Operating Fund	- 1,275,000 -		Personnel			- - -
	Operating Fund Debt Grants/Other	-		Personnel Supplies & Mate Repair & Maint.			-
400.	Operating Fund Debt	- 1,275,000 - 1,275,000	-	Personnel Supplies & Mate Repair & Maint. Capital & Other			- - -
	Operating Fund Debt Grants/Other Total	- 1,275,000	_	Personnel Supplies & Mate Repair & Maint. Capital & Other Total	rials		- - - -
tes: tual scheo	Operating Fund Debt Grants/Other	- 1,275,000	_	Personnel Supplies & Mate Repair & Maint. Capital & Other Total	rials		- - - - - ull basin. ⊺

City of Buda, Texas

Capital Improvement Program - Wastewater

BudaTx breathe

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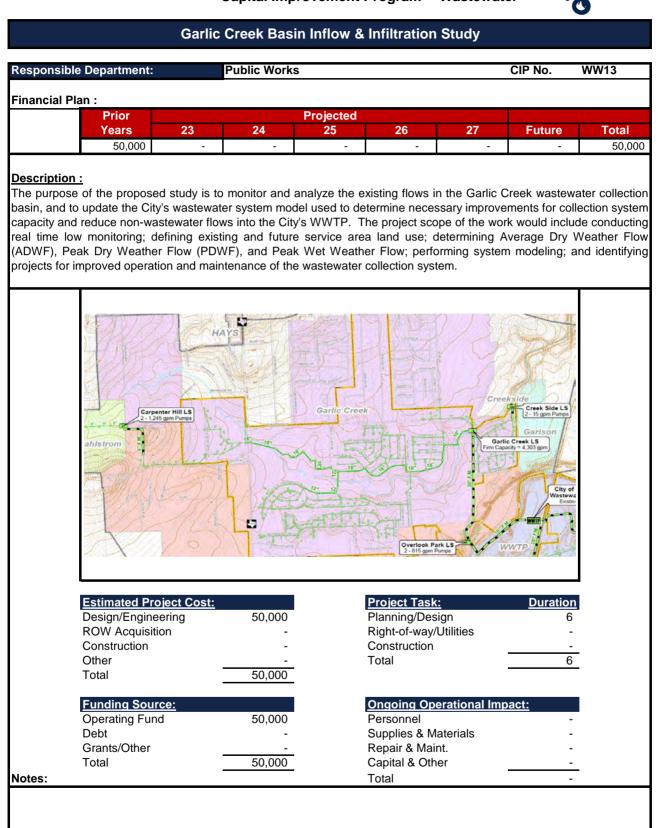




	ble Department:		Public Work	S			CIP No.	WW12
ancial F	Plan :							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	-	-	-	-	-	450,000	450,0
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	and the second	1						
	Estimated Project		450.000		Project Task		<u>Duration</u>	
	Design/Engineerin ROW Acquisition	y	450,000		Planning/Des Right-of-way/		-	
	Construction		-		Construction		-	
			-		Total			
	Other		1					
	Other Total		450,000					
	Total Funding Source:				Ongoing Ope	erational Im	pact:	
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	Total <u>Funding Source:</u> Operating Fund Debt Grants/Other		450,000 - -		Personnel Supplies & Ma Repair & Mair	aterials nt.	<u>pact:</u> - - -	
tes:	Total Funding Source: Operating Fund Debt				Personnel Supplies & M	aterials nt.	<u>pact:</u> - - -	

**BudaTx** breathe

easy here...

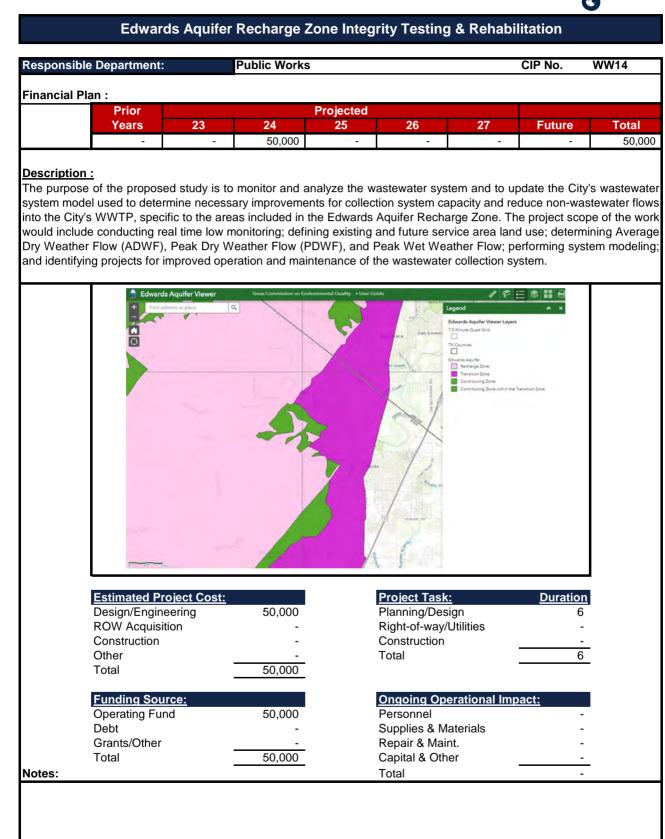


City of Buda, Texas

Capital Improvement Program - Wastewater

**BudaTx** breathe

easy here...





# Overlook Lift Station Upsize and Interceptor for Cole Springs Road

	e Department:		Public Work				CIP No.	WW15
nancial Pla								
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	-	-	700,000	-		-	700,0
inch force sis project	Diverlook Park L main to the wa could be con s for oversizing	astewater tr	eatment plant. ough a reimb ion and the Cit	This project wil ursement agre	ement with T	d new grov he Colon	vth along Cole	Springs Ro
	Nº-	2 - 815	ok Park LS gpm Pumps Capacity = 3,4	125 gpm	1 15 total	2 WWI		
	Nº-	2 - 815 to Firm C	gpm Pumps Capacity = 3,4		Project Task: Planning/Desig Right-of-way/U Construction Total	tilities	Duration	-



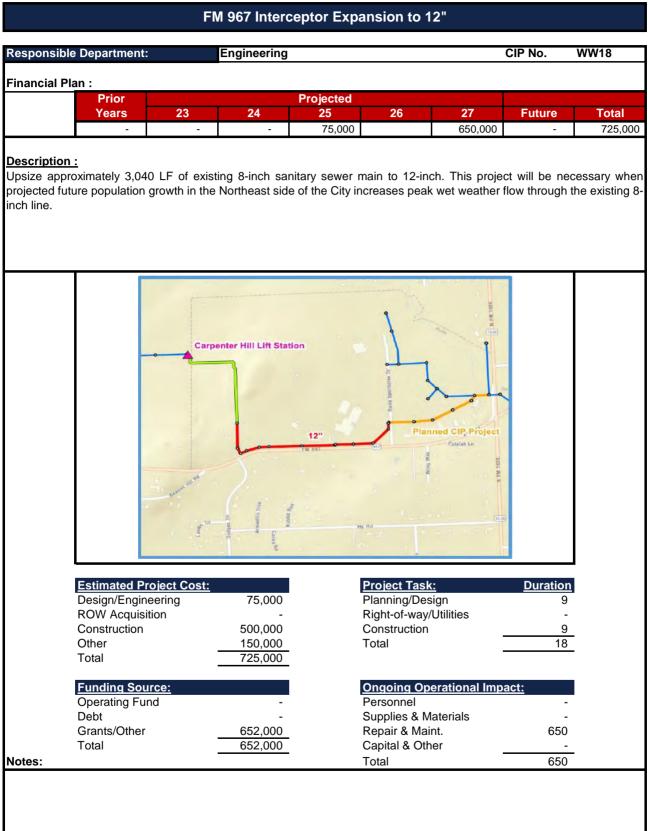
ancial Pla	an :		Engineering				CIP No.	WW16
	Prior			Projected				
	Years	23	24	25	26	27	Future	Tota
	9,504,000	-	-	-	-	-	-	9,504,
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	Other		-	-	Total		66	-
	Total		9,504,000	-				
	Funding Source	e:			Ongoing Oper	ation <u>al Im</u>	pact:	
	Operating Fund		-	•	Personnel		-	-
	eperaning i ana		9,504,000		Supplies & Mat	erials	-	
	Debt							
	Debt Grants/Other			-	Repair & Maint.		-	
	Debt		- 9,504,000		Repair & Maint. Capital & Other Total			_

51



#### Carpenter Hill Lift Station, Gravity Influent And Force Main Expansion CIP No. WW17 **Responsible Department:** Engineering Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 2,480,000 2,480,000 **Description**: Upsize approximately 3,150 LF of existing 8-inch sanitary sewer gravity main to 12-inch, increase the Carpenter Hill lift station capacity to 850 gpm, and upsizing approximatley 1,885 LF of existing 6-inch force main to 10-inches. This project will be necessary when projected future population growth in the Northwest side of the City increases peak wet weather flow through the existing 8-inch gravity line. **Carpenter Hill Lift Station** 12" 0" EM FM 961 Boon HILF Hy Rd Estimated Project Cost: Project Task: Duration Design/Engineering 250,000 Planning/Design 9 **ROW Acquisition Right-of-way/Utilities** Construction 1,715,000 Construction 9 Other Total 18 515,000 Total 2,480,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 2,480,000 Supplies & Materials Grants/Other Repair & Maint. 2,400 2,480,000 Total Capital & Other Notes: Total 2,400

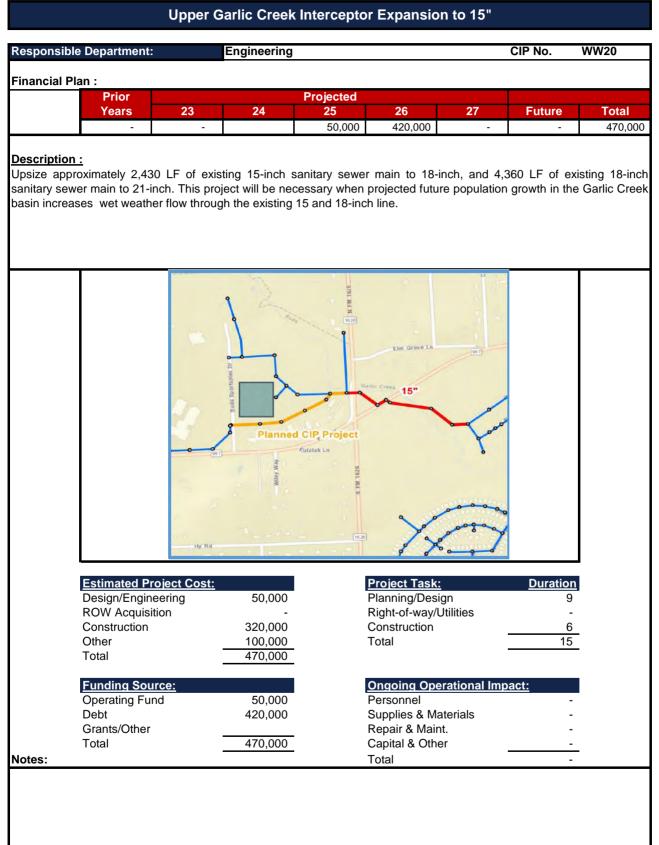






#### Lower Garlic Creek Interceptor Expansion 18" to 21" CIP No. WW19 **Responsible Department:** Engineering Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 215,000 1,885,000 2,100,000 **Description**: Upsize approximately 2,430 LF of existing 15-inch sanitary sewer main to 18-inch, and 4,360 LF of existing 18-inch sanitary sewer main to 21-inch. This project will be necessary when projected future population growth in the Garlic Creek basin increases wet weather flow through the existing 15 and 18-inch line. **Creek Side Lift Station** EM 96 967 FM 967 Lift Station 18 THIY LD S Estimated Project Cost: Project Task: Duration Design/Engineering 215,000 Planning/Design 9 **ROW Acquisition Right-of-way/Utilities** Construction Construction 1,450,000 9 Other 435,000 Total 18 Total 2,100,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 2,100,000 Supplies & Materials Grants/Other Repair & Maint. 2,100,000 Total Capital & Other Notes: Total -







#### **Dacy Lane Lift Station and Force Main** Engineering CIP No. WW21 **Responsible Department:** Financial Plan : Prior Projected 24 Future Total Years 23 25 26 27 2,800,000 2,800,000 **Description :** Design and construct Dacy Lane Lift Station to provide wastewater service in the southeastern portion of the City. This would include an 8-inch force main to the Meadows at Buda Lift Station of nearly 5,000 linear feet. Project 6 in the 2020 Wastewater Master Plan. adows at Buda Lift Station FM 6" Proposed Lift Station Apple Bissines Tr. Estimated Project Cost: Project Task: Duration 200,000 Planning/Design Design/Engineering **ROW Acquisition Right-of-way/Utilities** Construction 2,150,000 Permitting Other 450,000 Construction Total 2,800,000 Total **Funding Source: Ongoing Operational Impact: Operating Fund** 600,000 Personnel Debt Supplies & Materials Grants/Other 2,200,000 Repair & Maint. Capital & Other Total 2,800,000 Notes: Total City is looking to cost share and oversize a planned liftstation to serve a proposed residential development located west of Dacy Lane. Developer is proposing to install an approximate 256 LUE liftstation. The total proposed liftstation would be approximately 564 LUEs. This project would open up future commercial development along IH-35 and potentially to serve the Hillside Terrace neighborhood. Developer cost would be \$2.2 million and the City's portion would be \$600,000.



