



NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
6:00 PM - Tuesday, January 15, 2019
Council Chambers, Room 1097
405 E. Loop Street, Building 100
Buda, TX 78610

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Regular City Council Meeting** of the City of Buda, TX, will be held at which time the following subjects will be discussed and may be acted upon.

A. CALL TO ORDER

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

B. INVOCATION

Pastor Lisa Straus of the Buda United Methodist Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. PUBLIC COMMENTS

At this time, comments will be taken from the audience on non-agenda related topics for a length of time not to exceed three minutes per person. To address the City Council, please submit a Citizen's Comment form to the City Secretary prior to the start of the meeting. No action may be taken by the City Council during Public Comments.

F. CONSENT AGENDA

All matters listed under this item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Council Member on any item, that item will be removed from the consent agenda and will be considered separately.

F.1. Approval of the December 18, 2018 City Council Meeting Minutes (City Clerk Alicia Ramirez)

[2018-1218 DRAFT Minutes.pdf](#)

F.2. Adoption of the City of Buda's 2019-2020 Legislative Agenda (Assistant City Manager Micah Grau)

[2019 - 2020 Texas Municipal League Legislative Priorities.pdf](#)

[APA Texas Legislative Agenda 2019.pdf](#)

[Draft City of Buda Legislative Priorities 2019-2020 for Council.docx](#)

F.3. Adoption of a Resolution of the City Council of the City of Buda, Texas, designating the Hays Free Press as the official newspaper of the City of Buda, Texas, for 2019; and providing an effective date (City Clerk Alicia Ramirez)

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G. PUBLIC HEARINGS

- G.1. Hold a public hearing to receive written and oral comments regarding the City of Buda's Flood Early Warning System Project being performed under the Texas Water Development Board Flood Protection Planning Program (City Engineer John Nett; Sara Hustead of the Texas Water Development Board)**

[Item H1 1-15-19 Buda City Council Meeting FEWS Public Hearing .pdf](#)

- G.2. Hold a public hearing regarding a Specific Use Permit for a Professional, Medical or Business Office in the Form District 4H (F4H) zoning district for the property known as Trudy Point, Block A Lot 1, City of Buda, Hays County, Texas, covering +/- 1.671 acres, addressed as 825 Main Street, Buda, TX 78610 (Senior Planner David Fowler)**

- G.3. Hold a public hearing regarding a request to change the zoning from Agricultural (AG) to Planned Development (PD) for approximately 17.39 acres out of the SVR Eggleston Survey, located north of Old Black Colony Road and east of Middle Creek Drive, addressed as 3026 Old Black Colony Road (Z 18-05) (Freese & Nichols Consultant Chance Sparks)**

H. PRESENTATIONS

- H.1. Presentation by Hays County Commissioner Mark Jones on transportation, drainage, and other projects (Hays County Precinct 2 Commissioner Mark Jones)**

[01-15-2019 MJones County Update.pdf](#)

- H.2. Presentation and possible action regarding the 2018 Buda Economic Development Strategic Plan (EDC Executive Director Ann Miller, Tom Stellman - TIP Strategies)**

[2018-12-20 Buda Strategic Plan All Reports.pdf](#)

I. REGULAR AGENDA

- I.1. Discussion and possible action to adopt a Resolution supporting an implementation plan by the San Marcos Regional Animal Shelter to achieve a goal of sustained 90% or higher live outcome rate for dogs and cats and declaring an effective date and to consider approval of an Interlocal agreement between the City of San Marcos and the City of Buda for the continued provision of Animal Shelter Services (Police Chief Bo Kidd)**

[i1 Buda Regional Animal Shelter Agreement 2019.pdf](#)

[i1 RES Buda Live Outcome CA.pdf](#)

- I.2. Deliberation and Possible Action on the first reading of an Ordinance regarding a Specific Use Permit for a Professional, Medical or Business Office in the Form District 4H (F4H) zoning district for the property known as Trudy Point, Block A Lot 1, City of Buda, Hays County, Texas, covering +/- 1.671 acres, addressed at 825 Main Street, Buda, TX 78610 (SUP 18-06) (Senior Planner David Fowler)**

[SR 011519 825 Main SUP \(SUP 18-06\)Council Staff Report.pdf](#)

[SUP 18-06 825 Main Ordinance.pdf](#)

[Northforest SUP Support Letter.pdf](#)

[SUP 18-06-SITE 825 Main.pdf](#)

[SUP 18 06 Notification 12 17 2018.pdf](#)

[i2 SUP 18-06 Council Presentation.pdf](#)

- I.3. Deliberation and possible action on the first reading of an Ordinance for a request to change the zoning from Agricultural (AG) to Planned Development (PD) for approximately 17.39 acres out of the SVR Eggleston Survey, located north of Old Black Colony Road and east of Middle Creek Drive, addressed as 3026 Old Black Colony Road (Z 18-05) (Freese & Nichols Consultant Chance Sparks)**

[1 SR011519 Z 18-05 Staff Report \(002\).pdf](#)

[2 Z 18-05 PD Ordinance Levin Property legal review for Commission 12192018 clean \(002\).pdf](#)

[3 Exhibit A Property Survey.pdf](#)

[4 Exhibit B Concept Land Plan.pdf](#)

[5 Exhibit C Conceptual Connectivity Ratio.pdf](#)

[6 Exhibit D Conceptual On-Street Parking Plan.pdf](#)

[7 Exhibit E Preliminary Drainage Area Map.pdf](#)

[8 Exhibit F Conceptual Northern Landscape Buffer Plan.pdf](#)

[9 Z 18-05 Notification Letter 120418.pdf](#)

[10 Correspondence.PDF](#)

[11 Planned Development Design Statement.pdf](#)

[i3 Z18-05 Levin PD powerpoint.pdf](#)

- I.4. Deliberation and possible action on a report updating the City Council on facility re-use options and discussions related to the former City Hall, City Hall Annex, and Library (Assistant City Manager Micah Grau)**

[Facility Re-use survey results as of 12.06.18.pdf](#)

[i4 Update on Facility Re-Use Options.pdf](#)

- I.5. Deliberation and possible action to authorize the City Manager to execute a license agreement with VFW Post #12161 for use of the former city hall annex located at 100 Houston Street (Assistant City Manager Micah Grau)**

[i5 100 Houston Street License Agreement with VFW - Final Draft.pdf](#)

- I.6. Deliberation and possible action to authorize the City Manager to execute Amendment #3 to the Consent and Development Agreement with South Buda WCID No. 1 (Assistant City Manager Micah Grau and City Engineer John Nett)

[South Buda WCID Consent and Development Agreement.pdf](#)

[South Buda WCID Strategic Partnership Agreement - recorded.pdf](#)

[SB-Amendment1-CDA.pdf](#)

[SB-Amendment2-CDA.pdf](#)

[i6 South Buda WCID 1 City of Buda Amendment 3.pdf](#)

- I.7. Discussion and consideration to review and authorize the City of Buda Board and Commission Appointment Procedure (City Clerk Alicia Ramirez)

[BC Appointment Procedure Eff 2018-0403.pdf](#)

[B&C Goals Strategies Eff 2016-0705.pdf](#)

J. EXECUTIVE SESSION

- J.1. Council will recess its open session and convene in Executive session pursuant to Texas Government Code Chapter §551.071 and §551.072 to deliberate upon and seek legal advice from the City Attorney regarding uses for the former City Hall and City Hall Annex; pursuant to Texas Government Code §551.071 to seek the advice of legal counsel and to deliberate regarding Garcia v. The City of Buda, et al., Civil Action 1:17-CV-00377-RP, filed in the USDC, Western District of Texas, Austin Division; §551.071 and §551.087 Deliberations regarding Economic Development Negotiations to deliberate and seek the advice of the City Attorney on an offer or financial or other incentive to a company or companies with whom the City of Buda Economic Development Corporation is conducting economic development negotiations and which the City of Buda seeks to have, locate, stay, or expand in Buda.

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

L. CITY MANAGER'S REPORT

2014 Bond Program, Capital Improvement Projects, Developments, Drainage Projects, Engineering Department, Finance Department, General/Special Election, Grant Related Projects, Human Resources, Law Enforcement, Legislative Update, Library Projects, Main Street Program, Parks & Recreation Department, Planning Department, Road Projects, Status-Future Agenda Request, Special Projects, Tourism Projects, Transportation, Wastewater Projects, and Water Projects (City Manager Kenneth Williams)

M. CITY COUNCIL'S BOARD AND COMMITTEE REPORTS

N. ITEMS OF COMMUNITY INTEREST

January 21, 2019 Holiday in observance of Martin Luther King Day

January 22, 2019 Senior Resource Day at the Onion Creek Center, 10:00 am to Noon

February 13, 2019 State of the City Address by Mayor George Haehn, Chamber of Commerce Luncheon at the Onion Creek Center, 11:30 am

O. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

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

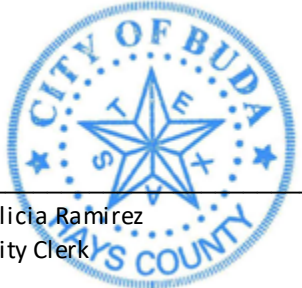
[Pending Items.pdf](#)

P. ADJOURNMENT

Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Clerk at (512) 312-0084, or FAX (512) 312-1889 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Buda, was posted on the bulletin board in front of Buda City Hall, which is readily accessible to the public at all times, by 6:00 pm on January 11, 2019.

/s/ _____
Alicia Ramirez
City Clerk

The seal of the City of Buda, Texas, is a circular emblem. It features a five-pointed star in the center, surrounded by a wreath. The words "CITY OF BUDA" are inscribed along the top inner edge of the circle, and "TARRANT COUNTY TEXAS" along the bottom inner edge. There are small stars separating the top and bottom text.

Meetings scheduled in the Council Chambers are set up to publicly broadcast meetings. You may be audio and video recorded while in this facility. Meetings scheduled in other City Facilities are set up to publicly audio record meetings. You may be audio recorded in the other City Facilities.

In accordance with Article III, Section 3.10, of the Official Code of the City of Buda, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office, or video of the entire meeting may be downloaded from the website. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

CALL TO ORDER

Mayor Haehn called the meeting to order at 6:04 p.m.

ROLL CALL

City Clerk Alicia Ramirez certified a quorum with the following Council Members present:

Mayor George Haehn
Mayor Pro Tem Wiley Hopkins
Councilmember Lee Urbanovsky
Councilmember Ray Bryant
Councilmember Paul Daugereau
Councilmember Remy Fallon
Councilmember Evan Ture

City Manager Kenneth Williams

City Staff in attendance: Assistant City Manager/Administration Micah Grau, City Clerk Alicia Ramirez, Chief of Police Bo Kidd, Finance Director June Ellis, City Engineer John Nett, Parks & Recreation Director Greg Olmer, Communications Director David Marino, and Human Resources Director Vicki Fuchs

PUBLIC COMMENTS

Public comments were made by Citizen Matt Debow.

CONSENT AGENDA

APPROVAL OF THE DECEMBER 4, 2018 CITY COUNCIL MEETING MINUTES

APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH SHI-GOVERNMENT FOR A COMPUTER LEASE PROGRAM THROUGH DIR-TSO-3763 AND A LEASE AGREEMENT WITH SHI-GOVERNMENT FOR A SOFTWARE LEASE FOR ANTIVIRUS SOFTWARE THROUGH THE NATIONAL IPA COOPERATIVE, SUBJECT TO APPROVAL OF FORM BY THE CITY ATTORNEY

APPROVAL TO PURCHASE A FREIGHTLINER M2-106 SRA -2000 GALLON WATER TRUCK FROM HOUSTON FREIGHTLINER VIA THE HOUSTON GALVESTON AREA COUNCIL BUY (HGACBUY) COOPERATIVE CONTRACT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID PURCHASE

APPROVAL TO PURCHASE THREE (3) FORD ESCAPES FROM CALDWELL COUNTRY FORD VIA THE HOUSTON GALVESTON AREA COUNCIL BUY (HGACBUY) COOPERATIVE CONTRACT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID PURCHASE AGREEMENT

APPROVAL TO PURCHASE A JOHN DEERE 624L LOADER FROM RDO EQUIPMENT CO. VIA SOURCEWELL (FORMERLY NATIONAL JOINT POWERS ALLIANCE NJPA) COOPERATIVE CONTRACT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID PURCHASE AGREEMENT

APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH HAYS COUNTY FOR THE PROVISION OF LIBRARY SERVICES TO HAYS COUNTY RESIDENTS

APPROVAL OF THE 2019 OBSERVED HOLIDAY SCHEDULE FOR THE CITY OF BUDA

ADOPTION OF ORDINANCE #2018-35 ON SECOND READING TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT OR CAFETERIA WITH CURB OR DRIVE THROUGH SERVICE IN THE F4 ZONING DISTRICT, ON 12.1184+/- ACRES KNOWN AS CVS BUDA SUBDIVISION, LOT 2A, CITY OF BUDA, HAYS COUNTY, TEXAS, LOCATED ALONG THE WEST SIDE OF FM 1626, APPROXIMATELY 430 FEET SOUTH OF FM 967 (SUP 18-04)

Motion, to approve the Consent Agenda, as presented, was made by Mayor Pro Tem Hopkins and seconded by Councilmember Bryant. Motion carried unanimously.

REGULAR AGENDA

REVIEW OF THE CITY OF BUDA BOARD AND COMMISSION APPOINTMENT PROCEDURE

City Clerk Alicia Ramirez presented background information. She informed at this time, staff will solicit Council for any suggested changes to the policy and noted such suggestions be forwarded to the City Manager. Thereafter, Ms. Ramirez stated all suggestions and any supporting documentation will be submitted to be reviewed and considered for approval at the next meeting.

TABLING THE APPROVAL OF THE CITY OF BUDA'S 2019-2020 LEGISLATIVE AGENDA

Assistant City Manager Micah Grau provided a brief summary of the process and introduced Jeff Heckler of Texas Solutions. Mr. Heckler presented background information.

Motion, to table the item, prepare a revised agenda based on the discussion, and submit on consent at the next meeting, was made by Councilmember Ture and seconded by Councilmember Daugereau. Motion carried unanimously.

AWARD OF THE INVITATION FOR BID (IFB) 19-003 AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH SMITH CONTRACTING COMPANY FOR THE BOND PROPOSITION 3 - STREETS; OLD GOFORTH ROAD IMPROVEMENTS PROJECT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE POSSIBLE FUTURE CHANGE ORDERS WITH SMITH CONTRACTING COMPANY UP TO THE 25% THRESHOLD ALLOWED UNDER STATE LAW

Purchasing Manager Victor Castillo; City Engineer John Nett presented background information.

General discussion was held on the local preference percentage, the construction and completion schedule. Mr. Nett informed the local contractor was at 10% and not within the percentage local preference amount. City Attorney George Hyde informed a local preference could be provided if stated in the procurement provisions for a local contractor of this type. He noted he would need to verify the procurement materials. However, Mr. Hyde stated if the provisions were in the procurement materials, then the 5% provision would apply in this instance. Councilmember Ture suggested a future item for staff to research which type of bids and/or project would qualify for such a provision.

Motion, to award IFP 19-003, as presented, was made by Mayor Pro Tem Hopkins and seconded by Councilmember Daugereau. Motion carried unanimously.

EXECUTIVE SESSION

At 6:48 P.M., Council convened in Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open, §551.071 to deliberate upon and seek legal advice from the City Attorney regarding the provision of utility services to YMCA Camp Moody; and §551.071, 551.074 and §551.076 to allow the City Manager to report, the City Council to deliberate and the City Attorney to provide legal advice related to Municipal Complex security implementation and devices.

At 9:02 P.M., Council reconvened, and the following business was transacted and action taken, if any, on matters discussed in executive session.

No action.

STAFF REPORT

UPDATE ON THE CITY OF BUDA'S TASK FORCE ON AGING AND ACCOMPLISHMENTS SINCE IT WAS FORMED IN APRIL 2017

Communications Director David Marino presented background information. *A copy of the presentation is part of the permanent supplemental record.*

Mayor Pro Tem Hopkins commended Mr. Marino for his work on the Task Force. Councilmember Ture added he had received positive feedback and numerous comments from citizens.

Responding to questions by Councilmember Bryant, Ms. Ramirez provided information on the Seniors Taking A Ride (STAR) program service.

UPDATE ON 2014 BUDA BOND PROPOSITION 3 - STREETS AND PROPOSITION 4 - DRAINAGE

City Engineer John Nett; Allen Crozier HDR presented background information. *A copy of the presentation is part of the permanent supplemental record.*

General discussion was held on the funding sources, the construction schedule with a beginning start date of March 2019, the installation and construction schedule adjustments for the Sequoya at Main Street signal light, the completion schedule for Bluff Street is to advertise in June 2019 and complete construction approximately June 2020, and the coordination of two projects between Union Pacific.

STAFF REPORT AND UPDATE ON A PROPOSED AGREEMENT FOR IMPROVEMENTS, OPERATION, AND MAINTENANCE OF THE BUDA SPORTSPLEX

Parks & Recreation Director Greg Olmer presented background information. *A copy of the presentation is part of the permanent supplemental record.*

General discussion was held on the type of lighting, the related costs of the different lighting, the preferred lighting, and the thought to obtain referral assistance from the City for those contractors interested in installing the lights. Further discussion was held on possible shared space with other potential sports or special events, particularly City events; and the projected revenue sharing of 15%. Councilmember Ture suggested the City plan on LED lighting for the soccer fields. City Manager Kenneth Williams suggested a workshop be scheduled and staff will invite the vendor to answer any questions. Mayor Haehn suggested scheduling a separate workshop to discuss the item prior to the January 15th meeting.

Councilmember Urbanovsky suggested and recommended Musco as a possible choice. He stated he was interested in seeing the agreement, specifically the maintenance component.

CITY MANAGER'S REPORT

- 2014 Bond Program
- Capital Improvement projects
- Developments
- Drainage Projects
- Engineering Department
- Finance Department
- Grant-related Projects
- Law Enforcement
- Legislative Update
- Library Projects
- Parks & Recreation Department
- Planning Department
- Road Projects
- Special Projects
- Status on Requested Future Items
- Tourism Projects
- Wastewater Projects
- Water Projects

City Manager Kenneth Williams provided an update on the following:

City Engineer John Nett briefed the Council on the Water/Wastewater Treatment Plant expansion project bid schedule. Councilmember Urbanovsky cautioned staff on the mandatory pre-bid meeting and site visit on January 8 noting such requirement may intimidate or preclude potential bidders.

Mr. Williams and Mr. Grau met with CAMPO Executive Director Ashby Johnson and Commissioner Mark Jones on a couple of local road projects, specifically funding for the Main Street extension through Sunfield. Mr. Williams noted Commissioner Jones will be at the next meeting to brief Council on other road projects.

CITY COUNCIL'S BOARD AND COMMITTEE REPORTS

None.

ITEMS OF COMMUNITY INTEREST

- December 14-16, 20-23 - Trail of Lights - 6:00 PM - 10:00 PM - Shuttle service from Cabela's parking lot to Stagecoach Park.

- December 24-25 - City Offices closed for the Holiday; essential services will remain open.

- January 1, 2019 - City Offices closed for New Year's Day; essential services will remain open.

- January 1, 2019 - City Council Meeting canceled; next meeting scheduled for January 15, 2019.

CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Councilmember Ture Commissioner Mark Jones will present at the January 15th

ADJOURNMENT

Motion, to adjourn the meeting, was made by Councilmember Ture and seconded by Councilmember Fallon. Motion carried unanimously.

There being no further business, the meeting was adjourned at 10:08 p.m.

THE CITY OF BUDA, TEXAS

George Haehn, Mayor

ATTEST:

Alicia Ramirez, TRMC DATE
City Clerk

In accordance with Article III, Section 3.10, of the Official Code of the City of Buda, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office, or audio or video of the entire meeting may be downloaded from the website. (Portions of the Supplemental Minute Record audio or videotape recording may be distorted due to equipment malfunction or other uncontrollable factors.)



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2018-715-

Contact: Micah Grau

Subject: Adoption of the City of Buda's 2019-2020 Legislative Agenda (Assistant City Manager Micah Grau)

1. Executive Summary

The 86th Texas Legislature will convene on January 8, 2019. Adoption of a local legislative agenda by the City Council provides direction to city staff and leaders on the City's official position on legislative issues and needs.

2. Background/History

The 86th Texas Legislature begins on January 8, 2019. The City of Buda hired Texas Solutions Group to help advance the City's legislative agenda and to provide insights into the legislative session. Texas Solutions Group was selected partly because of their extensive experience in groundwater issues and because of their relationships with key legislators. They also represent the Alliance Regional Water Authority, the San Antonio Water System, and others.

A workshop was held with the City Council on October 16, 2018, to begin receiving input on legislative concerns. Staff, with the assistance of Texas Solutions Group, has prepared this draft legislative agenda for the City Council's consideration. The draft legislative agenda was briefed to the City Council at their meeting held on December 18, 2018. One item concerning the use of Hotel Occupancy Tax revenues has been added to the agenda based on feedback from the Council.

3. Staff's review and analysis

Staff has identified legislative needs and issues that may affect Buda based on passed legislative sessions, consultation with professional organizations such as the Texas Municipal League, Texas City Management Association, and the Texas Chapter of the American Planning Association. All department heads provided input in drafting the document.

Staff is seeking further input from the City Council on the legislative needs and issues facing Buda. Once the language of the legislative agenda is approved, the agenda will be reformatted to be more visually appealing and to better promote Buda.

4. Financial Impact

Legislative decisions could have a major impact on Buda is revenue caps or other adjustments to funding sources for cities are passed. There is no financial impact for adopting the legislative agenda.

5. Summary/Conclusion

A unified legislative agenda and identification of priorities creates clarity to city staff and provides direction in regards to legislative affairs. Staff is often asked to testify and provide opinions on proposed bills.

6. Pros and Cons

Not applicable.

7. Alternatives

The Council may provide additional input into the draft agenda. However, the item is presented to allow the Council to take action if it feels that the proposed agenda reflects the wishes of the Council. The legislative agenda may be amended in the future to address new legislative areas of interest or concerns.

8. Recommendation

Not applicable.

The Texas Municipal League Legislative Program for 2019 – 2020

Introduction

City officials across the state are well aware of the fact that many significant decisions affecting Texas cities are made by the Texas Legislature, not by municipal officials.

During the 2017 session, more than 6,500 bills or significant resolutions were introduced; more than 2,000 of them would have affected Texas cities in some substantial way. In the end, over 1,200 bills or resolutions passed and were signed into law; almost 300 of them impacted cities in some way.

The number of city related bills as a percentage of total bills filed rises every year. Twenty years ago, around 17 percent of bills filed affected cities in some way. By 2017, that percentage had almost doubled to 30 percent. In other words, almost a third of the legislature's work is directed at cities, and much of that work aims to limit municipal authority.

There is no reason to believe that the workload of the 2019 session will be any lighter; it may be greater. And for better or worse, city officials will have to live with all the laws that may be approved by the legislature. Thus, the League must make every effort to assure that detrimental bills are defeated and beneficial bills are passed.

The TML approach to the 2019 session is guided by principles that spring from a deeply rooted TML legislative philosophy:

- The League will vigorously oppose any legislation that would erode the authority of Texas cities to govern their own local affairs.
- Cities represent the level of government closest to the people. They bear primary responsibility for provision of capital infrastructure and for ensuring our citizens' health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish their revenue.
- The League will oppose the imposition of any state mandates that do not provide for a commensurate level of compensation.

In setting the TML program for 2019-2020, the Board recognized that there is a practical limit to what the League can accomplish during the legislative session. Because the League (like all associations) has finite resources and because vast amounts of those resources are necessarily expended in defeating bad legislation, the Board recognized that the League must very carefully select the bills for which it will attempt to find sponsors and seek passage.

The Board considered approximately 50 initiatives that had been recommended by the membership-at-large. Each initiative was subjected to several tests:

- Does the initiative have wide applicability to a broad range of cities of various sizes (both large and small) and in various parts of the state?
- Does the initiative address a central municipal value, or is it only indirectly related to municipal government?
- Is this initiative, when compared to others, important enough to be part of TML's list of priorities?
- Will the initiative be vigorously opposed by strong interest groups and, if so, will member cities commit to contributing the time and effort necessary to overcome that opposition?
- Is this initiative one that city officials, more than any other group, should and do care about?

The Board placed each legislative issue into one of four categories of effort. Those five categories are:

- **Seek Introduction and Passage** – the League will attempt to find a sponsor, will provide testimony, and will otherwise actively pursue passage. Bills in this category are known as “TML bills.”
- **Support** – the League will attempt to obtain passage of the initiative if it is introduced by some other entity.
- **Oppose** – the League will actively and vigorously attempt to defeat the initiative because it is detrimental to member cities.
- **No Position** – the League will take no action.

Our Highest Priority: Oppose Bad Bills

The Board determined that TML's highest priority goal for 2019-2020 will be the defeat of legislation deemed detrimental to cities. As a practical matter, adoption of this position means that the beneficial bills will be sacrificed, as necessary, in order to kill detrimental bills.

The TML Priority Package

The Board determined that the TML Priority Package will include the following items in priority order:

1. Defeat any legislation that would erode municipal authority in any way, impose an unfunded mandate, or otherwise be detrimental to cities, especially legislation that would:
 - a. erode municipal authority in any way, impose an unfunded mandate, or otherwise be detrimental to cities.
 - b. provide for state preemption of municipal authority in general.
 - c. impose a revenue and/or tax cap of any type, including a reduced rollback rate, mandatory tax rate ratification elections, lowered rollback petition requirements, limitations on overall city expenditures, exclusion of the new property adjustment in effective rate and rollback rate calculations, or legislation that lowers the rollback rate and gives a city council the option to re-raise the rollback rate.
 - d. erode the ability of a city to issue debt.
 - e. erode municipal authority related to development matters, including with respect to the following issues: (1) annexation, (2) eminent domain, (3) zoning, (4) regulatory takings, (5) building codes, (6) tree preservation, and (7) short-term rentals.
 - f. erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way, including by state or federal rules or federal legislation.
 - g. require the reporting of lobbying activities beyond the requirements in current law; limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; or limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.
2. Passage of any legislation that would:
 - a. eliminate reauthorization provisions for the collection and use of street maintenance sales and use tax and authorize cities to reimburse themselves from sales and use tax collections for actual election costs required for tax implementation.
 - b. allow cities the option of using either an official newspaper or a website for the publication of legal notices.

Support

The Board voted to support legislation that would:

1. simplify the effective tax rate calculation for notice purposes only, provided the legislation would have no effect on either the underlying effective tax rate and rollback tax rate calculations themselves, or upon the hold harmless exemptions to those rates.
2. extend the sunset date for Chapter 312 tax abatement authority only if the business lobby groups whose members benefit from tax abatement agreements refrain from any support for harmful revenue and expenditure caps.
3. make beneficial amendments to the equity appraisal statute; close the “dark store” theory of appraisal loophole; and require mandatory disclosure of real estate sales prices.
4. authorize a council-option property tax exemption of a portion of the appraised value of property damaged by a disaster.
5. authorize a council-option city homestead exemption expressed as a percentage or flat-dollar amount.
6. support legislation that would convert the sales tax reallocation process from a ministerial process into a more formalized administrative process.
7. expand municipal annexation authority.
8. authorize a city council to opt-in to requiring residential fire sprinklers in newly constructed single-family dwellings.
9. expressly authorize any city to regulate and enforce building codes, including related permitting, plan reviews, inspections, and the collection of fees for these and other necessary services, within its extraterritorial jurisdiction.
10. expand the applicability of Texas Local Government Code Chapter 43, Municipal Annexation, Subchapter F Limited Purpose Annexation, to all cities.
11. simplify processes, reduce unnecessary bureaucracy, and increase potential efficiency of the subdivision platting process.
12. allow for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide cities with additional funding options and resources to address transportation needs that the state and federal governments are unable or unwilling to address.
13. provide additional funding to the Texas Department of Transportation for transportation projects that would benefit cities and provide local, state, and federal transportation funding for rail as one component of transportation infrastructure.

14. expand the use of public, educational, and government (PEG) fees to include operational and related costs associated with PEG channels, including federal legislation, and that would allow a city to choose to not receive the PEG fees.
15. in relation to municipal courts, allow a more equitable way of distributing court fines that would result a higher percentage of fines being kept local, where the laws are enforced, the court is held, and the fines collected.
16. provide additional appropriations for the Texas Veterans Commission and the Texas Workforce Commission skills for veterans initiative that dedicates state funding to address the training needs of veterans returning home and entering the Texas workforce.
17. in relation to federal transit funding: (1) clarify federal congressional intent of federal transit law to protect cities across the United States from being penalized due a to a population drop suffered as a direct result of a natural disaster, retroactive to 2000; (2) explicitly state that only presidentially declared major disasters are covered, in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 100-707); and (3) protect federal transit funding streams for urbanized areas until the execution of the next decennial census.
18. increase funding for the Texas Intrastate Fire Mutual Aid System to \$3 million annually.
19. allow a city to lower the prima facie speed limit from 30 to 25 miles per hour without the need for a traffic study.
20. restore funding to the TCEQ in the FY 2020-2021 General Appropriations Act for air quality programs in all near non-attainment communities.
21. establish that expenditures of Community Development Block Grant funds by cities are a governmental function.
22. extend the authority granted under Section 214.33 of the Local Government Code to all cities seeking to adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with the designated municipal official.
23. require city consent before TCEQ is authorized to issue a standard permit for a rock crushing operation, cement crushing operation, or any similar activity that may be authorized under a standard air permit from TCEQ within the corporate limits or ETJ of a city. (Alternatively, or in addition, such legislation may: (a) authorize a city to restrict, prevent, or regulate the locating of such activities in the city's corporate limits or ETJ in other manners, such as imposing minimum distance from such operations and schools, hospitals, churches, and residences; (b) require TCEQ to provide notice of applications for standard permits to cities for activities proposed in

- the city's corporate limits or ETJ and require TCEQ to address any and all comments received from the City as required by Sec. 382.112 of the Texas Health & Safety Code; or (c) prohibit TCEQ from issuing a standard permit for activities proposed in the city's corporate limits or ETJ unless the city verifies that the proposed activity is authorized under the city's zoning ordinance or comprehensive plan to locate at the proposed location.
24. grant cities the right to obtain information and the right to receive notice of incidents affecting public health from state agencies, especially when that information is vital to both the protection of the general public and first responders.
 25. provide consistency and uniformity in the compliance deadlines and fees for compliance dismissals of Class "C" misdemeanors.
 26. provide courts with access to TexasSure database to verify financial responsibility.
 27. provide additional funding through the Municipal Court Building and Security Fund and the Municipal Court Technology Fund.
 28. with regard to municipal ballot propositions, level the playing field for all participants.

Oppose

The Board voted to oppose legislation that would:

1. negatively expand appraisal caps but take no position on legislation that would authorize a council-option reduction in the current ten-percent cap on annual appraisal growth.
2. impose new property tax or sales tax exemptions that substantially erode the tax base.
3. limit or eliminate the current flexibility of the Major Events Reimbursement Program as a tool for cities to attract or host major events and conventions.
4. limit the type of incentives available to the city or that would limit any use of incentives by a city.
5. impede the city's ability to manage long term planning, growth and development in a manner necessary to hinder or mitigate for potential flooding and to pay for city related costs, including preemption of annexation, tree removal, regulation of development projects, issuance of permits, and city spending.
6. erode municipal authority over billboards or place any unfunded mandate on cities relating to billboards.

7. further erode local control as it pertains to retirement issues.
8. substantively change or expand the scope of the current disease presumption law, unless doing so is supported by reputable, independent scientific research.
9. require candidates for city office to declare party affiliation in order to run for office.
10. eliminate any of the current uniform election dates.
11. impose additional state fees or costs on municipal court convictions or require municipal courts to collect fine revenue for the state.
12. alter the common law understanding of which topics are appropriate for the initiative and referendum process.
13. preempt city charter provisions relating to municipal ballot propositions.
14. restrict city authority to validate petition signatures.
15. restrict city authority to draft ballot propositions in such a way that reflects the full fiscal impact of the proposition.
16. restrict city authority to divide initiated questions to allow a vote on a single issue.
17. require preclearance of city ballot propositions by a state agency.

Take No Position

The Board voted that TML take no position on legislation that would:

1. standardize red light photo enforcement systems, so long as the underlying authority is not eliminated. (Further, the committee recommends that TML defer to the Texas Red Light Coalition on more detailed matters relating to revisions to red light camera policy.)
2. amend the affected provisions of the Texas Government Code relating to the Texas Municipal Retirement System to allow for greater flexibility in retiree pension increases and provide for a forgiveness provision for cities that stopped the regular repeating COLA payments without reference to a cost of living index.
3. relate to immigration matters, so long as it does not impose new and substantial unfunded mandates or unavoidable liabilities on cities.

Other

The Board voted that TML take the following additional actions:

1. seek the guidance of the TML executive committee in relation to tax abatement agreements should the “support” position included elsewhere in this program no longer encompass evolving scenarios.
2. take no position on *Wayfair*-related legislation that impacts local sourcing of sales and use taxes, but seek the guidance of the TML executive committee to address any unforeseen issues concerning the statewide implementation of the *Wayfair* decision.
3. concur with the [legislative program](#) of the Texas Recreation and Park Society, but disapprove the provision in that program relating to prohibiting firearms at certain types of city events.
4. work with the City of Leary on legislation that would reduce cost drivers for small city audits, so long as appropriate statutory safeguards remain in place.
5. with regard to economic development: (1) take no position on legislation that would broaden the authority of Type A or Type B economic development corporations; and (2) oppose legislation that would limit the authority of Type A or Type B economic development corporations statewide, but take no position on legislation that is regional in scope and that is supported by some cities in that region.
6. support the Texas State Library and Archives Commission and the work it does to advance fundamental and diverse state interests and respectfully request that the Texas Sunset Commission recommend reauthorization of the Texas State Library and Archives Commission so that it may continue its essential work on behalf of all Texans.



2018-2019 LEGISLATIVE PROGRAM

American Planning Association
Texas Chapter

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Introduction

Planners across the state are well aware of the fact that many significant decisions affecting Texas cities are made by the Texas Legislature, not by municipal officials or our own employers.

During the 2017 sessions, more than 8,000 bills or significant resolutions were introduced (a record); more than 1,300 of them would have affected Texas cities and planners in some substantial way. A new record was set for most bills pre-filed on the first day. APATX tracked 401 bills related to planning and development. 43 of those were either signed by the Governor or not vetoed to become law on September 1, 2017. Fourteen were bad for cities and twelve were good. The remainder were neutral and not determined to be negative.

There is no reason to believe that the workload of the 2019 session will be any lighter; it may be greater. And for better or worse, planners will have to live with all the laws that may be approved by the Legislature. Thus, the American Planning Association Texas Chapter must make every effort to assure that detrimental bills are defeated and beneficial bills are passed.

Relationship to Texas Municipal League

APATX is an affiliate member of the Texas Municipal League. Through this affiliation, APATX is subject to the following:

- An affiliate may not adopt or advance any policy position, legislative or otherwise, which is contrary to TML's policy position. Before an affiliate adopts or advances any position, it must take actions to ensure that such position is not contrary to TML policy.
- An affiliate may, when requested or at its own initiative, communicate its priority legislative issues to TML at any time, so that those issues can become part of the deliberations of the TML legislative policy committees. However, each affiliate that in any manner adopts a legislative program or a list of legislative priorities, by action of its officers, board, a committee, or membership, must provide such information to the Executive Director of TML no later than ten days prior to the TML Board meeting that immediately precedes the beginning of a regular legislative session.
- An affiliate should, when requested or at its own initiative, nominate members of its affiliate group to serve on the TML legislative policy committees.
- If an affiliate works for the defeat or passage of any legislation which is not specifically addressed in the TML legislative program, the affiliate shall not use letterhead stationery or other means of communication which state or indicate an affiliation with TML and shall not state that it represents, is represented by, is affiliated with, or is part of the TML. It is the responsibility of the affiliate to ascertain TML's position on any legislation or proposed legislation on which the affiliate wishes to adopt a position. This policy controls, regardless of affiliate guidelines which may seem to be contradictory.
- An affiliate should seek input from the TML staff before the affiliate decides to give an award to any member of the Texas Legislature. An affiliate must inform the TML staff of any decision to give such an award prior to the time the award is given and must provide to TML any press releases or other information concerning the award.

- An affiliate should seek input from the TML staff before the affiliate decides to retain a lobbyist. An affiliate must inform the TML staff of any decision to retain a lobbyist and must provide the lobbyist's name. The affiliate should encourage its lobbyist to regularly communicate with the TML staff.
- An affiliate must immediately inform the TML staff of any decision to make a political contribution and the amount of the contribution to any campaign for a state-level office.

General Legislative Philosophy

APATX's legislative philosophy is rooted in the AICP Code of Ethics. APATX will oppose any legislation that would erode the authority of Texas cities to govern their own local affairs. Cities represent the level of government closest to the people. They bear primary responsibility for provision of capital infrastructure and for ensuring our citizens' health and safety. They likewise serve as the primary conduit for implementation of best planning practices in the State of Texas. As such, it is considered imperative to preserve authority of cities as the best means of advocating in a manner consistent with the special responsibility of our profession to serve the public interest with compassion for the welfare of all people and, as professionals, to our obligation to act with high integrity.

There is a practical limit to what APATX can accomplish during the legislative session, even with affiliate support of TML. Because both APATX and TML have finite resources and because vast amounts of those resources are necessarily expended in defeating bad legislation, APATX recognizes that it must very carefully select the bills for which it will attempt to find sponsors and seek passage. In considering any legislative initiative, APATX considers:

- Does the initiative have wide applicability to a broad range of cities of various sizes and in various parts of the state?
- Does the initiative address a principle planning value, or is it only indirectly related to planning? If indirect, is the initiative critically important to TML or an allied profession?
- Is this initiative, when compared to others, important enough to be part of APATX's list of priorities?
- Will the initiative be vigorously opposed by strong interest groups and, if so, will APATX members commit to contributing the time and effort necessary to overcome that opposition?
- Is this initiative one that planners, perhaps more than any other group, should and do care about?
- Is the initiative consistent with TML's legislative program?

Levels of Support

Legislative issues fit into one of four categories of effort. Those categories are:

- Seek Introduction and Passage – APATX will attempt to find a sponsor, will provide testimony, and will otherwise actively pursue passage. Bills in this category are known as “APATX Bills.”
- Support – APATX will attempt to obtain passage of the initiative if it is introduced by some other entity.
- Oppose – APATX will actively attempt to defeat the initiative because it is detrimental to the organization, its general legislative philosophy (particularly in regard to erosion of local self-determination and the authority of cities to implement best planning practices) or the AICP Code of Ethics.
- No Position – APATX will take no action.

Legislative Priorities

Opposition to Bad Bills – *“First, Do No Harm”*

APATX’s highest priority goal for 2018-2019 will be the defeat of legislation deemed detrimental to the organization, its general legislative philosophy or the AICP Code of Ethics. As a practical matter, adoption of this position means that the beneficial bills will be sacrificed, as necessary, in order to kill detrimental bills given the legislative climate.

The APATX Priority Package

The following represents the primary foci of the American Planning Association Texas Chapter for the 2018-2019 period of legislative activity, in addition to the Legislative Program by Topic provided further below.

1. Defeat any legislation that would erode municipal authority in any way, impose an unfunded mandate, or otherwise be detrimental to cities, especially legislation that would:
 - a. Impose a revenue cap of any type, including a reduced rollback rate, mandatory tax rate ratification elections, lowered rollback petition requirements, limitations on overall city expenditures, exclusion of the new property adjustment in effective rate and rollback rate calculations, or legislation that lowers the rollback rate and gives a city council the option to re-raise the rollback rate. This position should not be viewed as APATX’s support for raising taxes, but instead as recognition that cities are more aware of their financial needs than the State. Cities’ solvency & access to financial resources is critical to furthering the planning profession and its values.
 - b. Erode municipal annexation authority. Counties in Texas, as the next closest level of local government, lack the authority and resources that would further the planning profession and its values. Cities’ abilities to set their boundaries under the existing appropriate due process is best left to those elected leaders closest to the people, and in recognition of the equity issues of the public potentially addressed through annexation.

- c. Provide for state preemption of municipal authority in general. Cities are the level of government closest to the people the planning profession serves, and as such, preservation of their authority is critical to furthering the planning profession and its values.
 - d. Expand election requirements for issuance of any city debt, impose a petition/election procedure where none currently exists, or that would otherwise erode the ability of a city to issue debt in any way. This position should not be viewed as APATX's support for such debt, but instead as recognition that cities are more aware of their financial needs than the State. Cities' solvency & access to financial resources is critical to furthering the planning profession and its values.
 - e. Erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way.
 - f. Erode municipal authority related to development matters, including with respect to the following issues:
 - i. Annexation
 - ii. Eminent Domain
 - iii. Zoning
 - iv. Regulatory Takings
 - v. Building Codes
 - vi. Tree Preservation
 - vii. Short-Term Rentals
2. Support passage of any legislation that would:
- a. Expand municipal annexation authority.
 - b. Generally clarify and enhance the authority of general law cities to enact regulations and restrictions in furtherance of the planning profession and its values.
 - c. Clarify the extension of TABC wet status of city to properties following annexation, as current rules and legislation result in confusion and inconsistency.
 - d. Clarify the application of regulations pertaining to group living, including group living in support of sober living and group living in support of individuals with disabilities, to address specific issues related to occupant safety, inspection authority, registration, density, neighborhood context considerations and living environment. Examples include group living environments in which rooms are over-occupied or not occupied for their intended purpose, resulting in an unhealthy environment. Potentially, this could be a variation on HB 293 (Johnson) and HB 640 (Phillips).

- e. Reform specific aspects of subdivision platting under Chapter 212 of Local Government Code to provide cities the ability to simplify processes, reduce unnecessary bureaucracy and increase potential efficiency of the platting process. This gives cities more flexibility, removes a mandate, improves the development process for developers & builders, and increases government efficiency. Specifically:
 - i. Elimination of the “four or fewer lots” restriction on delegating approval of minor administrative plats to staff, and clarifying what constitutes “municipal facilities” for the purposes of qualifying a subdivision for this administrative route of processing (LGC Section 212.0065).
 - ii. Elimination of public hearing requirements for replatting without vacating a preceding plat (LGC Section 212.014). Platting is a ministerial function in which if codes are met it MUST be approved. The hearing unnecessarily agitates the public, as their public comment cannot be applied to a discretionary action. Likewise, this should clarify what “amending or removing covenants or restrictions” means in this circumstance. By doing this, barriers to redevelopment of property are removed and preservation of property rights is enhanced.
 - iii. Elimination of the public hearing requirements for residential replats (LGC Section 212.015), for the reasons described above for replatting without vacating a preceding plat. This additionally assists housing affordability, removing a common barrier created by state law.
- 3. Act as an effective educational resource to legislators, legislative staffs, allied professions and TML in furtherance of the planning profession and its values. Specifically:
 - a. Conduct a Planners Day at the Capitol event, coinciding with the 2018 Great Places in Texas awardees and coordinating with TML. Late March to Early April is ideal timing.
 - b. Pursue poster/displays in Capitol and Capitol Extension themed to the positive impact of planners and planning on Texans; recommend theming to the Great Places in Texas program with information on how the place and project benefited from planning and how Texans benefited from the project.
 - c. Target outreach to representatives and senators of districts containing Great Places, with special commemorative items and photo opportunities. Representatives and Senators love anything themed to something in their particular district, especially graphics and photos. Consider use of Chet Garner, and schedule with representatives and senators early on to ensure availability.

Appendix: Detailed Legislative Program by Topic

The following is a list of detailed positions expanding upon the APATX Priority Package described above in order to provide additional clarity and direction, approved by the APATX Board of Directors pertaining to topical legislation. These particular topic areas represent application of the APATX Priority Package as they may likely appear in legislation.

Affordable Housing

Support legislation and additional appropriations for affordable and workforce housing that allows for the expansion and preservation of diverse, affordable homes in cities.

Oppose legislation that would restrict tools available to cities to address affordable housing challenges.

Take no position, but monitor proposed reforms to the Low Income Housing Tax Credit Program, and take positions to support or oppose in a manner consistent with planning values and priorities as described and referenced in this policy.

Annexation and Extraterritorial Jurisdiction

Support legislation granting general law cities additional authority to annex areas wholly surrounded by cities.

Support legislation that would expand annexation authority for all cities.

Oppose legislation that would erode municipal authority in the extraterritorial jurisdiction.

Billboards and Signage

Oppose legislation that would erode municipal authority over billboards or that would place any unfunded mandate on cities relating to billboards.

Building Codes, Expediting and Contractor Licensing

Support legislation authorizing a city council to opt-in to requiring residential fire sprinklers in newly constructed single-family dwellings.

Oppose legislation that would erode a city's ability to make amendments to model building codes, including procedural steps to hamper such amendments.

Oppose legislation that would further restrict a city's ability to impose building fees.

Oppose legislation mandating permit approvals, expedited permits and other similar efforts leading to automatic approval of potentially substandard development & construction.

Oppose legislation removing municipal authority and registration pertaining to contractor trades.

Comprehensive Planning, Property Rights, Zoning and Vesting

Support legislation making beneficial changes to the permit vesting statute in favor of cities (Chapter 245 of Local Government Code).

Oppose legislation that would erode municipal comprehensive planning and zoning authority, or that would modify existing procedures in any detrimental way.

Oppose legislation that would restrict a city's ability to adopt or amend zoning regulations, or vest or otherwise create a property right in a zoning classification.

Oppose legislation that would further erode a city's ability to regulate religious or charitable organizations.

Oppose legislation regarding permit vesting that would adversely affect cities, including the vesting of any regulation put in place following transfer of property ownership.

Oppose legislation that would erode the ability of a city to amortize nonconforming uses, including those in a flood plain.

Economic Development

Support legislation that would allow land to be used, transferred, conveyed or swapped in Chapter 380 economic development agreements.

Support legislation appropriating funds to support the role public libraries play in the workforce and economic development in local communities.

Support legislation that ensures libraries are included as eligible partners and beneficiaries in any strategy or guideline aimed at constructing or improving public spaces.

Oppose legislation that would erode a city's incentive options to enhance its economic development efforts to promote retention and expansion of existing retailers, restaurants, developers, commercial businesses and primary employers, and to attract new business.

Emergency Services Districts

Support legislation authorizing cities, in relation to annexation, planned annexation, voluntary annexation, or negotiated annexation, to replace some or all emergency services district (ESD) sales taxes in an area with city sales taxes, provided an ESD's existing sales tax debt is proportionately and reasonably provided for in some manner.

Support legislation that would permit a municipal development district's sales tax, notwithstanding a competing emergency services district (ESD) sales tax, to apply in the extraterritorial jurisdiction, as current law allows, provided an ESD's existing sales tax debt is proportionately and reasonably provided for in some manner.

Support legislation allowing cities to remove themselves from an ESD if the city is capable of providing services to the area.

Support legislation requiring city council approval for an ESD to expand into a city's corporate limits or ETJ, or for the establishment of an ESD sales tax in same.

Eminent Domain

Oppose legislation that would further erode a city's ability to condemn property for public use.

Historic Preservation

Oppose legislation that restricts historic zoning, accelerates demolition, or otherwise imposes additional restrictions on the formation, implementation and administration of local historic districts.

Impact Fees and Similar Exactions

Oppose legislation that would reduce municipal authority to require exactions related to and required by new development, or that would erode the authority of cities to adopt and enforcement minimum development standards.

Oppose legislation that would erode municipal authority over impact fees or that would exempt any entity from paying municipal impact fees.

Manufactured Homes

Oppose legislation that would limit non-conforming regulation enforcement, prohibit regulation or otherwise seek to preempt municipal authority.

Parks

Oppose legislation that would be detrimental to parks, recreation, open space, trails and tourism.

Support legislation authorizing electric utilities to allow cities to build and operate hike and bike trails and recreational amenities on land and easements owned and occupied by an electric utility with the limitation of liability applicable to electric utilities in Chapter 75, Texas Civil Practice and Remedies Code.

Support legislation that would protect and enhance investments in all public parks and open space, including Constitutional dedication of the full amount of Sporting Good Sales Tax, opposition to tax-free weekend on sporting goods, opposition to appropriation riders to the Texas Parks & Wildlife Department local park grant programs, support for conservation of open space and making public lands accessible for public use, support for tree preservation.

Support Federal funding related to the Land Water Conservation Fund, Sport Fish Restoration Boat Access program, and U.S. Department of Transportation Recreation Trails program.

Support conservation of water and natural resources and rights and access to recreational amenities.

Payday Lending

Support legislation to prevent further exploitative payday and auto title lending practices.

Short-Term Rentals

Oppose legislation that would erode municipal authority to regulate short-term rentals.

Special Districts

Oppose legislation that would allow special districts to form in a city or its extraterritorial jurisdiction without the city's permission, or that would impose additional requirements on cities relating to special districts.

State Budget

Support legislation providing a fair and equitable distribution of the sporting good sales tax revenues for state and local parks.

Support creation of a constitutional dedication of sporting goods sales tax revenues for use in state and local parks that would directly benefit parks, recreation, open space, trails and tourism.

Support pass through of federal dollars used for parks, recreation, open space, trails, and tourism from any of the following, but not limited to, the US Department of the Interior Land and Water Conservation Fund, the Sport Fish Restoration Boat Access program and the US Department of Transportation Recreation Trails Program.

Support allocation directly benefit parks, recreation, open space, trails, tourism, health and wellness (i.e. utility corridors and mobility).

Support providing additional funding to TxDOT for transportation projects that would benefit cities, so long as existing funding formulas are followed.

Support providing local, state and federal transportation funding for rail as one component of transportation infrastructure.

Support providing additional funding for transportation mobility projects and increased local control over those projects.

Oppose legislation that would limit or eliminate the current flexibility of the Major Events Reimbursement Program as a tool for cities to attract or host major events and conventions.

Support legislation requiring the Legislative Budget Board to include in all fiscal notes attached to legislation the estimated cost of unfunded mandates for local governments.

Taxes

Support legislation amending Chapter 327 of the Texas Tax Code to authorize the collection of municipal sales and use taxes for street maintenance for an indefinite, or at least extended, term instead of the four years provided by current law.

Support legislation resulting in mandatory disclosure of real estate sales prices.

Support legislation allowing a council-option city homestead exemption, expressed as a percentage or flat-dollar amount.

Oppose legislation that would erode the concept that appraisals must reflect the true market value of property.

Oppose legislation that would impose new property tax exemptions that substantially erode the tax base.

Oppose legislation that would impose a property tax freeze that can be implemented by any mechanism other than council action.

Oppose legislation resulting in new mandatory homestead exemptions or exemption increases.

Oppose legislation imposing any sales tax exemption that would substantially erode the tax base.

Oppose legislation that would expand the sales tax base without fully benefitting the city tax base.

Oppose legislation that would alter the city share or the calculation or sourcing of city sales taxes.

Support legislation resulting in beneficial amendments to the equity appraisal statute.

Oppose legislation that would negatively expand appraisal caps.

Transportation

Support legislation that would add a tenth criterion of "location of an emergency services station" to the state criteria related to the proper placement of a traffic signal on a state highway.

Support legislation allowing for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide municipalities with additional funding options and resources to address transportation needs that the state and federal governments are unable or unwilling to address.

Support legislation increasing municipal authority over TxDOT logo signs.

Oppose legislation that would erode or preempt city regulations governing transportation network companies and licensing of their drivers.

Oppose legislation that would increase the permissible size or weight of vehicles under state law.

Oppose legislation that would limit tools or put in place restrictions impairing the development of alternative means of transportation and mass transit, including commuter rail, light rail and high-speed rail.

Tree Preservation

Oppose legislation that would further erode municipal authority in relation to tree preservation requirements.

Utilities

Oppose legislation that would erode local control or reduce municipal ownership or control over effluent and water reuse projects.

Wireless Facilities

Oppose legislation that would further erode a city's ability to regulate wireless and cellular facilities, including small cellular network deployment.



CITY OF BUDA LEGISLATIVE PRIORITIES 2019-2020

INTRODUCTION

The 86th session of the Texas Legislature will begin on January 8, 2019. While the legislative system in Texas inherently makes passage of bills difficult, cities across Texas are still challenged with fending off legislation that can negatively impact a city's ability to self-regulate and finance municipal operations such as public safety, maintenance of infrastructure, and provision of services requested by its citizens. During the 2017 session, of the over 6,500 bills introduced, approximately 2,000 of them would have impacted Texas cities.

This session may be different from past recent sessions as a new Speaker of the House will take control of the Texas House and large freshmen crop of legislators will confer for the first time.

The City of Buda is a member of and works closely with the Texas Municipal League (TML) on legislative issues. While the membership of TML adopts its own legislative agenda, the needs of Buda are sometimes unique from other cities. The priorities in the City of Buda's legislative agenda were identified through input from City of Buda staff, discussion with the City's legislative consultants and other professional organizations, and from input provided by the City Council.

The creation of a legislative agenda develops a unified voice for Buda on the legislative needs of the City. It aids City staff and community leaders in identifying issues that are important to the community and the impact that legislation could have on Buda. The legislative items are not presented in priority order. The City Council may modify or amend its legislative agenda at any time in order to address items as they arise.

CITY OF BUDA LEGISLATIVE PRIORITY #1 – AQUIFER STORAGE & RECOVERY

OVERVIEW

The Water Code negatively limits the City of Buda's effectively implement aquifer storage and recovery. Laws regarding injection wells prohibit water from any source other than untreated Edwards Aquifer water from passing through the Edwards Aquifer. Buda is seeking to amend these obstructions to allow treated drinking water to pass through the Edwards Aquifer for storage in the Trinity Aquifer. Buda is NOT seeking to store water in the Edwards Aquifer.

OBJECTIVES

1. Seek introduction and passage of legislation to support expansion of Aquifer Storage & Recovery.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #2 – LOCAL CONTROL

OVERVIEW

Municipalities often step up to the plate to protect property values, quality of life, and the health, safety, and welfare of their citizens. Historically, the state legislature has believed that “local control” was best, as local government is the level of government closest and most accountable to the people. The City of Buda is opposed to any legislation that attempts to erode municipal annexation authority or control.

Many decisions need to occur at the neighborhood level, and not every neighborhood in a state of 26 million people is the same. Every city is different, and accordingly, each city has different needs. Fast growing cities, such as Buda, rely on financing tools such as municipal bonds to provide infrastructure to meet the growing populations’ needs. City councils are in the best position to consider the unique set of circumstances in each city to determine what is needed and whether a regulation is appropriate. The local communities who elect them hold these city councils accountable for those regulations and decisions. Cities have a long record demonstrating that if they take actions that they public deems are inappropriate, citizens address it effectively through local elections.

OBJECTIVES

1. Local Control - Support the Texas Municipal League’s efforts and oppose legislation that erodes and preempts local control.
2. Annexation – Oppose legislation that would further erode a city’s ability to annex property and authority in the extraterritorial jurisdiction.
3. Local ordinances – Oppose legislation that limits a city’s ability to self-govern and pass local legislation to meet the needs of the citizens.
4. Municipal control over issuance of debt – Support legislation that preserves municipal local control over the issuance of debt.
5. Land use regulation and zoning – Oppose legislation that would erode a city’s land use authority through planning and zoning.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #3 –REVENUE CAPS

OVERVIEW

Cities collect only 16% of the property taxes levied in the state while the majority (55%) goes to school districts. A report from the Texas Comptroller found that municipal property taxes rose by an average of 2.6% per year in the five years preceding 2013. A Texas Municipal League survey found that in 2015, 73 percent of cities either lowered their tax rate from 2014 or adopted the same rate. Revenue caps provide only minimal, symbolic relief, saving taxpayers an average of \$2-3 per month. Such minor relief to taxpayers, taken in aggregate, has severe implications for cities. Revenue generation is essential for growing cities, as growth related revenue gains often lag service demand by 1-2 years. Revenue caps also encourage cities to increase taxes to build up reserves. Implementation of revenue caps negatively affects municipal general fund revenue, with public safety-related departments being the largest portion of such general fund revenue. As a result, public safety services such as police and fire will be restricted. The existing 10 percent maximum annual assessed value increase and 8 percent rollback tax rate are effective tools in managing municipal property tax impacts to citizens.

OBJECTIVES

1. Oppose revenue or appraisal caps and tax limits that impact a city's ability to provide services.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #4 – SCHOOL FINANCE

OVERVIEW

While cities do not regulate schools or school property taxes, school property taxes make up the largest portion of a property owner's tax bill in Buda at 59% compared to the City's portion of 14%. The Texas Legislature has increasingly shifted the cost of public education onto local districts and jurisdictions. The City of Buda supports Hays Consolidated Independent School District, and many other districts in Texas, and their efforts to modernize the state's financing formulas to cover the true costs of educating students in Texas.

OBJECTIVES

1. Support efforts to reform and improve school finance.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #5 – FLOOD PREVENTION & CONTROL

OVERVIEW

Texas has been hit with devastating flooding this decade as a result of severe storms and hurricanes. Buda has been impacted by flooding through recent storm events in 2013 and 2015. Buda's city leaders have worked to address flooding through the construction of flood improvements. The City is also the recipient of a Hazard Mitigation Grant Project from the 2015 Presidential Disaster Declaration but has not been able to begin construction due to extensive review. The City requests that project reviews be expedited by the Texas Division of Emergency Management and the Federal Emergency Management Agency in order to ensure that project may be completed in a timely manner.

OBJECTIVES

1. Continue to allow local control for flood prevention and control.
2. Seek state support for funding of flood control projects.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #6 –HOUSING

OVERVIEW

As the Central Texas region continues to grow, land and home values continue to rise as the housing supply is not able to match the demand. Housing affordability is impacting Texans that have called Central Texas home for generations and residents new to Texas alike. The Housing Tax Credit program is intended to provide tax credits to developers to develop and preserve workforce housing for Texas families. The current scoring system used to allocate funding for this program makes it a political decision rather than one based on need as a letter of support from the local state legislator influences the score. In doing so, legislators have the power to stop or advance a project, despite the need in a community. The scoring process needs revision to ensure that projects are awarded based on the needs of each unique area.

OBJECTIVES

1. Monitor proposed reforms for the Texas Department of Housing and Community Development for the Low Income Housing Tax Credit Program.
2. Oppose legislation that would restrict a city's ability to address affordable housing challenges.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #7 – PARKS & NATURAL AREAS

OVERVIEW

Preservation of natural spaces is more important now than ever as Texas faces exponential growth. The City of Buda, as the Outdoor Capitol of Texas, supports funding for preservation and development of outdoor recreation and natural areas that preserve the natural beauty of Texas for current and future generations.

OBJECTIVES

1. Support funding of Parks and local park grants.
2. Support conservation efforts to protect natural resources and native areas.
3. Support legislation authorizing electric utilities to allow cities to build and operate hike and bike trails and recreational amenities on land and easements occupied by electric utilities.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #8 – MOBILITY

OVERVIEW

Hays County, including the City of Buda, has experienced tremendous growth over the last two decades, resulting in ever increasing traffic and mobility challenges. New ideas are needed to meet the challenge like mass transit solutions such as rail and commuter buses. Because transportation networks cross municipal jurisdictions and counties, a regional approach is needed to make projects work.

OBJECTIVES

1. Support legislation and funding of transportation improvements that address all forms of mobility and address regional needs.
2. Provide cities with tools and resources to address local transportation needs.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #9 – HEALTH & WELLNESS

OVERVIEW

Funding and support for mental health services falls short of the need in Texas. With its expanding population, more Texans now than ever need access to affordable mental health resources. Cities like Buda are often ill-equipped to meet this need due to a lack of resources and training. Instead of addressing mental health needs with mental health professionals that can proactively address issues, cities are often forced to dispatch police officers to address mental health issues. The City of Buda requests the State of Texas to address the mental health needs of Texans by providing additional resources that safely and humanely serve those in need.

OBJECTIVES

1. Support legislation and efforts to address mental health needs.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #10 – RIGHT OF WAY

OVERVIEW

Cities are responsible for providing transportation and distribution of utility systems throughout a community. Cities are responsible for the maintenance of municipal rights of ways and should be able to regulate how they are used. Past legislation has preempted the ability of cities to regulate rights of ways. One such example was the placement of wireless transmission facilities on city assets located in municipal right of way.

OBJECTIVES

1. Support legislation that supports municipal authority to manage infrastructure and issues affecting rights of way.
2. Oppose legislation that erodes a city's authority to regulate the location of infrastructure in rights of ways.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #11 – ECONOMIC DEVELOPMENT

OVERVIEW

Texas continues to grow due to its great natural resources, low taxes, educated workforce, and reasonable regulations. The City of Buda supports legislation that continues to provide Texas and its cities with the tools it needs to attract national and international companies as well as to support home-grown businesses, including extension of the Chapter 312 Tax Abatement program.

OBJECTIVES

1. Support legislation that preserves or enhances the City's economic development tools to expand the local economy.
2. Oppose legislation that restricts a city's ability to compete for projects that provide jobs and economic benefit to the community.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #12– MUNICIPAL BROADBAND

OVERVIEW

The Texas Utilities Code prohibits municipalities from providing telecommunication services, unless there is no private option. While the Federal Communications Commission has attempted to preempt state laws prohibiting municipal broadband, federal courts have consistently struck down the FCC's reach. Federal legislation has been introduced (the Community Broadband Act) which would prohibit state governments from limiting a city's ability to provide public telecommunications in a competitive manner to private providers or through a public-private partnership.

OBJECTIVES

1. Support Net Neutrality.
2. Remove barriers that restrict a municipalities' ability to provide broadband service as a utility.

COMMENTS

CITY OF BUDA LEGISLATIVE PRIORITY #13 – HOTEL OCCUPANCY TAX

OVERVIEW

Chapter 351 of the Tax Code defines how municipalities may collect and use a municipal hotel occupancy tax. Cities are able to use the tax revenue on specific uses such as construction and operation of a convention and visitor's center, the promotion of arts, historical restoration and preservation, sporting event promotion, and, in limited cases, construction of sport fields or sporting facilities. The existing legislation also requires that the funding uses provide a demonstrable impact on bringing tourists to the community that then stay in local hotels. The current Ch. 351 of the tax code is riddled with bracketed legislation. Furthermore, construction of art exhibit or performance spaces is not an allowable use.

OBJECTIVES

1. Support an overhaul of Ch. 351 of the Tax Code that makes application of the tax code consistent across all communities.
2. Support legislation that enables municipalities to use hotel occupancy tax revenues to further promote the arts and tourism through the construction of art exhibit and performance spaces.

COMMENTS



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-21-

Contact: Alicia Ramirez

Subject: Adoption of a Resolution of the City Council of the City of Buda, Texas, designating the Hays Free Press as the official newspaper of the City of Buda, Texas, for 2019; and providing an effective date (City Clerk Alicia Ramirez)

1. Executive Summary

Per the City of Buda Charter Section 10.05 Official Newspaper, the City Council shall declare annually an official newspaper of general circulation in the City. All captions of ordinances, notices and other matters required by this Charter, City ordinance, or the Constitution and laws of the State of Texas shall be published in the official newspaper.

2. Background/History

As soon as practicable after the beginning of each municipal year, the governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper of the municipality to be the municipality's official newspaper until another newspaper is selected.

3. Staff's review and analysis

As per the Charter and Local Government Code (LGC) Section 52.004, this Resolution designates the Hays Free Press as the Official Newspaper of the City of Buda, Texas, for 2019.

4. Financial Impact

None at this time. Cost for publications will vary throughout the year.

5. Summary/Conclusion

The designation is a routine action required by the Charter and LGC.

6. Pros and Cons

N/A

7. Alternatives

N/A

8. Recommendation

Staff recommends approval of the Resolution designating the Hays Free Press as the Official Newspaper of the City of Buda, Texas for 2019.

RESOLUTION NO. 2019-R-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, DESIGNATING THE HAYS FREE PRESS AS THE OFFICIAL NEWSPAPER OF THE CITY OF BUDA, TEXAS, FOR YEAR 2019; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 52.004 of the Local Government Code provides that the City Council shall, as soon as practical after the beginning of each municipal year, designate a public newspaper of the city to be the official newspaper until another is selected; and,

WHEREAS, Section 10.05 of the City of Buda City Charter provides that the City Council shall declare annually an official newspaper of general circulation in the City. All captions of ordinances, notices and other matters required by this Charter, City ordinance, or the Constitution and laws of the State of Texas shall be published in the official newspaper; and,

WHEREAS, the City Council of the City of Buda desires to officially designate the official public newspaper of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, THAT:

SECTION 1: The City Council of the City of Buda hereby designates *The Hays Free Press*, a public newspaper in and of the City of Buda, Hays County, Texas, as the official newspaper of said City, the same to continue as such until another is selected, and shall cause to be published therein all ordinances, notices and other matters required by law or by ordinance to be published.

SECTION 2: The City Manager is hereby given authority to designate *The Hays Free Press*, for said newspaper to become the official newspaper of the City of Buda.

SECTION 3: This resolution shall become effective immediately upon its passage.

PASSED, APPROVED, and ADOPTED this the 15th day of January, 2019.

THE CITY OF BUDA, TEXAS

ATTEST:

George Haehn, Mayor

Alicia Ramirez, City Clerk

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City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-22-

Contact: John Nett

Subject: Hold a public hearing to receive written and oral comments regarding the City of Buda's Flood Early Warning System Project being performed under the Texas Water Development Board Flood Protection Planning Program (City Engineer John Nett; Sara Hustead of the Texas Water Development Board)

1. Executive Summary

The Texas Water Development Board (TWDB) administers grants to political subdivisions of the State of Texas for evaluation of structural and nonstructural solutions to flooding problems. Political subdivisions of the State of Texas with the legal authority to plan for and implement flood protection measures within their jurisdictional area and are members of the National Flood Insurance Program (NFIP) are eligible to apply.

Key performance provisions for a project performed under the TWDB Flood Protection Planning Program are as follows:

- Grant applicants must provide acceptable evidence of local matching funds on or before the date specified for negotiation and execution of a contract;
- Grant applicants must coordinate existing and planned flood protection activities in a watershed in a manner that avoids duplication of efforts;
- Any subcontracts for professional services for the grant applicant must be awarded in accordance with the Texas Government Code Chapter 2254, Professional and Consulting Services;
- All subcontracts must be approved in writing by the TWDB before being contracted or assigned;
- Grant applicants must hold a minimum of three (3) public meetings between the project participants, consultants, local entities, the TWDB, and the affected public to solicit comments on the content of the planning project, and to receive comments on the draft final project report; and
- All project funding from the TWDB will be on a cash reimbursable basis with a 10% retainage to be withheld until conclusion of the project;

In response to the TWDB Fiscal Year 2016 Request for Proposal for Flood Planning Projects, the City of Buda submitted an application and was awarded a grant by the TWDB for a Flood Early Warning System (FEWS) project.

2. Background/History

The TWDB authorized a Disaster Contingency Fund flood protection grant project for the City of Buda. The project included the construction of permanent FEWS installations at selected flood-prone locations on public roads inside the City. The project enhanced the Hays County FEWS through the installation of automated signals at the following flood-prone locations in the City:

- Onion Creek Bridge on RM 967
- Cole Springs Road at RM 967
- Garlic Creek Culvert on RM 967
- Bluff Street at FM 2770

The selected locations were identified as a result of the October 2013 and May 2015 floods. In accordance with the amended TWDB contract, the City must complete the grant project by January 31, 2019. The remaining elements of the project involve a final public meeting and the submittal of a draft final report to the TWDB.

3. Staff's review and analysis

Article II, Section 5 of the TWDB grant project contract requires that the City (acting as CONTRACTOR) perform the following actions:

The CONTRACTOR shall hold public meetings with the PARTICIPANTS, consultants, local entities, the TWDB, and any interested parties, to describe the PROJECT and to solicit input and comments from the affected public. Public meetings must be conducted in accordance with the Texas Open Meetings Act and held as determined by the CONTRACTOR and TWDB but at a minimum, at the commencement of the study, near the mid-point of the study, and upon completion of the FINAL REPORT.

The public meetings must be conducted in accordance with the Texas Open Meetings Act. The City of Buda Regular City Council Meeting provides adequate and proper venue for such public meetings.

4. Financial Impact

Funding for the City's share of the procurement of the FEWS equipment was available and paid from the General Fund Account 100-4119-560-5627 in the FY 2017 budget, which were encumbered into the FY 2018 as a part of the budget amendment approved by the City Council on February 6, 2018. The construction is complete and construction funds have been dispersed.

5. Summary/Conclusion

A properly designed and implemented FEWS can save lives and reduce property damage by increasing the time to prepare and respond to the threat posed by flash flooding events common to Central Texas. Reliable infrastructure for flood risk management allows local authorities to respond effectively and therefore work to prevent loss of life. The FEWS monitors precipitation, stream levels, and water rise at low water crossings at the designated project locations 24 hours a day, 365 days a year. During a flood event, City staff and emergency management personnel will be able to work more closely for effective and timely community response. The FEWS supports the vital National Weather Service public service message to the members and visitors of our community – “Turn Around Don’t Drown”.

6. Pros and Cons

Completion of TWDB grant project has yielded the following benefits:

- The early flood detection system has improved safety in flood prone areas of the City of Buda;
- The installed equipment is fully compatible with and has enhanced the FEWS network within Hays County; and
- The project provides real-time flood monitoring data to support flood mitigation efforts.

7. Alternatives

Project performance expectations were achieved by all project participants.

8. Recommendation

Staff recommends that City Council hold a third and final public hearing to receive input from project stakeholders, to include the Texas Water Development Board and citizens, regarding the completed City of Buda Flood Early Warning System flood planning project.



Flood Early Warning System

- Texas Water Development Board (TWDB) Flood Protection Planning Program
 - Administers grants for evaluation of structural and nonstructural solutions to flooding problems
 - Requires project planning to be regional in nature and consider the flood protection needs of the entire watershed
 - Seeks eligible projects that include implementation of beneficial solutions to flood problems



Flood Early Warning System

- The TWDB requires that public meetings be held by grant project participants with TWDB participation, as well as other interested parties
- The purpose of these public meetings is to describe the flood planning grant project, and to solicit input and comments from affected stakeholders
- Public meetings must be conducted at the beginning of the project, near the mid-point of the project, and upon completion of the project



Flood Early Warning System

- On January 27, 2017, a Flood Protection Contract was executed between the TWDB and the City of Buda for the Onion Creek Watershed planning area
- TWDB project share is the lesser of \$292,890 or 50% of total project costs (up to \$585,780)
- City of Buda project share is 50% of total project costs and/or in-kind contributions
- Project completion date is January 31, 2019
- Requires completion of final project report



Flood Early Warning System

- TWDB grant supported the construction of permanent flood early warning system (FEWS) installations at selected flood-prone locations on public roads inside the City of Buda
- The City worked with Hays County to ensure the new installations enhance area-wide reporting of real time flood information
- The HydroLynx Systems equipment is fully compatible with the Hays County FEWS network



Flood Early Warning System

The City of Buda's grant subcontractor, Water & Earth Technologies (WET), installed automated warning signals at the following flood-prone roadway locations:

- Onion Creek Bridge on RM 967
- Cole Springs Road at RM 967
- Garlic Greek Culvert on RM 967
- Bluff Street at FM 2770



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



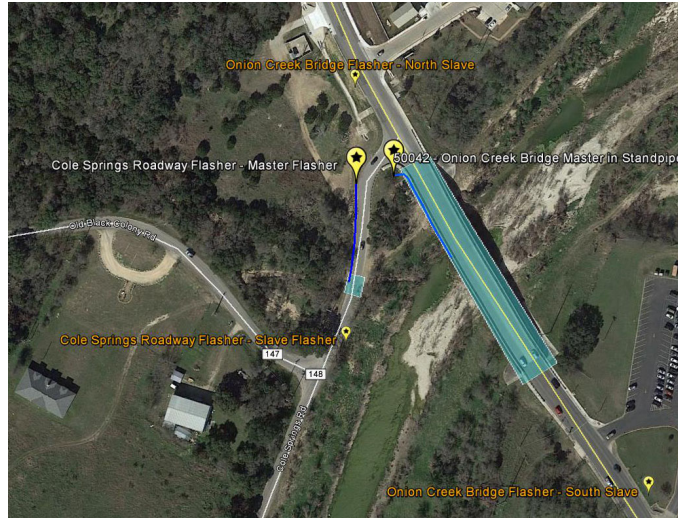
Flood Early Warning System



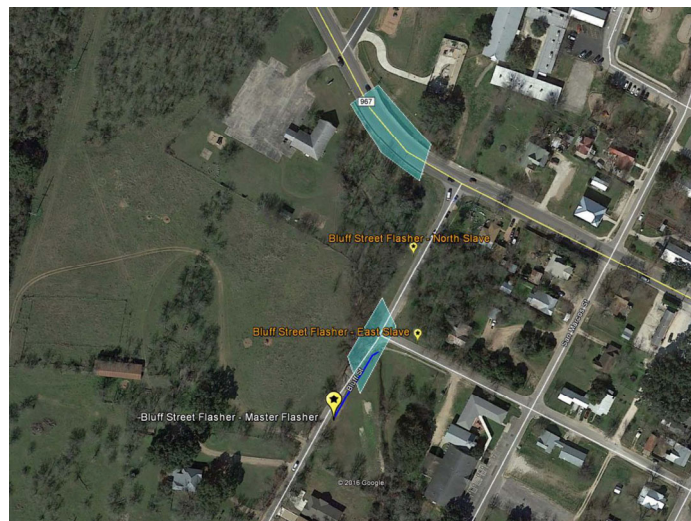
Flood Early Warning System



Flood Early Warning System



Flood Early Warning System



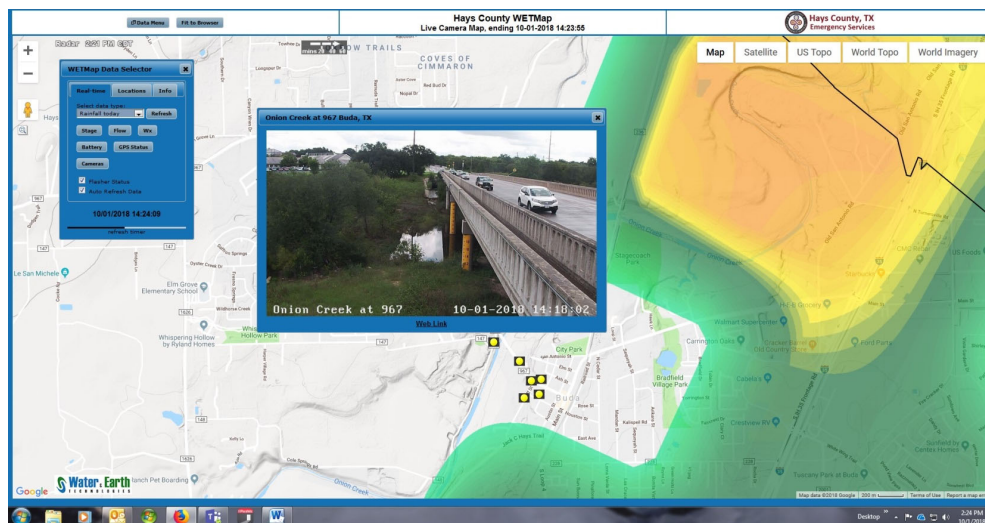


Flood Early Warning System

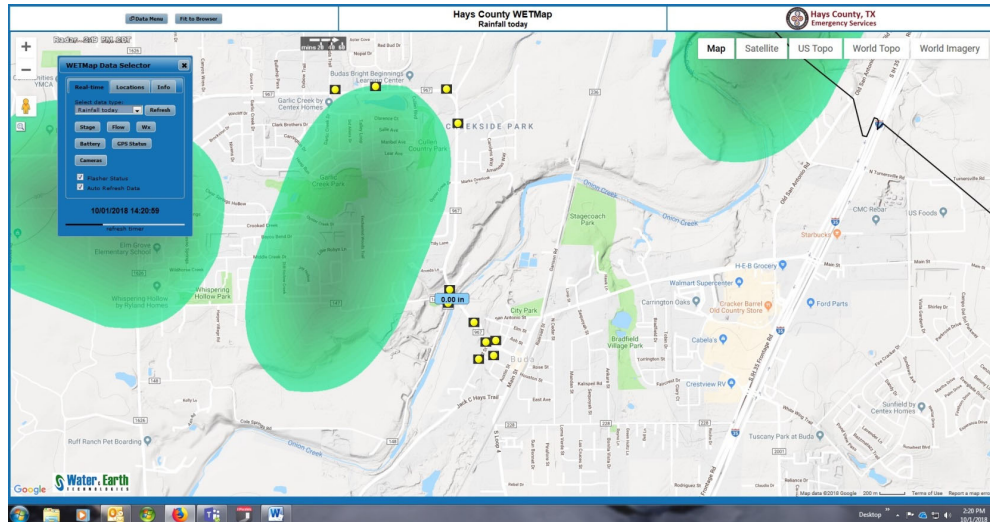
- The City's FEWS sites are viewable through Hays County's Flood Map website.
- Because some data are sensitive in nature, a portion of the viewer is fire-walled.
- The public site is accessible through Hays Informed <http://novastar-main.co.hays.tx.us/WETMapV3/HaysCounty/public/WETMap.html>
- As the county-wide datasets and data types grow, they will continue to be added to flood hazard awareness applications.



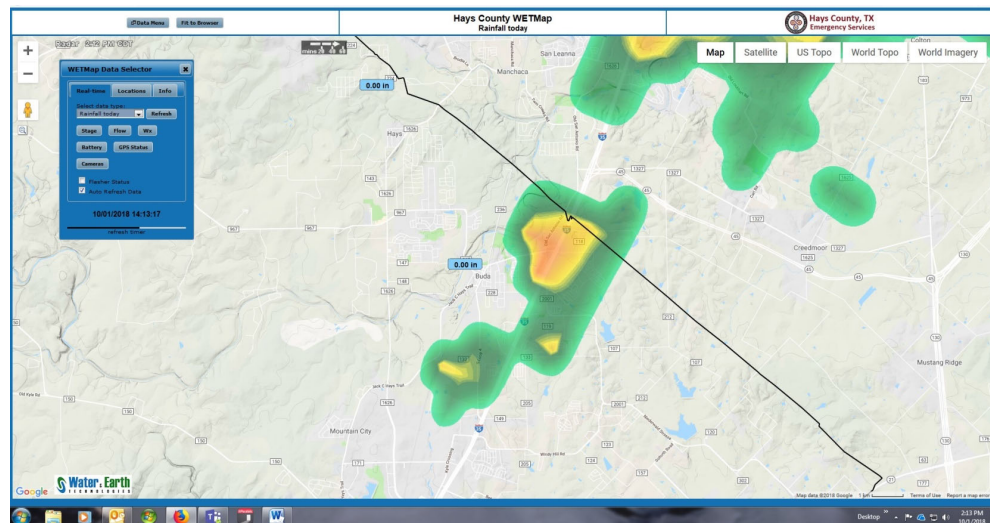
Flood Early Warning System



Flood Early Warning System



Flood Early Warning System





Flood Early Warning System

Remaining Items

- Review and approval of project final report by TWDB.
- Continue improving signal redundancy of County's FEWS network with Buda's FEWS stations so each station signal is able to be received at multiple base stations.
- Relocate receiver/decoder (base station) at the FM 2770 Buda Fire Station to the City of Buda's Beacon Hill elevated storage tank on RM 967 1-½ miles west of FM 1626.
- Secure annual maintenance agreement with WET.



Flood Early Warning System

In summary, the City of Buda's Flood Early Warning System

- **Reduces threats to persons and property** by increasing the time to prepare and respond to the threat posed by flash flooding events
- **Monitors in real time** precipitation, stream levels, and water rise at low water crossings at the designated project locations **24 hours a day, 365 days a year**
- **Allows** City staff and emergency management personnel to work closely **for more effective and timely community response during a flood event**
- **Supports the vital** National Weather Service public service message to residents and visitors of our community – **"Turn Around Don't Drown"**



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-16-

Contact: David Fowler

Subject: Hold a public hearing regarding a Specific Use Permit for a Professional, Medical or Business Office in the Form District 4H (F4H) zoning district for the property known as Trudy Point, Block A Lot 1, City of Buda, Hays County, Texas, covering +/- 1.671 acres, addressed as 825 Main Street, Buda, TX 78610 (Senior Planner David Fowler)

1. Executive Summary

Specific Use Permit (SUP) for a proposed office use at 825 Main Street in the F4H Zoning District. Despite the presence of office tenants in the two-building complex, a recent change in zoning requires an SUP for new office uses. This action would avoid the need for an SUP for new uses going forward.

2. Background/History

This office building was developed in 2016. The zoning district in place at the time of building was C2-R2, in which office was permitted. The 2017 adoption of a new zoning map placing the subject property in the F4H district made it necessary to obtain an SUP for new office uses.

3. Staff's review and analysis

This SUP is located in an existing building. No modification of the buildings or grounds is proposed. Parking is adequate for the continuation of the existing office and day care uses on the site. Staff recommends approval of the SUP without conditions.

4. Financial Impact

As the two-building complex on the property is existing, the approval of the SUP should have no fiscal effects.

5. Summary/Conclusion

This is an action that makes the step of permitting new uses similar to those currently in place on the site.

6. Pros and Cons

Pro: Will allow office uses to locate on the site without needing future Council actions.

Cons: None

7. Alternatives

City-initiated rezoning of the site and the adjacent site at 835 Main to B-2 (Arterial Commercial)

8. Recommendation

Approval without conditions



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-20-

Contact: David Fowler

Subject: Hold a public hearing regarding a request to change the zoning from Agricultural (AG) to Planned Development (PD) for approximately 17.39 acres out of the SVR Eggleston Survey, located north of Old Black Colony Road and east of Middle Creek Drive, addressed as 3026 Old Black Colony Road (Z 18-05) (Freese & Nichols Consultant Chance Sparks)

1. Executive Summary

Proposed zoning change of agriculturally-zoned land to Planned Development (PD) in order to build an innovative residential development community, based on the Traditional Neighborhood Design option. The proposed development would have a mix of small-lot single-family detached homes and townhouses, with a maximum yield of 139 housing units.

2. Background/History

The proposed zoning change was originally submitted for R-3 (One and two family residential) zoning, using the Traditional Neighborhood Design option. Due to community opposition to the original design, including the size of the residences and the connectivity to existing streets, the proposal was revised to a Planned Development (PD) zoning proposal. The PD raises the standards for the building materials of the residential units, while adding a buffer between the development and adjacent homes. The PD also waives the requirement for new subdivisions to connect to existing streets adjacent to the new subdivisions.

3. Staff's review and analysis

Based on community meetings held since the original rezoning proposal was presented, the proposed planned development should offer an improved product over the original submission, due to the addition of vegetative buffers and upgraded building materials.

4. Financial Impact

The project should allow for efficient utilization of infrastructure, due to its density and location near existing infrastructure. This project should also provide greater taxable value per acre as a result of its higher density.

5. Summary/Conclusion

The proposed Planned Development ordinance is the product of close coordination between the developer, city staff and the Whispering Hollow neighborhood. As a result of the improvements to the original proposal, the Planning and Zoning Commission voted 5-1 to recommend approval of the

Planned Development zoning.

6. Pros and Cons

Pros: Upgraded, customized zoning district designed to be responsive to community concerns. Development will provide townhouse and smaller-lot residential options currently unavailable in the city. First implementation of the Traditional Neighborhood Design section of the 2017 Buda Unified Development Code.

Cons: As part of the compromise with the nearby neighborhood, the proposed PD waives the city's street connectivity requirement for new subdivisions. Because of the need to write a PD that differs from the standard language of the ordinance, the resulting development would not provide an exact example of what the Innovative Residential Design section of the UDC can produce.

7. Alternatives

Approve the ordinance, approve with modifications, table the ordinance pending additional information or deny the PD ordinance.

8. Recommendation

Approval as submitted.



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-13-

Contact: Micah Grau

Subject: Presentation by Hays County Commissioner Mark Jones on transportation, drainage, and other projects (Hays County Precinct 2 Commissioner Mark Jones)

1. Executive Summary

Commissioner Mark Jones will provide the City Council with an update on the various transportation and drainage project occurring in Hays County.

2. Background/History

3. Staff's review and analysis

4. Financial Impact

Not applicable.

5. Summary/Conclusion

6. Pros and Cons

Not applicable.

7. Alternatives

Not applicable.

8. Recommendation



HAYS COUNTY PROJECT UPDATE

Presenter: Commissioner Mark Jones

Precinct 2



SH 45 SW PROJECT



- Project Timeline: Construction completion late 2019
- Current Completion Percentage: 86%
- Construction Information at www.sh45sw.com
- <https://www.youtube.com/watch?v=RC3dHRE4lw8#action=share>



HAYS COUNTY PASS-THROUGH PROGRAM

- FM 1626 South (FM 967 to FM 2770)
- Project is currently under construction.
- Utility Relocations ongoing.
- Estimated Completion: Mid-2019



HAYS COUNTY AND TXDOT PARTNERSHIP PROGRAM: PRECINCT 2

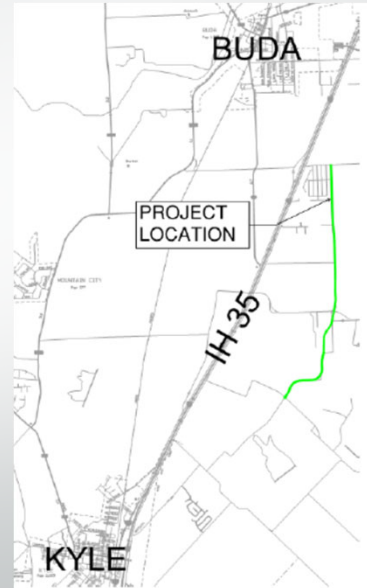
- RM 967 (Cole Springs to FM 1626)
- Project is complete
- Robert S. Light/Buda Truck Bypass (I-35 to FM 1626)
- Design and Utility Relocation ongoing.
- This project received additional funding in the 2016 Hays County bond.
- FM 2001 (I-35 to SH 21)
- Public Hearing on the project was held on March 28, 2017.
- Environmental clearance estimated for late summer 2017.
- This project received additional funding in the 2016 Hays County Bond and CAMPO 2019-2022 Project Call.





NOVEMBER 2016 BOND PROJECTS: PRECINCT 2

- Dacy Lane Widening
Budget: \$10,000,000
- Hillside Terrace Safety Improvements and right-of-way preservation
Budget \$2,600,000



NOVEMBER 2016 BOND PROJECTS: PRECINCT 2

- FM 967 Safety Improvements (Railroad Tracks to I-35)
Budget: \$5,900,000
- RM 967 Turn Lanes (Oak Forest Dr. to FM 1626)
Project received addition funding in the 2019-2022 CAMPO project call.

***Precinct 2 Total Budget: \$35,300,000**



NOVEMBER 2016 BOND PROJECTS: COUNTY WIDE

- Drainage/Low Water Crossing/Bridge Replacements, Environmental Mitigation/Conservation and Non-Motorized Transportation
 - Budget: \$22,500,000
 - Safety/Mobility/(County and State System) Match
 - Budget: \$10,000,000
- *County Wide Total Budget: \$32,500,000
- * Total Bond Budget: \$131,400,000

ADDITIONAL PROJECTS

- Main St. Extension (Buda to Pleasant Valley)
- Precinct 2 Drainage Study (Coves of Cimarron, Leisurewoods, Shady Grove, and Oxbow Trail)



QUESTIONS?



City Council Agenda Item Report

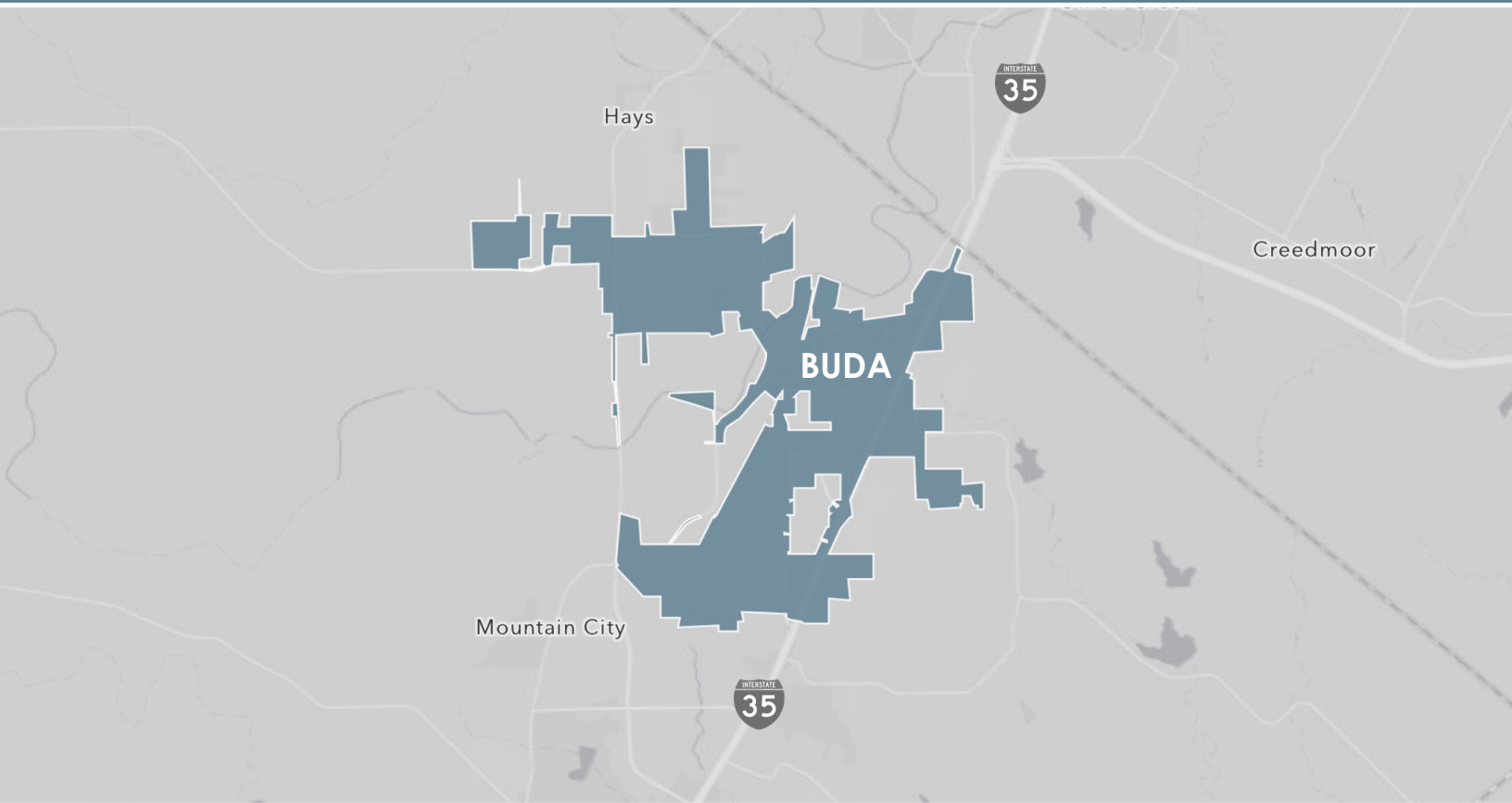
Date: Tuesday, January 15, 2019

Agenda Item No. 2019-17-

Contact: Ann Miller

Subject: Presentation and possible action regarding the 2018 Buda Economic Development Strategic Plan (EDC Executive Director Ann Miller, Tom Stellman - TIP Strategies)

- 1. Executive Summary**
- 2. Background/History**
- 3. Staff's review and analysis**
- 4. Financial Impact**
- 5. Summary/Conclusion**
- 6. Pros and Cons**
- 7. Alternatives**
- 8. Recommendation**



ECONOMIC DEVELOPMENT STRATEGIC PLAN

BUDA ECONOMIC DEVELOPMENT CORPORATION

ACKNOWLEDGMENTS

TIP would like to thank the following individuals and organizations for their participation in this planning process.

PROJECT STEERING COMMITTEE

Jose Montoya, *Board President, Buda EDC*

John Hatch, *Board Member & Treasurer, Buda EDC (also Buda Area Chamber of Commerce Board Member)*

Eileen Altmiller, *Board Member, Buda EDC*

George Haehn, *Mayor, City of Buda*

Kenneth Williams, *City Manager, City of Buda*

Lysa Gonzalez, *Tourism Director, City of Buda*

Mark Jones, *County Commissioner, Hays County*

Eric Wright, *Superintendent, Hays Consolidated Independent School District*

Natalia Almanza, *High School Programs Enrollment and Outreach Coordinator, Austin Community College-Hays Campus*

J.R. Gonzales, *Executive Director, Buda Area Chamber of Commerce*

Chris Schreck, *Planning and Economic Development Director, Capital Area Council of Governments*

Marc Cavazos, *Plant Manager, Deep Eddy Vodka*

Dodi Ellis, *Owner, Buda Mill & Grain Co.*

Dennis Guerra, *General Manager—Austin, Scarborough Lane Development (Sunfield)*

Susan Harris, *President, Austin Site Solutions*

Brad Hullum, *Owner, Reliable Automotive*

Scott Logan, *President & CEO, Night Hawk Frozen Foods*

Steve Ogden, *Owner, Main Street Properties*

Julie Renfro, *Owner/General Manager, Tavern on Main (also Main Street Board Member)*

Jessica Shelton, *Realtor, Star Tex Real Estate*

BUDA ECONOMIC DEVELOPMENT CORPORATION STAFF

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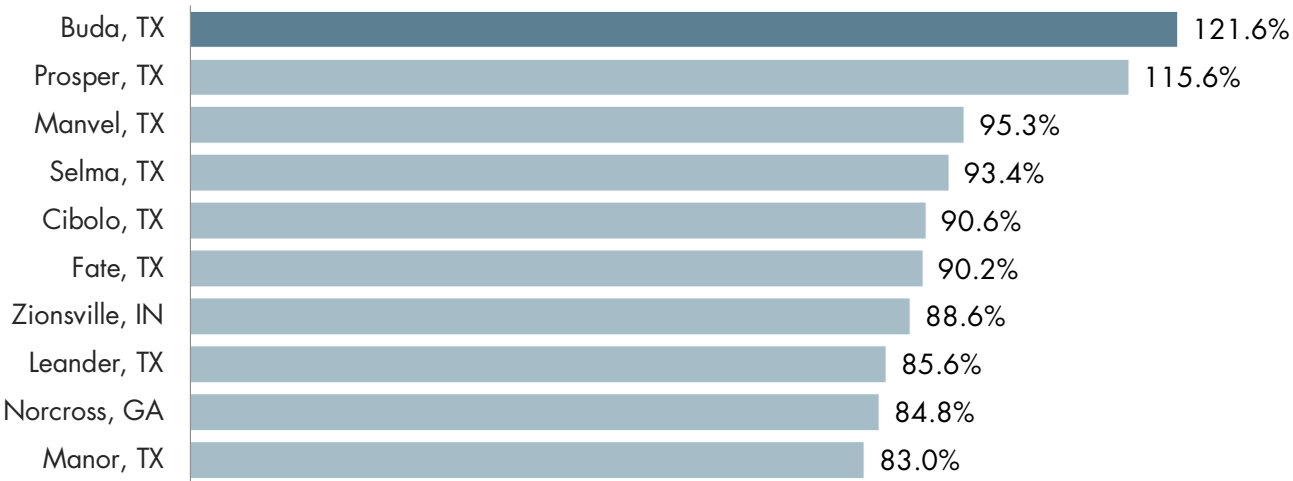
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EXECUTIVE SUMMARY

INTRODUCTION

Buda is growing faster than any other city in the country, more than doubling its population between 2010 to 2017. With tremendous growth comes remarkable opportunity. But the unparalleled growth and development in Buda brings challenges alongside the benefits. The obvious challenge for the City is keeping pace with the growth from an infrastructure and public services standpoint (police, fire, schools, parks). A less obvious, but just as important, challenge is the potential for local leaders to relax in terms of economic development. It can be easy to assume that growth will *simply happen*, and that there is no need to invest in business development efforts. This assumption cannot be allowed to take hold. A focused economic development program is essential for future prosperity. Channeling and focusing growth will be especially important for Buda as the City approaches **a nearly 100 percent built-out state** in the next 10 to 20 years.

FIGURE 1. FASTEST-GROWING US CITIES, 2010-2017
PERCENT CHANGE IN POPULATION FROM 2010 TO 2017 AMONG US CITIES WITH AT LEAST 5,000 RESIDENTS IN 2010



Source: US Census Bureau, Population Estimates Program.

ORGANIZATIONAL BACKGROUND

Organizational background: Established in 2001, the Buda Economic Development Corporation (EDC) is a Type B EDC created under sections 501, 504, and 505 of the Texas Local Government Code. The EDC is funded through a dedicated half-cent sales tax. The EDC is the lead economic development entity for Buda, working in partnership with the City of Buda and the Buda Area Chamber of Commerce to strengthen and grow the local economy.

Buda EDC’s mission: The EDC’s mission is to provide leadership in creating and pursuing balanced economic growth, by recruiting and retaining desirable, diverse businesses and developing infrastructure, while protecting the quality of life and natural resources in the region. The EDC helps to grow the economy in Buda by actively recruiting new retail, manufacturing, and office businesses to Buda, providing small business assistance and guidance, and working with existing Buda businesses by providing assistance with growth and expansion.

PROJECT APPROACH

In response to the challenges and opportunities facing Buda's economic future, the Buda EDC initiated a planning effort to create a new economic development strategic plan for the community. This builds on the 2013 economic development strategic plan and provides a new framework to guide the community's growth over the next 10 years. The EDC engaged economic development consulting firm TIP Strategies, based in Austin, to lead the strategic planning process. The consultants were supported by EDC staff and a designated Steering Committee of local community and business leaders. The resulting plan outlines a set of strategic initiatives to expand existing industry and business sectors in Buda, recruit new businesses to the community, and encourage new commercial investment and development in the community. The plan is supported by an implementation matrix that outlines the actions, priorities, and timeframes needed to effectively execute the recommendations.

To provide a foundation for the planning process, the TIP consulting team conducted an assessment of Buda's demographics, employment patterns, industry concentrations, commuting flows, and other qualitative and quantitative factors affecting the City's competitiveness. For comparative purposes, data are shown for the City of Buda, Hays County, the five-county Austin metro area (Hays, Travis, Williamson, Caldwell, and Bastrop Counties), Texas, and the US. The results of this economic analysis are included in Appendix 3 of this report. The team's quantitative analysis was supplemented by an extensive input process that included dozens of community and business leaders through roundtable discussions and individual interviews. In addition, an online survey was conducted to elicit local stakeholders' views of Buda's competitive position and document their thoughts on the community's opportunities and challenges. Stakeholder views were incorporated into the SWOT analysis (also in Appendix 3) and helped to inform strategies. A target industry analysis, which provides details on the most promising growth sectors for new business investment and job growth in Buda, is included in Appendix 4.

VISION

A forward-looking economic development strategic plan must be driven by a clear vision. Meaningful vision statements are bold, provide a clear direction, and differentiate the community from its competition.

Buda is the most dynamic business center between Austin and San Antonio—a leading destination for high-growth companies, skilled and creative workers, and high-impact real estate development projects.

GUIDING PRINCIPLES

Guiding principles reflect the values of a community. In the context of an economic development strategy, they are a set of statements expressing how a community defines economic development. The plan's guiding principles are designed as cross-cutting themes and reference points for the goals and strategies. Each guiding principle is forward-looking and helps point the community toward growth and improvement. The strategic plan is built on a framework of three guiding principles.

1. DIVERSIFIED: *Buda offers a fertile environment for a broad range of industries that offer employment opportunities at all wage levels.*

2. COMPETITIVE: *Buda is able to compete with any community in the Austin–San Antonio corridor and nationwide for business expansion and relocation projects.*

3. CAPITAL-INTENSIVE: *Buda is a leading destination for new capital investment and high-growth businesses that create lasting value for the local economy.*

GOALS

The following five goals support the vision statement and the guiding principles. Together, the vision, the guiding principles, and the goals form the framework for the strategic plan. Specific strategies and actions are contained within each goal.

GOAL 1. BUSINESS DEVELOPMENT: *Grow Buda’s economy through recruitment of new investment and job growth in a set of target industries and through the retention and expansion of existing employers.*

GOAL 2. SMALL BUSINESS GROWTH AND ENTREPRENEURSHIP: *Create a robust local environment for the growth of small businesses and entrepreneurial companies.*

GOAL 3. ORGANIZATIONAL ALIGNMENT: *Align Buda’s economic development partners to address key issues such as workforce and transportation that affect the EDC’s ability to grow the local economy.*

GOAL 4. REAL ESTATE DEVELOPMENT: *Elevate Buda’s profile as a key market for commercial real estate development within the Austin–San Antonio corridor.*

GOAL 5. HIGH-IMPACT OPPORTUNITIES: *Pursue catalyst projects and high-impact development opportunities.*

OUTCOMES

An important component of any successful strategic plan is the set of metrics used to track the plan’s implementation over time. The plan’s goals and strategies are designed to move Buda’s local economy in the direction of the following desired outcomes.

- **EMPLOYMENT GROWTH:** Increase the number of new jobs in Buda—especially jobs that pay above the local median wage and above the median wage within the industry—to provide greater economic opportunities for residents and to expand the share of residents who live and work in the community.
- **BUSINESS GROWTH:** Attract business expansion and relocation projects from outside the City, and help existing companies remain and grow in Buda.
- **CONSTRUCTION OF NEW COMMERCIAL SPACE:** Develop new commercial office space, retail/restaurant space, hotels, and light industrial/flex space.
- **GROWTH OF LOCAL TAX BASE:** Expand the local sales tax base and commercial property tax base.
- **CAPITAL INVESTMENT:** Attract new investments from existing employers, new companies, and real estate developers.

STRATEGIC ACTION PLAN

GOAL 1. BUSINESS DEVELOPMENT

Grow Buda's economy through recruitment of new investment and job growth in a set of target industries and through the retention and expansion of existing employers.

This strategic plan aims to challenge Buda's leadership with bold ideas and a more aggressive approach to economic development. Nonetheless, there remains a set of core economic development activities that must be continued and expanded on to maintain the community's positive economic momentum. These activities are focused on target industry recruitment, business retention and expansion, and enhancing Buda's online and social media marketing efforts.

FOCUS AREAS

- Target industry recruitment
- Business retention and expansion
- Buda's online and social media presence

Business recruitment must be a top priority for any successful economic development program operating in a high-growth environment like the Austin–San Antonio corridor. The Buda EDC has facilitated numerous recruitment projects in recent years that have brought new jobs and investment to the local economy. New business attraction efforts focused on a set of target industries will help Buda compete successfully for expansions and relocation projects, which can yield immediate positive results for the community. However, this should not come at the expense of existing employers in Buda. The community benefits from a diverse base of established employers. Collectively, Buda's existing companies provide thousands of jobs and form the foundation of the local economy. A strong business expansion and retention (BRE) program is important, not only because of job creation, but because it is difficult to recruit a new company if existing businesses are not thriving. In addition to fostering a supportive local business climate, a dynamic BRE program should also include efforts to mitigate the risks and vulnerabilities facing existing employers. For example, businesses that have recently been acquired by out-of-market companies or investors are often at risk of downsizing or relocation. Cultivating close relationships with the community's existing employers can also provide inside knowledge that could lead to growth from other sources, such as the recruitment of suppliers and service providers.

STRATEGIES AND ACTIONS

1.1. TARGET INDUSTRY RECRUITMENT. Launch an aggressive business recruitment program focused on companies within a set of target industries.

1.1.1. Focus business recruitment and marketing efforts on five target industries (*described in more detail in the target industry analysis in Appendix 4*).

- **IT AND BUSINESS SERVICES:** software and IT services, corporate and regional HQs, and professional services firms
- **RETAIL, TOURISM, AND HOSPITALITY:** retail stores, restaurants, conference center hotel, entertainment venues, and festivals and events.
- **MEDICAL:** hospitals, physicians' offices (general practitioners and specialties), testing laboratories, and long-term care facilities.
- **FOOD AND BEVERAGE:** craft food processing, breweries, and distilleries.
- **LIGHT INDUSTRIAL:** e-commerce and fulfillment centers, warehousing and distribution, construction products and services, production technologies, and light manufacturing facilities.

1.1.2. Create new marketing materials around Buda’s target industries.

- Design customized messages for each target that tell compelling stories about why Buda is a good fit for that particular industry.
- Create high-quality print and online marketing materials—including one-pagers and pages on the EDC website—to showcase Buda’s assets specific to each target industry.

Best practices: Craft beer in Asheville, NC; Animal health in Kansas City MO/KS

1.1.3. Regularly attend relevant trade shows and business conferences (at least once per quarter), focusing on events that provide opportunities to market directly to key decision-makers in Buda’s target industries. *A list of relevant industry associations, 2018–2019 trade shows, and publications is provided in the target industry analysis in Appendix 4.*

1.1.4. Position Buda as a preferred landing spot for high-growth companies in the Austin area seeking a new location or an expansion facility.

- Build relationships with company leadership of Inc. 5000 firms and other high-growth companies based in the Austin metro area.
- Cultivate relationships with business incubators/accelerators in the region (such as Capital Factory and Austin Technology Incubator) to identify rapidly growing startups on the verge of outgrowing their existing space, which might consider expanding or relocating to Buda.

1.1.5. Conduct an annual “fam tour” for site consultants and commercial real estate brokers to generate awareness of Buda as a desirable destination in the Austin–San Antonio corridor for business expansions and investment.

1.2. BUSINESS RETENTION AND EXPANSION. Work closely with Buda’s existing employers to help them remain and grow in the community.

1.2.1. Continually update and expand the EDC database of existing businesses.

1.2.2. Launch a formal business visitation program to better address the needs of local employers.

- Focus the visitation program on Buda’s largest employers and on strategic smaller companies, including those that serve external markets, have high growth potential, and/or fall into one of the EDC’s target industries.
- Structure business visits with the goal of understanding and responding to the major issues facing local employers.
- Prioritize visits so that Buda’s largest employers are called on more frequently (potentially twice a year) to help preserve open lines of communication between the EDC and the community’s major employers. Visit smaller companies once per year.

1.2.3. Cultivate relationships with company leadership located outside Buda.

- Focus on Buda’s largest current and future employers.
- Visit the corporate headquarters of major Buda employers every 3 to 5 years.

1.3. BUDA'S ONLINE AND SOCIAL MEDIA PRESENCE. Actively manage and enhance Buda's image as a desirable place to do business through internal and external messages across various online and social media platforms.

- 1.3.1.** Continue using the EDC website and Facebook page to communicate the Buda EDC activities and achievements and to showcase the community's advantages for business growth.
- 1.3.2.** Work jointly with the City and the Chamber to regularly manage and update Buda's entry on Wikipedia to include accurate and positive information, because this is often the first (and sometimes only) source of information people use to learn about a community.
- 1.3.3.** Collaborate with the City, the Chamber, Hays CISD, and other local organizations to communicate positive, up-to-date information on Facebook, Twitter, and other social media channels about local businesses, developments, and upcoming events.
- 1.3.4.** Cultivate relationships with local and regional media (*Austin Business Journal*, *San Antonio Business Journal*, *Community Impact Newspaper*, *Austin American-Statesman*, and others) to elevate awareness in the Austin–San Antonio corridor of Buda as an up-and-coming business and development location.

GOAL 2. SMALL BUSINESS GROWTH AND ENTREPRENEURSHIP

Create a robust local environment for the growth of small businesses and entrepreneurial companies.

Entrepreneurship and small business growth are key ingredients for the growth of local economies. An important distinction must be made between entrepreneurial companies and small businesses generally. Entrepreneurial companies are defined by four distinct characteristics: (1) an export-oriented market focus, (2) high levels of capital investment, (3) dependence on intellectual property (IP), and (4) high growth potential. Small businesses, on the other hand, primarily serve local markets, have much lower needs for capital investment and IP, and have modest growth expectations.

FOCUS AREAS

- Small business support system
- Connections to the Austin entrepreneurship and innovation ecosystem
- Amenities for entrepreneurs and remote workers

Buda has proven it can provide a supportive environment for the growth of both types of companies. The dozens of local businesses in downtown Buda along Main Street—from Summer Moon Coffee Bar to Nate's—are a great example of successful small businesses. Perhaps even more important than the employment opportunities provided by these companies, is the sense of place they help create for Buda. Distinctive retailers, restaurants, and coffee shops help otherwise sterile downtown districts build unique identities. Independent, locally owned firms also recirculate a higher share of their revenue in the local economy as compared to national chain businesses. When these businesses cluster along mixed-use corridors with a concentration of residential units, hotels, and other uses beyond retail and restaurants, they help attract other firms—ranging from professional services firms to tech companies—and often become a magnet for young people.

Separate from the small businesses on Main Street and elsewhere in Buda, the community is also a growing center of entrepreneurial companies. Many of Buda's recent business expansion/relocation projects—from Deep Eddy Vodka and Fat Quarter Shop to CHiP Semiconductor—are investments from high-growth firms that serve a much larger market beyond Buda and the Austin metro area. These firms, if Buda can retain them and help them grow locally, are poised to expand far beyond their current size. Over time, Buda's entrepreneurial companies are

capable of adding hundreds of new jobs to the local economy and millions of dollars of new capital investment to support the local tax base.

STRATEGIES AND ACTIONS

2.1. SMALL BUSINESS SUPPORT SYSTEM. Work with the City and the Chamber to ensure small businesses in Buda have access to the programmatic support, real estate space, and incentives/policies they need to thrive.

- 2.1.1.** Work with the Buda Chamber to encourage independent retailers and other small businesses in Buda to diversify their revenue streams with new products, special membership/subscription services, events, and other creative approaches.
- 2.1.2.** Encourage the development of affordable space for small businesses throughout the community, including light industrial districts and small-scale, neighborhood-serving commercial zones.
- 2.1.3.** Continue the EDC and City incentive programs that support small business growth (small business permit fee reimbursement) and larger job creation and investment projects (traditional incentives for business expansions that create at least 10 new jobs and \$250,000 of capital investment).

2.2. CONNECTIONS TO THE AUSTIN ENTREPRENEURSHIP AND INNOVATION ECOSYSTEM. Establish stronger linkages between entrepreneurs and tech workers in Buda to the greater Austin startup/entrepreneurship/tech scene.

- 2.2.1.** Expand networking channels and create new opportunities for Buda's entrepreneurs and tech workers to build relationships with entrepreneurs, startups, and technology workers in the region.
 - Encourage local entrepreneurs to participate in area networking events and groups.
 - Explore the potential to establish an entrepreneur networking group in Buda to serve South Austin and Hays County.
 - Work with local coffee shops, restaurants, and other unique local businesses on Main Street to host local entrepreneur and tech worker networking events.
 - Develop a tech-focused event in Buda to draw entrepreneurs into the community during the SXSW Interactive, F1, or RTX Austin. Start with a small, off-site event that offers attendees of the large conference something else to do in the area. Based on the success of the initial event, make adjustments to provide the greatest benefit for Buda businesses and entrepreneurs.
- 2.2.2.** Promote Buda as a potential landing spot for Austin area startups involved in accelerator programs such as MassChallenge Texas, the Capital Factory, and the Austin Technology Incubator.
- 2.2.3.** Strengthen Buda's linkages to Texas State University's growing research and development (R&D) and technology commercialization programs.
- 2.2.4.** Cultivate relationships with entrepreneurs, startups, and researchers at Texas State University's Science, Technology, and Advanced Research (STAR) Park in San Marcos.
- 2.2.5.** Explore opportunities to collaborate with the Greater San Marcos Partnership to integrate Buda as a key participant in the Greater San Marcos Innovation Summit annual event.

2.3. AMENITIES FOR ENTREPRENEURS AND REMOTE WORKERS. Enhance Buda’s quality of place with amenities that attract entrepreneurs, remote workers, freelancers, and young professionals.

- 2.3.1.** Work with area real estate developers to create vibrant coworking spaces for entrepreneurs, freelancers, and remote workers.
- 2.3.2.** Evaluate options to reposition the former City Hall located on Main Street in downtown Buda as a creative coworking space for entrepreneurs, small professional services companies, freelancers, and remote workers.
- 2.3.3.** Work with the City to continue and expand its investments in amenities, such as new parks, trails, public spaces, dog parks, and other enhancements that build on Buda’s strong quality of place.
- 2.3.4.** Conduct regular resident and workforce questionnaires to gain a better understanding of the specific amenities desired by Buda’s residents and workforce.

RISE OF THE REMOTE WORKERS

The share of remote workers—those who do not commute to a regular work location—has grown from slightly more than 3 percent of the workforce to more than 5 percent of the US workforce between 2000 and 2016. Austin leads the US among the 100 largest metro areas, with remote workers representing nearly 9 percent of the metro area’s workforce. Only about 5 percent of Buda residents work remotely, indicating a significant untapped opportunity to provide a more conducive local environment for remote workers, freelancers, and tech/professional workers with flexible employment situations.

GOAL 3. ORGANIZATIONAL ALIGNMENT

Align Buda’s economic development partners to address key issues such as workforce and transportation that affect the EDC’s ability to grow the local economy.

Goals 1 through 4 cannot be achieved without a commitment to the necessary tools and resources to support economic development in Buda. The Buda EDC will continue to serve as the primary entity responsible for growing the local economy. The financial resources available to the EDC to carry out its economic development efforts must continue to be available to support traditional business retention, expansion, and recruitment activities. The EDC should also continue to invest in strategic infrastructure improvements that lead to new investment and job growth in the community. Nonetheless, economic development is not the sole jurisdiction of the Buda EDC. The City of Buda, the Buda Area Chamber of Commerce, Hays CISD, Austin Community College (ACC), and a variety of local and regional partners play critical roles in growing and strengthening the local economy. Ongoing and expanded collaboration among Buda’s local and regional economic development partners is a necessary outcome of this strategic plan.

FOCUS AREAS

- Local economic development partners
- Workforce development
- Transportation infrastructure

In addition to aligning Buda’s local economic development partners in support of economic development, community leaders must also engage with regional partners to address key issues affecting Buda and the surrounding region. Workforce development, infrastructure, and transportation are the most critical issues outside the scope of the EDC that could limit Buda’s growth potential.

STRATEGIES AND ACTIONS

3.1. LOCAL ECONOMIC DEVELOPMENT PARTNERS. Maintain the Buda EDC as the lead entity responsible for promoting economic development in Buda, with clearly defined roles and responsibilities for key partners including the City of Buda, the Buda Chamber of Commerce, and other organizations.

- 3.1.1.** Continue the long-term commitment to the Buda EDC as the Type B sales tax corporation with resources to invest in core economic development functions that generate new investment and job growth in the community.
- 3.1.2.** Ensure that the EDC's financial resources are not used as a "slush fund" for purposes that do not directly affect the community's economic well-being.
- 3.1.3.** Encourage the City to expand its Buda Citizens' Academy to include the Chamber and possible spin-off leadership programs.

3.2. WORKFORCE DEVELOPMENT. Engage in regional workforce development efforts alongside employers and educational institutions to address key workforce issues facing Buda's current and future industries.

- 3.2.1.** Convene a group of local employers quarterly to discuss workforce issues along with ACC, Hays CISD, and Texas State University.
- 3.2.2.** Work closely with ACC and Hays CISD to align education and training programs with current and future workforce needs in support of Buda's existing employers and target industries.
 - Develop specialized training programs to create a pipeline of medical professionals in support of Buda's emerging Medical District.
- 3.2.3.** Establish stronger relationships between the Buda business community and Texas State University and the University of Texas at Austin.
 - Encourage Buda's business leaders to join Texas State University's industry advisory councils (through the Office of the Provost) to help provide the university with employer intelligence about future workforce needs to inform the development of academic programs.
 - Encourage Buda employers to provide internships to Texas State and UT–Austin students.
- 3.2.4.** Work with local and regional partners to encourage the establishment of private training initiatives in Buda, such as coding boot camps and other technology-focused training programs.

3.3. TRANSPORTATION INFRASTRUCTURE. Actively participate in regional transportation planning discussions that affect Buda's ability to attract and retain companies, workers, and residents.

- 3.3.1.** Collaborate with the City, Hays County, the Capital Area Metropolitan Planning Organization (CAMPO), and the Central Texas Regional Mobility Authority (CTRMA) to push for construction of the SH 45 "missing link" to connect the highway between the section of SH 45 currently under construction at FM 1626 to the existing I-35/SH 45 interchange. *Once complete (potentially in the next 5 to 10 years), this segment of regional highway infrastructure will provide a complete highway loop of roughly 80 miles encircling the Austin metro area that does not involve I-35. This major milestone would significantly enhance the potential for large-scale corporate campuses near the intersection of I-35 and SH 45.*

- 3.3.2.** Participate in regular dialogue with the City, Hays County, the city of Kyle, the city of Austin, Travis County, and CAMPO about necessary transportation infrastructure improvements to enhance mobility for residents, workers, and businesses in Buda.
- 3.3.3.** Explore options for providing public transportation service linking Buda to Austin, Kyle, and San Marcos. Regular transit service would enhance access to/from Buda for workers employed by local businesses, local residents who work outside the City, and for visitors traveling to the community's retail and restaurant businesses.

GOAL 4. REAL ESTATE DEVELOPMENT

Elevate Buda's profile as a key market for commercial real estate development within the Austin–San Antonio corridor.

It is no secret that Austin leads the nation in job growth and population growth among the country's largest metro areas. With the massive influx of new jobs and residents in the region, the area real estate community has responded in kind. Thousands of new housing units—from high-rise condo towers and urban apartment buildings to master-planned suburban communities with new, single-family houses—are under construction in every corner of the metro area. While residential growth is evenly spread across the region, the development of commercial office space has clustered in a handful of districts, including downtown Austin, the region's "second downtown" centered on The Domain, and a handful of new corporate campuses, such as Apple's suburban campus in northwest Austin and Oracle's urban campus along the East Riverside Drive corridor. Very little new commercial office space is under construction or planned anywhere south of Ben White Boulevard (Highway 290/71), including Buda and Hays County. This is critical because the location of office space under construction in the Austin metro area reveals where the *capacity* to add new jobs will be located in the months and years ahead.

FOCUS AREAS

- Real estate engagement
- Office development
- Industrial park and flex space development
- Communitywide land use analysis

The development of new commercial office space should be a priority for Buda's economic development program. Buda has a highly educated population (with more than 40 percent of its residents holding a bachelor's degree or higher) and is centrally located within the Austin metro area, providing convenient access to the region's skilled workforce and rapidly growing cluster of tech companies and professional services firms. Establishing a local employment base in Buda driven by commercial office development will not be easy. This effort will require a sustained, long-term approach with public investments (infrastructure and incentives), creative marketing tactics, and a dedication toward engagement with the real estate community.

The development of light industrial space for warehousing, distribution, and manufacturing facilities is one of Buda's most appealing short-term options for new investment and job growth. The community's robust transportation infrastructure, relatively affordable real estate (in comparison to Austin), and proximity to growing population and employment centers (in the Austin and San Antonio markets) make Buda a compelling location for light industrial and flex space development. Development of new light industrial space to accommodate these new businesses will provide benefits to the community beyond new jobs, including high levels of capital investment in buildings and equipment that will bolster the local tax base. In addition to direct tax base benefits, increasing the City's daytime population through new office and light industrial developments will also create stronger demand for other local businesses, including retailers and restaurants.

Far too many cities attempt to overcome their economic deficiencies by investing in generic branding efforts that tout “quality of life” and claim their community is a great place to “live, work, and play.” Rather than embark on a generic branding/promotion effort, Buda should focus its energies on how to actually improve the community, through public infrastructure investments and through commercial real estate development projects driven by the private sector. More success can be realized through engagement with the real estate community, including developers, commercial brokers, and major landowners, than through ads and billboards.

STRATEGIES AND ACTIONS

4.1. REAL ESTATE ENGAGEMENT. Develop and maintain relationships with the Austin area real estate community to increase awareness of Buda as a key real estate submarket within the Austin area.

- 4.1.1.** Host events and meetings in Buda that bring in associations and networking groups of real estate developers, commercial real estate brokers, and other real estate professionals.
- 4.1.2.** Participate in Austin area real estate developer and broker networking events.
- 4.1.3.** Explore opportunities to create a design competition for one or more specific sites in Buda.
- 4.1.4.** Focus most of the EDC’s real estate engagement efforts on strengthening Buda’s ties to the Austin area real estate community, but also make an effort to reach out to the San Antonio area real estate community.
- 4.1.5.** Work closely with the City, Hays County, Hays CISD, and other public sector entities to identify any underutilized properties that could be positioned for public or private real estate development.
- 4.1.6.** Periodically (at least once per year) convene a group of major employers, local governments, utility providers, and area real estate developers/brokers to identify gaps or deficiencies in Buda’s infrastructure that act as a barrier to the growth of existing employers and recruitment of new companies. Work collectively to identify and implement solutions to the most critical infrastructure challenges.

4.2. OFFICE DEVELOPMENT. Pursue a multifaceted approach to stimulate the development of commercial office space in Buda.

- 4.2.1.** Focus office development efforts in development districts 1 through 5 (see Appendix 2).
 - Start with the emerging Buda Medical District centered on the new Baylor Scott & White hospital.
 - Capitalize on the demand for medical office space near the new hospital to develop joint commercial office projects that include a combination of medical office space and standard commercial Class A office space. This could take place on the same development site or in the same building.
- 4.2.2.** Work with area real estate developers to explore options for future development of all or part of the North Buda/Onion Creek development district as a potential corporate campus with a mixture of land uses (including retail, restaurants, and residential).
- 4.2.3.** Explore opportunities for the EDC to acquire strategic properties for development of commercial Class A office space.
- 4.2.4.** Create a City incentive program to encourage the development of new office space.

Best practice: Sugar Land Development Corporation Class A Office Development Incentive Program

- 4.2.5.** Recruit large, institutional office users (such as a state of Texas government agency seeking to relocate its facilities out of central Austin) that could become anchor tenants for a new commercial office development.
- 4.2.6.** Protect existing and planned office areas and flex space developments to ensure Buda can continue to benefit from business expansion projects, job growth, and expansion of the City’s commercial property tax base.
- 4.3. INDUSTRIAL PARK AND FLEX SPACE DEVELOPMENT.** Increase the availability of high-quality, light industrial space and flex space for warehousing and distribution, light manufacturing, and other businesses.
 - 4.3.1.** Focus industrial park and flex space development efforts in development districts 6, 7, and 8 (see Appendix 2) and in areas with existing light industrial space.
 - 4.3.2.** Explore opportunities for the EDC to acquire strategic properties for the development of business/industrial parks to accommodate light industrial business expansion projects.
 - 4.3.3.** Protect existing and planned industrial areas and flex space developments to ensure Buda can continue to benefit from business expansion projects, job growth, and expansion of the City’s commercial property tax base.
- 4.4. COMMUNITYWIDE LAND USE ANALYSIS.** Conduct a land use analysis of the properties located within the City limits and the City’s extraterritorial jurisdiction (ETJ) to develop an understanding of how Buda’s future land uses will be affected and shaped by area real estate development trends in the residential, commercial, and industrial property segments.
 - 4.4.1.** Use the results of this analysis to inform and shape City development regulations, zoning changes, infrastructure investments, and other public decisions that affect how and where development will occur.
 - 4.4.2.** Work with the City, local landowners, and the area real estate community to ensure an adequate supply of land is developed with nonresidential uses (retail, office, light industrial, flex space) so that Buda grows as a balanced community with a range of employment options and a sustainable local tax base that is not overly dependent on residential properties.

GOAL 5. HIGH-IMPACT OPPORTUNITIES

Pursue catalyst projects and high-impact development opportunities.

Goals 1, 2, and 3 describe the core economic development activities necessary to strengthen, grow, and diversify Buda’s local economy. The EDC and its partners can place the community on a sustainable economic path over the next 5 to 10 years with successful implementation of these initiatives. Goal 4 moves beyond the baseline of what is necessary and stretches community leadership to reach for what is possible. Goal 5 includes six, high-impact opportunities that can transform the community and raise its economic standing within the Austin–San Antonio corridor. These six opportunities are shown in the list to the right and described in more detail below.

FOCUS AREAS

- Buda Medical District
- Destination retail and visitor attractions
- Regional corporate and tech campus at I-35 and SH 45 interchange
- Downtown Buda and Main Street District
- New festivals and events
- Full-service hotel and conference center

STRATEGIES AND ACTIONS

5.1. BUDA MEDICAL DISTRICT. Incorporate the new Baylor Scott & White hospital and Ascension Seton Health Center as the cornerstones of a dynamic mixed-use district. *(See development district 4 in Appendix 2.)*

- 5.1.1.** Pursue medical specialty providers to locate in or near the Buda Medical District.
- 5.1.2.** Work closely with Baylor Scott & White and other local medical institutions to identify underserved markets. Based on this assessment, identify specific opportunities for new medical specialties that do not exist (or are not meeting current demand) in Buda, Hays County, and South Austin.
- 5.1.3.** Work with the area real estate community to develop office space for medical and professional services firms (see Goal 2).
- 5.1.4.** Work with the City to invest in public infrastructure—sidewalks, trails, parks, and other amenities—to make the district more inviting for a wide range of users. Use these investments to enhance the linkages between the Buda Medical District and surrounding areas, including the Cabela’s retail district on the other side of I-35 and the residential portions of the Sunfield development.

Best practice: Round Rock medical and higher education district; Waxahachie medical district

5.2. DESTINATION RETAIL AND VISITOR ATTRACTIONS. Create new destinations that attract a large number of new visitors and increased retail spending to the community, while also serving as amenities for local residents.

- 5.2.1.** Continue to support the growth and success of Buda’s existing and planned retail and visitor attractions that generate high levels of visitor spending, such as Cabela’s, Pinballz Kingdom, and Mavericks Dance Hall (set to open in 2019).
- 5.2.2.** Recruit destination retail businesses and national chain retailers (such as Costco, IKEA, and Whole Foods) that serve a trade area far beyond the Buda City limits.
- 5.2.3.** Recruit destination entertainment attractions (such as Topgolf, Great Wolf Lodge, Alamo Drafthouse Cinema, and Dave & Buster’s) that draw visitors from throughout the Austin–San Antonio corridor.

5.3. REGIONAL CORPORATE AND TECH CAMPUS AT I-35 AND SH 45 INTERCHANGE. Position the properties surrounding the I-35 and SH 45 interchange as a regional corporate and tech campus.

It might take 10 to 15 years before the Austin area real estate market reaches a point where this location could justify large-scale development of commercial office space with mixed-use elements (high-density residential, retail/restaurants, entertainment venues, hotels). However, it is in Buda’s interest to collaborate with the city of Austin and landowners in this area to begin planning for future development at this location because this is the last remaining option for a truly regional employment center near Buda. Demand for commercial development in this district will increase substantially if the “missing link” of SH 45 is constructed between FM 1626 and I-35, providing a complete highway loop around the Austin area.

- 5.3.1.** Initiate conversations with the city of Austin and other partners about the long-term potential for a regional corporate and tech campus (with mixed-use development) at the I-35 and SH 45 interchange.
- 5.3.2.** Provide EDC incentives for high-profile business recruitment projects and major commercial developments at this location that provide a demonstrable positive economic impact to the City of Buda.

Best practice: Plano’s mixed-use Legacy business park with corporate offices, retail, and residential

- 5.4. DOWNTOWN BUDA AND MAIN STREET DISTRICT.** Continue working with the City, the Chamber, landowners along Main Street, and local businesses to enhance downtown Buda's role as one of the most authentic and vibrant Main Street districts in Texas.

Downtown Buda is a unique asset with significant economic potential, much of which remains untapped. With strategic public investments, marketing and promotion efforts, and new businesses added to the district, the Main Street corridor can become a regional destination. Additional enhancements to downtown can also serve as a key component of Buda's efforts to attract and retain the skilled workforce needed to support current and future employers.

- 5.4.1.** Encourage the City to invest in streetscape enhancements to improve the walkability, bike friendliness, and overall access within and through the Main Street corridor.
- 5.4.2.** Continue working with the City and Hays County to identify freight mobility solutions to encourage truck traffic to avoid Main Street in downtown Buda, if possible, and to use other corridors instead.
- 5.4.3.** Support the City's Main Street program in its ongoing efforts to tell the story of downtown Buda to internal and external audiences through online, social media, and other communications channels.
- 5.4.4.** Work with the Main Street program and the Chamber to encourage new investment and business development in downtown, including the growth of appropriately scaled commercial office buildings in and near downtown.

- 5.5. NEW FESTIVALS AND EVENTS.** Create new events and festivals that attract thousands of visitors to the community, while generating positive recognition for Buda as a desirable place within the Austin–San Antonio corridor.

The role of events, festivals, and conferences should be explored as a key component of a local tourism strategy. Major events can have a profound influence on how the outside world views Buda. A prime example of an event translating into significant economic development outcomes (beyond just tourism spending) is the South by Southwest (SXSW) Interactive Festival, which has accelerated Austin's position as a national technology and innovation hub. Smaller, more targeted events can also have a significant impact. The ClimateCon 2018 event held in Asheville, North Carolina, helped accelerate business development efforts focused on leveraging the area's unique climate science assets by providing a forum to explore business opportunities around climate data. Similar linkages between tourism and economic development should be encouraged in Buda to leverage the area's tourism assets and expose the City to other business development opportunities. Successful events can enhance Buda's image/brand in the minds of tourists, skilled workers, and business decision-makers.

- 5.5.1.** Continue working with the City's Tourism Department, the Chamber, and other local organizations to support the ongoing growth and success of existing signature events, including the Weiner Dog Races, Fajita Fiesta, Budafest, and other local events.
- 5.5.2.** Support the Tourism Department in its efforts to pursue the creation of new events and festivals with the potential to generate a significant economic impact. Focus on new events that serve an external audience beyond existing residents, similar to the small business vs. entrepreneurial company distinction described in Goal 3.
- 5.5.3.** Work with the City, the Chamber, and other local organizations to identify options for creating a full-time event planner position in Buda, potentially through the City's hotel occupancy tax (HOT) revenue stream.

- 5.5.4.** Options for new events include a triathlon or bike race, a Hill Country breweries/ wineries/ distilleries festival, a remote-control car race during F1, and attraction of youth sports tournaments.
- 5.5.5.** Develop a tourism strategic plan to guide the City's future investments and activities focused on promoting tourism in Buda.
 - As part of this effort, conduct economic impact studies of existing events to evaluate the amount of visitor spending they attract from nonresidents.
 - Use information from the plan and economic impact studies to identify opportunities to raise the profile of existing events so they attract a larger share of visitors (and spending) from attendees that reside outside of Buda and Hays County.

Best practices: Wineglass Marathon in Corning, NY; Boerne 0.5k race; ClimateCon 2018 in Asheville, NC

- 5.6. FULL-SERVICE HOTEL AND CONFERENCE CENTER.** Develop a full-service hotel and conference center capable of hosting large business events and trade shows with 500 to 1,000 attendees. *In 2017, CBRE Hotels completed a market study and economic impact analysis for a proposed Buda Hotel and Conference Center.*
 - 5.6.1.** Provide incentives to support the attraction and development of a new, full-service hotel and conference center.
 - 5.6.2.** The incentives could include infrastructure improvements or a public/private model to finance and operate a new convention center, in combination with a new hotel. City HOT revenues are one potential funding source for this strategy.
 - 5.6.3.** In addition to the eight sites evaluated in the CBRE Hotels study, explore opportunities for a hotel and conference center to be located in or adjacent to the emerging Buda Medical District.

APPENDIX 1. IMPLEMENTATION MATRIX

A strong implementation strategy is key to bringing a plan to fruition. Identifying strategies and describing the actions needed to turn concepts into reality is not enough. Setting priorities is perhaps the most important role that a solid implementation strategy should fulfill. Having clearly established priorities is essential for effective use of public resources.

The implementation matrix provides a graphic representation of when actions should realistically be implemented and suggests potential partners to help carry them out. It is important to note that the plan includes a range of strategies and actions, some of which are intended to stretch the EDC and community leadership.

The implementation matrix is designed to be a flexible, ever-evolving document. By nature of changing conditions, some actions might become unnecessary or might become difficult to implement due to unforeseen roadblocks. The EDC and its partners will use the implementation matrix to monitor the status of all items, including actions that have already been completed, actions that are in progress, and actions not yet initiated.

A complete version of this implementation matrix is published separately.

	Responsible Partners (suggested lead in bold)	Ongoing	Next 12 Months	1 to 3 Years	3 to 5 Years	5 to 10 years
GOAL 1. BUSINESS DEVELOPMENT						
1.1. TARGET INDUSTRY RECRUITMENT. Launch an aggressive business recruitment program focused on companies within a set of target industries.						
1.1.1. Focus business recruitment and marketing efforts on five target industries: light industrial; retail, hospitality, and tourism; medical; food and beverage; IT and business services.	EDC	•	•			
1.1.2. Create new marketing materials around Buda's target industries.	EDC, BACC, City		•	•		
◦ Design customized messages for each target that tell compelling stories about why Buda is a good fit for that particular industry.						
◦ Create high-quality print and online marketing materials—including one-pagers and pages on the EDC website—to showcase Buda's assets specific to each target industry.						
1.1.3. Regularly attend relevant trade shows and business conferences (at least once per quarter), focusing on events that provide opportunities to market directly to key decision makers in Buda's target industries.	EDC	•				
1.1.4. Position Buda as a preferred landing spot for high-growth companies in the Austin area seeking a new location or an expansion facility.	EDC	•				
◦ Build relationships with company leadership of Inc. 5000 firms and other high-growth companies based in the Austin metro area.						
◦ Cultivate relationships with business incubators/accelerators in the region (such as Capital Factory and Austin Technology Incubator) to identify rapidly growing startups on the verge of outgrowing their existing space, which might consider expanding or relocating into Buda.						
1.1.5. Conduct an annual "fam tour" for site consultants and commercial real estate brokers to generate awareness of Buda as a desirable destination in the Austin-San Antonio corridor for business expansions and investment.	EDC, BACC, City, area real estate community			•	•	•

APPENDIX 2. PRIORITY DEVELOPMENT DISTRICTS

Buda is essentially landlocked in every direction, with Austin’s extraterritorial jurisdiction (ETJ) to the north and east, Kyle to the south, and the Dripping Springs ETJ to the west. The constraints of jurisdictional boundaries, combined with Buda’s enviable location within the nation’s fastest-growing major metro area, call for a thoughtful approach toward the development of the City’s limited supply of remaining sites. As the surrounding region continues its outward growth and development in the direction of Buda, it will become increasingly important for the City to partner with landowners and real estate developers to encourage strategic real estate development projects.

The 2011 Buda Comprehensive Plan included a Future Land Development Plan—a conceptual framework to help guide City infrastructure investments and development regulations—which identified six “character districts” and five categories of “mixed use nodes.” The City’s 2011 Comprehensive Plan addressed land use issues in much greater detail. The purpose here is to focus on key districts for economic development. With that goal in mind, TIP limited the analysis to a group of eight development districts that have the greatest potential to expand the employment base and generate new revenue for the City, both through development and redevelopment. TIP’s evaluation included the following eight districts.

1. North Buda/Onion Creek
2. I-35 and SH 45 Interchange
3. Cabela’s Retail District
4. Buda Medical District
5. FM 1626 and FM 967
6. FM 1626 and FM 2770
7. Sunfield Business District
8. Robert S. Light Boulevard

Each district was assessed according to the following factors to provide a better understanding of constraints and opportunities for real estate development.

DISTRICT EVALUATION FACTORS

- **Size:** Is the district large enough to accommodate significant development?
- **Infrastructure:** Does the district have water, wastewater, electricity, gas, broadband, and other needed infrastructure?
- **Zoning:** Does the current zoning support new employment uses and commercial real estate development?
- **Land Uses:** Are surrounding properties compatible with potential development options for the district?
- **Highway Access:** Is the district adjacent to a major highway?
- **Arterial Road Access:** Is the district easily accessible to arterial roads and streets?
- **Visibility:** Does the site have high visibility?
- **Employment Potential:** Can the site accommodate a large number of new jobs?
- **City Revenue Potential:** Is there potential for the district to provide a significant enhancement to the City’s tax base?

DEVELOPMENT DISTRICT 1: NORTH BUDA/ONION CREEK

This is one of the most valuable sites in Buda, thanks to its large size (500+ acres), its scenic appeal (Onion Creek runs through the property), and its central location in Buda in close proximity to Main Street, Cabela's retail district, and Austin. The site is owned by the Urban family and would require close collaboration with the landowners, the City, and any development partners to ensure responsible development of this area for all parties involved. The site's location makes it a good fit for corporate HQs, especially with the access to Onion Creek, which could serve as an amenity. Other potential uses for this district include high-end residential development and boutique retail, restaurants, and entertainment (similar to the Gruene Historic District in New Braunfels).



● Above average ● Average ● Below average

CRITERIA	SCORE	COMMENTS
Size	●	Very large site (more than 500 acres)
Infrastructure	●	Will require major new infrastructure investments (including at least one new bridge over Onion Creek) to become shovel-ready
Zoning	●	No existing zoning based on its location in Buda's ETJ and Austin's ETJ
Land Uses	●	Surrounding areas are compatible with a wide range of development options: Main Street includes a mix of commercial, UP railroad on the western edge is a natural buffer, and there is no significant development along northern edge
Highway Access	●	District does not have direct highway frontage, but is located less than one-fourth mile from I-35 and is accessible via the Main Street exit (221)
Arterial Road Access	●	District is adjacent to Main Street, but does not have arterial roads providing access across Onion Creek or across the UP railroad
Visibility	●	Minimal visibility, district is mostly hidden to travelers along I-35
Employment Potential	●	High level of new employment possible
City Revenue Potential	●	Moderate municipal revenue potential, majority of this site is located north of the Buda City limits, in Austin's ETJ

DEVELOPMENT DISTRICT 2: I-35 AND SH 45 INTERCHANGE

The properties surrounding the highway interchange of I-35 and SH 45 represent the most significant long-term opportunity for a major, mixed-use, commercial center between downtown Austin and San Marcos. If and when SH 45 is extended west from this interchange to connect with the portion of SH 45 currently under construction between FM 1626 and MoPac, this location would become more easily accessible from every corner of the Austin metro area. The recent emergence of Austin's "second downtown" centered on The Domain in far North Austin has given rise to a dual-campus phenomenon in which many large tech companies (Facebook, Indeed, HomeAway) have opened offices in downtown Austin and The Domain. A similar opportunity for large-scale commercial development exists at the I-35/SH 45 interchange. Over the next 10 to 20 years, this district could support a large amount of new Class A office space for corporate HQs, technology companies, and professional services firms, along with high-density residential development, retail, restaurants, entertainment, and hotels. And despite the fact that this entire district is located outside the Buda City limits, large-scale development at this intersection would have positive impacts on land values and development potential for surrounding areas, including much of Buda.



● Above average ● Average ● Below average

CRITERIA	SCORE	COMMENTS
Size	●	Very large district (1,000+ acres)
Infrastructure	●	Development would require substantial infrastructure investments
Zoning	●	District is located in Austin's ETJ
Land Uses	●	Site offers a "blank slate" for development, with no existing or incompatible uses
Highway Access	●	District is traversed by I-35 and SH 45
Arterial Road Access	●	No existing arterial roads in the district
Visibility	●	One of the most visible sites in the entire Austin–San Antonio corridor
Employment Potential	●	High level of new employment possible, including high-wage jobs
City Revenue Potential	●	District is completely outside the Buda City limits, but large-scale development would provide significant spin-off development opportunities in surrounding areas

DEVELOPMENT DISTRICT 3: CABELA’S RETAIL DISTRICT

This district includes the largest concentration of existing commercial development in Buda, anchored by Cabela’s, Walmart, and H-E-B, along with numerous small retail stores, restaurants, and hotels. Most of the district is already developed, with a few remaining undeveloped sites and underutilized parking areas that can accommodate a small amount of additional development. The biggest long-term opportunity for this district is redevelopment of the roughly 20-acre Crestview RV site located immediately southeast of Cabela’s. Over the long-term (10–25 years), the entire district could be completely redeveloped into a much denser, mixed-use district.



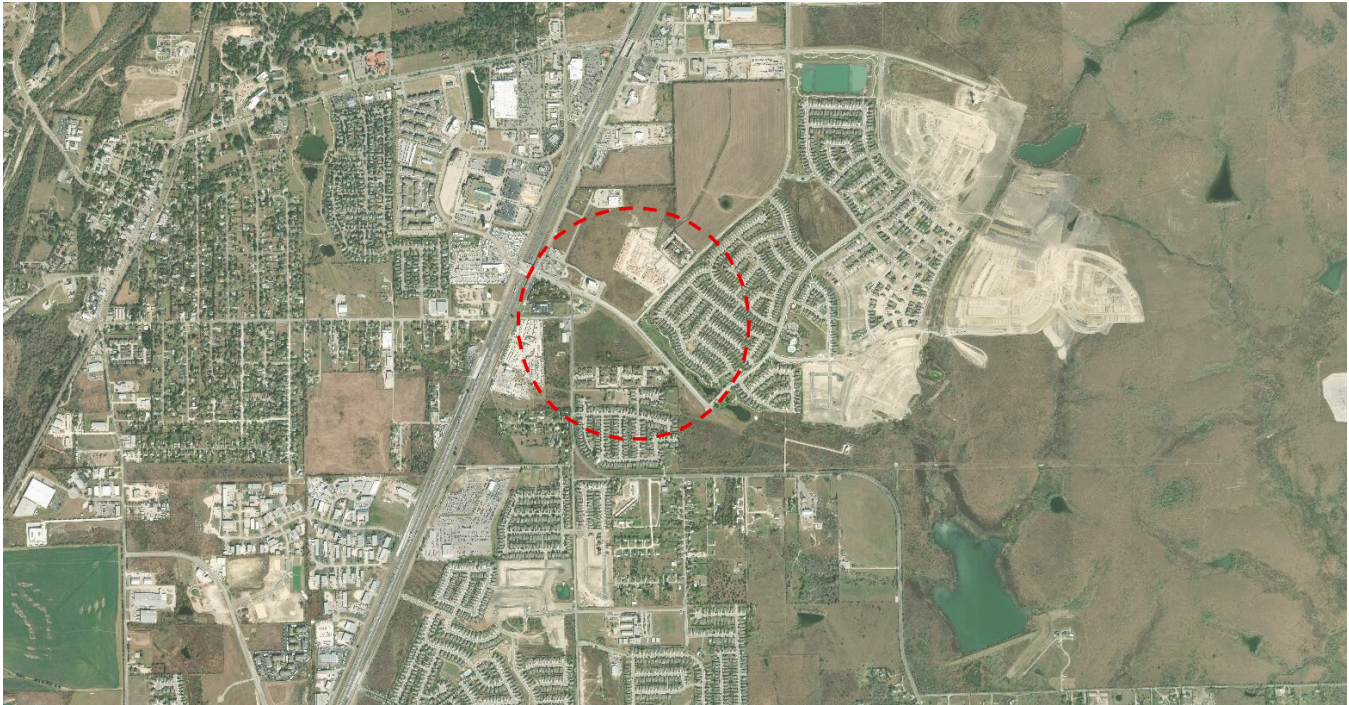
● Above average ● Average ● Below average

CRITERIA	SCORE	COMMENTS
Size	●	The district itself is large, but there are no remaining large sites available for development
Infrastructure	●	District is shovel-ready
Zoning	●	Existing zoning allows additional commercial development
Land Uses	●	District includes mostly commercial development, with one exception (multifamily apartment complex)
Highway Access	●	Adjacent to I-35
Arterial Road Access	●	Adjacent to Cabela’s Drive and Main Street
Visibility	●	Highly visible site due to I-35 frontage
Employment Potential	●	Moderate level of new employment possible
City Revenue Potential	●	Moderate level of new capital investment possible

DEVELOPMENT DISTRICT 4: BUDA MEDICAL DISTRICT

This is one of the most promising development districts in Buda, anchored by the first Baylor Scott & White hospital in Hays County, a full-service medical facility currently under construction and scheduled to open in 2019.

Ascension Seton is also building a health center across the street from the hospital. Commercial office space for medical and professional services firms is a viable option for this district. Complementary “amenities,” such as restaurants, retailers, services, and hotels, can add to the district’s vitality. Over the long-term, underutilized properties with auto-centric businesses along I-35 could be redeveloped with higher-intensity commercial uses.



● Above average ● Average ● Below average

CRITERIA	SCORE	COMMENTS
Size	●	If a larger area surrounding this district is considered—including the Knapheide Truck Equipment Center, Camper Clinic II, and Truck City Ford sites fronting I-35—the long-term development and redevelopment opportunities for this district cover a large area approaching 250–300 acres
Infrastructure	●	District is shovel-ready
Zoning	●	Partially within the Buda City limits and partially within the Sunfield development
Land Uses	●	Portions of the district are occupied by single-family residential, which could be incompatible with high-density commercial and mixed-use development
Highway Access	●	Adjacent to I-35 and the Cabela’s Drive exit
Arterial Road Access	●	Adjacent to FM 2001, White Wing Trail, and Fire Cracker Drive
Visibility	●	Highly visible site due to I-35 frontage, with the multistory Baylor Scott & White hospital enhancing the district’s visibility
Employment Potential	●	High level of new employment possible, including middle- and high-wage jobs
City Revenue Potential	●	Both Baylor Scott & White and Seton are nonprofit medical systems, which limits the tax base potential for this district, but the new medical facilities will serve as anchors for new private sector investment and commercial businesses

DEVELOPMENT DISTRICT 5: FM 1626 AND FM 967

This district would be an ideal site for small- to moderate-scale commercial development. A grocery store-anchored retail center to serve surrounding residential areas is one potential development option, especially for the southeast corner of the FM 1626/FM 967 intersection. Other potential uses for this district include small-scale commercial office space, medical clinics, restaurants, and urban residential (townhomes, condos) development.

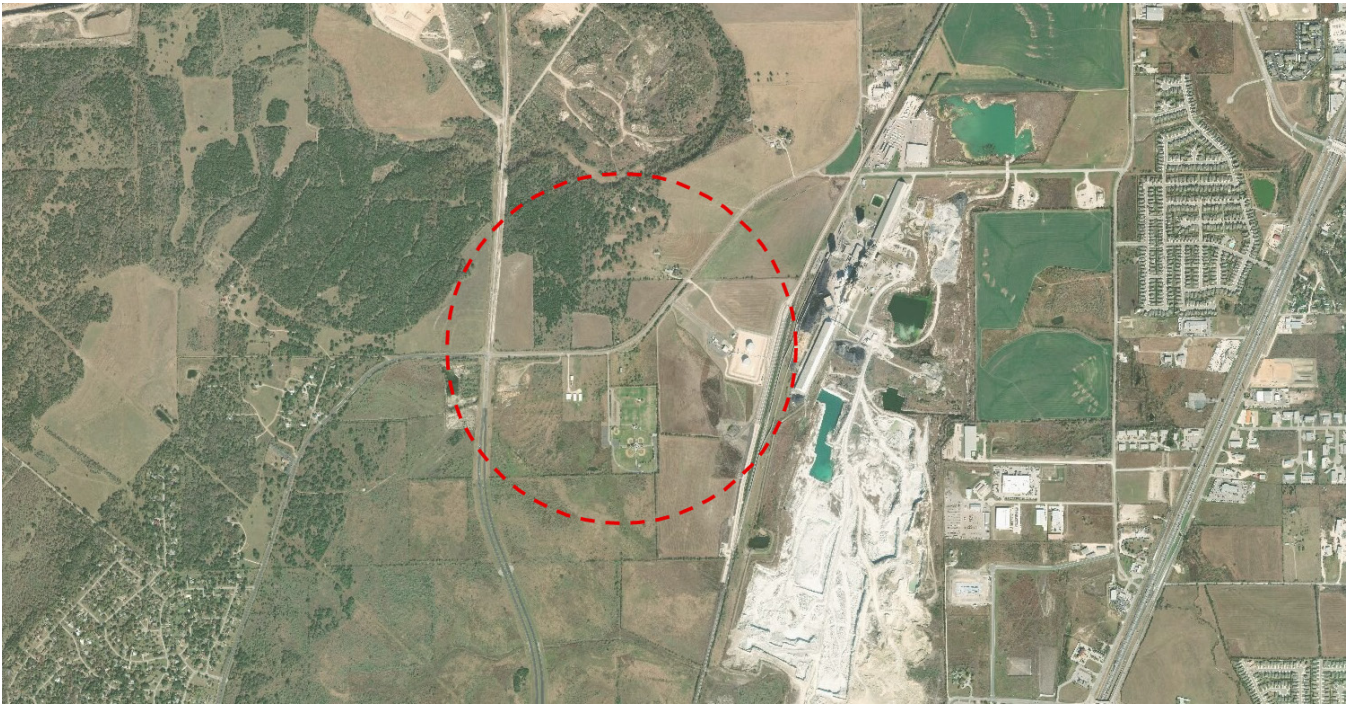


● Above average ● Average ● Below average

CRITERIA	SCORE	COMMENTS
Size	●	Moderately sized district with roughly 80–100 acres, primarily at the southeast corner of the FM 1626/FM 967 intersection
Infrastructure	●	Some new infrastructure would be required, including wastewater/floodplain mitigation (Garlic Creek runs through the district)
Zoning	●	Existing zoning allows for commercial development, but depending on the specific uses, rezoning might be required
Land Uses	●	Land uses at the intersection of FM 1626/FM 967 include a range of commercial retail and small office uses, with residential and open space in the broader surrounding area
Highway Access	●	District is roughly 4 miles west of I-35 along FM 967 and Main Street and roughly 3 miles south of the new SH 45 SW (under construction) along FM 1626
Arterial Road Access	●	Adjacent to FM 1626 and FM 967
Visibility	●	Moderate visibility along arterial roads (FM 1626 and FM 967), but no highway access
Employment Potential	●	Moderate level of new employment possible
City Revenue Potential	●	Moderate level of new capital investment possible

DEVELOPMENT DISTRICT 6: FM 1626 AND FM 2770

The intersection of FM 1626 and FM 2770 is one of the most obvious focus areas for future commercial development in Hays County, but a number of factors create uncertainty for this district. The city limits of Buda and Kyle border each other at this intersection, with the dividing line running diagonally in a northwest to southeast direction. Kyle’s zoning controls the southeast corner of this intersection and portions of the northwest and southeast corners. Buda’s jurisdiction covers the entire northeast corner of the intersection and portions of the northwest and southeast corners. Another complicating factor is the lack of existing water/wastewater infrastructure in the area. Texas Lehigh Cement Company and Centex Materials Inc. own large sections of this district and a much larger area surrounding the district to the north and east, a total of roughly 2,000 acres. Any development options for this district would need to take into account future encroachment of quarries as a neighboring land use.



CRITERIA	SCORE	COMMENTS
Size	●	Very large district with roughly 300 acres in Buda City limits east of FM 1626
Infrastructure	●	Major new infrastructure (water and wastewater) would be required to support significant new development in this district
Zoning	●	Large portions of this district are currently designated with agriculture zoning, requiring rezoning for new commercial development
Land Uses	●	Texas Lehigh Cement Company and Centex Materials Inc. own most of the land in and surrounding this district
Highway Access	●	Roughly 3 miles northwest of I-35 along FM 1626
Arterial Road Access	●	Adjacent to FM 1626 and FM 2770
Visibility	●	Moderate visibility along FM 1626 and FM 2770, but no highway access
Employment Potential	●	Moderate level of new employment possible
City Revenue Potential	●	Moderate level of new capital investment possible

DEVELOPMENT DISTRICT 7: SUNFIELD BUSINESS DISTRICT

The northern section of the Sunfield development is arguably the best location in Buda for large-scale, traditional business recruitment projects—warehousing and distribution facilities, manufacturing operations, and other light industrial businesses—in the short-term future. The US Foods distribution center anchoring this district is now Buda’s largest non-retail employer, with 300 jobs. The district will soon be home to Buda’s first spec industrial space, with 600,000 square feet planned (300,000 square feet currently under construction). Additional investment in the form of light industrial facilities over the next few years is likely, given the area’s strategic location near the I-35 and SH 45 intersection, providing distribution and production facilities with convenient access for goods movement.

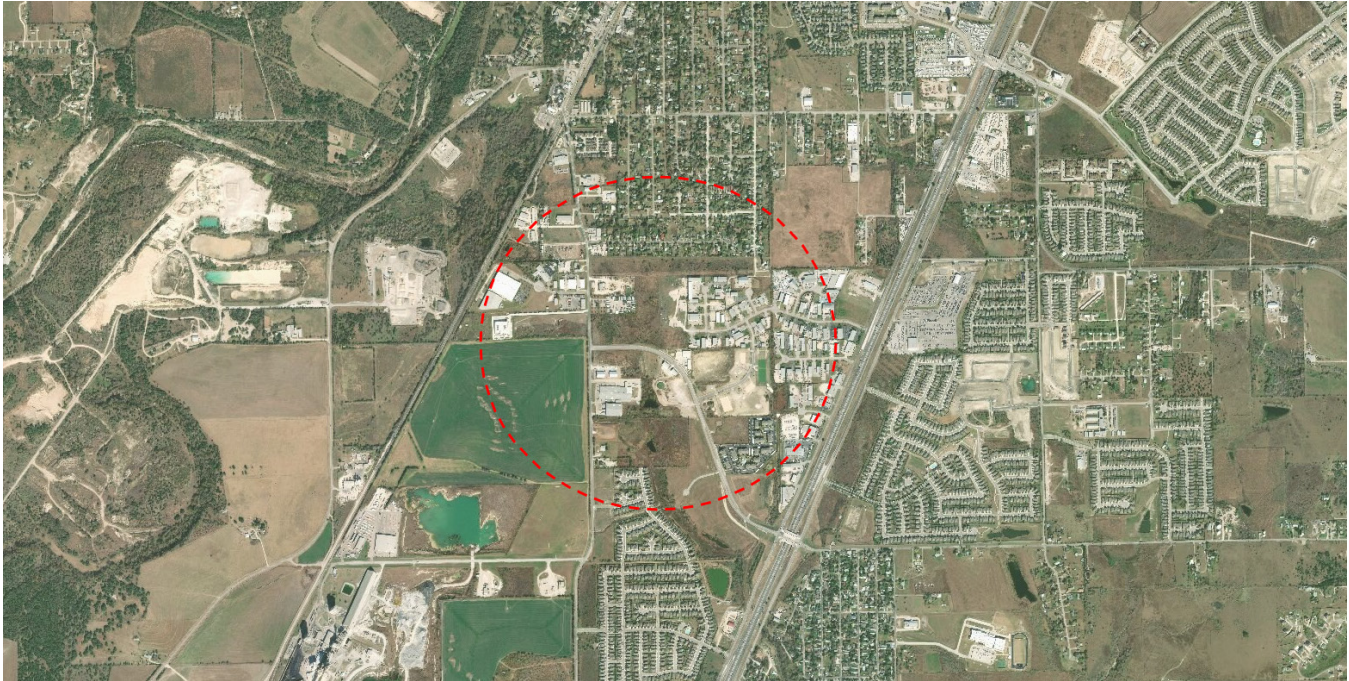


● Above average
 ● Average
 ● Below average

CRITERIA	SCORE	COMMENTS
Size	●	Moderately sized district with roughly 80–100 acres of land remaining for development
Infrastructure	●	District is shovel-ready
Zoning	●	District is located in Sunfield, requiring collaboration between the City and the Sunfield developers to determine future land uses
Land Uses	●	Existing US Foods distribution center and new light industrial buildings under construction in the district are compatible with future commercial/industrial uses
Highway Access	●	Adjacent to I-35
Arterial Road Access	●	Adjacent to Main Street, Fire Cracker Drive, and Turnersville Road
Visibility	●	Highly visible site along I-35 and, to a lesser extent, along SH 45
Employment Potential	●	Moderate level of new employment possible
City Revenue Potential	●	High level of new capital investment possible

DEVELOPMENT DISTRICT 8: ROBERT S. LIGHT BOULEVARD

The area along Robert S. Light Boulevard has recently become one of Buda's most successful districts for light industrial development. The corridor is home to several of the community's newest business expansion/relocation projects including CHiP Semiconductor, Deep Eddy Vodka, and Ampersand Art Supply. With construction planned in the next few years of a new segment of Robert S. Light Boulevard, connecting its current western terminus at Loop 4 to FM 2770 and FM 1626 farther west, access to this area will be improved significantly. As this area continues to develop over the next several years, the City and the EDC should work together to help retain existing employers in the corridor and to recruit additional companies seeking light industrial space in Buda.



● Above average

● Average

● Below average

CRITERIA	SCORE	COMMENTS
Size	●	Large district with roughly 200 acres of developable properties in close proximity to Robert S. Light Boulevard
Infrastructure	●	District is shovel-ready
Zoning	●	Majority of the district is currently zoned for light industrial
Land Uses	●	Majority of land uses are light industrial and vacant properties, but there is one multifamily housing development on the corridor and a single-family residential development immediately south of the district, both of which might be somewhat incompatible with future industrial development
Highway Access	●	Adjacent to I-35
Arterial Road Access	●	Adjacent to Loop 4 and adjacent to Robert S. Light Boulevard, with a planned extension of the boulevard westward toward FM 2770 and FM 1626
Visibility	●	Highly visible site due to I-35 frontage
Employment Potential	●	High level of new employment possible
City Revenue Potential	●	High level of new capital investment possible

APPENDIX 3. ECONOMIC ASSESSMENT

INTRODUCTION

The first step in the planning process was to document Buda's position from an economic development perspective to provide a foundation for the planning process. During the project's discovery phase, numerous roundtable discussions and interviews were conducted with dozens of community and business leaders in Buda. As part of this phase, the TIP consulting team also conducted a quantitative assessment of various factors that influence Buda's economic competitiveness. The data analysis evaluated Buda's demographics, employment patterns, industry concentrations, commuting flows, and other qualitative and quantitative factors affecting the City's potential for economic development.

To provide context for the assessment, data are shown for the City of Buda, Hays County, the Austin metro area, Texas, and the US. The economic research also compared Buda with 10 competitor cities in the I-35 corridor in the Austin and San Antonio metro areas to shed light on how Buda's economy compares to its regional competition. The competitor cities include Kyle, San Marcos, New Braunfels, Schertz, Lockhart, Bastrop, Pflugerville, Round Rock, Cedar Park, and Georgetown. As part of the assessment, TIP also prepared an analysis of Buda's strengths, weaknesses, opportunities, and threats. Results of this analysis, commonly referred to as a SWOT analysis, are presented after the key findings.

KEY FINDINGS

The findings presented in this section are based on the following elements.

- A review of relevant studies, plans, and other material provided by the Buda EDC, the City of Buda, and other organizations.
- A review of economic and demographic data from primary and secondary sources, including the US Census Bureau, the US Bureau of Labor Statistics, Economic Modeling Specialists Intl. (Emsi), and Esri.
- Findings from community site visits and interviews and focus groups with over 50 community representatives and stakeholders.
- Our 20 years of experience working with communities across the country and compiling best practices.

The economic assessment revealed important insights into Buda's relative economic position. It also provided a thorough understanding of the community's competitive advantages and disadvantages. The most significant findings are summarized in the next section. The complete assessment is presented after the key findings.

POPULATION AND DEMOGRAPHICS

Buda has a rapidly growing population, more than doubling in size between 2010 and 2017 (122 percent). At the county level, this growth can be attributed to domestic migration, which increased 128 percent between 2010 and 2017. In comparison to other regional geographies, Buda's growth clearly outstrips that of Hays County, the Austin metro area (the five-county region, including Travis, Hays, Williamson, Caldwell, and Bastrop Counties), Texas, and the US over the same time period. This is all the more impressive in the context of Hays County's population growth, which leads the nation for counties of its size.

Buda's population is the youngest out of the comparison geographies with the youth demographic (0–19 years), accounting for 33 percent of the population. **Buda's median household income is relatively high** at \$72,020. This is approximately \$6,000 higher than the Austin metro area, but almost \$18,000 higher than the state. Similarly, Buda home prices are also higher than the county, the state, and the US, with a median price of \$201,500, but not higher than the Austin metro area. Buda's housing is more skewed toward detached, single-family homes than the other regional peers and has no mobile housing.

Buda has a somewhat **low percentage of its population working remotely** at 4.9 percent, compared to 6.3 percent of the county and 7.4 percent of the Austin metro area. This statistic can be interpreted as an indicator of a tech-oriented workforce, and this number shows that Buda's current mix of jobs could be less tech-oriented or that the City has barriers for people who do want to work remotely.

Buda's demographics by race/ethnicity show a **larger Hispanic/Latino population** than the Austin metro area (38 percent vs. 32 percent). This is also much larger than that of the US (17 percent).

WHY IT MATTERS

The most important resource available to a community is its people. As a result, a basic understanding of the composition of the population and its characteristics is an essential first step in conducting an economic assessment.

- *Population.* Trends should be linked to comprehensive service and infrastructure planning to ensure that the resources of the community are used in an efficient and effective manner.
- *Demographic characteristics.* Data on the various segments of a given population (age, race, gender) can help organizations gauge the relative economic health of the people in the region and determine their service needs.
- *Educational attainment.* This indicator is of particular interest to companies looking to relocate or expand in an area. Along with demographic characteristics, like age, educational attainment data help employers assess the potential labor pool.

Data from this section were obtained primarily from two US Census Bureau programs: the Population Estimates Program (population and components of change) and the American Community Survey (demographic characteristics and housing).

COMMUTING FLOWS

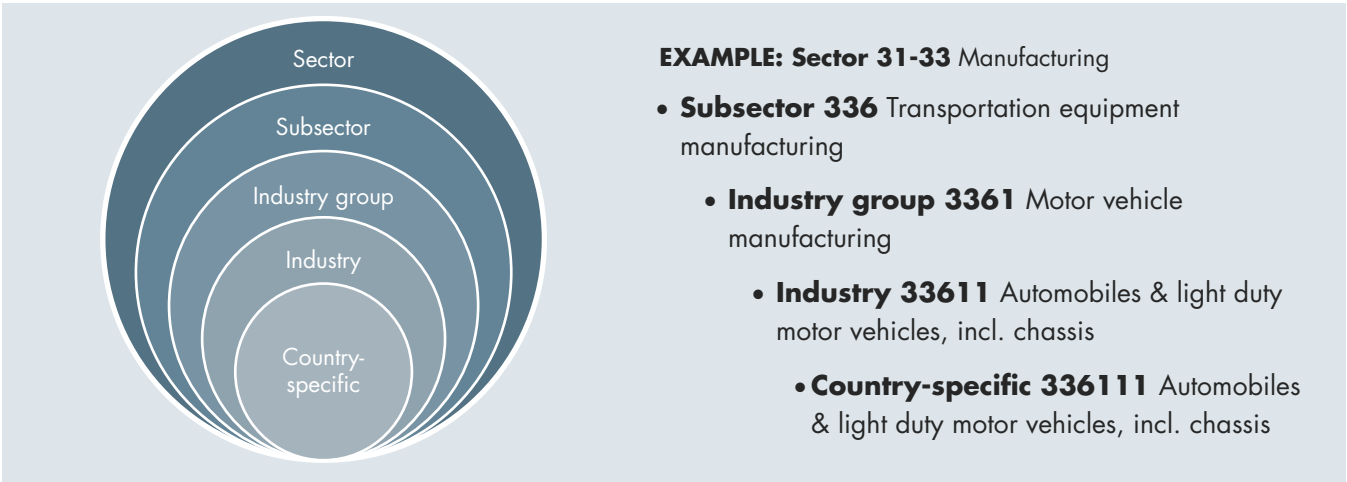
Given Buda’s proximity to Austin, it is unsurprising that of the 4,956 employed residents, 96 percent commuted to jobs outside the City in 2015. There were 4,260 workers who also commuted to the City for work, with only 178 people living and working in the City. Reflecting the City’s rapid growth, **both the outbound and inbound commuting segments have also grown drastically over the last decade**. The number of people who live and work in Buda has grown minimally during the same period. The commuting distance of those individuals who work in Buda has increased in the last 10 years, with an 11 percent increase in those commuting greater than 50 miles. Commute distances have not changed for those who live in Buda but work elsewhere.