onsibl	e Department:	Engineering				CIP No.	WW22
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	Prior		Projected	00	07		
	Years 23 75,000	- 24	25 -	26	27	Future	<b>To</b> 1
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	Design/Engineering	100,000		Planning/Des		Buration	-
	ROW Acquisition	-		Right-of-way/			-
	Construction	-		Permitting			-
	Other	-		Construction			-
	Total	100,000		Total			-
	Funding Source:			Ongoing Ope	erational Im	pact:	
	Operating Fund	100,000		Personnel			-
	Debt	-		Supplies & M			-
	Grants/Other	-		Repair & Main			-
	Total	100,000		Capital & Oth	er		-
s:				Total			-

# City of Buda, Texas

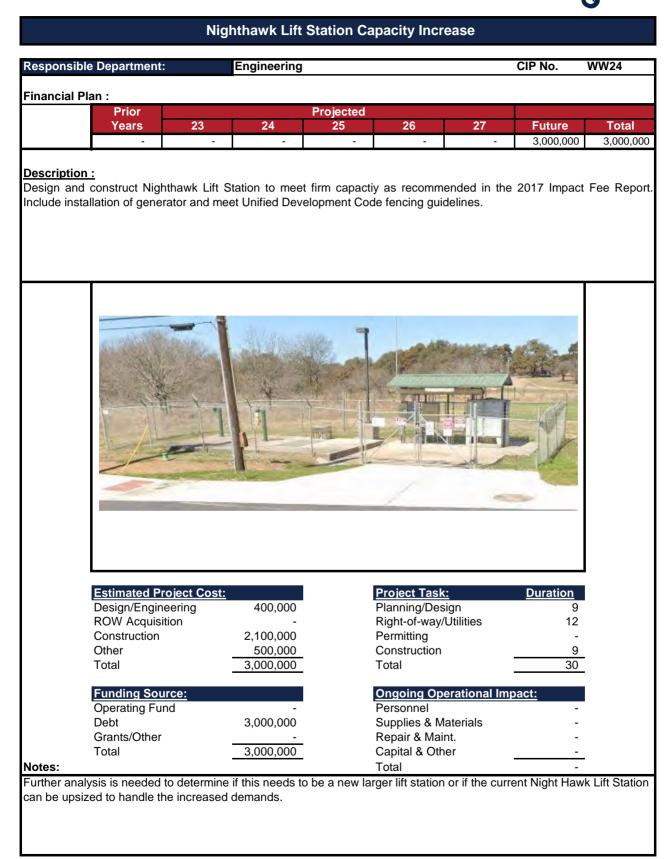
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Prior       Projected         Years       23       24       25       26       27       Future       Tot         100,000       -       -       -       -       -       -       10         Bescription : xpand on the 2020 Wastewater Master Plan by completing a capacity and condition assessment on the city-crastewater lift stations. This study will identify the remaining capacity in existing lift stations to support future gro ill also complete a conditions assessment of the pumps, impellers, control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other components to devioute maintenance and replacement schedule.         Image: Spanitize of the pumps impellers control panels, and other component schedule. <td colspa="&lt;/th"><th>esponsibl</th><th>e Department:</th><th>E</th><th>Ingineering</th><th></th><th></th><th></th><th>CIP No.</th><th>WW23</th></td>	<th>esponsibl</th> <th>e Department:</th> <th>E</th> <th>Ingineering</th> <th></th> <th></th> <th></th> <th>CIP No.</th> <th>WW23</th>	esponsibl	e Department:	E	Ingineering				CIP No.	WW23
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Construction       -       Permitting       -         Other       -       Construction       -         Total       80,000       Total       -         Funding Source:       Ongoing Operational Impact:       -         Operating Fund       80,000       Personnel       -				80.000			2			
Other     -     Construction     -       Total     80,000     Total     -       Funding Source:     Ongoing Operational Impact:     -       Operating Fund     80,000     Personnel     -		Design/Engineerin		80,000	-	Planning/Desigi				
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# **City of Buda, Texas**

Capital Improvement Program - Wastewater

**BudaTx** breathe

easy here...





# South Loop 4 Utility Relocations for Roadway Reconstruction - Wastewater

esponsi	ble Department:		Public Works	5			CIP No.	WW25
inancial								
	Prior		24	Projected	20	07	Future	Total
	Years	23	24	25	26	27	Future	Total
	103,600	565,000	-	-	-	-	-	668,6
escriptio	on ·							
	wastewater and eff	luent lines	to accommod:	ate the recons	struction of S	outh Loop 4	by Hays Cou	ntv (\$310.0)
	ity's 2014 Project A						by haye eea	(\$010,0
		/ 1000.101	The recent value					
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	PRO		PE AND NEED	2 • Adjust	City of Buda f	acilities in co or to Roadwa	v/Drainage	
	111-		CITY OF BUDA	A constru	uction			
			WASTEWATER	RM967	S Improveme wastewater f	nts: 690' of v orcemain	waterline,	
			RELOCATIONS	S • Phase :	1B Drainage: vater line and	50' of waterl	ine, 430' of	
				wastew	vater line and	forcemain	1 3111	
	Estimated Pro				Project Task		<b>Duration</b>	
	Design/Enginee		103,600		Planning/Des			
	ROW Acquisitio	n	-		Right-of-way		-	•
	Construction		565,000		Construction			<u>.                                    </u>
	Other		-		Total			<u> </u>
	Total		668,600					_
	Funding Source				Ongoing Op	erational Im	<u>ipact:</u>	
	Operating Fund		-		Personnel		-	•
	Debt		-		Supplies & M			
	Grants/Other				Repair & Mai			•
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#### **Coves of Cimarron Wastewater Line Replacement**

Responsible	e Department	:	Public Work	S			CIP No.	WW26
Financial Pla								
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	-	150,000	750,000	-	-		900,00

#### Description :

Notes:

Replace 5200 linear feet of 2-inch to 4-inch wastewater forcemain and gravity line in the northern section of the Coves of Cimarron subdivision to an 8-inch line. This section of the collection system consists of multiple grinder pump connections onto the same small diameter force main, along with some sections of gravity line that is brought to the Dove Lane lift station. Most of the line was installed in the 1980s and receives a high level of inflow and infiltration. The small diameter line sizes make it almost impossible for staff to properly maintain, clean, and inspect this section of the system. Design a gravity system that will allow all homes to tie onto the system and to abandon aging septic systems.



Estimated Project Cost:		Project Task:	
Design/Engineering	100,000	Planning/Design	6
ROW Acquisition	-	Right-of-way/Utilities	6
Construction	650,000	Permitting	-
Other	150,000	Construction	9
Total	900,000	Total	21
Funding Source:		Ongoing Operational Im	inact:
		Ongoing Operational Im	pact:
Funding Source: Operating Fund	150,000	Ongoing Operational Im Personnel	pact:
	150,000 750,000		ipact: -
Operating Fund	,	Personnel	pact: - -
Operating Fund Debt	,	Personnel Supplies & Materials	<u>pact:</u> - -

#### Reclaimed Water Capital Improvement Program FY 2023 - 2027



The City provides Type I reclaimed water for irrigation, construction, and other non-potable uses. Distribution is currently restricted because of limited infrastructure including storage and distribution. Expanded use of reclaimed water is an important strategy for the City of Buda in meeting future water needs related to growth.

Sources of Funding	Prior Years	23	24	25	26	27	2023-27 Total
Operating Fund Future Utility Debt 2022 COs Other/Grants	50,000 - 460,000 -	- - -	975,000 - -	75,000 - - -	- 510,000 - -	- - -	75,000 1,485,000 -
Total	510,000	-	975,000	75,000	510,000	-	1,560,000

Uses of Funds	Prior							
	Years	23	24	25	26	27	Future	Total
Reclaimed Water Projects:								
RW00 Reclaimed Water Ground Storage Tank	50,000	-	-	-	-	-	-	50,000
RW01 Main Street and Interstate 35 Reuse Loop	-	-	975,000	-	-	-	-	975,000
RW02 Reuse Water System Expansion	460,000	-	-	-	-	-	-	460,000
RW03 Westside Reuse Expansion Analysis	-	-	-	75,000	-	-	-	75,000
RW04 RM 967 Force Main Conversion and Reuse Line	-	-	-	-	510,000	-	-	510,000
RW05 Buda Sportsplex Reuse Line	-	-	-	-	-	-	1,825,000	1,825,000
RW06 Reuse Ground Storage Tank and Pump Station	-	-	-	-	-	-	1,600,000	1,600,000
Total Use of Funds	510,000	-	975,000	75,000	510,000	-	3,425,000	5,495,000

Cumulative Balance

Sources Over/(Under) Uses

# City of Buda, Texas Capital Improvement Program - Reclaimed Water

ial Plan :          Prior       23       24       25       26       27       Future       T         50,000       -       -       -       -       -       -       -       -         etion :         He storage capacity of reuse water in order to meet increasing demands from City owned properical customers. Tank capacity and construction cost to be determined, but should be placed near the Wasternt Plant to best utilize current infrastructure already in place.         Output: Distribution of the target of the target of the target of the target of t	tion : the storation	ears 50,000 ge capacity oners. Tank ca	- of reuse pacity ar	- water in or nd constructio	25 -	26 -	27	Future	Тс
Prior Years         Projected         Projected           Years         23         24         25         26         27         Future         T           50,000         -         -         -         -         -         -         -         -           otion :         I the storage capacity of reuse water in order to meet increasing demands from City owned properical customers. Tank capacity and construction cost to be determined, but should be placed near the Was	tion : the storation	ears 50,000 ge capacity oners. Tank ca	- of reuse pacity ar	- water in or nd constructio	25 -	26 -	27	Future	
Years       23       24       25       26       27       Future       T         50,000       -       -       -       -       -       -       -       -         otion :       I the storage capacity of reuse water in order to meet increasing demands from City owned properical customers. Tank capacity and construction cost to be determined, but should be placed near the Was	tion : the stora	50,000 ge capacity o ners. Tank ca	- of reuse pacity ar	- water in or nd constructio	25 -	26 -	27 -	Future	
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I the storage capacity of reuse water in order to meet increasing demands from City owned prope rical customers. Tank capacity and construction cost to be determined, but should be placed near the Was	the stora	ners. Tank ca	pacity ar	nd constructio	der to meet				
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<image/>	nt Plant to	best utilize cu	urrent inf	rastructure al	on cost to be a	determined, but s	hould be p	laced near t	he Was
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	rotal			50,000	-				
Total         50,000         10	Fund	ling Source:				Ongoing Opera	ational Imp	act:	
Total 50,000				-	-	Personnel			-
Total     50,000       Funding Source:     Ongoing Operational Impact:				-			erials		-
Total     50,000       Funding Source:     Ongoing Operational Impact:       Operating Fund     -				50.000			-		-
Total     50,000       Funding Source:     Ongoing Operational Impact:       Operating Fund     -       Debt     -       Supplies & Materials     -	Debt		•	50,000	-	Capital & Other			_
Total50,000Funding Source:Ongoing Operational Impact:Operating Fund-Debt-Supplies & Materials-Grants/Other50,000Repair & Maint	Debt Gran			30,000	-				
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Estimated Project Cost: Project Task: Duration		noted Duri	4 0 and -			Due is at Task		D	

# City of Buda, Texas Bu Capital Improvement Program - Reclaimed Water

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# City of Buda, Texas Bud Capital Improvement Program - Reclaimed Water

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sponsible l	Department:	Engineering		CIP No.	RW02
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	Prior	Proje	ected		
	Years 23	24 2	26	27 Future	
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L F C C T	Design/Engineering ROW Acquisition Construction Dther Total	60,000 - 320,000	Planning/Design Right-of-way/Utili Construction Total	ties	6 - 9
E F C T	Design/Engineering ROW Acquisition Construction Dther Total Funding Source:	60,000 - 320,000 80,000	Planning/Design Right-of-way/Utili Construction Total <u>Ongoing Operat</u>	ties	6 - 9
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Reuse



		We	estside Reu	se Expansi	on Analys	sis		
esponsil	ble Department:		Engineering				CIP No.	RW03
nancial	Plan : Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	-	-	75,000	-	-	-	75,0
escriptic								
uality (To	apter 210 Reuse A CEQ) for areas on ng Report and Hydra	the west	side of Buda	not currently	authorized	for reuse wa		
	Estimated Proje				Project Task		Duration	
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	Construction		-	F	ermitting			-
	Other	-	-		Construction		<u> </u>	)
	Total	-	75,000	I	otal		·	<u> </u>
				C	Ongoing Op	erational Im	pact:	
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	Operating Fund Debt	<u>e:</u>	75,000 - -	F	ersonnel Supplies & M	aterials		-
	Operating Fund	<u>e:</u> -	75,000 - - 75,000	F S F	ersonnel	aterials nt.		-