Austin is the number one destination for employed Buda residents, accounting for 58 percent of commuters. San Marcos is the second largest with 5 percent. Buda’s workforce commutes from Austin (20 percent), Kyle (9 percent), San Marcos (4.5 percent), and San Antonio (4.4 percent). When viewing commute flows by industry, retail trade, construction, restaurants, bars, hotels, and manufacturing are the sectors with the largest net inflows of workers. Government, healthcare, professional services, and education have the largest net outflows.

INDUSTRY TRENDS

Job growth in Buda has been robust. Total employment in the Buda ZIP code (78610) grew from 8,362 jobs in 2007 to 11,065 in 2017 (32 percent). This growth rate is similar to regional geographies, with Hays County growing 37 percent and the Austin metro area growing 28 percent over the same time period. Construction is Buda’s largest employment sector with 2,353 jobs, followed by retail trade (1,443) and administrative & support services (1,164). Since the start of the recession in 2008, these three sectors were also the top job gainers, collectively adding nearly 1,900 net new jobs to the local economy. Manufacturing and utilities were the only sectors with a net loss of more than 100 jobs since 2008. Buda has an established base of dozens of employers, ranging from small businesses to employers with upward of 300 employees in Buda and spanning industries such as retail, manufacturing, construction, government, healthcare, and distribution. Capital Excavation, Walmart, and US Foods are the City’s largest employers, each with at least 300 workers.

NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) STRUCTURE AND EXAMPLE



CLASSIFICATION SYSTEMS

Much of the data presented in this section is organized under one of two federal classification systems.

The **North American Industry Classification System** (NAICS, pronounced Nakes) was developed under the direction and guidance of the Office of Management and Budget (OMB) as the standard for use by Federal statistical agencies in classifying business establishments for the collection, tabulation, presentation, and analysis of statistical data describing the US economy. The classification system was developed jointly with government agencies in Canada and Mexico to allow for a high level of comparability in business statistics among the North American countries. It classifies industries into 20 sectors based on production processes. These sectors are broken into subsectors, industry groups, and individual industries, with an additional level of detail to accommodate industry codes specific to the three countries. The most recent version, 2017 NAICS, was finalized in 2016 and will continue to be implemented by agencies over the next several years.

WHY IT MATTERS

Analyzing employment trends is at the core of understanding the structure of a local and regional economy. By looking at the growth and decline of industry employment levels over time, employment and wage data can be used to identify regional industry and occupational strengths, inform decisions on target industry initiatives and incentives, and help illustrate whether an area is gaining or losing ground relative to the state or the nation.

ABOUT THE DATA

Data in this section are drawn from the following sources.

- *Emsi*. Employment by industry and occupation produced by proprietary data provider Emsi. The company integrates economic, labor market, demographic, and education data from over 90 government and private sector sources, creating a comprehensive and current database that includes both published data and detailed estimates with full coverage of the United States.
 - *Data note*: Emsi offers data at the national, state, county, and ZIP code levels. As a result, figures for Buda are actually the 78610 ZIP code.
 - *Federal agencies*. Public data sources used in this section include the US Bureau of Labor Statistics (for data on the labor force, including unemployment rates) and the Longitudinal Employer-Household Dynamics (commuting data) from the US Census Bureau.

DEFINITIONS

Location quotients. Location quotient (LQ) analysis is a statistical technique used to suggest areas of relative advantage based on a region's employment base. LQs are calculated as an industry or occupation's share of total local employment divided by the same industry or occupation's share of employment at the US level.

$$\frac{(\text{local employment in industry} \times / \text{total local employment—all industries})}{(\text{national employment in industry} \times / \text{total national employment—all industries})}$$

If local and national employment levels in the industry are perfectly proportional, the LQ will be 1.00. LQs greater than 1.25 are presumed to indicate a comparative advantage; those less than 0.75 suggest areas of weakness but also point to opportunities for future growth to address gaps in underserved local markets.

WORKFORCE AND EDUCATION

Buda’s mix of occupations by skill level includes 35 percent high-skill jobs, 50 percent middle-skill jobs, and 15 percent low-skill jobs. This mix has a **higher proportion of high-skill jobs and middle-skill jobs** than the US. Compared to regional geographies, Buda has the highest labor force participation rate for men and women at 83 percent and 69 percent, respectively.

Construction & extraction, office & administrative support, and sales & related are the top three occupational sectors in Buda, accounting for almost half of all jobs (43 percent). Buda median wages tend to be lower than those of the US, different from the Austin metro area, where the median wages tend to be higher than those of the US.

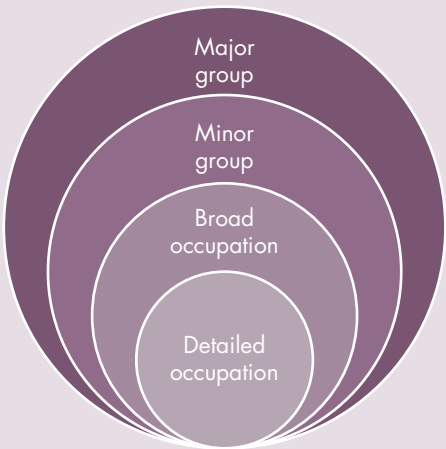
Buda has a **highly educated population** with 41 percent of the population having achieved a bachelor’s degree or higher. This is only one percentage point less than the Austin metropolitan statistical area (MSA) and much higher than the state or the US. Buda is also located near many regional postsecondary institutions, which allows for easy access to education.

For the Hays County Independent School District (ISD), many high school graduates enrolled in college (20 percent), found jobs (25 percent), or did both (30 percent). Austin Community College and Texas State University are the most popular destinations for matriculation, accounting for 61 percent of all high school graduates who enrolled at public schools.

CLASSIFICATION SYSTEMS

The **Standard Occupational Classification (SOC)** system is used by federal statistical agencies to classify workers into categories for the purpose of collecting, calculating, or disseminating data. This system groups all occupations in which work is performed for pay or profit according to the type of work performed and, in some cases, on the skills, education, or training needed to perform the work at a competent level. Under the current (2018) SOC system, workers are classified into one of 867 detailed occupations, which are combined to form 459 broad occupations, 98 minor groups, and 23 major groups.

STANDARD OCCUPATIONAL CLASSIFICATION (SOC) SYSTEM STRUCTURE AND EXAMPLE)



EXAMPLE: Major group 51-0000 Production occupations

- **Minor group 51-2000** Assemblers & fabricators
 - **Broad occupation 51-2090** Miscellaneous assemblers & fabricators
 - **Detailed occupation 51-2092** Team assemblers

COMPETITIVE BENCHMARKING

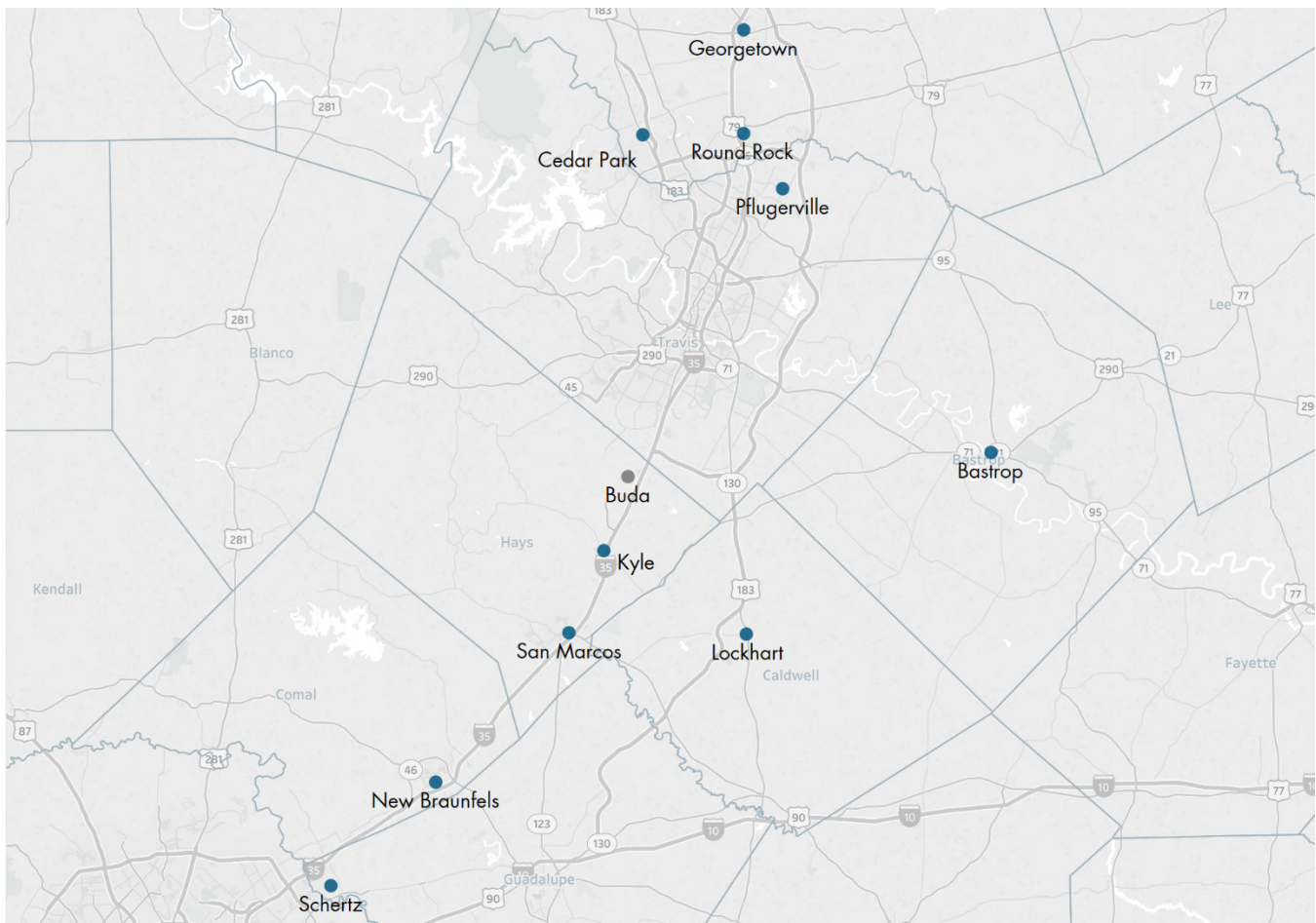
Ten competitor cities along the I-35 corridor in the Austin and San Antonio metro areas were chosen as benchmarks for Buda against key indicators (see Figure 2).

Of these competitor cities, Buda had the **highest population growth** between 2010 and 2017, followed by Kyle. Buda has a similar proportion of prime, working-age population as its peers and a lower proportion of seniors. Buda has the second most educated population, tying with Georgetown. Hays ISD, however, has a lower 4-year graduation rate compared to other Buda peers.

In terms of development, Buda has a high ratio of new housing permits per 1,000 residents, followed by Georgetown and Kyle. Buda is somewhat unique in that single-family permits accounted for 100 percent of all residential building permits in 2017. Buda's housing affordability index (housing prices compared with income levels) is lower than the US and **more affordable housing** than 6 of the 10 competitor cities. Buda is behind most of its peers in regard to the percent of population who works at home, but above the US.

Employers in the City have access to a large number of workers with a 45-minute drive, and this number is growing. For all industries, Buda had the third highest growth in taxable sales between 2010 and 2017 (66 percent), but for retail industries only, Buda had the second lowest growth in taxable sales (33 percent). Buda has nearly as many inbound commuters on a daily basis as it has outbound commuters, making it a net exporter of labor, similar to 6 of the 10 competitor cities.

FIGURE 2. BUDA PEER CITIES



RETAIL ANALYSIS

Buda's daytime population includes two different segments: an estimate of 6,560 workers and 7,994 residents, based on information from Esri. Buda's retail market opportunities are predicted to grow by 2023, thanks to several factors: population is expected to increase 32 percent, median household income increase 9 percent, number of housing units increase 29 percent, and median home value increase 8 percent.

Buda's retail demographics are stronger than the Austin metro area as a whole. While Boomburbs and Soccer Moms are prominent tapestry segments for Buda (representing 73 percent of all households), these segments represent a much smaller share of the metro area's population (13.3 percent). These two segments are among the highest tapestry segments in terms of spending power for retail establishments.

Buda has a number of retail sectors that draw customers from outside the city, including automobiles, grocery stores, and sporting goods. The largest retail sectors for leakage in Buda are clothing and clothing accessories stores; electronics and appliances stores; and building materials, garden equipment, and supply stores. Leakage is assumed when estimated demand exceeds the estimated supply, suggesting that residents have to shop outside the city for items in these sectors. **Buda also has an established and expanding downtown** district with a mixture of long-time businesses and new businesses, mostly in the food, services, and retail sectors.

Buda's local businesses and tax base are enhanced by visitor spending. According to the Texas Comptroller's office, accommodation and food service—the sector that includes hotels and restaurants—represented a small slice (11.2 percent) of Buda's taxable sales in 2017. Buda trailed all 10 peer cities in the corridor on this measure in 2017, likely due to the outsized role of Cabela's in the City's local sales tax base. Between 2010 and 2017, growth rates in taxable sales for accommodation and food service varied widely throughout the corridor, from a low of 6.4 percent in San Marcos to a high of 20.1 percent in Kyle. At 9.3 percent, Buda's growth in this sector represented the corridor's median. Buda's ability to draw tourist-related spending is strong, according to annual reports from the Texas tourism office. Buda's travel spending grew at a compound annual rate of 11.1 percent between 2010 and 2017, leading all 10 competitor cities in the Austin–San Antonio corridor.

Cabela's has helped establish Buda as a retail destination, in addition to its significant contributions to the local tax base. The company grew 13.1 percent between 2014 and 2015, nationally, and averages \$344 in sales per square foot. While Cabela's does face risks from other brick-and-mortar sporting goods stores and e-commerce sales, the store remains the only Cabela's location in the Austin–San Antonio corridor. Moreover, the customer base in the primary trade area within a 30-minute drive time (and beyond) of the Cabela's retail district will continue to grow rapidly in the coming years, helping to shield the store from potential losses in revenues from competition. In addition, this growing population in Buda and surrounding areas will drive additional demand for retail, restaurant, and entertainment businesses seeking a location within or near the Cabela's retail district in Buda.

WHY IT MATTERS

Retail is increasingly seen as a critical element of a local economy. It is an amenity without which other economic sectors find it difficult to recruit workers. While traditional theory sees retail as a spin-off effect from the manufacturing sector and other export-oriented industries, many successful communities now recognize that a thriving retail sector is an important part of the community. In addition to providing an amenity for residents and visitors, the presence of a shopping and entertainment destination is often an important consideration in the recruitment of employers.

Retail growth can also have tremendous fiscal ramifications. The dependence of many Texas communities on sales tax has several consequences, not the least of which is fierce competition for retail by suburban communities. The 4A/4B sales tax directly funds economic development corporations.

ABOUT THE DATA

Data in this section come from Esri's Retail MarketPlace data series (accessed via the company's Community Analyst tool). Additional information about this data is provided below.

Esri's Retail MarketPlace products combine federal data (such as the US Census Bureau Retail Trade Surveys and the US Bureau of Labor Statistics Consumer Expenditure Surveys) with information from proprietary data providers (such as Dun & Bradstreet) to prepare estimates of retail sales (supply) and potential consumer spending (demand).

Surplus/Leakage. The surplus/leakage gap shown in this report measures the difference between Esri's estimates of potential retail spending by households in a given area (demand) and the estimated volume of retail sales (supply) generated by retail businesses in the same area. This calculation enables a one-step comparison of supply against demand on an industry-by-industry basis and provides a simple way to identify business opportunity.

- *Leakage.* Leakage in an area represents a condition where demand exceeds supply. In other words, retailers outside the market area are fulfilling the demand for retail products; therefore, demand is "leaking" out of the trade area. Such a condition highlights an opportunity for new retailers to enter the trade area or for existing retailers to extend their marketing outreach to accommodate the excess demand.
- *Surplus.* Surplus in an area represents a condition where supply exceeds the area's demand. Retailers are attracting shoppers that reside outside the trade area. The "surplus" is in market supply. Brand positioning and product mix are key differentiators in these types of markets.

Tapestry Segmentation. Esri's Tapestry Segmentation system uses more than 60 attributes (such as age, income, marital status, home ownership, and education) to classify neighborhoods across the US. The Tapestry system includes 67 segments based on distinct consumer traits and residential characteristics that Esri has found to be the best indicators of consumer spending patterns. These segments are organized into 14 LifeMode groups based on shared experiences (e.g., same generation, immigrants) or significant traits (e.g., affluence, preference for urban/suburban homes). This information is frequently used to help retailers understand consumer lifestyles and preferences in an area.

FISCAL ANALYSIS

The top five sources of revenue for the City of Buda are sales and use taxes, property taxes, fees and charges for services, franchise taxes, and hotel occupancy taxes. These five sources account for almost 95 percent of total municipal revenue. Thanks to Buda's rapid growth of residential and commercial development in recent years, **the total assessed value of the property in the City increased 250 percent** from fiscal year 2008 to fiscal year 2017. In fiscal year 2017, Texas Lehigh Cement Company was the largest property taxpayer in Buda with an assessed value of \$86 million. The top 10 property tax payers accounted for about 15 percent of all taxable assessed value.

WHY IT MATTERS

Tax base diversification is a frequent goal of economic development planning. Ensuring that the community is not overly reliant on a particular type of revenue or on a handful of industries or employers can help protect against economic swings and enable communities to maintain adequate, consistent service levels. Having a diversified revenue stream can also help achieve a balance in the tax burdens of various groups (e.g., residents, businesses, and consumers). As a result, having a solid understanding of the sources of revenue and trends in collection is an essential step in crafting appropriate strategies.

Data presented in this section were compiled from the City's *Comprehensive Annual Financial Report* for the fiscal year ended September 30, 2016 (the most recent report available at the time of analysis), and from quarterly sales tax reports published by the Texas Comptroller of Public Accounts.

REAL ESTATE ANALYSIS

Since 2010, the majority of Buda's housing permits have been for single-family structures. In terms of housing costs, Buda is more affordable than the Austin metro area, Hays County, and the US, but slightly more expensive than Texas. Because of its rapid growth, most of Buda's housing stock was built after 2000 (72 percent).

There are **many new developments** in and around the Buda area, including San Marcos, Kyle, New Braunfels, and Dripping Springs. These new residential developments, industrial projects, and, more recently, medical/office development, all contributed to Buda's growth. The Sunfield development was listed among the top 10 fastest-growing neighborhoods in the Austin market in 2017. **Hays County was the fastest-growing county of its size in the US** from 2016 to 2017 with 5 percent population growth. The Buda market's median home price grew, but not as much as many of its peers.

ORGANIZATIONAL ANALYSIS

At **1.24 economic development staff per 10,000 residents**, Buda EDC has one of the larger staff-to-resident ratios of the benchmark cities. Bastrop has the highest ratio at 3.41. The lowest is the Greater Austin Chamber of Commerce at 0.18. The City of Buda operates a Type B economic development corporation, with revenues about \$2 million and expenditures about \$1.1 million. While the City of Buda's economic development fund might not be the largest in amount, on a per capita basis, Buda has **more to spend** per resident than many of its peers. Buda's economic development programs range from target industries to business retention and expansion (BRE) to workforce development. Out of the local economic development organizations, **Buda EDC has the largest number of offerings**, tied with Bastrop EDC. Of the regional economic development organizations, the Greater Austin Chamber of Commerce offers the most offerings, fulfilling every category.

SWOT ANALYSIS

Using economic and demographic data to understand Buda’s economic potential is a critical starting point, but it does not tell a complete story of the City’s challenges and opportunities. In addition, TIP’s review of quantitative information, a qualitative understanding of Buda, was developed through meetings with business and community leaders and an online questionnaire for employers and residents. Based on these additional insights, along with TIP’s experience working with communities throughout Texas and across the US, an analysis was created of the community’s strengths, weaknesses, opportunities, and threats—commonly referred to as a SWOT analysis.

For the purposes of this plan, a SWOT analysis is defined as follows.

- **STRENGTHS.** Advantages that can be leveraged to grow and strengthen the local economy.
- **WEAKNESSES.** Liabilities and barriers to economic development that limit Buda’s growth potential.
- **OPPORTUNITIES.** Assets and positive trends that hold significant potential for increased local business growth, investment, and real estate development.
- **THREATS.** Unfavorable factors and trends that could negatively affect the local economy.



STRENGTHS

- Location near Austin and along I-35 corridor (including proximity to Austin-Bergstrom International Airport, Circuit of the Americas, downtown Austin, and access to San Antonio)
- Robust transportation infrastructure (existing, under construction, and planned) connecting Buda to Austin and San Antonio
- Type B economic development corporation—Buda EDC—resources for business expansion and recruitment
- Sunfield master-planned community (partially in the City limits and mostly in the extraterritorial jurisdiction)
- Diverse group of small- to mid-size employers in several industries
- Historic Main Street district with dozens of unique businesses
- Buda Mill & Grain complex along Main Street
- New City Park at north end of Main Street
- Attractive Texas Hill Country atmosphere throughout community
- New city hall and library complex
- Vast majority of residential and commercial development in the City built after 2000 (with the notable exception of historic structures on Main Street), giving the community a fresh look and feel
- City of Buda is a “full-service” community with police, fire, parks, public works, and other City services
- Three major medical developments currently under construction: Baylor Scott & White hospital, Ascension Seton Health Center, and St. David’s HealthCare 24/7 emergency clinic
- Relatively low City property tax rate compared to Kyle and other I-35 corridor cities
- Competitive utility rates (electric, water, wastewater)
- Multiple existing commercial and industrial districts
- YMCA Camp Cypress
- Local and regional higher education institutions (Austin Community College Hays campus, Texas State University, University of Texas at Austin)
- Hays CISD and new high school campus under construction in Buda
- Permitting and development review process more “business friendly” and expedient than City of Austin



WEAKNESSES

- Small City in Austin's orbit, easy for Buda to "fly under the radar" compared to larger surrounding cities
- Few "executive housing" options (high-end homes in the \$500K to \$1M+ price range) in or near Buda
- No existing public transportation service in Buda providing connections for workers and visitors to Austin, San Marcos, and surrounding communities
- No higher education institutions located in Buda
- Main Street transportation "bottleneck" due to limited roadway capacity, especially for trucks and larger vehicles



OPPORTUNITIES

- Rapid ongoing growth of Austin and San Antonio metro areas provides numerous opportunities for business attraction and commercial real estate development in Buda
- Business expansion projects and/or relocations from growing companies in the Austin metro area
- Additional hotel development to serve leisure and business travelers visiting Austin area and Texas Hill Country, including potential for a hotel/conference center complex
- New City Unified Development Code ensures quality standards for new development projects
- Large sites along I-35 with significant redevelopment potential: America's Auto Auction, CrestviewRV, Camper Clinic 2
- R-use of old city hall building as a coworking space for small, growing companies
- Potential to more proactively leverage Onion Creek waterway area as a tourism and recreation asset, including as a centerpiece for future development projects
- Potential for a major regional corporate and tech campus, with mixed-use development (similar to The Domain shopping center) at the I-35 and SH 45 interchange
- Development of commercial Class A office space including multi-tenant buildings (for a variety of firms), coworking space (for entrepreneurs, freelancers, and growing companies), and single-user office campuses (for mid- and large-size employers, including state government offices)
- Increasing costs of real estate in Austin provide incentives for relocation to Buda as a more affordable location for commercial and industrial firms, satellite offices for tech firms, and professional services companies, in addition to state government offices that could lease office space outside the urban core
- New road and highway expansion projects (SH 45 southwest between FM 1626 and MoPac freeway, MoPac underpasses at Slaughter Lane and La Crosse Avenue, Robert S. Light Boulevard extension west toward FM 1626, and expansion of FM 1626 to four lanes from FM 967 to FM 2770) will enhance transportation access to/from Buda and surrounding areas
- Creation of a medical district centered on the new Baylor Scott & White hospital, with new medical specialties, office space, and amenities (hotels, restaurants, entertainment)
- Limited infrastructure capacity in surrounding communities (such as the wastewater limitations in Dripping Springs) provide opportunities for business expansion into Buda



THREATS

- Competition from other cities in the Austin–San Antonio corridor for business expansion and recruitment projects
- Reliance on big box retail (Cabela’s, Walmart, H-E-B) as a key source of tax revenue, visitors, employment, and demand driver of adjacent real estate development
- Capacity for future growth is somewhat limited because of few remaining large sites within the City limits available for development
- Potential loss of local companies as they grow due to lack of space available for expansion
- External perceptions are narrowly focused on the most visible aspects of Buda (Cabela’s and I-35 frontage) and do not represent the reality of the City’s more varied economic landscape (business and industrial parks, Main Street, quality residential developments)
- Proliferation of industrial/flex space in Buda and Kyle, especially along I-35 frontage, presents a risk of the area being pigeonholed as primarily an “industrial” corridor
- Periodic flooding along Onion Creek and other flood-prone areas affects businesses along Main Street and others in the community
- Edwards Aquifer recharge zone in western portions of Buda (especially along FM 1626 and FM 967) limits future development options
- Lack of available housing options for low- to mid-wage workers (workforce housing) and C-level professionals (executive housing) in or near Buda barrier to recruitment of companies that rely on these workers
- Housing affordability a growing challenge for a large share of low- and mid-wage workers in the Austin metro area

POPULATION AND DEMOGRAPHICS

FIGURE 3. BUDA POPULATION

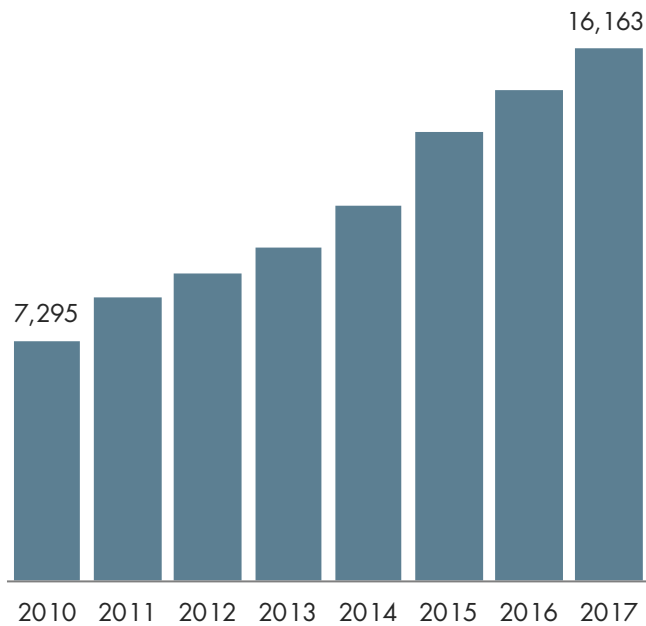


FIGURE 4. HAYS COUNTY COMPONENTS OF POPULATION CHANGE

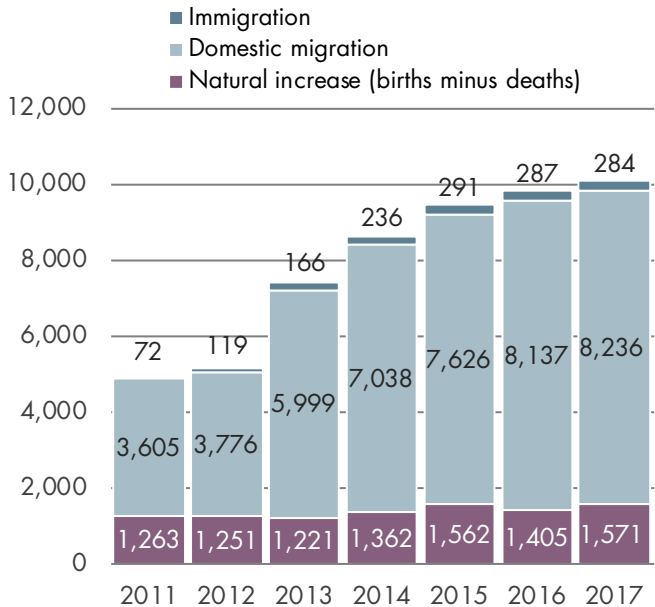
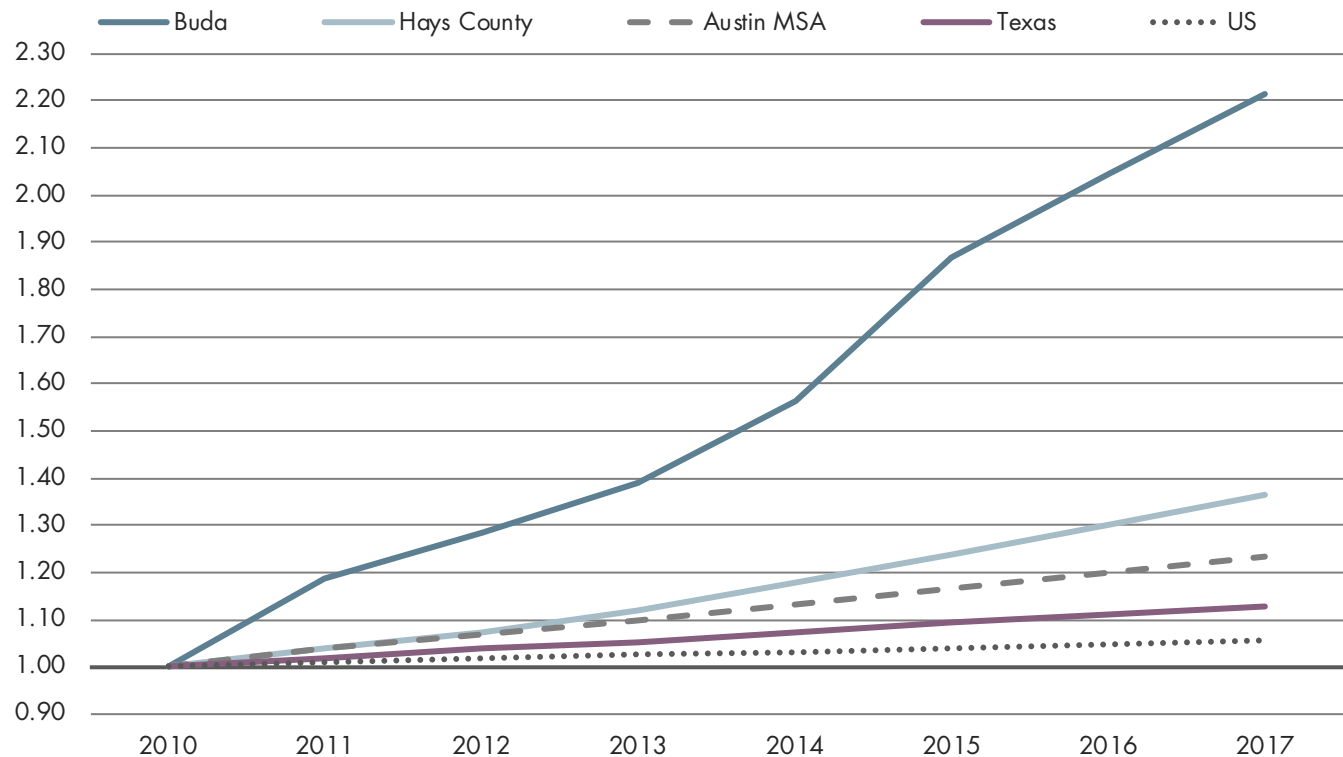
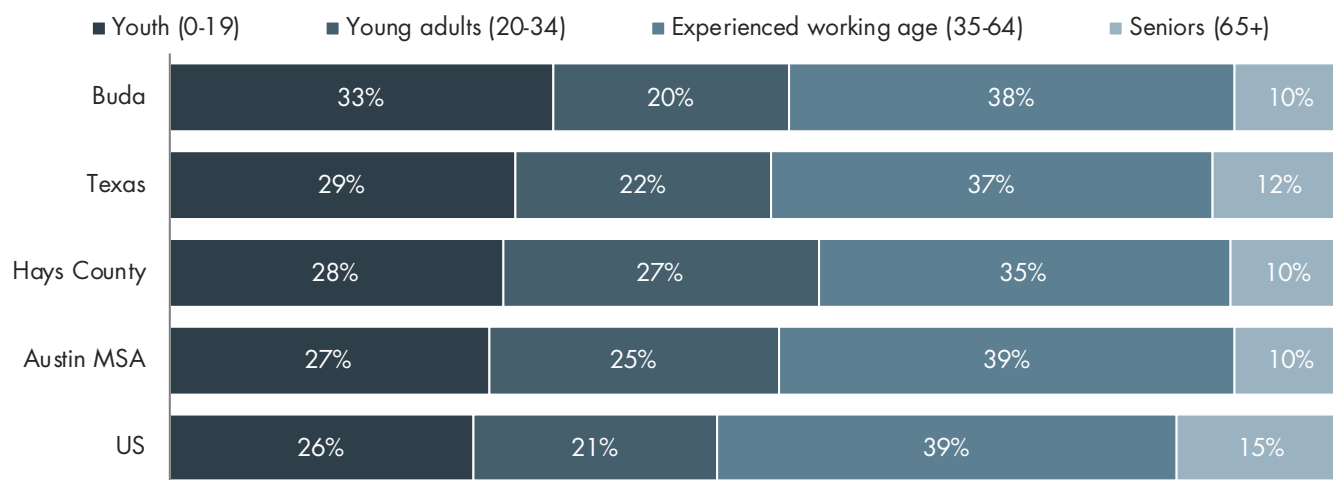


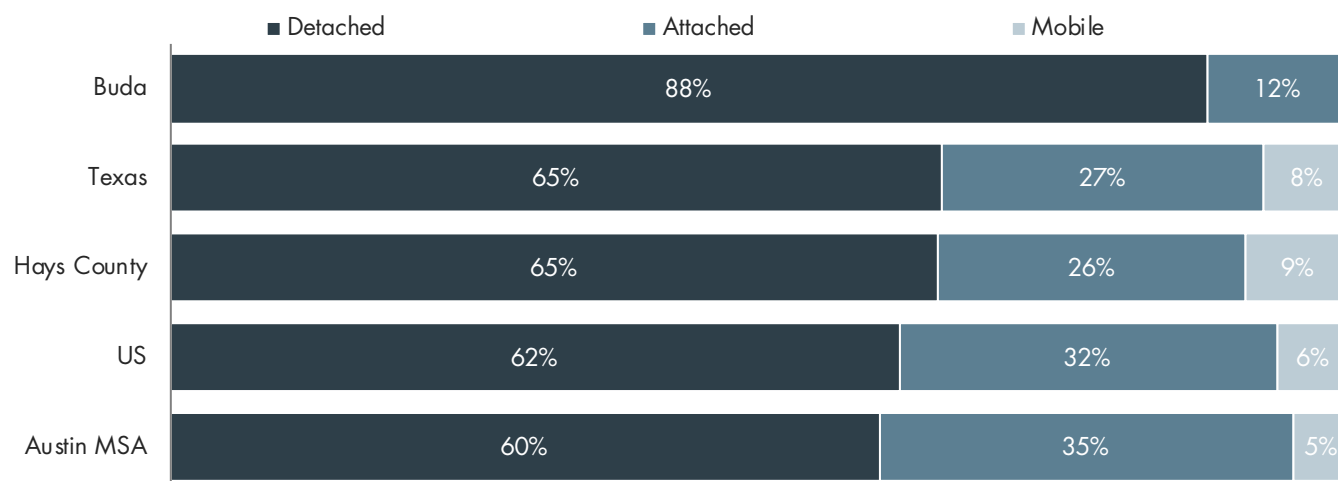
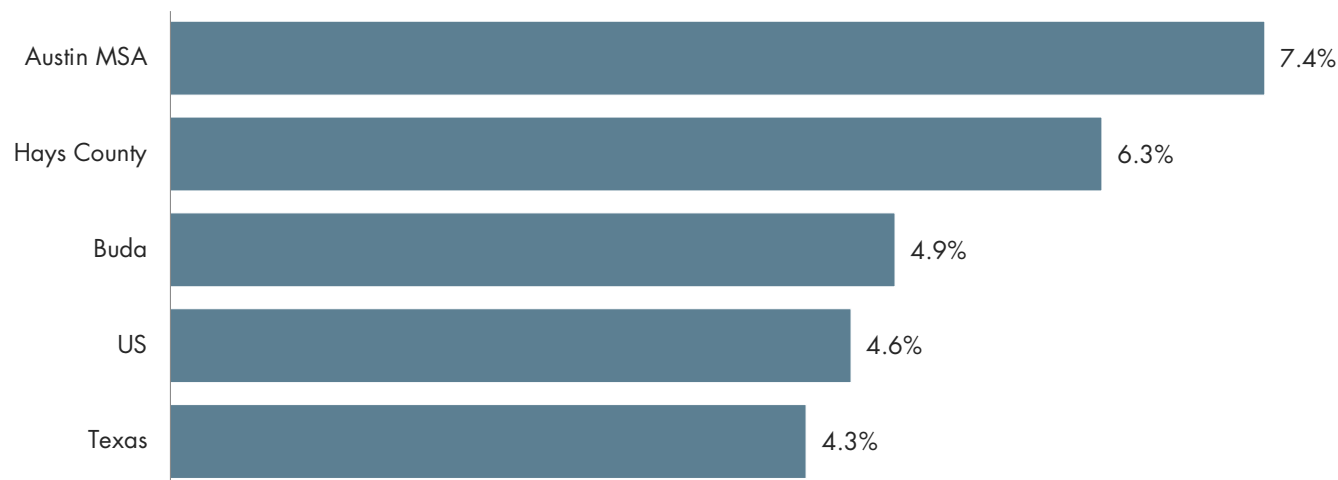
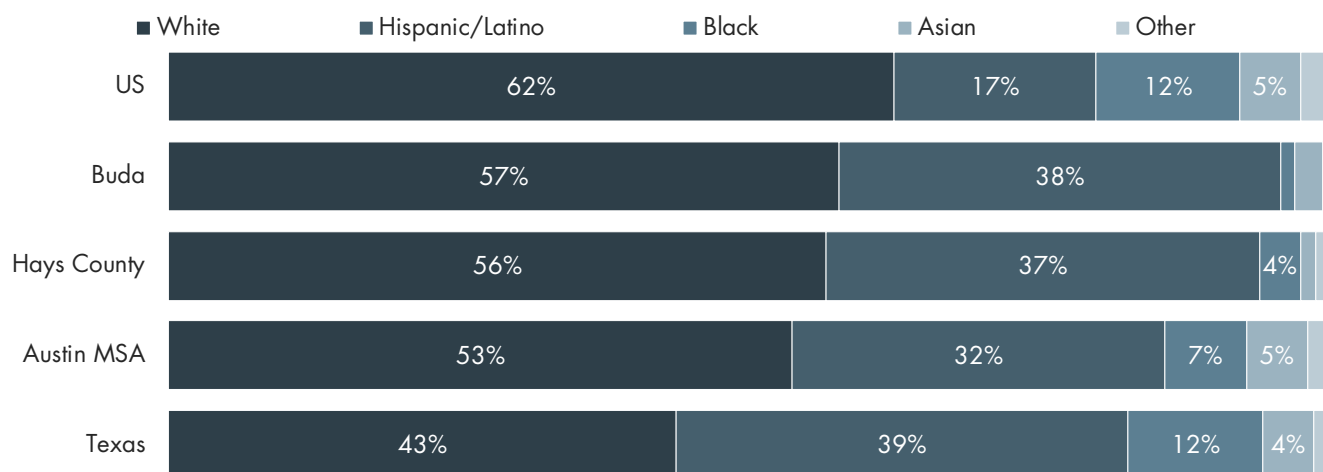
FIGURE 5. COMPARATIVE POPULATION TRENDS INDEXED TO 2010



Source: (all figures) US Census Bureau, Population Estimates Program.

FIGURE 6. AGE STRUCTURE**FIGURE 7. MEDIAN HOUSEHOLD INCOME****FIGURE 8. MEDIAN HOME VALUE**
OWNER-OCCUPIED UNITS

Source: (all figures) US Census Bureau, American Community Survey, 5-year averages for the period 2012–2016.

FIGURE 9. COMPOSITION OF HOUSING STOCK**FIGURE 10. SHARE OF REMOTE WORKERS**
PERCENT OF ALL WORKERS AGE 16+ WORKING REMOTELY**FIGURE 11. RACE/ETHNICITY**

Source: (all figures) US Census Bureau, American Community Survey, 5-year averages for the period 2012–2016.

COMMUTING FLOWS

FIGURE 12. INFLOW/OUTFLOW FOR BUDA, 2015

FLOW OF WORKERS TO/FROM THE AREA

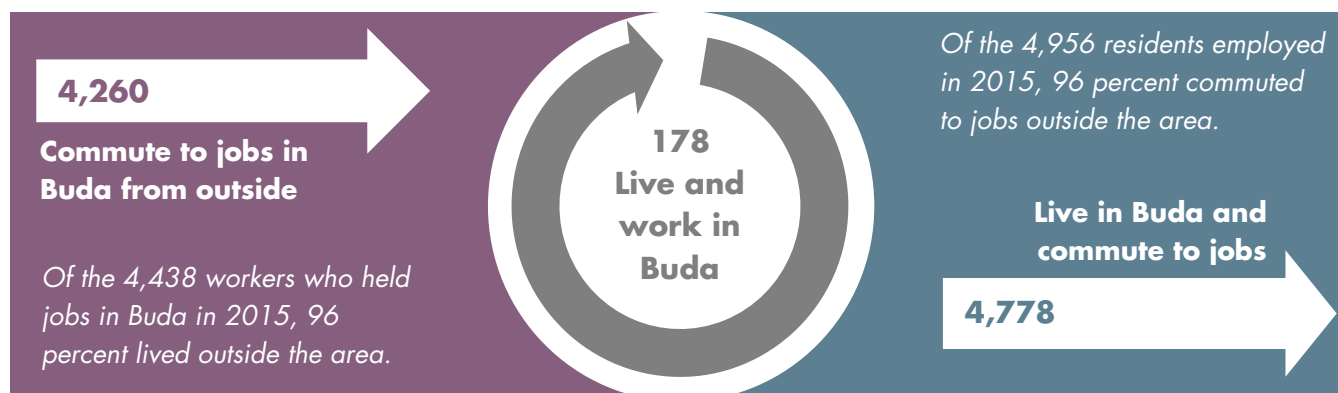
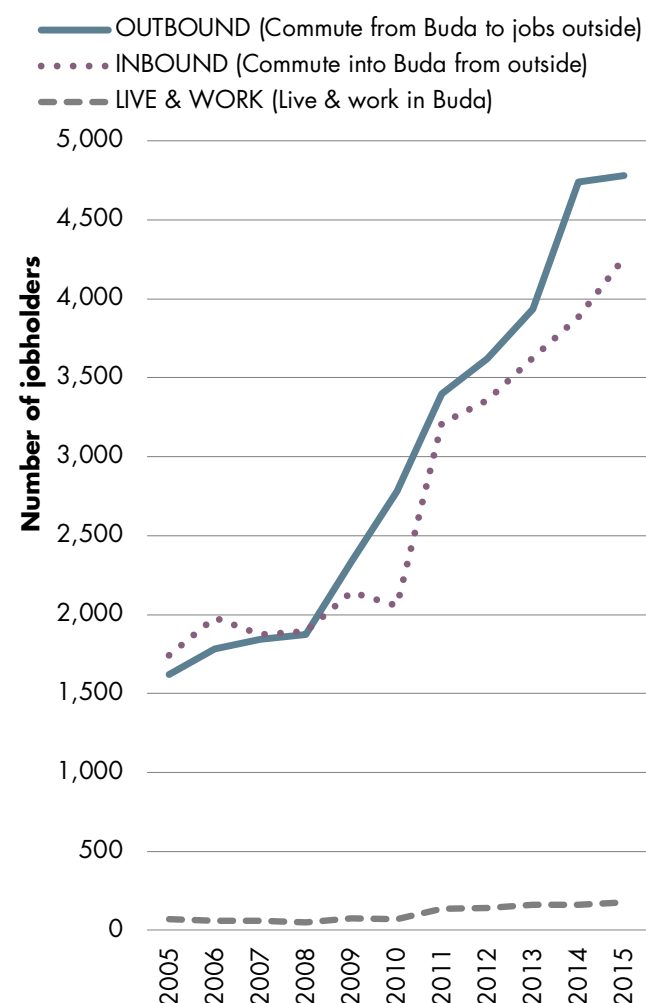


FIGURE 13. COMMUTING FLOWS, 2005–2015



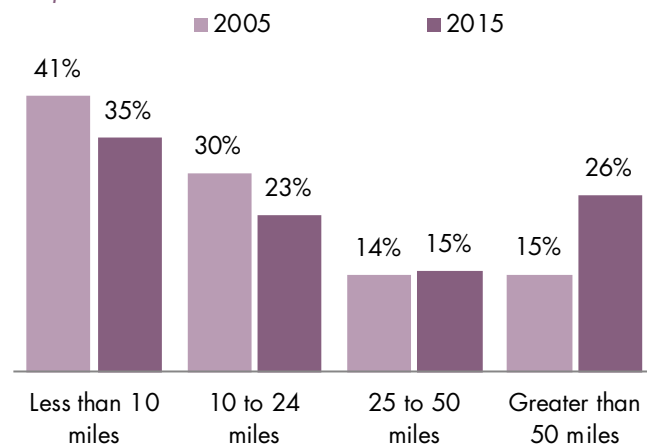
Source: (all figures) US Census Bureau, Local Employment Dynamics.

Note: (Figure 12) Arrows are for illustrative purposes and do not indicate directionality of worker flow between home and employment locations.

FIGURE 14. DISTANCE TRAVELED, 2005 VS. 2015

SHARE OF JOBHOLDERS

People who work in Buda



Employed people who live in Buda

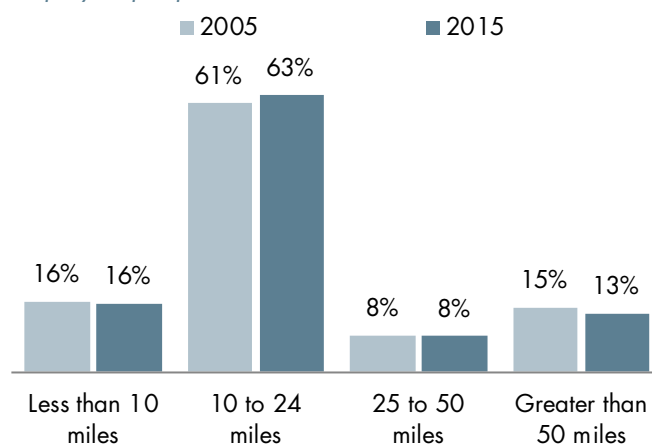


FIGURE 15. COMMUTING DESTINATION, 2015
TOP 10 CITIES

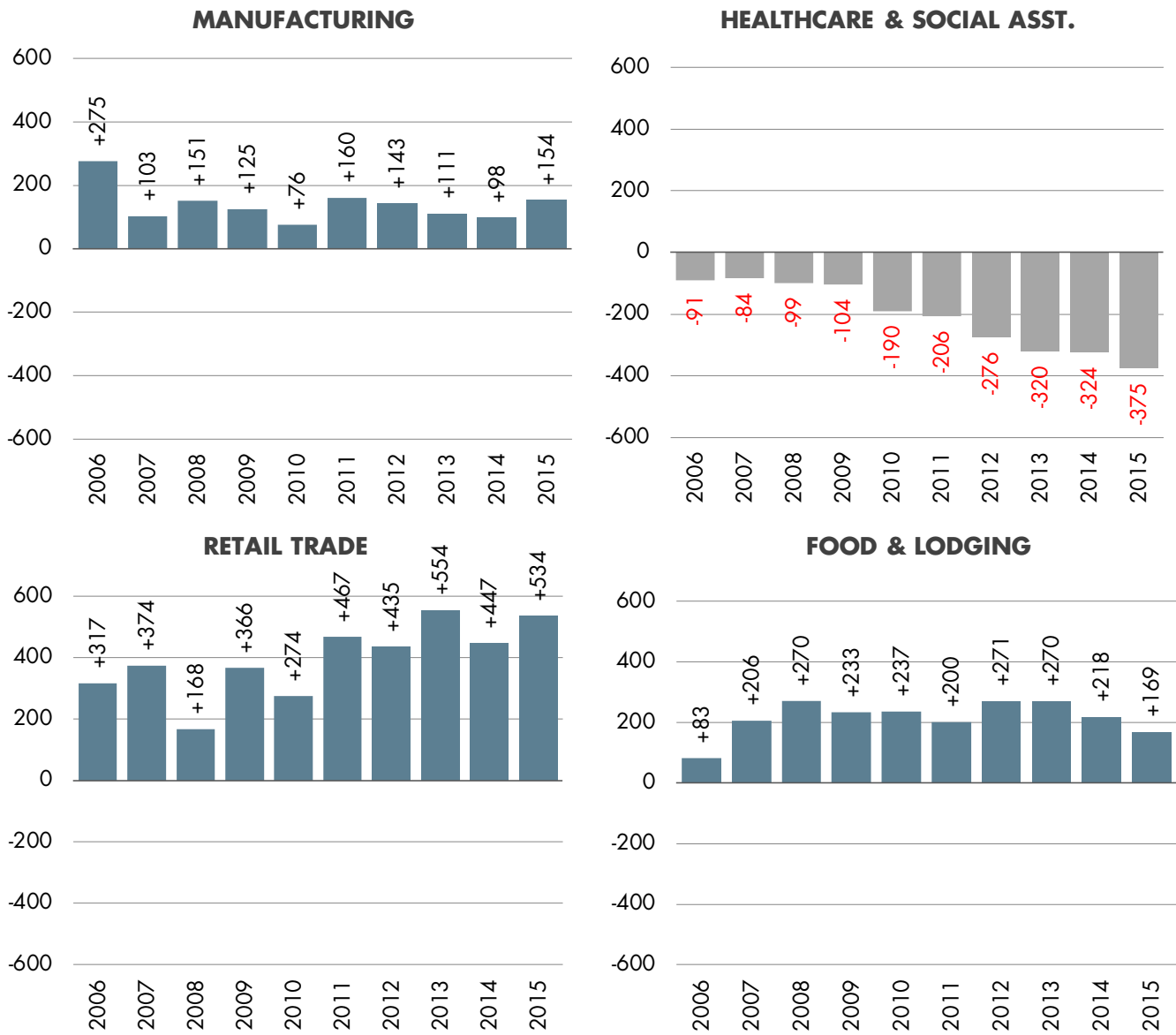
<i>Where Buda workers live</i>				<i>Where employed Buda residents work</i>			
City (Place)	Count	Share		City (Place)	Count	Share	
1 Austin city, TX	873	19.7%		1 Austin city, TX	2,863	57.8%	
2 Kyle city, TX	403	9.1%		2 San Marcos city, TX	253	5.1%	
3 San Marcos city, TX	201	4.5%		3 Buda city, TX	178	3.6%	
4 San Antonio city, TX	197	4.4%		4 San Antonio city, TX	131	2.6%	
5 Buda city, TX	178	4.0%		5 Houston city, TX	130	2.6%	
6 Houston city, TX	98	2.2%		6 Kyle city, TX	128	2.6%	
7 New Braunfels city, TX	71	1.6%		7 Round Rock city, TX	86	1.7%	
8 Lockhart city, TX	40	0.9%		8 Dallas city, TX	62	1.3%	
9 Pflugerville city, TX	37	0.8%		9 New Braunfels city, TX	56	1.1%	
10 Fort Worth city, TX	35	0.8%		10 Dripping Springs city, TX	35	0.7%	
All Other Locations	2,305	51.9%		All Other Locations	1,034	20.9%	
Total	4,438	100.0%		Total	4,956	100.0%	

FIGURE 16. NET COMMUTING FLOWS BY NAICS INDUSTRY SECTOR, 2015
NET FLOWS = INBOUND - OUTBOUND FLOWS

SECTOR	INFLOW	OUTFLOW	NET
Retail trade	976	442	534
Construction	720	381	339
Restaurants, bars, & hotels	586	417	169
Manufacturing	450	296	154
Administrative services	288	255	33
Wholesale trade	238	222	16
Personal & other services	156	144	12
Agriculture, forestry, fishing and hunting	1	6	-5
Oil, gas, & mining	0	24	-24
Corporate & regional HQs	0	37	-37
Property sales & leasing	37	90	-53
Utilities	0	57	-57
Transportation & warehousing	42	99	-57
Arts & entertainment	10	81	-71
Finance & insurance	88	170	-82
Information & media	6	100	-94
Education	409	631	-222
Professional services	165	412	-247
Healthcare	212	587	-375
Government	54	505	-451

Source: (all figures) US Census Bureau, Local Employment Dynamics.

FIGURE 17. NET COMMUTING FLOWS BY NAICS INDUSTRY SECTOR
NET FLOWS = INBOUND - OUTBOUND FLOWS



Source: US Census Bureau, Local Employment Dynamics.

INDUSTRY TRENDS

FIGURE 18. BUDA EMPLOYMENT TRENDS, 2007-2017

TOTAL ANNUAL EMPLOYMENT IN BUDA (78610)

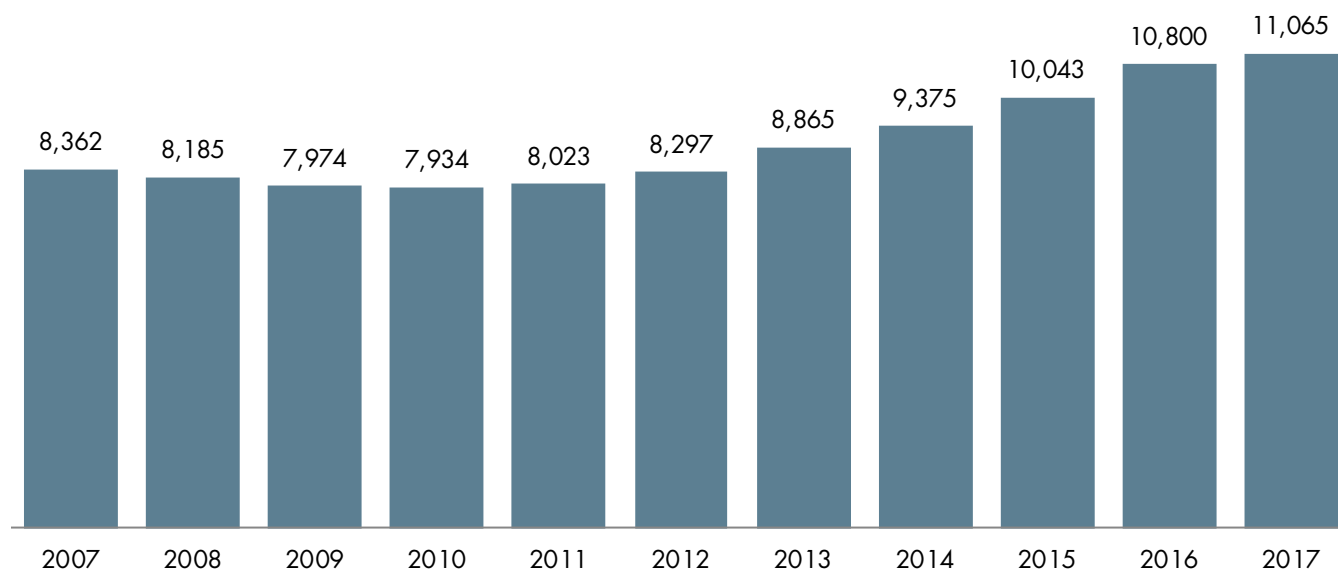
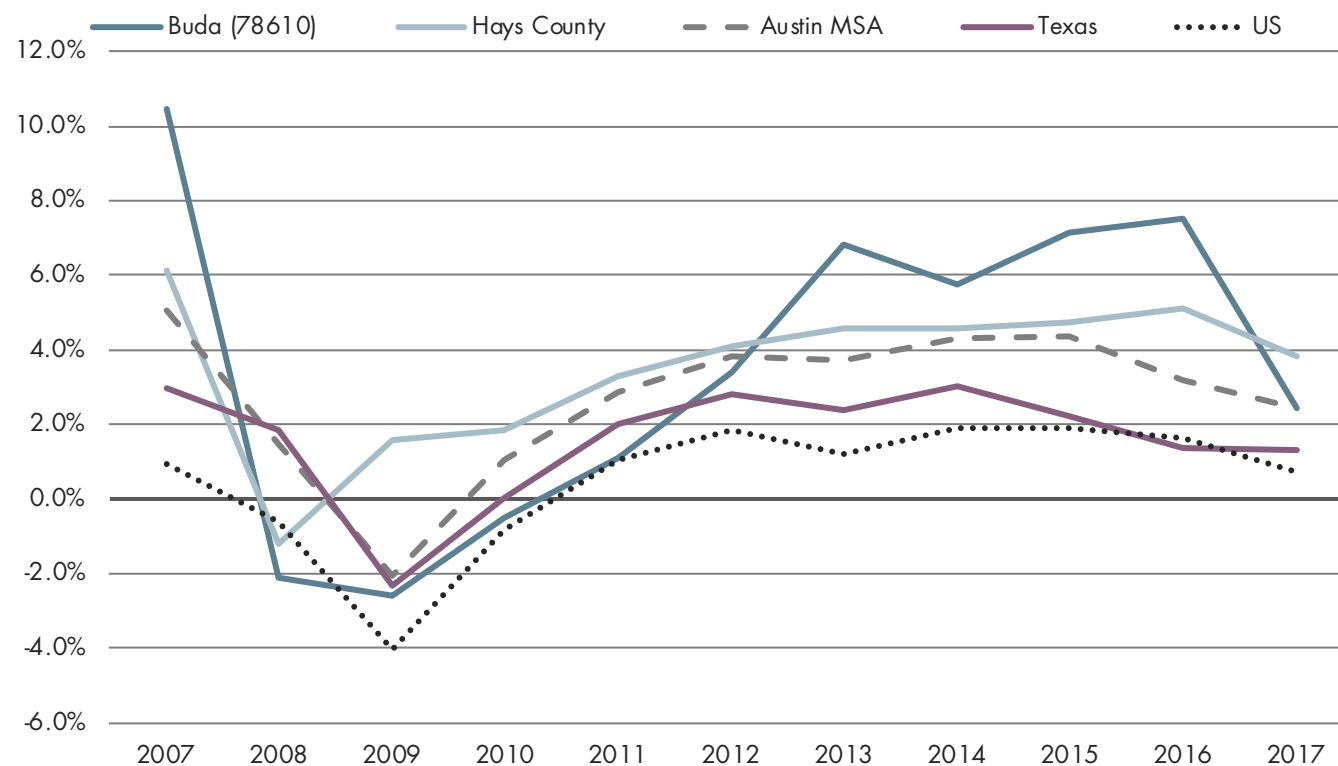


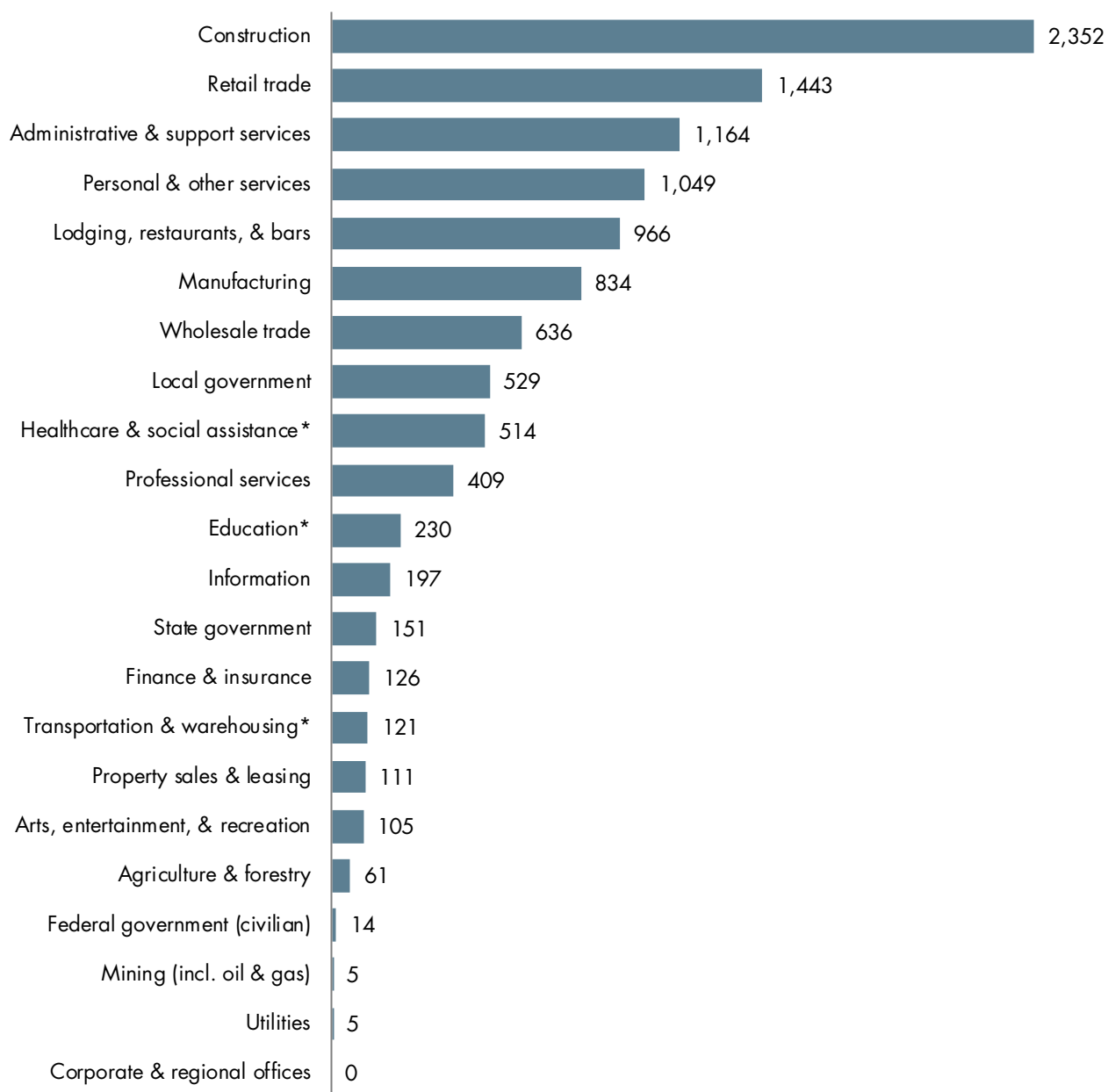
FIGURE 19. EMPLOYMENT TRENDS, 2007-2017

ANNUAL JOB GROWTH RATE (PERCENTAGE CHANGE FROM PRIOR YEAR)



Source: (all figures) Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed.

Note: The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 20. BUDA (78610) JOB BASE BY INDUSTRY SECTOR, 2017

*Includes related public sector employment (e.g., education includes public schools, colleges, and universities; healthcare includes public hospitals; and transportation and warehousing include US Postal Service workers).

Source: Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed.

Note: The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 21. BUDA (78610) NET CHANGE IN JOBS BY SECTOR SINCE THE RECESSION, 2008–2017

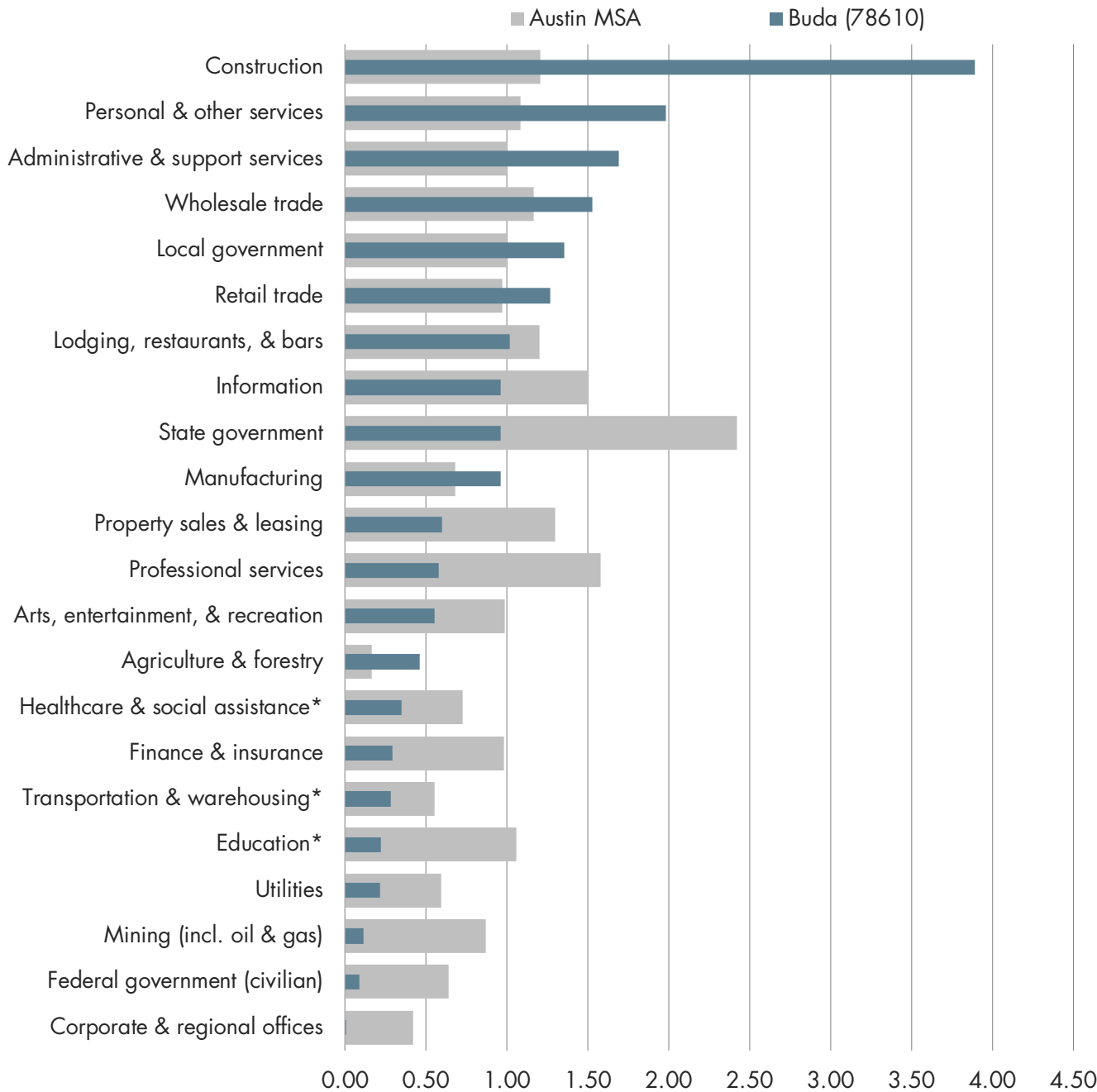
56	Administrative & support services	734
23	Construction	713
44	Retail trade	428
72	Lodging, restaurants, & bars	368
42	Wholesale trade	304
62	Healthcare & social assistance*	264
81	Personal & other services	242
54	Professional services	196
61	Education*	145
9039	Local government	101
52	Finance & insurance	43
48	Transportation & warehousing*	37
53	Property sales & leasing	34
71	Arts, entertainment, & recreation	30
901199	Federal government (civilian)	9
55	Corporate & regional offices	0
11	Agriculture & forestry	-2
21	Mining (incl. oil & gas)	-16
9029	State government	-58
51	Information	-74
22	Utilities	-150
31	Manufacturing	-476

*Includes related public sector employment (e.g., education includes public schools, colleges, and universities; healthcare includes public hospitals; and transportation and warehousing include US Postal Service workers).

Source: Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed.

Note: The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 22. INDUSTRY CONCENTRATION (LQ)
COMPARISON OF BUDA AND AUSTIN MSA

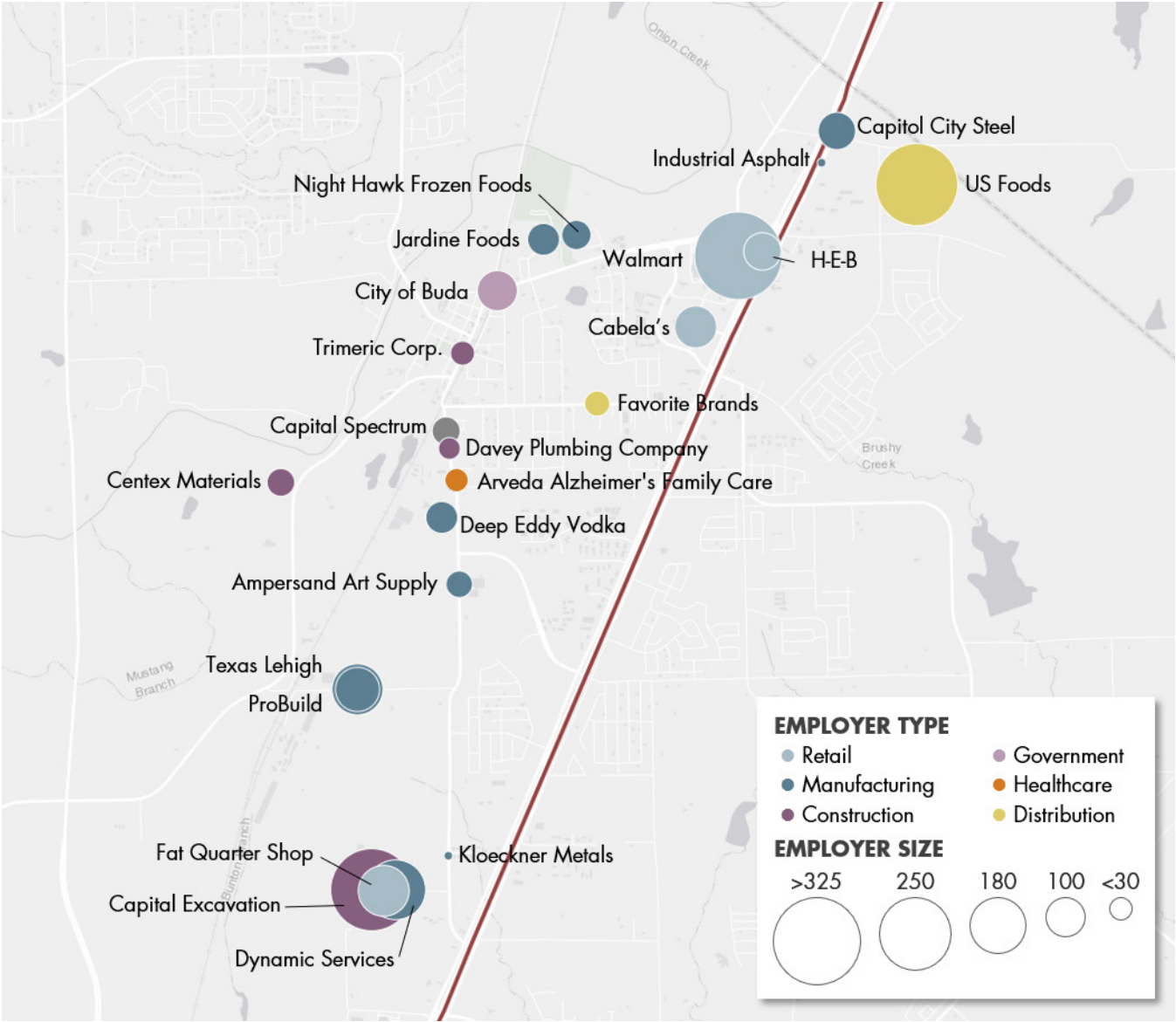


*Education includes all public schools, colleges, and universities. Healthcare includes all public hospitals. Excludes military and unclassified employment.

Source: Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed.

Note: The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 23. MAJOR EMPLOYERS BY TYPE



Sources: Buda Economic Development Corporation, TIP research.

WORKFORCE AND EDUCATION

FIGURE 24. BUDA (78610) OCCUPATIONS BY SKILL LEVEL, 2017

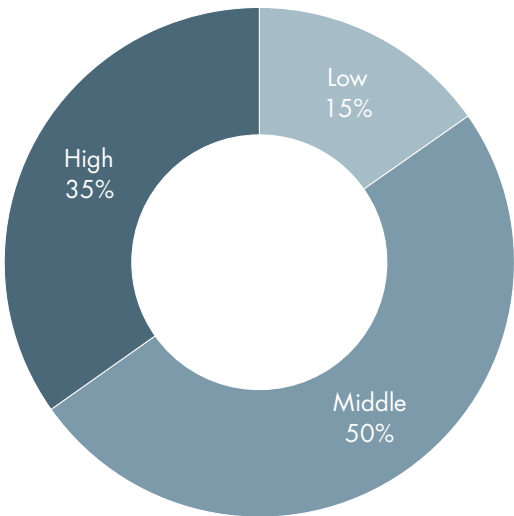


FIGURE 25. US OCCUPATIONS BY SKILL LEVEL, 2017

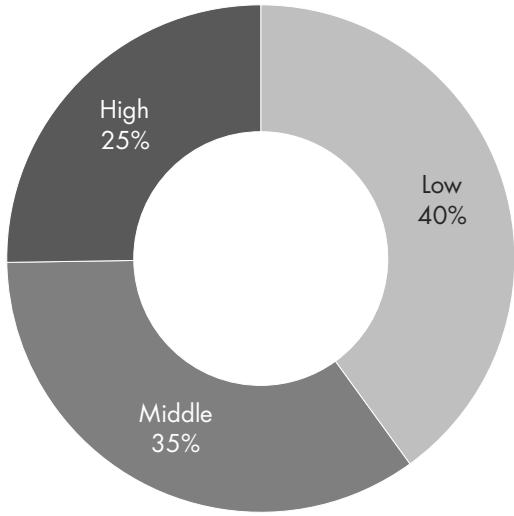
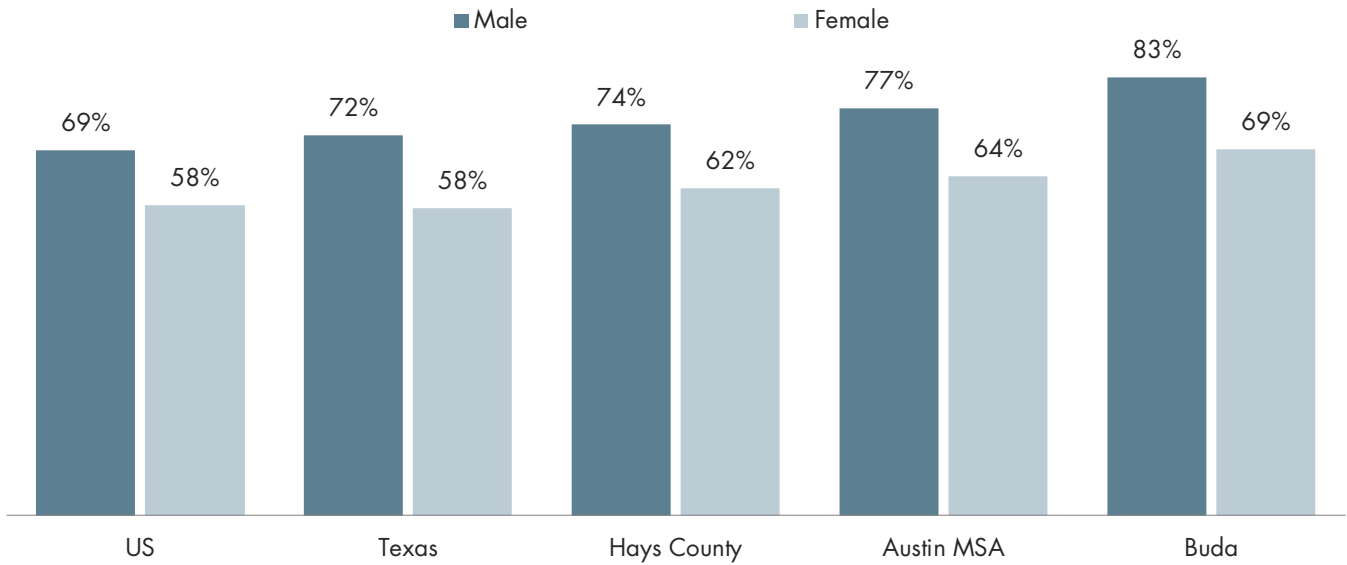
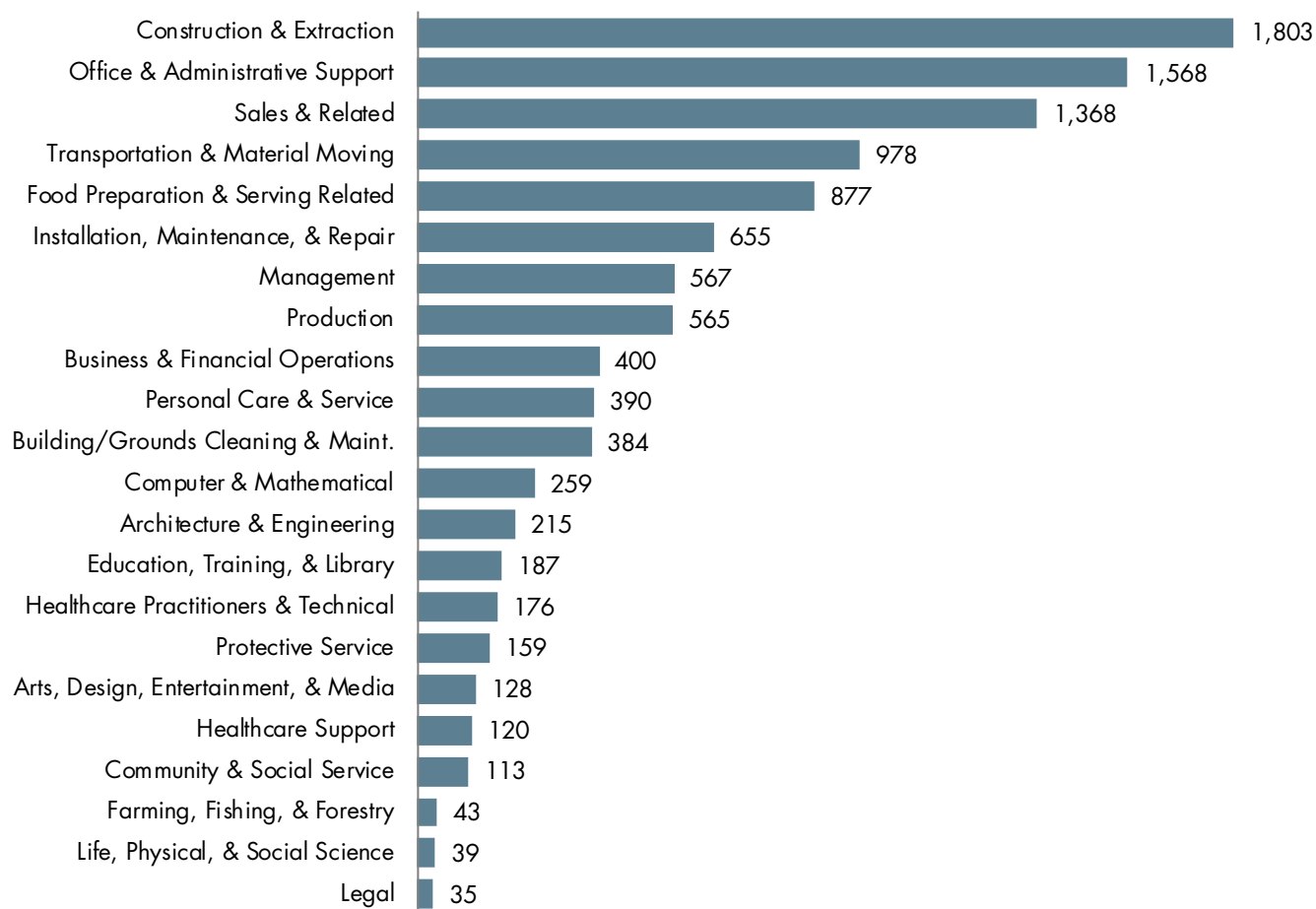


FIGURE 26. LABOR FORCE PARTICIPATION POPULATION 16+ YEARS



Sources: (Figure 24 and Figure 25) Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed; (Figure 26) US Census Bureau, American Community Survey, 5-year averages for the period 2012–2016.
Note: The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 27. BUDA (78610) EMPLOYMENT BY OCCUPATION, 2017

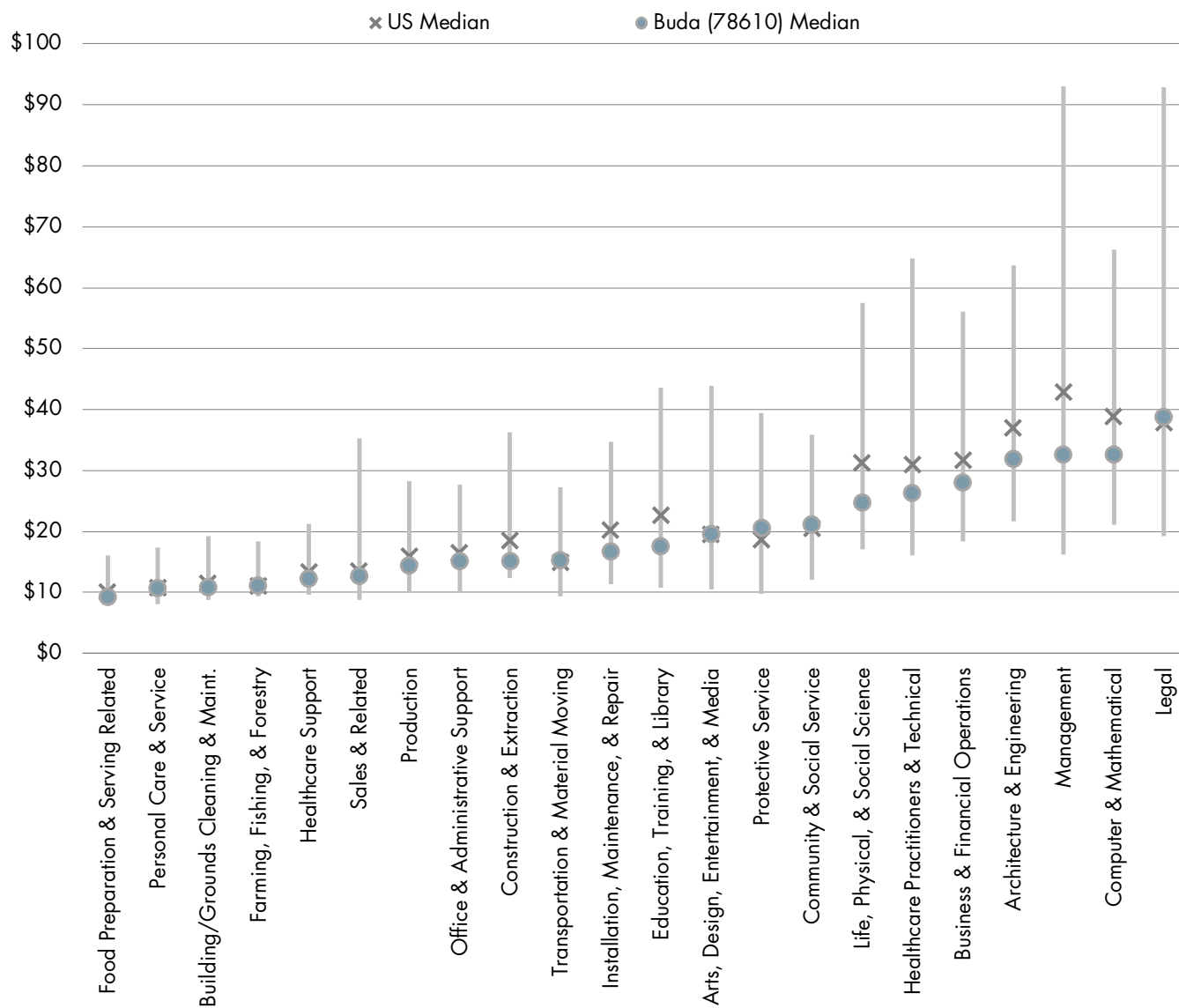
Source: Emsi 2018.1 —QCEW Employees, Non-QCEW Employees, and Self-Employed.

Notes: Excludes military and unclassified occupations. The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 28. BUDA (78610) WAGES IN THE CONTEXT OF THE NATIONAL WAGE RATES, 2017
BY MAJOR OCCUPATIONAL GROUP

Line = US wage range from the 10th to the 90th percentile

Markers = Median hourly wage rates for US (x) and Buda (dot)



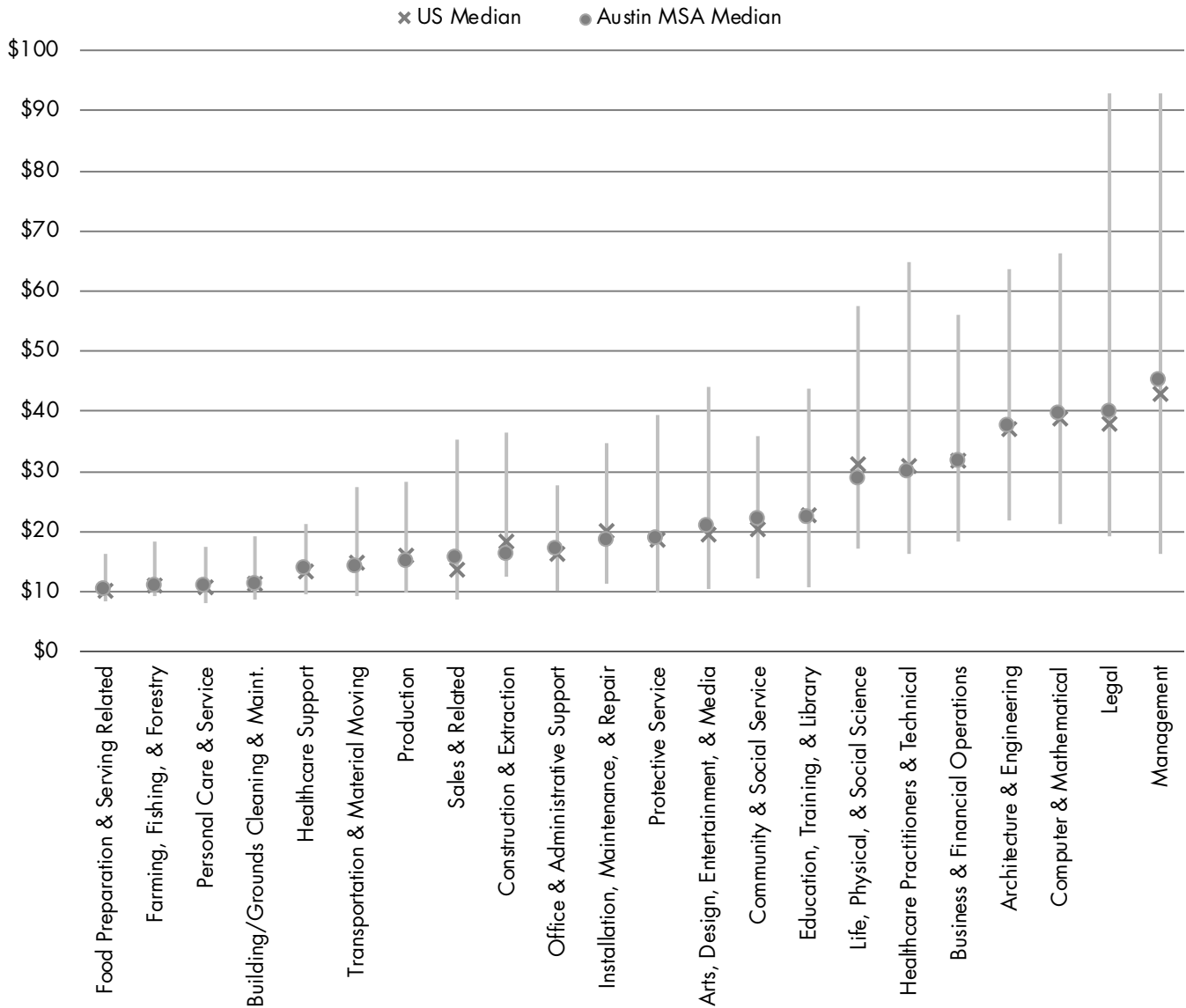
Source: Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed.

Notes: Figures exclude military occupations. The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

FIGURE 29. AUSTIN WAGES IN THE CONTEXT OF THE NATIONAL WAGE RATES, 2017
BY MAJOR OCCUPATIONAL GROUP

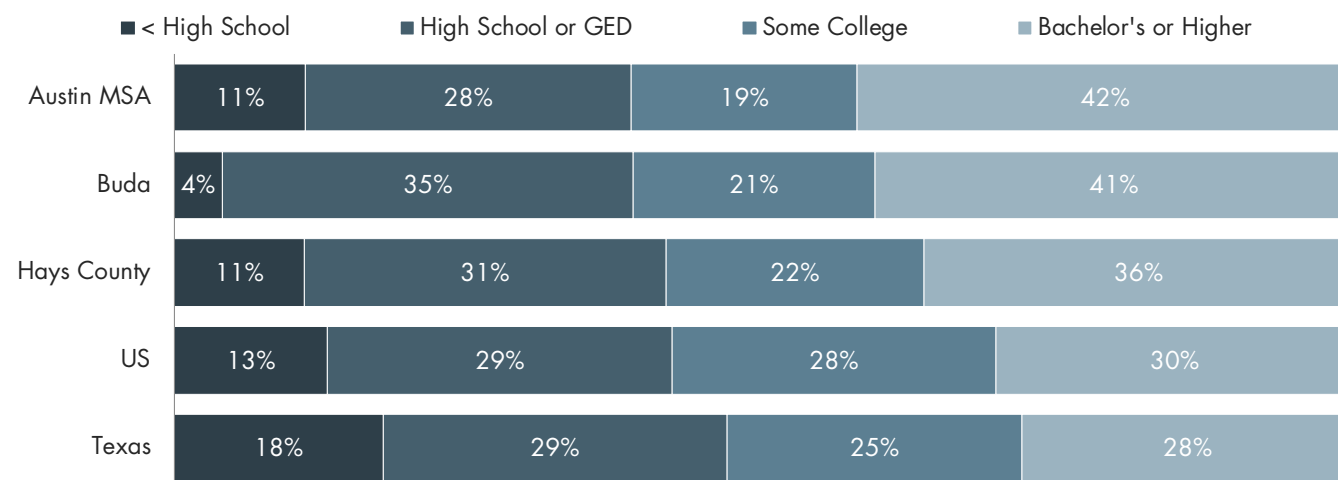
Line = US wage range from the 10th to the 90th percentile

Markers = Median hourly wage rates for US (x) and Buda (dot)

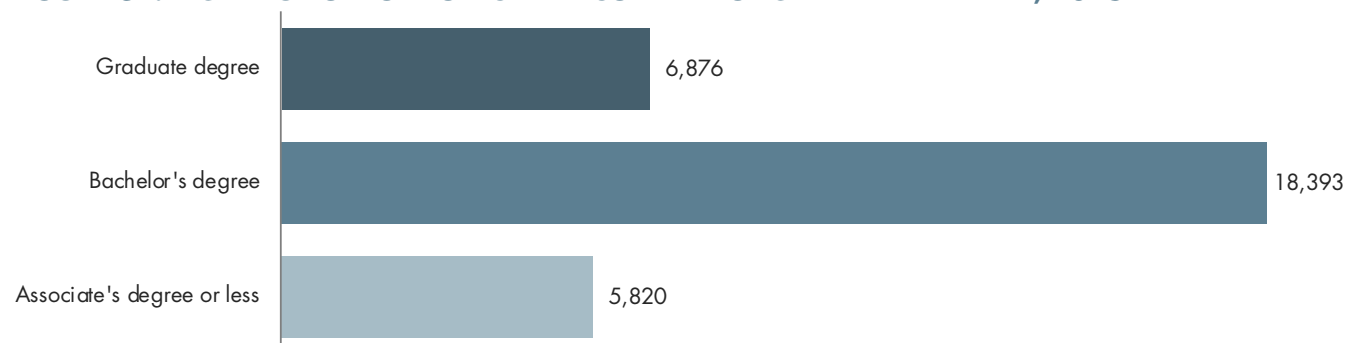


Source: Emsi 2018.1 —QCEW Employees, Non-QCEW Employees, and Self-Employed.

Notes: Figures exclude military occupations. The ZIP code 78610 was used to represent Buda because place-level data is not available for Emsi.

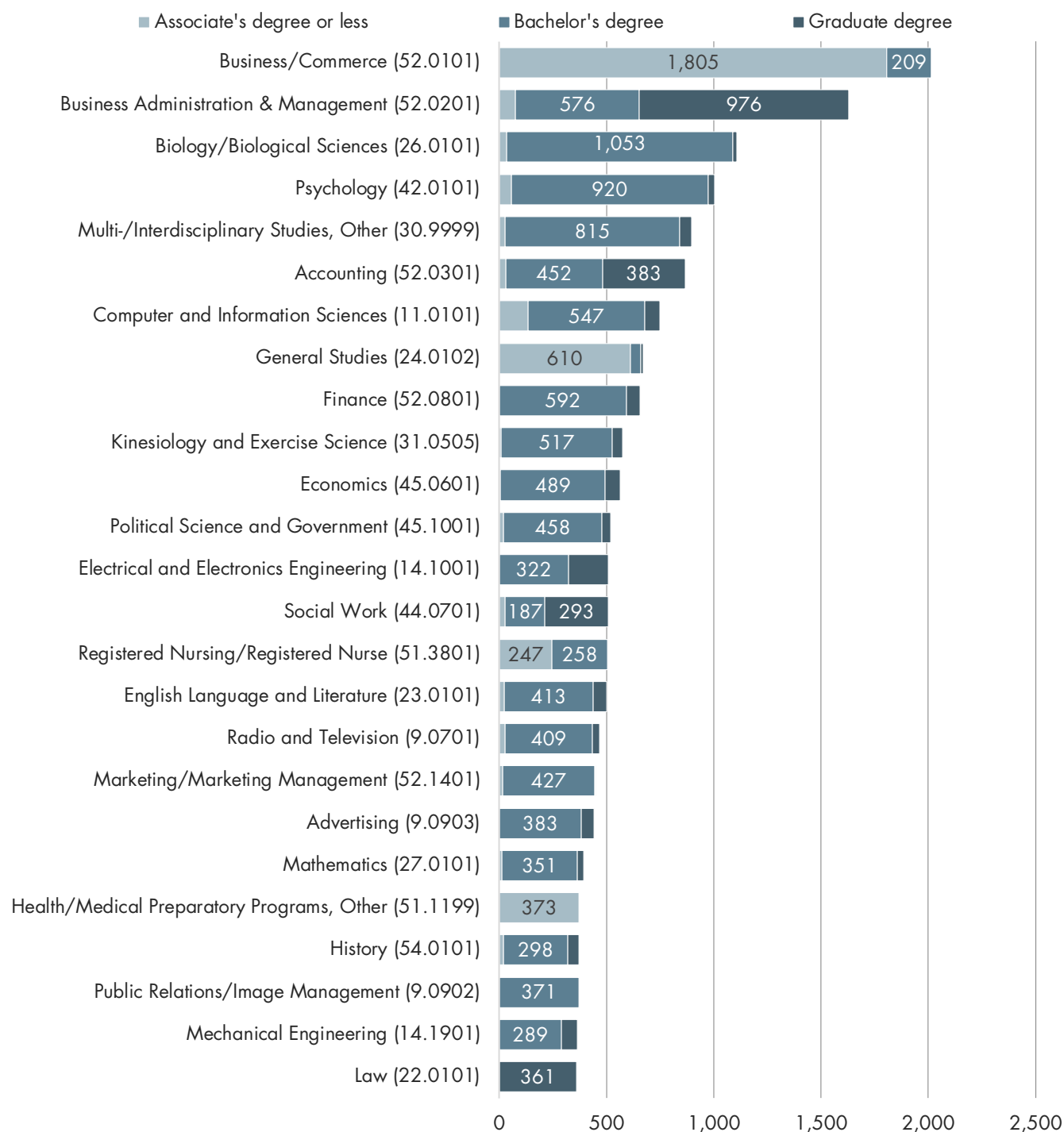
FIGURE 30. EDUCATIONAL ATTAINMENT**FIGURE 31. REGIONAL INSTITUTIONS BY COMPLETIONS, 2016**

INSTITUTION NAME	CITY	TYPE	2016 COMPLETIONS
Concordia University Texas	Austin	Private not-for-profit, 4 or more years	665
Huston-Tillotson University	Austin	Private not-for-profit, 4 or more years	178
St. Edward's University	Austin	Private not-for-profit, 4 or more years	1,104
The University of Texas at Austin	Austin	Public, 4+ years	17,181
Austin Community College District	Austin	Public, at least 2 but <4 years	3,394
Southwestern University	Georgetown	Private not-for-profit, 4 or more years	339
Texas State University	San Marcos	Public, 4+ years	8,151

FIGURE 32. DISTRIBUTION OF FOR-CREDIT COMPLETIONS BY AWARD LEVEL, 2016

Sources: (Figure 30) US Census Bureau, American Community Survey, 5-year averages for the period 2012–2016; (Figure 31 and Figure 32) National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS).

Notes: IPEDS data include only schools eligible to participate in federal financial aid programs. For clarity, for-profit schools were excluded and a threshold of at least 100 completions was used for all other schools.

FIGURE 33. LARGEST FIELDS OF STUDY RANKED BY COMPLETIONS (ALL AWARD LEVELS), 2016

Source: National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS).

Notes: IPEDS data include only schools eligible to participate in federal financial aid programs. Data labels for values under six have been omitted for readability. For clarity, for-profit schools were excluded and a threshold of at least 100 completions was used for all other schools.

FIGURE 34. HAYS ISD HS GRADUATES, TEXAS PUBLIC COLLEGE ENROLLMENT, & EMPLOYMENT OUTCOMES, 2013–2014*

FOR THE FALL SEMESTER FOLLOWING HS GRADUATION

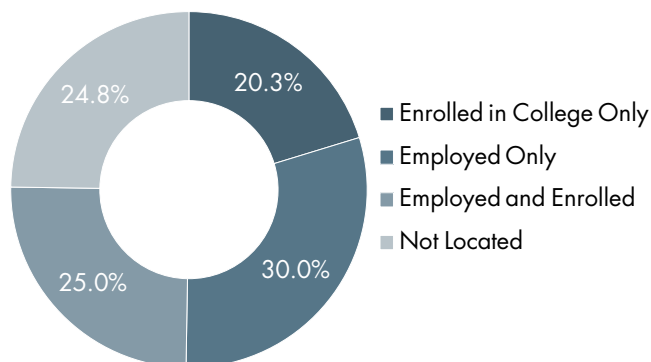


FIGURE 35. HAYS ISD HS GRADUATES, TEXAS PUBLIC COLLEGE ENROLLMENT, 2013–2014*

SCHOOL	NUMBER ENROLLED	PERCENT ENROLLED
Austin Community College	178	41.1%
Texas State University-	85	19.6%
Texas A&M University	37	8.6%
U. of Texas at San Antonio	24	5.5%
Texas Tech University	21	4.9%
U. of Texas at Austin	14	3.2%
Blinn College	13	3.0%
Texas A&M Univ.–Corpus Christi	6	1.4%
All Other	45	10.4%
Total	423	97.6%

FIGURE 36. HAYS ISD HIGH SCHOOL GRADUATES, EMPLOYMENT OUTCOMES, 2013–2014
FOR THE FALL SEMESTER FOLLOWING HIGH SCHOOL GRADUATION

INDUSTRY	# EMPLOYED	% EMPLOYED	MEDIAN WEEKLY WAGE
Retail Trade	196	37.3%	\$200
Accommodations and Food Services	187	35.6%	\$209
Healthcare and Social Assistance	28	5.3%	\$196
Admin. and Support, Waste Mgmt. and Remediation Svcs.	24	4.6%	\$178
Construction	20	3.8%	\$455
Other Services	13	2.5%	\$148
Professional, Scientific, and Technical Services	10	1.9%	\$181
Wholesale Trade	10	1.9%	\$176
Arts, Entertainment, and Recreation	7	1.3%	\$72
Educational Services	5	1.0%	\$25
All Other	26	4.9%	\$175
Total	526	100.0%	\$198

*Most recent year data is available.

Source: (all figures) Texas Education Agency via Texas Public Education Information Resource (TPEIR).

Note: (Figure 36) Includes students enrolled and not enrolled in college.

COMPETITIVE BENCHMARKING

FIGURE 37. TOTAL POPULATION, 2010 AND 2017
IN THOUSANDS

Geography	2010	2017	Net Chg.	Percent Chg.	Median Age
Buda	7,295	16,163	8,868	+121.6%	33.9
Kyle	28,016	43,480	15,464	+55.2%	30.9
Cedar Park	48,937	75,704	26,767	+54.7%	34.3
Georgetown	47,400	70,685	23,285	+49.1%	47.0
San Marcos	44,894	63,071	18,177	+40.5%	23.7
New Braunfels	57,740	79,152	21,412	+37.1%	35.4
Pflugerville	46,936	63,359	16,423	+35.0%	37.0
Schertz	31,465	40,092	8,627	+27.4%	36.5
Round Rock	99,887	123,678	23,791	+23.8%	33.2
Bastrop	7,218	8,802	1,584	+21.9%	41.1
Lockhart	12,698	13,788	1,090	+8.6%	36.0
US	308,745,538	325,719,178	16,973,640	+5.5%	37.7

FIGURE 38. AGE DISTRIBUTION WITHIN 30-MINUTE DRIVE
SORTED ON PRIME, WORKING-AGE POPULATION

Geography	0-19yrs	20-34yrs	35-64yrs	65yrs+
Georgetown	28%	23%	39%	10%
Bastrop	29%	20%	39%	12%
Cedar Park	28%	24%	38%	9%
Schertz	27%	21%	38%	14%
Round Rock	28%	25%	38%	10%
Pflugerville	28%	26%	37%	9%
New Braunfels	27%	23%	37%	14%
Kyle	27%	28%	35%	10%
Buda	27%	29%	35%	9%
San Marcos	28%	26%	35%	11%
Lockhart	30%	27%	34%	9%

Sources: (Figure 37) US Census Bureau, Population Estimates Program and American Community Survey, 5-year averages for the period 2012–2016 (median age); (Figure 38) Esri Online, Community Analyst.

FIGURE 39. EDUCATIONAL ATTAINMENT (2016)
POPULATION 25+ YEARS

Geography	Bachelor's Degree Attainment
Cedar Park	44%
Georgetown	41%
Buda	41%
Round Rock	37%
Pflugerville	37%
Schertz	33%
San Marcos	32%
New Braunfels	31%
US	30%
Kyle	30%
Bastrop	21%
Lockhart	14%

FIGURE 40. INDEPENDENT SCHOOL DISTRICT RANKINGS

GEOGRAPHY	STUDENTS	NUMBER OF SCHOOLS	AVERAGE ACT SCORE (STATE=20.3)	4-YEAR GRADUATION RATE (STATE=89.1%)
Round Rock ISD	48,142	55	24.4	99.6
Cedar Park (Leander ISD)	38,130	41	23.3	98.7
Georgetown ISD	11,395	19	23.2	97.7
Pflugerville ISD	24,562	29	18.2	97.3
Schertz ISD	15,118	16	21.7	97.2
New Braunfels ISD	8,583	14	22.7	96.0
Bastrop ISD	10,501	15	18.7	93.7
Lockhart ISD	5,397	9	19.1	91.2
San Marcos ISD	8,073	11	20.1	89.1
Buda (Hays ISD)	19,142	23	21.0	88.5
Kyle (Hays ISD)	19,142	23	21.0	88.5

Sources: (Figure 39) US Census, American Community Survey, 5-year averages for the period 2012–2016; (Figure 40) Texas Education Agency, Schooldigger.com.

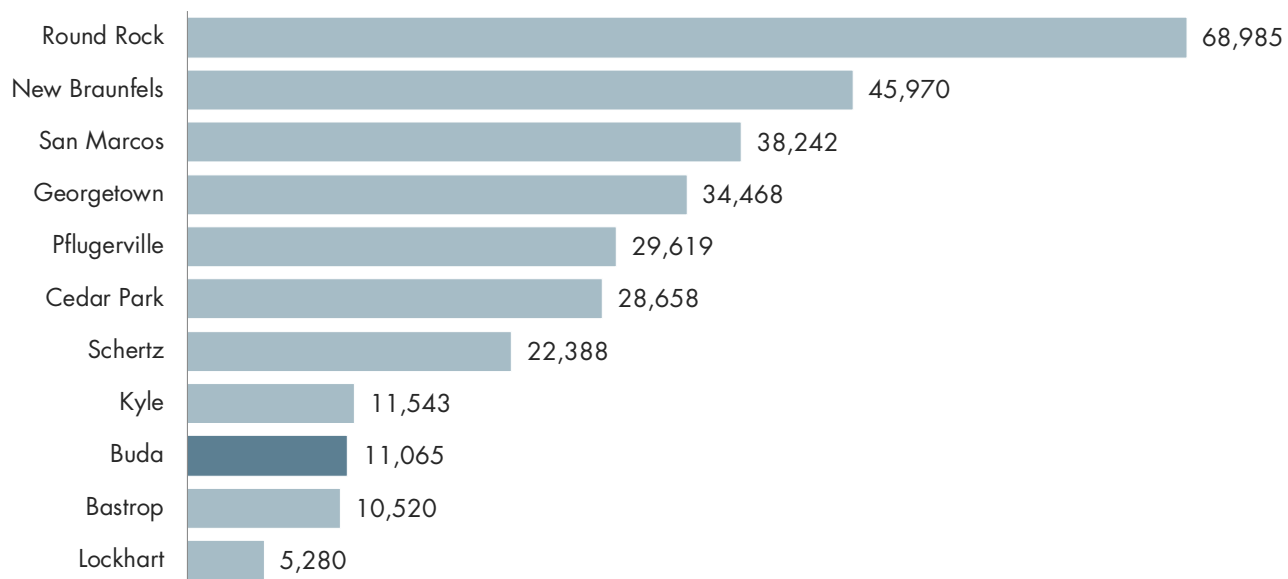
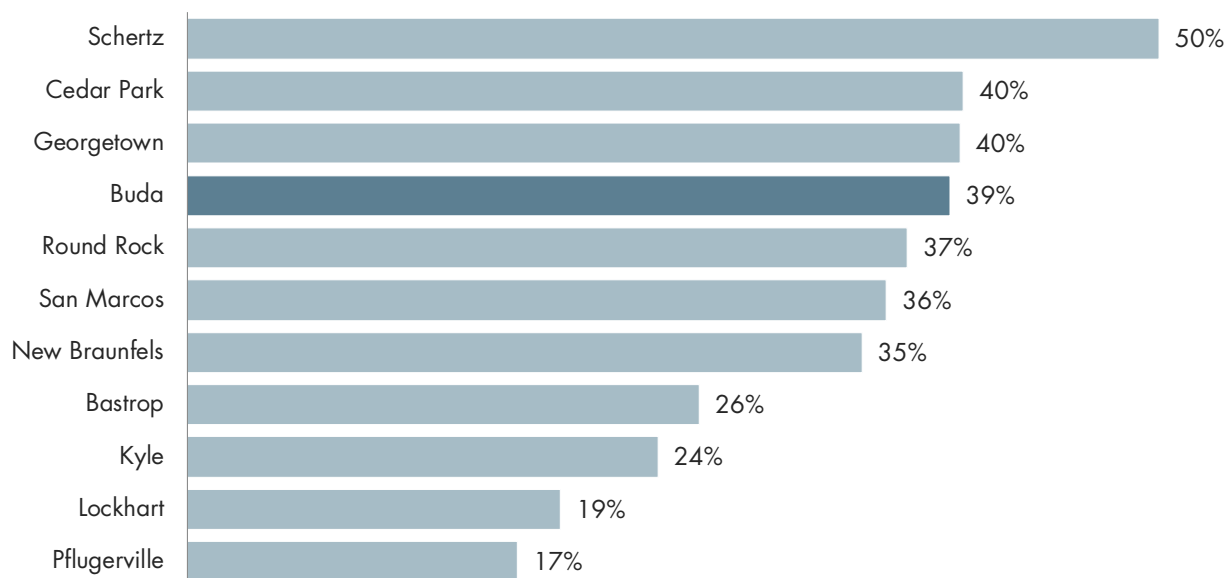
FIGURE 41. BUILDING PERMITS, 2010–2017

Geography	Total Permits 2010-2017	Population 2017 (in thousands)	Total Housing Permits per 1,000 Residents
Buda	3,101	16	192
Georgetown	9,163	71	130
Kyle	5,479	43	126
San Marcos	7,771	63	123
New Braunfels	9,497	79	120
Pflugerville	5,182	63	82
Cedar Park	5,719	76	76
Schertz	3,024	40	75
Bastrop	480	9	55
Round Rock	6,589	124	53
Lockhart	291	14	21

FIGURE 42. SINGLE-FAMILY AND MULTIFAMILY SHARE OF BUILDING PERMITS, 2017

Geography	Share of Single-Family	Share of Multifamily
Bastrop	100%	0%
Buda	100%	0%
San Marcos	100%	0%
Schertz	100%	0%
Cedar Park	93%	7%
Lockhart	89%	11%
Pflugerville	61%	39%
Georgetown	60%	40%
New Braunfels	58%	42%
Kyle	48%	52%
Round Rock	42%	58%

Sources: (all figures) SOCDs Building Permits Database, HUD; (Figure 41) Census Bureau, Population Estimates Program.

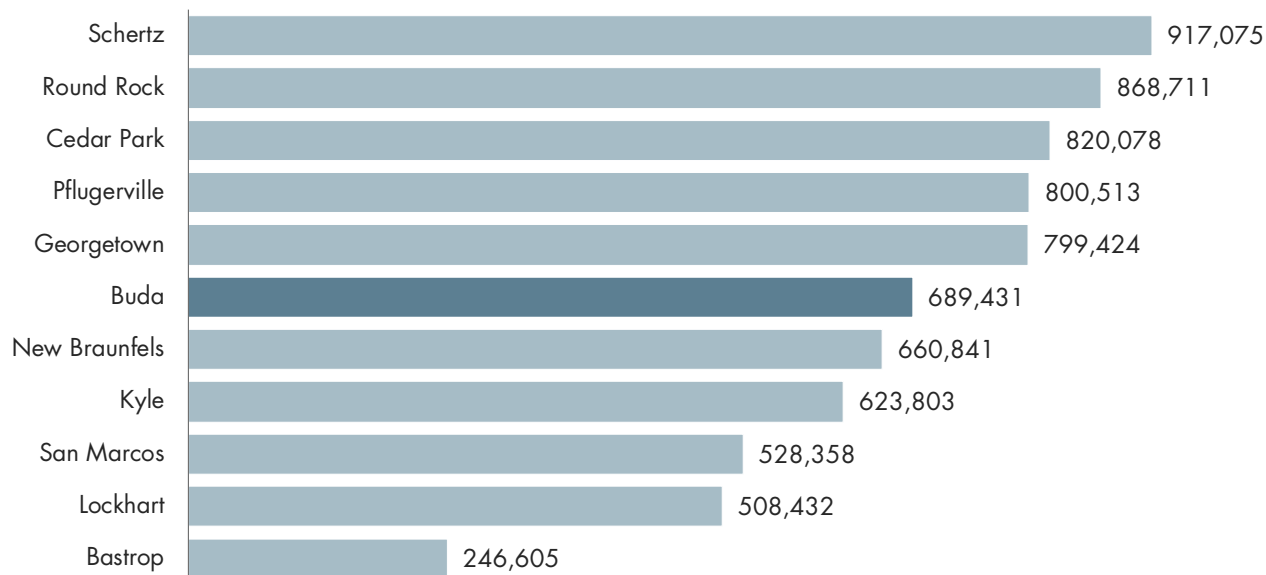
FIGURE 43. JOBS, 2017**FIGURE 44. CHANGE IN JOBS, 2010-2017**

Source: (all figures) Emsi, 2018.2—QCEW Employees, Non-QCEW Employees, and Self-Employed.

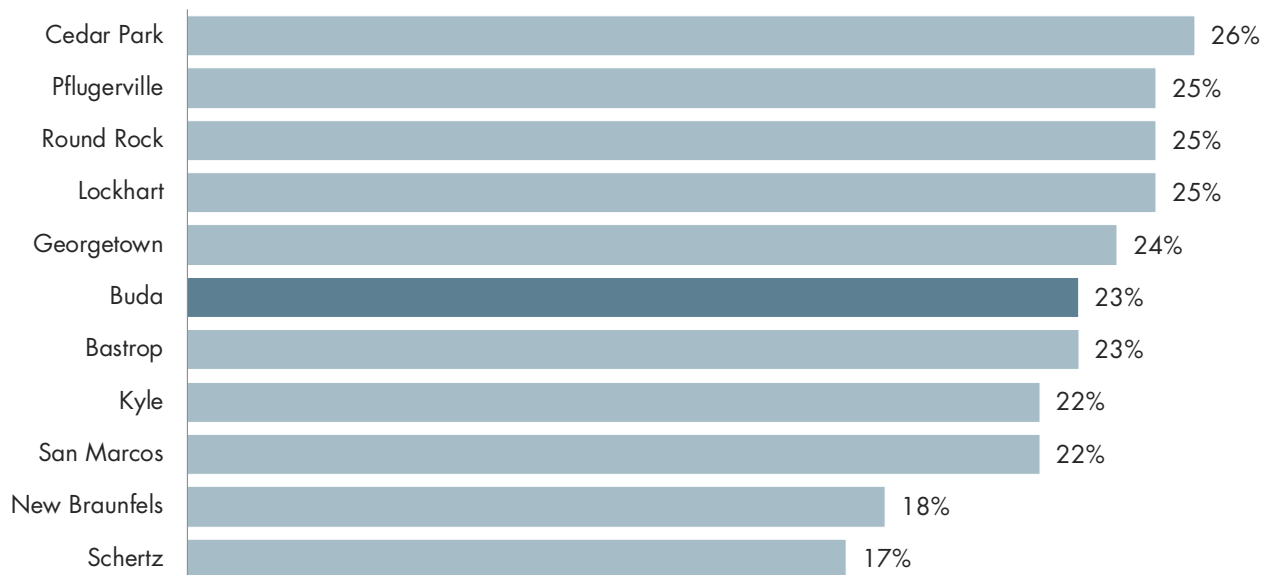
Note: ZIP code level data was used to represent these cities because place-level data is not available for Emsi.

FIGURE 45. ACCESS TO WORKERS, 2017

WITHIN 45-MINUTE DRIVE TIME

**FIGURE 46. CHANGE IN ACCESS TO WORKERS, 2010–2017**

WITHIN 45-MINUTE DRIVE TIME



Source: (all figure) Emsi, 2018.2—QCEW Employees, Non-QCEW Employees, and Self-Employed.

Note: ZIP code level data was used to represent these cities because place-level data is not available for Emsi.

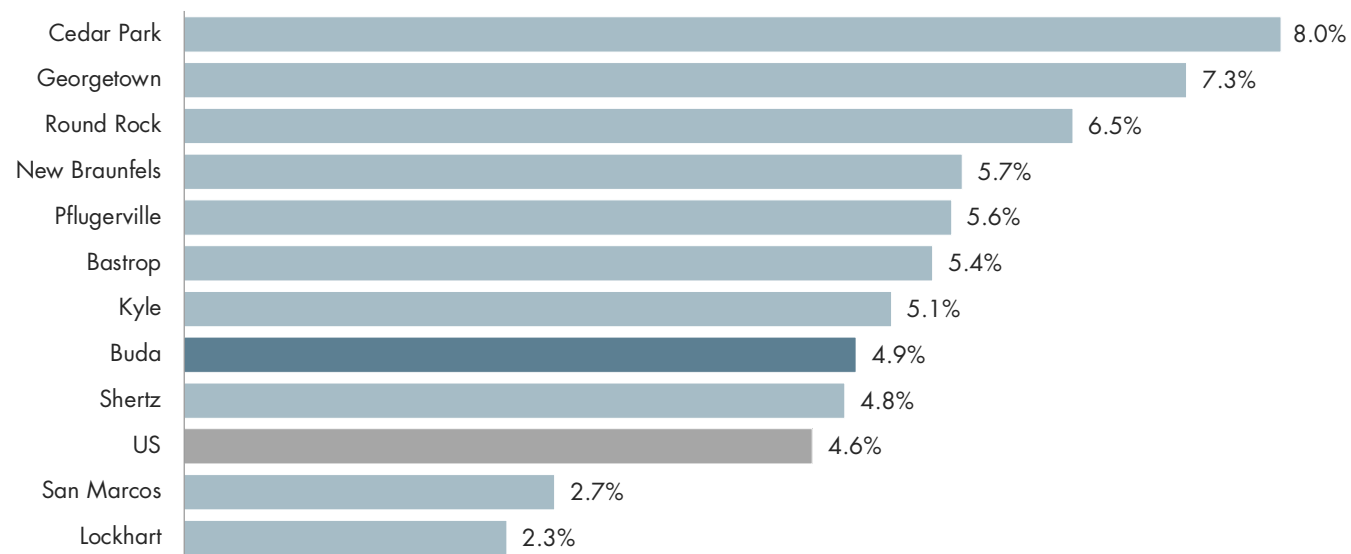
FIGURE 47. HOUSING AFFORDABILITY, 2016

LOWER INDEX = MORE AFFORDABLE

Geography	Median Home Values	Median Household Income	Housing Affordability Index
San Marcos	\$151,700	\$30,985	4.90
Georgetown	\$222,300	\$64,256	3.46
US	\$184,700	\$55,322	3.34
Bastrop	\$145,800	\$48,178	3.03
New Braunfels	\$177,200	\$61,618	2.88
Buda	\$201,500	\$72,020	2.80
Cedar Park	\$230,900	\$87,466	2.64
Round Rock	\$192,500	\$74,087	2.60
Lockhart	\$121,300	\$49,913	2.43
Pflugerville	\$183,500	\$77,899	2.36
Shertz	\$179,000	\$77,139	2.32
Kyle	\$158,400	\$72,191	2.19

FIGURE 48. SHARE OF REMOTE WORKERS, 2016

PERCENT OF ALL WORKERS AGE 16+ WORKING REMOTELY



Sources: (all figures) US Census, American Community Survey, 5-year averages for the period 2012–2016; TIP calculation (index).

FIGURE 49. TAXABLE SALES, 2010–2017
IN MILLIONS, ALL INDUSTRIES

Geography	2010	2017	Net Change	Percent Change
Pflugerville	234	656	422	180.5%
Kyle	149	397	248	166.4%
Buda	180	412	232	128.8%
Cedar Park	523	1,084	561	107.3%
Schertz	324	581	257	79.4%
Bastrop	237	409	172	72.4%
Georgetown	571	952	381	66.7%
New Braunfels	1,054	1,710	656	62.3%
San Marcos	1,286	2,016	730	56.8%
Lockhart	85	129	44	52.0%
Round Rock	2,696	3,348	651	24.2%

FIGURE 50. TAXABLE RETAIL SALES, 2010–2017
IN MILLIONS

Geography	2010	2017	Net Change	Percent Change
Kyle	110	251	141	+128%
Cedar Park	301	638	337	+112%
Pflugerville	154	262	109	+71%
Bastrop	184	308	124	+67%
San Marcos	838	1,289	451	+54%
Lockhart	48	71	23	+47%
New Braunfels	535	754	218	+41%
Round Rock	1,020	1,404	385	+38%
Georgetown	379	516	136	+36%
Buda	114	151	37	+33%
Schertz	162	189	27	+17%

FIGURE 51. NET COMMUTERS, 2015

Geography	Inbound	Outbound	Net Commuters
San Marcos	25,061	12,198	+12,863
Bastrop	5,013	2,625	+2,388
New Braunfels	21,938	19,933	+2,005
Georgetown	16,785	16,754	+31
Round Rock	43,850	44,258	-408
Buda	4,260	4,778	-518
Lockhart	2,441	4,539	-2,098
Schertz	11,304	14,243	-2,939
Kyle	3,463	14,452	-10,989
Pflugerville	12,299	25,099	-12,800
Cedar Park	13,499	28,424	-14,925

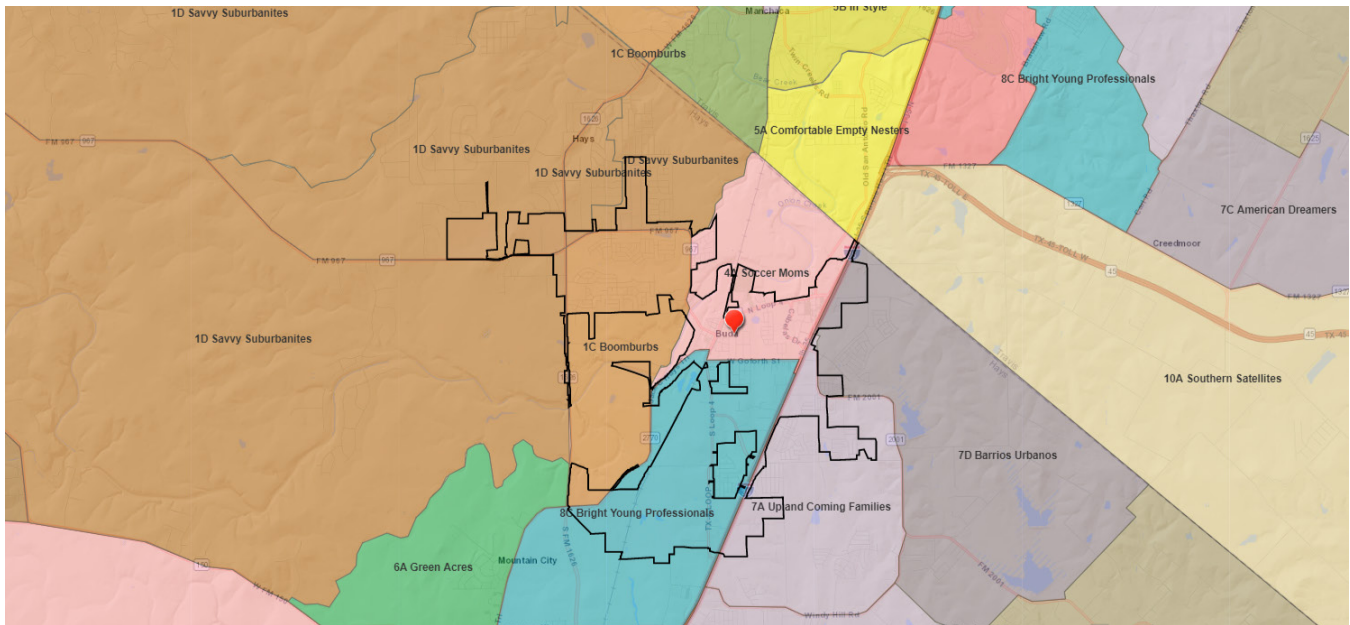
Sources: (Figure 49 and Figure 50) Texas Comptroller, Historical Sale and Use Tax; (Figure 51) US Census Bureau, Local Employment Dynamics.

RETAIL ANALYSIS

CITY OF BUDA

FIGURE 52. CITY OF BUDA, TOP FIVE TAPESTRY SEGMENTS BY HOUSEHOLDS (HH)
COMPARED TO AUSTIN MSA

	TAPESTRY SEGMENT	% OF BUDA HHs	% OF AUSTIN MSA HHs
1	Boomburbs (1C)	42.7%	8.3%
2	Soccer Moms (4A)	30.3%	5.0%
3	Up and Coming Families (7A)	14.5%	12.4%
4	Bright Young Professionals (8C)	6.9%	6.3%
5	Barrios Urbanos (7D)	4.0%	0.7%
	<i>All other</i>	98.4%	32.7%



Source: Esri, Community Analyst.

FIGURE 53. CITY OF BUDA, RETAIL LEAKAGE ANALYSIS
IN MILLIONS

NAICS	RETAIL SECTOR	EST. RETAIL PURCHASES OF AREA RESIDENTS (DEMAND)	EST. RETAIL SALES OF AREA STORES (SUPPLY)	SURPLUS (+) /LEAKAGE (-) GAP
	Total Retail Trade and Food & Drink	\$239.9	\$451.7	+\$211.8
441	Motor Vehicle & Parts Dealers	\$46.4	\$225.8	+\$179.4
4411	Automobile Dealers	\$37.2	\$154.9	+\$117.7
4412	Other Motor Vehicle Dealers	\$5.1	\$68.6	+\$63.6
4413	Auto Parts, Accessories, & Tire Stores	\$4.1	\$2.3	-\$1.8
442	Furniture & Home Furnishings Stores	\$7.9	\$2.3	-\$5.5
4421	Furniture Stores	\$4.5	\$0.3	-\$4.2
4422	Home Furnishings Stores	\$3.3	\$2.0	-\$1.3
443	Electronics & Appliance Stores	\$8.1	\$0.4	-\$7.7
444	Bldg. Materials, Garden Equip., & Supply Stores	\$14.4	\$7.8	-\$6.6
4441	Bldg. Material & Supplies Dealers	\$13.7	\$7.8	-\$5.9
4442	Lawn & Garden Equip & Supply Stores	\$0.8	\$0.0	-\$0.8
445	Food & Beverage Stores	\$38.1	\$63.8	+\$25.7
4451	Grocery Stores	\$34.5	\$63.7	+\$29.2
4452	Specialty Food Stores	\$1.6	\$0.1	-\$1.5
4453	Beer, Wine, & Liquor Stores	\$2.0	\$0.0	-\$2.0
446,4461	Health & Personal Care Stores	\$11.8	\$13.1	+\$1.3
447,4471	Gasoline Stations	\$20.9	\$17.7	-\$3.2
448	Clothing & Clothing Accessories Stores	\$10.2	\$0.8	-\$9.4
4481	Clothing Stores	\$6.7	\$0.0	-\$6.7
4482	Shoe Stores	\$1.5	\$0.8	-\$0.6
4483	Jewelry, Luggage, & Leather Goods Stores	\$2.0	\$0.0	-\$2.0
451	Sporting Goods, Hobby, Book, & Music Stores	\$7.7	\$42.1	+\$34.4
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$6.9	\$41.8	+\$34.9
4512	Book, Periodical, & Music Stores	\$0.8	\$0.4	-\$0.4
452	General Merchandise Stores	\$38.1	\$41.3	+\$3.2
4521	Department Stores Excluding Leased Depts.	\$26.8	\$38.6	+\$11.8
4529	Other General Merchandise Stores	\$11.3	\$2.7	-\$8.6
453	Miscellaneous Store Retailers	\$8.4	\$1.3	-\$7.0
4531	Florists	\$0.4	\$0.2	-\$0.2
4532	Office Supplies, Stationery, & Gift Stores	\$1.9	\$0.1	-\$1.8
4533	Used Merchandise Stores	\$1.5	\$1.1	-\$0.4
4539	Other Miscellaneous Store Retailers	\$4.7	\$0.0	-\$4.7
454	Nonstore Retailers	\$3.1	\$0.4	-\$2.7
4541	Electronic Shopping & Mail-Order Houses	\$2.4	\$0.1	-\$2.2
4542	Vending Machine Operators	\$0.2	\$0.0	-\$0.2
4543	Direct Selling Establishments	\$0.6	\$0.2	-\$0.3
722	Food Services & Drinking Places	\$24.9	\$34.8	+\$10.0
7223	Special Food Services	\$0.3	\$0.0	-\$0.3
7224	Drinking Places - Alcoholic Beverages	\$0.9	\$0.0	-\$0.9
7225	Restaurants/Other Eating Places	\$23.7	\$34.8	+\$11.2

Source: Esri, Community Analyst.

FIGURE 54. DOWNTOWN BUDA BUSINESSES



Sources: Buda Economic Development Corporation, TIP research.

FIGURE 55. ACCOMMODATION & FOOD SERVICE,* 2010–2017























Geography	2010 (\$mil)	2017 (\$mil)	Net Chg. (\$mil)	CAGR (%)	
Kyle	\$20.0	\$72.1	+\$52	20.1%	
Pflugerville	\$32.8	\$89.0	+\$56	15.3%	
Cedar Park	\$83.2	\$188.0	+\$105	12.3%	
Bastrop	\$35.5	\$67.4	+\$32	9.6%	
New Braunfels	\$142.3	\$267.5	+\$125	9.4%	
Buda	\$24.6	\$45.9	+\$21	9.3%	
Schertz	\$44.5	\$78.7	+\$34	8.5%	
Georgetown	\$78.3	\$135.2	+\$57	8.1%	
Lockhart	\$22.5	\$37.0	+\$15	7.4%	
Round Rock	\$235.1	\$382.8	+\$148	7.2%	
San Marcos	\$165.4	\$254.5	+\$89	6.3%	

FIGURE 56. ACCOMMODATION & FOOD SERVICE* & ALL INDUSTRIES, 2017
AS SHARE OF ALL INDUSTRIES

Geography	Accommodation & Food Service (\$mil)	All Industries (\$mil)	Accommodation & Food Service	
Lockhart	\$37.0	\$128.7	28.8%	
Kyle	\$72.1	\$397.5	18.1%	
Cedar Park	\$188.0	\$1,079.8	17.4%	
Bastrop	\$67.4	\$407.1	16.6%	
New Braunfels	\$267.5	\$1,707.8	15.7%	
Georgetown	\$135.2	\$951.8	14.2%	
Pflugerville	\$89.0	\$656.0	13.6%	
Schertz	\$78.7	\$581.3	13.5%	
San Marcos	\$254.5	\$2,016.1	12.6%	
Round Rock	\$382.8	\$3,346.6	11.4%	
Buda	\$45.9	\$411.5	11.2%	

*Amount subject to state tax.

Source: (all figures) Texas Comptroller of Public Accounts.

Note: CAGR is compound annual growth rate.

FIGURE 57. ACCOMMODATION & FOOD SERVICE* GROWTH
TOTAL SPENDING INDEXED TO 2010 BY GEOGRAPHY

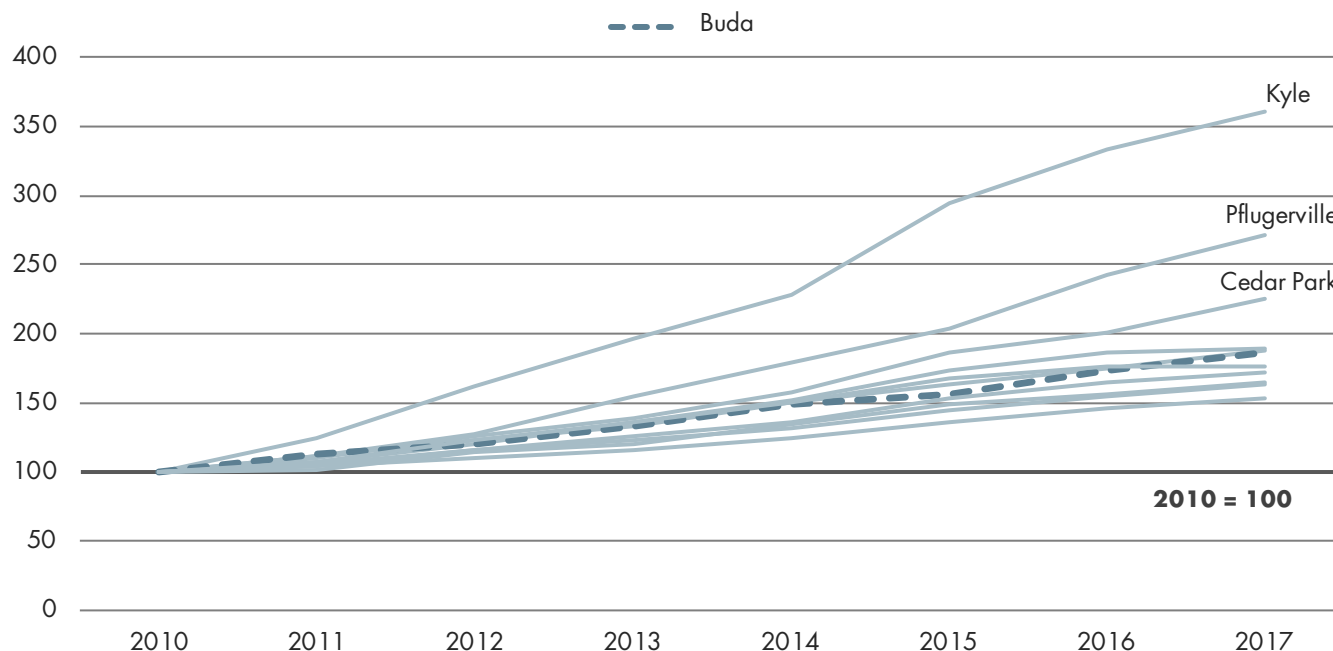


FIGURE 58. TRAVEL SPENDING, 2010-2017
AN ANALYSIS OF CITY-LEVEL DIRECT TRAVEL SPENDING

Geography	2010 (\$mil)	2017 (\$mil)	Net Chg. (\$mil)	CAGR %
Buda	\$22.0	\$46.0	+\$24.0	11.1%
Georgetown	\$48.0	\$99.0	+\$51.0	10.9%
Cedar Park	\$62.0	\$105.0	+\$43.0	7.8%
New Braunfels	\$206.0	\$323.0	+\$117.0	6.6%
Kyle	\$25.0	\$39.0	+\$14.0	6.6%
Bastrop	\$18.0	\$28.0	+\$10.0	6.5%
Pflugerville	\$46.0	\$71.0	+\$25.0	6.4%
San Marcos	\$118.0	\$173.0	+\$55.0	5.6%
Schertz	\$47.0	\$68.0	+\$21.0	5.4%
Round Rock	\$231.0	\$319.0	+\$88.0	4.7%
Lockhart	\$12.0	\$13.0	+\$1.0	1.2%

* Amount subject to state tax.

Sources: (Figure 57) Texas Comptroller of Public Accounts; (Figure 58) Dean Runyan Associates for Texas Tourism, Office of the Governor, Economic Development and Tourism, accessed July 13, 2018, at <http://www.deanrunyan.com/TXTravellImpacts/TXTravellImpacts.html>.

Note: CAGR is compound annual growth rate.

WHAT

DOES TRAVEL SPENDING INCLUDE?

Accommodation: Spending for lodging by hotel and motel guests, campers, and vacation home users.

Air Transportation: Air passenger spending attributable to travelers in and to Texas. The spending total includes air travel spending made outside Texas for travel to Texas, purchases by Texas residents who travel outside the state, and air travel within the state.

Eating, Drinking: Businesses serving food and beverages for immediate consumption. In addition to table service restaurants, this category includes fast-food outlets and refreshment stands.

Food Stores: Grocery stores, supermarkets, fruit stands, retail bakeries, and other businesses selling food for consumption off the premises.

Ground Transport: Spending on car rentals, gasoline and other vehicle operating expenses, and on local transportation such as taxi or bus.

Other Travel: Includes resident air travel, travel arrangement and reservation services, and convention and trade show organizers.

Recreation: Spending on admissions to artistic events, entertainment, and recreation.

Retail Sales: Spending for gifts, souvenirs, and other items (excludes spending listed separately, such as food stores or recreation).

Travel: A day or overnight trip that is not of a local or commuting nature. Travel might be for business or pleasure purposes.

Travel Arrangement: Spending for fees paid to travel agents and tour operators.

WHO

GETS COUNTED AS A TRAVELER?

Campers: Travelers staying at RV parks and commercial campgrounds or at public campgrounds such as those in state or national parks.

Day Visitors: A traveler whose trip does not include an overnight stay and who travels out of his/her local area (50+ miles one way).

Hotel and Motel Guests: Travelers staying in hotels, motels, resorts, bed & breakfast establishments, and other lodging places where the transient lodging tax is collected.

Private Home Guests: Travelers staying as guests with friends or relatives.

Vacation Home Users: Travelers using their own vacation home or timeshare and those renting a vacation home or privately owned cabin where transient lodging tax is not collected.

Visitors: A person traveling to or through Texas. A visitor might be a Texas resident or a resident of another state or from another country.

Source: Dean Runyan Associates for Texas Tourism, Office of the Governor, Economic Development and Tourism. Accessed July 13, 2018, at <http://www.deanrunyan.com/TXTravellImpacts/TXTravellImpacts.html>.

CABELA'S MARKET AREA

FIGURE 59. MARKET AREA SURROUNDING CABELA'S RETAIL DISTRICT
0-15 AND 30-MINUTE DRIVE TIMES

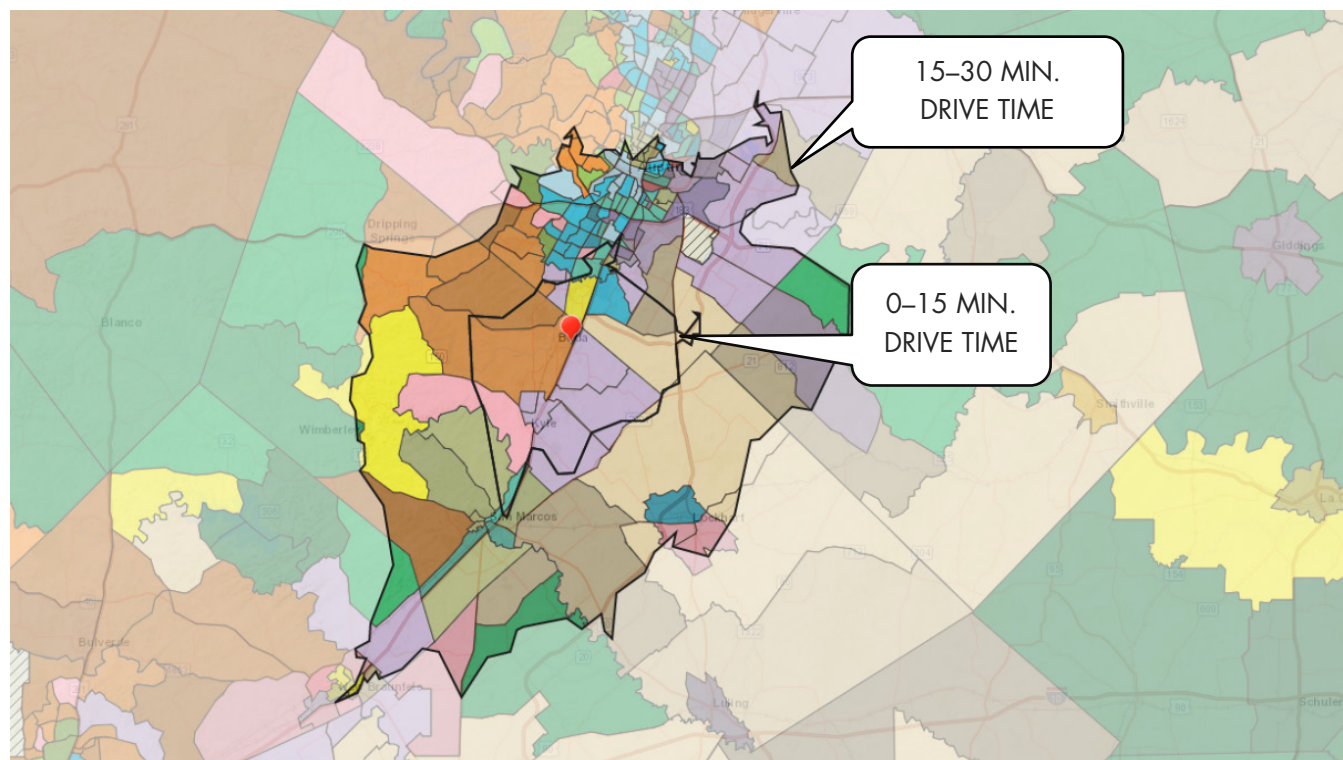


FIGURE 60. GROWTH INDICATORS
0-15 MINUTE DRIVE TIME

GROWTH INDICATOR	2018	2023	% CHG.
Population	129,186	161,273	24.8%
Median HH Income	\$68,187	\$75,606	10.9%
Housing Units	47,306	58,049	22.7%
Median Home Value	\$199,894	\$230,748	15.4%

FIGURE 61. GROWTH INDICATORS
0-30 MINUTE DRIVE TIME

GROWTH INDICATOR	2018	2023	% CHG.
Population	734,058	843,042	14.8%
Median HH Income	\$58,912	\$66,067	12.1%
Housing Units	297,593	340,048	14.3%
Median Home Value	\$231,922	\$263,359	13.6%

FIGURE 62. TOP TAPESTRY SEGMENTS
0-15 MINUTE DRIVE TIME

	TAPESTRY SEGMENT	% OF HH	% OF AUSTIN MSA
1	Up and Coming Families (7A)	37.3%	12.40%
2	Bright Young Professionals (8C)	12.1%	6.30%
3	Boomburbs (1C)	5.8%	8.30%
4	Soccer Moms (4A)	5.8%	5.00%
5	Young and Restless (11B)	5.2%	7.10%

FIGURE 63. TAPESTRY SEGMENTS
0-30 MINUTE DRIVE TIME

	TAPESTRY SEGMENT	% OF HH	% OF AUSTIN MSA
1	Up and Coming Families (7A)	10.9%	12.40%
2	Young and Restless (11B)	10.8%	7.10%
3	Metro Renters (3B)	8.6%	6.60%
4	Bright Young Professionals (8C)	7.0%	6.30%
5	Emerald City (8B)	5.6%	4.10%

Source: (all figures) Esri, Community Analyst.

FIGURE 64. RETAIL LEAKAGE, THREE-DIGIT LEVEL
0–15 MINUTE DRIVE TIME, DOLLAR VALUE IN MILLIONS

NAICS	RETAIL SECTOR	EST. RETAIL PURCHASES OF AREA RESIDENTS (DEMAND)	EST. RETAIL SALES OF AREA STORES (SUPPLY)	SURPLUS (+) /LEAKAGE (-) GAP
441	Motor Vehicle & Parts Dealers	\$317.7	\$545.5	+\$227.8
442	Furniture & Home Furnishings Stores	\$52.1	\$30.0	-\$22.2
443	Electronics & Appliance Stores	\$54.4	\$23.8	-\$30.6
444	Bldg. Materials, Garden Equip. & Supply Stores	\$94.4	\$70.5	-\$23.9
445	Food & Beverage Stores	\$264.0	\$215.2	-\$48.8
446	Health & Personal Care Stores	\$81.7	\$57.5	-\$24.2
447	Gasoline Stations	\$147.0	\$129.5	-\$17.4
448	Clothing & Clothing Accessories Stores	\$68.1	\$26.5	-\$41.6
451	Sporting Goods, Hobby, Book & Music Stores	\$51.2	\$58.3	+\$7.0
452	General Merchandise Stores	\$258.0	\$308.4	+\$50.5
453	Miscellaneous Store Retailers	\$57.1	\$52.8	-\$4.3
454	Nonstore Retailers	\$21.5	\$4.7	-\$16.8
722	Food Services & Drinking Places	\$166.9	\$157.2	-\$9.7

FIGURE 65. RETAIL LEAKAGE, THREE-DIGIT LEVEL
0–30 MINUTE DRIVE TIME, DOLLAR VALUE IN MILLIONS

NAICS	RETAIL SECTOR	EST. RETAIL PURCHASES OF AREA RESIDENTS (DEMAND)	EST. RETAIL SALES OF AREA STORES (SUPPLY)	SURPLUS (+) /LEAKAGE (-) GAP
441	Motor Vehicle & Parts Dealers	\$1,969.3	\$2,453.6	+\$484.4
442	Furniture & Home Furnishings Stores	\$321.3	\$281.4	-\$39.9
443	Electronics & Appliance Stores	\$338.7	\$363.7	+\$25.0
444	Bldg. Materials, Garden Equip. & Supply Stores	\$553.8	\$531.2	-\$22.6
445	Food & Beverage Stores	\$1,677.9	\$2,358.1	+\$680.2
446	Health & Personal Care Stores	\$511.4	\$555.9	+\$44.5
447	Gasoline Stations	\$921.0	\$876.8	-\$44.2
448	Clothing & Clothing Accessories Stores	\$432.7	\$722.3	+\$289.6
451	Sporting Goods, Hobby, Book & Music Stores	\$320.1	\$373.6	+\$53.5
452	General Merchandise Stores	\$1,627.7	\$1,408.9	-\$218.8
453	Miscellaneous Store Retailers	\$359.1	\$643.2	+\$284.1
454	Nonstore Retailers	\$136.6	\$211.2	+\$74.5
722	Food Services & Drinking Places	\$1,056.8	\$1,685.0	+\$628.3

Source: (all figures) ESRI, Community Analyst.

FIGURE 66. RETAIL LEAKAGE

0-15 MIN DRIVETIME, DOLLAR VALUE IN MILLIONS

NAICS	RETAIL SECTOR	EST. RETAIL PURCHASES OF AREA RESIDENTS (DEMAND)	EST. RETAIL SALES OF AREA STORES (SUPPLY)	SURPLUS (+) /LEAKAGE (-) GAP
	Total Retail Trade and Food & Drink	\$1,634.0	\$1,679.8	+\$45.8
441	Motor Vehicle & Parts Dealers	\$317.7	\$545.5	+\$227.8
4411	Automobile Dealers	\$255.8	\$363.7	+\$107.9
4412	Other Motor Vehicle Dealers	\$34.0	\$168.7	+\$134.7
4413	Auto Parts, Accessories & Tire Stores	\$27.9	\$13.0	-\$14.9
442	Furniture & Home Furnishings Stores	\$52.1	\$30.0	-\$22.2
4421	Furniture Stores	\$30.6	\$14.3	-\$16.3
4422	Home Furnishings Stores	\$21.6	\$15.7	-\$5.9
443	Electronics & Appliance Stores	\$54.4	\$23.8	-\$30.6
444	Bldg. Materials, Garden Equip. & Supply Stores	\$94.4	\$70.5	-\$23.9
4441	Bldg. Material & Supplies Dealers	\$89.3	\$69.1	-\$20.2
4442	Lawn & Garden Equip & Supply Stores	\$5.1	\$1.4	-\$3.7
445	Food & Beverage Stores	\$264.0	\$215.2	-\$48.8
4451	Grocery Stores	\$239.3	\$197.7	-\$41.6
4452	Specialty Food Stores	\$11.2	\$4.1	-\$7.2
4453	Beer, Wine & Liquor Stores	\$13.4	\$13.4	+\$0.0
446	Health & Personal Care Stores	\$81.7	\$57.5	-\$24.2
447	Gasoline Stations	\$147.0	\$129.5	-\$17.4
448	Clothing & Clothing Accessories Stores	\$68.1	\$26.5	-\$41.6
4481	Clothing Stores	\$45.0	\$15.1	-\$29.9
4482	Shoe Stores	\$9.7	\$6.9	-\$2.8
4483	Jewelry, Luggage & Leather Goods Stores	\$13.4	\$4.5	-\$8.8
451	Sporting Goods, Hobby, Book & Music Stores	\$51.2	\$58.3	+\$7.0
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$45.6	\$56.1	+\$10.4
4512	Book, Periodical & Music Stores	\$5.6	\$2.2	-\$3.4
452	General Merchandise Stores	\$258.0	\$308.4	+\$50.5
4521	Department Stores Excluding Leased Depts.	\$180.2	\$230.3	+\$50.1
4529	Other General Merchandise Stores	\$77.7	\$78.1	+\$0.4
453	Miscellaneous Store Retailers	\$57.1	\$52.8	-\$4.3
4531	Florists	\$2.3	\$0.7	-\$1.6
4532	Office Supplies, Stationery & Gift Stores	\$12.6	\$3.3	-\$9.3
4533	Used Merchandise Stores	\$10.0	\$4.6	-\$5.4
4539	Other Miscellaneous Store Retailers	\$32.2	\$44.2	+\$12.1
454	Nonstore Retailers	\$21.5	\$4.7	-\$16.8
4541	Electronic Shopping & Mail-Order Houses	\$16.1	\$1.1	-\$15.0
4542	Vending Machine Operators	\$1.3	\$0.3	-\$1.0
4543	Direct Selling Establishments	\$4.1	\$3.3	-\$0.8
722	Food Services & Drinking Places	\$166.9	\$157.2	-\$9.7
7223	Special Food Services	\$2.0	\$0.9	-\$1.1
7224	Drinking Places - Alcoholic Beverages	\$6.0	\$0.8	-\$5.2
7225	Restaurants/Other Eating Places	\$158.9	\$155.5	-\$3.4

Source: Esri, Community Analyst.

FIGURE 67. RETAIL LEAKAGE

0–30 MINUTE DRIVETIME, DOLLAR VALUE IN MILLIONS

NAICS	RETAIL SECTOR	EST. RETAIL PURCHASES OF AREA RESIDENTS (DEMAND)	EST. RETAIL SALES OF AREA STORES (SUPPLY)	SURPLUS (+) /LEAKAGE (-) GAP
	Total Retail Trade and Food & Drink	\$10,226.2	\$12,464.9	+\$2,238.7
441	Motor Vehicle & Parts Dealers	\$1,969.3	\$2,453.6	+\$484.4
4411	Automobile Dealers	\$1,588.5	\$1,949.2	+\$360.6
4412	Other Motor Vehicle Dealers	\$206.9	\$382.0	+\$175.1
4413	Auto Parts, Accessories, & Tire Stores	\$173.9	\$122.5	-\$51.4
442	Furniture & Home Furnishings Stores	\$321.3	\$281.4	-\$39.9
4421	Furniture Stores	\$192.0	\$147.0	-\$45.1
4422	Home Furnishings Stores	\$129.3	\$134.5	+\$5.2
443	Electronics & Appliance Stores	\$338.7	\$363.7	+\$25.0
444	Bldg. Materials, Garden Equip. & Supply Stores	\$553.8	\$531.2	-\$22.6
4441	Bldg. Material & Supplies Dealers	\$522.6	\$501.8	-\$20.8
4442	Lawn & Garden Equip & Supply Stores	\$31.2	\$29.3	-\$1.8
445	Food & Beverage Stores	\$1,677.9	\$2,358.1	+\$680.2
4451	Grocery Stores	\$1,519.8	\$2,174.2	+\$654.3
4452	Specialty Food Stores	\$71.5	\$59.3	-\$12.1
4453	Beer, Wine & Liquor Stores	\$86.6	\$124.6	+\$38.0
446	Health & Personal Care Stores	\$511.4	\$555.9	+\$44.5
447	Gasoline Stations	\$921.0	\$876.8	-\$44.2
448	Clothing & Clothing Accessories Stores	\$432.7	\$722.3	+\$289.6
4481	Clothing Stores	\$285.9	\$502.9	+\$217.0
4482	Shoe Stores	\$60.7	\$125.4	+\$64.7
4483	Jewelry, Luggage & Leather Goods Stores	\$86.1	\$94.0	+\$7.9
451	Sporting Goods, Hobby, Book & Music Stores	\$320.1	\$373.6	+\$53.5
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$283.7	\$319.5	+\$35.8
4512	Book, Periodical & Music Stores	\$36.4	\$54.1	+\$17.7
452	General Merchandise Stores	\$1,627.7	\$1,408.9	-\$218.8
4521	Department Stores Excluding Leased Depts.	\$1,135.5	\$913.7	-\$221.9
4529	Other General Merchandise Stores	\$492.1	\$495.2	+\$3.1
453	Miscellaneous Store Retailers	\$359.1	\$643.2	+\$284.1
4531	Florists	\$14.5	\$4.8	-\$9.8
4532	Office Supplies, Stationery & Gift Stores	\$78.3	\$87.8	+\$9.5
4533	Used Merchandise Stores	\$63.7	\$57.2	-\$6.5
4539	Other Miscellaneous Store Retailers	\$202.6	\$493.5	+\$290.9
454	Nonstore Retailers	\$136.6	\$211.2	+\$74.5
4541	Electronic Shopping & Mail-Order Houses	\$100.6	\$168.1	+\$67.5
4542	Vending Machine Operators	\$8.4	\$2.9	-\$5.4
4543	Direct Selling Establishments	\$27.7	\$40.1	+\$12.4
722	Food Services & Drinking Places	\$1,056.8	\$1,685.0	+\$628.3
7223	Special Food Services	\$12.4	\$45.0	+\$32.6
7224	Drinking Places - Alcoholic Beverages	\$39.0	\$120.1	+\$81.1
7225	Restaurants/Other Eating Places	\$1,005.4	\$1,519.9	+\$514.5

Source: Esri, Community Analyst.

FISCAL ANALYSIS

FIGURE 68. BUDA TOP FIVE MUNICIPAL REVENUE SOURCES

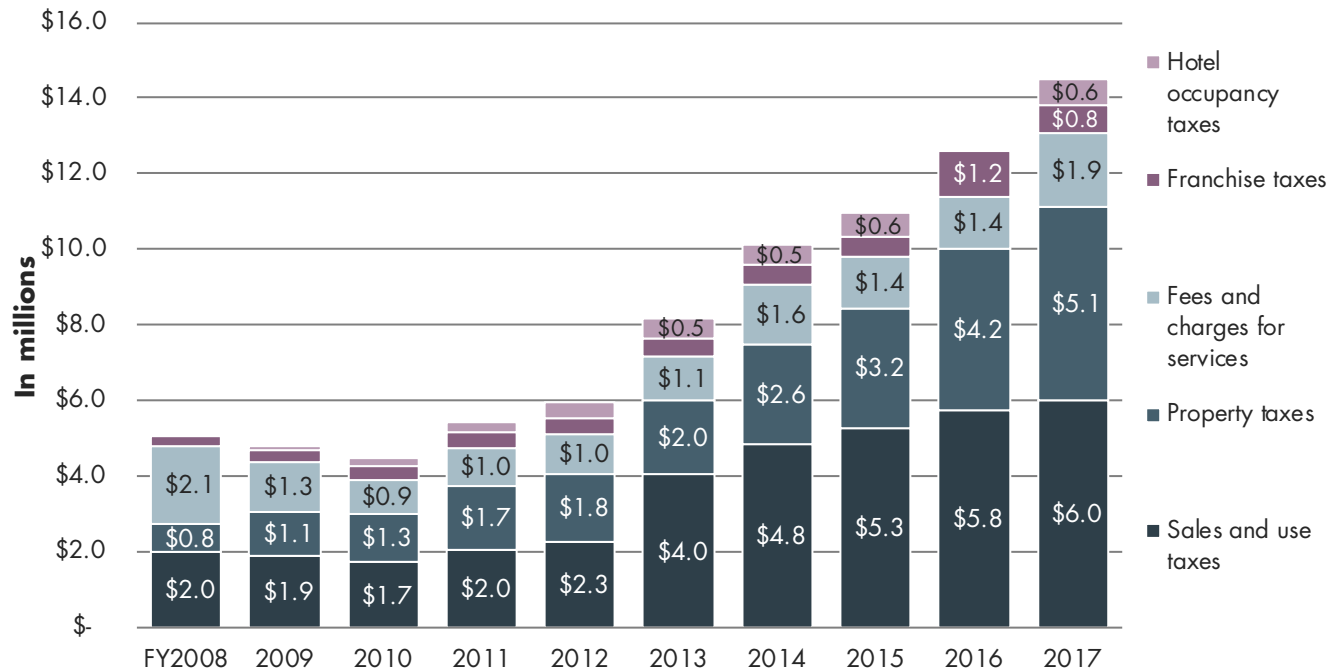
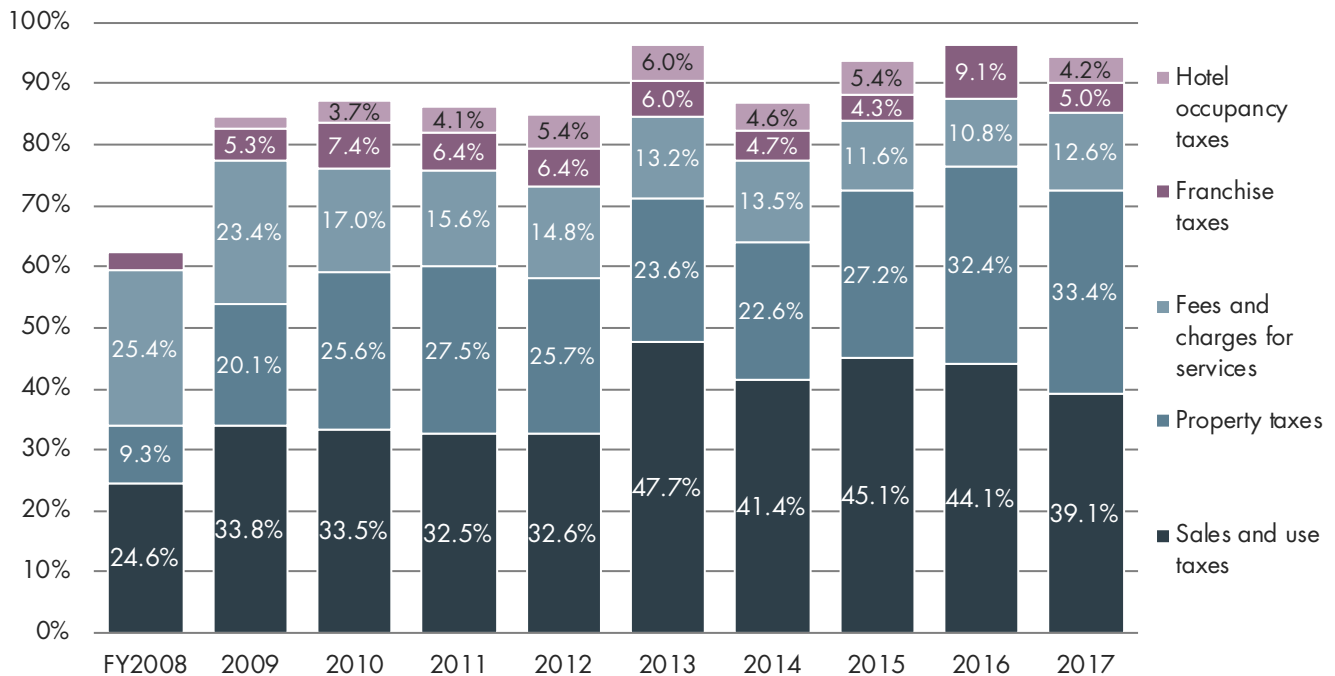


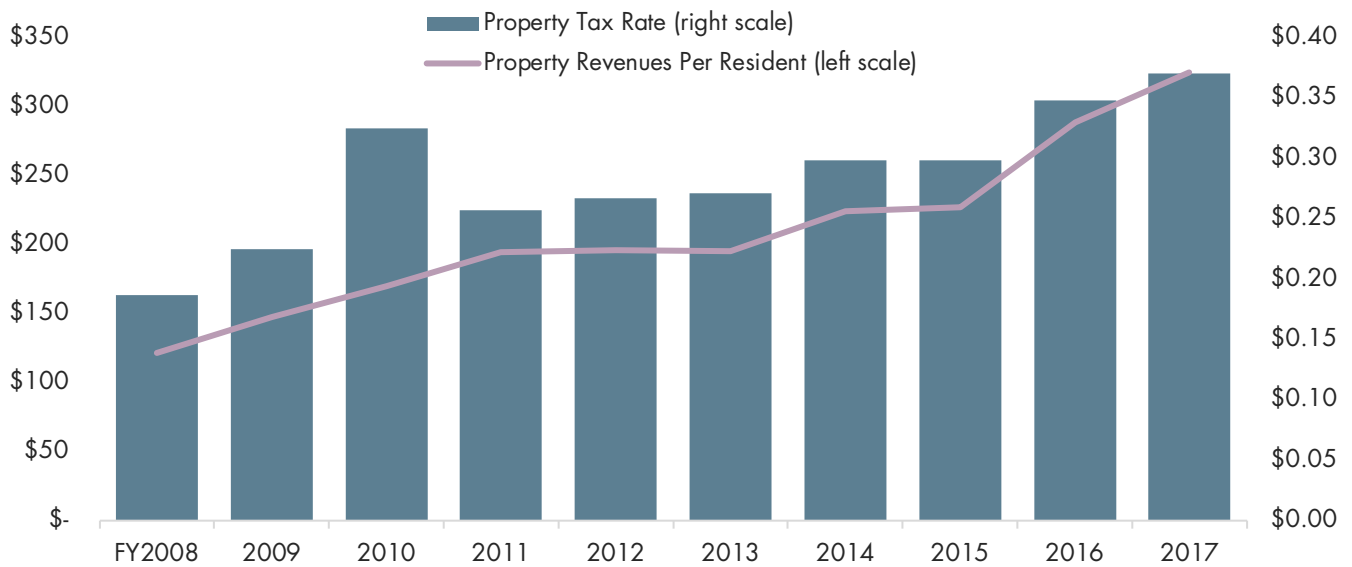
FIGURE 69. BUDA TOP FIVE MUNICIPAL REVENUE SOURCES BY PERCENT



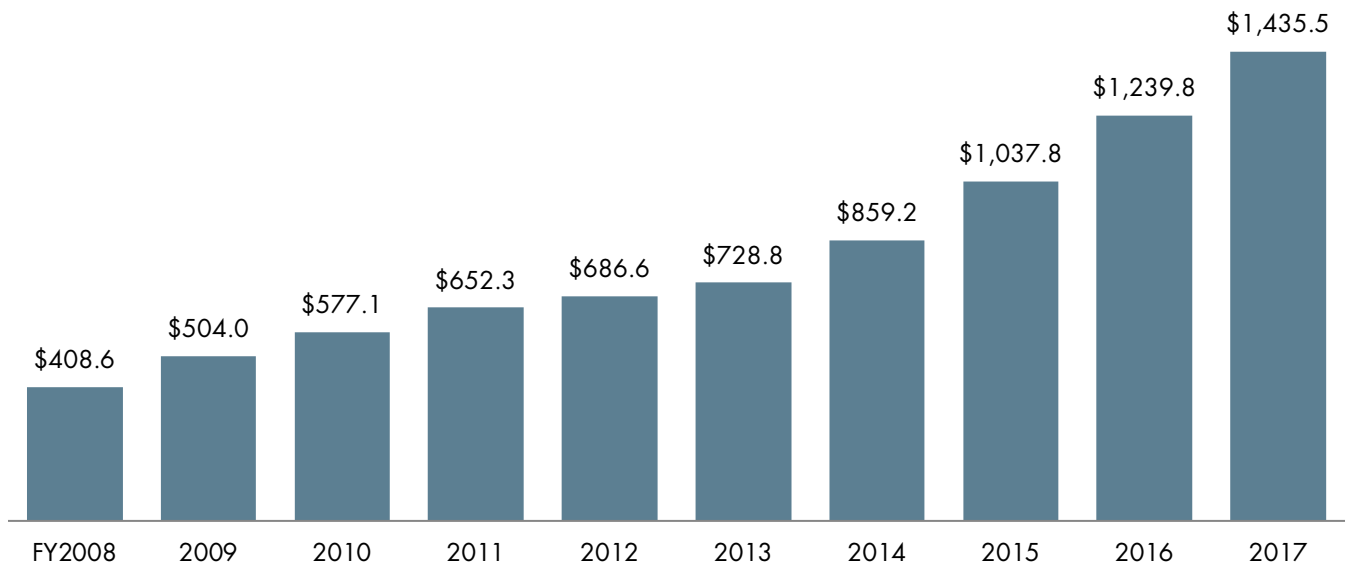
Source: (all figures) Buda Comprehensive Annual Financial Report, FY 2017.