Reuse



#### **RM 967 Force Main Conversion and Reuse Line** CIP No. RW04 **Responsible Department:** Engineering Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 510,000 510,000 **Description**: Design and construct approximately 1,150 linear feet of 8-inch reuse line and convert approximately 6,150 linear feet of existing force main to a reuse line. This project will be necessary to serve the west side of the City, including the Buda Sportsplex and Dahlstrom Middle School. Projects 1 and 2 from the Reuse Master Plan. Force Main Conversion Project Estimated Project Cost: Project Task: Duration Design/Engineering 55,000 Planning/Design **ROW Acquisition Right-of-way/Utilities** Permitting Construction 350,000 Other 105,000 Construction 9 Total Total 510,000 -Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 510,000 Supplies & Materials Grants/Other Repair & Maint. 500 510,000 Total Capital & Other Notes: Total -

Reuse



Buda Sportsplex Reuse Line

	Plan : Prior			Projected				
		23	24	25	26	27	Future	Total
	-	-	-	-	-	-	1,825,000	1,825,0
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	nd construct approximation side of the City, includ							
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	Total	-	1,825,000		Total			
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tes:					TUIAI		-	

Reuse



	sponsik	ole Department:	Engineering				CIP No.	RW06
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Estimated Project Cost:       Reuse:       Storage         Design/Engineering       165,000         ROW Acquisition       1,100,000         Orber       1,800,000         Total       1,600,000         Crants/Other       1,600,000         Crants/Other       1,600,000         Crants/Other       1,600,000         Crants/Other       1,600,000			storage in the reuse	system to me	et the variable	ity in daily de	emands. Proje	ect 12 from
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		Grants/Other	- 1,600,000					

#### Mobility & Drainage Capital Improvement Program FY 2023 - 2027



Improving mobility is a focus of the City of Buda as the City's population growth has caused traffic congestion at key locations around town. New development will also prompt the reconstruction of rural street sections to a more urban roadway complete street design. As roadway infrastructure ages, a pavement management plan will aid the City in prioritizing roadway maintenance projects. Mobility projects reflect the adopted 2020 Transportation Mobility Master Plan.

Sources of Funding	Prior						2023-27
	Years	23	24	25	26	27	Total
General Fund	512,000	100,000	-	400,000	-	-	500,000
2014 GO Proposition 3	420,000	-	-	-	-	-	-
2014 GO Proposition 5	300,000	-	-	-	-	-	-
2021 CO Bond	1,000,000	-	-	-	-	-	-
2021 GO Proposition A	26,860,718	8,939,686	29,665,920	-	-	-	38,605,606
Future Debt Proceeds	-	-	-	1,000,000	616,000	-	1,616,000
Other/Grants	400,000	480,000	-	-	-	-	480,000
Total	29,492,718	9,519,686	29,665,920	1,400,000	616,000	-	41,201,606

Uses	of Funds	Prior Years	23	24	25	26	27	Future	Total
		Tears	25	24	23	20	21	Future	TOLAI
Mohil	ity Projects:								
M01	Roadway Impact Fee Study	60,000	-	-	-	-	-	-	60,00
M03	Cabela's Drive at Old San Antonio Road Traffic Signal	-	-	-	400,000	-	-	-	400,00
M04	Garlic Creek Parkway and SH 45/Bailey East-West Corridor Planning Study	-	350,000	-	-	-	-	430,000	780,00
M05	Cabela's Connector	1,420,000	-	-	-	-	-	-	1,420,00
M06	IH-35 to Old San Antonio Connector	-	854,686	-	-	-	-	-	854,68
M07	Downtown Streetscaping Improvements - Main St.	-	-	-	-	-	-	1,500,000	1,500,00
M09	Old Black Colony Road Reconstruction	10,021,000	-	13,984,800	-	-	-	-	24,005,80
M10	West Goforth Road Reconstruction	9,237,248	-	11,693,000	-	-	-	-	20,930,24
M11	FM 2001 Pedestrian and Bicycle Trail	600,000	-	-	-	-	-	-	600,00
M12	South Loop 4 Sidewalk (Downtown to Meadows at Buda)	-	-	-	-	-	-	1,303,000	1,303,00
M13	FM 1626 and RM 967 Intersection Study	-	240,000	-	-	-	-	-	240,00
M14	Talley Loop Rehabilitation	409,230	713,000	-	-	-	-	-	1,122,23
M15	Oyster Creek Drive Rehabilitation	-	-	-	-	616,000	-	-	616,00
M16	Green Meadows Lane Rehabilitation	-	-	-	-	-	-	3,142,000	3,142,00
M17	Middle Creek Drive Rehabilitation	864,000	2,931,000	-	-	-	-	-	3,795,00
M20	Railroad Street Reconstruction	-	-	-	-	-	-	1,600,000	1,600,00
M21	Austin Street Reconstruction	3,492,040	-	3,267,000	-	-	-	-	6,759,04
M23	Interstate Drive Reconstruction	-	-	-	1,000,000	-	-	-	1,000,00
M24	Cole Springs Road Reconstruction	-	-	-	-	-	-	34,734,000	34,734,00
M25	Old Goforth Rd / Old FM 2001 Reconstruction - Overpass to Hillside Terrace Connector	-	-	-	-	-	-	6,800,000	6,800,00
M26	Downtown Streets Reconstruction	-	-	-	-	-	-	4,100,000	4,100,00
M27	Overpass Road / FM 2001 Intersection Improvements	-	-	721,120	-	-	-	-	721,12
M28	Oyster Creek / Mark's Overlook at RM 967 Signal			-	-	-	-	400,000	400,00
M29	RM 967 Accel / Decel Lanes	930,650	1,639,000	-	-	-	-		2,569,65
M30	Main Street Pedestrian Crossings	-	-	-	-	-	-	1,500,000	1,500,00
M31	Downtown Railroad Crossing Safety Improvements	-	-	-	-	-	-	8,400,000	8,400,00
M32	Harvest Meadows Roadway Extension	-	-	-	-	-	-	1,900,000	1,900,00
M33	RM 967 Sidewalk from Old Buda Elementary to Downtown	177,000		-	-	-	-	-	177,00
M34	Cabela's Drive Sidewalk Connection	-	50,000	-	-	-	-	-	50,00
M35	Old San Antonio Rd. Sidewalk Gap		67,000	-	-	-	-	-	67,00
M36	Garlic Creek Trail	745,500	-	-	-	-	-	-	745,50
M37	Onion Creek Trail from RM 967 to Garison Park	553,500	-	-	-	-	-	-	553,50
M38	Bradfield Trail Connection to West Goforth	75,000	-	-	-	-	-	-	75,00
M39	FM 2770 Trail from Cole Springs Road to Bluff Street	-	-	-	-	-	-	592,000	592,00
M40	RM 967 Sidewalk from FM 1626 to City Limits	-	-	-	-	-	-	308,000	308,00
M41	Pavement Management Plan Implementation	-	-	-	-	-	-	-	4 404 00
M42	RM 967 Right Turn Lane onto FM 1626	444,260	1,037,000	-	-	-	-	-	1,481,26
M43	FM 2770 / Main St / China St Pedestrian Connections	355,790	816,000	-	-	-	-	-	1,171,79
M44	ADA Transition Plan	107 500	100,000	-	-	-	-	-	100,00
M45 M46	Existing Robert S. Light Blvd Rehabilitation Bella Vita Sidewalk to West Goforth	107,500	605,000 117,000	-	-	-	-	-	712,50
1140	Della Vita Sidewaik to West Goloffi	-	117,000	-	-	-	-	-	117,00
Total	Use of Funds	29,492,718	9,519,686	29,665,920	1,400,000	616.000	-	66,709,000	137,403,32
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Cumulative Balance Sources Over/(Under) Uses

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		Roadwa	y Impact F	ee Study			
esponsi	ble Department:	Engineering				CIP No.	M01
nancial	Plan:	-					
	Prior		Projected				
	Years 23	24	25	26	27	Future	Total
	60,000 -	-	-	-	-	-	60,0
ander h adway ir quisitior ds vehic	impact fees are common in ave implemented roadway npact fee program. Compor n, design and construction cular capacity or enhances portation Mobility Master Pla	impact fees. The nents that can be costs for CIPs to regional mobility	City of Austi paid for thro meet growt	n is currently se ugh a roadway in h needs, and ar	eking stake mpact fee ny physical	eholder inpu program incl I roadway im	t on a propos ude right of v provement t
	Estimated Project Cos Design/Engineering	t: 60,000		Project Task: Planning/Desig		<u>Duratio</u>	<u>2n</u> 0
	ROW Acquisition Construction Other Total	- - - 60,000		Right-of-way/Ut Construction Total	tilities	1	- - 0
				Ongoing Oper	ational Im		



#### Cabela's Drive at Old San Antonio Road Traffic Signal

Responsible	Department		Engineering				CIP No.	M03
Financial Pla	an: Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	-	-	400,000	-	-	-	400,000

#### **Description**:

This project includes the design and installation of a Traffic Signal at Old San Antonio and Cabela's Drive. It is anticipated that the signal will meet warrants in the near future based upon commercial and multi-family development that has grown in the area. A new warrant study was completed in FY20 and found that a 4-way stop is warranted at this time. A fully controlled traffic signal is not anticipated until 2025. This project is shown as P13 in the Transportation Mobility Master Plan.

Estimated Project Cost Design/Engineering	<u>:</u> 40,000	Project Task: Planning/Design	Duration 6
ROW Acquisition	60,000	Right-of-way/Utilities	3
Construction	230,000	Construction	3
Other	70,000	Total	12
Total	400,000	-	
		<b>Ongoing Operational Impa</b>	oct:
Funding Source:	400.000		<u>ici.</u>
Operating Fund	400,000	Personnel	- -
Operating Fund Debt	400,000	Personnel Supplies & Materials	-
Operating Fund	400,000	Personnel	- - 1,000 -



#### Garlic Creek Parkway and SH 45/Bailey East-West Corridor Planning Study

Responsible	Department:		Engineering				CIP No.	M04
Financial Pla				Duciente d				
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	350,000	-	-	-	-	430,000	780,000

#### **Description**:

Notes:

The future development of the Bailey tract will involve extension of a north-south arterial street from RM 967 to the new extension of SH 45. The development will also include east-west collector streets to conform with the City's Thoroughfare Plan. The developer must mitigate intersection safety concerns at RM 967. The ultimate thoroughfare construction will involve a multiparty agreement between the developer, the City, TxDOT and possibly Hays County. The Capitol Area Metropolitan Planning Organization (CAMPO) may conduct a study of this future roadway as part of the 2019-22 Transportaion Improvement Plan.



Estimated Project Cost:		Project Task:	Duration
Design/Engineering	350,000	Planning/Design	-
ROW Acquisition	-	Right-of-way/Utilities	-
Construction	-	Construction	-
Other	430,000	Total	-
Total	780,000		
Funding Source: Operating Fund	-	Ongoing Operational Imp Personnel	<u>pact:</u>
Debt	500.000	Supplies & Materials	-
Grants/Other	280,000	Repair & Maint.	-
Grants/Other Total	)	Repair & Maint. Capital & Other	-

The study was included in the CAMPO Transportation Improvement Program with an 80/20 grant. In FY20, CAMPO shifted funds from this and other projects for improvements to IH-35. CAMPO has re-appropriated funds for this study but it is not clear which year it will proceed. \$500,000 was included in the 2021 GO Bond Election to be used for design and potential projects. \$70,000 of the \$500,000 will be used for the City's match for the CAMPO study.



sponsil	ble Department:	Engineering		CIP No.	M05
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ancial					
	Prior		ected		
	Years         23           1,420,000         -		25 26	27 Future	Total
	1,420,000 -	-			1,420,0
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	olves design and construct	tion of a two-lane roadv	vav with three lane app	proaches, curb and out	ter. storm se
	nd sidewalks. The project le				
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	Buok		PROJECT	LENGTH: 1.466 FT.	
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	Estimated Project Cos		Project Task:	Duratio	
	Design/Engineering	150,000	Planning/Desig		6
	ROW Acquisition	600,000	Right-of-way/U	tilities	-
	Construction	900,000	Construction		6
	Other	-	Total	1	2
	Total	1,650,000			-
	Funding Source:			ational Impact:	
	Operating Fund	-	Personnel		-
	Debt	1,650,000	Supplies & Mat		-
	Grants/Other	-	Repair & Maint	. 1,60	0
	Total	1,650,000	Capital & Other		-
			Total		-
tes:			TOLAI	1,60	0



onsible Department:	Engir	eering				CIP No.	M06
cial Plan:							
Prior		Proje					
Years	23 2 854,686	24 25		26	27	Future	85
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ROW Acquisitic				t-of-way/Ut			-
Construction		27,000	Cons	struction			
Other		-	Total			12	2
Total	85	54,686					
Funding Source	:e:		Ong	oina Oper	ational Imp	act:	
Operating Fund		-		onnel			-
Debt		54,686	Supp	lies & Mat			-
Grants/Other		-		air & Maint.			-
	85	54,686	-	tal & Other			
Total			Total				-
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	ed as a project fo	r inclusion in th			tion.		