Note: Assessed rates are \$100 of assessed value.

FIGURE 70. LONG-TERM TRENDS IN BUDA PROPERTY TAX RATES AND PER-CAPITA REVENUES



**FIGURE 71. ASSESSED VALUE OF TAXABLE PROPERTY IN BUDA
IN MILLIONS**



Source: (all figures) Buda Comprehensive Annual Financial Report, FY 2017

Note: Assessed rates are \$100 of assessed value

FIGURE 72. MAJOR PROPERTY TAXPAYERS IN BUDA, FY2010

	COMPANY	2010 TAXABLE ASSESSED VALUE	% OF ALL TAXABLE ASSESSED VALUE
1	Cabela's Retail TX LP	\$20,041,679	3.5%
2	Cabela's Retail TX LP	\$14,512,104	2.5%
3	Sam's East Inc.	\$13,198,360	2.3%
4	Capital Excavation Inc.	\$8,288,945	1.4%
5	Walmart Supercenter #4219	\$8,199,106	1.4%
6	H E Butt Grocery Co LP	\$7,598,458	1.3%
7	Centex Homes	\$4,392,461	0.8%
8	Silverado Buda Department	\$4,329,690	0.8%
9	Universal Lodging Inc.	\$4,292,420	0.7%
10	Capital City Container	\$3,555,636	0.6%
	Top 10 Total	\$88,408,818	15.3%

FIGURE 73. MAJOR PROPERTY TAXPAYERS IN BUDA, FY 2017

	COMPANY	2017 TAXABLE ASSESSED VALUE	% OF ALL TAXABLE ASSESSED VALUE
1	Texas Lehigh Cement Co.	\$86,505,563	6.0%
2	MFT - Silverado II LLC	\$28,500,000	2.0%
3	Cabela's Retail TX LP	\$16,768,047	1.2%
4	BES Carrington Oaks Fund XI LLC	\$15,428,911	1.1%
5	Sam's East Inc.	\$14,060,010	1.0%
6	Capital Excavation Inc.	\$11,081,404	0.8%
7	Cabela's Retail TX LP	\$11,021,397	0.8%
8	BES Carrington Oaks Fund X LLC	\$10,279,583	0.7%
9	H E Butt Grocery Co LP	\$8,353,090	0.6%
10	DS Buda Shop LP	\$6,626,070	0.5%
	Top 10 Total	\$208,624,075	14.7%

Source: (all figures) Buda Comprehensive Annual Financial Report, FY 2017.

REAL ESTATE ANALYSIS

FIGURE 74. BUDA BUILDING PERMITS BY TYPE

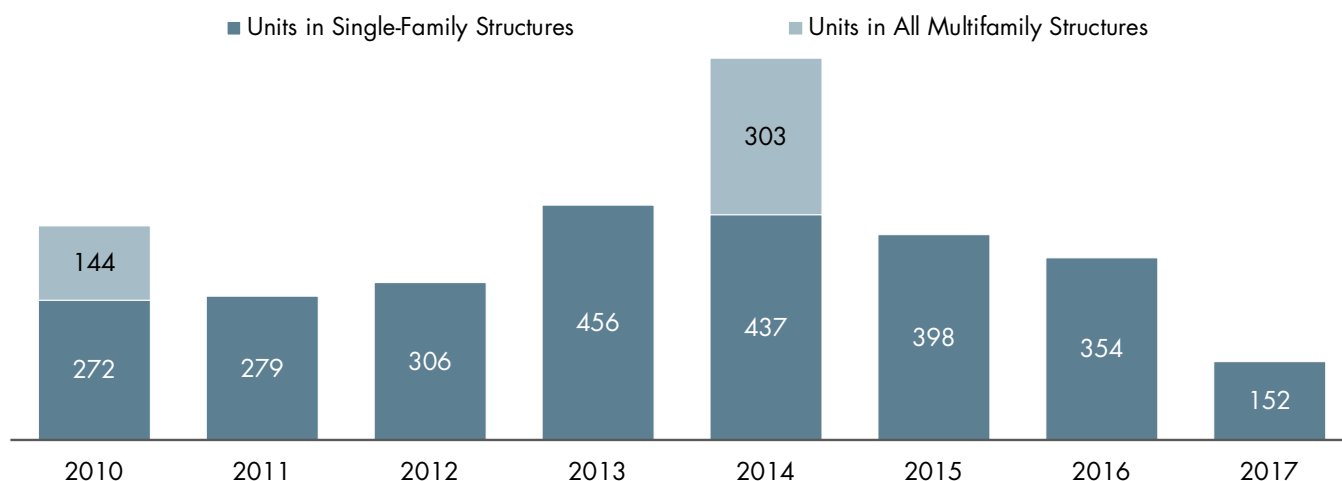
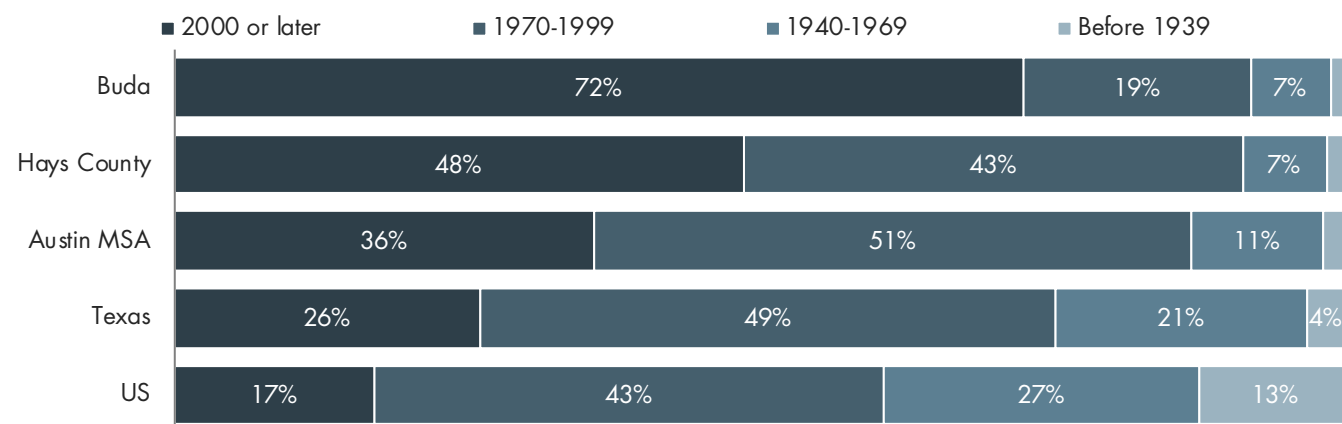


FIGURE 75. HOUSING AFFORDABILITY INDEX
RATIO OF MEDIAN HOME VALUE TO MEDIAN HH INCOME*



FIGURE 76. AGE OF HOUSING STOCK



*Can also be interpreted as the number of years of household income needed to buy a median-priced home.

Sources: (Figure 74) HUD, SOCDs; (Figure 75 and Figure 76) US Census Bureau, American Community Survey, 5-year averages for the period 2012–2016.

FIGURE 77. MAJOR RESIDENTIAL, MEDICAL, AND OFFICE DEVELOPMENTS ALONG I-35 CORRIDOR, ANNOUNCED OR UNDER CONSTRUCTION SINCE JANUARY 2018



Source: Texas A&M Real Estate Center, TIP research.

FIGURE 77. MAJOR RESIDENTIAL, MEDICAL, AND OFFICE DEVELOPMENTS ALONG I-35 CORRIDOR, ANNOUNCED OR UNDER CONSTRUCTION SINCE JANUARY 2018 (CONTINUED)

	CITY	TYPE	DESCRIPTION
1	San Marcos	Medical	71,000-sf senior living facility
2	San Marcos	Medical	26,000-sf medical office building
3	Buda	Medical	Baylor Scott & White \$35M full-service hospital
4	Austin	Medical	Baylor Scott & White Austin Medical Center
5	Austin	Medical	60,000-sf medical/office
6	Buda	Medical	20,000-sf Ascension Seton Health Center
7	Buda	Medical	St. David's HealthCare 24/7 Emergency Clinic
8	Kyle	Medical	Assisted living facility, 101 beds
9	Buda	Medical	Assisted living facility, 86 beds
10	San Marcos	Medical	70,000-sf medical/office
11	Austin	Office	100,000-sf office
12	San Marcos	Residential	420-acre residential
13	Seguin	Residential	Arroyo Ranch, 1,000+ homes
14	New Braunfels	Residential	Solms Landing, 98-acre mixed use
15	Dripping Springs	Residential	Blue Blazes Ranch, 35-acre mixed use center
16	Manchaca	Residential	Bear Creek Crossing
17	Austin	Residential	Enclave at Estancia
18	San Marcos	Residential	Trace Texas, 1,000 single-family & 850 multifamily
19	New Braunfels	Residential	Veramendi, 650 homes + Christus Santa Rosa Hospital
20	Buda	Residential	Rutherford Ranch North, 1,254 homes
21	Austin	Residential	Easton Park
22	Buda	Residential	Sunfield
23	Austin	Residential	Goodnight Ranch
24	San Marcos	Residential	Sunset Oaks, 2,227 homes
25	Austin	Residential	Garza Ranch
26	Austin	Office	30,000-sf office
27	Austin	Medical	37,000-sf medical office

Source: NewsTalk Texas via Texas A&M Real Estate Center.

FIGURE 78. AUSTIN'S FASTEST GROWING NEIGHBORHOODS, 2017

Neighborhood	City	County	Housing Starts
1 Siena	Hutto	Williamson	494
2 Sonterra	Jarrell	Williamson	294
3 Sun City Texas by Del Webb	Georgetown	Williamson	267
4 Avalon	Pflugerville	Travis	263
5 Shadow Creek	Kyle	Hays	256
6 Sunfield	Buda	Hays	254
7 Stonewater	Manor	Travis	240
8 Santa Rita Ranch	Liberty Hill	Williamson	229
9 Teravista	Georgetown	Travis	219
10 Rancho Sienna	Liberty Hill	Williamson	200

FIGURE 79. HOUSING STATISTICS FOR SELECTED MARKETS

City	Units Sold June '18	Median Price June '18	Price Change from June '17
Lockhart	11	\$208,200	23.6%
Bastrop	31	\$271,000	21.0%
Cedar Park	119	\$347,000	11.8%
New Braunfels	113	\$262,000	9.2%
Pflugerville	136	\$259,638	7.9%
Kyle	68	\$219,000	4.8%
Buda	52	\$255,875	4.1%
Round Rock	261	\$279,900	1.8%
Austin	1,049	\$404,000	1.0%
Schertz	52	\$215,700	-0.4%
Georgetown	172	\$297,382	-7.6%
San Marcos	25	\$243,900	-8.0%

FIGURE 80. TOP 10 FASTEST GROWING COUNTIES, 2016-2017

County	% Growth
Falls Church County, VA	5.2%
Comal County, TX	5.1%
Wasatch County, UT	5.0%
Hays County, TX	5.0%
Kendall County, TX	4.9%
Walton County, FL	4.5%
Tooele County, UT	4.4%
Morgan County, UT	4.4%
Lumpkin County, GA	4.3%
Osceola County, FL	4.2%

Sources: (Figure 78) *Austin Business Journal* via Texas A&M Real Estate Center; (Figure 79) Clarus MarketMetrics via Texas A&M Real Estate Center; (Figure 80) US Census Bureau.

Notes: (Figure 78) Information encompasses the five-county Austin area including Travis, Williamson, Hays, Bastrop, and Caldwell Counties. Data track 1 year of activity from 1Q 2017 to 4Q 2017; (Figure 80) Includes counties with population 10,000+.

ORGANIZATIONAL ANALYSIS

FIGURE 81. ECONOMIC DEVELOPMENT STAFF FOR BENCHMARK CITIES

CITY	2017 POPULATION	2018 ECON. DEV. STAFF	STAFF PER 10,000 RESIDENTS
LOCAL ECONOMIC DEVELOPMENT ORGANIZATIONS			
Bastrop EDC	8,802	3	3.41
Buda EDC	16,163	2	1.24
City of Cedar Park EDC	75,704	7	0.92
Georgetown EDC	70,685	4	0.57
City of Kyle Econ. Dev. Dept.	43,480	2	0.46
Lockhart EDC	13,788	4	2.90
New Braunfels EDC	79,152	3	0.38
Pflugerville EDC	63,359	2	0.32
Round Rock Chamber of Commerce	123,678	11	0.89
Schertz EDC	40,092	4	1.00
REGIONAL ECONOMIC DEVELOPMENT ORGANIZATIONS			
Greater Austin Chamber of Commerce	2,115,827	39	0.18
Greater San Marcos Partnership	256,823	8	0.31

Sources: Census Bureau, Population Estimates Program; TIP research.

FIGURE 82. ECONOMIC DEVELOPMENT RESOURCES FOR BENCHMARK CITIES

CITY	2017 POP.	TYPE A/B	FY 18 REVENUES (\$MIL)	FY 18 EXPEND. (\$MIL)	FY 18 ECON. DEV. ENDING BAL. (\$MIL)	ENDING BAL. PER CAPITA
LOCAL ECONOMIC DEVELOPMENT ORGANIZATIONS						
Bastrop EDC	8,802	B	\$2.36	\$1.42	\$0.52	\$59.20
Buda EDC	16,163	B	\$2.05	\$1.12	\$2.97	\$183.62
City of Cedar Park EDC	75,704	A&B	\$13.39	\$19.48	\$15.95	\$210.74
Georgetown EDC	70,685	A&B	\$17.36	\$15.25	\$16.41	\$232.16
City of Kyle Econ. Dev. Dept.	43,480	-	-	-	-	-
Lockhart EDC	13,788	B	\$2.80	\$1.60	\$2.62	\$190.05
New Braunfels EDC	79,152	B	\$6.62	\$8.02	\$12.46	\$157.39
Pflugerville EDC	63,359	B	\$4.08	\$2.16	\$4.93	\$77.81
Round Rock Chamber of Commerce	123,678	B	\$30.84	\$32.03	\$0.00	\$0.00
Schertz EDC	40,092	B	\$3.75	\$0.90	\$15.07	\$375.87
REGIONAL ECONOMIC DEVELOPMENT ORGANIZATIONS						
Greater Austin Chamber of Commerce	2,115,827	-				
Greater San Marcos Partnership	256,823	-				

Sources: Census Bureau, Population Estimates Program; Texas Comptroller of Public Accounts.

FIGURE 83. FUNCTIONAL COMPARISON (MAJOR PROGRAM AREAS)

ORGANIZATION	DATA COLLECTION & PUBLICATION	POLICY & ADVOCACY	TARGET INDUSTRY/BUSINESS RECRUITMENT	BUSINESS RETENTION & EXPANSION (BRE)	INCENTIVES	SITE SELECTION & RELOCATION	INTERNATIONAL OUTREACH	ENTREPRENEURSHIP	SMALL BUSINESS DEVELOPMENT	TOURISM	PLACEMAKING & DEVELOPMENT	WORKFORCE DEVELOPMENT	MEMBERSHIP, NETWORKING, & EVENTS	
LOCAL ECONOMIC DEVELOPMENT ORGANIZATIONS														
Buda EDC	●		●	●		●		●	●			●	●	8
Bastrop EDC	●		●	●	●	●		●	●			●		8
City of Cedar Park EDC	●			●	●									3
Georgetown EDC	●		●	●		●								4
City of Kyle Econ. Dev. Dept.	●				●				●					3
Lockhart EDC	●			●		●								3
New Braunfels EDC	●		●	●	●	●		●	●				●	8
Pflugerville EDC	●		●	●	●	●						●	●	7
Round Rock Chamber of Commerce	●		●	●	●	●							●	6
Schertz EDC	●		●	●	●	●	●					●		7
REGIONAL ECONOMIC DEVELOPMENT ORGANIZATIONS														
Greater Austin Chamber of Commerce	●	●	●	●	●	●	●	●	●	●	●	●	●	13
Greater San Marcos Partnership	●		●	●				●				●	●	6

Source: TIP research.

APPENDIX 4. TARGET INDUSTRY ANALYSIS

INTRODUCTION

The selection of target industries is traditionally based on a defined set of quantitative factors, such as workforce access, available industrial sites, and industry concentration. The data are a good starting point, but qualitative and strategic considerations are just as important.

Target industries are a reflection of which industries are important to a local or regional economy, now and in the future. The identification of target industries matters less than what a community does to actually “target” an industry. Specific strategies to grow Buda’s local economy through marketing and recruitment initiatives, incentives, and policies to support growth are detailed in the Strategic Plan. However, strategies should not be applied in a haphazard manner. A successful target industry recruitment initiative must begin with a solid framework that employs quantitative, qualitative, and strategic methods to identify a narrow set of industries that represent the most promising opportunities for new investment and job growth.

THE TARGETING APPROACH

QUANTITATIVE

What do the data tell us?



QUALITATIVE

What have we learned about Buda’s assets and challenges?



STRATEGIC

What larger trends and relationships will influence opportunities going forward?

In identifying target sectors, the TIP Strategies team examined detailed data to identify which industries are well-established in the Austin metro area, how they performed in recent years, and how they are expected to perform in the near term. For this analysis, TIP looked at factors including strategic assets, existing initiatives, critical mass, competitive advantage, growth prospects, and cross-sector synergies. In the first phase of this project—the economic assessment—TIP reviewed employment, using standard NAICS industry classifications. For the targeting analysis, the team took this a step further by filtering employment within an industry “cluster” framework developed by the US Economic Development Administration in conjunction with the Institute for Strategy and Competitiveness at Harvard Business School. In addition, an analysis of capital investments relies on categories defined by fDi Markets, an operating subsidiary of the *Financial Times*. Next, the analysis of entrepreneurial investment relies on categories of venture capital investment defined by PricewaterhouseCoopers.

FIGURE 84. THE TARGETING PROCESS

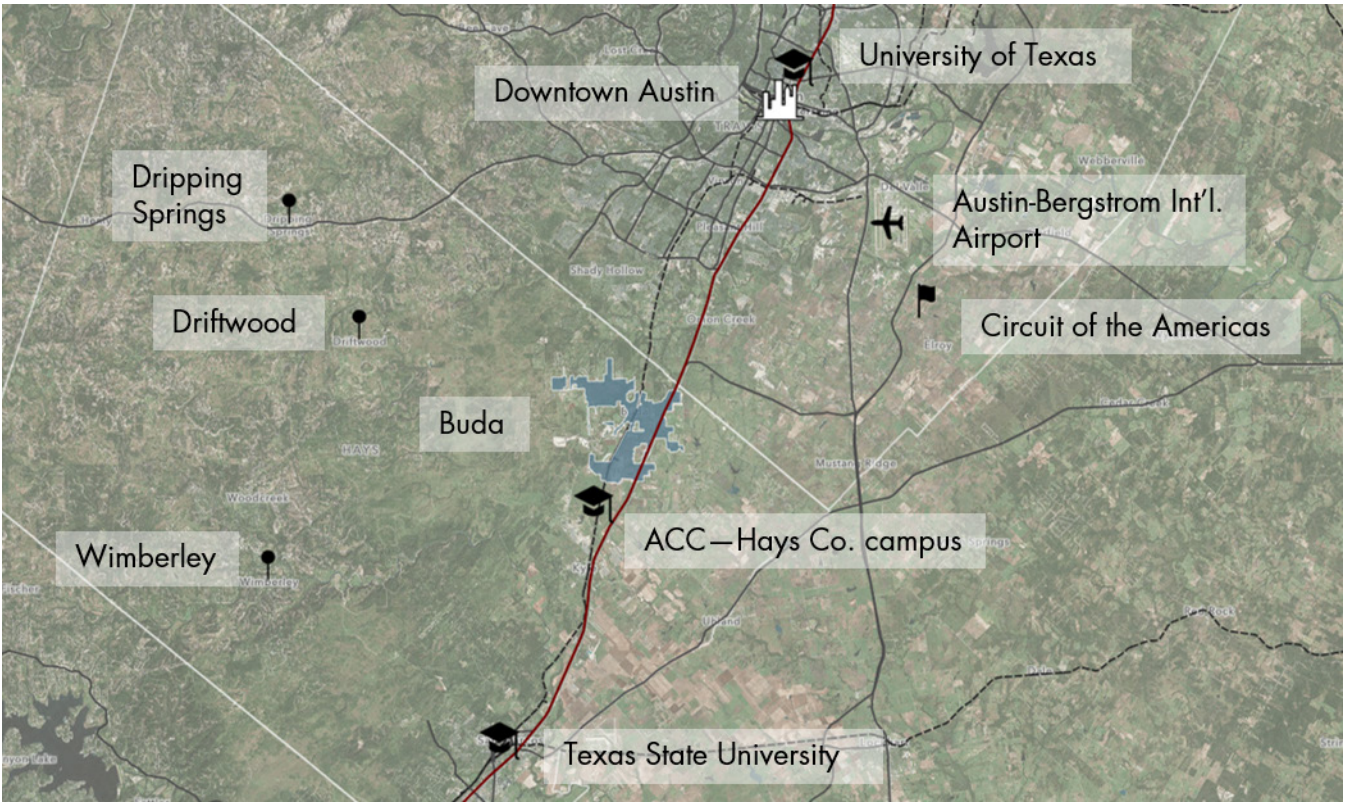


Source: TIP Strategies.

FIGURE 85. BUDA STRATEGIC ASSETS



FIGURE 86. REGIONAL ASSETS



Sources: TIP Strategies, Esri ArcGIS.

FIGURE 87. EMPLOYMENT CLUSTERS: TRADED VS. LOCAL



WHY IT MATTERS

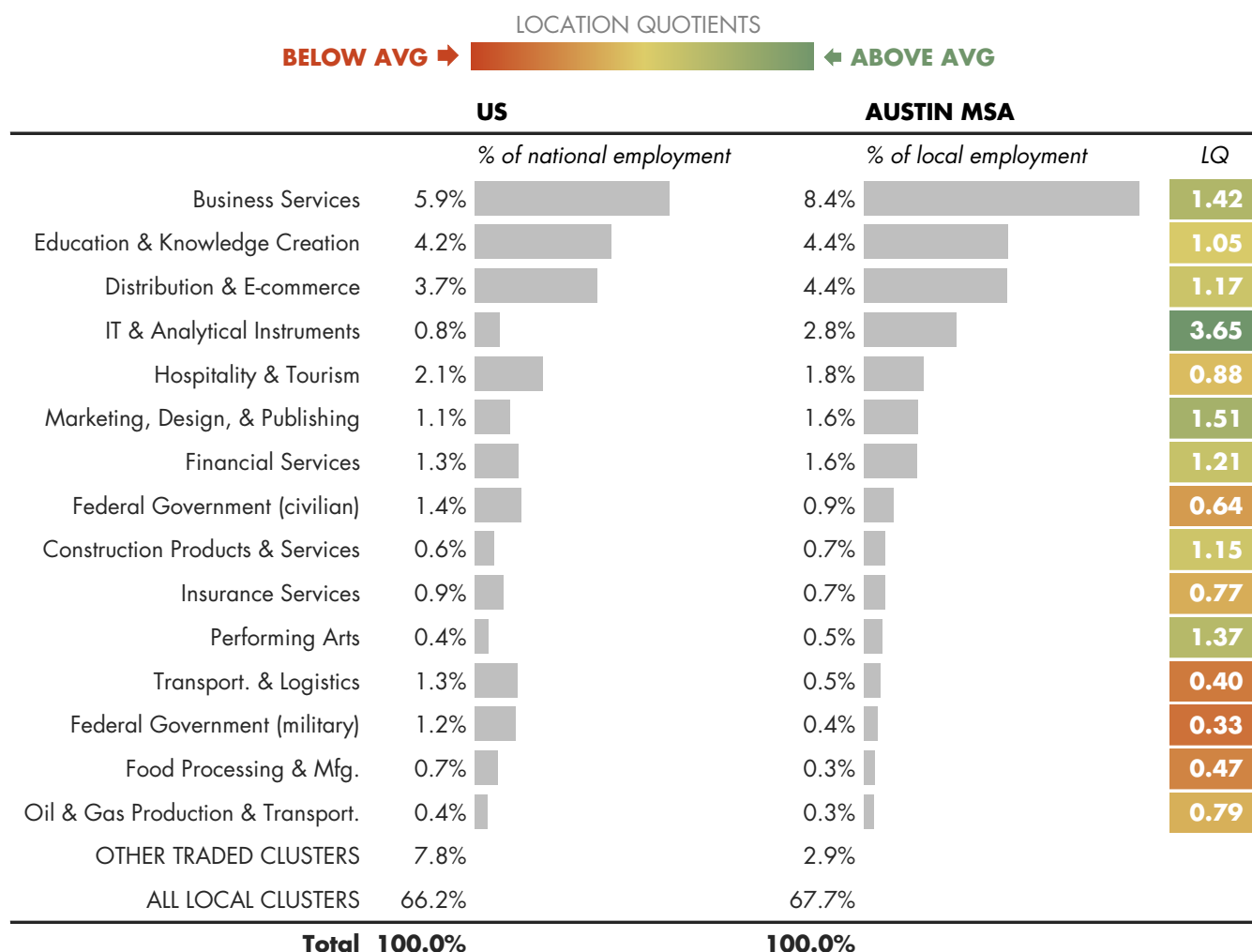
Increasing the ratio of traded-to-local clusters is a common strategy for enhancing economic prosperity. Traded clusters are emphasized by economic developers because they include industries and firms that typically produce goods and services for customers beyond the local region. These traded activities are thus more likely to produce externally generated revenues, which can, in turn, help boost local tax coffers. As an example, a dentist office might serve local customers exclusively, while a manufacturing plant, a data center, or a hotel would typically serve paying customers beyond the local area. The ability of traded clusters to serve larger markets also presents greater opportunity for employment growth, whereas a dentist office might face more finite geographic limits to expansion.

The growth of traded clusters is important for local economic development, even if these companies do not employ local residents or provide services desired by local residents. Because traded clusters bring in external revenue from outside the local economy, they contribute positively to the local tax base. A local tax base that is supported by external spending helps keep local property taxes low, while helping to maintain and enhance the level of municipal services.

Sources: US Bureau of Labor Statistics; Emsi 2018.1–QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.
Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi.

The following section (pages 86–96) includes a quantitative analysis of industry-specific employment patterns, hiring trends, and major investments in the Austin metro area. TIP focused the analysis of industry trends primarily on the five-county Austin metro area instead of more narrowly focusing on Buda or Hays County. This helps provide a relevant context for understanding the growth opportunities in the larger region surrounding Buda. A solid foundation of knowledge about the regional economy is a necessary starting point for uncovering the most promising sectors for investment and job growth in Buda.

FIGURE 88. EMPLOYMENT CLUSTERS—WEIGHT (SIZE AND CONCENTRATION)
TRADED CLUSTERS EMPLOYING THE MOST WORKERS LOCALLY IN 2017



WHY IT MATTERS

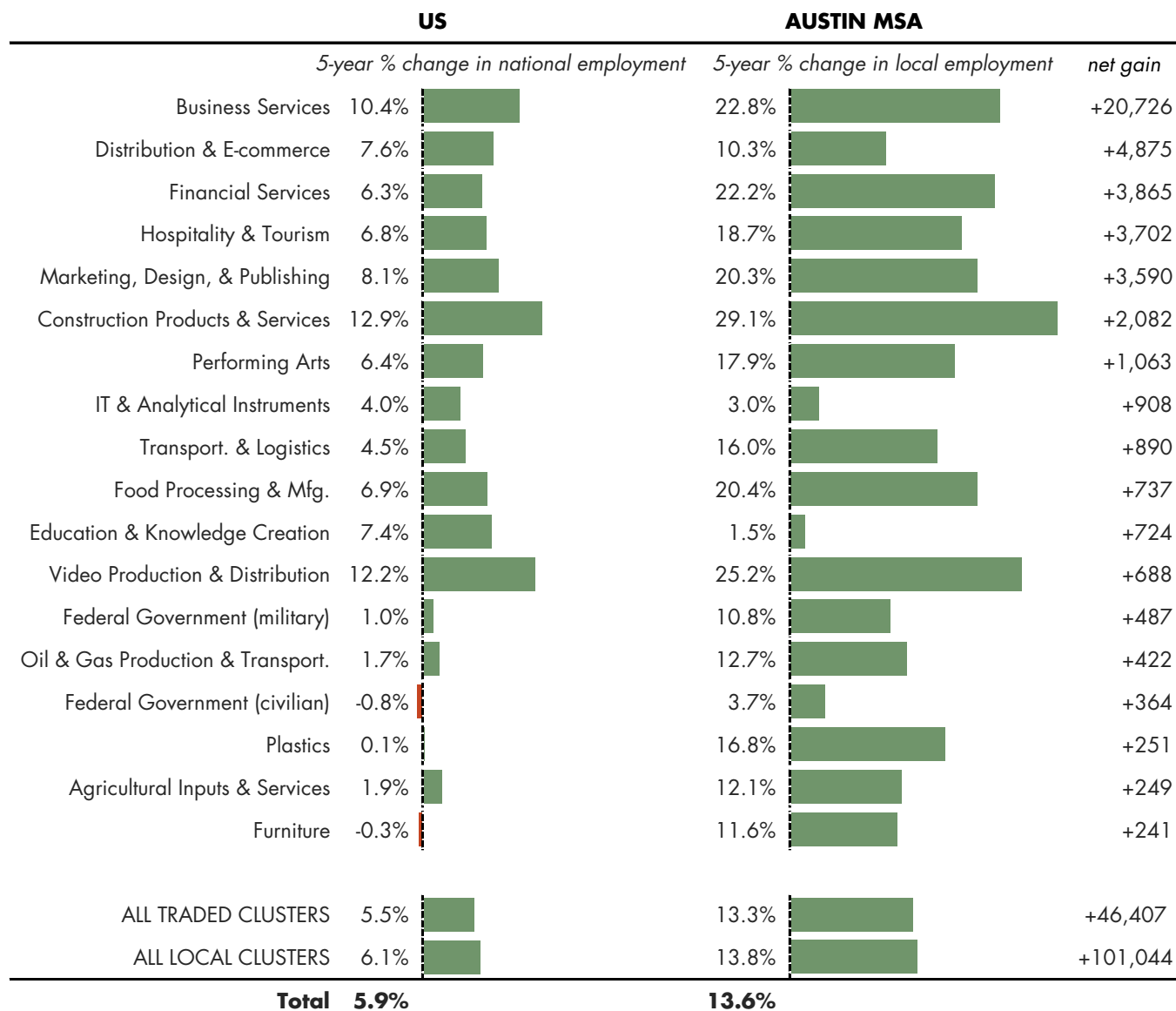
While local clusters (such as dentist offices) typically account for a similar share of employment across communities of varying size, the share of total employment represented by traded clusters (such as automotive assembly plants) might differ dramatically from one community to the next. Traded clusters that account for a larger-than-average share of total employment can suggest areas of competitive advantage. This figure compares the distribution of employment by cluster in the US (first column) with the local area (second column). The third column uses location quotients (LQs) to convey the intensity of employment locally relative to the US. If a traded cluster represents 1 percent of US employment and 5 percent of local employment, its LQ would be 5.0, meaning that the traded cluster in the local area is five times as large as would be expected based on national patterns.

Sources: US Bureau of Labor Statistics; Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Notes: MSA = metropolitan statistical area. The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi.

FIGURE 89. EMPLOYMENT CLUSTERS—PROJECTED GROWTH

TRADED CLUSTERS WITH PROJECTED LOCAL JOB GAINS OF 25 OR MORE, 2017–2022

**WHY IT MATTERS**

Understanding anticipated job growth in traded clusters is an essential element of the targeting process. This figure compares projected net job gains in percentage terms over a 5-year horizon for the US (first column) and the local area (second column). The column on the far right shows projections (in numeric terms) for local net job gains in traded clusters in descending order. The last three rows of the figure—showing projected job growth aggregated for traded clusters, local clusters, and total employment—can help inform strategic discussions and refine goals for the future.

Sources: US Bureau of Labor Statistics; Emsi 2018.1—QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi.

FIGURE 90. TALENT DEMAND INDICATORS

ANALYSIS OF UNIQUE LOCAL JOB POSTINGS DURING CALENDAR YEAR 2017

INTENSITY OF JOB POSTINGS RELATIVE TO US

BELOW AVG →  ← ABOVE AVG

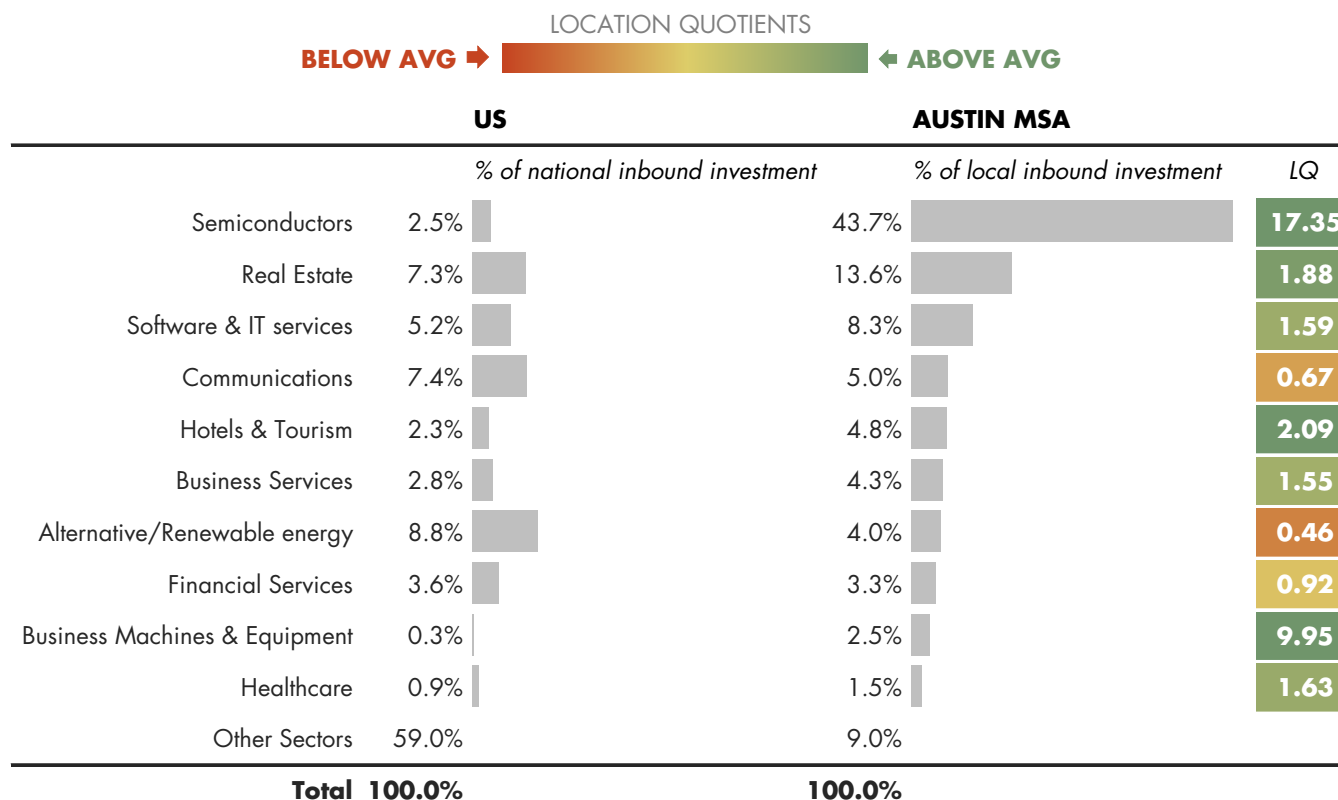
HIGH-DEMAND LOCAL OCCUPATIONS		HIGH-DEMAND LOCAL SKILLS	
	<i>location quotient</i>		<i>location quotient</i>
Software Developers, Applications	2.40	Bilingual Spanish	5.79
Web Developers	2.13	Microsoft Office	3.20
Computer Occupations, All Other	1.93	Software As A Service	2.92
Network & Computer Systems Administrators	1.70	Scrum Agile Methodology	2.58
Sales Reps., Wholesale & Mfg., Technical & Sci. Products	1.67	Python	2.49
Management Analysts	1.62	Javascript	2.41
Sales Representatives, Services, All Other	1.58	Agile Software Development	2.29
Marketing Managers	1.57	Web Services	2.28
Computer Systems Analysts	1.57	Linux	2.28
Sales Managers	1.46	Java	2.25
Computer User Support Specialists	1.40	Hypertext Markup Language	2.07
Registered Nurses	1.30	Salesforce CRM SFDC	2.06
First-Line Supervisors of Office & Admin. Support Workers	1.21	Systems Development Life Cycle	2.05
Customer Service Representatives	1.18	Structured Query Language	1.73
Maintenance & Repair Workers, General	1.08	Customer Relationship Management	1.58
Accountants & Auditors	1.04	Quality Control	1.44
First-Line Supervisors of Retail Sales Workers	0.99	Technical Support	1.44
First-Line Supervisors of Food Prep. & Serving Workers	0.98	Quality Assurance	1.29
Retail Salespersons	0.88	Pediatrics	1.21
Heavy & Tractor-Trailer Truck Drivers	0.13	Preventive Maintenance	1.05

WHY IT MATTERS

An analysis of job postings can help reframe our understanding of the local job market from the employer's perspective rather than simply through the lens of government statistics. This back-of-the-envelope analysis uses job postings from the prior calendar year to identify the most sought-out occupations (first column) and the most frequently occurring words and phrases (second column). LQs are used to approximate the local intensity of recruiting efforts and illustrate employer demand for specific "hard skills." A help wanted ad that appears locally at 5 times the relative rate as the US would have an LQ of 5.0; likewise, a specific skill that appears more frequently in local postings than the national average would have an LQ greater than 1.0, suggesting higher demand in the local market. The results should prompt strategic questions about the alignment of the region's talent pipeline with the needs of employers and with target (traded) clusters.

Source: CEB Talent Neuron.

FIGURE 91. INBOUND FIXED CAPITAL INVESTMENT
FOREIGN AND OUT-OF-STATE INVESTMENT 2008–2017



WHY IT MATTERS

Industry analysis often focuses heavily, sometimes exclusively, on employment patterns. For a fuller understanding of local industry trends, a review of capital investment flows is useful. This figure compares the distribution (in percentage terms) of inbound investment by industry at the national and local levels. The first column shows cross-state and foreign investment in the US. The second column shows inbound investment into the local area from companies based out-of-state (including foreign investment), sorted in descending order. The column on the far right uses LQs to convey the intensity of capital investment in these sectors locally relative to the US. While the cluster definitions differ slightly from the EDA framework, the concepts are similar.

Sources: fDi Markets, TIP Strategies.

FIGURE 92. LEADING LOCAL JOB RECRUITERS IN TRADED SECTORS OF THE ECONOMY
ANALYSIS OF UNIQUE JOB POSTINGS IN BUDA AND AUSTIN MSA DURING CALENDAR YEAR 2017

BUDA

RECRUITER	# OF JOB POSTINGS
Cabela's Inc.	136
Tuff Shed Inc.	57
Sunstate Equipment	39
Builders FirstSource	35
AHI Supply	32
Austin Recovery Family House	31
Hersha Hospitality	29
H-E-B	29
Best Version Media	28
Stripes Convenience Stores	27
Instacart	23
Rush Enterprises, Inc.	21
Texas Disposal Systems	21
The Dollar General	20
Comfort Suites Buda-Austin South	18
Commercial Metals Company	18
Cracker Barrel	17
Chili's	17
Hersha Hospitality Management (HHM)	16
Susser Holdings	15
Altitude Business Group	14
Brinker International	14
Pizza Hut	13
Celadon	13
McDonald's Corporation	12

AUSTIN

RECRUITER	# OF JOB POSTINGS
HCA—The Healthcare Company	6,829
Dell	5,791
Ascension Health	4,946
The University of Texas System	3,711
IBM	3,047
City of Austin, Texas	2,980
Oracle	2,544
Accenture	2,206
Goodwill Industries	2,184
Spectrum	2,072
Austin Independent School District	2,023
Deloitte	1,910
Seton Health	1,893
Baylor Health Care System	1,749
Texas Dept. of Health Services	1,699
Austin Medical Center	1,630
Apple Inc.	1,579
Omni Hotels	1,450
Virtual Computing Environment Company LLC	1,421
Baylor Scott & White Health	1,309
H-E-B	1,280
Health One	1,276
Compass Group	1,245
US Army	1,224
Greensheet	1,102

Source: CEB TalentNeuron.

FIGURE 93. ENTREPRENEURIAL INVESTMENT

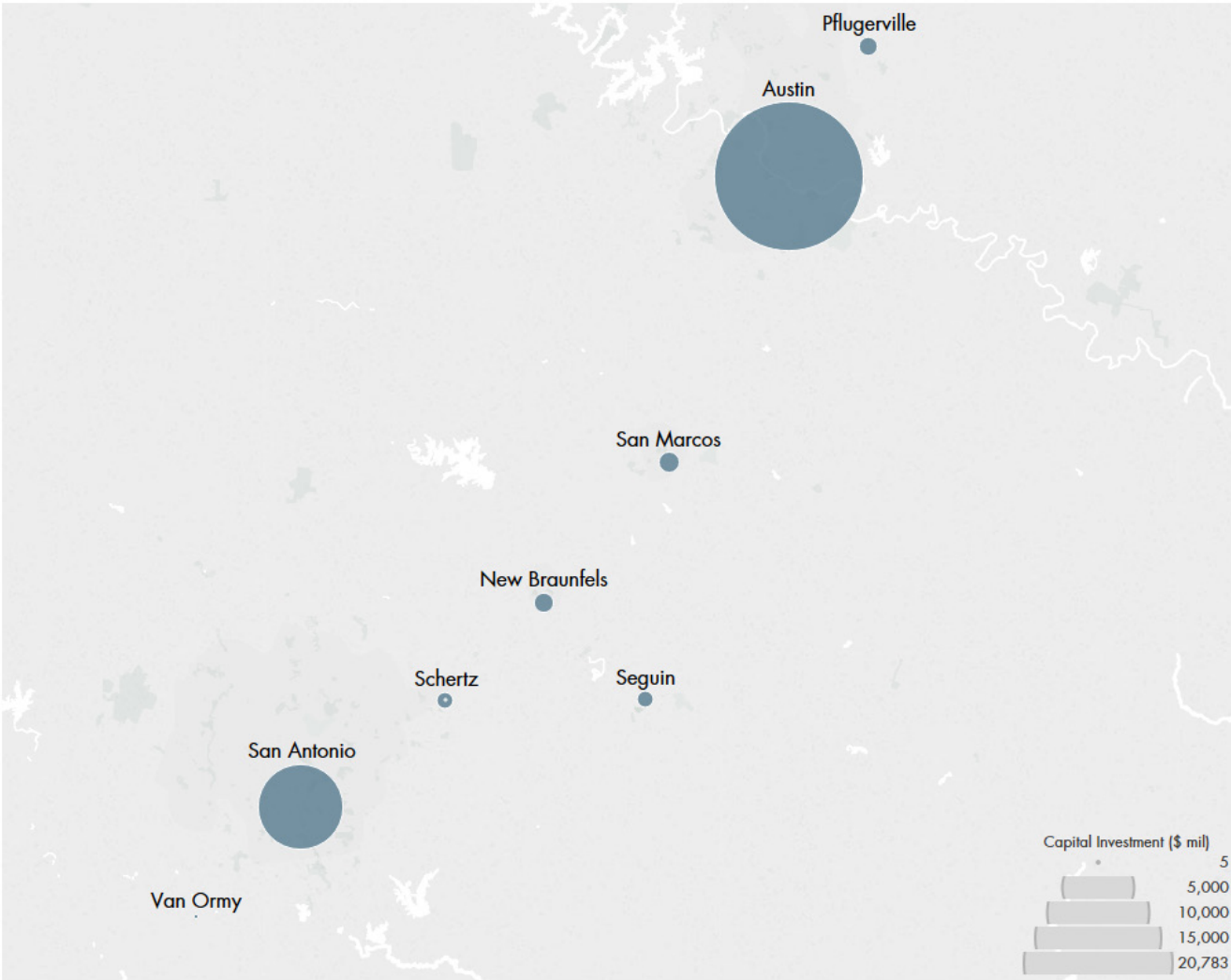
LEADING VENTURE EQUITY RECIPIENTS IN AUSTIN MSA DURING THE 2008–2017 PERIOD

	COMPANY	VC* (In millions)	DESCRIPTION
	Mozido	\$307.2	Mozido is a global provider of digital commerce and payment solutions for both unbanked and developed markets.
	HomeAway	\$258.3	HomeAway offers a platform where travelers can book vacation homes, and rental owners can advertise and manage bookings.
	Pivot3	\$206.0	Pivot3 is the world's leading provider of dynamic hyperconverged solutions.
	BigCommerce	\$155.0	BigCommerce is a SaaS provider for merchants running online businesses.
	Snap Kitchen	\$154.2	Snap Kitchen is dedicated to bringing customers flavorful, handcrafted food.
	RetailMeNot	\$149.5	RetailMeNot is a marketplace for online coupons and deals that operates a portfolio of coupon and deal websites.
	Spredfast	\$138.1	Spredfast gives marketers solutions to manage their brands and connect with consumers in an increasingly social world.
	Apollo Endosurgery	\$113.3	Apollo Endosurgery develops medical devices for the diagnosis and treatment of gastrointestinal diseases.
	SolarBridge Technologies	\$101.0	SolarBridge Technologies commercializes power electronics technologies created at the University of Illinois.
	Spiceworks	\$98.0	Spiceworks is the professional network for the IT industry.
	GreenRoad Technologies	\$96.0	GreenRoad is delivering the backbone for the future of vehicle safety in the new era of intelligent mobility.
	Fallbrook Technologies	\$94.5	Fallbrook Technologies develops and manufactures the NuVinci CVP transmission technology and related products.
	Xeris Pharmaceuticals	\$85.5	Xeris Pharmaceuticals develops patient-friendly injectables for indications in diabetes, epilepsy, and immunology.
	Kinnser Software	\$79.9	Kinnser Software develops and distributes Web-based software and support solutions for the home health industry.
	Phunware, Inc.	\$79.7	Phunware is a multiscreen platform and solution provider.
	GFI Software	\$78.0	GFI Software develops solutions that enable IT administrators to efficiently discover, manage, and secure their business networks.
	Mirna Therapeutics	\$77.8	Mirna Therapeutics researches and develops miRNA-directed human oncology therapies.
	Illumitex	\$74.5	Illumitex manufactures precision LEDs, LED lights, and LED grow lights.
	Civitas Learning	\$63.9	Civitas is making the most of the world's learning data to graduate a million more students per year, by 2025.
	The Zebra	\$63.0	The Zebra is an auto insurance comparison marketplace, enabling users to find the right coverage at the best price.

*VC = cumulative venture capital.

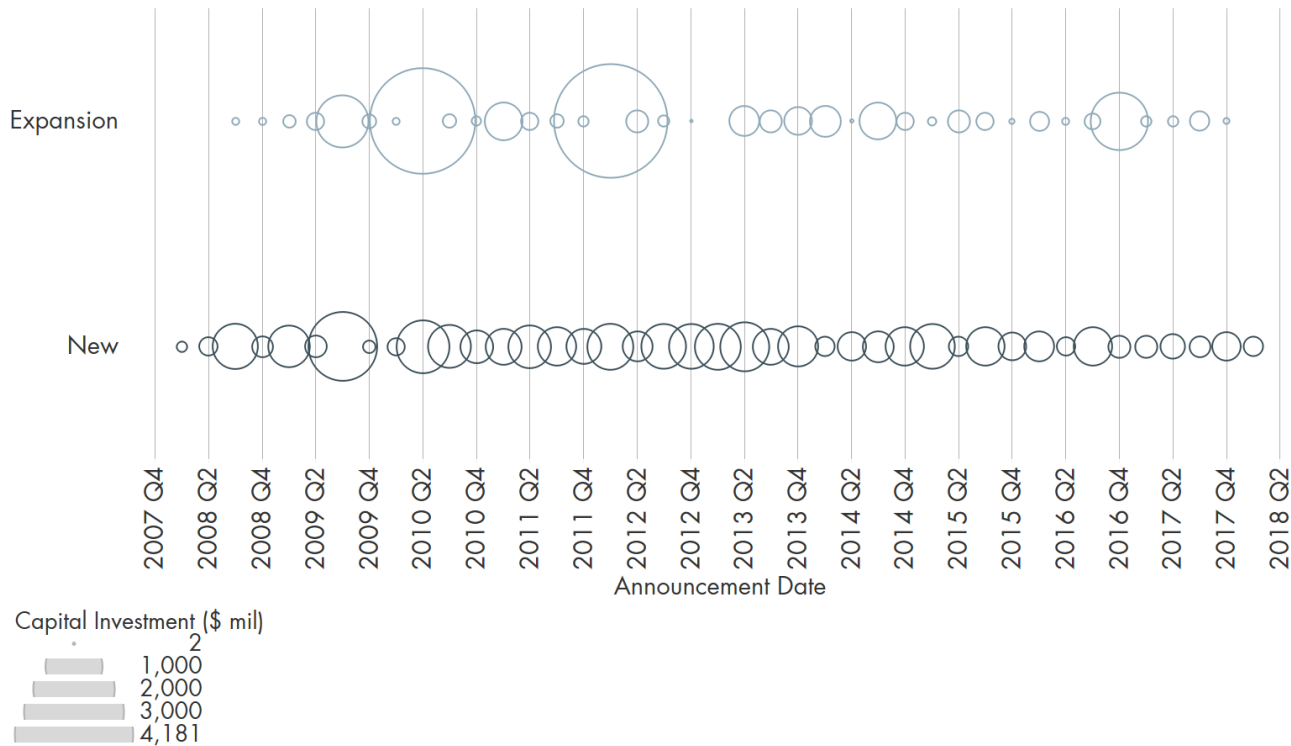
Sources: PricewaterhouseCoopers, Crunchbase, TIP Strategies.

FIGURE 94. OUT-OF-STATE DIRECT INVESTMENT IN THE CENTRAL TEXAS I-35 CORRIDOR*
DIRECT INVESTMENT BY DESTINATION CITY SINCE 2008



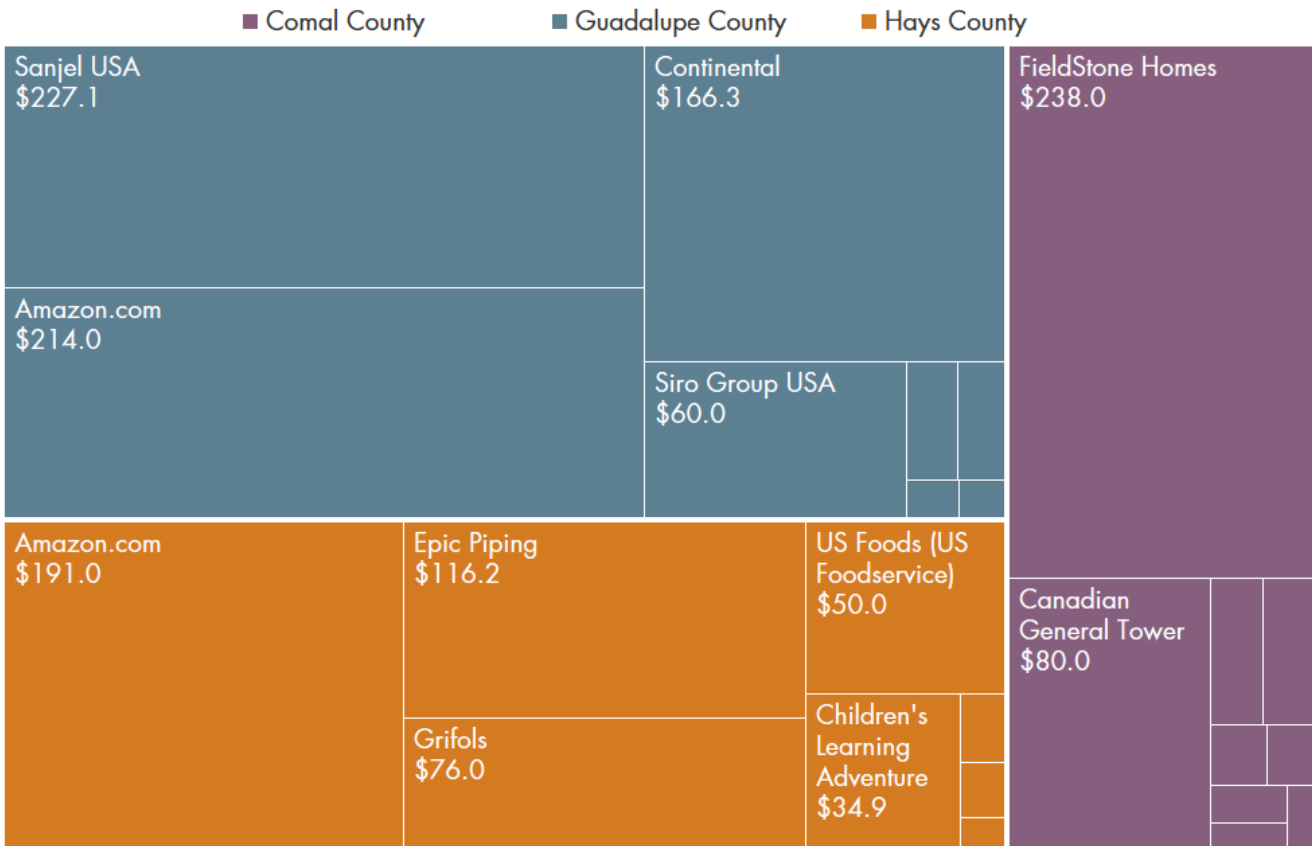
*The Central Texas I-35 corridor includes five counties: Travis, Hays, Comal, Guadalupe, and Bexar.
Sources: fDi Markets, TIP Strategies.
Note: Does not include direct investments by companies headquartered in Texas.

FIGURE 95. OUT-OF-STATE DIRECT INVESTMENT IN THE CENTRAL TEXAS I-35 CORRIDOR*
DIRECT INVESTMENT BY TYPE OF FACILITY SINCE 2008



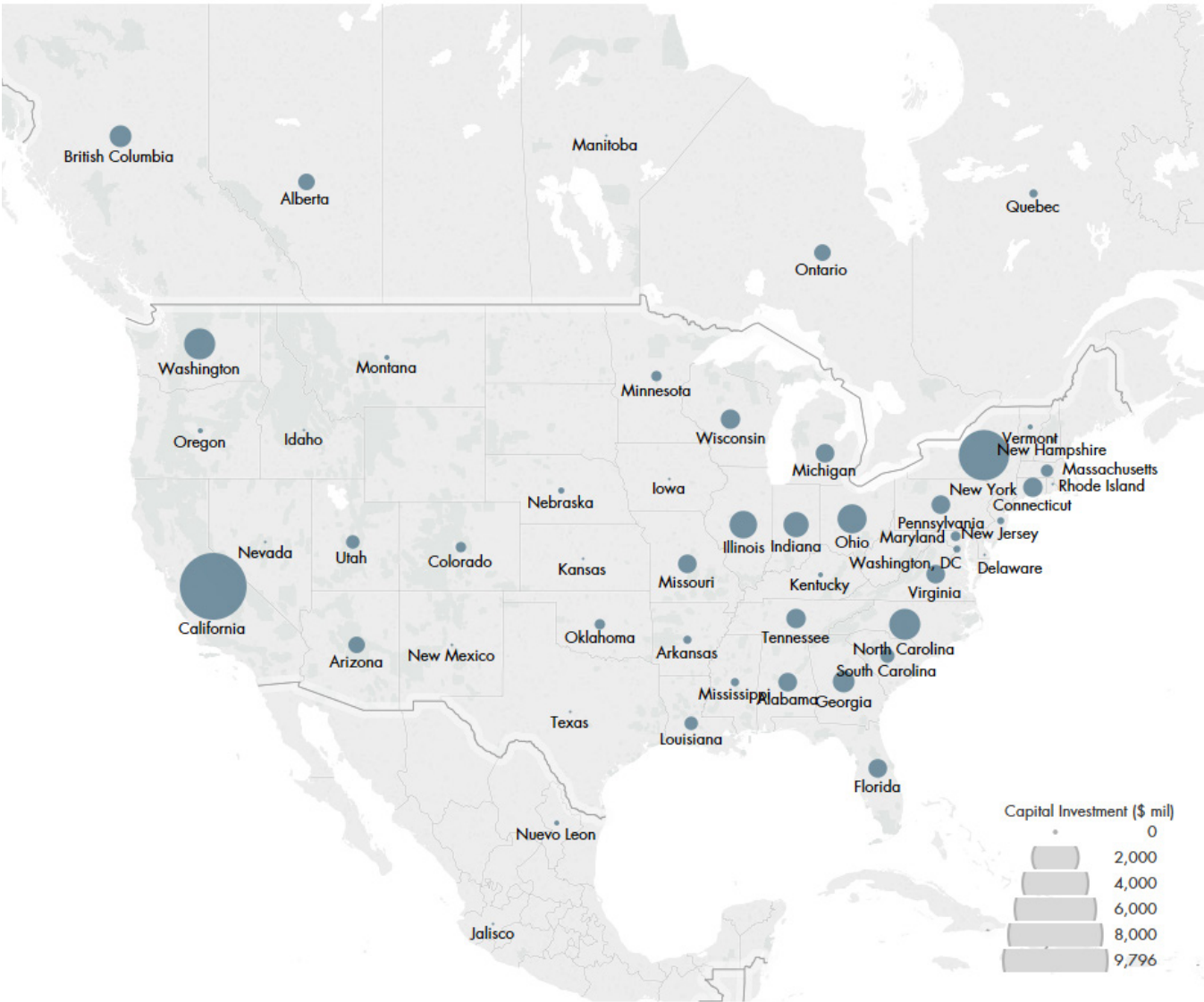
*The Central Texas I-35 corridor includes five counties: Travis, Hays, Comal, Guadalupe, and Bexar.
Sources: fDi Markets, TIP Strategies.
Note: Does not include direct investments by companies headquartered in Texas.

FIGURE 96. OUT-OF-STATE DIRECT INVESTMENT IN THE CENTRAL TEXAS I-35 CORRIDOR*
DIRECT INVESTMENT BY COMPANY SINCE 2008



*The Central Texas I-35 corridor includes three counties: Hays, Comal, and Guadalupe.
Sources: fDi Markets, TIP Strategies.
Notes: Does not include direct investments by companies headquartered in Texas. For cases where capital investment and job creation were not provided at the time of the announcement, the values shown might be estimated based on similar projects. Travis and Bexar Counties excluded for clarity.

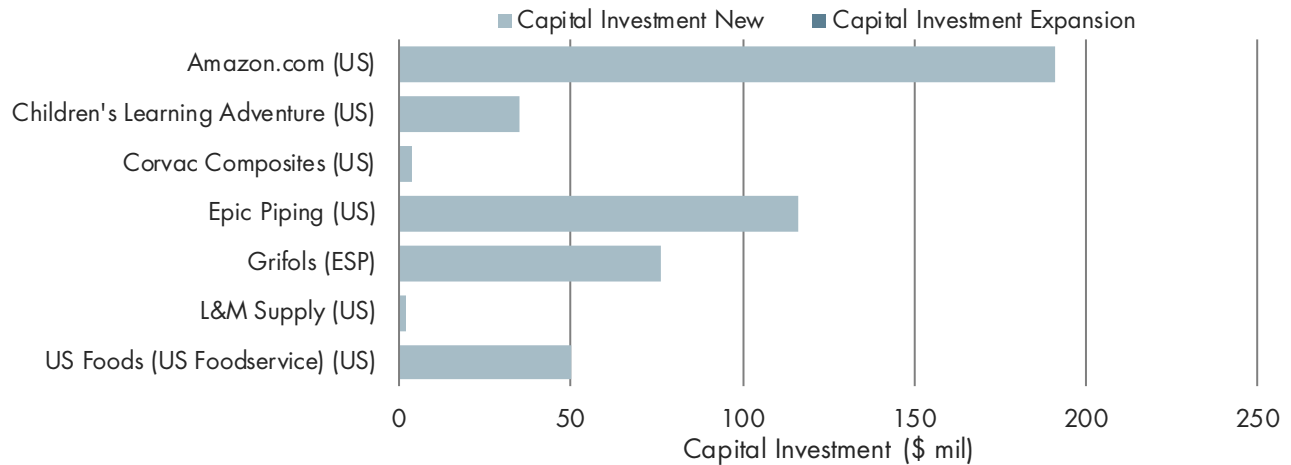
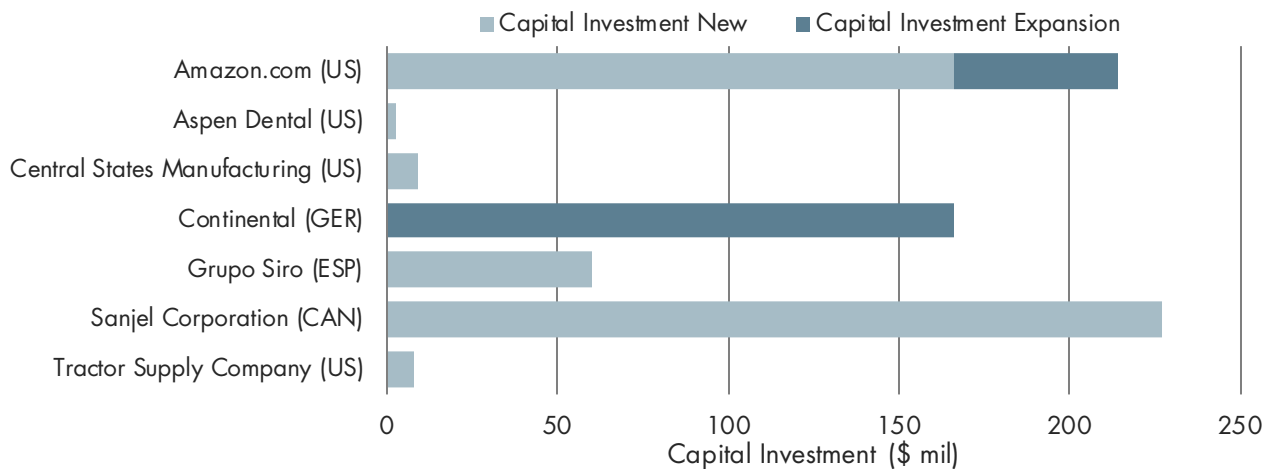
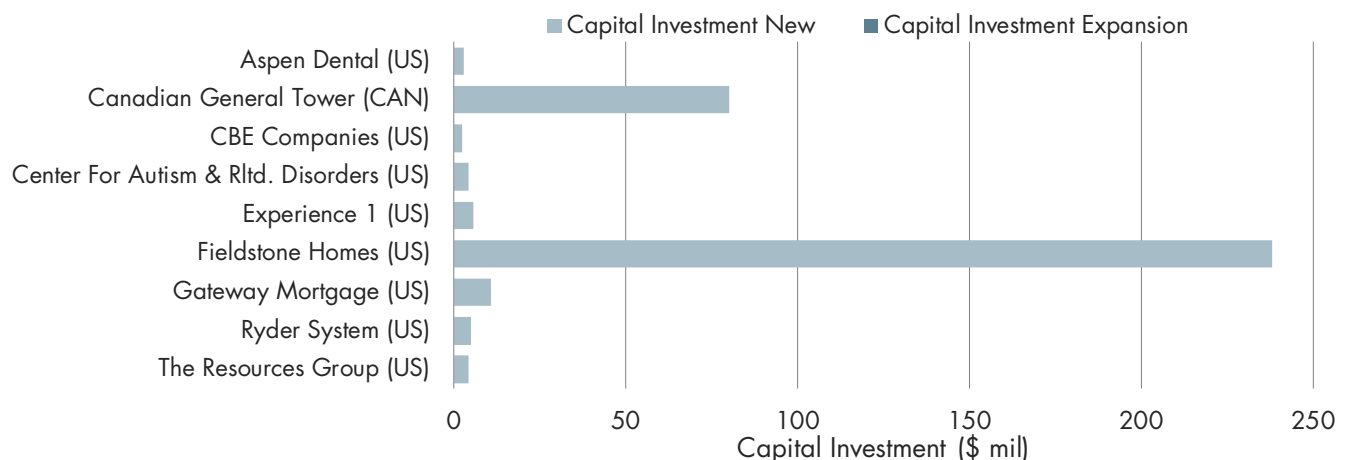
FIGURE 97. OUT-OF-STATE DIRECT INVESTMENT IN THE CENTRAL TEXAS I-35 CORRIDOR*
DIRECT INVESTMENT BY COMPANY SINCE 2008



*The Central Texas I-35 corridor includes three counties: Hays, Comal, and Guadalupe.

Sources: fDi Markets, TIP Strategies.

Note: Does not include direct investments by companies headquartered in Texas. For cases where capital investment and job creation were not provided at the time of the announcement, the values shown might be estimated based on similar projects. Travis and Bexar Counties excluded for clarity. Not shown: Alaska (\$3 million).

FIGURE 98. OUT-OF-STATE DIRECT INVESTMENT BY COMPANY IN HAYS COUNTY, SINCE 2008**FIGURE 99. OUT-OF-STATE DIRECT INVESTMENT BY COMPANY IN GUADALUPE COUNTY, SINCE 2008****FIGURE 100. OUT-OF-STATE DIRECT INVESTMENT BY COMPANY IN COMAL COUNTY, SINCE 2008**

*The Central Texas I-35 corridor includes three counties: Hays, Comal, and Guadalupe.

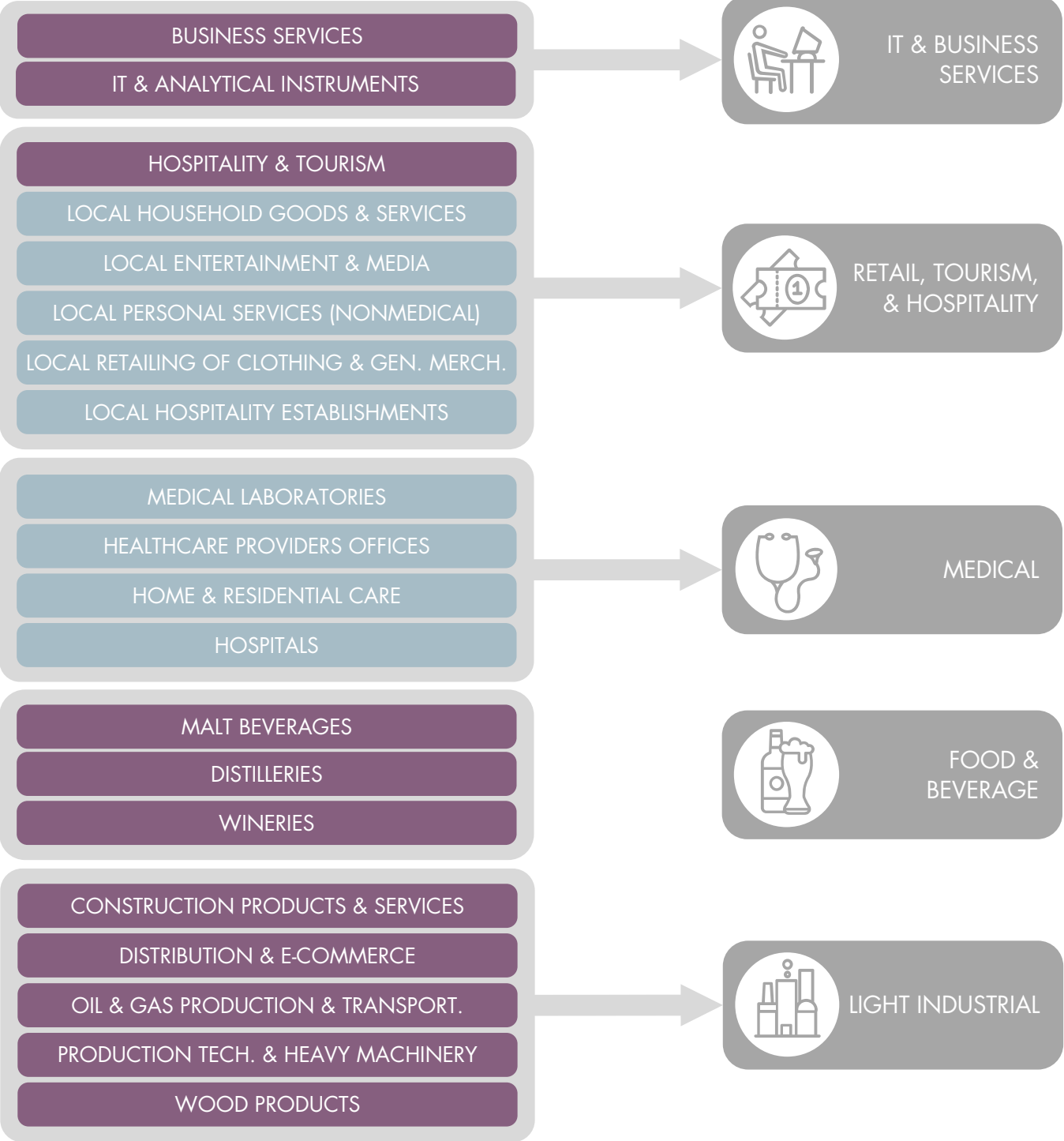
Sources: fDi Markets, TIP Strategies.

Notes: Does not include direct investments by companies headquartered in Texas. For cases where capital investment and job creation were not provided at the time of the announcement, the values shown might be estimated based on similar projects. Travis and Bexar Counties excluded for clarity.

FIGURE 101. TARGETING FRAMEWORK

TRADED and **LOCAL** clusters and subclusters emerge from the analysis.

...to provide a foundation for
TARGET SECTORS



Sources: US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Buda's 2013 economic development strategic plan identified four target industries for the community to focus its marketing and business development efforts.

- Hospitality and tourism
- Office space
- Retail and entertainment
- Light industrial

While the original targets are a good starting point for discussion, TIP's target industry recommendations for Buda are based on a more in-depth analysis of the factors influencing growth opportunities in the City of Buda and the surrounding Austin and San Antonio region. This target industry analysis provides an in-depth understanding of Buda's best opportunities for business growth, using a three-pronged quantitative, qualitative, and strategic approach.

Using TIP's three-phase targeting framework, a set of target industries has been identified for new business creation, expansion, relocation, and recruitment in Buda over the next 10 years. The recommended target industries for Buda include the following.

- Light industrial
- Retail, tourism, and hospitality
- Medical
- Food and beverage
- IT and business services

Each of these targets are described in further detail on the following pages. For each target, there is a discussion of the opportunities for business recruitment and investment within the sector, supported by a combination of qualitative and quantitative information. In addition, there is a summary of the market opportunities (regional/national trends and strategic considerations affecting future growth in the industry) and Buda's advantages (local assets and strengths that position the City for growth) for each target industry.



IT AND BUSINESS SERVICES

Austin is no longer a small outpost in the tech and corporate world. The metro area has emerged as one of the premier technology hubs in the US. Two decades ago, a reliance on tech companies for economic growth was widely viewed as a risk. The dot-com bubble and subsequent bust in the late 1990s and early 2000s supported this view, with significant job losses in tech hubs like Austin and Silicon Valley. However, the US economy has changed in important ways over the last 15 years. Tech is no longer an isolated industry. IT and software are critical underpinnings for virtually all industries. During the recent Great Recession, Austin and Silicon Valley lost fewer jobs than during the previous recession, despite much steeper job losses throughout the US as a whole. The stronger economic performance of tech hubs in comparison with other metro areas during and after the recent recession is an indication of the increasing role that innovation and technologically skilled workers now play in the success of the overall economy.

The Austin metro area is home to 93 companies listed on the Inc. 5000, a national ranking of the fastest-growing private companies. The ranking is similar to the Fortune 500 (which ranks corporations based on annual revenue) with two distinctions: (1) it ranks firms by year-over-year revenue growth; and (2) it only includes privately held firms, not publicly held corporations. These companies span a broad range of industries from software to food and beverages, but the majority can be defined as “tech companies” given their focus on technology solutions and innovations. Of the 93 Austin area Inc. 5000 firms, 81 are located in Austin and the remaining 12 firms are in suburban communities surrounding Austin. Only two are located in Hays County, both in Dripping Springs. Nearly 75 percent of these firms are less than a dozen years old, making them an easier target for expansion compared to companies with long-standing roots in their home base.

Given Buda’s central location in the Austin metro area, the community is well-positioned to capitalize on the region’s growing IT and business services cluster. A promising recent trend of the Austin area shows tech companies establishing dual offices in downtown Austin and in the region’s “second downtown” centered on The Domain development in far North Austin (Indeed, HomeAway, Facebook). This is a sign that IT and business services firms are spreading their footprints to better access the region’s workforce. Another opportunity is the relocation of the state of Texas office complexes to privately owned office campuses in Buda, away from expensive central Austin real estate.

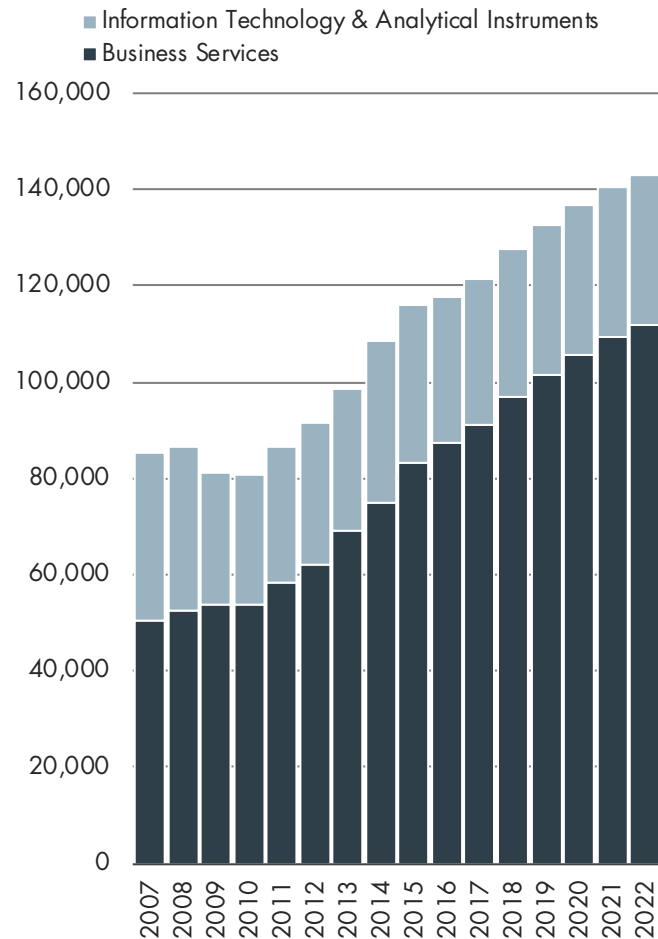
MARKET OPPORTUNITIES	BUDA’S ADVANTAGES
<ul style="list-style-type: none">• High concentrations of employment in IT and analytical instruments (LQ of 3.65) and business services (1.42) in Austin metro area• Projected job growth of 18 percent in IT and business services in Austin metro area over next 5 years• 93 Inc. 5000 firms based in Austin metro area (none in Buda and two in Hays County)• Long-term potential for a regional corporate and tech hub at the I-35 and SH 45 interchange• State of Texas offices located in expensive urban core locations could relocate to Buda	<ul style="list-style-type: none">• Relatively affordable real estate compared to central Austin• Access to Austin-Bergstrom International Airport• Access to a large, rapidly growing skilled workforce within a 45-minute drive time of Buda• Texas State University’s ongoing investments in new science, technology, engineering, and math (STEM) programs and its recent designation as an emerging research university

FIGURE 102. TARGET SNAPSHOT

MARATHON COUNTY	TOTAL	TARGET
2017 Payrolled Business Locations	57,045	7,463
2017 Employment	1,082,263	121,399
Net Chg., 2007-2017	+237,918	+35,919
Pct. Chg., 2007-2017	+28.2%	+42.0%

FIGURE 103. EMPLOYMENT OUTLOOK

US OVERALL	TOTAL	TARGET
Net Chg., 2017-2022	+9,474,185	+1,034,933
Pct. Chg., 2017-2022	+5.9%	+9.6%
AUSTIN MSA	TOTAL	TARGET
Net Chg., 2017-2022	+147,404	+21,634
Pct. Chg., 2017-2022	+13.6%	+17.8%

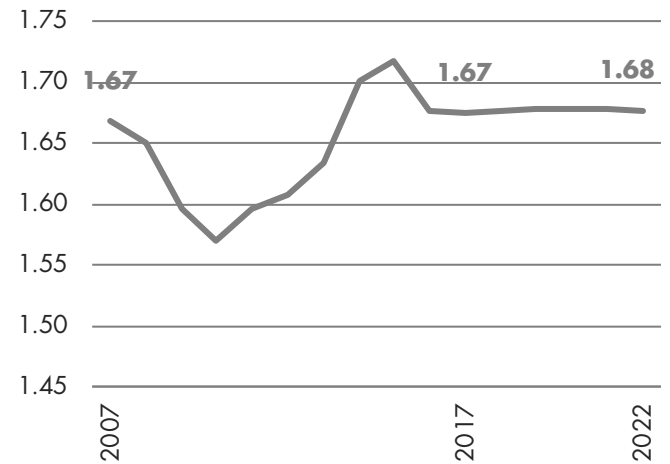
FIGURE 104. TARGET COMPONENTS
ANNUAL EMPLOYMENT

Sources: US Bureau of Labor Statistics; Emsi 2018.2-QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

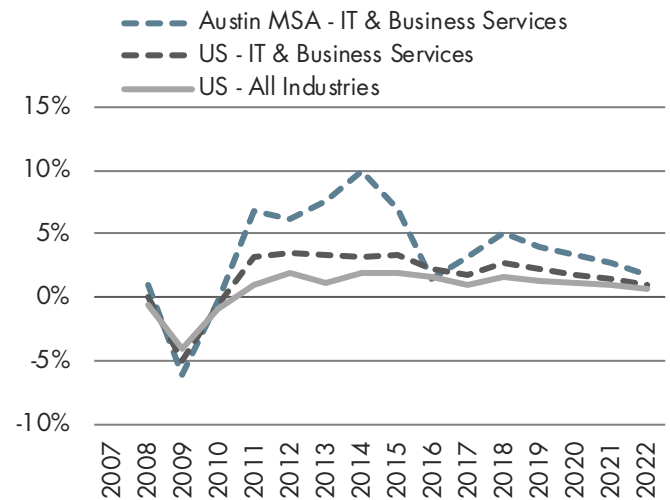
Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi.