esponsi	ble Department:	Engineering		CIP No.	M07
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	Years 23	24	25 26	27 Future	Total
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	cludes functional sidewa				
	e elements such as street				
	e selected installation of				
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	<b>Estimated Project Co</b>	st:	<b>Project Task</b>	<u>Duratic</u>	on
	Design/Engineering	150,000	Planning/Des		12
	ROW Acquisition	-	Right-of-way/		· _
	Construction	1,350,000	Construction		12
	Other	1,000,000	Total		24
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	Total	1,500,000			
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	Funding Source:			erational Impact:	
	Operating Fund	-	Personnel		-
	Debt	1,500,000	Supplies & M		-
	Grants/Other	-	Repair & Mair		-
	Total	1,500,000	Capital & Oth	er	-
otes:			Total		-



inancial Pl	e Department:		Engineering	)			CIP No.	M09
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	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	10,021,000	-	13,984,800	-	-	-	-	24,005,8
escription								
	<u>.</u> on and realignmer	nt of Old	Black Colon	v Road from	EM 1626 to 1	ha futura ra	alocated inter	reaction at C
	d. This project has							
ansportatio	on and Mobility Ma	aster Plar	n CIP table.	Old Black C	olony Rd. wou	ld be const	ructed as a	70' right-of-w
ban, 2-lane	e roadway with bike	e lanes an	d sidewalks,	and drainage	e improvements	6.		
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#### West Goforth Road Reconstruction **Responsible Department:** Engineering CIP No. M10 Financial Plan: Prior Projected Years 23 24 25 26 27 **Future** Total 9,237,248 11,693,000 20,930,248 **Description**: West Goforth Street is a roadway reconstruction project, approximately 4.490 linear feet. This project will include full depth pavement reconstruction along West Goforth Street from S Loop 4 to IH-35. Drainage improvements are significant part of the reconstruction effort. The roadway will be evaluated and expanded to provide a 2-lane roadway with bike lanes and sidewalks on both sides. The roadway would be classified as an Active Street with a 70' right-of-way. Estimated Project Cost: Project Task: Duration Design/Engineering Planning/Design 18 9,237,248 **ROW Acquisition Right-of-way/Utilities** 18 Construction 11,693,000 Construction 12 Other Total 48 Total 20,930,248 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 20,930,248 Supplies & Materials Grants/Other Repair & Maint. 5,000 Total 20,930,248 Capital & Other Notes: Total 5,000 Project design could proceed under City lead to await future funding through a partnership with Hays County. Project is funded as part of the 2021 bond election.



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	2					
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traine to commercia	al activities and future	medical facilitie	s in the area.			
	SVR City Hall/	Ordeary	Overpass Road/FM 2001			
	C Literary/ Stagecoat Pars	h Hotail/	Bike & Ped Improvements			
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	est corcette	RAST GOFORTH Station	Single Family Neighborhood			
	Main Street 125 miles	Future Hospital Complex Site				
	Park 0.5 miles	Z Marti Family Apartments	Frank State			
		I AND A				
		GAUDA - MULLORD				
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#### South Loop 4 Sidewalk (Downtown to Meadows at Buda) CIP No. **Responsible Department:** Engineering M12 Financial Plan: Prior Projected Years 23 24 25 26 27 Future Total 1,303,000 1,303,000 **Description :** Construct a 6' sidewalk along S Loop 4 from West Goforth Road to IH-35 Southbound Frontage Road. The approximate length is 13,500 lf. The project would provide pedestrian connectivity to downtown Buda from the Meadows at Buda subdivision and the Robert S. Light Blvd. corridor. This will enable pedestrians to access businesses and job centers located along this roadway and will improve pedesterian connectivity. Estimated Project Cost: Project Task: Duration Design/Engineering 192,000 Planning/Design 9 **ROW Acquisition Right-of-way/Utilities** Construction 1,280,000 Construction 6 Other Total 15 128,000 Total 1,600,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 1,600,000 Supplies & Materials Grants/Other Repair & Maint. 1,600,000 Total Capital & Other Notes: Total -The cost and funding source of this project are unknown at this time.

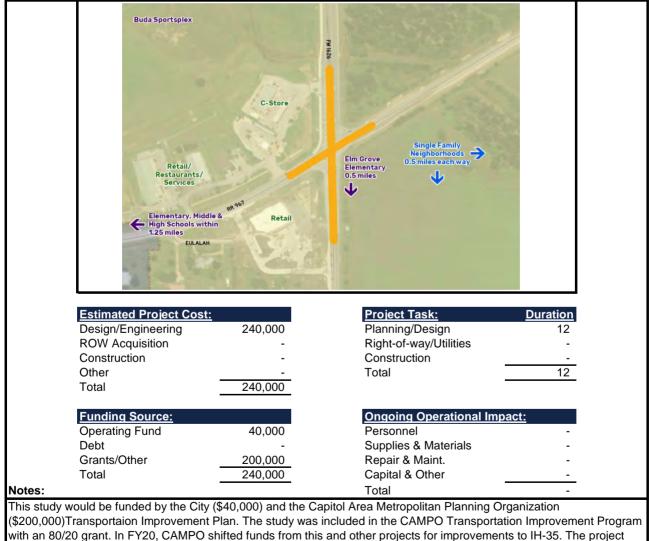


#### FM 1626 and RM 967 Intersection Study

Responsible	Department		Engineering				CIP No.	M13
Financial Pla	an: Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	240,000	-	-	-	-	-	240,000

#### **Description**:

Due to rapid growth in Hays County and on the western side of Buda, the intersection of FM 1626 and RM 967 is over capacity. Both roadways serve as important commuter routes. The study will analyze the intersection and identify improvements needed to help realize the full capacity of the recently improved FM 1626 roadway. It will identify alternatives to improve the intersection, define right-of-way needs, determine approximate costs, develop a project scope, and recommend timelines for implementation. Stakeholders of this project include the City of Buda, Hays and Travis counties, and TxDOT.



has been re-appropriated thru CAMPO but the exact timing of the project is not yet known.



| Prior<br>Years       Projected         409,230       21       22       23       24       25       Future         409,230       713,000       -       -       -       -       -       -         1:       econstruction of Talley Loop from Cullen Boulevard north to where the road bends west towards Ga estimates a cost of \$455,000 for the project. Completion of the Pavement Management Plan will bet cost and the priority of this project. 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      Right-of-way/Utilities         Construction       713,000       Construction         Other       -       Total         Total       1,122,230       Ongoing Operational Impact:         Personnel       Personnel         Debt       1,123,000       Supplies & Materials         Grants/Other       -       Repair & Maint.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5<br>-<br>5                                     |

	ble Department:	Engineering		CIP No.	M15
inancial	Plan.				
inanciai	Prior Prior	Pr	ojected		
	Years 23	24	25 26	27 Future	Total
		-	- 616,000		616,00
escriptio					
ast termi sphalt pa ound wa rains an	eek Drive is failing from 200 nating at the intersection of aving, crushed limestone, cu ater and irrigation water infilt d lime stabilization. The Pay tions. The Plan proposes a	Enchanted Woods. T urb and gutter, and rating the road bed v vement Managemen	This project is a full depth r sidewalks. These items ar which destroyed the integrit t Plan shows this road has	econstruction consisti e all failing due to th y of the road. Evaluat s a PCI ranging from	ing of removal ne abundance re adding Fren
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	Estimated Project Cost		Project Task:	Durati	
	Design/Engineering	<u>::</u> 61,600	Planning/Design	1	<u>on</u> 5
	Design/Engineering ROW Acquisition	61,600	Planning/Design Right-of-way/Uti	1	5
	Design/Engineering ROW Acquisition Construction		Planning/Design Right-of-way/Uti Construction	lities	5 - 5
	Design/Engineering ROW Acquisition	61,600 554,400 -	Planning/Design Right-of-way/Uti	lities	5
	Design/Engineering ROW Acquisition Construction Other Total	61,600	Planning/Design Right-of-way/Uti Construction Total	lities1	5 - 5
	Design/Engineering ROW Acquisition Construction Other Total <u>Funding Source:</u>	61,600 554,400 -	Planning/Design Right-of-way/Uti Construction Total Ongoing Opera	lities1	5 - 5
	Design/Engineering ROW Acquisition Construction Other Total <u>Funding Source:</u> Operating Fund	61,600 554,400 - 616,000	Planning/Design Right-of-way/Uti Construction Total Ongoing Opera Personnel	ities	5 - 5
	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt	61,600 554,400 -	Planning/Design Right-of-way/Uti Construction Total <b>Ongoing Opera</b> Personnel Supplies & Mate	ities	5 - 5
	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt Grants/Other	61,600 554,400 - 616,000 - 616,000 -	Planning/Design Right-of-way/Uti Construction Total <b>Ongoing Opera</b> Personnel Supplies & Mate Repair & Maint.	ities	5 - 5
otes:	Design/Engineering ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt	61,600 554,400 - 616,000	Planning/Design Right-of-way/Uti Construction Total <b>Ongoing Opera</b> Personnel Supplies & Mate	ities	5 - 5



esponsi	ble Department:	Engineering				CIP No.	M16
nancial	Plan:						
lanciai	Prior		Projected				
	Years	23 24	25	26	27	Future	Total
	-		-	-	-	3,142,000	3,142,0
netrate uld be	the subgrade and hat expanded to conside	e is failing in areas caus as jeopardized the struct r adding parking and p <i>i</i> th proposed maintenan	ctural integrity bedestrian acc	of the pavement cess to the Gre	it, curbs, a en Meado	and sidewalks ows Park. The	s. The proj e PCI for
	ti and the second secon	BEGIN			Gree Bens Purs Gree Meadle Pocket Textmod	Frank By	
	Estimated Project Design/Engineerin ROW Acquisition Construction Other Total			Project Task: Planning/Design Right-of-way/Util Construction Total		<u>Duration</u> 6 - 9 15	
	Funding Source: Operating Fund Debt Grants/Other	3,142,000	:	Ongoing Opera Personnel Supplies & Mate Repair & Maint.		<u></u>	I

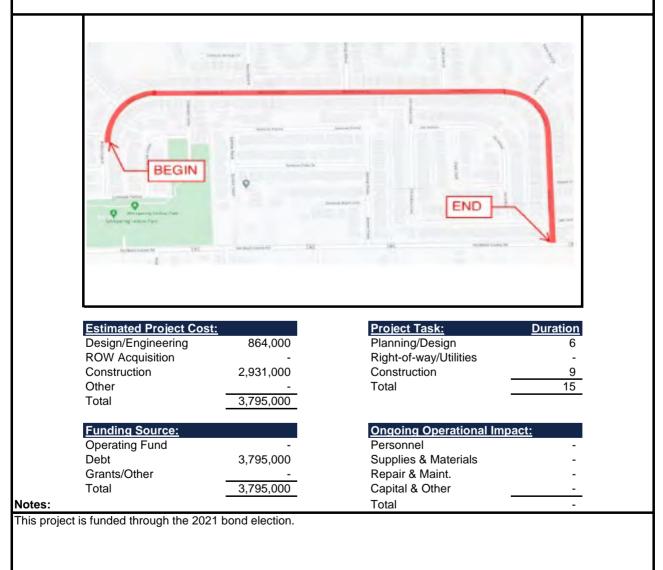


#### **Middle Creek Drive Rehabilitation**

Responsible	Department:		Engineering				CIP No.	M17
Financial Pla	an: Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	864,000	2,931,000	-	-	-	-	-	3,795,000

#### Description :

Middle Creek Drive has subgrade failures causing the pavement, curb, and sidewalks to heave allowing water to penetrate the subgrade and has jeopardized the structural integrity of the pavement, curbs, and sidewalks. The deterioration of Middle Creek is believed to be from infiltration of ground water and irrigation systems. The Pavement Management Plan has identified PCI scores ranging from 7 to 83 on Middle Creek. The Plan recommends a combination of crack sealing, resconstruction for portions, and a thin mill and overlay for portions. Full-depth rehabilitation may be a preferred option and the costs with this option are reflected in the costs.