FIGURE 105. TARGET CONCENTRATION

LOCATION QUOTIENT TREND

**FIGURE 106. TARGET GROWTH**

ANNUAL % CHANGE IN EMPLOYMENT

**FIGURE 107. KEY FOCUS AREAS**

NAICS	DESCRIPTION
334111	Electronic Computer Manufacturing
334413	Semiconductor & Related Device Manufacturing
511210	Software Publishers
541511	Custom Computer Programming Services
541512	Computer Systems Design Services
551114	Corp., Subsidiary, & Region. Managing Offices
561422	Telemarketing Bureaus & Other Contact Centers

FIGURE 108. INC. 5000 FIRMS LOCATED IN THE AUSTIN METRO AREA, 2018

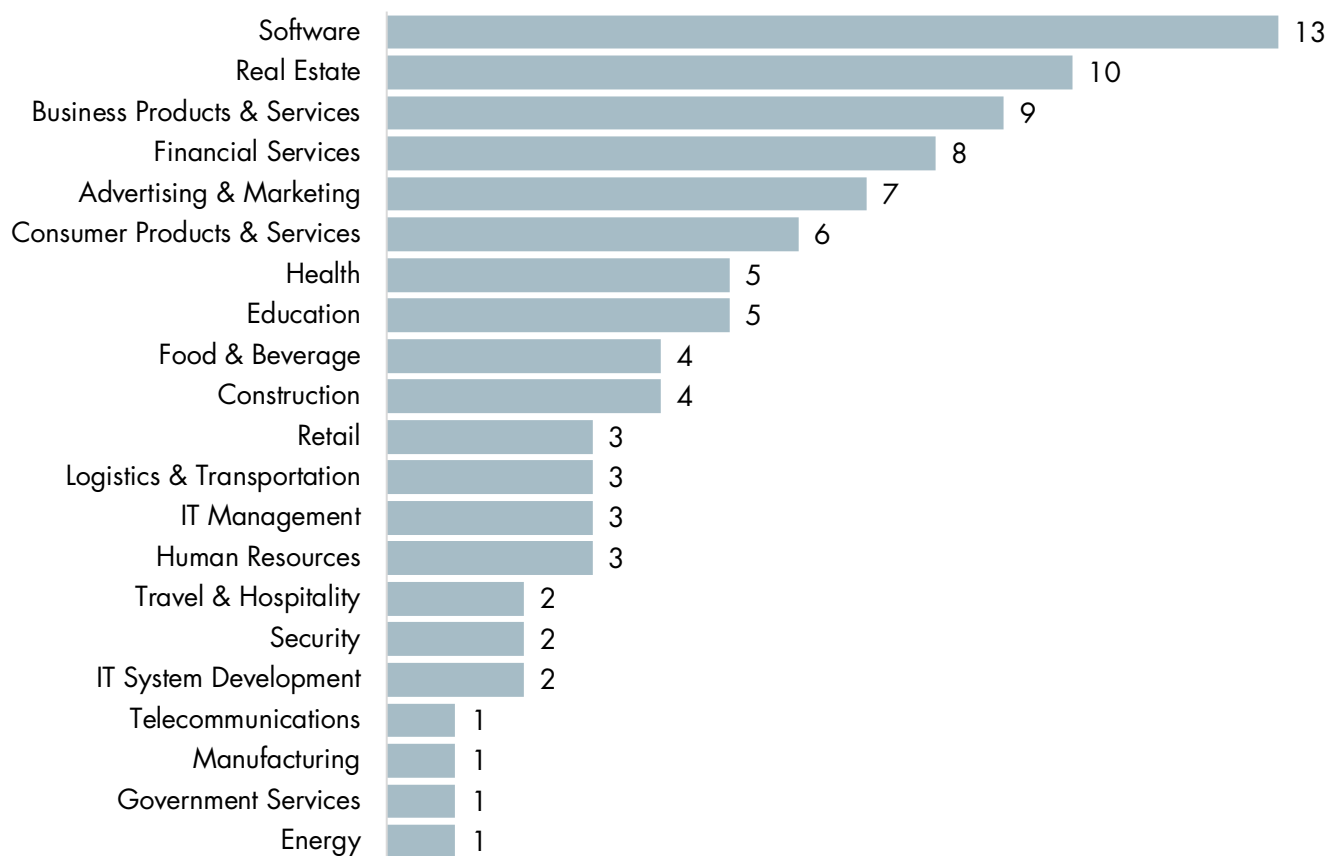
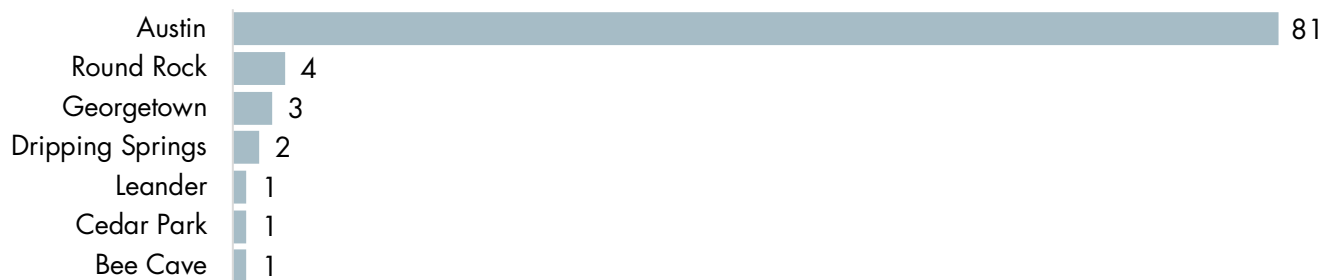
RANK	COMPANY	3-YR. REVENUE GROWTH	2016 REVENUE (\$M)	INDUSTRY	LOCATION	YEAR FOUNDED	WORK-FORCE SIZE
138	Favor	2917%	\$29.2	Logistics & Transportation	Austin	2013	136
140	Student Loan Hero	2916%	\$11.2	Financial Services	Austin	2012	25-49
207	Wells Solar	2205%	\$9.6	Energy	Austin	2014	41
233	Axzon	2040%	\$4.4	IT System Development	Austin	2006	20
287	Maggie Louise Confections	1703%	\$2.2	Food & Beverage	Austin	2014	43
358	Texas Beauty Labs	1411%	\$6.8	Consumer Products & Serv.	Austin	2007	85
390	HookBang	1264%	\$2.9	Software	Austin	2012	17
414	Simple Booth	1210%	\$3.3	Business Products & Serv.	Austin	2013	23
472	June & January	1070%	\$3.7	Retail	Georgetown	2011	13
582	The Cobalt Companies	860%	\$4.7	Construction	Austin	2002	3
801	Under30Experiences	627%	\$2.5	Travel & Hospitality	Austin	2012	18
814	MKS2	620%	\$5.4	Government Services	Austin	2008	60
906	Flux7	547%	\$3.3	IT System Development	Austin	2013	40
997	Proximity Learning	494%	\$5-10	Education	Austin	2009	150
1026	Capstone Tile	479%	\$2.8	Real Estate	Austin	2013	20
1058	Jacaruso Enterprises	465%	\$7.6	Travel & Hospitality	Round Rock	2008	11
1094	Pathway Vet Alliance	450%	\$160.1	Health	Austin	2003	2,700
1105	Aptitude Media	447%	\$6.2	Advertising & Marketing	Austin	2014	6
1158	Threshold/Carve	423%	\$5.8	Advertising & Marketing	Austin	2013	22
1206	Flix Brewhouse	401%	\$34.6	Food & Beverage	Round Rock	2011	686
1207	NurturMe	400%	\$3.1	Food & Beverage	Dripping Springs	2011	10
1223	Camp Gladiator	395%	\$42.2	Consumer Products & Serv.	Austin	2008	75
1334	ReviewPush	361%	\$2.1	Software	Austin	2011	10
1373	Becker Wright Consultants	344%	\$3.4	Human Resource	Austin	2003	23
1406	Texan Allergy Sinus Center	337%	\$18.9	Health	Austin	2013	137
1479	Local Web Leads	317%	\$6.4	Advertising & Marketing	Austin	2013	12
1593	Growth Institute	293%	\$2.1	Education	Austin	2012	13
1624	Fifteen Five	285%	\$7.3	Business Products & Serv.	Leander	2010	254
1670	F&S By Farrah	275%	\$2.1	Consumer Products & Serv.	Austin	2010	9
1746	Capitol Home Health	260%	\$19.0	Health	Austin	1998	35
1788	The ASK Method Co.	252%	\$6.3	Education	Georgetown	2009	37
1795	9Gauge Partners	251%	\$7.7	Financial Services	Austin	2011	44
1835	Status Labs	245%	\$10.4	Advertising & Marketing	Austin	2012	40
860	Pioneer Bank	241%	\$47.8	Financial Services	Austin	2007	236
1873	Patriot Pool and Spa	240%	\$2.5	Consumer Products & Serv.	Austin	2006	26
1885	Praetorian	237%	\$9.5	Security	Austin	2010	25-49
2023	Netgate	221%	\$12.5	Software	Austin	2004	42
2058	ESO Solutions	217%	\$21.4	Software	Austin	2004	133
2140	AustinRealEstate.com	208%	\$4.1	Real Estate	Austin	2007	36
2184	Jackrabbit Mobile	203%	\$2.8	Business Products & Serv.	Austin	2012	28
2219	Higher State Technology	199%	\$2.2	IT Management	Round Rock	2004	20
2244	AMMD	196%	\$6.4	Health	Bee Cave	2010	20
2261	Square Cow Moovers	195%	\$13.7	Logistics & Transportation	Austin	2008	268
2284	Service Direct	192%	\$5.1	Advertising & Marketing	Austin	2006	18
2348	Culhane Premier Properties	185%	\$4.5	Real Estate	Cedar Park	2011	35
2453	AffiniPay	176%	\$35.6	Financial Services	Austin	2005	103
2470	Busch Global	175%	\$13.0	Business Products & Serv.	Austin	2012	250
2499	EBQuickstart	172%	\$12.8	Business Products & Serv.	Austin	2006	178
2529	ProEquity Asset Mgmt.	169%	\$3.2	Real Estate	Austin	2011	28
2534	Bilt Rite Scaffold	169%	\$6.8	Construction	Austin	2006	80

Continued, next page.

FIGURE 108. INC. 5000 FIRMS LOCATED IN THE AUSTIN METRO AREA, 2018 (CONTINUED)

RANK	COMPANY	3-YR. REVENUE GROWTH	2016 REVENUE (\$M)	INDUSTRY	LOCATION	YEAR FOUNDED	WORK-FORCE SIZE
2558	HumanN	167%	\$35.9	Health	Austin	2010	25-49
2562	Momentum Factor	166%	\$3.3	Software	Austin	2009	13
2570	Erben Associates	166%	\$4.3	Financial Services	Austin	1993	10
2596	ECR I Equitable Commercial Realty	164%	\$5.7	Real Estate	Austin	2010	22
2606	INK Communications	163%	\$4.9	Advertising & Marketing	Austin	2004	33
2665	Open Lending	158%	\$32.5	Financial Services	Austin	2000	46
2863	Mission Critical Facilities	144%	\$13.0	IT Management	Austin	2010	14
2871	Einstein Moving Company	143%	\$4.5	Logistics & Transportation	Austin	2012	110
3031	HomeCity Real Estate	133%	\$15.2	Real Estate	Austin	2001	172
3032	Talroo	133%	\$55.5	Human Resource	Austin	2010	86
3068	The Hay Legal Group PLLC	131%	\$5.3	Business Products & Serv.	Austin	2010	28
3078	Agile Velocity	130%	\$6.3	Business Products & Serv.	Austin	2010	15
3123	Retail Solutions (Austin, TX)	127%	\$8.5	Real Estate	Austin	2009	84
3193	Interplay Learning	123%	\$2.1	Education	Austin	2011	19
3203	SecureLink	123%	\$10.8	Software	Austin	2003	41
3228	Kidd Roofing	122%	\$38.8	Construction	Austin	1982	50
3289	Austin Capital Bank	119%	\$7.0	Financial Services	Austin	2006	17
3308	The Heyl Group at Keller Williams	118%	\$4.0	Real Estate	Austin	2010	8
3403	The Gober Group	113%	\$2.3	Business Products & Serv.	Austin	2011	8
3437	Peddle	111%	\$65.6	Consumer Products & Serv.	Austin	2011	50-99
3441	SourceMatch	111%	\$2.1	Human Resource	Austin	1994	23
3445	Workhorse Marketing	111%	\$2.6	Advertising & Marketing	Austin	2003	17
3599	SKG	104%	\$31.4	Real Estate	Austin	1997	48
3607	Praxent	103%	\$5.2	Software	Austin	2000	17
3611	Zinda Law Group, PLLC	103%	\$8.6	Business Products & Serv.	Austin	2008	52
3834	NSS Labs	94%	\$20.2	Security	Austin	2007	90
3868	Georgetown Mortgage	92%	\$884.2	Financial Services	Georgetown	2001	329
3866	Whim Hospitality	92%	\$10.6	Food & Beverage	Dripping Springs	2012	180
4048	Alpha Paving Industries	87%	\$16.1	Construction	Round Rock	2012	60
4056	KBMax	86%	\$2.3	Software	Austin	2009	25
4110	Optizmo Technologies	85%	\$3.0	Software	Austin	2009	14
4113	MeetEdgar	84%	\$3.8	Software	Austin	2014	24
4190	Urban Betty	82%	\$2.6	Retail	Austin	2005	41
4428	Watters International Realty	74%	\$4.3	Real Estate	Austin	2010	45
4441	CyberTex	74%	\$5.6	Education	Austin	1999	50
4475	milk + honey	73%	\$16.3	Consumer Products & Serv.	Austin	2006	350
4511	MylTpros	72%	\$5.7	IT Management	Austin	1993	38
4549	TengoInternet	71%	\$8.8	Telecommunications	Austin	2002	36
4597	Hayes Software Systems	70%	\$9.6	Software	Austin	1990	46
4604	VirTex Enterprises	70%	\$69.2	Manufacturing	Austin	1999	237
4618	Antonelli's Cheese Shop	69%	\$2.4	Retail	Austin	2010	21
4666	Magnitude Software	67%	\$61.5	Software	Austin	2014	412
4732	Clear Measure	65%	\$6.2	Software	Austin	2013	33

Source: Inc. 5000.

FIGURE 109. INC. 5000 FIRMS IN AUSTIN METRO AREA BY INDUSTRY, 2018**FIGURE 110. NUMBER OF INC. 5000 FIRMS IN AUSTIN METRO AREA BY CITY, 2018**

Source: Inc. 5000.

FIGURE 111. INDUSTRY INTELLIGENCE: IT AND BUSINESS SERVICES

IT AND BUSINESS SERVICES		
TRADE ASSOCIATIONS		
Texas Association of Business (TAB)		www.txbiz.org
American Bar Association		www.americanbar.org
Institute of Management Consultants USA		www.imcusa.org
American Management Association		www.amanet.org
American Marketing Association (AMA)		www.ama.org
Society for Marketing Professional Services (SMPS)		www.smeps.org
American Financial Services Association (AFSA)		www.afsaonline.org
Association for Financial Professionals (AFP)		www.afponline.org
American Insurance Association (AIA)		www.aiadc.org
CompTIA		www.comptia.org
Association of Information Technology Professionals (AITP)		www.aitp.org
IEEE		www.ieee.org
Information Technology Industry Council		www.itic.org
National Association of Corporate Directors (NACD)		www.nacdonline.org
Association for Corporate Growth (ACG)		www.acg.org
Association of Software Professionals (ASP)		asp-software.org
RELEVANT CONFERENCES/EVENTS		
Consult-Con		
5-7 October 2018	San Diego, CA	imcusaconference.org
2018 CompTIA Tech Summit		
17-18 October 2018	National Harbor, MD	www.comptia.org/events/view/2018-comptia-state-tech-summit
AFP 2019		
20-23 October 2018	Chicago, IL	conference.afponline.org
International Conference for High Performance Computing, Networking, Storage, and Analysis (SC18)		
11-16 November 2018	Dallas, TX	sc18.supercomputing.org
CompTIA AITP TechTurnout Central		
14 November 2018	Dallas, TX	www.comptia.org/events/view/comptia-aitp-techturnout-central
2019 TAB Annual Meeting & Policy Conference		
7 February 2019	Austin, TX	www.txbiz.org/events
2019 AMA Winter Academic Conference		
22-24 February 2019	Austin, TX	www.ama.org/events-training/Conferences/Pages/Winter-Academic-Conference.aspx
TRADE PUBLICATIONS		
Wall Street Journal		www.wsj.com
Marketers		www.smeps.org/resourcesmarketer
Journal of Marketing		www.ama.org/publications/JournalOfMarketing/Pages/Current-Issue.aspx
Consulting		www.consultingmag.com
CompTIAWorld Magazine		www.comptia.org/about-us/newsroom/comptiaworld-magazine
Exchange		www.afponline.org/publications-data-tools/publications/afp-exchange-magazine
Business Process Management Journal		www.emeraldgroupublishing.com/bpmj.htm

Source: TIP Strategies.



RETAIL, TOURISM, AND HOSPITALITY

The retail industry is undergoing a once-in-a-generation disruption (thanks in large part to the growth of e-commerce) affecting traditional department stores and other big box retailers. Nonetheless, growing markets like the Austin metro area continue to experience strong demand for new retail stores, restaurants, and hotels due to an expanding population and employment base. Buda is already a significant retail destination, with Cabela’s anchoring the City’s retail district. The attraction of additional “destination retail” stores—like Cabela’s or IKEA that draw visitors from a large trade area—is a viable option for Buda. A similar opportunity exists to recruit major entertainment destinations such as Topgolf, Great Wolf Lodge, or Alamo Drafthouse Cinema. Beyond the potential for large-scale retail and entertainment projects, growth in and around Buda will continue to drive demand for a diverse mix of new retailers, restaurants, and hotels, including national chains and locally owned independent businesses. Future growth of Buda’s retail sector is especially important because it directly supports the community’s economic development program by funding the Buda EDC, a Type B sales tax corporation.

While tourism is not a traditional focus of business recruitment programs, this target can yield direct and indirect benefits. From an economic development standpoint, tourism and associated activities draw in dollars from outside the area, making it an attractive source of revenue. From a workforce perspective, tourism is often seen as a source of low-wage jobs with few benefits and little security. However, this view ignores the important role that tourism can play with regard to talent recruitment. A successful tourism strategy provides a mechanism for introducing new people to an area who might later become residents, establish businesses, or invest in local real estate. Hotel development is another exciting possibility for Buda, especially given the community’s frontage on I-35 and its proximity to Austin-Bergstrom International Airport and the Circuit of the Americas (COTA) racetrack, which hosts Formula One (F1) and other major events. A full-service hotel along the I-35 corridor between South Austin and San Marcos currently does not exist. A full-service hotel could be developed in Buda to fill this gap, along with meeting facilities to accommodate larger groups to draw in additional visitors for trade shows and conferences.

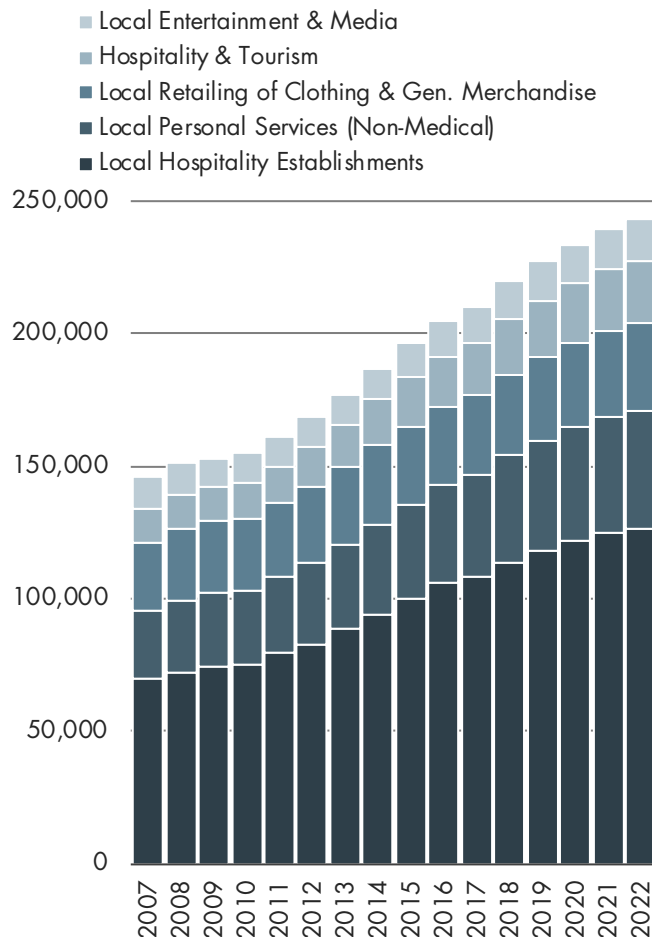
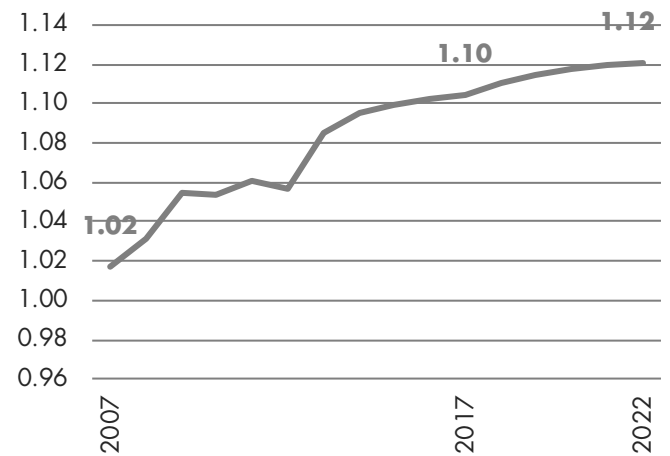
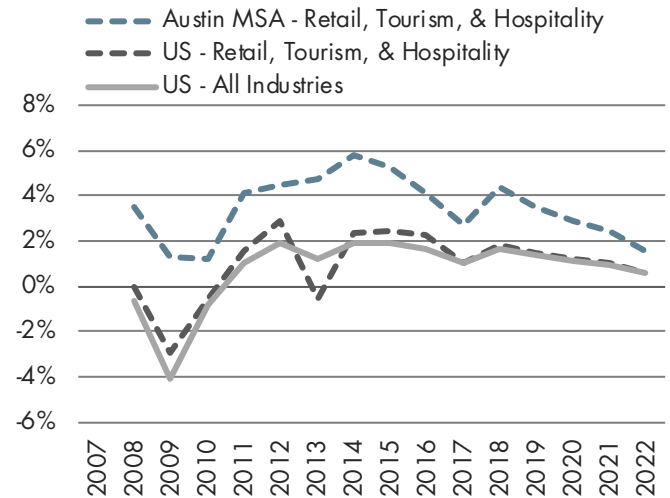
MARKET OPPORTUNITIES	BUDA’S ADVANTAGES
<ul style="list-style-type: none">• Additional retail development, including potential for “destination retail” and entertainment venues to serve the entire Austin–San Antonio market• Potential for additional hotel development, including a large full-service hotel with an on-site conference/convention center• Ongoing investments in parks (Buda City Park) and destinations (YMCA Camp Cypress, Main Street) will make Buda more attractive to visitors• Austin’s status as a premier visitor destination thanks to major events such as SXSW Interactive, ACL Music Festival, and F1• Growth of existing events/festivals in Buda and creation of new events that draw in visitors	<ul style="list-style-type: none">• Location on I-35 corridor between Austin and San Antonio• Rapidly growing local population in Buda and within a 30-minute drive time with high income levels and above average spending power• Multiple sites with I-35 frontage large enough for a major new retail/entertainment destination• Growing cluster of hotels• Proximity to Austin-Bergstrom International Airport and COTA racetrack complex• Historic Main Street district with dozens of authentic local businesses• Buda Mill & Grain development on Main Street

FIGURE 1 12. TARGET SNAPSHOT

MARATHON COUNTY	TOTAL	TARGET
2017 Payrolled Business Locations	57,045	12,277
2017 Employment	1,082,263	210,249
Net Chg., 2007-2017	+237,918	+64,316
Pct. Chg., 2007-2017	+28.2%	+44.1%

FIGURE 1 13. EMPLOYMENT OUTLOOK

US OVERALL	TOTAL	TARGET
Net Chg., 2017-2022	+9,474,185	+1,735,344
Pct. Chg., 2017-2022	+5.9%	+6.2%
AUSTIN MSA	TOTAL	TARGET
Net Chg., 2017-2022	+147,404	+32,724
Pct. Chg., 2017-2022	+13.6%	+15.6%

FIGURE 1 14. TARGET COMPONENTS
ANNUAL EMPLOYMENT**FIGURE 1 15. TARGET CONCENTRATION**
LOCATION QUOTIENT TREND**FIGURE 1 16. TARGET GROWTH**
ANNUAL % CHANGE IN EMPLOYMENT**FIGURE 1 17. KEY FOCUS AREAS**

NAICS	DESCRIPTION
451110	Sporting Goods Stores
452311	Warehouse Clubs & Supercenters
611620	Sports & Recreation Instruction
721110	Hotels (except Casino Hotels) & Motels
722511	Full-Service Restaurants
452210	Department Stores
451110	Sporting Goods Stores

Sources: US Bureau of Labor Statistics; Emsi 2018.2—QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi

FIGURE 1 18. AUSTIN'S LARGEST EVENTS

EVENT	2017 ATTENDANCE	2018 DATES	LOCATION
Austin City Limits Music Festival	450,000	Oct. 5-7 & 12-14	Zilker Park
South by Southwest (SXSW) Conference & Festivals	421,900	March 9-18	Austin Convention Center
Trail of Lights	400,000	December	Zilker Park
Formula 1 United States Grand Prix	269,889*	Oct. 19-21	Circuit of the Americas (COTA)
Rodeo Austin	263,000	March 10-24	Travis County Expo Center
Austin Symphony July 4th Concert & Fireworks	100,000	July 4	Vic Mathias Shores
The Pecan Street Festival	100,000	May 5-6 & Sep. 29-30	6th Street (downtown)
RTX Austin - Animation & Gaming Experience	62,000	Aug. 3-5	Austin Convention Center, JW Marriott, Hilton, Fairmont
Texas Book Festival	50,000	Oct. 27-28	State Capitol and downtown Austin
Armadillo Christmas Bazaar	40,000	Dec. 13-24	Palmer Events Center
East Austin Studio Tour	40,000	Nov. 10-11 & 17-18	Various east Austin locations
Republic of Texas Biker Rally	30,000	June 7-10	Travis County Expo Center
Statesman Capitol 10K	21,390	April 8	Austin-American Statesman/Vic Mathias Shores
Bat Fest	20,000	August 18	Ann Richards Congress Ave. Bridge and <i>Austin American-Statesman</i> (downtown)
ThunderCloud Subs Turkey Trot	20,000	Thanksgiving Day	The Long Center (downtown)
Moontower Comedy Festival	19,262	April 18-21	Paramount Theatre/downtown
Old Settler's Music Festival	16,000	April 19-22	Tilmon, TX
A Christmas Affair	15,000	Nov. 14-18	Palmer Events Center
Austin Marathon	15,000	Feb. 18	Austin
Austin Film Festival	10,000	Oct. 25-Nov. 1	Various locations
BP MS 150 Bike Marathon	9,000	April 28-29	COTA
Austin Fashion Week	7,500	March 29–April 7	Various retailers and salons
Classic Game Fest	6,000	July 28-29	Palmer Events Center
Austin Food + Wine Festival	5,000	April 27-29	Auditorium Shores
Eeyore's Birthday Party	5,000	April 27	Pease District Park
ABC Zilker Kite Festival	rained out	March 3	Zilker Park

*Reflects 2016 attendance.

Source: Austin Business Journal.

FIGURE 1 19. INDUSTRY INTELLIGENCE: RETAIL, TOURISM, & HOSPITALITY

RETAIL, TOURISM, & HOSPITALITY		
TRADE ASSOCIATIONS		
US Travel Association		www.ustravel.org
American Hotel & Lodging Association (AHLA)		www.ahla.com
Hospitality Financial & Technology Professionals (HFTP)		www.hftp.org
Hospitality Sales and Marketing Association International (HSMAI)		www.hsmai.org
National Restaurant Association		www.restaurant.org
Retail Industry Leaders Association (RILA)		www.rila.org
National Retail Federation (NRF)		nrf.com
International Council of Shopping Centers (ICSC)		www.icsc.org
World Federation of the Sporting Goods Industry (WFSGI)		www.wfsgi.org
National Sporting Goods Association (NSGA)		www.nsga.org
Texas Hotel & Lodging Association		texaslodging.com
Austin Hotel & Lodging Association		www.austinlodging.org
Texas Retailers Association		txretailers.org
Texas Travel Industry Association (TTIA)		www.ttia.org
Texas Association of Fairs & Events (TAFE)		texasfairs.com
International Music & Entertainment Association (IMEA)		imeaonline.com
International Live Events Association (ILEA)		www.ileahub.com
International Festivals & Events Association (IFEA)		www.ifea.com
Event Service Professionals Association (ESPA)		espaonline.org
Themed Entertainment Association (TEA)		www.teaconnect.org
International Association of Exhibitions and Events (IAEE)		www.iaee.com
RELEVANT CONFERENCES/EVENTS		
Texas Travel Summit		
24-26 September 2018	Galveston, TX	www.ttiasummit.com
63rd Annual IFEA Convention, Expo & Retreat		
1-3 October 2018	San Diego, CA	www.ifea.com/p/convention-and-expo/annualconvention
Retail Law Conference 2018		
10-12 October 2018	Austin, TX	www.rila.org/rlaw
Southeast Conference & Deal Making		
23-24 October 2018	Atlanta, GA	www.icsc.org/attend-and-learn/events
Research Connections Conference		
28-30 October 2018	Los Angeles, CA	www.icsc.org/attend-and-learn/events
Asset Management Symposium		
1 November 2018	Dallas, TX	www.icsc.org/attend-and-learn/events
Restaurant Innovation Summit		
7-8 November 2018	Dallas, TX	restaurant.org/ris
IAEE Annual Meeting & Convention: Expo! Expo!		
11-13 December 2018	New Orleans, LA	www.myexpoexpo.com/expoexpo2018
Red River States Conference & Deal Making (Texas Conference)		
9-11 January 2019	Fort Worth, TX	www.icsc.org/attend-and-learn/events

Continued, next page.

FIGURE 1 19. INDUSTRY INTELLIGENCE: RETAIL, TOURISM, & HOSPITALITY (CONTINUED)

RELEVANT CONFERENCES/EVENTS		
2019 TAFE Convention & Trade Show		
10-13 January 2019	Galveston, TX	texasfairs.com/p/327
ESPA Annual Conference		
11-13 January 2019	Charlotte, NC	espaonline.org/conference
NRF 2019: Retail's Big Show		
13-15 January 2019	New York City, NY	nrfbigshow.nrf.com
OAC Summit		
27 February-1 March 2019	Austin, TX	cbpa.com/event/icsc-2019-oac-summit/
2019 Texas Retailers Lobby Day		
20 March 2019	Austin, TX	txretailers.org/lobby-day
National Travel and Tourism Week		
5-11 May 2019	Nationwide, US	www.ustravel.org/events/national-travel-and-tourism-week
55th Annual NSGA Management Conference & 21st Team Dealer Summit		
19-21 May 2019	Braselton, GA	www.nsga.org/events
RECon		
19-22 May 2019	Las Vegas, NV	www.icsc.org/attend-and-learn/events/details/2019recon
IPW		
1-5 June 2019	Anaheim, CA	www.ipw.com
ESTO (Educational Seminar for Tourism Organizations)		
17-20 August 2019	Austin, TX	esto.ustravel.org
TRADE PUBLICATIONS		
<i>Journal of Tourism & Hospitality</i>		www.omicsonline.org/tourism-hospitality.php
<i>InPark Magazine</i>		www.inparkmagazine.com
<i>Food Travel Monitor</i>		www.worldfoodtravel.org/cpages/food-travel-monitor
STORES		stores.org
<i>NGSA NOW</i>		www.nsga.org/news/publications/NSGA_Now
<i>ie Magazine</i>		www.ifea.com/p/resources/iemagazine
<i>Journal of Retailing</i>		www.journals.elsevier.com/journal-of-retailing
<i>International Journal of Event and Festival Management</i>		www.emeraldinsight.com/journal/ijefm

Source: TIP Strategies.



MEDICAL

In a very short timeframe, Buda is transitioning from a City with no significant medical institutions to a major destination for medical development in the Austin area. Three new healthcare facilities are currently under construction: a full-service Baylor Scott & White hospital, an Ascension Seton Health Center, and a St. David’s HealthCare Emergency Center. Baylor Scott & White is the largest nonprofit healthcare system in Texas, and this will be its first hospital in Hays County. Collectively, these facilities will bring hundreds of new jobs into the community. They will also provide a much-needed boost to Buda’s “daytime population,” which is critical for supporting the growth of existing and new retailers and restaurants.

With the development of multiple new medical facilities in Buda, there is an opportunity to brand and promote a “Buda Medical District” centered on the new Baylor Scott & White hospital. In addition to the new medical facilities under construction, the district can also support the development of complementary uses, including office space for healthcare providers and professional services firms, new hotels, retail/restaurants, and mixed-use development with residential components. Opportunities for new development and investment in Buda’s medical industry include a range of establishments, including physicians’ offices (general practitioners and specialties), testing laboratories, hospitals, and long-term care facilities. New and expanded partnerships between Austin Community College (Hays Campus), Texas State University, and Hays Consolidated Independent School District (CISD) can help provide a pipeline of local talent to support Buda’s growing medical cluster.

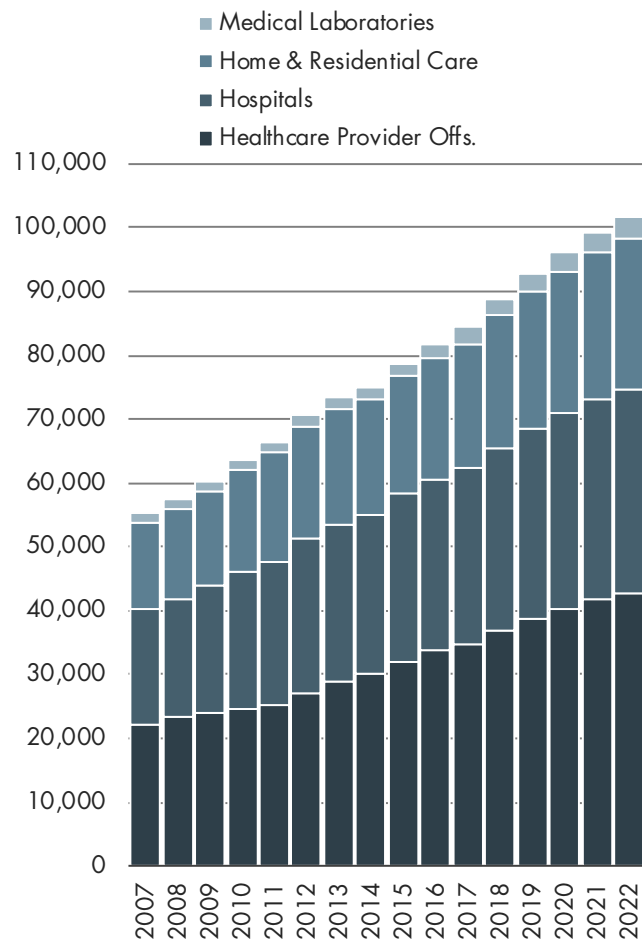
MARKET OPPORTUNITIES	BUDA’S ADVANTAGES
<ul style="list-style-type: none">• Continued growth of medical industry nationally• Projected job growth of more than 20 percent in medical industry in Austin metro area over next 5 years• Potential creation of a “Buda Medical District” centered on the new Baylor Scott & White hospital• Recruitment and development of medical specialties to serve Buda, South Austin, and Hays County residents• Emerging role of Austin area as a hub for medical innovation thanks to the Dell Medical School at UT-Austin and newly recruited companies like AthenaHealth and Merck	<ul style="list-style-type: none">• New Baylor Scott & White hospital under construction to include full-service hospital functions, primary care, and an integrated multi-specialty medical clinic• New Ascension Seton Health Center and St. David’s HealthCare Emergency Center• Rapidly growing population in Buda and surrounding portions of South Austin and Hays County will fuel demand for additional medical services• Relatively low LQs for healthcare employment in Buda (0.35), Hays County (0.64), and Austin metro area (0.73) indicate unmet local and regional demand for medical services• Texas State University, ACC, and Hays CISD healthcare programs

FIGURE 120. TARGET SNAPSHOT

MARATHON COUNTY	TOTAL	TARGET
2017 Payrolled Business Locations	57,045	4,113
2017 Employment	1,082,263	84,430
Net Chg., 2007-2017	+237,918	+29,136
Pct. Chg., 2007-2017	+28.2%	+52.7%

FIGURE 121. EMPLOYMENT OUTLOOK

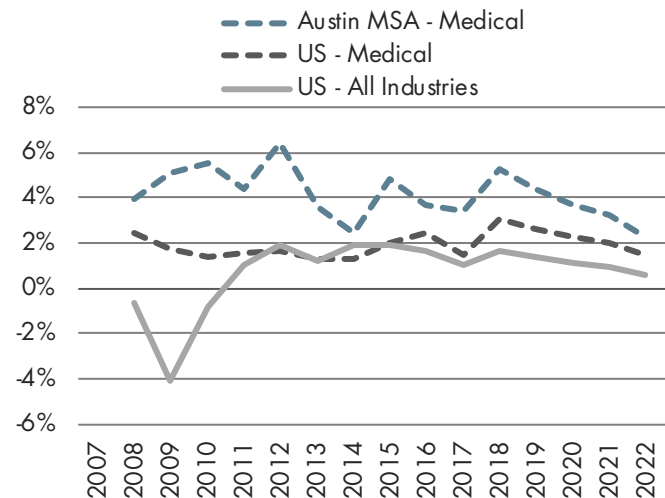
US OVERALL	TOTAL	TARGET
Net Chg., 2017-2022	+9,474,185	+1,999,188
Pct. Chg., 2017-2022	+5.9%	+11.9%
AUSTIN MSA	TOTAL	TARGET
Net Chg., 2017-2022	+147,404	+17,188
Pct. Chg., 2017-2022	+13.6%	+20.4%

FIGURE 122. TARGET COMPONENTS
ANNUAL EMPLOYMENT**FIGURE 123. TARGET CONCENTRATION**

LOCATION QUOTIENT TREND

**FIGURE 124. TARGET GROWTH**

ANNUAL % CHANGE IN EMPLOYMENT

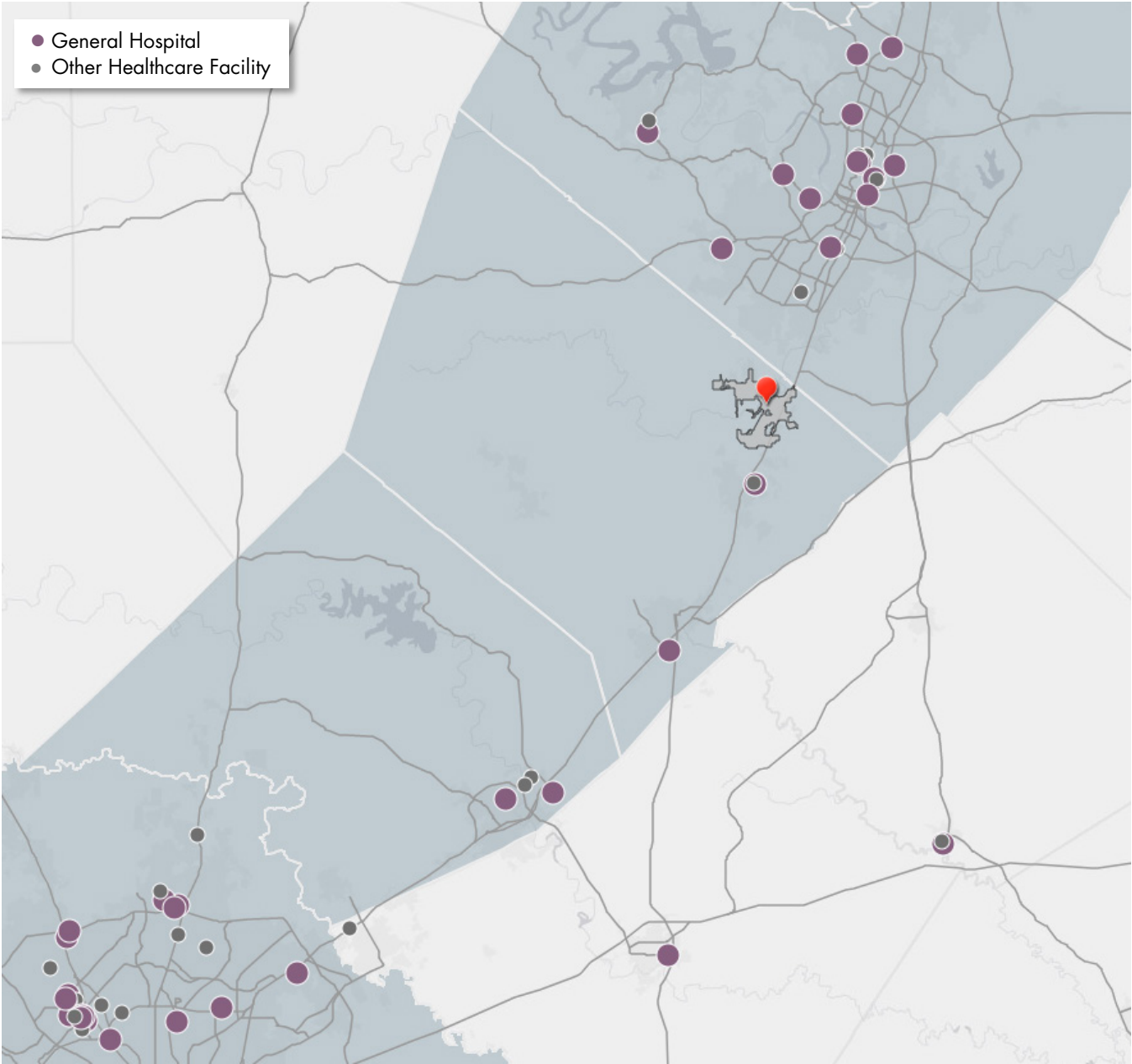
**FIGURE 125. KEY FOCUS AREAS**

NAICS	DESCRIPTION
621111	Offs. of Physicians (excl. Mental Health Specialists)
621210	Offices of Dentists
621610	Home Health Care Services
623210	Res. Intellectual & Develop. Disability Facilities
623220	Res. Mental Health & Substance Abuse Facilities
623990	Other Residential Care Facilities
622110	General Medical & Surgical Hospitals
623110	Nursing Care Facilities (Skilled Nursing Facilities)
623312	Assisted Living Facilities for the Elderly

Sources: US Bureau of Labor Statistics; Emsi 2018.2—QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi

FIGURE 126. GENERAL HOSPITALS IN THE I-35 CORRIDOR



Source: American Hospital Directory (2014) via Esri Online.

FIGURE 127. INDUSTRY INTELLIGENCE: MEDICAL

MEDICAL		
TRADE ASSOCIATIONS		
American Health Care Association		www.ahcancal.org
American Medical Association		www.ama-assn.org
American Hospital Association (AHA)		www.aha.org
American Board of Medical Specialties (ABMS)		www.abms.org
American Association of Physician Specialists (AAPS)		www.aapsus.org
Southern Medical Association (SMA)		sma.org
Texas Medical Association (TMA)		www.texmed.org
Texas Health Care Association (THCA)		txhca.org
Texas Hospital Association		www.tha.org
Texas Healthcare & Bioscience Institute (THBI)		www.thbi.com
Texas Association of Healthcare Facilities Management (TAHFM)		www.tahfm.org
Texas Association of Community Health Centers (TACHC)		www.tachc.org
RELEVANT CONFERENCES/EVENTS		
ABMS Conference 2018		
24-26 September 2018	Las Vegas, NV	www.abms.org/news-events/events
69th Annual AHCA/NCAL Convention & Expo		
7-10 October 2018	San Diego, CA	www.eventscribe.com/2018/AHCANCAL
2018 THCA Annual Convention & Trade Show		
29 October-1 November 2018	Dallas, TX	txhca.org/2018-thca-annual-convention-trade-show
SMA Annual Scientific Assembly & Special Joint Symposium		
29 October-2 November 2018	Charleston, SC	sma.org/education-sma/events/assembly
Interlink 2019		
31 March-3 April 2019	Houston, TX	www.tahfm.org/page/2019savethedate
AHA Annual Membership Meeting		
7-10 April 2019	Washington, DC	www.aha.org/education-events/aha-annual-membership-meeting-0
AAPS House of Delegates & Annual Scientific Meeting		
21-26 June 2019	Orlando, FL	www.aapsus.org/annual-meeting
TRADE PUBLICATIONS		
The American Journal of Medicine		www.amjmed.com
Journal of the American Medical Association		jamanetwork.com/journals/jama/currentissue
Southern Medical Journal		sma.org/smj-home
Texas Hospitals		www.tha.org/TexasHospitalsMagazine
Texas Family Physician		www.taftp.org/news/tafp
Provider		www.providermagazine.com

Source: TIP Strategies.



FOOD AND BEVERAGE

Buda is home to long-standing food and beverage production companies like Jardine Foods and Night Hawk Frozen Foods, and recent additions to the local economy such as Deep Eddy Vodka. Buda is well-positioned to develop and recruit new businesses within the multitrillion-dollar global food and beverage sector. This sector includes activities such as handling, processing, packaging, storage, transportation, and marketing of food and non-food-related agricultural products. The supply chain in the food and beverage industry encompasses a wide array of companies, including suppliers of machinery, seeds, chemicals, tests and vaccines, food processors, and data providers for precision agriculture.

Within the larger food and beverage industry, the craft beverages segment continues to experience rapid growth. Craft beverages include craft breweries, distilleries, and wineries. The opportunity for economic development around craft beverages is to build a legitimate industry cluster beyond the tourism and talent attraction benefits often associated with craft breweries. Innovative approaches to growing industry clusters around craft beverages include target industry marketing campaigns, supply chain recruitment, and workforce development/talent attraction. Asheville has done this with breweries, Kentucky has done it with distilleries, and the Finger Lakes region of Upstate New York is doing it with wineries. The Austin metro area ranks among the top 20 markets in the US for employment growth in breweries since 2010 and has the sixth fastest-growing employment in distilleries in the US.

There is an opportunity to link the production and tourism aspects of craft beverages with the establishment of a wine-tasting room or similar craft beverage/food shops on Main Street. Communities across the country benefit from downtown wine-tasting shops. Downtown Buda could support multiple tasting rooms/shops that bring visitors to Main Street while also promoting greater awareness of area breweries, distilleries, and Hill Country wineries.

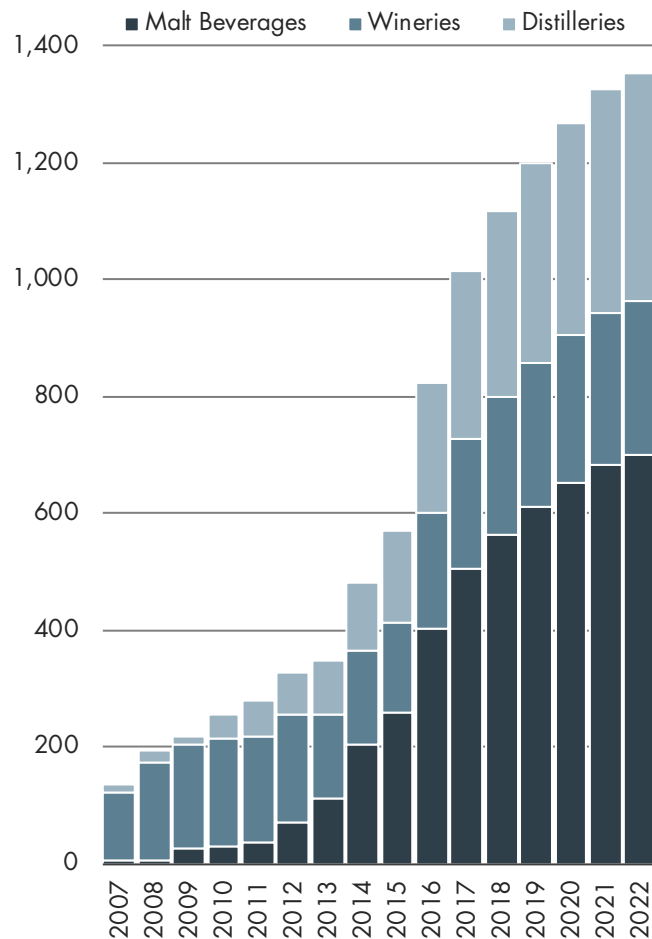
MARKET OPPORTUNITIES	BUDA’S ADVANTAGES
<ul style="list-style-type: none">• Projected job growth of more than 20 percent in food processing and manufacturing in Austin metro area over next 5 years• Rapid growth of breweries and distilleries in Austin metro area, with hundreds of new jobs created in each sector since 2010• Rapidly growing demand for organic and craft food products across the US and globally• Potential for tasting rooms and boutique food/beverage establishments, especially along Main Street, to promote local breweries, distilleries, wineries, and craft food producers• Specialty foods (salsas, organic foods) and beverages (craft breweries, distilleries, and wineries)	<ul style="list-style-type: none">• Several Buda employers in craft foods (Jardine’s, Night Hawk Frozen Foods) and craft beverages (Deep Eddy Vodka, Two Wheel Brewing)• Proximity to craft brewery/distillery/winery cluster in Dripping Springs, Driftwood, and surrounding Hill Country communities• Access to large urban markets with growing demand for organic and natural food products, and craft foods and beverages, including Austin, San Antonio, Houston, and Dallas-Fort Worth• Transportation infrastructure (especially I-35 and SH 45) provides easy access to external markets for food and beverage production companies• Sufficient water/wastewater capacity in Buda to support recruitment of small- and mid-size food and beverage companies from surrounding areas

FIGURE 128. TARGET SNAPSHOT

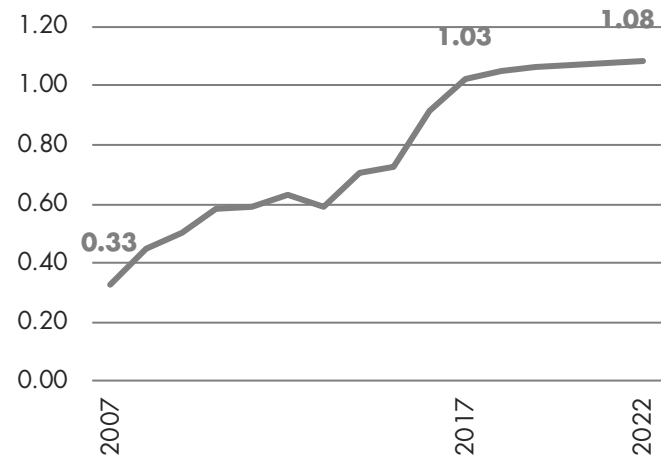
MARATHON COUNTY	TOTAL	TARGET
2017 Payrolled Business Locations	57,045	71
2017 Employment	1,082,263	1,014
Net Chg., 2007-2017	+237,918	+879
Pct. Chg., 2007-2017	+28.2%	+651.5%

FIGURE 129. EMPLOYMENT OUTLOOK

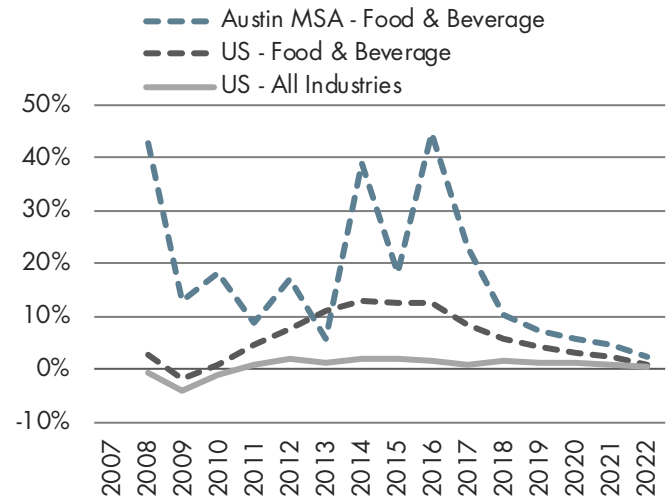
US OVERALL	TOTAL	TARGET
Net Chg., 2017-2022	+9,474,185	+26,126
Pct. Chg., 2017-2022	+5.9%	+17.9%
AUSTIN MSA	TOTAL	TARGET
Net Chg., 2017-2022	+147,404	+341
Pct. Chg., 2017-2022	+13.6%	+33.6%

FIGURE 130. TARGET COMPONENTS
ANNUAL EMPLOYMENT**FIGURE 131. TARGET CONCENTRATION**

LOCATION QUOTIENT TREND

**FIGURE 132. TARGET GROWTH**

ANNUAL % CHANGE IN EMPLOYMENT

**FIGURE 133. KEY FOCUS AREAS**

NAICS	DESCRIPTION
311213	Malt Manufacturing
312120	Breweries
312130	Wineries
312140	Distilleries

Sources: US Bureau of Labor Statistics; Emsi 2018.2-QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi

FIGURE 134. TOP 25 METRO AREAS RANKED BY NET CHANGE OF EMPLOYMENT IN BREWERIES, 2010-2017

RANK	METRO AREA	JOBS		2010-2017 NET CHANGE	2010-2017 % CHANGE	2017 LQ	2017 ESTABLISH- MENTS
		2010	2017				
1	San Diego-Carlsbad, CA	335	2,289	1,954	583%	3.13	81
2	Los Angeles-Long Beach-Anaheim, CA	1,137	2,466	1,329	117%	0.84	93
3	Boston-Cambridge-Newton, MA-NH	285	1,583	1,298	455%	1.26	57
4	Chicago-Naperville-Elgin, IL-IN-WI	168	1,449	1,281	764%	0.69	92
5	Minneapolis-St. Paul-Bloomington, MN-WI	123	1,280	1,157	942%	1.43	58
6	Asheville, NC	76	989	913	1205%	10.84	32
7	San Francisco-Oakland-Hayward, CA	105	1,011	906	864%	0.88	43
8	Portland-Vancouver-Hillsboro, OR-WA	226	1,040	814	360%	1.86	84
9	Denver-Aurora-Lakewood, CO	1,960	2,690	730	37%	3.92	104
10	Grand Rapids-Wyoming, MI	14	744	730	5154%	2.90	18
11	Washington-Arlington-Alexandria, DC-VA-MD-WV	81	791	711	883%	0.53	69
12	Seattle-Tacoma-Bellevue, WA	322	1,018	696	216%	1.09	102
13	Detroit-Warren-Dearborn, MI	47	739	692	1472%	0.84	32
14	Charlotte-Concord-Gastonia, NC-SC	150	826	676	449%	1.51	38
15	Indianapolis-Carmel-Anderson, IN	23	697	674	2915%	1.49	34
16	New York-Newark-Jersey City, NY-NJ-PA	668	1,323	655	98%	0.30	78
17	Cincinnati, OH-KY-IN	667	1,225	558	84%	2.53	31
18	Boulder, CO	174	712	538	309%	8.11	32
19	Santa Rosa, CA	94	623	530	566%	6.17	15
20	Austin-Round Rock, TX	30	550	520	1716%	1.18	32
21	Houston-The Woodlands-Sugar Land, TX	766	1,275	509	66%	0.92	31
22	Fort Collins, CO	929	1,396	467	50%	18.09	33
23	Bend-Redmond, OR	145	612	467	323%	15.68	15
24	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	163	621	458	281%	0.48	39
25	Allentown-Bethlehem-Easton, PA-NJ	227	652	425	187%	3.93	11

Source: Emsi 2018.3—QCEW Employees, Non-QCEW Employees, and Self-Employed.

FIGURE 135. TOP 25 METRO AREAS RANKED BY NET CHANGE OF EMPLOYMENT IN DISTILLERIES, 2010-2017

RANK	METRO AREA	JOBS		2010-2017 NET CHANGE	2010-2017 % CHANGE	2017 LQ	2017 ESTABLISH- MENTS
		2010	2017				
1	Owensboro, KY	200	679	479	239%	132.64	2
2	Sevierville, TN	26	385	359	1377%	87.30	9
3	Tulahoma-Manchester, TN	351	690	339	97%	176.85	2
4	Bardstown, KY	763	1,060	297	39%	689.41	8
5	Dallas-Fort Worth-Arlington, TX	0	267	267	N/A	0.80	15
6	Austin-Round Rock, TX	44	292	248	568%	3.06	17
7	Chicago-Naperville-Elgin, IL-IN-WI	222	434	213	96%	1.02	18
8	Minneapolis-St. Paul-Bloomington, MN-WI	104	311	206	198%	1.71	13
9	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	73	263	190	262%	0.99	13
10	Frankfort, KY	569	737	169	30%	215.06	6
11	Louisville/Jefferson County, KY-IN	1,294	1,453	159	12%	24.04	16
12	Rochester, NY	0	157	157	N/A	3.30	5
13	Seattle-Tacoma-Bellevue, WA	5	162	157	3134%	0.85	29
14	Kansas City, MO-KS	141	283	142	101%	2.84	6
15	Clarksville, TN-KY	0	132	132	N/A	12.22	2
16	Denver-Aurora-Lakewood, CO	16	140	124	788%	1.00	17
17	Riverside-San Bernardino-Ontario, CA	0	121	121	N/A	0.84	1
18	New York-Newark-Jersey City, NY-NJ-PA	354	461	107	30%	0.52	26
19	Portland-Vancouver-Hillsboro, OR-WA	29	127	99	344%	1.12	14
20	Nashville-Davidson-Murfreesboro-Franklin, TN	0	92	92	N/A	1.01	8
21	Washington-Arlington-Alexandria, DC-VA-MD-WV	5	92	87	1740%	0.30	22
22	Los Angeles-Long Beach-Anaheim, CA	18	96	78	434%	0.16	7
23	Niles-Benton Harbor, MI	0	76	76	N/A	12.59	1
24	Indianapolis-Carmel-Anderson, IN	0	73	73	N/A	0.77	3
25	Miami-Fort Lauderdale-West Palm Beach, FL	5	78	73	1451%	0.31	5

Source: Emsi 2018.3–QCEW Employees, Non-QCEW Employees, and Self-Employed.

FIGURE 136. INDUSTRY INTELLIGENCE: FOOD AND BEVERAGE

FOOD AND BEVERAGE			
TRADE ASSOCIATIONS			
Grocery Manufacturers Association (GMA)			www.gmaonline.org
American Beverage Association			www.ameribev.org
Specialty Food Association			www.specialtyfood.com
Distilled Spirits Council			www.distilledspirits.org
American Institute of Wine & Food (AIWF)			www.aiwf.org
Wine & Spirits Wholesalers of America (WSWA)			www.wswa.org
Brewers Association			www.brewersassociation.org
Master Brewers Association of the Americas (MBAA)			www.mbaa.com
Texas Craft Brewers Guild			texascraftbrewersguild.org
The Texas Food Processors Association			www.tfpa.org
The Beer Alliance of Texas			www.beeralliance.com
RELEVANT CONFERENCES/EVENTS			
NOSH Live Winter 2018			
29-30 November 2018	Santa Monica, CA		www.projectnosh.com/events/noshlivewinter18
BevNET Live Winter 2018			
3-4 December 2018	Santa Monica, CA		www.bevnet.com/events/bevnetlivewinter18
Beverage Digest Future Smarts			
7 December 2018	New York City, NY		www.zenithglobal.com/events/234/Beverage-Digest-Future-Smarts
Winter Fancy Food Show			
13-15 January 2019	San Francisco, CA		www.specialtyfood.com/shows-events/winter-fancy-food-show
GMA Science Forum			
26-27 March 2019	Washington, DC		www.gmaonline.org/forms/meeting/Microsite/scienceforum19
ProFood Tech			
26-28 March 2019	Chicago, IL		www.profoodtech.com
WSWA 76th Annual Convention & Exposition			
31 March-3 April 2019	Orlando, FL		www.wswaconvention.org
2019 TFPA Annual Conference			
15-17 May 2019	San Antonio, TX		www.tfpa.org/newsevents/news-events-3
TRADE PUBLICATIONS			
Beverage Industry			www.bevindustry.com
Beverage Digest			www.beverage-digest.com
Technical Quarterly			www.mbaa.com/publications/tq/Pages/default.aspx
Specialty Food Magazine			www.specialtyfood.com/digital-edition
Journal of Food Processing & Preservation			onlinelibrary.wiley.com/journal/17454549

Source: TIP Strategies.

LIGHT INDUSTRIAL

Light industrial is not so much a single industry, but rather describes a category of companies and sectors that tend to occupy light industrial buildings, including flex space, in a business/industrial park setting. This category includes a high concentration of middle-skill, middle-wage jobs in a range of sectors, including e-commerce and distribution, construction products and services, production technologies, and light manufacturing facilities.

As central portions of Austin continue to experience an influx of investment for the conversion of former light industrial space to high-density, mixed-use projects, the cost pressures facing light industrial companies will push these firms to seek new locations outside the urban core. The “industrial gentrification” of Austin is a natural consequence of the city’s successful transformation of the downtown district and surrounding neighborhoods into a dynamic urban destination where new development comes primarily in the form of Class A office space, luxury apartment/condo buildings, and high-rise hotels. The existing industrial or “blue collar” companies, such as construction contractors, transportation and warehousing operations, and light manufacturing companies, can no longer afford to remain and grow in central Austin. This is the story of how many of Buda’s largest employers (US Foods, Fat Quarter Shop, and Ampersand Art Supply, among others) ended up in the community.

Buda offers several advantages to light industrial businesses: more affordable real estate than Austin proper, a robust transportation infrastructure network (I-35 and SH 45, in particular), and a less complicated permitting and development review process than the City of Austin. Buda is especially attractive for light industrial development—even more so than Kyle, San Marcos, and other communities surrounding Austin—because of its close location to central, south, and east Austin. The community’s central location within the region allows for light industrial companies to relocate their facilities while retaining their existing workforce.

MARKET OPPORTUNITIES	BUDA’S ADVANTAGES
<ul style="list-style-type: none">• Projected job growth of nearly 30 percent in construction products and services and 10 percent in distribution and e-commerce in Austin metro area over next 5 years• Rapidly growing regional economy in Austin and San Antonio provides opportunities for additional light industrial, warehousing, and manufacturing facilities• Growing demand for US-made products, along with increased demands on transportation (just-in-time supply chain management) driving growth of domestic manufacturing and light industrial firms	<ul style="list-style-type: none">• Proximity to Austin makes it relatively easy for light industrial companies to access their workforce, suppliers, and customers• Transportation infrastructure (especially I-35 and SH 45) provides easy access to the surrounding Austin–San Antonio region and beyond for light industrial companies• More “business-friendly” development review and permitting process than the City of Austin• Numerous recent business expansion projects (CHiP Semiconductor, US Foods, SpeedTech Lights) in the light industrial category

FIGURE 137. TARGET SNAPSHOT

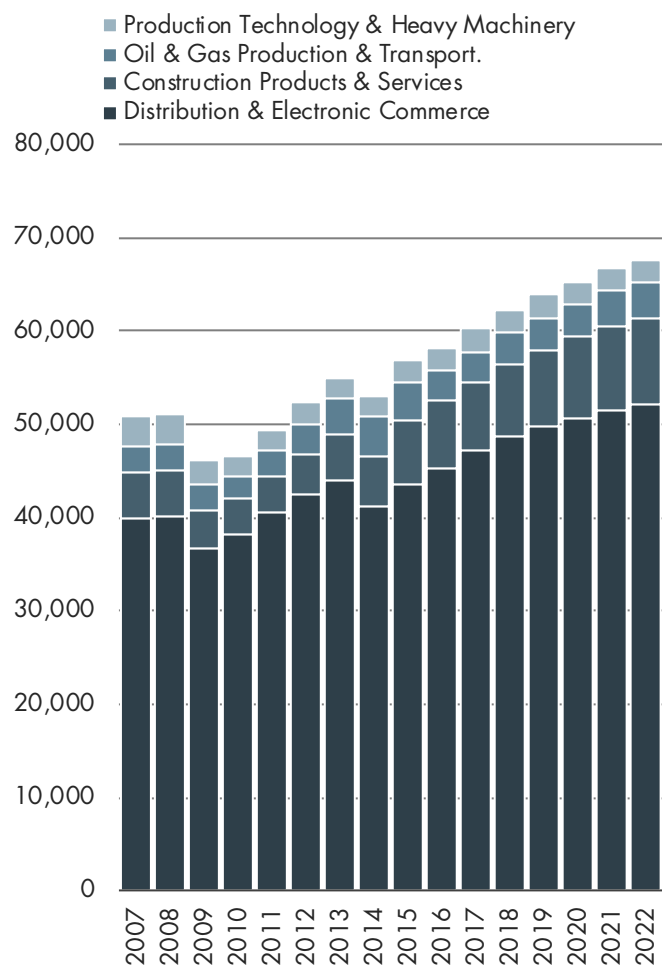
MARATHON COUNTY	TOTAL	TARGET
2017 Payrolled Business Locations	57,045	3,478
2017 Employment	1,082,263	60,828
Net Chg., 2007-2017	+237,918	+9,102
Pct. Chg., 2007-2017	+28.2%	+17.6%

FIGURE 138. EMPLOYMENT OUTLOOK

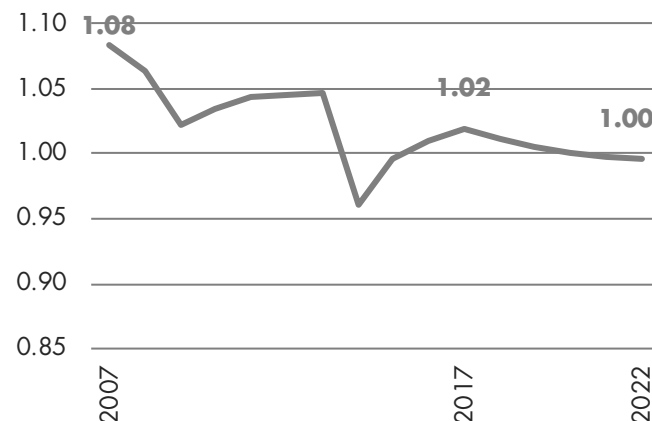
US OVERALL	TOTAL	TARGET
Net Chg., 2017-2022	+9,474,185	+614,280
Pct. Chg., 2017-2022	+5.9%	+7.0%
AUSTIN MSA	TOTAL	TARGET
Net Chg., 2017-2022	+147,404	+7,370
Pct. Chg., 2017-2022	+13.6%	+12.1%

FIGURE 139. TARGET COMPONENTS

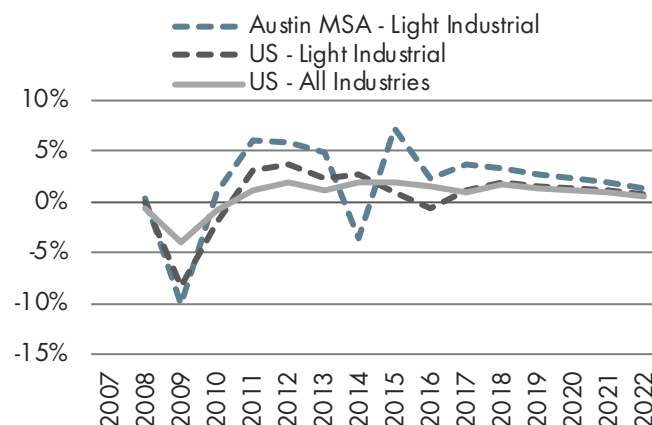
ANNUAL EMPLOYMENT

**FIGURE 140. TARGET CONCENTRATION**

LOCATION QUOTIENT TREND

**FIGURE 141. TARGET GROWTH**

ANNUAL % CHANGE IN EMPLOYMENT

**FIGURE 142. KEY FOCUS AREAS**

NAICS	DESCRIPTION
211120	Crude Petroleum Extraction
213112	Support Activities for Oil & Gas Operations
237130	Power & Comm. Line & Related Structures Constr.
333249	Other Industrial Machinery Manufacturing
423430	Computer & Peripheral Equip. & Software Merchant Whlsrs.
423610	Electrical Apparatus & Equip., Wiring Supplies, & Related Equip. Merchant Whlsrs.
423690	Other Electronic Parts & Equip. Merchant Whlsrs.
423830	Industrial Machinery & Equip. Merchant Whlsrs.
425120	Wholesale Trade Agents & Brokers
454110	Electronic Shopping & Mail-Order Houses
493110	General Warehousing & Storage
561499	All Other Business Support Services

Sources: US Bureau of Labor Statistics; Emsi 2018.2–QCEW Employees, Non-QCEW Employees, and Self-Employed; US Economic Development Administration; Institute for Strategy and Competitiveness at Harvard Business School; TIP Strategies.

Note: The cluster methodology developed at Harvard Business School has been adjusted by TIP Strategies to align with the six-digit NAICS classifications used by Emsi

FIGURE 143. INDUSTRY INTELLIGENCE: LIGHT INDUSTRIAL

LIGHT INDUSTRIAL		
TRADE ASSOCIATIONS		
Texas Association of Builders		www.texasbuilders.org
International Facility Management Association (IFMA)		www.ifma.org
Association for Facilities Engineering (AFE)		www.afe.org
Worldwide ERC		www.worldwideerc.org
Texas Relocation Network (TRN)		www.texasrelocationnetwork.org
Construction Industry Institute		www.construction-institute.org
Texas Construction Association		www.texcon.org
American Council of Engineering Companies (ACEC)		www.acec.org
National Electrical Contractors Association (NECA)		www.necanet.org
Associated Builders and Contractors (ABC)		www.abc.org
Associated Builders and Contractors of Texas		www.abctexas.org
Plumbing-Heating-Cooling Contractors Association (PHCC)		www.phccweb.org
American Society of Plumbing Engineers (ASPE)		www.aspe.org
Building Owners and Managers Association (BOMA)		www.boma.org
Precast Concrete Manufacturers Association (PCMA)		www.pcmatexas.org
RELEVANT CONFERENCES/EVENTS		
NECA 2018		
14-17 September 2019	Las Vegas, NV	www.necaconvention.org
CONNECT 2018		
10-12 October 2018	Albuquerque, NM	eweb.phccweb.org/eweb/DynamicPage.aspx?webcode=EventInfo&Reg_evt_key=211e740b-d677-4156-a5a6-943ccedba107
METALCON 2018		
16-18 October 2019	Pittsburgh, PA	www.metalcon.com/metalcon18
Facility Fusion 2019		
8-10 April 2019	Atlanta, GA	facilityfusion.ifma.org
ACEC Annual Convention and Legislative Summit		
5-8 May 2019	Washington, DC	www.acec.org/conferences/annual-convention
BOMA 2019 International Conference & Expo		
22-25 June 2019	Salt Lake City, UT	www.bomaconvention.org/BOMA2019
TRADE PUBLICATIONS		
Buildings		www.buildings.com/magazine
Electrical Contractor		www.ecmag.com
Solutions		www.phccweb.org/solutions
Constructech		constructech.com/magazine
FMJ		www.ifma.org/publications/fmj-magazine
Infrastructure		infrastructure.agctx.org/magazine
Texas Merit Shop Journal		www.abctexas.org
Engineering Inc.		www.acec.org/publications/engineering-inc

Source: TIP Strategies.



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-30-

Contact: Bo Kidd

Subject: Discussion and possible action to adopt a Resolution supporting an implementation plan by the San Marcos Regional Animal Shelter to achieve a goal of sustained 90% or higher live outcome rate for dogs and cats and declaring an effective date and to consider approval of an Interlocal agreement between the City of San Marcos and the City of Buda for the continued provision of Animal Shelter Services (Police Chief Bo Kidd)

1. Executive Summary

Staff would like to continue to use the San Marcos Animal Shelter for services and renew the agreement to move forward. The City of San Marcos has adopted a resolution to implement a plan to achieve a goal of 90% or higher live outcome rates for cats and dogs. The City of Buda would like to support San Marcos's effort to achieve this goal.

2. Background/History

The Buda Animal Control Department has utilized sheltering services from the City of San Marcos since 2012. All past agreements have expired and creation of new agreement is now necessary. The City of Kyle and Hays County also contract sheltering services from San Marcos.

3. Staff's review and analysis

Staff believes that contracting animal sheltering services through the City of San Marcos is the most economical option for the City of Buda at this time.

4. Financial Impact

\$37,463 for 2019. The cost for each entity has been based on the percentage of animals brought into the shelter compared to the overall operational cost.

5. Summary/Conclusion

Staff believes this is the only viable option for sheltering services at this time.

6. Pros and Cons

Pro's would be that we are cost sharing and could not likely do this cheaper on our own. San Marcos ultimately bears the burden of operating the shelter and assumes the burden of any unanticipated problems. Con would be that we do not have much control of the services.

7. Alternatives

None at this time.

8. Recommendation

Approve or provide further direction to staff.

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF SAN MARCOS AND THE CITY OF BUDA
FOR THE PROVISION OF ANIMAL SHELTER SERVICES**

The City of San Marcos ("San Marcos") and the City of Buda ("Buda"), hereinafter referred to as the "Parties", enter into this Interlocal Agreement under the authority of the Interlocal Cooperation Act (the "Act"), Chapter 791 of the Texas Government Code, for the provision of animal shelter services through the City of San Marcos Animal Shelter (the "Shelter"). This Agreement is effective upon the approval of the governing bodies of each entity and execution by their representatives.

The San Marcos Animal Services Division currently operates and maintains a regional animal shelter. The mission of the San Marcos Animal Services Division, in collaboration with its community partners and animal advocate groups, is to care for, protect, and find quality homes for abandoned and neglected animals, aid in the reduction of pet overpopulation, and provide community education for the mutual benefit of animals and people. San Marcos is currently developing a comprehensive plan to implement a five-year plan to move toward increasing the live outcome rate at the animal shelter.

SECTION 1. SCOPE OF SERVICES

A. The City of San Marcos agrees to:

1. Designate the Director of Neighborhood Enhancement as the San Marcos representative in all matters related to this Agreement;
2. Maintain the Shelter as a State approved rabies quarantine facility;
3. Receive and shelter animals delivered from Buda as of the effective date of this Agreement. San Marcos will not provide animal control services to Buda. The Shelter does not accommodate livestock;
4. Provide a quarterly sheltering report to Buda;
5. Affirm Buda's appointment of a representative to the San Marcos Animal Shelter Advisory Committee;
6. Hold animals received by Buda in accordance with Buda's laws and regulations, as amended, regarding animal control and sheltering services. Once the applicable hold period has expired animals received from Buda become the property of San Marcos. The Shelter will accept animals from Buda during normal business hours, 8:00 a.m. until 5:00 p.m., Monday through Friday and from 11:30 a.m. until 4:30 p.m. on Saturdays. Buda will not have access to the Shelter after regular business hours. In addition, San Marcos will assess and retain fees in accordance with Buda's laws and regulations for the reclamation of any animal accepted from Buda and impounded by the Shelter;
7. Provide access to web-based shelter software and San Marcos sponsored internal training opportunities to the Buda Animal Control Officer(s) (costs for outside training opportunities are not included in this Agreement).

B. The City of Buda agrees to:

1. Designate the City Manager or his/her designee as Buda's representative in all matters related to this Agreement;
2. Appoint a representative to the San Marcos' Animal Shelter Advisory Committee;
3. Pay San Marcos \$37,463 for the provision of its core services upon execution of this Agreement. Costs payable to San Marcos include all personnel, operating and maintenance and facility use charges. This amount does not cover costs of care of ten or more animals seized from one location for reasons on of animal cruelty. Buda will be required to cover the actual costs of any such animal-related case;
4. Fully comply with the policies and guidelines of the Shelter as they now exist and as they may be amended from time to time as well as any State law or agency rule governing the treatment of animals. Any noncompliance with the Shelter's Operating Procedures may result in termination of this Agreement.

SECTION 2. TERM

The term of this Agreement will commence upon approval of both the City of San Marcos City Council and the City of Buda City Council and execution by their representatives. The Parties acknowledge that the City is currently reviewing and studying its animal services efforts and the Parties anticipate negotiating a new long-term agreement over the next year. This Agreement will extend until a new Agreement is executed. The fee paid to the City of San Marcos will be pro-rated based on the annual basic payment amount should the Agreement extend past the current Fiscal Year.

SECTION 3. INDEMNIFICATION

To the extent allowed under applicable law, Buda agrees to hold harmless, indemnify and defend San Marcos and its employees, agents, officers and servants from and against any and all lawsuits, claims, demands and causes of action of any kind arising from the negligent or intentional acts, errors or omissions of Buda, its officers, employees or agents with respect to the pick-up and delivery of animals to the Shelter.

Respectively, to the extent allowed under applicable law, San Marcos agrees to hold harmless, indemnify and defend Buda and their employees, agents, officers and servants from and against any and all lawsuits, claims, demands and causes of action of any kind arising from the negligent or intentional acts, errors or omissions of San Marcos, its officers, employees or agents with respect to the care and disposition of any animal delivered by Buda to San Marcos for care in the Shelter.

SECTION 4. MISCELLANEOUS PROVISIONS

- A. Interlocal Cooperation:** San Marcos and Buda agree to cooperate with each other in good faith at all times during the term of this Agreement in order to achieve the purposes and intent of this Agreement. Each party to this Agreement acknowledges and represents that this Agreement has been executed by its duly authorized representative.
- B. Funding:** San Marcos and Buda acknowledge that funding under this Agreement will be made from current revenues available to each party for the current fiscal year only. State statutes prohibit the obligation and expenditure of public funds beyond the fiscal year for which a budget has been approved. Neither party can guarantee the availability of funds, and each enters into this Agreement only to the extent such funds are made available. Neither party will have

recourse against the other for its failure to appropriate funds for the purposes of this Agreement in any fiscal year other than the year in which this Agreement was executed. The fiscal year for both Buda and San Marcos extends from October 1st of each calendar year to September 30th of the following calendar year.

- C. Entire Agreement:** This Agreement contains the entire agreement between the parties and supersedes all prior understandings and agreements between the parties regarding such matters. This Agreement may not be modified or amended except by written agreement executed by both parties. Neither party may assign this Agreement without the written consent of the other party.
- D. Interpretation:** The parties acknowledge and confirm that this Agreement has been entered into pursuant to the authority granted under the Act. All terms and conditions are to be construed and interpreted consistently with the Act.
- E. Invalid Provisions:** Should any provision in this Agreement be found or deemed to be invalid, this Agreement will be construed as not containing the provision and all other provisions which are otherwise lawful will remain in full force and effect, and to this end the provisions of this Agreement are declared to be severable.
- F. Applicable Law:** This Agreement is governed by the laws of the State of Texas. Exclusive venue for any dispute arising under this Agreement is in Hays County, Texas.
- G. Public Information Act:** Each party understands that the other is governed by the Texas Public Information Act, Chapter 552 of the Texas Government Code. This Agreement and all written information generated under this Agreement may be subject to release under the Act. Neither party will make any reports, information, data, etc. generated under this Agreement available to any individual or organization without the approval of the other party.
- H. Termination:** Either party may terminate this Agreement for convenience and without cause by giving the other party a 90 day advance written notice of its intent to terminate or to not renew.
- I. Binding Effect:** This Agreement shall take effect immediately upon execution by both parties hereof and shall inure to the benefit and be binding upon the administrators, successors and assigns of the parties hereto.

Executed by:

CITY OF SAN MARCOS

CITY OF BUDA

By: Bert Lumbreras, City Manager

By: Kenneth Williams, City Manager

Date:_____

Date:_____

ATTEST:

Alicia Ramirez, City Clerk

RESOLUTION NO. 2019-R-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS IN SUPPORT OF AN IMPLIMENTATION PLAN BY THE SAN MARCOS REGIONAL ANIMAL SHELTER ANIMAL SHELTER TO ACHIEVE A GOAL OF SUSTAINED 90% OR HIGHER LIVE OUTCOME RATE FOR DOGS AND CATS AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the care and control of animals is an extremely important public health issue in every community including the City of Buda and the areas served by its regional animal shelter.

WHEREAS, the mission of the Animal Control Division of the Buda Police Department is a cooperative partner by interlocal agreement with the City of San Marcos and relies on the San Marcos Regional Animal Shelter to care for, protect, and find quality homes for abandoned and neglected animals, aid in the reduction of pet overpopulation, and provide community education for the mutual benefit of animals and people as provided in the interlocal agreement.

WHEREAS, the City of Buda, its regional partners and animal advocacy groups, are all interested in community planning and strategies for community wide animal welfare programs.

WHEREAS, the City of Buda and its citizens seek to have an animal shelter that is highly successful at saving the lives of homeless animals.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City council of the City of Buda, Texas that:

Section 1. The City Manager is hereby directed to work with staff, regional partners and animal advocacy groups to promote the development of the San Marcos implementation plan to achieve and sustain a 90% or higher live outcomes for dogs and cats at the San Marcos Regional Animal Shelter, as necessary to support the City of San Marcos to achieve its goal.

Section 2. This resolution shall be in full force and effect from and after its passage.

DULY PASSED and APPROVED on the ____ day of _____, 2019.

CITY OF BUDA, TEXAS

George Haehn, Mayor

ATTEST:

Alicia Ramirez, City Clerk



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-18-

Contact: David Fowler

Subject: Deliberation and Possible Action on the first reading of an Ordinance regarding a Specific Use Permit for a Professional, Medical or Business Office in the Form District 4H (F4H) zoning district for the property known as Trudy Point, Block A Lot 1, City of Buda, Hays County, Texas, covering +/- 1.671 acres, addressed at 825 Main Street, Buda, TX 78610 (SUP 18-06) (Senior Planner David Fowler)

1. Executive Summary

SUP to allow office uses in the existing two-building center at 825 Main Street. This SUP will allow all future office uses to avoid the need for an SUP, as it covers the entire property.

2. Background/History

This office building was developed in 2016. The zoning district in place at the time of building was C2-R2, in which office was permitted. The 2017 adoption of a new zoning map placing the subject property in the F4H district made it necessary to obtain an SUP for new office uses.

3. Staff's review and analysis

This SUP affects existing buildings. No modification of the buildings or grounds is proposed. Parking is adequate for the continuation of the existing office and day care uses on the site. Staff recommends approval of the SUP without conditions.

4. Financial Impact

As the two-building complex on the property is existing, the approval of the SUP should have no fiscal effects.

5. Summary/Conclusion

Staff recommends approval.

6. Pros and Cons

Pro: Will reduce future need for SUP processing by staff, Planning and Zoning Commission and City Council.