lesponsi	ble Department:	Engineering		CIP No	). M20
inancial	Plan:				
	Prior	Proj	ected		
	Years 23	24 2	25 26	27 Fut	
	-			- 1,60	0,000 1,600,0
badway s treet and boated alo	Street is a roadway that ru supports businesses east of d provides additional down ong Railroad Street. The p parking. It would be design	of the rail line that divides town parking for events project would include rec	downtown. The roady and festivals. On-street onstruction of the road	way provides alterna et parking is needed dway to an urban se	tive access to M for the busines
			Kallood		
	Estimated Project Co Design/Engineering ROW Acquisition	<u>st:</u> 200,000 300,000 1,100,000	Project Task: Planning/Desig Right-of-way/U	gn	r <u>ation</u> 18
	Construction		Construction		9 10
	Construction Other Total	1,600,000	Construction Total		9 10 37
	Other	-	Total	t.	10



ponsib	le Department:	Engineering				CIP No.	M21
ncial P	lan:						
	Prior		Projected				
	Years 23	24	25	26	27	Future	Tota
	3,492,040	3,267,000	-	-	-	-	6,759
criptior							
	owntown Master Plan: A						
•	Street and the existing re						
	et to convernt to a mix o						
	ng on at least one side						
-	r function and aesthetics						
project	may also incorporate stor	mwaler treatmer	it elements at	iniers to address	s stornwat		ilown.
	Roadway Framewor	k	Rairoad Street	be extended to connect to Go	forth Street.		
	The proposed roadway ne	twork for Downtown Buda maint streets, but adds turning capacity		of San Antonio Street should be bypass delays at the intersectio			
	Main Street and Live Oak	(FM 967), discussed further in this the downtown area and provide	section. 967. Traffic cal	ming is recommended along Au liscussed in detail on page 53.	ustin and San Marcos		
		traffic. the plan recommends the			_		
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	2 1 2 1	1100		71	HAUPE		
	Estimated Project Cos	st:		Project Task:		Duratio	on
	Design/Engineering	3,492,000	-	Planning/Desig	n	1	
	ROW Acquisition Inclu	ded in the Design.		Right-of-way/U		1	4
	Construction	3,267,000		Construction			2
	Other	-,,		Total			8
	Total	6,759,000	-				
			-				
	Funding Source:			<b>Ongoing Oper</b>	ational Im	pact:	
	Operating Fund	-		Personnel			-
	Debt	6,759,000		Supplies & Mat	erials		-
	Grants/Other			Repair & Maint			-
	Total	6,759,000	-	Capital & Other			-
		0,.00,000	-	Total			_



esponsi	ble Department:		Public Works	5			CIP No.	M23
	Diam							
ancial	Prior Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	-	-	1,000,000	-	-	-	1,000,0
sinesse ore of 2	Drive is an approx s between FM 967 a in the Pavement N asphalt at a lesser of	and IH-35. Naintenanc	The current re	oadway is fa	iling due to heav	y truck tra	ffic.This road	lway has a
				Intersinet				
	Contraction of the second second second							
	Estimated Proje Design/Engineeri ROW Acquisition Construction	ing	- 900,000		Project Task: Planning/Desigr Right-of-way/Uti Construction		Duratio	6 -
	Design/Engineeri ROW Acquisition		- 900,000 100,000 1,000,000		Planning/Desigr Right-of-way/Uti	lities		5 - 5



espo <u>nsible</u>	e Department:	E	ngineering	1			CIP No.	M24
				-				
nancial Pla	an: Prior			Projected				
		23	24	25	26	27	Future	Total
	-	-	-	-	-	-	34,734,000	34,734,0
scription								
	he Transportation ar			way.	Blace Colony Rd		Did Nack Colony F	
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		Kenner January			Braiad Tag		and and a second se	
	Estimated Project Design/Engineering		12.045.000	er Cres	Project Task Planning/Des		<u>Duration</u> 24	
	Design/Engineering ROW Acquisition	3	12,045,000 ed in design	an Cros	Planning/Des Right-of-way/	ign	24 24	3
	Design/Engineering ROW Acquisition Construction	) Include		an Cere	Planning/Des Right-of-way/ Construction	ign	24 24 24	
	Design/Engineering ROW Acquisition Construction Other	) Include	ed in design 22,689,000 -	er Cres	Planning/Des Right-of-way/	ign	24 24	
	Design/Engineering ROW Acquisition Construction	) Include	ed in design	en Cros	Planning/Des Right-of-way/ Construction	ign	24 24 24	
	Design/Engineering ROW Acquisition Construction Other Total	) Include	ed in design 22,689,000 -		Planning/Des Right-of-way/ Construction	ign Utilities	24 24 24 48	
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund	) Include	ed in design 22,689,000 -		Planning/Des Right-of-way/ Construction Total Ongoing Opt Personnel	ign Utilities erational Im	24 24 24 48	
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt	Include	ed in design 22,689,000 -	un Cresi	Planning/Des Right-of-way/ Construction Total Ongoing Op Personnel Supplies & M	ign Utilities <u>erational Im</u> aterials	24 24 24 48	
	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt Grants/Other	J Include	ed in design 22,689,000 34,734,000 - 34,734,000 -		Planning/Des Right-of-way/ Construction Total Ongoing Op Personnel Supplies & M Repair & Main	ign Utilities <u>erational Im</u> aterials nt.	24 24 24 48	
ntes:	Design/Engineering ROW Acquisition Construction Other Total Funding Source: Operating Fund Debt	J Include	ed in design 22,689,000 - 34,734,000 -		Planning/Des Right-of-way/ Construction Total Ongoing Op Personnel Supplies & M	ign Utilities <u>erational Im</u> aterials nt.	24 24 24 48	



#### Old Goforth Rd / Old FM 2001 Reconstruction - Overpass to Hillside Terrace Connector CIP No. M25 **Responsible Department:** Engineering Financial Plan: Prior Projected Years 23 24 25 26 27 Future Total 6,800,000 6,800,000 **Description**: This project is L10 in the TMMP. The project will reconstruct 1.16 miles of roadway as an urban section community connector once the new FM 2001 re-alignment is completed. Project would be a Community Connector with a 70' right-ofway. Estimated Project Cost: Project Task: Duration Design/Engineering 560,000 Planning/Design 18 **ROW Acquisition** 1,120,000 **Right-of-way/Utilities** 18 Construction 4,485,000 Construction 12 Other 235,000 Total 48 Total 6,400,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 6,200,000 Supplies & Materials Grants/Other Repair & Maint. 6,200,000 Total Capital & Other Notes: Total \_ Funding source is unknown. It could include a combination of debt, roadway impact fees, developer contributions, and partnership with Hays County.



lesponsi	ble Department:	Engineering		C	IP No.	M26
inancial	Plan:					
	Prior		ojected			
	Years 23	24	25 26	27	Future	Total
	-			-	4,100,000	4,100,00
reventive roject L6	and reconstruct downtown maintenance to full depth 9 in the Transportation and mprovements. Austin Stree	n reconstruction deper d Mobility Master Plan	nding on the current ex CIP table. The project i	isting condition includes the inst	of the pave tallation of s	ment. This idewalks ar
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	and the second		Strate States			
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	Estimated Project Co		Project Task		<b>Duration</b>	
	Design/Engineering	370,000	Planning/Des		18	
	ROW Acquisition Construction	735,000 2,825,000	Right-of-way/ Construction	Oundes	24 12	
	Other	170,000	Total		54	
	Total	4,100,000				
	Funding Source:		Ongoing Op	erational Impac	:t:	
	Operating Fund	-	Personnel	orational impac	-	
	Debt	4,100,000	Supplies & M		-	
	Grants/Other	-	Repair & Mai		-	
	Total	4,100,000	Capital & Oth	er	-	
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otes:	ct was not recommended f	or inclusion in the 202	Total	Ruda Rond Advis	- sory Commi	ttee



	e Department:		Engineering	J			CIP No.	M27
ancial P	an:							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Tota
	-	-	721,120	-	-	-	-	721
scription	•							
	will address queui	ing issues	during peak	traffic time ar	d address the	e 3-way stop	. This project	is identifie
n the Tra	ansportation Mobili	ty Master	Plan.					
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	Estimated Proje				Project Task		<u>Duratio</u>	<u>n</u>
	Design/Engineer	ing	218,120		Planning/Des	sign	9	9
	ROW Acquisition		ed in Design		Right-of-way/			3
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	Construction		503,000		Construction			3
	Other		-		Total		1:	5
	Total		721,120	-				
	, Jul		121,120	-				
	Funding Source	):			Ongoing Op	erational Im	npact:	
	Operating Fund		-	-	Personnel			-
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			721,120		Supplies & M			-
	Debt				Repair & Mai	nt.		
	Debt Grants/Other		-					-
	Grants/Other		721 120	-	•			-
			721,120	-	Capital & Oth			- -
es:	Grants/Other		721,120	-	•			- 



sponsik	ole Department:	Engineering			C	IP No.	M28
ancial F	Plan:						
	Prior		Projected				
	Years 23	24	25	26	27	Future	Tota
	-		-	-	-	400,000	400,
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	ffic signalt at the intersed	ction of Ovster Creek	/ Mark's Overlo	ok and RM 96	67 once a tr	affic signa	ıl is warrar
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	e TMMP.						
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	oyster			Contraction 1		50000	
	Estimated Project Co			ject Task:		Duration	
	Design/Engineering	40,000		nning/Design		6	
	ROW Acquisition	60,000		nt-of-way/Utilit	ies	3	
	Construction	230,000		struction	_	3	
	Other	70,000	Tota	al		12	_
	Total	400,000					_
		<u> </u>					
	Funding Source:		Ong	oing Operati	onal Impac	:t:	
	Operating Fund	400,000		sonnel		-	
	Debt	-		plies & Materi	als	-	
	Grants/Other	_		plies & Maint.		_	
	Total	400,000				-	
es:	iulai	400,000		oital & Other		-	
			Tota	al		-	



Y	Prior 'ears 930,650 1,6 add accelerations project is P1 s a city-initiate	23 639,000 on and der 7 in the Tr ed project of do intersect	ransportatio or through ctions as ne	n Mobility N an Advance	Aaster Plan. ed Funding A	Depending	on the timing	, and Creeks
escription : ne project will a bdivisions. This buld be done as	Years     930,650     1,6       930,650     1,6       add acceleration     project is P11       s a city-initiate	639,000 on and der 7 in the Tr ed project of do intersect	- cel at Cull ansportatio or through ctions as ne	en Country, n Mobility M an Advance eded.	Garlic Cree Master Plan. Ind Funding A	ek / Oxbow, Depending of Agreement w	 , Grove Lane, on the timing	, and Creeks
escription : e project will a bdivisions. This puld be done as	Years     930,650     1,6       930,650     1,6       add acceleration     project is P11       s a city-initiate	639,000 on and der 7 in the Tr ed project of do intersect	- cel at Cull ansportatio or through ctions as ne	en Country, n Mobility M an Advance eded.	Garlic Cree Master Plan. Ind Funding A	ek / Oxbow, Depending of Agreement w	 , Grove Lane, on the timing	, and Creeks
escription : e project will a bdivisions. This puld be done as	930,650 1,6 add acceleration project is P1 s a city-initiate	639,000 on and der 7 in the Tr ed project of do intersect	- cel at Cull ansportatio or through ctions as ne	en Country, n Mobility M an Advance eded.	Garlic Cree Master Plan. Ind Funding A	ek / Oxbow, Depending of Agreement w	 , Grove Lane, on the timing	, and Creeks
escription : le project will a bdivisions. This buld be done as	add acceleratio project is P1 s a city-initiate	on and der 7 in the Tr ed project of do intersect	ransportatio or through ctions as ne	n Mobility M an Advance eded.	Aaster Plan. ed Funding A	Depending Agreement w	on the timing	, and Creeks of the project
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1007 Hy 6			ABOLO OFA	orient Brothorn ( and a second secon	Theme	Linibel Ave. 2 Unip Aro-1 ost		And the second se
			ABOLO OFA	Oroci od Ork Bryco Bod Middlo Gat		THIN DA		
		Old Black	Colony Rd		tion of the second	-Alt	NE	
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	V Acquisition struction		- 1,639,000		Right-of-wa	•		18 9
Othe	er		-		Total			45
Tota	1		2,569,650					
Fund	ding Source:				Ongoing (	Operational	Impact:	
Oper	rating Fund		-		Personnel			-
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otes:			· · · · ·		-			-
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ancial Plan: Years       23       24       25       26       27       Future       Total         -       -       -       -       -       -       1,500,000       1,500,00         sproject combines projects P23 - P26 from the Transportation Mobility Master Plan. This project would conduct         bit of downtown sidewalks, crosswalks, and transitions for compliance with the American's with Disabilities Act, deside construct improvements. The project will add pedestrian crossings on Main Street at the intersections of Main and neach, Ash, and at Buda Mill and Grain.         Image: Plan the project will add pedestrian crossings on Main Street at the intersections of Main and neach, Ash, and at Buda Mill and Grain.	sponsit	ble Department:	Engineering			CIP No.	M30
Prior       Projected         Years       23       24       25       26       27       Future       Total         -       -       -       -       -       1,500,00       1,500,00         scription :       s       s project combines projects P23 - P26 from the Transportation Mobility Master Plan. This project would conduct dit of downtown sidewalks, crosswalks, and transitions for compliance with the American's with Disabilities Act, deside construct improvements. The project will add pedestrian crossings on Main Street at the intersections of Main and n, Peach, Ash, and at Buda Mill and Grain.							
Years       23       24       25       26       27       Future       Total         -       -       -       -       -       -       1,500,000       1,500,00         scription :         s project combines projects P23 - P26 from the Transportation Mobility Master Plan. This project would conduct third downtown sidewalks, crosswalks, and transitions for compliance with the American's with Disabilities Act, des d construct improvements. The project will add pedestrian crossings on Main Street at the intersections of Main and Peach, Ash, and at Buda Mill and Grain.         Ash, and at Buda Mill and Grain.	ancial		Pro	instad			
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s project combines projects P23 - P26 from the Transportation Mobility Master Plan. This project would conduct dit of downtown sidewalks, crosswalks, and transitions for compliance with the American's with Disabilities Act, des d construct improvements. The project will add pedestrian crossings on Main Street at the intersections of Main a h, Peach, Ash, and at Buda Mill and Grain.						,,	
	dit of do d constr	wntown sidewalks, cross uct improvements. The p	walks, and transitions for project will add pedestria	or compliance with the	American's	with Disabilit	ties Act, des
		Estimated Project Ce Design/Engineering ROW Acquisition Construction Other Total		Project Task: Right-of-way/U Construction Total		Duratio	<u>n</u>



espons	ible Department:	Engineering				CIP No.	M31
nancial	Plan:						
lanola	Prior		Projected				
	Years 23	24	25	26	27	Future	Total
	-		-	-	-	8,400,000	8,400,0
lroad a bject co	ect represents P27 from the t Main and West Goforth, uld be broken out and add adding quiet zones at the do	Houston Street, and ed to the West Gofo	d Main and orth Recons	San Antonio S	treet. The	West Goforth p	ortion of
			San An	tonio St			
	The All	. An	Elm's				
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	and a second sec		A FM	V Rall		Seque	
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	STA BUSIE	TANK A	S <sub>R</sub>	See			
		Jook G Hays Tri	s los	East St or			
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	ALL SHOL	1	9		dan S	oyah	
	2770	and a start		W Goforth St	1. 47	W Gofe	
	Estimated Project Co	st•		Project Task:		Duration	
	Design/Engineering	755,000		Planning/Desig	In	16	
	ROW Acquisition	1,510,000		Right-of-way/U		16	
	Construction	5,788,000		Construction		9	
	Other	347,000		Total		41	
	Total	8,400,000					
	Funding Source:			Ongoing Oper	ational Im	pact:	
	Operating Fund	-		Personnel		-	
	Debt	8,400,000		Supplies & Ma		-	
	Grants/Other	-		Repair & Maint		-	
	Total	8,400,000		Capital & Othe Total	ſ		
tes:							



	ble Department:	En	gineering				CIP No. M	//32
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	Prior	22	24	Projected	20	07	Fritzen	Totol
	Years	23	24	25	26	27	Future 1,900,000	<b>Tota</b> 1,900,
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	ct would extend Harve							
	est quadrant of Buda.			as L57 in the	City's Transp	ortation Mob	ility Masterplan.	It is a L
ject wit	h an anticipated right-	of-way of 60	)'.					
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	and the second	400	1 B		P Beet Rd	Meadows Rd		
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	Desian/Engineerin	9	345,000		Right-of-way/			
	Design/Engineerin		343 000		Nuni-01-wav/			
	ROW Acquisition					Oundes	12	
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	ROW Acquisition Construction Other Total Funding Source:		1,320,000 65,000		Construction Total		<u>6</u> <u>30</u>	
	ROW Acquisition Construction Other Total <u>Funding Source:</u> Operating Fund		1,320,000 65,000 1,900,000 -		Construction Total Ongoing Opt Personnel	erational Im	<u>6</u> <u>30</u>	
	ROW Acquisition Construction Other Total Funding Source:		1,320,000 65,000		Construction Total	erational Im	<u>6</u> <u>30</u>	
	ROW Acquisition Construction Other Total <b>Funding Source:</b> Operating Fund Debt		1,320,000 65,000 1,900,000 -		Construction Total Ongoing Opt Personnel Supplies & M	<u>erational Im</u> aterials	<u>6</u> <u>30</u>	
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	Department:	E	Engineering				CIP No.	M33
ancial Pla	n:							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Tota
	177,000	-	-	-	-	-	-	177
	6' sidewalk conn ximately 1,310 lir		g the west an	id south side	of RM 967 fro	m Old Buda	Elementary	School to I
	Dost Bro SiDey			Ed BUD A MENTARY Edsting Dewalk on Northast Side	Pustining Service	CITY PARK CITY IBRAR		
	AP	Son Franker						
	Estimated Proje	ct Cost:			Project Task:		Duratio	n
-	Estimated Proje Design/Engineer	ing	52,000		Project Task: Planning/Desi	gn	Duration 6	<u>n</u>
-	Design/Engineer ROW Acquisition	ing	-		Planning/Desi Right-of-way/l	gn	6	; -
-	Design/Engineer ROW Acquisition Construction	ing	52,000 - 125,000		Planning/Desi Right-of-way/L Construction	gn	6	) - 3
	Design/Engineer ROW Acquisition Construction Other	ing	- 125,000 -		Planning/Desi Right-of-way/l	gn	6	) - 3
	Design/Engineer ROW Acquisition Construction	ing	-		Planning/Desi Right-of-way/L Construction	gn	6	) - 3
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I	Design/Engineer ROW Acquisition Construction Other Total <u>Funding Source</u> Operating Fund Debt Grants/Other	ing - -	- 125,000 - 177,000 122,000 - -		Planning/Desi Right-of-way/L Construction Total <u>Ongoing Ope</u> Personnel Supplies & Ma Repair & Mair	gn Jtilities <u>trational Im</u> aterials tt.	6 3 9	) - 3
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	le Department:	E	ngineering				CIP No.	M34
nancial F	Plan:							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	50,000	-	-	-	-	-	50,0
estview	he 6' sidewalk con RV (approximately n. Staff will evaluate	500 linear	feet). Possik	ole to comp	lete this proje			
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	Estimated Proje	ct Cost-			Project Task		Duratio	n.
	Design/Engineer		7,000		Planning/Des			6
			-		Right-of-way/			-
	ROW Acquisition							
	ROW Acquisition Construction		39,000		Construction			1
	ROW Acquisition Construction Other		4,000		Construction Total			1 7
	ROW Acquisition Construction							-
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	ROW Acquisition Construction Other Total <u>Funding Source</u> Operating Fund Debt	=	4,000 50,000		Total <u>Ongoing Ope</u> Personnel Supplies & Mair Repair & Mair Capital & Othe	aterials nt.	<u>pact:</u> 50	- - - -
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	ROW Acquisition Construction Other Total <u>Funding Source</u> Operating Fund Debt Grants/Other		4,000 50,000 - 50,000 - 50,000		Total <u>Ongoing Ope</u> Personnel Supplies & Mair Repair & Mair Capital & Other Total	aterials nt. er	<u>pact:</u> 50	- - - -



					idewalk Gap			
lesponsik	ole Department:	Eng	gineering				CIP No.	M35
inancial I	Plan							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	67,000	-	-	-	-	-	67,0
rom Cabel	the 6' concrete side la's Drive to the Wa ttely 630 linear feet).	lmart prive dr	ive (appro	ximately fro	m the Silverado	o Crossing	Apartments t	o Crestview
	Estimated Proje	ct Cost:			Project Task		Duratio	on
	Estimated Proje Design/Engineeri	ng	10,000		Enciect Tasks Planning/Desi	gn		<u>on</u> 6
	Design/Engineeri ROW Acquisition	ng	-		Planning/Desi Right-of-way/l	gn		
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	Design/Engineeri ROW Acquisition	ng	-		Planning/Desi Right-of-way/l	gn		6 - 1
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			Garlic Creek	Trail			
sponsible	Department:	Engine	ering		CIP	No. M	136
ancial Pla	Prior		Projected				
	Years	23 24	25	26	27 F	uture	Total
	745,500	-		-	-	-	745,5
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	Estimated Projec			Project Task:		Duration	
	Design/Engineerin	g 80,	000	Planning/Design		6	
I	ROW Acquisition		-	Right-of-way/Util	ities	-	
(	Construction	665,	000	Construction		9	
	Other		-	Total		15	
-	Total	745,	000				
	Funding Source:			<b>Ongoing Opera</b>	tional Impact:		
L I	Operating Fund		-	Personnel		-	
		715	000	Supplies & Mate	rials	-	
(	Debt	743,	000				
		745,	-			1.500	
	Grants/Other		-	Repair & Maint.		1,500 -	
		743,	-	Repair & Maint. Capital & Other		-	
:es:	Grants/Other Total	745,	000	Repair & Maint.		- 1,500	



#### **Onion Creek Trail from RM 967 to Garison Park Responsible Department:** CIP No. M37 Engineering Financial Plan: Prior Projected Future Total Years 23 24 25 26 27 553,500 553,500 -**Description**: Construct a 12' to 14' trail from Old Black Colony Road, across Onion Creek, and terminate at the new Garison Park (approximately 7,700 linear feet). The project would include a pedestrian bridge to cross Onion Creek. The southern portion would be constructed by development and future projects. **Estimated Project Cost:** Project Task: Duration Design/Engineering Planning/Design 75,000 9 **ROW** Acquisition Right-of-way/Utilities Construction 478,500 Construction 12 Other Total 21 Total 553,500 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt Supplies & Materials 553,500 Grants/Other Repair & Maint. 3,000 Total 553,500 Capital & Other Notes: Total 3,000 This project is recommended for inclusion in the 2021 bond election by the Buda Bond Advisory Committee. The Committee is tracking two separate project including the Onion Creek Trail from Cole Springs to Lower Campus (\$283,500) and the Onion Creek Trailhead and Improved Trail from Lower Camputs to Garison Park (\$270,000).



	Department:		Engineering				CIP No.	M38
icial Pla	n:							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Tota
	75,000	-	-	-	-	-	-	75
ription :								
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		provide pe	destrian conne	ectivity from V	Vest Gofort to Ma	ain Street.	This proposal	is based
nposed (	granite trail.							
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	Design/Engined ROW Acquisitio Construction Other Total Funding Sour Operating Fund Debt Grants/Other	ering on ce:	- 60,000 6,000 75,000 - -		Planning/Desig Right-of-way/Ut Construction Total Ongoing Oper Personnel Supplies & Mate Repair & Maint.	ilities <u>ational Im</u> erials	- 1 7	-
	Design/Engined ROW Acquisitio Construction Other Total Funding Sourd Operating Fund Debt	ering on ce:	- 60,000 6,000 75,000		Planning/Desig Right-of-way/Ut Construction Total Ongoing Opera Personnel Supplies & Mate	ilities <u>ational Im</u> erials	- 1 7 <u>pact:</u> -	-
	Design/Engined ROW Acquisitio Construction Other Total Funding Sour Operating Fund Debt Grants/Other	ering on ce:	- 60,000 6,000 75,000 - -		Planning/Desig Right-of-way/Ut Construction Total Ongoing Opera Personnel Supplies & Mate Repair & Maint. Capital & Other	ilities <u>ational Im</u> erials	- 1 7 <u>pact:</u> - 1,000 -	-
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• • • • • • • • • • • • • • •	Design/Engined ROW Acquisitio Construction Other Total Funding Sourd Operating Fund Debt Grants/Other Total	ering on <u>ce:</u> J	- 60,000 6,000 75,000 - - 75,000 ng the FY21 B		Planning/Design Right-of-way/Ut Construction Total Ongoing Opera Personnel Supplies & Mate Repair & Maint. Capital & Other Total project has not ac	ilities <u>ational Im</u> erials	- 1 7 <u>pact:</u> - 1,000 - 1,000	-

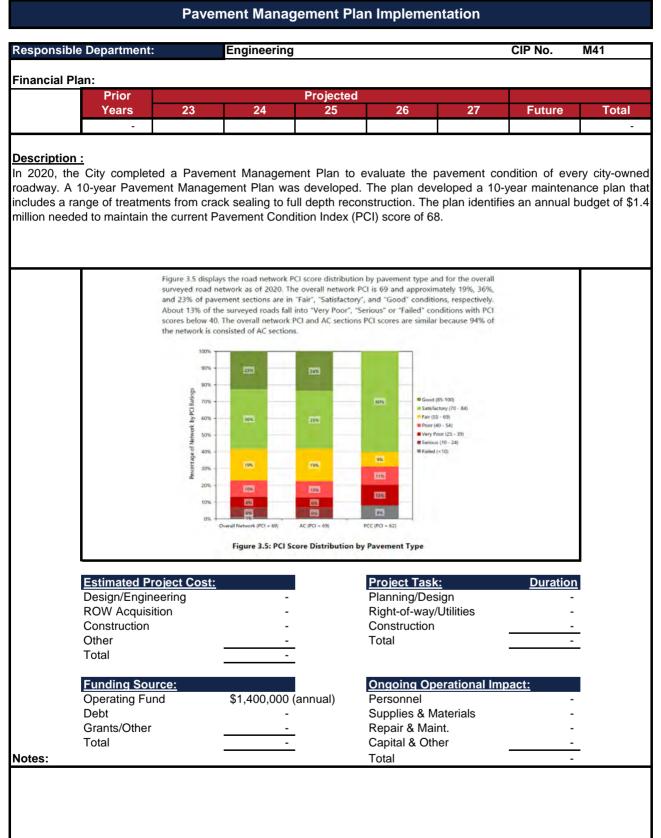


#### FM 2770 Trail from Cole Springs Road to Bluff Street CIP No. M39 **Responsible Department:** Engineering Financial Plan: Prior Projected Years 23 24 25 26 27 Future Total 592,000 592,000 **Description**: Construct a 10' concrete trail from the proposed Cole Springs Road bridge over Onion Creek to Bluff Street (approximately 2,000 linear feet). This connection would provide pedestrian connectivity from the new The Colony neighborhood to downtown Buda. This project will required coordination with TxDOT unless this section of Fm 2770 is turned over to local control. Estimated Project Cost: Project Task: Duration Design/Engineering 71,000 Planning/Design 12 **ROW Acquisition Right-of-way/Utilities** Construction Construction 474,000 3 Other Total 15 47,000 Total 592,000 Funding Source: **Ongoing Operational Impact: Operating Fund** 592,000 Personnel Debt Supplies & Materials Grants/Other Repair & Maint. 5,900 592,000 Total Capital & Other Notes: Total 5,900