Con: None

7. Alternatives

City-initiated rezoning of the site and the adjacent site at 835 Main to B-2 (Arterial Commercial)

8. Recommendation

Approval without conditions



City Council Agenda Item Report January 15, 2019

Contact – David Fowler, AICP, Senior Planner
512-312-5745 / dfowler@ci.buda.tx.us

SUBJECT: DELIBERATION AND POSSIBLE ACTION IN REGARD TO A SPECIFIC USE PERMIT FOR A PROFESSIONAL, MEDICAL, OR BUSINESS OFFICE IN THE FORM DISTRICT 4H (F4H) ZONING DISTRICT FOR THE PROPERTY KNOWN AS TRUDY POINT, BLOCK A, LOT 1, CITY OF BUDA, HAYS COUNTY TEXAS, COVERING +/- 1.671 ACRES. THE PROPERTY IS LOCATED AT 825 MAIN STREET, BUDA, TX 78610. (SUP 18-06).

1. PROJECT SUMMARY

The City of Buda has received an application for a Specific Use Permit (SUP) for the subject property, located on Main Street across from Buda City Hall and Willie's Joint. The applicant has indicated that the planned use is a wellness clinic. Medical, professional or business offices are permitted in the (F4H) zoning district upon the issuance of a Specific Use Permit.

In recommending that an SUP for the premises under consideration be granted, the City Council shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall consider the following factors:

- a. Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;
- b. Adequate means of ingress and egress to public streets or approved access easements and appropriate paving widths of streets, alleys and sidewalks to accommodate traffic generated by the proposed use;
- c. Provisions for drainage;
- d. Adequate off-street parking and loading;
- e. Safety from fire hazard and measures for fire control;
- f. Protection against negative effects of noise, glare and lighting on the character of the neighborhood, protective screening and open space;
- g. Heights of structures; and
- h. Compatibility of buildings and such other measures as will secure and protect the public health, safety, and general welfare.

2. BACKGROUND/HISTORY

The applicant is proposing a wellness clinic in one suite of a commercial building located on the subject property. The proposed office would be located in the west building on the site. This building is otherwise all tenants that fit into the category of this SUP request who were in place before the property was rezoned. The applicant submitted conceptual

internal layouts of the suite to be rented, as no exterior renovations would take place. As this is an SUP, the conceptual documents submitted are normally binding, in addition to any UDC regulatory updates and any conditions placed on the project. This means if the Council intends to enforce the current UDC ordinances for architecture and exterior materials, approval of the SUP must be recommended with the condition that all applicable design-related ordinances must be followed. In this case, however, the existing building was in conformance with city standards at the time of its approval and the building and site are still in conformance with city regulations other than exterior materials.

The F4H zoning district is a new zoning district in the 2017 UDC. This is a form-based district, designed to create nodes of moderately high-density mixed use in and near Old Town Buda. This zoning district is intended to provide a step down in intensity as one moves away from the core of Old Town Buda along Main Street, providing a transition to the residential areas of Old Town Buda. This district also extends along Main Street past the Gray property until meeting Bradfield Park. The new map was designed to better reflect the city's comprehensive plan and more efficiently place the zoning districts in order to achieve the comprehensive plan's goals.

Prior to October 2017, the site was in the C2/R2 zoning district, a more traditional commercial zoning district intended for locations on major arterials away from the I-35 corridor. Under this previous zoning, a series of permits were pursued that created vesting for existing uses. The creation of new zoning districts with the passage of the 2017 UDC and the change in zoning districts for the site created the need for new office uses to obtain Special Use Permits. In order to avoid each new tenant needing an SUP, a representative of the owner of the development has written a letter requesting that the SUP cover the entire 1.671 acre site. If City Council approves the SUP, future professional, medical and business tenants would not need to apply individually for a SUP.

The attached site plan shows the current layout of the development, which will remain unchanged.

3. STAFF'S REVIEW AND ANALYSIS

The following constitutes an evaluation of the proposed SUP using the UDC's criteria:

a. Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;

The project is located on Main Street, and is accessed by a single driveway. There is not a sidewalk access across the property.

b. Adequate means of ingress and egress to public streets or approved access easements and appropriate paving widths of streets, alleys and sidewalks to accommodate traffic generated by the proposed use;

The existing driveway access mentioned above would continue to be used. No changes in access or circulation are proposed.

c. Provisions for drainage;

The site has adequate drainage improvements and does not have any current issues with drainage.

d. Adequate off-street parking and loading;

The UDC has parking standards for office uses as well as for the daycare use that is also on the site. The standard is one parking space per 400 square feet of building area for office and 1 space per 400 square feet of building area, plus one

space per employee for daycare. Using this standard, the site meets the parking requirement.

e. Safety from fire hazard and measures for fire control;

All building permits are reviewed for fire code compliance. The proposed wellness clinic use should not have any special issues in this regard.

f. Protection against negative effects of noise, glare and lighting on the character of the neighborhood, protective screening and open space;

The proposed use is not located within 200 feet of a residential area, other than the large family property to the south and west. The proposed use should not produce the listed nuisances during daytime operation hours. The proposed use is located near other office uses along a major arterial.

g. Heights of structures; and

The maximum building height for the "General Building" type, which includes retail and office buildings, in the F4H district is 45 feet. The existing buildings are single-story structures well under the height limit.

h. Compatibility of buildings and such other measures as will secure and protect the public health, safety, and general welfare.

The 2017 UDC specifying the proposed uses and requiring an SUP for the office use was to ensure that the proposed use would be appropriate in creating the type of mixed use area envisioned for the F4H zoning district. The intent of the F4H district was to protect nearby residences from the effects of incompatible commercial uses through forcing careful consideration of whether or not a use requiring an SUP was appropriate in its proposed location. In this case, the proposed location would be typical of several nearby parcels serving the passing Main Street traffic. South of the subject property, the area transitions to single-family residential in the Sequoyah neighborhood. As one travels west towards Old Town Buda, that area's higher density of historic structured begins to emerge. Traveling the opposite direction, Main Street becomes more modern and auto-oriented commercial in character as one nears Interstate 35. The existing office and daycare uses on the site provide a relatively low-impact transition between historic Buda and the areas near the interstate.

4. FINANCIAL IMPACT

As the center is existing, no substantial new financial impacts or revenues would come from the subject property.

5. Planning and Zoning Commission Report

The Planning and Zoning Commission held a public hearing and reviewed the proposed SUP at its meeting held January 8, 2019. No residents spoke during the public hearing. The Commissioners voted 6-0 in favor of recommending approval of the SUP.

6. ACTION OPTIONS

Approval of a special use permit is entirely discretionary based on application of the criteria. As such, staff presents the following options:

- **Modify and Approve the SUP** – This alternative results in the SUP being granted, but provides for modifications to address concerns.

Because the site is existing and in compliance, staff does not recommend this option.

Motion Language:

I make a motion to approve the Special Use Permit with the following conditions... (identify the conditions)

- **Approve the SUP (grant the SUP as presented)** – This alternative results in the SUP being granted as presented by the applicant. This alternative is recommended, as the site is existing and largely in conformance with the current Buda UDC.

Motion Language:

I make a motion to approve the Special Use Permit as presented.

- **Table the SUP pending receipt of additional information** – This alternative results in the SUP being tabled until certain information requested by the Commission can be secured. It is important to clearly state what additional information is needed in order for staff and the applicant to be appropriately responsive.

Motion Language:

I make a motion to table the Special Use Permit pending receipt of the following information... (identify items needed).

- **Deny the SUP** – This alternative results in the SUP being denied.

Motion Language:

I make a motion to deny the Special Use Permit as presented.

7. RECOMMENDATION

Staff recommends approval of the SUP without conditions.

Per UDC Section 2.10.09.D., no SUP shall be granted unless the applicant of the SUP shall be willing to accept and agree to be bound by and comply with the ordinance adopting the SUP, as well as the attached Site Plan drawings approved, and shall comply with the minimum requirements provided in the zoning district in which the property is located.

8. ATTACHMENTS

Letter from owner's agent
Site Plan
Notification map

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS GRANTING A SPECIFIC USE PERMIT FOR A PROFESSIONAL, MEDICAL, OR BUSINESS OFFICE IN THE F4H ZONING DISTRICT PERTAINING TO THE PROPERTY LOCATED AT 825 MAIN STREET BEING APPROXIMATELY 1.671+/- ACRES KNOWN AS TRUDY POINT, BLOCK A, LOT 1, HAYS COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING A PENALTY CLAUSE.

WHEREAS, on January 8, 2019, the Planning and Zoning Commission of the City of Buda held a public hearing regarding a request for a Specific Use Permit (SUP 18-06) for a Professional, Medical, or Business Office in the F4H zoning district, and recommended that the request be approved by the City Council of the City of Buda; and

WHEREAS, the City Council held a public hearing on January 15, 2019 regarding the request; and

WHEREAS, all requirements of the City of Buda Unified Development Code pertaining to specific use permits have been or will be met; and,

WHEREAS, the City Council has determined that adoption of this ordinance is in the interest of the general health, safety, welfare and morals of the community; and

WHEREAS, the City has determined that this ordinance was passed and approved at a meeting of the City Council of the City of Buda held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members were present and voting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, THAT:

Section 1. A Specific Use Permit for a Professional, Medical, or Business Office in the F4H zoning district be granted to North Forest Office Space, South Austin LLC for the property located at 825 Main Street, being 1.671+/- acres known as Trudy Point, Block A, Lot 1, City of Buda, Hays County, Texas.

Section 2. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

Section 3. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed

from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 4. Effective Date. Pursuant to Section 3.11(D) of the City Charter, this ordinance is effective upon adoption, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety, or a caption that summarizes the purpose of the ordinance and the penalty for violating the ordinance in a newspaper designated as the official newspaper of the City. An ordinance required by the Charter to be published shall take effect when the publication requirement is satisfied.

PASSED and APPROVED on first reading by an affirmative vote of the City Council of the City of Buda, this _____ day of _____, 2019.

PASSED, APPROVED, AND ADOPTED on second reading by an affirmative vote of the City Council of the City of Buda, this _____ day of _____, 2019.

THE CITY OF BUDA, TEXAS

George Haehn, Mayor

ATTEST:

Alicia Ramirez, City Clerk



PROFESSIONAL • MEDICAL • DENTAL

Date: 01/02/2019

To whom it may concern,

I am writing today to formally request that the special use application I recently submitted be updated to include all suites at the office park located at 825 Main St Buda, TX 78610.

Thank you

Alyssa Stevens
Administrative Assistant

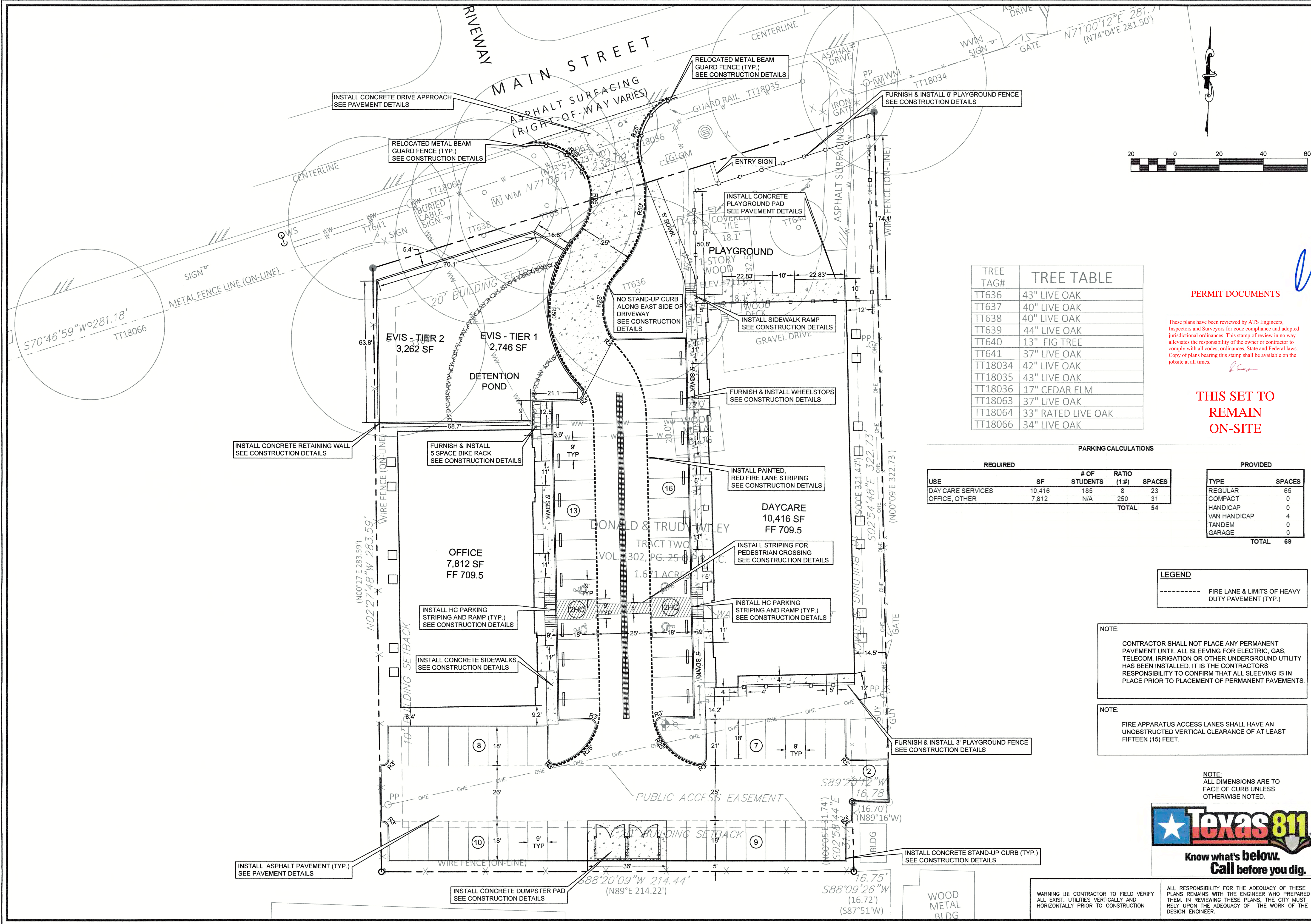
AUSTIN OFFICE
Tel: (512) 515-1553
Fax: (512) 515-1554
Austin@northforest.com

BUFFALO OFFICE
Tel: (716) 626-9764
Fax: (716) 626-9768
Buffalo@northforest.com

DALLAS OFFICE
Tel: (972) 853-7776
Fax: (972) 484-1141
Dallas@northforest.com

DENVER OFFICE
Tel: (303) 862-6367
Fax: (303) 862-6212
Denver@northforest.com

ROCHESTER OFFICE
Tel: (585) 248-0990
Fax: (585) 248-2930
Rochester@northforest.com



TREE TAG#	TREE TABLE
TT636	43" LIVE OAK
TT637	40" LIVE OAK
TT638	40" LIVE OAK
TT639	44" LIVE OAK
TT640	13" FIG TREE
TT641	37" LIVE OAK
TT18034	42" LIVE OAK
TT18035	43" LIVE OAK
TT18036	17" CEDAR ELM
TT18063	37" LIVE OAK
TT18064	33" RATED LIVE OAK
TT18066	34" LIVE OAK

PARKING CALCULATIONS				
REQUIRED				
USE	SF	# OF STUDENTS	RATIO (1#)	SPACES
DAY CARE SERVICES	10,416	185	8	23
OFFICE, OTHER	7,812	N/A	250	31
			TOTAL	54

PROVIDED	
TYPE	SPACES
REGULAR	65
COMPACT	0
HANDICAP	0
VAN HANDICAP	4
TANDEM	0
GARAGE	0
TOTAL	69

LEGEND
----- FIRE LANE & LIMITS OF HEAVY DUTY PAVEMENT (TYP.)

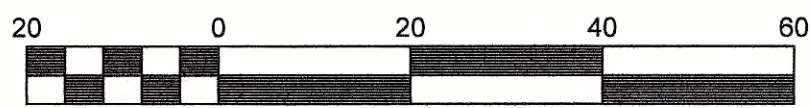
NOTE:
CONTRACTOR SHALL NOT PLACE ANY PERMANENT PAVEMENT UNTIL ALL SLEEVING FOR ELECTRIC, GAS, TELECOM, IRRIGATION OR OTHER UNDERGROUND UTILITY HAS BEEN INSTALLED. IT IS THE CONTRACTORS RESPONSIBILITY TO CONFIRM THAT ALL SLEEVING IS IN PLACE PRIOR TO PLACEMENT OF PERMANENT PAVEMENTS.

NOTE:
FIRE APPARATUS ACCESS LANES SHALL HAVE AN UNOBSTRUCTED VERTICAL CLEARANCE OF AT LEAST FIFTEEN (15) FEET.

Know what's below.
Call before you dig.

WARNING !!! CONTRACTOR TO FIELD VERIFY ALL EXIST. UTILITIES VERTICALLY AND HORIZONTALLY PRIOR TO CONSTRUCTION

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN REVIEWING THESE PLANS, THE CITY MUST RELY UPON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.



PERMIT DOCUMENTS

These plans have been reviewed by ATS Engineers, Inspectors and Surveyors for code compliance and adopted jurisdictional ordinances. This stamp of review in no way alleviates the responsibility of the owner or contractor to comply with all codes, ordinances, State and Federal laws. Copy of plans bearing this stamp shall be available on the jobsite at all times.

THIS SET TO
REMAIN
ON-SITE

DRAWING SCALE: ---/---/2014

SURVEYED: ---/---/2014

FILE NAME: ---

DATE: ---/---/2014

DRAWN: MCM

DESIGNED: CR

BY

REVISION

DATE

NO.

Catalyst Engineering Group
112 Pecan Street West
Hugerville, Texas 78660
Office: (512) 944-6077
Mobile: (512) 657-2210
TEPE FIRM No. F-18275

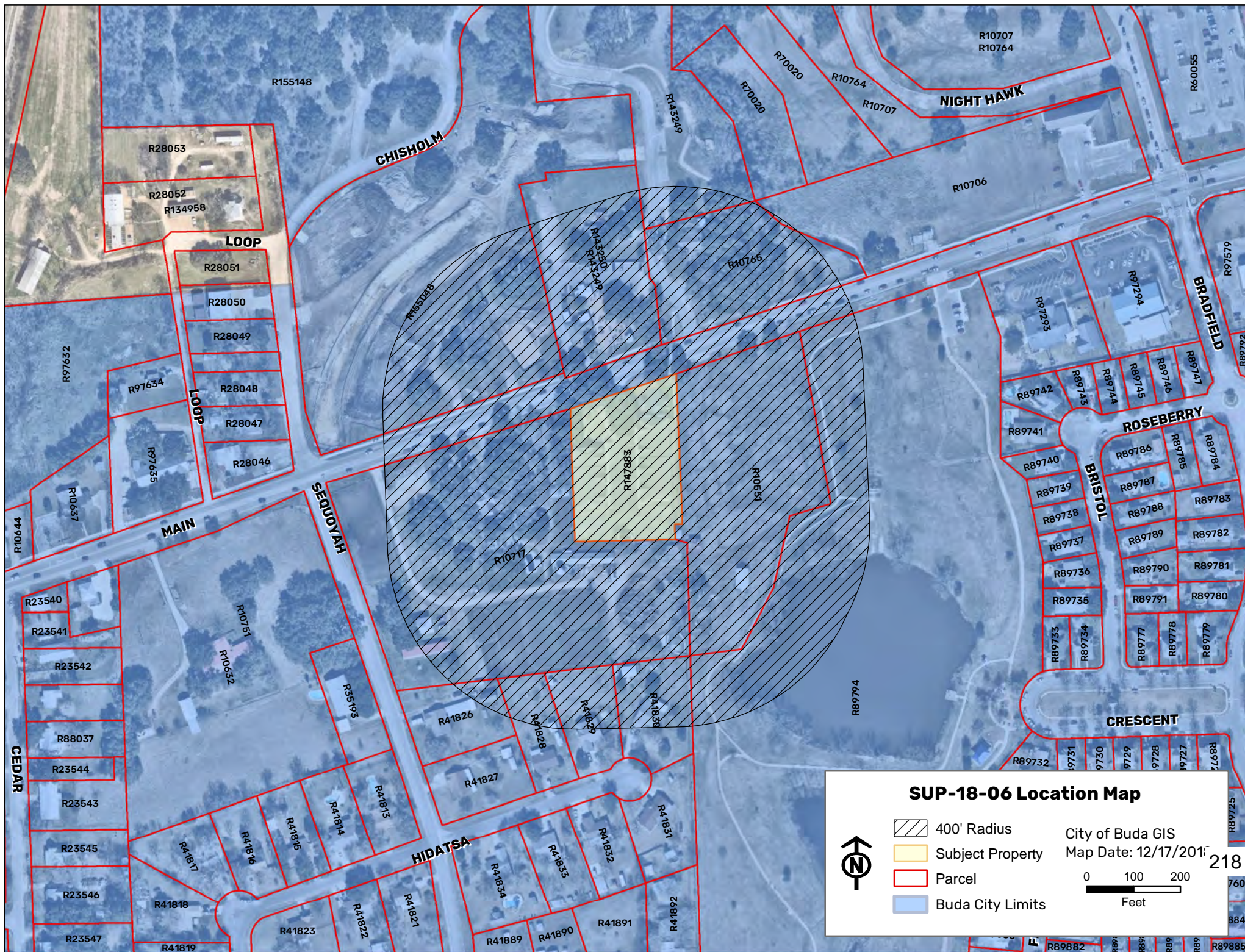
BUDA DAYCARE/OFFICE SITE
SITE PAVING AND DIMENSIONAL CONTROL PLAN
OFFICE SITE PLAN
BUDA, TEXAS

SHEET

C7

OF

21

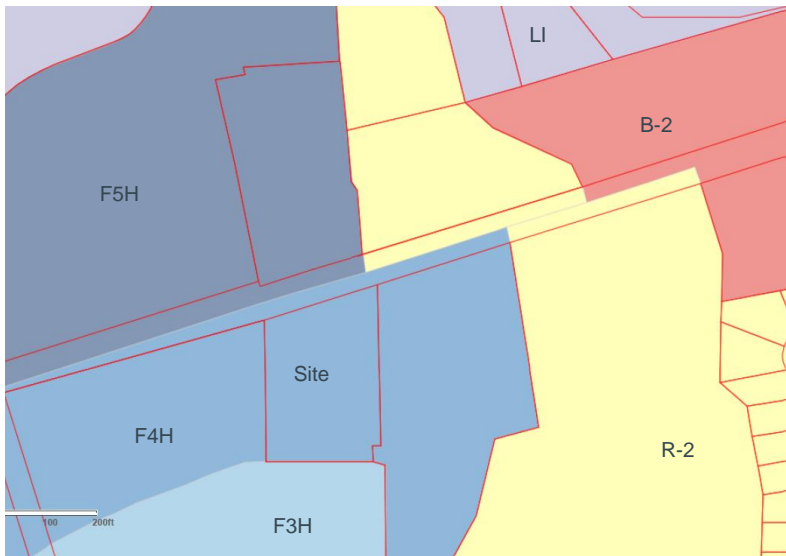


825 MAIN STREET OFFICE (SUP 18-06)

- Located on south side of Main St. City, near City Hall, Gray Property, Willie's Joint, Stagecoach Park.
- 1.671 acres
- One building is office, other is daycare
- Located in F4H Zoning District
- Request is to allow Professional, Medical or Business Office on site
- Zoning map replacement created need for SUP
- At owner's permission, application expanded to entire site to allow future office tenants without needing an SUP
- Parking meets requirement for mix of office and daycare uses
- 9 notification letters sent, no response
- Staff recommends approval



825 MAIN STREET OFFICE (SUP 18-06)



FORM DISTRICT 4H (F4H ZONING DISTRICT)

- 

The seal of the City of El Paso is a circular emblem. It features a five-pointed star in the center, surrounded by a wreath of olive and oak branches. The words "CITY OF EL PASO" are inscribed around the perimeter of the seal.



825 MAIN STREET OFFICE**SUP 18-06****Medical, Professional, or Business Office requires
an SUP in F4H Zoning****Evaluation factors for a SUP:**

- a) Safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;
- b) Adequate means of ingress and egress to public streets or approved access easements and appropriate paving widths of streets, alleys and sidewalks to accommodate traffic generated by the proposed use;
- c) Provisions for drainage;
- d) Adequate off-street parking and loading;
- e) Safety from fire hazard and measures for fire control;
- f) Protection against negative effects of noise, glare and lighting on the character of the neighborhood, protective screening and open space;
- g) Heights of structures; and
- h) Compatibility of buildings and such other measures as will secure and protect the public health, safety, and general welfare.

**SUP 18-06 P&Z RECOMMENDATION**

Planning and Zoning Commission held public hearing and discussed proposed SUP at January 8, 2019 meeting.

P&Z voted 6-0 in favor of recommending approval of SUP as submitted.

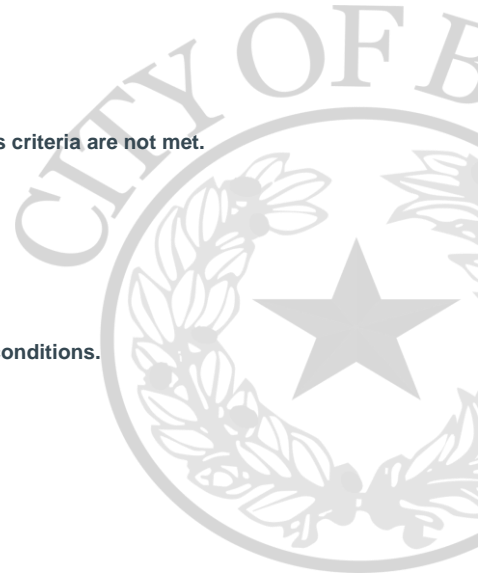


SUP 18-06 OPTIONS FOR ACTION

Discretionary: Not obligated to recommend approval if Commission feels criteria are not met.

- Options :
- 1) Modify and approve
 - 2) Approve SUP as presented
 - 3) Table the SUP for further information; and
 - 4) Deny the SUP

If City Council chooses to approve, staff recommends approval without conditions.





City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-26-

Contact: David Fowler

Subject: Deliberation and possible action on the first reading of an Ordinance for a request to change the zoning from Agricultural (AG) to Planned Development (PD) for approximately 17.39 acres out of the SVR Eggleston Survey, located north of Old Black Colony Road and east of Middle Creek Drive, addressed as 3026 Old Black Colony Road (Z 18-05) (Freese & Nichols Consultant Chance Sparks)

1. Executive Summary

Proposed zoning change of agriculturally-zoned land to Planned Development (PD) in order to build an innovative residential development community, based on the Traditional Neighborhood Design option. The proposed development would have a mix of small-lot single-family detached homes and townhouses, with a maximum yield of 139 housing units.

2. Background/History

The proposed zoning change was originally submitted for R-3 (One and two family residential) zoning, using the Traditional Neighborhood Design option. Due to community opposition to the original design, including the size of the residences and the connectivity to existing streets, the proposal was revised to a Planned Development (PD) zoning proposal. The PD raises the standards for the building materials of the residential units, while adding a buffer between the development and adjacent homes. The PD also waives the requirement for new subdivisions to connect to existing streets adjacent to the new subdivisions.

3. Staff's review and analysis

Based on community meetings held since the original rezoning proposal was presented, the proposed planned development should offer an improved product over the original submission, due to the addition of vegetative buffers and upgraded building materials.

4. Financial Impact

The project should allow for efficient utilization of infrastructure, due to its density and location near existing infrastructure. This project should also provide greater taxable value per acre as a result of its higher density compared to typical single-family detached developments.

5. Summary/Conclusion

The proposed Planned Development ordinance is the product of close coordination between the

developer, city staff and the Whispering Hollow neighborhood. As a result of the improvements to the original proposal, the Planning and Zoning Commission voted 5-1 to recommend approval of the Planned Development zoning.

6. Pros and Cons

Pros: Upgraded, customized zoning district designed to be responsive to community concerns. Development will provide townhouse and smaller-lot residential options currently unavailable in the city. First implementation of the Traditional Neighborhood Design section of the 2017 Buda Unified Development Code.

Cons: As part of the compromise with the nearby neighborhood, the proposed PD waives the city's street connectivity requirement for new subdivisions. Because of the need to write a PD that differs from the standard language of the ordinance, the resulting development would not provide an exact example of what the Innovative Residential Design section of the UDC can produce.

7. Alternatives

Approve the ordinance, approve with modifications, table the ordinance pending additional information or deny the PD ordinance.

8. Recommendation

Approval as submitted.



City Council Agenda Item Report January 15, 2019

Contact – Chance Sparks, AICP, CNU-A

SUBJECT: DELIBERATION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE TO CHANGE THE ZONING FROM AGRICULTURAL (AG) TO PLANNED DEVELOPMENT (PD) FOR APPROXIMATELY 17.39 ACRES OUT OF THE SVR EGGLESTON SURVEY, LOCATED NORTH OF OLD BLACK COLONY ROAD AND EAST OF MIDDLE CREEK, ADDRESSED AS 3026 OLD BLACK COLONY ROAD, BUDA, TX 78610 (Z 18-05).

1. EXECUTIVE SUMMARY

This project began as a zoning change request for One- & Two-Family Residential Zoning (R-3), which enables Innovative Residential Development by-right, with allowed uses being consistent with the Use Chart. Following extensive engagement with affected residents of the adjacent neighborhood, the project was converted to a Planned Development (PD) District in order to facilitate resolution to their concerns and better advocate for the Comprehensive Plan & Unified Development Code.

In this process, over 134 property owners were engaged, including approximately 90 that attended various meetings.

The purpose of this PD District is to implement the use of Innovative Residential Development Traditional Neighborhood Design as described in Unified Development Code Section 2.09.07.H. in a manner responsive to the adjacent neighborhoods to create a greater degree of certainty regarding several site design and building design project elements. Unified Development Code Section 2.05.04. establishes a PD District is intended to provide land for uses and developments that:

- Are more sensitive to the natural environment, OR
- Create a significantly enhanced natural setting, OR
- Create a significantly enhanced sense of place, OR
- Otherwise enhance the standard pattern of development in Buda

Through this PD Ordinance, the applicant achieves a feasible project, the neighborhood concerns regarding the project are largely addressed, and the City is able to advocate greater standards consistent with guidance from the Comprehensive Plan. The PD Ordinance establishes particular standards regarding baseline zoning for the purposes of code application where the PD Ordinance is silent, and then provides regulatory provisions pertaining to:

- Purpose
- Use Regulations
- Lot and Building Mass Standards
- Single-Family Design
- Sustainable Design Techniques
- Traffic, Streets and Connectivity
- Adjacency Compatibility
- Rural Heritage Design
- Infrastructure and Dedications
- Sequence of Development

The content of the PD Ordinance and process followed satisfy legal requirements of the UDC and applicable state laws, and advocate for provisions of the Comprehensive Plan and Unified Development Code. While plan goals inevitably conflict with one another, the proposed PD Ordinance and associated project appear to strike an appropriate balance. In addition, the PD Ordinance process has identified approaches to improve the regulatory content of the Unified Development Code itself.

As an ancillary benefit, the adjacent neighborhood has developed significantly enhanced knowledge of development regulations and processes, and staff has identified a number of talented individuals likely to become leaders in the community.

Through this staff report, detailed discussions of the project background, site character, the comprehensive plan and utility infrastructure analysis occur, leading to a detailed discussion of the proposed PD Ordinance.

This report contains references to the Comprehensive Plan and Unified Development Code, viewable at:

<https://www.ci.buda.tx.us/177/Comprehensive-Long-Range-Plans>

<https://www.ci.buda.tx.us/179/Zoning-the-Unified-Development-Code>

In addition, the applicant materials were made available to those receiving notice via a webpage link, viewable below. This link also contains additional information and history regarding the project.

<https://www.ci.buda.tx.us/582/Zoning-Change-Request-Near-Whispering-Ho>

The Planning and Zoning Commission held a special-called meeting on December 19, 2018. During this meeting, several members of the public spoke. These individuals indicated support for the project as modified through the PD Planned Development Ordinance. It is important to note, however, that extensive comments were made regarding the state of Old Black Colony Road. There is clear indication of community expectations for the City and Hays County to find a way to improve the roadway in an expedited manner. The Commission recommended approval of the PD Planned Development Ordinance as presented on a 5-1 vote.

2. BACKGROUND

This item is the action item for a Zoning Map Amendment, or Zoning Change, for 17.39 acres north of Old Black Colony Road and south and east of the Whispering Hollow Subdivision. The property is currently in the city, and currently carries a zoning of Agricultural (AG). The proposed zoning change is to facilitate a residential subdivision developed using the City's Innovative Residential Development ordinance.

Surrounding Land Uses

Adjacent land uses include:

East	Mostly in ETJ, pockets in City <ul style="list-style-type: none"> • AG zoning for parts in City
North	Within City Limits <ul style="list-style-type: none"> • R-2 zoning modified by Development Agreement, R-2-C (Cluster Development), and R-3 Zoning, single-family residential uses
West	Within City Limits <ul style="list-style-type: none"> • R-2 zoning modified by Development Agreement, single-family residential uses, Antioch Colony Cemetery.
South	Outside of City Limits, within ETJ <ul style="list-style-type: none"> • Agricultural and large lot residential uses.

This project began as a zoning change request for One- & Two-Family Residential Zoning (R-3), which enables Innovative Residential Development by-right, with allowed uses being consistent with the Use Chart.

In R-3 zoning with standard development, minimum lot size would be 6,000 square feet, with a minimum lot width of 55 feet for interior lots and 60 feet for corner lots. Front and rear yard setbacks are 20 feet, while side yard setbacks are 7.5 feet for interior side yards and 10 feet for corner side yards. The R-3 zoning district has an overall density limit of 8 dwelling units per acre, designed to accommodate a mixture of unit types. When developing within the Innovative Residential Development Traditional Neighborhood Design option described in Unified Development Code Section 2.09.07.H., the hard lot size & lot standard limits are removed, while the overall density limits remain, subject to the requirements outlined in the next paragraph.

To utilize the TND option within the Innovative Residential Development section of the Unified Development Code, the development would need to have at least 100 dwelling units, with at least 25 percent of the units being a housing type other than single-family detached. All homes must have rear alley access—front and side garages are not allowed. All homes built under the TND ordinance must have front porches of at least 80 square feet in area. In a TND subdivision, 15 percent of the site must be common open space and at least 90 percent of the lots must be within ¼ mile of an open space area. The overall density must be within the R-3 zoning district's overall 8 dwelling units per acre limit. The TND ordinance also specifies that blocks must be between 200-400 feet in width and 400-800 feet in length.

A Planning & Zoning Commission meeting took place October 9th. The public hearing lasted approximately 45 minutes. Resident concerns pertained to property value impacts, traffic concerns, support for project but not at that location, buffers, school capacity, ownership type (condo vs. fee-simple) and loss of views. The Commission was supportive of the project concept as being high quality and what was being sought through the Comprehensive Plan and UDC, noting that it presented a housing product that is needed in the City. The Commission, however, also recognized that the concerns from the adjacent residents were

valid and had potential to be addressed through direct engagement between the developer and neighborhood residents. The Commission voted to table action to allow the Developer to engage with a working group from the HOA.

On November 8th, a meeting was held with the Whispering Hollow HOA leadership, some additional residents from the affected area, Developer and City Staff. A complete memo was provided to the City Manager separately, along with presentation documents for background.

Attendees:

City Staff

Kenneth Williams
Chance Sparks

P & Z Commission

Meghan McCarthy

Developers and Owners

Terry Mitchell
Bob Gass
Steven Spears
Danny Levin (owner)
Rhonda Levin (owner)

HOA and Affected Residents

Tish Burkland
Cassandra Conway
Aaron Miller
Sabrina Jordan
Joe Hudgins
Matt Debow
Sandra Debow

Staff believes the additional residents included by the HOA were selected due to location in the affected area and due to their relationships with multiple other residents in the affected area, not unlike block captains in a Neighborhood Watch program. The meeting was productive, and from the perspective of staff has substantially improved the perception of city staff, the developer and the project. All attendees departed the meeting indicating that the project had made positive adjustments responsive to neighbor concerns. Key decision points of this meeting included:

- Conversion to a Planned Development (PD) from R-3 represented a more appropriate course of action in order to provide assurance that the project delivered would be consistent with the design presented to the neighborhood. PDs are commonly used in many cities to negotiate a better project or resolve issues of conflict with nearby neighborhoods. They allow a number of issues typically addressed later in the development process related to subdivision platting and site plan to be negotiated and legally agreed-to at the earliest stage of project entitlement. A prevailing concern was regulatory certainty regarding the project outcome, and PDs provide the means to provide such certainty and eliminate unknowns that can cause fear.
- A follow-up meeting open to all affected residents would be beneficial, particularly in a less formal/rigid environment than a standard public hearing.
- Enchanted Woods Trail and Treehaven Court would not be connected in a way that would be open to regular vehicular traffic, but would align for emergency access and pedestrian connectivity purposes.
- Landscape buffers would address concerns of compatibility, particularly along the western and northern boundaries of the project.
- A PD should include a specified street section due to advantages of rear-loaded garages from alleys, as on-street parking is easier to manage in such an arrangement.
- Developer will pay proportional share for a corridor analysis of Old Black Colony Road, rather than an independent TIA due to fragmented land ownership in the

overall Old Black Colony Road corridor, current construction activity, and the need to study the corridor based on anticipated future conditions. This would also set the stage for any future development along Old Black Colony Road to pay their fair share for the study & mitigation in the future, resulting in a more holistic & coordinated approach to the corridor.

Staff established a format for the PD submission with the applicant, and identified necessary exhibits. While the applicant developed these materials in coordination with city staff, city staff set about scheduling follow-up meetings and a potential schedule for the PD consideration. City staff distributed flyers for the follow-up meeting door-to-door. The meeting took place on November 29, 2018, attended by approximately 45 people. The meeting lasted 2.5 hours, allowing substantial time for project presentation and extensive questions & answers. From this meeting, the applicant made further refinements to the PD submission and submitted it for consideration.

Notification letters were sent to 134 properties on December 4th. The notice letter included a link to a webpage containing the Planned Development Design Statement and the associated exhibits. The applicant also followed-up again with key members of the working group that lived in the affected area, and also sent follow-up letters to owners at the north buffer to verify adjustments to its design reflected their concerns.

3. STAFF'S REVIEW AND ANALYSIS

Purpose and Requirements for Planned Development (PD) Districts

The purpose of this PD District is to implement the use of Innovative Residential Development Traditional Neighborhood Design as described in Unified Development Code Section 2.09.07.H. in a manner responsive to the adjacent neighborhoods to create a greater degree of certainty regarding several site design and building design project elements. Unified Development Code Section 2.05.04. establishes a PD District is intended to provide land for uses and developments that:

- Are more sensitive to the natural environment, OR
- Create a significantly enhanced natural setting, OR
- Create a significantly enhanced sense of place, OR
- Otherwise enhance the standard pattern of development in Buda

Site Character Analysis

The subject property is located on the north side of Old Black Colony Road approximately 2,400 feet west of its intersection with Cole Springs Road. It is located approximately 1,100 feet east of Old Black Colony Road's intersection with Middle Creek Drive, and 5,900 feet east of Old Black Colony Road's intersection with F.M. 1626. The property has been owned by Danny and Rhonda Levin since 1990, prior to the development of any of the surrounding neighborhoods. The Levin's granted an emergency access easement on their property to facilitate the development of a portion of the Whispering Hollow Subdivision. Two road stub outs exist from Whispering Hollow that would normally connect to the proposed development: Treehaven Court and Enchanted Woods Trail.

To the east is mostly ETJ, with some pockets in the City still in AG zoning as they were not rezoned following annexation in order to avoid jeopardizing the property tax exemptions of the property owner. Incidentally, this is the reason for the AG zoning on the current property. Further east reaches areas zoned F4H under the Form Based Code.

To the north is areas within the city limits containing the Whispering Hollow (directly adjacent), Stonewood Commons (directly adjacent to the northeast) and White Oak Preserve neighborhoods. Whispering Hollow carries an R-2 zoning designation, heavily modified by the Garlic Creek West Development Agreement. Stonewood Commons carries an R-3 zoning designation. White Oak Preserve carries an R-2-C zoning designation, indicating a project zoned R-2 that has utilized the Cluster Development Innovative Residential Development type (which was entitled under the previous UDC).

To the west is areas within the city limits containing the Whispering Hollow neighborhood (directly adjacent) and the Antioch Colony Cemetery (directly adjacent to the southwest). Whispering Hollow carries an R-2 zoning designation, heavily modified by the Garlic Creek West Development Agreement.

To the south is ETJ. This area is currently agricultural, though other developers are actively pursuing projects in the area.

The property elevation peaks at approximately 760 feet above sea level. It breaks to the northeast to a low point of approximately 748 feet above sea level, and to the southeast to a low point of approximately 745 feet above sea level. The property has .014 acres (which is .0008% of the site) that is 15-25%. Outside of this, the steepest observed grade is approximately six percent, with most of the site being one to three percent.

The property drains naturally to the northeast and southeast. Stormwater infrastructure from the project that drains to the north will connect to existing underground conveyance through Whispering Hollow. Developer will design all stormwater facilities and infrastructure in accordance with City of Buda requirements and Texas Water Code to not create adverse impact.

Approximately 20-25% percent of the site includes random hardwood tree cover, which is primarily located in the southern 1/3 of the site. This includes several protected (8" to 20" caliper protected species), signature (20" to 30" caliper protected species) and heritage (30" caliper or greater protected species) trees. A complete tree survey is provided.

The soil is DoC (Doss Silt Clay), KrA (Krum Clay) and RUD (Rumple Comfort Association). These soils are typical of the area. The project is not located in the Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone.

A Phase 1 Environmental Assessment was conducted and revealed no evidence of RECs (Recognized Environmental Conditions), HRECS (Historic Recognized Environmental Conditions), or CRECs (Controlled Recognized Environmental Conditions) connected with the site. In the opinion of the Environmental Professional who performed this ESA, Phase II environmental site assessment activities are not recommended based on the information obtained for in this report.

From this information, staff concludes there are not any critical issues within the site impacting its due consideration for the Planned Development (PD) District.

Comprehensive Plan Discussion

Pertinent excerpts from the Buda 2030 Comprehensive Plan as well as the Future Land Development Plan contained within it are attached. Generally, the focus of analysis for zoning-related decisions is the Future Land Development Plan, which begins on page 191 of the Comprehensive Plan.

GENERAL LAND DEVELOPMENT POLICIES

General land development policies are general statements that reflect the Vision, Guiding Values, Goals, Objectives, and Actions of Buda 2030. They apply to all land development decisions, regardless of what Character District or Mixed Use Node the property is located. They are intended to provide general guidance on decisions related to land development.

Growth Management

1. New developments must be compatible with existing development and community character.
2. New development must maintain the small-town character, look, and feel of Buda.
3. Construct infrastructure in appropriate corridors and growth areas as identified in Buda 2030.
4. New development must occur in a fiscally responsible manner.
5. Direct development within the existing incorporated area and where infrastructure already exists.

Environmental Protection

1. Preserve and protect creeks, rivers, waterways, and floodplains.
2. Preserve and protect the quality of surface water and ground water resources and other hydrologically-active areas.
3. Cooperate with area governmental entities to ensure sufficient water quantity and quality.
4. Seek public acquisition of open space or develop conservation development options for areas of environmental sensitivity.
5. Preserve and protect air quality.
6. Protect agricultural and ranch lands. Work with land owners who are interested in conservation easements or transfer of development rights.
7. Promote and incentivize water conservation practices.
8. Promote dense, cluster development in order to protect natural features.

Economic Development

1. Seize economic opportunity along IH 35 and along major arterials.
2. Promote quality development that is compatible with neighboring areas.
3. Promote development that is consistent with community character.
4. Enhance downtown as economic development component for area residents and visitors.
5. Promote economic development consistent with other goals, objectives, and land use policies.
6. Promote sustainable and efficient business practices.
7. Promote businesses that diversify the Buda economy.

Housing

1. Provide housing options for all stages of life and all income levels within Buda.
2. Improve existing housing stock.
3. Ensure safe housing construction.
4. Ensure housing is compatible with existing neighborhoods and land uses.
5. Promote sustainable and efficient housing developments.

Parks and Recreation

1. Connect existing and future parks.
2. Ensure maintenance and safety of parks and recreation resources.
3. Provide open space, parkland, trails, and recreation opportunities in proximity to the maximum number of residents possible.
4. Use linear open space along creeks and floodplains for trails as a way to provide connectivity throughout Buda.

Transportation

1. The design of streets should reflect the character of the community and surrounding environment.
2. Provide more east-west connectivity.
3. Reduce truck traffic through downtown and encourage alternative routes south of downtown.
4. Provide for safe and ample pedestrian connectivity throughout new and /or existing developments.
5. Provide for safe options in travel, including walking, bicycling, automobile, and mass transit.
6. Improve access across and under IH 35.
7. Ensure that streets and thoroughfare networks are designed with a focus on interconnectivity to provide ample, safe, and appropriately-scaled access throughout and between neighborhoods and to commercial areas.
8. Ensure that appropriate levels of parking are provided for commercial, office, and retail developments in a way that does not deter ease of pedestrian access or compromise the character of the development and surrounding area. Don't "overpark" if not necessary.
9. Utilize safe and integrated access management.

Urban Design

1. Encourage and provide incentives for mixing land uses.
2. Establish neighborhoods as the primary organizing element, each including civic spaces, access to commercial districts, connectivity, and a variety of housing densities and types.
3. Develop compatibility standards for adjoining land uses (e.g., transition zones).
4. Develop streetscape design criteria to ensure safe and desirable pedestrian access and community attractiveness.
5. Utilize design criteria to regulate physical and aesthetic characteristics of the built environment to emphasize the visual integrity of the community.

6. Signage should not detract from the visual integrity of the community.
7. Lighting associated with signs, parking lots, or any development should not pose a safety, environmental, or aesthetic concern, particularly as it relates to the impact on existing or new residential development.
8. Neighborhoods should be designed with a high level of connectivity to provide options in transportation routes as well as promote alternative choices in modes of transportation such as walking or bicycling.

Civic Facilities

1. Civic buildings and spaces should be given accessible, prominent sites.
2. Schools - particularly elementary schools - should be the physical and social center of a neighborhood or group of neighborhoods and located within safe and easy walking distance from the maximum number of dwelling units possible.
3. Civic facilities should be accessible to the public.

Historic Preservation

1. Preserve and enhance historic areas throughout the city.
2. Preserve the community character.
3. Use history to promote tourism and economic development.

This property is within the Green Growth Character District, but not near any Community or Neighborhood Mixed Use Nodes according to the Future Land Use Character Districts. Descriptions of the Green Growth Character District appear on pages 195-196 of the Comprehensive Plan, and appear below:

... The purpose of the Green Growth District is to establish protective measures for these environmental features and to protect the City's drinking water supply. Development in this district should reflect the goal of environmental protection. Cluster developments should be heavily encouraged, or possibly mandated in this district. Floodplains of Onion and Garlic Creek and their tributaries should be protected in perpetuity from development.

The primary concern in the Green Growth District is the environmental impact of land uses and the pattern of development. Most land uses are permitted in this district, with the exception of those that could negatively impact the environment, such as manufacturing or other heavy industrial.

Environmental protection mechanisms will be instrumental for new developments in this district. Cluster developments should be heavily encouraged, or possibly mandated in this district. Allowing density bonuses in conjunction with cluster developments is appropriate for this area and will encourage use of the zoning district. Floodplains of Onion and Garlic Creeks and their tributaries should be protected in perpetuity from development. These will also create opportunities to develop trails and promote connectivity. Remaining agricultural uses should be supported. Explore community supported agriculture opportunities in this district.

New developments and roadway improvements should reflect the rural character that is already established by existing and recent developments. The scale and design of commercial and mixed-use developments should be sensitive to the rural skyline. High density residential uses should focus on clustering the footprint, rather than adding to height. Existing natural features such as trees, greenbelts, and creeks should be protected when sites are developed to the fullest extent possible...

High-density residential zoning (H-R), which was the predecessor of the current R-3 zoning district, is considered appropriate in this area. High-Density Single Family Housing (above 4 units per acre) and Attached Housing (generally recognized as above 8 units per acre) is also considered appropriate in the area. This area also calls for protection of environmental and cultural resources, as well as natural features such as trees, greenbelts and creeks. The following chart appears on page 213 of the Comprehensive Plan, with emphasis added for the purposes of this PD consideration:

CHARACTER DISTRICT AND MIXED USE NODES: APPROPRIATE DEVELOPMENT TYPES

	Development Type										
	Mixed Use	Regional Retail Center	Neighborhood Shopping Center	Office	Industrial Park or Distribution Ctr	Low Density Single Family & Agriculture Uses (≥ 1 acre)	Medium Density Single Family (0.25-1 acre)	High Density Single Family (<0.25 acre)	Attached Housing	Multifamily (for sale or rent units)	Cluster Development
CHARACTER DISTRICTS											
Green Growth District	●	×	●	●	×	●	●	●	●	●	●
Emerging Growth District	●	●	●	●	×	●	●	●	●	●	●
Heritage District	●	×	●	●	×	×	●	●	●	●	●
Industrial Growth District	●	×	×	●	●	●	×	×	×	●	●
Business Growth District	●	●	●	●	●	×	×	●	●	●	●
Interstate Corridor	●	●	×	●	●	×	×	×	×	●	×
MIXED USE NODES											
Neighborhood Node	●	×	●	●	×	×	●	●	●	●	●
Community Node	●	×	×	●	×	×	×	●	●	●	●
Business Node	●	×	×	●	●	×	×	×	●	●	×
Regional Node	●	●	×	●	×	×	×	×	×	●	×
Downtown Node	●	●*	●	●	×	×	●	●	●	●	×
● Appropriate ● Conditional × Not Appropriate											
Notes: * Regional retail in the downtown node would include destination shops such as antique shops and other destination boutique stores.											



High Density Single Family includes single-family housing on lots smaller than 0.25 acres, or greater than 4 dwelling units per acre.



Attached Housing includes a scale of residential housing that falls between single-family and multi-family and includes developments where residential units are attached. This can be in the form of duplexes, fourplexes, townhomes, or rowhouses.

Based on information from the comprehensive plan and surrounding uses, approval of this zoning change would NOT constitute spot zoning, as it could be considered consistent with the Comprehensive Plan from the perspective of permitted uses and the style of development, though the policy statements of the Comprehensive Plan further inform the standards of the Planned Development discussed further, below. Spot zoning is the application of zoning to a specific parcel or parcels of land within a larger zoned area when the rezoning is usually at odds with a city's master plan and current zoning restrictions, and appears wholly out-of-place in comparison to surrounding zoning. The nearby Stonewood Commons development is zoned R-3, with lot dimensions and standards similar to those of Whispering Hollow and Garlic Creek. The R-3 district is the next step denser than the R-2 zoning found in adjacent Whispering Hollow. This is particularly true given that the development standards for Whispering Hollow, through its Development Agreement, bear more similarities to R-3 zoning related to setbacks, lot widths and lot sizes. Furthermore, the R-2-C (Cluster) zoning found in nearby White Oak Preserve allows smaller lots than what is the default lot size in R-3 zoning.

From this information, staff concludes there are not any critical issues relating to the Comprehensive Plan impacting its due consideration for the Planned Development (PD) District. Staff does, however, conclude that a PD presents an opportunity to more effectively and pro-actively advocate for recommendations contained within the Comprehensive Plan, which are discussed further in the description of the PD document itself within this report.

Utility Infrastructure Analysis

The proposed project does not negatively affect infrastructure capacity or adequacy. The property falls within the City of Buda water and wastewater service areas. The City of Buda has anticipated development of this and nearby properties as part of its water and wastewater models. The applicant, as with any developer, is responsible for construction of their infrastructure improvements as well as any off-site improvements caused by the project.

Through the PD, Developer will pay proportional share for a corridor analysis of Old Black Colony Road, rather than an independent TIA due to fragmented land ownership in the overall Old Black Colony Road corridor, current construction activity, and the need to study the corridor based on anticipated future conditions. This would also set the stage for any future development along Old Black Colony Road to pay their fair share for the study & mitigation in the future, resulting in a more holistic & coordinated approach to the corridor. Two access points are proposed along Old Black Colony Road, with preliminary engineering review indicating these can be accomplished through proper engineering practices and operational mitigation as needed for the specific geometry of the road.

The subject property is located within a 5- to 10-minute walk of publicly-accessible parks or open space, and proposes additional space within the project most likely in a private HOA ownership arrangement.

Discussion of the Planned Development District Proposal

The accompanying Planned Development District Ordinance was prepared by city staff based upon the Planned Development Design Statement & Exhibits submitted by the

applicant, notes from neighborhood meetings, and review of the Comprehensive Plan and Unified Development Code. The regulatory aspects of the ordinance are contained in Section 4 of the ordinance, discussed in greater depth below. The first task Section 4 accomplishes is establishing a base-zoning of R-3 from which to modify from. This is important, as it establishes the default regulations for any circumstance in which the PD Ordinance is silent.

Overall, the project does not propose waivers or reductions to UDC standards except for the connections to Enchanted Woods Trail and Treehaven Court. The PD Ordinance presents standards that either clarify where the UDC is currently silent, or adopt standards that would otherwise not apply to a project of this character.

Purpose

A detailed purpose statement is included in the PD Ordinance. This is important, as it provides a regulatory link to the Unified Development Code and provides a description of the intent for future reference.

Use Regulations

This section establishes three eligible residential uses: “Dwelling, Single Family (Detached)”, “Dwelling, Single Family (Patio Home)”, and “Dwelling, Single Family (Attached – Townhouse).” Such uses may be in fee-simple or condominium ownership.

The project proposes to maintain the maximum of eight (8) units per acre allowed for R-3 zoning, which will generate a maximum of 139 units (on 17.39 acres). Based on the Comprehensive Plan and site characteristics, this is appropriate. This section also establishes a maximum or minimum number of units for each housing type in order to maintain consistency with the requirements for an Innovative Residential Development Traditional Neighborhood Design project. Some descriptions of standards begin to appear in this section pertaining to parking. This project will ultimately have more parking provided overall than other single-family development projects under the UDC.

Lot and Building Mass Standards

This section establishes the dimensional standards for the project. These standards are typical for a TND project, as such projects substitute communal open spaces for reduced maintenance, to provide social interaction and to better manage the natural assets of a property. TNDs recognize public rights-of-way as public spaces for human interaction. The UDC does not establish replacement development standards for TND projects—it simply states that the standards for the base zoning no longer apply. In this way, the PD Ordinance provides certainty. In addition, it establishes minimum housing unit sizes, which is not a requirement anywhere in the UDC. For townhouses, it establishes maximum numbers of 3-unit assemblies. The standards provide for condo-regime townhouse as well as fee-simple townhouse. This is based on staff’s experience with Bella Vita, which had to change its ownership regime due to changes in Federal lending practices during the recession.

Single-Family Design

The TND requirements of the UDC would have allowed for more permissive single-family design. The project instead proposes a minimum amount of masonry and color coordination, going beyond minimum requirements for TNDs in the UDC. It also establishes additional design element options, which are typically waived for TND projects. These standards are compatible with TND projects, and enhance the architectural character.

Sustainable Design Techniques

The PD Ordinance establishes that this project will adopt certain sustainable design techniques from the Low Impact Design Elements list contained in UDC Section 2.09.13.C., Table 22. These standards would not have applied otherwise, but city staff and applicant agreed that their inclusion is consistent with the intent of the Green Growth Character District.

Traffic, Streets and Connectivity

This section establishes the means of calculating the connectivity index. One issue staff has identified in the UDC is that no guidance is provided for calculating connectivity when in a “pocket neighborhood” scenario of homes fronting onto a park rather than a street. As such, the calculation exhibit was prepared to document the fundamental acceptance of the configuration.

A permanent vehicular connection open to the public shall not occur between the Property and the southern termini of Enchanted Woods Trail and Treehaven Court. Rights-of-way shall align to allow for emergency access. The existing emergency access gate installed as part of the Whispering Hollow Subdivision shall remain in current configuration. The existing temporary emergency access turnaround shall be incorporated as an alley of 20 feet in width and maintained by the Property’s owner’s association, with specific radius and landscape treatments providing a terminating vista, as shown in Exhibit F. In doing so, this will satisfy requirements to provide a permanent end to the streets in accordance with Unified Development Code 3.05.08.C.4.a. The Property shall be required to provide a stub out to the east in promotion of coordinated future development and potential future connection to Stonewood Commons through the adjacent property. If not in a PD Ordinance, Enchanted Woods Trail and Treehaven Court would be prompted to connect as fully-accessible public streets.

Preparation of a Traffic Impact Analysis is deferred in accordance with Unified Development Code Section 3.05.10.F. in favor of a comprehensive corridor analysis, with developer agreeing to pay a proportionate cost contribution based on the ultimate development intensity of individual tracts relative to the corridor defined for analysis or as determined by the City’s fee schedule for a traffic assessment fund for such larger study, and to financial participate in or perform mitigation proportionally as determined from the study. This addresses the long-term challenges of TIAs in this corridor due to fragmented ownership, and the reality that current traffic behaviors are not normal due to construction.

To facilitate street design consistent with Traditional Neighborhood Design while accommodating the needs for on-street parking and accessibility for large & emergency vehicles, street rights-of-way, street sections, traffic calming and on-street parking shall be in accordance with Exhibit D Conceptual On-Street Parking Plan. Two access points are proposed along Old Black Colony Road, with preliminary engineering review indicating these can be accomplished through proper engineering practices and operational mitigation as needed for the specific geometry of the road.

Adjacency Compatibility

This section establishes a series of landscape buffers. Provision of regulatory landscape buffers is highly unusual between an existing and proposed single-family residential projects. This section establishes content for those landscape buffers to provide visual screening enhancement and better match rhythm and building separation as would normally occur

between properties with R-2 zoning. These buffers, under conventional zoning, would not be required.

Rural Heritage Design

The UDC contains provision for rural heritage design along FM 967 and FM 1626, targeting commercial uses. Through this PD Ordinance, a version of those standards are created for this project's frontage along Old Black Colony Road to better preserve the character of the road.

Infrastructure and Dedications

Infrastructures and dedications do not deviate from UDC standards. This section does, however, provide clarification that the alleys are to be privately maintained. It also presents the potential for the stormwater pond infrastructure to remain under the care of the HOA rather than dedicated to the city due to its unique integration into the open space plans.

Sequence of Development

The project will be developed as a single subdivision, site plan and construction phase, with individual building permits then taking place for each individual structure. This is typical of any residential subdivision project in Buda.

4. FINANCIAL IMPACT

Financial issues are not primarily considerations in zoning cases. It is notable, however, that the subject project results in significantly more efficient infrastructure due to density, configuration and standards designed to have lower water use per household. This positively affects long-term sustainability as infrastructure is maintained, rehabilitated and replaced, and provides improved rate stability. In addition, the property valuation per acre is anticipated to be higher than less dense subdivisions, as costs of new construction have increased. The project will be subject to the most recent water and wastewater impact fees.

5. SUMMARY/CONCLUSION

This PD Ordinance is a culmination of a lengthy process that began with R-3 straight zoning, and concluded with a carefully negotiated agreement between the Developer and adjacent neighbors. In this process, over 134 property owners were engaged, including approximately 90 that attended various meetings. Through this PD Ordinance, the applicant achieves a feasible project, the neighborhood concerns regarding the project are largely addressed, and the City is able to advocate greater standards consistent with guidance from the Comprehensive Plan. The PD Ordinance establishes particular standards regarding baseline zoning for the purposes of code application where the PD Ordinance is silent, and then provides regulatory provisions pertaining to:

- Purpose
- Use Regulations
- Lot and Building Mass Standards
- Single-Family Design
- Sustainable Design Techniques
- Traffic, Streets and Connectivity

- Adjacency Compatibility
- Rural Heritage Design
- Infrastructure and Dedications
- Sequence of Development

The content of the PD Ordinance and process followed satisfy legal requirements of the UDC and applicable state laws, and advocate for provisions of the Comprehensive Plan and Unified Development Code. While plan goals inevitably conflict with one another, the proposed PD Ordinance and associated project appear to strike an appropriate balance. In addition, the PD Ordinance process has identified approaches to improve the regulatory content of the Unified Development Code itself.

As an ancillary benefit, the adjacent neighborhood has developed significantly enhanced knowledge of development regulations and processes, and staff has identified a number of talented individuals likely to become leaders in the community.

6. PROS AND CONS

Pros – use of a PD Ordinance allows the project to be responsive to neighborhood-identified concerns in a way that is legally-enforceable; use of a PD Ordinance allows the City to advocate for greater standards based upon the Comprehensive Plan that otherwise would not be available for a conventional “by right” project; use of a PD Ordinance provides regulatory clarity to provisions of the UDC pertaining to Traditional Neighborhood Design that are somewhat vague; the PD Ordinance and associated project provide a vehicle to jump-start a corridor traffic study of the entire Old Black Colony Road corridor in order to promote more holistic consideration and coordination with future projects; implementation of the TND project through use of a PD Ordinance provides implementation of a development type that is highly encouraged in both the Comprehensive Plan and Unified Development Code; the type of development presented is generally considered more sustainable and more consistent with best practices in city planning; the PD Ordinance may provide a framework for future amendment to the UDC to establish more prescriptive standards for innovative residential development.

Cons – it would be preferable to demonstrate a preferred development type from the Comprehensive Plan and Unified Development Code as a by-right project rather than PD Ordinance, though the need to carefully consider neighborhood adjacency and clarification of standards outweighs this preference; failing to connect to the existing stub-outs does present a slight concern given the emphasis on this issue during development of the Comprehensive Plan and Unified Development Code, though the arguably more important pedestrian connectivity is maintained & emergency vehicular access is enhanced and provision is made for eventual connection to the east & north.

7. ALTERNATIVES

Due to the highly-engaged negotiation between the Developer and affected nearby neighborhood residents, staff recommends the governing body exercise caution in altering the proposed Planned Development (PD) Ordinance.

Approval of the PD Ordinance is entirely discretionary. As such, staff presents the following options:

Approve the PD Ordinance (recommended) – This alternative results in the PD Ordinance being approved as presented.

Approve the PD Ordinance with Modifications – This alternative results in the PD Ordinance being approved, but with some changes. As stated above, staff recommends caution in this approach due to the stabilized negotiations between the Developer and affected nearby neighborhood residents.

Table the PD Ordinance Pending Receipt of Additional Information – This alternative results in the PD Ordinance being tabled until certain information requested can be secured. It is important to clearly state what additional information is needed in order for staff and the applicant to be appropriately responsive. Staff does not recommend this option, as the project has been tabled once before to allow for the referenced discussions & negotiations with the neighborhood to take place. Tabling risks the applicant withdrawing the project due to real estate contract provisions.

Deny the PD Ordinance – This alternative results in the PD Ordinance being denied. Staff does not recommend this alternative, as this alternative is less responsive to the adjacent neighborhood and eliminates several project enhancements contained within the PD Ordinance.

8. RECOMMENDATION

The Planning and Zoning Commission recommended approval on a 5-1 vote at a special called meeting of the Commission that took place December 19, 2018. Staff concurs with this recommendation, and recommends approval of the zoning change to Planned Development (PD) District as presented.

9. ATTACHMENTS

Planned Development Ordinance

- Exhibit A – Property Survey
- Exhibit B – Concept Land Plan
- Exhibit C – Conceptual Connectivity Ratio
- Exhibit D – Conceptual On-Street Parking Plan
- Exhibit E – Preliminary Drainage Area Map
- Exhibit F – Landscape Buffers

Notification Letter and Map

Correspondence from Notified Property Owners following the PD Notification Letter

ORDINANCE NO. ____-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS AMENDING THE ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF 17.39 ACRES OF LAND FROM AG AGRICULTURAL DISTRICT TO PD PLANNED DEVELOPMENT DISTRICT NO. Z 18-05; DESCRIBING SAID 17.39 ACRES OF LAND; REGULATING AND RESTRICTING THE DEVELOPMENT AND USE OF PROPERTY WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF BUDA; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY CLAUSE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, Danny Levin and Ronda Levin are the owner(s) of approximately 17.39 acres of land within the corporate limits of the City of Buda, Texas (the “Property”); and

WHEREAS, the Property presently has a zoning classification of AG Agricultural District; and

WHEREAS, the owner’s agent, MG Realty Investments, LLC (d.b.a. GroundWork) has made application to the City of Buda to change the zoning classification of the Property from AG Agricultural District to PD Planned Development District; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Buda have each conducted, in the time and manner and after the notice required by law and the City of Buda Unified Development Code, a public hearing on such proposed amendment to the official zoning map to change the zoning classification; and

WHEREAS, the City of Buda Planning and Zoning Commission has issued its final recommendation and the City Council of the City of Buda now deems it appropriate to grant such amendment to the official zoning map to change the zoning classification; and

WHEREAS, the City Council has determined that adoption of this Ordinance is in the interest of the general health, safety, welfare and morals of the community and consistent with the Buda 2030 Comprehensive Plan; and

WHEREAS, the City has determined that this Ordinance was passed and approved at a meeting of the City Council of the City of Buda held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members were present and voting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, THAT:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. As required by law, the City Council of the City of Buda conducted the public hearing on the request to amend the official zoning map to change the zoning classification and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The official zoning map is amended by changing the zoning classification of the Property from AG Agricultural District to PD Planned Development District No. Z 18-05. The Property is described in Exhibit “A”, attached hereto and made a part hereof for all purposes.

Section 4. The Planned Development District shall be developed in accordance with the Buda Code of Ordinances, including the City of Buda Unified Development Code, specifically all regulations that apply to development in a R-3 One & Two Family Residential District except as provided below, and shall be developed generally in accordance with the Concept Land Plan, Exhibit “B,” attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions.

- A. Purpose.** The purpose of this Planned Development (PD) District is to implement the use of Innovative Residential Development Traditional Neighborhood Design as described in Unified Development Code Section 2.09.07.H. in a manner responsive to the adjacent neighborhoods to create a greater degree of certainty regarding several site design and building design project elements. This PD District provides for land uses and developments that promotes sensitivity to the natural environment, creates a significantly enhanced natural setting and sense of place, and otherwise enhances the standard pattern of development in Buda, consistent with the stated intent of PD Districts as described in Unified Development Code Section 2.05.04. This PD District provides a higher level of amenities to its users or residents than is usually required under the normal standards of the Unified Development Code and permits new or innovative concepts in land use.

This PD District specifically proposes a mix of single-family detached homes on fee-simple lots and single-family attached homes in a land condominium regime organized in a walkable, pedestrian-friendly, traditional neighborhood development (TND) format. Emphasis is placed on the desire for homes to front onto parkland and open space. All homes shall be alley-loaded, thus allowing the front porch of each home to be the dominating architectural element when facing a park, open space or street. The preservation of many Protected, Signature and Heritage Trees, especially along the southern half of the property, is key to ensuring that the wooded but rural character of Old Black Colony Road is realized.

- B. Use Regulations.** In the Planned Development (PD) District, no building, structure or land shall be used and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance.

Allowed uses shall be consistent with the Unified Development Code Subsection 2.06. for the R-3 One & Two Family Residential District as well as Unified Development Code Section 2.09.07.H. regarding the Traditional Neighborhood Design Innovative Residential Development type, except “Dwelling, Single-Family (Attached – Duplex)” and “Dwelling, Accessory” shall be prohibited. The proposed uses as described in this PD District shall be limited to “Dwelling, Single Family (Detached)”, “Dwelling, Single

Family (Patio Home)”, “Dwelling, Single Family (Attached – Townhouse).” Such uses may be in fee-simple or condominium ownership.

There shall be no more than 139 residential units within this PD District. Each individual townhouse will be considered one (1) residential unit.

“Dwelling, Single Family (Detached)” and “Dwelling, Single Family (Patio Home): There shall be no more than 100 total single-family (detached) and single-family (patio home) units. All homes shall be accessed from a rear alley.

“Dwelling, Single Family (Attached – Townhouse)” in a condominium model: There shall be no more than 90 single-family (attached-townhome) units. The total number of single-family (attached -townhouse) units must constitute at least 25 percent of total units.

C. Lot and Building Mass Standards.

Individual Lot Standards for “Dwelling, Single Family (Detached)” and “Dwelling Single Family (Patio Home)”:

Min. Front Yard Setback	<u>7.5'</u> ***	Min. Lot Frontage	<u>35'</u>
Min. Side Yard Setback (Corner)	<u>7'</u> *	Min. Lot Width (avg)	<u>40'</u>
Min. Side Yard Setback (Interior)	<u>5'</u> *	Min. Lot Depth (avg)	<u>100'</u>
Min. Rear Yard Setback	<u>5'</u> **	Min. Unit Size	<u>1,200 sf</u>
Max. Height	<u>30'</u>	Max. Bldg. Coverage	<u>50%</u>
Max. Imp. Cover	<u>60%</u>	Min. Lot Size	<u>4,000 sf</u>

* For “Dwelling, Single Family (Patio Home)”, the provisions of UDC 2.07.03.A.1. shall apply.

** All homes shall include a minimum two (2) covered parking spaces, for which a minimum 1 shall be in a garage. A minimum of 25% of all single-family detached homes shall include three (3) parking spaces, for which only up to one (1) shall be uncovered.

*** Steps leading up to the front porch shall be allowed to be constructed within the front yard setback to the extent they do not conflict with public utility easements.

Condominium Lot Standards for “Dwelling, Single Family (Attached - Townhouse)”:

Min. Front Yard Setback	<u>5'</u>	Min. Lot Frontage	<u>N/A</u>
Min. Side Yard Setback (Corner)	<u>5'</u>	Min. Lot Width (avg)	<u>N/A</u>
Min. Side Yard Setback (Interior)	<u>5'</u>	Min. Lot Depth (avg)	<u>N/A</u>

Min. Rear Yard Setback	<u>5'</u> *	Min. Unit Size	<u>1,000 sf</u>
Max. Height	<u>30'</u>	Max. Bldg. Coverage	<u>60%</u>
Max. Imp. Cover	<u>70%</u>	Min. Unit Width	<u>22'</u>
Min. Bldg. Separation	<u>10'</u>		

* Each single-family (attached-townhouse) shall have a minimum two (2)-car garage meeting specifications of the UDC, and shall be accessed from a rear alley.

Condominium Lot means a larger lot for which multiple townhouses are located within.

It is understood that “Dwelling, Single Family (Attached – Townhouse)” is proposed as a condominium model in which land ownership is maintained by a condominium association. A maximum of three (3) units adjoining is permitted (no more than 60% of the townhomes will be of three (3) units adjoining, with the remainder being two (2) units adjoining or single units).

The Single Family Attached homes is intended to be in a condominium format. Should the developer choose to change the Single Family Attached to individual lots, the standards shall be as shown:

Min. Front Yard Setback	<u>7.5'</u>	Min. Lot Frontage	<u>N/A</u>
Min. Side Yard Setback (Corner)	<u>5'</u>	Min. Lot Width (avg)	<u>N/A</u>
Min. Side Yard Setback (Interior)	<u>0'</u>	Min. Lot Depth (avg)	<u>N/A</u>
Min. Rear Yard Setback	<u>5'</u> **	Min. Unit Size	<u>1,000 sf</u>
Max. Height	<u>30'</u>	Max. Bldg. Coverage	<u>85%*</u>
Max. Imp. Cover	<u>90%*</u>	Min. Unit Width	<u>22'</u>
Min. Bldg. Separation	<u>10'</u>		

* The area depicted in Exhibit B as being “Dwelling, Single Family (Attached – Townhouse) shall, overall, not exceed 70% impervious cover or 60% building coverage.

** Each single-family (attached-townhouse) shall have a minimum two (2)-car garage meeting specifications of the UDC, and shall be accessed from a rear alley.

D. Single-Family Design. In lieu of the provision of Unified Development Code Section 2.09.07.H. allowing 100 percent of the exterior building materials be cement fiber board or board-and-batten style materials, the following standards shall apply:

1. A minimum of 30 percent Class 1 Masonry Construction on the front façade of all homes.

2. Cement fiber board or board-and-batten style shall be allowed for the remaining amount of the front façade and all other façade.
3. A minimum of three (3) colors, with a primary and secondary color for the façade, and the third color being for the trim. The required masonry shall be considered one (1) of the three (3) colors.

All Single Family Detached homes shall include a minimum two (2) covered parking spaces, for which a minimum one (1) shall be a garage. A minimum of 25 percent of all single family detached homes shall include three (3) parking spaces, for which only up to one (1) shall be uncovered. Garage size and design shall comply with UDC Section 2.09.08.B.1., except as modified by UDC Section 2.09.07.H.

For all Single Family Detached homes, the option available under Unified Development Code Section 2.09.07.H. to meet only three (3) of the element options required by Unified Development Code Section 2.09.08.C. is modified to require all Single Family Detached homes to meet at least five (5) of the elements under Unified Development Code Section 2.09.08.C. Single Family Attached homes shall meet three (3) of the element options required by Unified Development Code Section 2.09.08.C.

- E. Sustainable Design Techniques.** For all Single Family Detached and Attached Homes, a minimum of two (2) of the four (4) required Low Impact Design Element Options from Unified Development Code Section 2.09.13.C., Table 22 shall be required. For all Single Family Detached and Attached Homes, two (2) alternative Low Impact Design Element Options Alternatives from Unified Development Code Section 2.09.13.C., Table 22 shall be required in addition to the two (2) aforementioned required elements.

F. Traffic, Streets and Connectivity.

The Connectivity Ratio Calculation depicted in Exhibit C complies with Unified Development Code Section 3.05.05.C. Except as otherwise provided in this Ordinance, this PD Planned Development shall be constructed in accordance with Exhibit C.

A permanent vehicular connection open to the public shall not occur between the Property and the southern termini of Enchanted Woods Trail and Treehaven Court. Rights-of-way shall align to allow for emergency access. The existing emergency access gates installed as part of the Whispering Hollow Subdivision shall remain in current configuration and continue to be maintained as they are on the effective date of this Ordinance. The existing temporary emergency access turnaround shall be incorporated as an alley of 20 feet in width, as shown in Exhibit C, and maintained by the Property owners' association, with specific radius and landscape treatments providing a terminating vista, as shown in Exhibit F. In doing so, this will satisfy requirements to provide a permanent end to the streets in accordance with Unified Development Code 3.05.08.C.4.a. The Property shall be required to provide a stub out to the east as provided in Exhibit B.

Preparation of a Traffic Impact Analysis shall be deferred in accordance with Unified Development Code Section 3.05.10.F. in favor of a comprehensive corridor analysis. The developer shall pay a proportionate cost contribution based on the ultimate development intensity of individual tracts relative to the corridor defined for analysis or as determined

by the City's fee schedule for such comprehensive corridor study, and to financially participate in or perform mitigation proportionally as determined from the study.

To facilitate street design consistent with Traditional Neighborhood Design while accommodating the needs for on-street parking and accessibility for large and emergency vehicles, street rights-of-way, street sections, traffic calming and on-street parking shall be in accordance with Exhibit D Conceptual On-Street Parking Plan.

G. Adjacency Compatibility.

In order to provide consistent rhythm and building separation as would normally occur with two (2) 20' rear building setbacks back-to-back, a 15' landscape easement shall be provided along the west property line of the subject property where adjacent to the Whispering Hollow subdivision. Where applicable, this landscape easement shall be incorporated into the Single Family Detached lots immediately adjacent. For areas that do not have a Single Family Detached lot immediately adjacent, a 15' landscape easement will be provided and owned and maintained by a property owners' association. The content of the landscape easement shall include a minimum a (2) shrubs (minimum size five (5) gallon) and (1) evergreen shade tree (minimum size 2.5" caliper) every 30 linear feet of the easement. The ground cover shall be rock/crushed rock landscape base, mulch, turf, or ground cover planting. Only plants from the City of Buda's Preferred Plant List, shall be used. The plants, shrubs, and trees used in an easement within a lot shall contribute to minimum landscape requirements. The landscape requirements of this paragraph shall be developed generally in accordance with Exhibit B.

A landscape easement shall be provided along the north property line of the subject property where adjacent to the Whispering Hollow subdivision. Due to the variable width and configurations along the north property line, the landscape plan for this section is specifically included in Exhibit B. The landscape easement shall be included in fee simple lots, where applicable.

Allowed uses within the landscape easement include underground utilities and utility boxes, landscaping and gardens, and fences not to exceed 6' in height. No structures, including but not limited to residential structures, accessory structures, garden sheds, playgrounds/playscapes or garages, shall be placed in the landscape easement. No parking shall be allowed in the landscape easement.

H. Rural Heritage Design. In addition to the requirements of Unified Development Code Section 2.09.01., a street frontage buffer shall be established along Old Black Colony Road with the following requirements of Unified Development Code Section 2.10.11. and adapted to this residential project as follows:

A street frontage buffer of 30 feet in width shall be provided along a minimum of 80 percent of the existing right-of-way of Old Black Colony Road. The remaining 20 percent shall include a minimum of a five (5)-foot street frontage buffer. The following shall apply within the street frontage buffer:

1. No Protected Tree, Signature Tree, or Heritage Tree shall be removed from the street frontage buffer except as necessary to allow for stormwater facilities, access driveways and streets perpendicular to the roadway.

2. In addition to the landscaping requirements, each one hundred fifty (150) feet (or fraction thereof) of the required street frontage buffer shall consist of the following planting materials:
 - a. A minimum of two (2) Shade Trees (2.5" caliper) and no single shade tree species shall constitute more than one-third (1/3) of all required trees;
 - b. A minimum of two (2) Ornamental Trees (2.5" caliper); and
 - c. A minimum of eight (8) Shrubs (5-gallon container).
3. Decorative split rail fencing not exceeding forty-two (42) inches in height shall be installed adjacent to the right-of-way along the entire width of the property (excluding ingress/egress and sight triangles) on Old Black Colony Road.

I. Infrastructure and Dedications.

The subject property is not located within any area of special flood hazard based upon FIRM Panel No. 48209C0280F. A Preliminary Drainage Area Map is provided as Exhibit E. The PD Planned Development shall comply with all applicable stormwater drainage requirements of the City of Buda.

Dedication of water lines, waste water lines, stormwater lines, stormwater detention and stormwater quality facilities shall be in accordance with the Unified Development Code.

Proposed alleyways shall be maintained privately by a property owners' association.

The project proposes integrated parkland that will be maintained privately via a property owners association. Credit for parkland or fee-in-lieu shall be considered and processed in accordance with UDC Section 4.04.02. It is anticipated, due to the increase of park and open space on site beyond the minimum requirements, that the developer will seek credit toward parkland fee-in-lieu at the time of plat consistent with the processes and standards of UDC Section 4.04.02. Due to integration of stormwater management facilities with parkland to be privately held, the City may, at its discretion, require such stormwater management facilities remain owned and maintained by a property owners' association.

- J. Sequence of Development.** The project shall be developed as a single subdivision, site plan and construction phase, with individual building permits being required for each individual structure in accordance with City of Buda regulations, processes and procedures. A separate site plan may be processed for each individual condominium lot.

- K. Property Owners Association.** A property owners association shall be established consistent with the provisions of Unified Development Code Section 3.05.06. and requirements of this Ordinance.

Section 5. Repeal. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed only to the extent of conflict with this Ordinance.

Section 6. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 7. Effective Date. Pursuant to Section 3.12(D) of the City Charter, this Ordinance is effective upon adoption, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety, or a caption that summarizes the purpose of the ordinance and the penalty for violating the ordinance in a newspaper designated as the official newspaper of the City. An ordinance required by the Charter to be published shall take effect when the publication requirement is satisfied.

Section 8. Penalty. Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this Zoning Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2000.00. Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this Zoning Ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

PASSED, APPROVED AND ADOPTED on by an affirmative vote of the City Council of the City of Buda, this ____ day of _____, 2019.