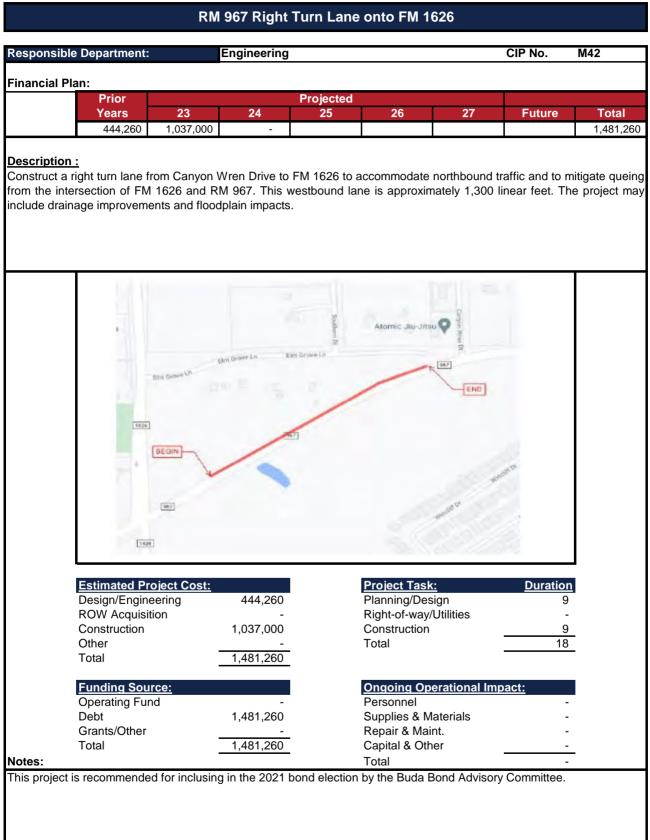


ponsible	Department:	Engineering		CIP No.	M40
ancial Pla	n:				
	Prior		jected		
	Years 23	24	25 26	27 Future	
	-			- 308,0	00 308,
cription :					
		FM 1626 (approximately			
nectivity to	o school sites along	RM 967, Buda Sportsp	lex, and new commen	rcial growth. Coordinat	ion needed
OT.					
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L	<u>Estimated Project Co</u> Design/Engineering	37,000	Project Task: Planning/Desi	<u>Durati</u>	<u>on</u> 12
		37,000			12
	ROW Acquisition	-	Right-of-way/L	Junues	-
	Construction	246,000	Construction		3
	Other	25,000	Total		15
-	Total	308,000			
	Eunding Source:		Ongoing Ong	erational Impact:	
	Funding Source: Operating Fund	308 000	Personnel		
		308,000		stariala	-
(	Debt	-	Supplies & Ma		
(				it 50	-
	Grants/Other	<u> </u>	Repair & Main		- 90
		308,000	Capital & Othe		- 90 -
	Grants/Other	308,000		er	- 90 - 90











#### FM 2770 / Main St / China St Pedestrian Connections CIP No. **Responsible Department:** Engineering M43 Financial Plan: Prior Projected Years 23 24 25 26 27 Future Total 355,790 816,000 1,171,790 **Description**: Connect existing sidewalk from Buda Mill & Grain to China Street to provide pedestrian connection across FM 2770. Match existing 8' sidewalk. Add curb ramps and curb and gutter at FM 2770 with refuge island for pedestriancs. Reconstruct some of the pavement at intersections to meet ADA requirements. Includes a signalized crossing. 1148 END BEGIN Estimated Project Cost: Project Task: Duration Design/Engineering 355,790 Planning/Design 12 **ROW Acquisition Right-of-way/Utilities** . Construction 816,000 Construction 6 Other Total 18 1,171,790 Total Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 1,171,790 Supplies & Materials Grants/Other Repair & Maint. 1,171,790 Total Capital & Other Notes: Total -This project was included in the 2021 bond election.



			ADA 1	ransition	Plan			
esponsib	le Department:		Engineering				CIP No.	M44
nancial P	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	-	100,000	-	-	-	-	-	100,0
escription								
cilities, pa udget for in pact futur	can's with Disabil arks, streets, side mplementation to re grant funding a d use public space	walks, and t ensure con availability.	rails that do not npliance with Al	meet ADA s DA. Failure to	tandards. The have an ADA	plan will fur plan and s	ther develop	a schedule a mpliance co
	Estimated Pro	Dject Cost:			Project Task:		Duratio	n
	Design/Engine	ering	100,000		Planning/Desi	gn	12	
	ROW Acquisiti	on	-		Right-of-way/L	Jtilities		-
	Construction Other		-		Construction Total		12	- 2
	Total		100,000				12	<u> </u>
					<b>Ongoing Ope</b>	rational Im	nact:	
	Funding Sour		100.000					
	Operating Fun		100,000		Personnel			-
	Operating Fund Debt		100,000 -		Personnel Supplies & Ma	aterials	<u>19401.</u>	-
	Operating Fun		100,000 - - 100,000		Personnel	aterials it.	<u></u>	- - -



esponsi	ble Department:	E	Engineering				CIP No.	M45
nancial	Plan:							
	Prior			Projected				
	Years	23	24	25	26	27	Future	Total
	107,500	605,000	-	-	-	-	-	712,50
op 4. Ha	nty and the City of B ays County is taking t pring 50% of the design	the lead on	the project a					
	Ň	(ST	Wesdardl Way	1		Relegant.		
	••	Presiann Dr		Common De	Commercial Dr.	Americas Auto		
	1066	South Loop 4	Robert & Light Bard B	Robe	rt S. Light Boule	Auction Austin		
	т	he Connection Ch	0	Reha	bilitation Project			
		01	Y Esses Rading		A-Line Auto Parts 😋	Matatana Tras		
		Loop 4	Carsandpick	2 min	Rush True			
				s at Buda Rauch O	Centers	Austin 2 Real		
				THE DOUG AND DATE	Budz Vapes	Smoke		
			Char Water Publi	hing R <sup>4</sup>	CBD Kratom	Delta 8		
		4		Peldeood op	Hays Consol	idated		
	nan 1 Buda	S Loop	Crystal Oily Cres	-	Independent	School		
		144						J
	Estimated Proje	ct Co <u>st:</u>			Project Task	·	Duration	
	Design/Engineeri	ng	107,500	•	Planning/Des	ign	6	
	ROW Acquisition Construction		- 550,000		Right-of-way/ Construction	Utilities	- 9	
	Other				Total		15	-
	Total	_	657,500	-				-
	Funding Source	•		1	Ongoing On	orational lun	nact:	
	Funding Source Operating Fund	<u>.</u>	-	I	Ongoing Op Personnel		Jaci	
	Debt		-		Supplies & M		-	
	Grants/Other	_	-	<u>.</u>	Repair & Mai		-	
	Total	-	-		Capital & Oth	er	-	-
otes:					Total		-	



		Bella Vita Si	dewalk to	Nest Gofort	h		
Responsit	ble Department:	Engineering				CIP No.	M46
inancial I	Plan:						
	Prior		Projected				
	Years 23	24	25	26	27	Future	Total
	- 117,0	- 000	-	-	-	-	117,0
Project incl f a culver	on : on of a concrete sidewalk t ludes the installation of a - t to cross a drainage ditch sement from a private prop	35 linear foot peo on West Goforth	destrian bridg	e over an existi	ng drainage	channel and	the installati
	24" freeboar stage with desi (separately	per 228 nents: Pey Design ((in ROW) pliance ssing (Safety)	Clevated "95 LF Sidewalk "75 LF Sidewalk of	Sidewalk/Culvert			
		of drainage fea		in a			
	Estimated Project Cos			Project Task:	_	Duration	<u>1</u>
	Design/Engineering ROW Acquisition	10,000		Planning/Desi Right-of-way/l		2	
	Construction	- 107,000		Construction	50000	2	
	Other	-		Total		6	_
	Total	117,000	-				_
	Funding Source:			Ongoing Ope	rational Im	oact:	
	Operating Fund	-		Personnel		-	
	Debt	117,000		Supplies & Ma		-	
	Grants/Other	-	-	Repair & Main		-	
lotes:	Total	117,000	-	Capital & Othe Total	ər		_

#### Drainage Capital Improvement Program FY 2023 - 2027



Drainage projects are based on the 2014 Drainage Master Plan. The City of Buda projects are designed to keep flood waters out of structures and to ensure compliance with the City's Municipal Separate Storm Sewer System (MS4) permit from TCEQ.

urces of Funding	Prior Years	23	24	25	26	27	2023-27 Total
General Fund	200,000	480,000	264,000	250,000	270,000	-	1,264,000
2014 GO Proposition 3	-	-	-	-	-	-	-
2014 GO Proposition 4	410,000	-	-	-	-	-	-
2014 GO Proposition 5	-	-	-	-	-	-	-
2021 GO Proposition A	-	-	-	-	-	-	-
Future Debt Proceeds	-	-	-	-	1,900,000	-	1,900,000
Other/Grants	-	3,108,000	400,000	-	-	-	3,508,000
Total	610,000	3,588,000	664,000	250,000	2,170,000	-	6,672,000

Uses	of Funds	Prior Years	23	24	25	26	27	Future	Total
Drain	age Projects:								
D02	Whispering Hollow Street Drainage	410,000	-	-	-	-	-	-	410,000
D03	Garlic Creek Tributary Under RM 967	-	-	-	50,000	270,000	-	-	320,000
D05	West Lifschutz Area Drainage	-	1,700,000	-	-	-	-	-	1,700,000
D06	Stormwater Drainage Master Plan	-	175,000	-	-	-	-	-	175,000
D07	Lifschutz Central Area Drainage	-	1,408,000	-	-	-	-	-	1,408,000
D08	West Goforth Drainage Improvements	150,000	-	-	-	-	-	-	150,000
D09	Wild Wind Cove Groundwater Solutions	50,000	150,000	-	-	-	-	-	200,000
D10	Bradfield Park / Onion Creek Watershed Protection Pilot Project	-	-	50,000	150,000	-	-	-	200,000
D11	Drainage Inventory, Inspection and Maintenance Plan	-	55,000	-	-	-	-	-	55,000
D12	Flood Property Buyouts - Claudia Drive	-	-	400,000	-	-	-	-	400,000
D13	Downtown Regional Stormwater Study	-	100,000	-	-	-	-	-	100,000
D14	Elm Grove Channel Improvements	-	-	214,000	-	-	-	-	214,000
D15	Sequoyah Drainage Improvements	-	-	-	50,000	1,900,000	-	-	1,950,000
Total	Use of Funds	610,000	3,588,000	664,000	250,000	2,170,000	-	-	7,282,000

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Cumulative Balance Sources Over/(Under) Uses

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# City of Buda, Texas Capital Improvement Program - Drainage



		W	nispering	Hollow Str	eet Drainag	je		
ponsik	ble Department:	E	ngineering				CIP No.	D02
ancial F	Plan ·							
	Prior			Projected				
		23	24	25	26	27	Future	Tota
	410,000	-	-	-	-	-	-	410
criptio	<u>n :</u> ding occurs in the W	hisporing		division durir		torm avant	The regulting	wator cu
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	Estimated Project		10.000		Project Task		<u>Duratio</u>	-
	Design/Engineering	g	40,000		Planning/Des			6
	ROW Acquisition		-		Right-of-way/	Utilities		2
	Construction		370,000		Construction			4
	Construction Mana	igement	-		Total		12	2
	Total		410,000					
					0			
	Funding Source:				Ongoing Op	erational Im	pact:	
	Operating Fund		-		Personnel			-
	Debt		-		Supplies & M			-
			410,000		Repair & Main	nt.		_
	Grants/Other	-	,					-
			410,000		Capital & Oth	er		-
es:	Grants/Other	_				er		- - -

Currently this project is unfunded.

#### City of Buda, Texas Capital Improvement Program - Drainage



#### Garlic Creek Tributary Under RM 967 **Responsible Department:** Engineering CIP No. D03 Financial Plan : Prior Projected Years 23 24 27 Future Total 25 26 50,000 270,000 320,000 **Description :** FM 967 is a crucial roadway connecting west Buda with downtown and IH 35. The roadway has flooded dure to undersized culverts. Install two new 9'x4' reinforced concrete boxes (RCBs) in addition to the existing 8.5'x3.5' RCBs. Grade channel both upstream and downstream of the crossing. Install rock riprap protection on sides of crossing. The project will also improve drainage out of the Coves of Cimarron (County) as the Coves of Cimarron drainage pond drains through the culvert to the tributary. Coordination with TxDOT will be required. A hydrologic and hydraulic study will be necessary to evaluate the downstream impact of any proposed improvements. CULIND Estimated Project Cost: Project Task: Duration Design/Engineering 50,000 Planning/Design 6 **ROW Acquisition Right-of-way/Utilities** 2 Construction 270,000 Construction 6 Total **Construction Management** 14 Total 320,000 Funding Source: **Ongoing Operational Impact: Operating Fund** Personnel Debt 320,000 Supplies & Materials Grants/Other Repair & Maint. 320,000 Total Capital & Other Notes: Total This area of concern is not currently included in Proposition 4 - Drainage Project Area 3 and is not part of the Flood Early Warning System improvements. This roadway and drainage is a TxDOT facility. An Advanced Funding Agreement (AFA) with TxDOT will be required. The operational impact will be de minimus as this is an existing draining structure that will be improved. Staff time may be required to clear debris from riprap structure after heavy rain events.

# City of Buda, Texas Capital Improvement Program - Drainage



esponsible Department:	Engineering				CIP No.	D05
nancial Plan :						
Prior		Projected			_	
Years 23		25	26	27	Future	Total
- 1,700	,000 -	-	-	-	-	1,700,0
escription : ea flooding along south side of C neral maintenance. Regrade exis ch beside the eastern pond along ch. Install (3) 8'x4' RCB's at the nvey water to existing drainage d	ting ditches at the in g Reyna Lane. Instal northeast corner of t	tersection of I I (2) 18" RCP he eastern po	Bonita Vista Dri 's at Bonita Vis ond under Gofo	ive and Go ta Drive to orth and gra	forth Rd. Up convey wat ade channel	ograde draina er from west downstrean
		9				
A				р. ]+		
BONITAVIA	REXANDA	W. GOFORTHS	ST MENUERULA	400 Feet		
Estimated Project C Design/Engineering ROW Acquisition	<u>551:</u> 100,000 267,000	F	Project Task: Planning/Desigr Right-of-way/Uti			on 6 2
Construction Other Total	803,000	(	Construction Fotal			8
Funding Source: Operating Fund	-	F	Ongoing Opera Personnel		oact:	-
Debt Grants/Other	- <u>1,700,000</u> 1,700,000	F	Supplies & Mate Repair & Maint. Capital & Other			-



esponsi	ible Department:	Engineering		CIP No	. D06
		<u> </u>			
nancial					
	Prior	24	Projected	27 Futu	Totol
	Years 23		25 26	27 Futu	ure Total - 175,0
	- 175,0	500 -		-	- 175,0
scripti	<u>on :</u>				
e City's	drainage plan was last re	evised in 2015. With	the completion of the	2014 Prop. 4 projects	and based on C
owth, it	will be important to update	e the City's drainage	models and identify fu	ture drainage projects.	The plan will a
	he creeks that run through				
e.	on of the master plan will er	hable the City to stra	tegically plan drainage i	intrastructure that pres	erves land for oti
е.					
	Sector States				
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		NOT PROVIDE YOUR			
	Estimated Project Co		Project Tas		ation
	Design/Engineering	175,000	Planning/De		12
	ROW Acquisition	-	Right-of-way		-
	Construction	-	Construction	<u></u>	-
	Other Total	175,000	Total		12
	IUlal	175,000			
	Funding Source:		Ongoing O	perational Impact:	
	Operating Fund	175,000	Personnel		-
	Debt	-	Supplies & I	Vaterials	-
			Repair & Ma		-
		-			
	Grants/Other Total	175.000			-
otes:	Grants/Other	175,000	Capital & Ot Total		-



			tral Area Drainage			
esponsibl	le Department:	Engineering			CIP No.	D07
inancial P	lan :					
	Prior Years 23	24	ojected 25 26	27	Future	Total
	- 1,408			-	-	1,408,00
t Rodrigue hannel. In haintenance	ned channel resulting in z St. with (3) 7'x3' RCI stall concrete pilot ch e. Channel improvemen me improvements may l	Bs. Clear vegetation an annel to promote dra ts to extend from south be made by Project Stre	nd excavate western d ainage on minimal sl bound IH 35 frontage r	litch to convey opes. Add ch	r runoff norf annel armo nce with ex	h into existi or to impro
	Estimated Project Co Design/Engineering ROW Acquisition Construction Other	ECORREQUEZ FOODRIGUEZ 0 0 0 0 0 0 0 0 0 0 0 0 0	Project Task Planning/Des Right-of-way/ Construction Total	<u>e</u> sign	<u>Duration</u> 6 4 6 16	
	Total           Funding Source:           Operating Fund           Debt	<u>1,408,000</u> - 1,408,000		erational Impa		-



#### West Goforth Drainage Improvements CIP No. **Responsible Department:** Engineering D08 Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 150,000 150,000 **Description**: This project is a developer contribution towards a regional drainage improvement to be located along West Goforth at the Buda Business Park. The total estimated cost of the project is \$1.1 million. The City would contribute roughly 10% the cost of the project. The developer is responsible for engineering and construction of the improvement. Estimated Project Cost: Project Task: Duration Design/Engineering Planning/Design **ROW Acquisition Right-of-way/Utilities** Construction Construction Other Total 150,000 Total 150,000 Funding Source: **Ongoing Operational Impact: Operating Fund** 150,000 Personnel Debt Supplies & Materials Grants/Other Repair & Maint. 150,000 Total Capital & Other Notes: Total -



#### Wild Wind Cove Groundwater Solutions **Responsible Department:** Engineering CIP No. D09 Financial Plan : Prior Projected Years 23 24 25 26 27 Future Total 50,000 150,000 200,000 Description : Near surface groundwater and highly expansive clay soils within certain sections of the Whispering Hollow subdivision have caused localised house foundation and road surface issues. Several homeowners located near Wild Wind Cove have installed sump pumps to remove excess groundwater from beneath their homes. A study was conducted in 2021 identifying possible solutions. A focus group composed of impacted residents reviewed the study and recommended different options. The highest priority would be to connect homeowner's sump pumps to the City's stormwater infrastructure. 2002 Area of 160 seepage Aerial image issues ND ND 160 ND ND - No Data Well 140 110 - Depth to Water (ft) Reported issue Estimated Project Cost: Project Task: Duration Design/Engineering Planning/Design 12 72,500 Right-of-way/Utilities **ROW Acquisition** Construction 127,500 Construction 3 Other Total 15 Total 200,000 Funding Source: **Ongoing Operational Impact: Operating Fund** 200,000 Personnel Debt Supplies & Materials Grants/Other Repair & Maint. 200,000 Total Capital & Other Notes: Total -



# Bradfield Park / Onion Creek Watershed Protection Pilot Project

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# **CIP POLICIES & PROCEDURES**

### PURPOSE

The purpose of the Capital Improvements Plan Procedure is to create a consistent process that outlines the procedure for proposing, evaluating, and adopting capital projects that will create long-term benefit to the City and that can be funded through the City's budget process.

### II.BACKGROUND

The Capital Improvements Plan (CIP) is a five-year planning document adopted annually by the City Council to plan for capital improvements related to the City's water, wastewater, mobility, drainage, parks, and facilities infrastructure.

Capital projects included in the CIP will be limited to projects costing \$50,000 or greater with a useful lifespan of twenty (20) years or longer, and also infrastructure master plans.

The Capital Improvements Plan is broken into six project categories: Parks, Facilities, Water, Wastewater, Mobility, and Drainage.

### III. CIP DEVELOPMENT PROCESS

A. The City Manager or designee will be responsible for coordinating the CIP process each year. Each department head will submit projects in a form and timeframe annually established by the City Manager or designee. Projects contained in the current CIP will be updated by the responsible department as necessary to reflect changes in cost and/or scope. The responsible department will also notify the CIP Committee if a project in the current CIP needs to be removed from the plan. The City Manager or designee will be responsible for compiling all of the submissions to be considered in the review process.

B. The City Manager or designee will lead a committee established to review and prioritize capital improvement projects. The committee will include at least one representative from impacted City departments. The committee shall prioritize and rank projects according to the criteria listed in Section IV.

C. Departments will include the following items as part of their project submission for evaluation and prioritization. Please do not use abbreviations or acronyms as this is a public document. A copy of the CIP standard form is located on the Shared Drive: CIP Folder.

-Project Category: Parks, Facility, Water, Wastewater, Mobility, or Drainage.

-Project Name: Provide a sufficient and reasonable description of the project.

-CIP Number: Leave blank, will be assigned by the CIP Committee.

-Financial Plan: Round all estimates up to the nearest \$1,000. For prior years, enter any previous dollars that have been spent on the project. Select which year the funding will be needed to begin the project. You may consider putting engineering and right-of-way acquisition in one year and construction in the following year if projects will span more than 12 months. If the project will go beyond the five-year Capital Improvements Plan window, place the remaining dollars needed in the "Future" column.

-Description: State how the project criteria (Section IV) will be met. Provide a detailed description of the project that includes the limits, estimated linear feet, features etc., for all that is included in the identified Financial Plan. If a future phase is anticipated, note that in the project description.

-Estimated Project Costs: Break out the anticipated costs for design/engineering and other costs. The total should match the total in the Financial Plan section.

-Project Task: Provide estimates in months to complete each of the listed tasks. If no activity is required for the project, leave field marked as "-".

-Funding Source: If the project will be funded from the General, Water, or Wastewater Fund, include the amounts in "Operating Fund". If it is anticipated that debt will be issued, include the amount in "Debt". All other funding sources such as minor funds, include in "Other". The total from this section should match the total from the Financial Plan section.

-Ongoing Operational Impact: Provide an estimate for the ongoing annual operational impact of the project.

-Notes: Provide any other pertinent project information including detail on funding sources, right-of-way acquisition, or relation to other projects included in the Capital Improvements Plan.

D. The proposed Capital Improvements Plan will be presented to the Capital Projects Council Committee.

E. The proposed Capital Improvements Plan will be presented to each appropriate board or commission before being presented to the City Council.

F. The City Council will annually adopt a five-year Capital Improvement Plan as part of the annual budget process.

### IV. Project Ranking Criteria

Projects will be initially ranked high, medium, or low according to the following criteria. Final recommended project priority will be determined by the CIP committee based on the project rank.

A. Public Health and Safety – Projects that improve the public health and safety of the community. Projects must demonstrate the benefit provided to the community and possible risks from not completing the project.

B. Mandates - Compliance with state and federal mandates that require the City to invest in a project.

C. Funding – Grants and funding partnerships are considered first followed by operating revenues and debt. Fund balance may be used to fund capital projects if the use of reserves will delay or eliminate a proposed bond issue and sufficient fund balance exists to provide necessary contingency reserves.

D. Service and Operational Impact – The service category prioritizes projects that will improve service delivery or reduce increasing maintenance costs including rehabilitating aging infrastructure. A cost-benefit analysis shall be conducted to weigh the impact of project rehabilitation to determine if the project will reduce future ongoing maintenance costs. Performance data will also be analyzed when considering projects related to improved service delivery. Future operation and maintenance expenses will be considered as part of this analysis.

E. Strategic Alignment – Projects will align with strategic priorities identified by the City Council and with strategic planning documents.

F. Quality of Life – Projects that promote recreational or aesthetic improvement opportunities.

G. Community Priority – Direction from public comment at various board, commission, and City Council meetings as well as results from community surveys and any other means that the public communicates their interest in potential projects.

H. Sustainable Design – The City recognizes the long-term benefits of incorporating sustainable elements and design into capital project design and construction. Sustainable design goals include reducing negative environmental impacts while improving citizens' health, comfort, and safety. Sustainable design involves "right-sizing" infrastructure to meet current and future needs, application of the City's design criteria, and use of long-lasting materials that will optimize performance, minimize the City's ongoing maintenance, and extending the asset's useful life.

i. Materials – The City will strive to incorporate sustainable materials into capital projects when feasible. Use of long-lasting materials that will optimize performance, minimize the City's ongoing maintenance, and extending the asset's useful life. Use of native landscaping and locally sourced materials are preferred.

ii. Dark Sky – The City will strive to incorporate lighting for projects that conform to the International Dark Sky Association's lighting standards.

iii. Conservation – The City will strive to incorporate alternative water and energy strategies for projects when feasible. Alternative water strategies include but are not limited to the following: rainwater harvesting, condensate collection, reuse water, gray water, storm water management and reuse, and EPA WaterSense approved plumbing fixtures and appliances. Alternative energy strategies include, but are not limited to the following: solar, wind, geothermal, hydropower, biofuels, and Energy Star rated items. Utilizing alternative energy methods for trail lighting and other lighting when feasible

iv. Preservation of Natural Resources – Project design will be mindful of natural resources and seek to preserve them whenever possible. The City will follow the City's Tree Ordinance as included in the Unified Development Code and will consider a projects impact on the natural environment and groundwater.

### V. Project Charter

Projects included in the approved City CIP shall have a charter that includes information on the following categories:

A. Project Description including how it meets Department goals with an accompanying schematic and location reference

- B. Assigned CIP Number
- C. Project Manager and assigned City Staff
- D. Schedule
- E. Budget
- F. Environmental Factors
- G. Public Outreach
- H. Procurement Information
- I. Project Contract or professional service agreement

### VI. CIP Amendment

Amendments to the Capital Improvement Plan (CIP) affecting the current fiscal year must be submitted to the City Engineer for review and recommended by the CIP committee for approval to the City Council through a budget amendment.

### VII. Mid-Year CIP Review

The City Council will review the progress of the CIP at the mid-year financial review for the City.

VIII. Annual Closeout of CIP Projects

Before the commencement of the next year's CIP planning process, the CIP Committee will document and provide a reason for the removal of a project from the previous year's CIP plan. This should include whether the project is complete, not needed, in progress, or any other reason as to why the project will no longer be included in the CIP planning process.