APPROVED:

George Haehn, Mayor

ATTEST:

Alicia Ramirez, City Clerk

Exhibit A – Property Survey

Exhibit B – Concept Land Plan

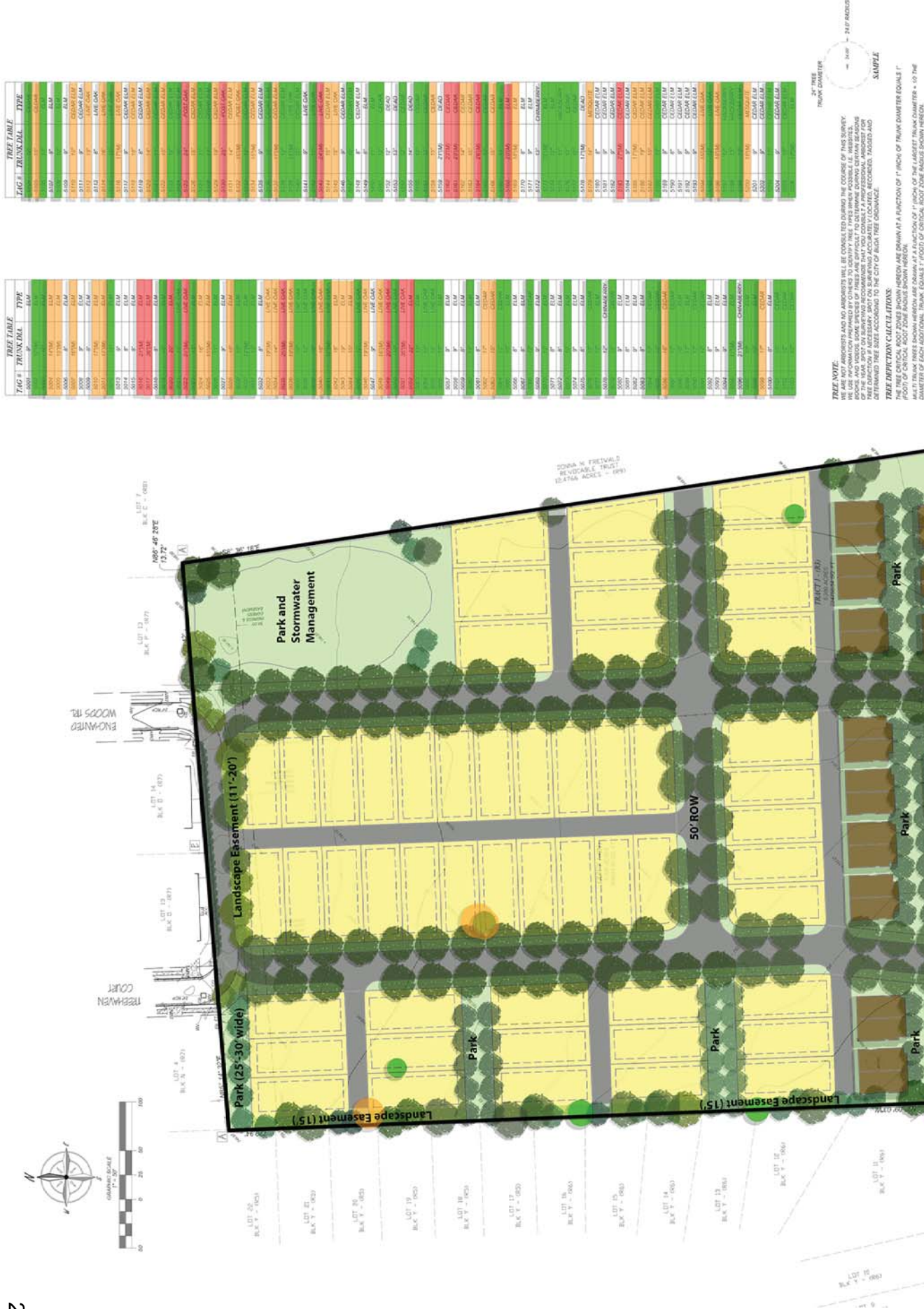
Exhibit C – Conceptual Connectivity Ratio

Exhibit D – Conceptual On-Street Parking Plan

Exhibit E – Preliminary Drainage Area Map

Exhibit F – Landscape Buffers

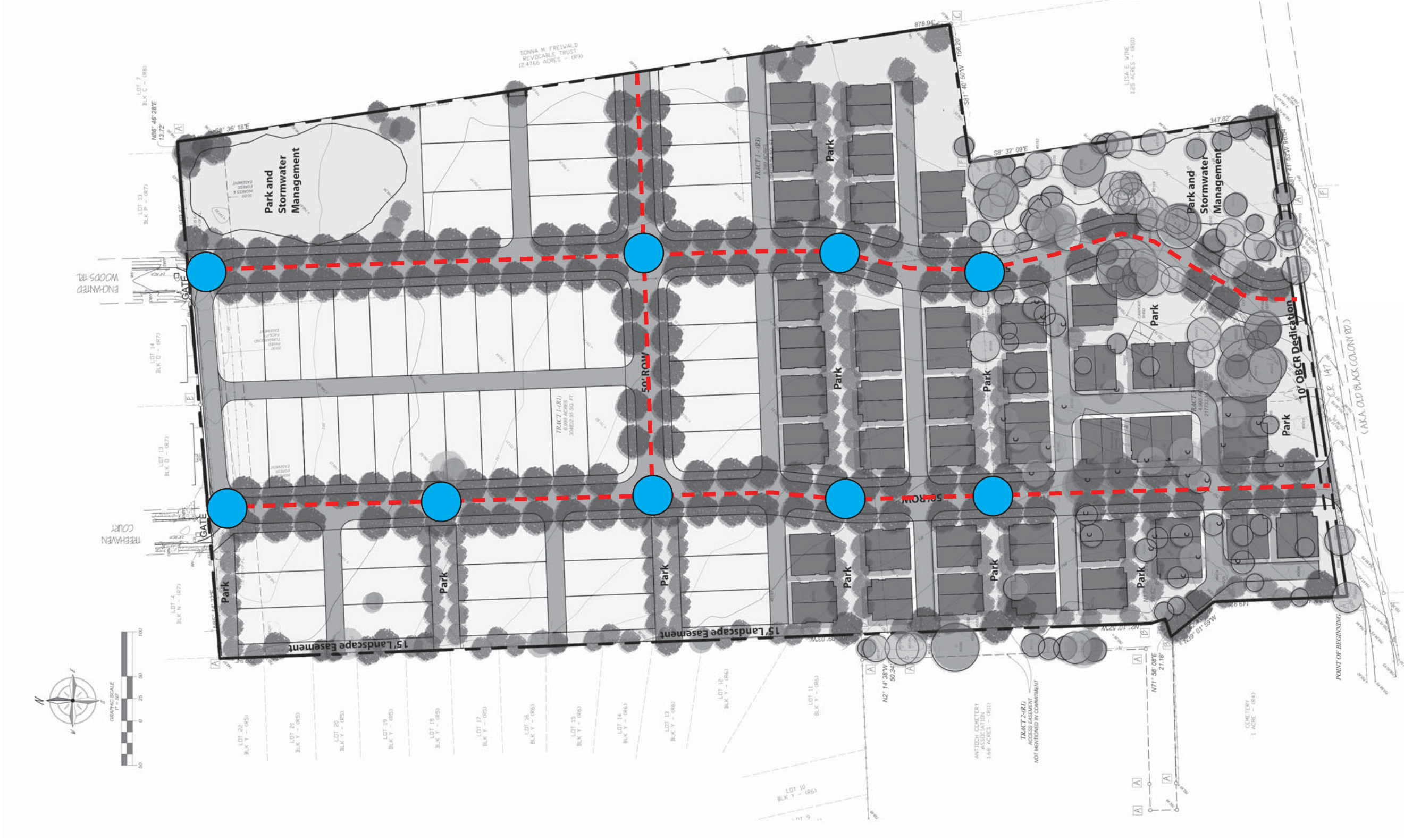




The Conceptual Land Plan is conceptual and for illustrative purposes only. It is subject to change at the time of plat.

OLD BLACK COLONY ROAD DEVELOPMENT:

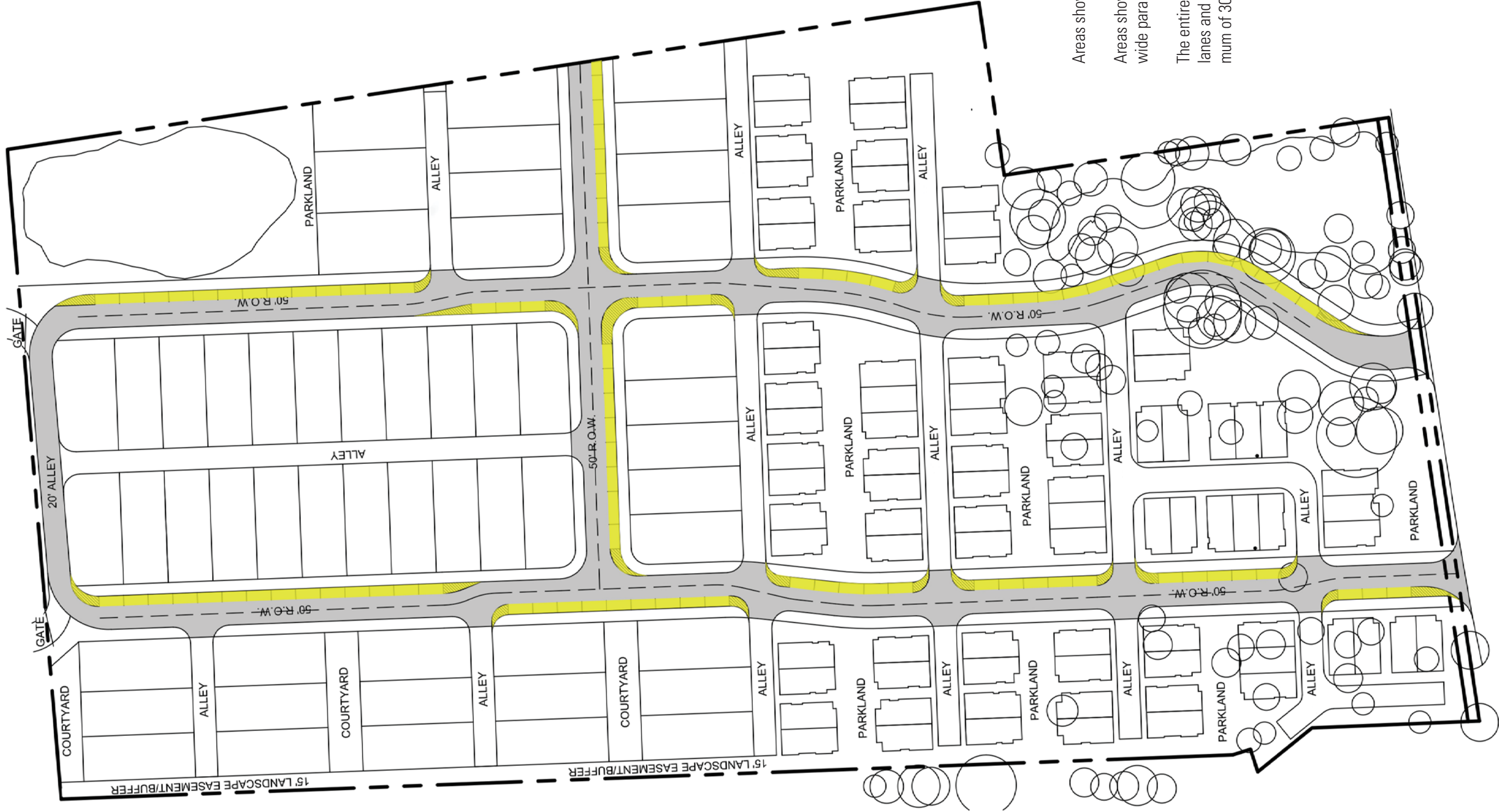
Exhibit B: Conceptual Land Plan



The Conceptual Connectivity Ratio is 1.22 : 1.0. This Conceptual Connectivity Ratio is subject to change at the time of plat.

OLD BLACK COLONY ROAD DEVELOPMENT:

Exhibit C : Conceptual Connectivity Ratio



Areas shown in gray are the travel lanes,.

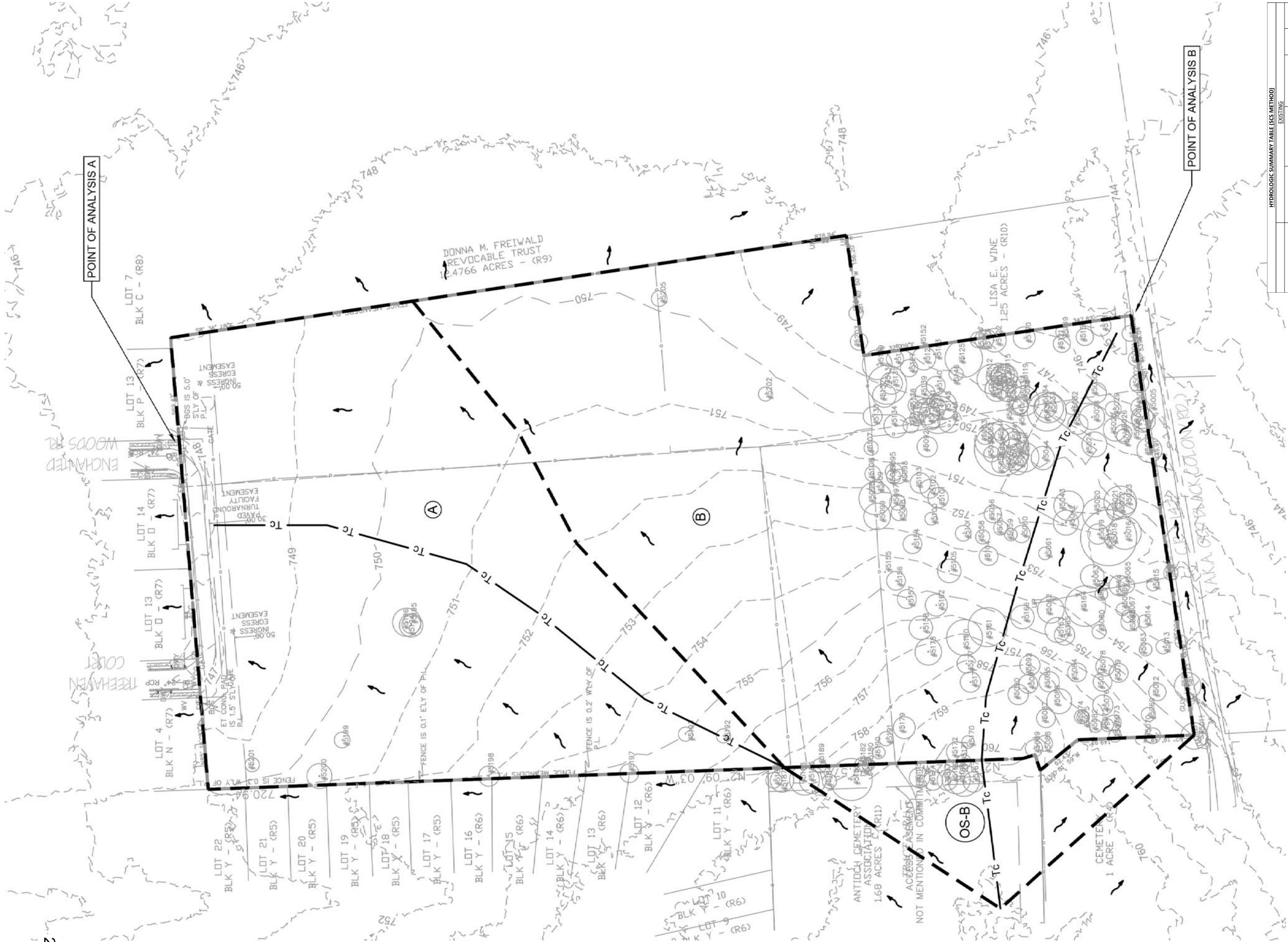
Areas shown in yellow, represent 8' to 9' wide parallel parking areas.

The entire pavemnet section for the travel lanes and parallel parking space, is a maximum of 30'-0" .

The Conceptual On Street Parking Plan is Conceptual and is subject to change at the time of plat.

OLD BLACK COLONY ROAD DEVELOPMENT:

Exhibit D: Conceptual On Street Parking Plan

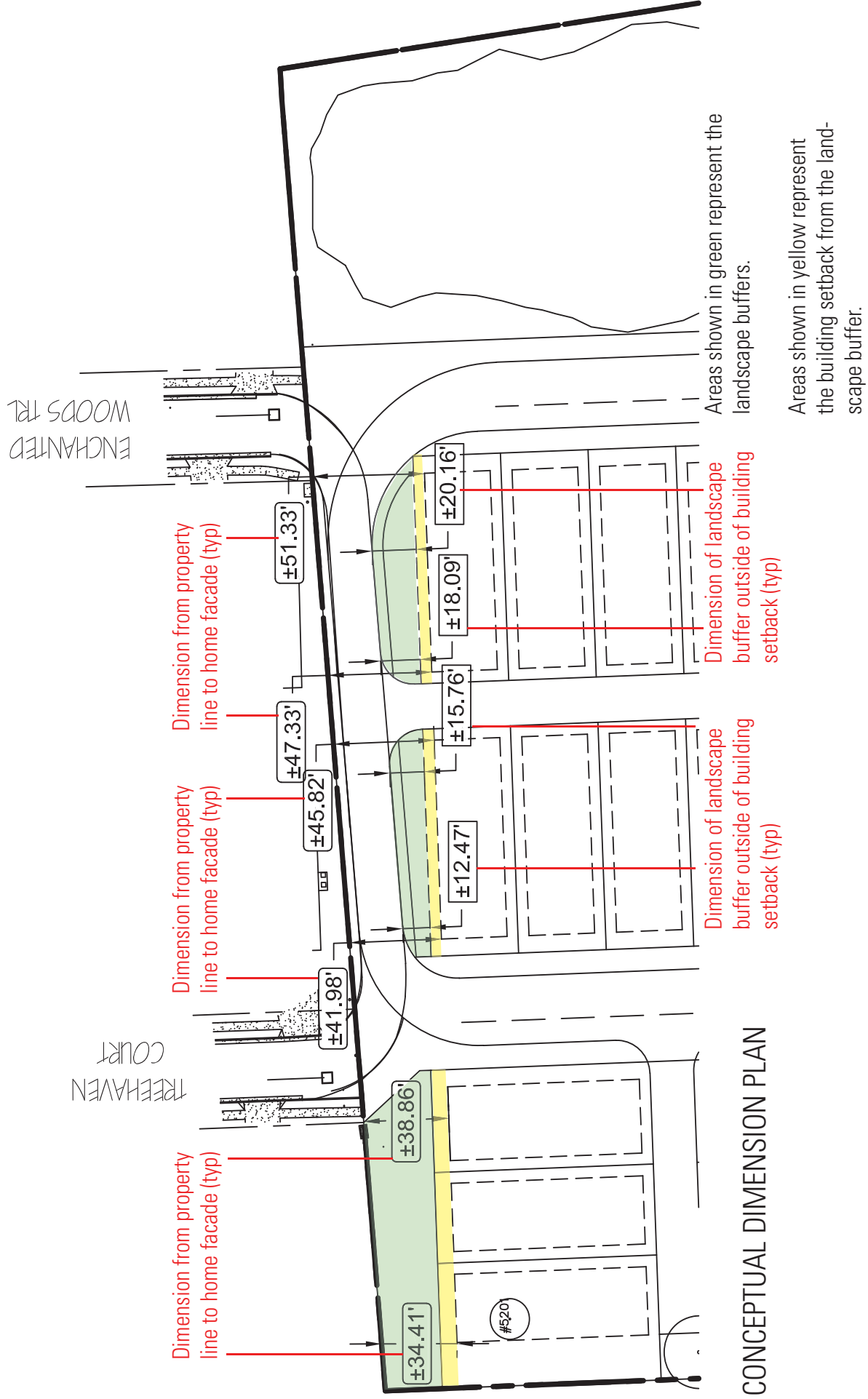


Area Name	HYDROLOGIC SUMMARY TABLE (SCS METHOD)			
	EXISTING			
	A	B	OS-B	POINT A
Drainage Area (ac)	7.19	10.20	1.23	
CN #	84	81	74	
% Imperv.	0.00	1.00	0.00	
Tc (hrs)	0.58	0.23	0.52	
Lag Time (hrs)	0.35	0.14	0.31	
2 year Discharge (cfs)	8.29	14.64	0.91	8.29
10 year Discharge (cfs)	18.67	35.19	2.58	18.67
25 year Discharge (cfs)	24.75	47.44	3.64	24.75
100 year Discharge (cfs)	34.80	67.80	5.45	34.80

OLD BLACK COLONY ROAD DEVELOPMENT:
Exhibit E : Preliminary Drainage Area Map



CONCEPTUAL LANDSCAPE BUFFER PLAN



CONCEPTUAL DIMENSION PLAN

The Conceptual Plans above are Conceptual and are subject to change at the time of plat.

OLD BLACK COLONY ROAD DEVELOPMENT:

Exhibit F: Conceptual North Landscape Buffer Plan



405 E. Loop St., Bldg 100
Buda, TX 78610
(512) 312-5745

December 3, 2018

Dear Sir or Madam:

The City of Buda Planning and Zoning Commission will be considering a request for the following:

Request:	Subject Property:	Listed Applicant Contact:
Z 18-05 Zoning Map Amendment application for changing zoning of subject property from AG, Agricultural, to PD, Planned Development.	17.39 acres out of the SVR Eggleston Survey, Hays County Texas, being located north of Old Black Colony Road and east of Middle Creek Road, addressed as 3026 Old Black Colony Road, Buda, TX 78610	Steven Spears, FASLA, AICP, PLA Momark 1711 E. Cesar Chavez, Suite B Austin, TX 78702 (512) 391-1789 steven@momarkdevelopment.com

Special Notes:

This project was previously noticed for a zoning map amendment to R-3 zoning. As a result of the public hearing and subsequent neighborhood meetings, the project has been converted to a PD Planned Development in order to address several conditions and concerns.

The PD Design Statement and associated Exhibits will be placed on the following webpage no later than 4:00 p.m. on Friday, December 7, 2018.

<http://ci.buda.tx.us/582/Zoning-Change-Request-Near-Whispering-Ho>

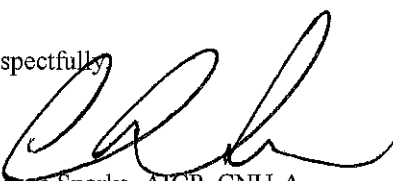
You are receiving this letter because you have been identified as the owner of real property which is located within four hundred feet of the property subject to this request. A map of the subject property can be found on the reverse of this page for reference.

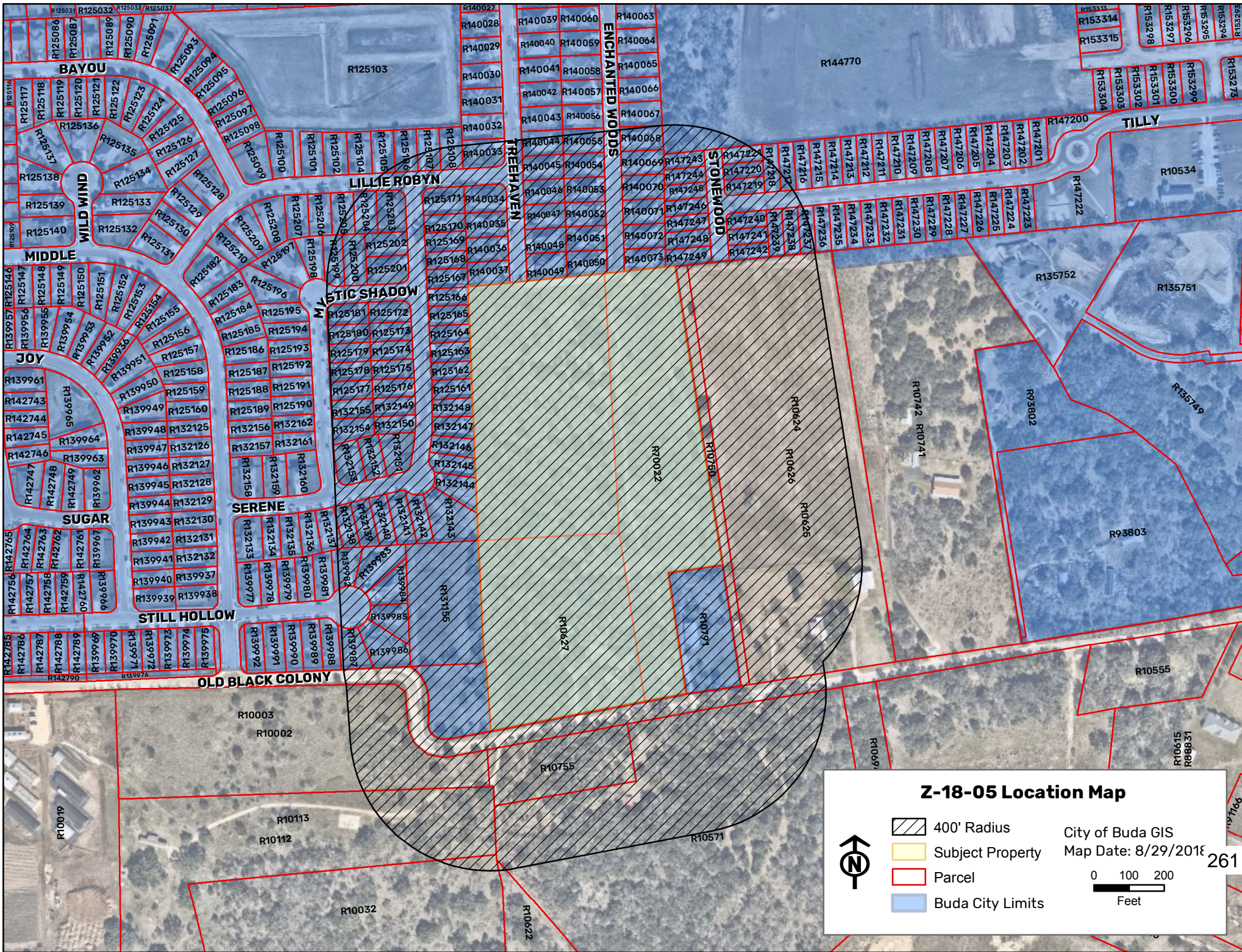
The City of Buda Planning and Zoning Commission will hold a special called meeting to conduct a public hearing beginning at 7:00 p.m. on Wednesday, December 19, 2018 in the Council Chambers at Buda City Hall, 405 E. Loop St., Building 100, Buda, Texas 78610 to receive written and oral comments in regard to this request.

One of the principal functions of municipal government is to encourage citizen participation within the framework of local government operations and decision making. During the public hearings, the applicant and people in favor of, neutral or opposed to the request may present their views. People may also submit views in writing via conventional or electronic mail.

For more information regarding this matter as well as any questions, please contact the City of Buda Planning Department at (512) 312-5745 or by email at csparks@ci.buda.tx.us. Please reference case number Z 18-05.

Respectfully


Chance Sparks, AICP, CNU-A
Assistant City Manager



Chance Sparks

From: Joe Hudgins msn <joeHUDGINS@msn.com>
Sent: Tuesday, December 11, 2018 7:58 AM
To: Chance Sparks
Cc: Joe Hudgins msn
Subject: Thank you

Chance;

I met with Sabrina, Matt and Steven today. The final edit to the North end buffer look very reasonable. All 3 of us agreed to support the project and begin meeting with neighbors to inform them and prep for the meeting Dec 19th. We understand the time sensitivity of the investors and it is time to move forward. All 4 of us also agreed the project improved every time we have gone thru a new cycle of learning.

Thank you for all your efforts in moving this forward and I wish you the very best in your new role and wherever your life takes you. If you have any final guidance or intros to who we need to do business with going forward.

Best regards:

Joe, Gail and many of our neighbors

Chance Sparks

From: Sabrina Jumper <sabrina_jumper@yahoo.com>
Sent: Monday, December 10, 2018 3:59 PM
To: Chance Sparks
Subject: 12/19 P&z meeting

Hi Chance,

A few of us just met with Steven at Momark, and really like the additional changes they made. We understand Momark is prepared to move forward with R2 if the PD doesn't get passed, which will cause us to lose the buffer and street connection. So of course we would like to see this PD go through! A few of us will speak in support when it's time for the public hearing portion of the agenda. That said, if it's possible to move public hearing until after the developer presents, I think that will help minimize the number of people speaking during the public hearing and thus make the entire meeting more productive. Not sure if that is possible but wanted to make the suggestion.

Thanks!

Sabrina

Sent from my iPhone

Chance Sparks

From: Steven Spears <steven@momarkdevelopment.com>
Sent: Tuesday, December 11, 2018 3:05 PM
To: Chance Sparks
Subject: FW: Meeting

In good hands.....see below

Steven Spears, FASLA, AICP, PLA

g r o u n d w o r k



1711 E. Cesar Chavez, Suite B
Austin, Texas 78702
w. momarkdevelopment.com
e. steven@momarkdevelopment.com
o. 512.391.1789
c. 970.948.4409

From: Joe Hudgins <joeHUDGINS6@gmail.com>
Sent: Tuesday, December 11, 2018 3:00 PM
To: Steven Spears <steven@momarkdevelopment.com>
Cc: Sabrina Jumper <sabrina_jumper@yahoo.com>; mdebow@mdebow.com; Bob Gass <bob@momarkdevelopment.com>; Terry Mitchell <tmitchell@momarkdevelopment.com>
Subject: Re: Meeting

Steven;

Thank you for the update Monday.

Today I sent an email summary to a dozen neighbors then Sabrina enhanced my comments and emailed to a few more. I have also met with 2 of the 3 impacted homes and hammered a dozen stakes in the ground showing where the new buffers would be. That helped them visualize how valuable these last changes are.

I copied Bob and Terry so everyone knows that Sabrina, Matt and I have made it clear to everyone that we support the PD with these last buffer changes.

Thank you

Joe

On Fri, Dec 7, 2018, 3:04 PM Steven Spears <steven@momarkdevelopment.com> wrote:

Chance Sparks

From: Steven Spears <steven@momarkdevelopment.com>
Sent: Wednesday, December 12, 2018 7:34 AM
To: Chance Sparks
Subject: Fwd: Updates - Subdivision next to W.H. and mixed use court

Steven Spears, FASLA, PLA, AICP

Begin forwarded message:

From: "Matt DeBow" <mdebow@mdebow.com>
Date: December 11, 2018 at 9:47:58 PM CST
To: "Tish Burklund" <tishburklund@yahoo.com>
Subject: Updates - Subdivision next to W.H. and mixed use court
Reply-To: mdebow@mdebow.com

Hi Tish,

Yesterday, Joe, Sabrina from Whispering Hollow and myself met with the developers that are planning on building the subdivision next to ours. The developers have added additional land buffers and trees between where their proposed subdivision meets ours.

If they don't purchase the property and some other developers buy the property, rest-assured they will not work with us like these guys have. It will end up a standard R2 zoning, the streets will go through into our subdivision, there will be no buffers and none of the trees and shrubs they are planning will happen.

They have stretched as far as they can to accommodate the communities points and addressed the adjacent homeowners concerns. I feel they've done a good job. I wanted to let you and the board know, Joe and Sabrina are letting the neighbors know that are adjacent to the proposed subdivision.

On another note, I met with a tennis court builder today. He's going to get us the first quote on the cost by the end of the week. He had suggestions about where it should be placed and how it should be done. We placed flags in the ground as a possible location that I would to discuss with you. I will soon be giving you an update on what he comes back with and his notes. I will be reaching out to other tennis court builders to get quotes.

Thanks,
Matt

Planned Development (PD) Design Statement

1. Title of Planned Development:

OBCR Development
396 and 3026 Old Black Colony Road

2. List of the Owners and Developers:

Owner

Owner Name(s):

Danny Levin
Ronda Levin

Primary Contact Name:

Danny Levin

Address:

4107 Alexandria Drive

City, State, Zip:

Austin, Texas 78749

Telephone:

512.426.4898

Email:

danny@tequilamockingbird.com

Developer

Company Name(s):

MG Realty Investments, LLC (dba
GroundWork)

Primary Contact Name:

Steven Spears, FASLA, AICP, PLA

Address:

1711 E. Cesar Chavez, Suite B

City, State, Zip:

Austin, Texas 78702

Telephone:

512.391.1789

Email:

steven@momarkdevelopment.com

3. Statement of the general location and relationship to adjoining land uses, both existing and proposed:

The subject property is located on the north side of Old Black Colony Road approximately 2,400 feet west of its intersection with Cole Springs Road. It is located approximately 1,100 feet east of Old Black Colony Road's intersection with Middle Creek Drive, and 5,900 feet east of Old Black Colony Road's intersection with F.M. 1626. The property has been owned by Danny and Rhonda Levin since 1990, prior to the development of any of the surrounding neighborhoods. The Levin's granted an emergency access easement on their property to facilitate the development of a portion of the Whispering Hollow Subdivision. Two road stub outs exist from Whispering Hollow that would normally connect to the proposed development: Treehaven Court and Enchanted Woods Trail. Refer to Exhibit A: Property Survey.

To the east is mostly ETJ, with some pockets in the City still in AG zoning as they were not rezoned following annexation in order to avoid jeopardizing the property tax exemptions of the property owner. Further east reaches areas zoned F4H under the Form Based Code.

To the north is areas within the city limits containing the Whispering Hollow (directly adjacent), Stonewood Commons (directly adjacent to the northeast) and White Oak Preserve

neighborhoods. Whispering Hollow carries an R-2 zoning designation, heavily modified by the Garlic Creek West Development Agreement. Stonewood Commons carries an R-3 zoning designation. White Oak Preserve carries an R-2-C zoning designation, indicating a project zoned R-2 that has utilized the Cluster Development Innovative Residential Development type (which was entitled under the previous UDC).

The west is areas within the city limits containing the Whispering Hollow neighborhood (directly adjacent) and the Antioch Colony Cemetery (directly adjacent to the southwest). Whispering Hollow carries an R-2 zoning designation, heavily modified by the Garlic Creek West Development Agreement.

To the south is ETJ. This area is currently agricultural, though other developers are actively pursuing projects in the area.

4. Description of the Planned Development concept:

This project was originally proposed as an R-3 zoning request, with intention to exercise the use of Innovative Residential Development Traditional Neighborhood Design by-right. In order to adequately respond to neighborhood concerns in a manner that would create certainty regarding several site design and building design project elements that would be addressed at the subdivision plat or site plan stage of project entitlement, a Planned Development was identified as the best means to respond.

a. Acreage or square foot breakdown of land use areas and densities:

17.38 acres @ 8 units/per acre = 139 units

b. General description proposed:

The Concept Land Plan (Exhibit B), proposes a mix of for sale single family detached homes (on fee simple lots) and for sale single family attached (in a land condominium regime) in a walkable, pedestrian friendly, traditional neighborhood development (TND) format.

Emphasis is placed on the desire for homes to front onto park/open space. All homes will be alley loaded, thus allowing the front porch of each home to be the dominating architectural element when facing a park/open space or street.

The preservation of many hardwood trees, especially along the southern half is key to ensuring that the wooded but rural character of Old Black Colony Road is realized.

c. General description of building use types:

The intent of the Developer is to exclusively construct “Innovative Residential Development” using the provisions and restrictions of Traditional Neighborhood Design as described in UDC Section 2.09.07.H. To accomplish this, the only proposed specific uses are “Dwelling, Single Family (Detached)”, “Dwelling, Single Family (Patio Home), and “Dwelling, Single Family (Attached – Townhouse)” in a condominium ownership model. All such units are proposed for individual sale.

d. Proposed restrictions:

Proposed restrictions are discussed in further detail below.

e. Typical site layouts:

Refer to Exhibit B, Conceptual Land Plan, which identifies how single family fee simple lots are placed & arranged in the northern half of the site, while the single attached townhome/condominium are nestled around numerous existing hardwood trees. This Exhibit also shows the park/open space assets that the development is proposing throughout the site.

5. The existing PD zoning districts in the development area and surrounding it:

There are no PD zoning districts in the development area. The adjacent Whispering Hollow neighborhood was part of the Garlic Creek West Development Agreement, which acted to some extent similarly to a PD. While this is not an exhaustive list, notable within the Garlic Creek West Development Agreement were the following deviations from code requirements in effect at that time explicitly in the text of the Agreement or through the Preliminary Plan exhibit attached to and approved with the Agreement:

- Waivers to maximum block length
- Waivers to maximum allowed length of a cul-de-sac
- Streets functioning as collector streets, but not reflecting this in right-of-way or street width
- Lot standards for width, size, impervious cover and/or setbacks that were inconsistent with what ultimately became the “MR” Medium Density Residential base zoning for residential portions of the project
- Lack of a Traffic Impact Analysis, or improvements to boundary roadways resulting from the development of more than 1,900 single-family residential lots

It is the contention of the Developer, and reflected in conversations with City Staff, that some of the above elements contribute significantly to frustrations expressed by residents of the Whispering Hollow neighborhood, particularly functional classification of streets and the lack of traffic impact analyses & associated mitigation for the boundary roadways of R.M. 967, F.M. 1626 and Old Black Colony Road.

6. **Selection of one conventional zoning district as a base zoning district to regulate all uses and development regulations not identified as being modified (multiple base zoning districts may be selected to accommodate a mixture of land uses in different geographic areas):**

The One & Two Family Residential (R-3) District is identified as the base zoning with use of Innovative Residential Development Traditional Neighborhood Design, modified to respond to concerns of the adjacent neighborhood and provide clarity to UDC requirements that are vague or unclear.

7. **A list of all applicable special development regulations or modified regulations to the base zoning district, plus a list of requested subdivision waivers to the Subdivision Regulations and Development Standards or other applicable development regulations:**

The project shall comply with the UDC. No waivers are requested, though language below provides some clarity to elements of the UDC that are somewhat vague or unclear and also provides enhancements beyond the minimum code requirements.

Use Restrictions:

Under the Use Chart in UDC Section 2.06.05., Developer requests restriction to prohibit “Dwelling, Single Family (Attached – Duplex)” and to prohibit “Dwelling, Accessory.”

The intent of the Developer is to exclusively construct “Innovative Residential Development” using the provisions and restrictions of Traditional Neighborhood Design as described in UDC Section 2.09.07.H. To accomplish this, the only proposed specific uses are “Dwelling, Single Family (Detached)”, “Dwelling, Single Family (Patio Home), and “Dwelling, Single Family (Attached – Townhouse)” in a condominium ownership model. All such units are proposed for individual sale.

Innovative Residential Development:

The project shall comply with the requirements of UDC Section 2.09.07.H. regarding Traditional Neighborhood Design Innovative Residential Development Type, subject to further restriction as described in this document in order to provide clarity and surety to the City & adjacent neighborhood of the resulting project.

Individual Lot Standards for “Dwelling, Single Family (Detached)” and “Dwelling Single Family (Patio Home)”:

Min. Front Yard Setback	<u>7.5'***</u>	Min. Lot Frontage	<u>35'</u>	Max. Height	<u>30'</u>
Min. Side Yard Setback (Corner)	<u>7'</u> *	Min. Lot Width (avg)	<u>40'</u>	Max. Bldg. Coverage	<u>50%</u>
Min. Side Yard Setback (Interior)	<u>5'</u> *	Min. Lot Depth (avg)	<u>100'</u>	Max. Imp. Cover	<u>60%</u>
Min. Rear Yard Setback	<u>5'</u> **	Min. Unit Size	<u>1,200 s.f.</u>	Min. Lot Size	<u>4,000 s.f.</u>

* For “Dwelling, Single Family (Patio Home)”, the provisions of UDC 2.07.03.A.1. shall apply.

** All homes shall include a minimum 2 covered parking spaces, for which a minimum 1 shall be in a garage. A minimum of 25% of all single family detached homes shall include 3 parking spaces, for which only up to one shall be uncovered.

*** Steps leading up to the front porch shall be allowed to be constructed within the front yard setback.

Condominium Lot Standards for “Dwelling, Single Family (Attached - Townhouse)”:

Min. Front Yard Setback	<u>5'</u>	Min. Lot Frontage	<u>na</u>	Max. Height	<u>30'</u>
Min. Side Yard Setback (Corner)	<u>5'</u>	Min. Lot Width	<u>na</u>	Max. Bldg. Coverage	<u>60%</u>
Min. Side Yard Setback (Interior)	<u>5'</u>	Min. Lot Depth	<u>na</u>	Max. Imp. Cover	<u>70%</u>
Min. Rear Yard Setback	<u>5'</u>	Min. Unit Width	<u>22'</u>	Min. Bldg. Separation	<u>10'</u>
Min. Unit Size	<u>1,000 s.f.</u>				

Condominium Lot means a larger lot for which multiple condominium homes are located within.

It is understood that “Dwelling, Single Family (Attached – Townhouse)” is proposed as a condominium ownership model in which land ownership is maintained by a condominium association. A maximum of three units adjoining is permitted (no more than 60% of the townhomes will be of three units adjoining, with the remainder being two units adjoining)

The Single Family Attached homes is intended to be in a condominium format. Should the developer choose to change the Single Family Attached to individual lots, the standards shall be as shown:

Individual Lot Standards for “Dwelling, Single Family (Attached - Townhouse)”:

Min. Front Yard Setback	<u>7.5'</u>	Min. Lot Frontage	<u>22'</u>	Max. Height	<u>30'</u>
Min. Side Yard Setback (Corner)	<u>5'</u>	Min. Lot Width	<u>22'</u>	Max. Bldg. Coverage	<u>85%</u>
Min. Side Yard Setback (Interior)	<u>5'</u>	Min. Lot Depth	<u>60'</u>	Max. Imp. Cover	<u>90%</u>
Min. Rear Yard Setback	<u>5'</u>	Min. Unit Width	<u>22'</u>	Min. Bldg. Separation	<u>10'</u>
Min. Unit Size	<u>1,000 s.f.</u>				

Single-Family Design:

Developer waives option under UDC Section 2.09.07.H. to allow 100% of the exterior building materials be cement fiber board or Board and Batten style materials. The development shall apply the following:

- minimum of 30% Class 1: Masonry Construction on the front façade of all homes.
- Cement fiber board or Board and Batten style shall be allowed for the remaining amount of the front façade and all other facades.
- A minimum of three colors, with a primary and secondary color for the facade, and the third color being for the trim of each home. The required masonry shall be considered one of the three colors.

All Single Family Detached homes shall include a minimum 2 covered parking spaces, for which a minimum 1 shall be a garage. A minimum of 25% of all single family detached homes shall include 3 parking spaces, for which only up to one shall be uncovered. Garage size and design shall comply with UDC Section 2.09.08.B.1., except as modified by UDC Section 2.09.07.H.

For all Single Family Detached homes, Developer waives option under UDC Section 2.09.07.H. to meet only three (3) of the element options required by UDC Section 2.09.08.C. Instead, all Single Family Detached homes shall include project must meet requirements to have at least five (5) of the elements under UDC Section 2.09.08.C. Single Family Attached homes shall meet only three (3) of the element options required by UDC Section 2.09.08.C.

Sustainable Design Techniques:

For all Single Family Detached homes, developer requests requirement to adopt a minimum of two of the four required Low Impact Design Element Options from UDC Section 2.09.13.C., Table 22.

For all Single Family Detached and Attached homes Developer requests requirement to adopt two alternative Low Impact Design Element Options Alternatives from UDC Section 2.09.13.C., Table 22 in addition to the two required elements referenced above.

Traffic, Streets and Connectivity:

It is understood that the Connectivity Ratio Calculation depicted in Exhibit C is adequate to demonstrate compliance with UDC Section 3.05.05.C.

Project shall not open a connection extension to Enchanted Woods Trail and Treehaven Court, but shall align rights-of-way and construct roadway improvements to allow for emergency access. Existing emergency access gate as part of the Whispering Hollow development shall remain, in current configuration. Developer requests language sufficient to provide the adjacent neighborhood confidence that the gates will remain in place. The existing turnaround shall be incorporated as an alley of 20 feet in width and maintained by the project property owner's association, with specific radius and landscape treatments providing a terminating vista, as shown in Exhibit F. In doing so, this will be considered to satisfy requirement to provide a permanent end to the street in accordance with UDC 3.05.08.C.4.a. Project shall be required to provide a stub out to the east. See Exhibit B.

Due to active construction on F.M. 1626 and fragmented ownership of properties along Old Black Colony Road, the Developer agrees to defer preparation of a Traffic Impact Analysis in accordance with UDC Section 3.05.10.F. in favor of a more comprehensive corridor analysis, agrees to pay a proportionate cost contribution based on the ultimate development intensity of individual tracts relative to the corridor defined for analysis or as determined by the City's fee schedule for a traffic assessment fund for such larger study, and to financially participate in or perform mitigation as determined from the study.

Adjacency Compatibility:

In order to provide consistent rhythm and building separation as would normally occur with two 20' rear building setbacks back-to-back, a 15' landscape easement shall be provided along the west property line of the subject property where adjacent to the Whispering Hollow subdivision. Where applicable, this landscape easement shall be incorporated into the Single Family Detached lots immediately adjacent. For areas that do not have a Single Family Detached lot immediately adjacent, a 15' landscape easement will be provided and owned and maintained by a property owners association. The content of the landscape easement shall include a minimum a (2) shrubs (minimum size 5 gallon) and (1) evergreen shade tree (minimum size 2.5" caliper) every 30 linear feet of the easement. The ground cover shall be rock/crushed rock landscape base, mulch, turf, or ground cover planting. Plants from the City of Austin Native Adapted Landscape Plants Guide Book, which is also the City of Buda's Preferred Plant List, shall be used. The plants, shrubs, and trees used in an easement within a lot shall be contributing to minimum landscape requirements. See Exhibit B.

Allowed uses within the 15' landscape easement include:

- Underground utilities and utility boxes
- Landscaping and gardens
- Fence (not to exceed 6' height)

No structures, including but not limited to residential structures, accessory structures, garden sheds, playgrounds/playscapes or garages, shall be placed in the landscape easement. No parking shall be allowed in the landscape easement.

A landscape easement shall be provided along the north property line of the subject property where adjacent to the Whispering Hollow subdivision. Due to the variable width and configurations along the north property line, the landscape plan for this section is specifically included in Exhibit F. The easement shall be included in fee simple lots, where applicable.

Rural Heritage Design:

Developer recognizes the rural character of Old Black Colony Road. In addition to the requirements of UDC Section 2.09.01., a street frontage buffer shall be established along Old Black Colony Road with the following requirements inspired by UDC Section 2.10.11. and adapted to a residential project:

- A. A street frontage buffer of 30' feet in width shall be provided along a minimum of 80% of the existing right-of-way of Old Black Colony Road. The remaining 20% shall include a minimum of a 5' street frontage buffer.
 - a. No Protected Tree, Signature Tree, or Heritage Tree shall be removed from the street frontage buffer except as necessary to allow for stormwater facilities, access driveways and streets perpendicular to the roadway.
 - b. In addition to the landscaping requirements, each one hundred fifty (150) feet (or fraction thereof) of the required street frontage buffer shall consist of the following planting materials:

- i. A minimum of two (2) Shade Trees (2.5" caliper) and no single tree species shall constitute more than one-third (1/3) of all required trees;
 - ii. A minimum of two (2) Ornamental Trees (2.5" caliper); and
 - iii. A minimum of eight (8) Shrubs (5 gallon container)
- c. Decorative split rail fencing not exceeding forty-two (42) inches in height adjacent to the right-of-way along the entire width of the property (excluding ingress/egress and sight triangles) on Old Black Colony Road.

8. A statement identifying the existing and proposed streets, including right-of-way standards and street design concepts:

As a Traditional Neighborhood Design project in which all garages are rear-loaded from alleys, a unique opportunity exists for the project to develop street sections that better manage on-street parking, traffic calming and accessibility for large & emergency vehicles. See Exhibit D, Conceptual On Street Parking Plan.

9. The following physical characteristics: elevation, slope analysis, soil characteristics, tree cover, and drainage information:

The property elevation peaks at approximately 760 feet above sea level. It breaks to the northeast to a low point of approximately 748 feet above sea level, and to the southeast to a low point of approximately 745 feet above sea level. The property has .014 acres (which is .0008% of the site) that is 15-25%. Outside of this, the steepest observed grade is approximately six percent, with most of the site being one to three percent.

The property drains naturally to the northeast and southeast. Stormwater infrastructure from the project that drains to the north will connect to existing underground conveyance through Whispering Hollow. Developer will design all stormwater facilities and infrastructure in accordance with City of Buda requirements and Texas Water Code to not create adverse impact.

Approximately 20-25% percent of the site includes random hardwood tree cover, which is primarily located in the southern 1/3 of the site. A complete tree survey is attached as Exhibit A.

The soil is DoC (Doss Silt Clay), KrA (Krum Clay) and RUD (Rumple Comfort Association)

The project is not located in the Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone.

A Phase 1 Environmental Assessment was conducted and revealed no evidence of RECs (Recognized Environmental Conditions), HRECS (Historic Recognized Environmental Conditions), or CRECs (Controlled Recognized Environmental Conditions) connected with the site. In the opinion of the Environmental Professional who performed this ESA, Phase II environmental site assessment activities are not recommended based on the information obtained for in this report.

10. A topographic map with minimum five (5) foot contour intervals:

Please see Exhibit A.

11. Drainage information, including number of acres in the drainage area and delineation of applicable flood levels:

The subject property is not located within any area of special flood hazard based upon FIRM Panel No. 48209C0280F.

A Preliminary Drainage Area Map is provided as Exhibit E, and denotes the acreages. The proposed project will comply with all applicable stormwater drainage requirements of the City of Buda.

12. A state of utility lines and services to be installed, including lines to be dedicated to the City and which will remain private:

The project proposes dedication of water lines, waste water lines, stormwater lines, stormwater detention and stormwater quality facilities in accordance with the Unified Development Code. The project proposes alleyways, which will be maintained privately via a property owners association. The project proposes integrated parkland that will be maintained privately via a property owners association. Credit for parkland or fee-in-lieu shall be considered and processed in accordance with UDC Section 4.04.02. It is anticipated, due to the increase of park and open space on site beyond the minimum requirements, that the developer will seek credit toward parkland fee-in-lieu at the time of plat consistent with the processes and standards of UDC Section 4.04.02.

13. The proposed densities, and the use types and sizes of structures:

The project proposes to maintain the maximum of eight (8) units per acre allowed for R-3 zoning, which will generate 139 units (on 17.38 acres). Within this project, the following structure types and sizes are proposed:

- “Dwelling, Single Family (Detached)” and “Dwelling, Single Family (Patio Home): a maximum not to exceed 60 total units, with the minimum unit size being 1,200 square feet. All homes shall include a minimum 2 covered parking spaces, for which a minimum 1 shall be in a garage. A minimum of 25% of all single family detached homes shall include 3 parking spaces, for which only up to one shall be uncovered. All homes shall be accessed from a rear alley.
- “Dwelling, Single Family (Attached – Townhouse)” in a condominium ownership model: a maximum not to exceed 90 total units, with the minimum unit size being 1000 square feet, minimum unit width being 22 feet, and a maximum of three units adjoining is

permitted (no more than 60% of the units be three units adjoining, with the remainder being two units adjoining). Each shall have a minimum 2-car garage meeting specifications of the UDC, and shall be accessed from a rear alley.

- All such units are proposed for individual sale.

14. A description of the proposed sequence of development:

The Development is proposed to take place as a single subdivision, site plan and construction plan phase, with individual building permits then taking place for each individual structure in accordance with City of Buda regulations, processes and procedures.

15. Any additional materials or information deemed necessary by the City to further the purpose of the PD:

Further information requested has been integrated topically into the responses above. This submission includes the following Exhibits:

Exhibit A – Property Survey

Exhibit B – Concept Land Plan

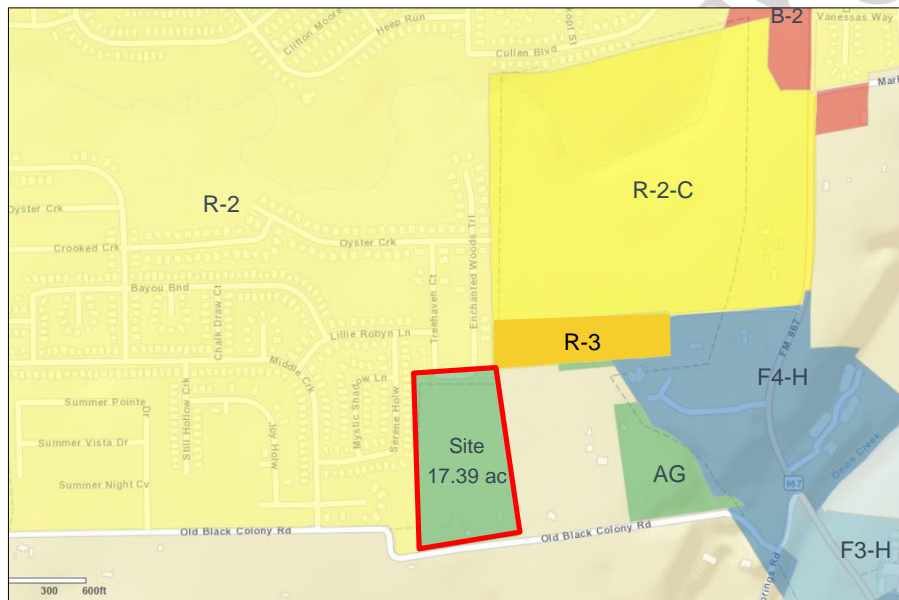
Exhibit C – Conceptual Connectivity Ratio

Exhibit D- Conceptual On Street Parking Plan

Exhibit E – Preliminary Drainage Area Map

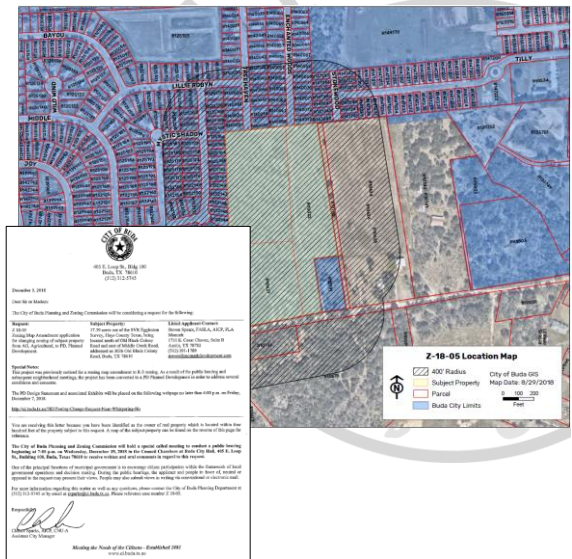
Exhibit F – Conceptual Northern Landscape Buffer Plan

LOCATION AND SURROUNDING ZONING



COORDINATION HISTORY

- **August 13, 2018:** Meeting with HOA elected leadership (no city staff present)
- **October 9, 2018: Initial Commission Public Hearing**
 - Large number of nearby residents spoke in opposition
 - Commission tabled action with direction for developer/neighborhood coordination
- **November 8, 2018:** Work session with HOA neighborhood leadership, including representatives within affected area
 - Decision point to shift to a PD Planned Development from regular R-3 zoning
- **November 29, 2018:** Work session with neighborhood (flyers distributed to homes by city staff)
- **December 10, 2018:** Work session with HOA neighborhood leadership (no city staff present, but staff were notified)
 - Developer sought to verify changes resulting from 11/29 meeting were correct
- **December 19, 2018: Commission Public Hearing and Action**
 - 134 notification letters sent based on property owner information direct-exported from HaysCAD immediately prior to mailing; confidential addresses sent to physical site address
 - Favorable responses from neighborhood leaders received
 - Nearly all as separate issue indicated strong desire for City and County to improve Old Black Colony Road, consistent with feedback received throughout this project
 - **Recommendation from Commission to approve on 5-1 vote**



SITE CHARACTER ANALYSIS

- **Slope Analysis:** 0.014 acres (0.0008%) that is 15-25% grade. Outside of this, the steepest observed grade is approximately 6%, with most of the site being 1%-3%.
- **Drainage:** Natural sheet flow to the northeast and southeast. Stormwater infrastructure from the project that drains to the north will connect to existing underground conveyance through Whispering Hollow. All stormwater facilities and infrastructure must be designed & constructed in accordance with City of Buda requirements and Texas Water Code to not create adverse impact.
- **Tree Cover:** 20-25% percent of the site includes random hardwood tree cover, which is primarily located in the southern 1/3 of the site. This includes several protected, signature and heritage trees.
- **Soils and Geologic Analysis:** The soil is DoC (Doss Silt Clay), KrA (Krum Clay) and RUD (Rumple Comfort Association). These soils are typical of the area. The project is not located in the Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone.
- **Environmental Assessment:** A Phase 1 Environmental Assessment was conducted and revealed no evidence of RECs (Recognized Environmental Conditions), HRECS (Historic Recognized Environmental Conditions), or CRECs (Controlled Recognized Environmental Conditions) connected with the site.



UTILITY INFRASTRUCTURE ANALYSIS

- The proposed project does not negatively affect infrastructure capacity or adequacy. The property falls within the City of Buda water and wastewater service areas. The City of Buda has anticipated development of this and nearby properties as part of its water and wastewater models. The applicant, as with any developer, is responsible for construction of their infrastructure improvements as well as any off-site improvements caused by the project.
- Through the PD, Developer will pay proportional share for a corridor analysis of Old Black Colony Road, rather than an independent TIA:
 - Fragmented land ownership in the overall Old Black Colony Road corridor
 - Current construction activity
 - The need to study the corridor based on anticipated future conditions.
 - Note: This would also set the stage for any future development along Old Black Colony Road to pay their fair share for the study & mitigation in the future, resulting in a more holistic & coordinated approach to the corridor.
- Two access points are proposed along Old Black Colony Road, with preliminary engineering review indicating these can be accomplished through proper engineering practices and operational mitigation as needed for the specific geometry of the road.
- The subject property is located within a 5- to 10-minute walk of publicly-accessible parks or open space, and proposes additional space within the project most likely in a private HOA ownership arrangement.



COMPREHENSIVE PLAN CONSISTENCY

- Focus of analysis for zoning-related decisions is the Future Land Development Plan, which begins on page 191 of the Comprehensive Plan.
 - Goals & objectives can conflict: role of planners is to help navigate balance in these conflicts
- Green Growth Character District Description**
 - Environmental protection primarily related to the Edwards Aquifer Recharge & Contributing Zones
 - Environmental protection related to riparian corridors
 - Clustering encouraged, but compress rather than building upward
 - Promote rural character while allowing development
 - "Existing natural features such as trees, greenbelts, and creeks should be protected when sites are developed to the fullest extent possible."
- Proposed Planned Development includes High Density Single Family and Attached Housing**
 - Considered "Appropriate" in the Green Growth Character District
 - Nature of PD would not constitute spot zoning
- There are not any critical issues relating to the Comprehensive Plan impacting its due consideration for the Planned Development (PD) District. Staff does, however, conclude that a PD presents an opportunity to more effectively and pro-actively advocate for recommendations contained within the Comprehensive Plan.



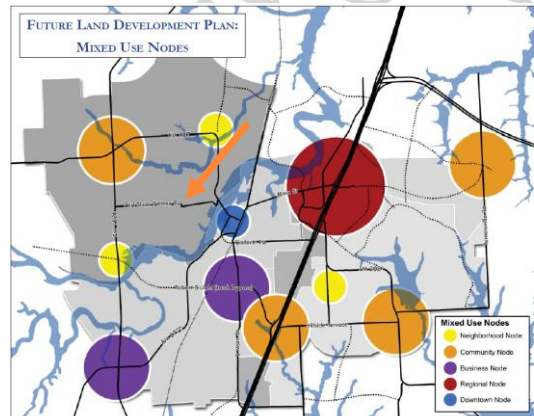
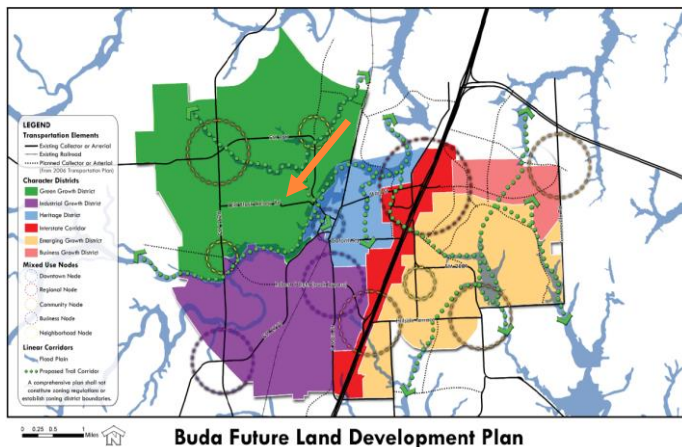
CHARACTER DISTRICT AND MIXED USE NODES: APPROPRIATE DEVELOPMENT TYPES

	Wool Use	Regional Retail Center	Neighborhood Shopping Center	Office	Industrial Park or Distribution Ctr	Low Density Single Family & Agriculture Uses (>1 acre)	Medium Density Single Family (0.25-1 acre)	High Density Single Family (<0.25 acre)	Attached Housing	Multifamily (low scale or rent only)	Cluster Development
CHARACTER DISTRICTS											
Green Growth District	●	●	●	●	●	●	●	●	●	●	●
Emerging Growth District	●	●	●	●	●	●	●	●	●	●	●
Heritage District	●	●	●	●	●	●	●	●	●	●	●
Industrial Growth District	●	●	●	●	●	●	●	●	●	●	●
Business Growth District	●	●	●	●	●	●	●	●	●	●	●
Interstate Corridor	●	●	●	●	●	●	●	●	●	●	●
MIXED USE NODES											
Neighborhood Node	●	●	●	●	●	●	●	●	●	●	●
Community Node	●	●	●	●	●	●	●	●	●	●	●
Business Node	●	●	●	●	●	●	●	●	●	●	●
Regional Node	●	●	●	●	●	●	●	●	●	●	●
Downtown Node	●	●	●	●	●	●	●	●	●	●	●

● Appropriate ○ Conditional ✗ Not Appropriate

Note:
* Regional retail in the downtown node would include destination shops such as antique shops and other destination boutique stores.

COMPREHENSIVE PLAN MAPS



PLANNED DEVELOPMENT (PD) ORDINANCE

- The purpose of this PD District is to implement the use of Innovative Residential Development Traditional Neighborhood Design as described in Unified Development Code Section 2.09.07.H. in a manner responsive to the adjacent neighborhoods to create a greater degree of certainty regarding several site design and building design project elements. Unified Development Code Section 2.05.04. establishes a PD District is intended to provide land for uses and developments that:
 - Are more sensitive to the natural environment, OR
 - Create a significantly enhanced natural setting, OR
 - Create a significantly enhanced sense of place, OR
 - Otherwise enhance the standard pattern of development in Buda
- The additional goals of this PD Ordinance include:
 - The applicant achieves a feasible project;
 - The neighborhood concerns regarding the project are largely addressed, with the overall project having a greater degree of certainty and predictability; and
 - The City is able to advocate greater standards consistent with guidance from the Comprehensive Plan.



INNOVATIVE RESIDENTIAL DESIGN – TRADITIONAL NEIGHBORHOOD DESIGN

- Limited to 8 dwelling units/acre (same as standard R-3)
- 100 dwelling unit minimum
- At least 25% of the lots must incorporate a housing type other than single-family (detached)
- All home must be accessed by an alley; front and side-entry garages are prohibited
- All windows visible from public ROW must have muntins and include an exterior architectural detail
- All homes must have porches of 80 or more square feet.
- Neighborhood must be of a grid-like design
- Blocks must be 200-400' in width and 400-800' in length
- At least 15% of total site acreage must be common open space and 90% of the units must be within ¼ of an open space
- Three of the single family design elements required per house
- Board and batten or cement fiber board siding allowed.



ORGANIZATIONAL STRUCTURE OF PD ORDINANCE

- Purpose
- Use Regulations
- Lot and Building Mass Standards
- Single-Family Design
- Sustainable Design Techniques
- Traffic, Streets and Connectivity
- Adjacency Compatibility
- Rural Heritage Design
- Infrastructure and Dedications
- Sequence of Development
- Overall, the project does not propose waivers or reductions to UDC standards except for the connections to Enchanted Woods Trail and Treehaven Court. The PD Ordinance presents standards that either clarify where the UDC is currently silent, or adopt standards that would otherwise not apply to a project of this character.



USE STANDARDS AND LOT & BUILDING MASS STANDARDS

- **Three eligible residential uses:**
 - "Dwelling, Single Family (Detached)" and "Dwelling, Single Family (Patio Home)"
 - "Dwelling, Single Family (Attached – Townhouse)"
 - Such uses may be in fee-simple or condominium ownership.
- **Maximum of 139 units (on 17.39 acres). This section also establishes a maximum or minimum number of units for each housing type in order to maintain consistency with the requirements for an Innovative Residential Development Traditional Neighborhood Design project.**
- **This section establishes the dimensional standards for the project.**
 - Typical for a TND project, as such projects substitute communal open spaces for reduced maintenance, to provide social interaction and to better manage the natural assets of a property.
 - The UDC does not establish replacement development standards for TND projects—it simply states that the standards for the base zoning no longer apply. In this way, the PD Ordinance provides certainty.
 - Establishes minimum housing unit sizes, which is not a requirement anywhere in the UDC.
 - For townhouses, it establishes maximum numbers of 3-unit assemblies.
 - The standards provide for condo-regime townhouse as well as fee-simple townhouse. This is based on staff's experience with Bella Vita, which had to change its ownership regime due to changes in Federal lending practices during the recession.



SINGLE-FAMILY DESIGN STANDARDS AND SUSTAINABLE DESIGN TECHNIQUES

- The TND requirements of the UDC would have allowed for more permissive single-family design. The project instead proposes a minimum amount of masonry and color coordination, going beyond minimum requirements for TNDs in the UDC. It also establishes additional design element options, which are typically waived for TND projects. These standards are compatible with TND projects, and enhance the architectural character.
- The PD Ordinance establishes that this project will adopt certain sustainable design techniques from the Low Impact Design Elements list contained in UDC Section 2.09.13.C., Table 22. These standards would not have applied otherwise, but city staff and applicant agreed that their inclusion is consistent with the intent of the Green Growth Character District.



TRAFFIC, STREETS AND CONNECTIVITY

- **Connectivity Index:** PD Ordinance provides calculation since UDC provides no guidance for calculating connectivity when in a “pocket neighborhood” scenario of homes fronting onto a park rather than a street.
- **Street Connections:**
 - No permanent vehicular connection open to the public shall not occur between the Property and the southern termini of Enchanted Woods Trail and Treehaven Court.
 - Rights-of-way shall align to allow for emergency access.
 - Existing emergency access gate installed as part of the Whispering Hollow Subdivision shall remain in current configuration.
 - Existing temporary emergency access turnaround shall be incorporated as an alley of 20 feet in width and maintained by the Property's owner's association, with specific radius and landscape treatments providing a terminating vista.
 - Stub out to the east in promotion of coordinated future development and potential future connection to Stonewood Commons through the adjacent property.
- **Preparation of a Traffic Impact Analysis is deferred in accordance with Unified Development Code Section 3.05.10.F. in favor of a comprehensive corridor analysis**
 - Developer pays proportionate cost for study and for any recommended mitigation.
 - This addresses the long-term challenges of TIAs in this corridor due to fragmented ownership, and the reality that current traffic behaviors are not normal due to construction.
- **To facilitate street design consistent with Traditional Neighborhood Design while accommodating the needs for on-street parking and accessibility for large & emergency vehicles, street rights-of-way, street sections, traffic calming and on-street parking shall be in accordance with specific design.**
- **Two access points are proposed along Old Black Colony Road, with preliminary engineering review indicating these can be accomplished through proper engineering practices and operational mitigation as needed for the specific geometry of the road.**



ADJACENCY COMPATIBILITY, RURAL HERITAGE DESIGN, INFRASTRUCTURE & DEDICATIONS, SEQUENCE OF DEVELOPMENT

- **Adjacency Compatibility:** This section establishes a series of landscape buffers. Provision of regulatory landscape buffers is highly unusual between an existing and proposed single-family residential projects. This section establishes content for those landscape buffers to provide visual screening enhancement and better match rhythm and building separation as would normally occur between properties with R-2 zoning. These buffers, under conventional zoning, would not be required.
- **Rural Heritage Design:** The UDC contains provision for rural heritage design along FM 967 and FM 1626, targeting commercial uses. Through this PD Ordinance, a version of those standards are created for this project's frontage along Old Black Colony Road to better preserve the character of the road.
- **Infrastructure and Dedications:** Infrastructures and dedications do not deviate from UDC standards. This section does, however, provide clarification that the alleys are to be privately maintained. It also presents the potential for the stormwater pond infrastructure to remain under the care of the HOA rather than dedicated to the city due to its unique integration into the open space plans.
- **Sequence of Development:** The project will be developed as a single subdivision, site plan and construction phase, with individual building permits then taking place for each individual structure. This is typical of any residential subdivision project in Buda.



Old Black Colony Road Development

17.4 acre development



INTRODUCTION



Terry Mitchell, President
30 years of experience

Avery Ranch	Edgewick
Austin Green	Gabardine
The Denizen	Macmora Cottages
Chestnut Commons	Headwaters
The Austonian	Goodnight Ranch



Bob Gass, Partner
35 years of experience

The Hatchery	Goodnight Ranch
Austin Green	Uptown Plum Creek
The Tyndall	



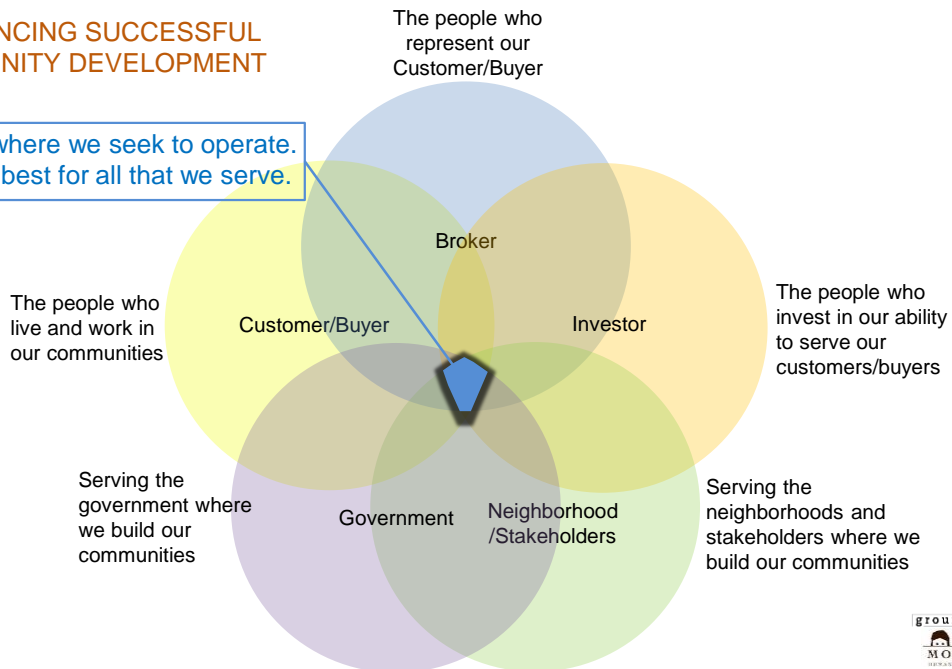
Steven Spears, Principal
20 years of experience

The Domain Northside	Blue Hole Regional Park
Republic Square	Springwoods Village
Uptown Plum Creek	Mueller TC Park
Austin Green	New Braunfels Green Stormwater

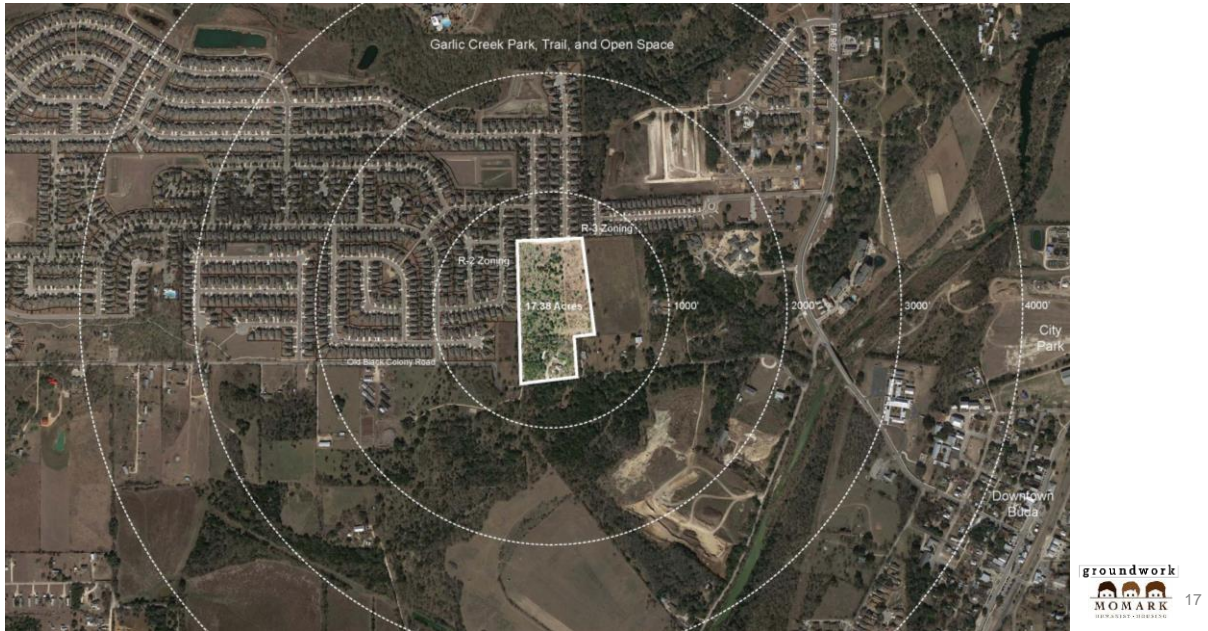


INFLUENCING SUCCESSFUL COMMUNITY DEVELOPMENT

This is where we seek to operate.
What is best for all that we serve.



REGIONAL CONTEXT



OUR COMMUNITY DEVELOPMENT VISION

“ To create a residential development that encourages housing choices while respecting the values of the property, adjacent properties and the City of Buda comprehensive plan. ”

OUR COMMUNITY DEVELOPMENT GOALS

- Preserve the majority of the hardwood trees
- Meet or exceed code requirements for park, open space and gathering areas
- Develop with sensitivity to adjacent single family uses
- Respect the character of Old Black Colony Road
- Improve housing choices for Buda
- Respect the adjacent cemetery
- Become an example of the comprehensive plan & innovative residential development



19

LISTENING TO AND COLLABORATING WITH THE NEIGHBORHOOD

- August 13, 2018: Meeting with HOA elected leadership
- October 9, 2018: Initial PZ hearing
- November 8, 2018: Work session with selected neighborhood leadership
- November 29, 2018: Work session with neighborhood
- December 10, 2018: Work session with selected neighborhood leadership



20

KEY ITEMS/OUTCOMES DISCUSSED WITH NEIGHBORHOOD

No direct road connection to Enchanted Woods Trail and Treehaven Court

Landscape buffers on property lines

Old Black Colony Road

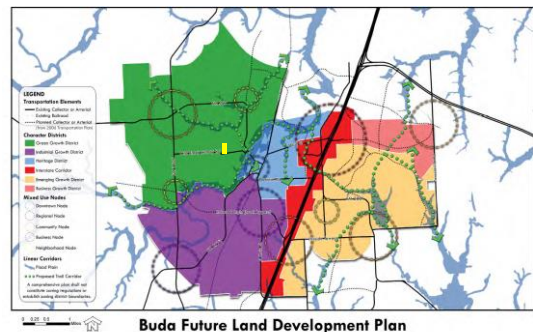
Local residential street safety

Drainage

Price point

COMPREHENSIVE PLAN

- HN-1: Provide a sufficient and diverse mix of housing to ensure residents have housing options for all stages of the life cycle.
- HN-7: Ensure that new subdivisions and neighborhoods are of a high standard and sustainable quality that promote connectivity, walkability, and a sense of identity.



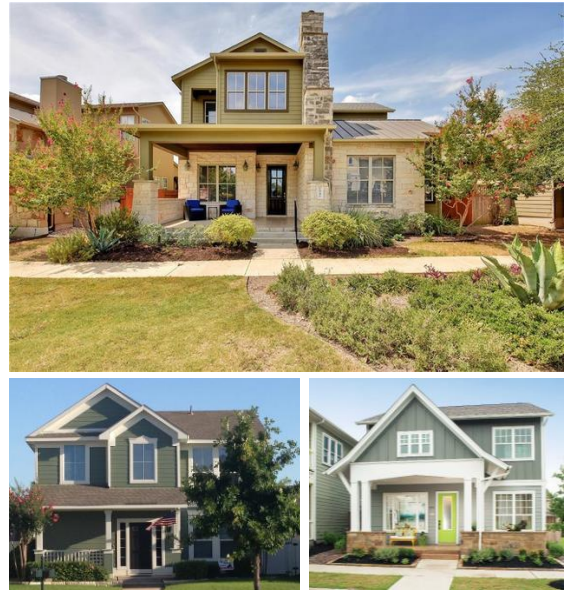
	Neighborhood Node	Community Node	Business Node	Regional Node	Downtown Node	Interstate Corridor	Local Arterial	Collector	Residential Street	Bicycle/Pedestrian Pathway
CHARACTER DISTRICTS										
Green Growth District	●	●	●	●	●	●	●	●	●	●
Emerging Growth District	●	●	●	●	●	●	●	●	●	●
Heritage District	●	●	●	●	●	●	●	●	●	●
Industrial Growth District	●	●	●	●	●	●	●	●	●	●
Business Growth District	●	●	●	●	●	●	●	●	●	●
Interstate Corridor	●	●	●	●	●	●	●	●	●	●
MIXED-USE NODES										
Neighborhood Node	●	●	●	●	●	●	●	●	●	●
Community Node	●	●	●	●	●	●	●	●	●	●
Business Node	●	●	●	●	●	●	●	●	●	●
Regional Node	●	●	●	●	●	●	●	●	●	●
Downtown Node	●	●	●	●	●	●	●	●	●	●

Notes:
● Appropriate ● Conditional ✗ Not Appropriate
* Regional appeal in the downtown node would include destination shops such as antique shops and other destination boutique stores.

CONCEPTUAL INSPIRATIONAL IMAGERY

SINGLE FAMILY DETACHED PRODUCT

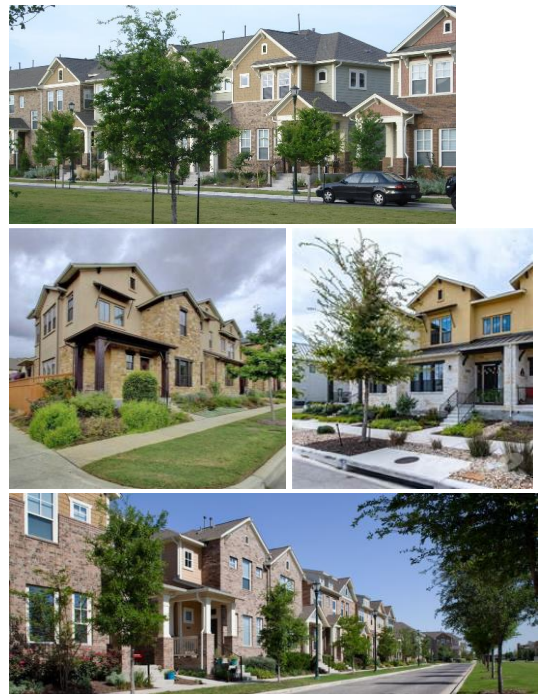
- Strong architecture, especially front façade
- Highly landscaped front yard
 - HOA maintained front yard
- Large front porches
- Two to three car off-street parking (typ. garage)
- Alley loaded (garages in the rear)
- Anticipated 1800-3000 SF (typically two story)
- Lot widths from 40'-60'



CONCEPTUAL INSPIRATIONAL IMAGERY

SINGLE FAMILY ATTACHED PRODUCT

- Strong architecture, especially front facade
- Highly landscaped front yard
 - HOA maintained front yard
- Front porches or stoops
- Alley loaded (garages in the rear)
- Typically 1500-1800 SF (two story)
- 23'x50' Size
- Two car off street parking (typ. garage)
- Two unit and Three unit townhome product



CONCEPTUAL INSPIRATIONAL IMAGERY

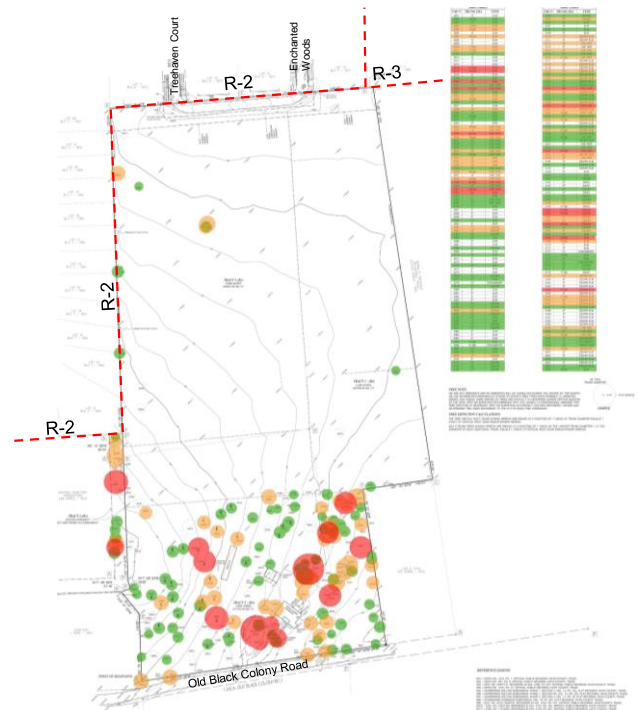
COURTYARD PRODUCT

- SF detached and SF attached homes
- Homes face onto courtyards instead of streets
- Courtyards include a variety of amenities
 - Seating
 - Gardens and Trees
 - Flexible Lawn space
 - Social connection with neighbors
 - Maintained by HOA



SITE ANALYSIS

- Large collection of trees in southern 1/3 of site
- Two small watersheds require ponds in the NE and SE corners of the property
- SF residential along northern ½ of property on west and north side (R-2, R-3)
- Whispering Hollow emergency turnaround
- Cemetery to SW of site and collection of trees in our easement (on cemetery property)
- Old Black Colony Road character



CONCEPTUAL LAND PLAN

Development Program:

- 53 Single Family Detached Homes
- 86 Single Family Attached Homes (two and three unit)

Strengths:

- Simple and logical road grid pattern
- 18 SF Detached Lots face directly onto open space
- 77 SF Attached Units face directly onto open space
- Significant amount of trees preserved
- Landscape easement along western border with Whispering Hollow
- Landscape easement along northern border with Whispering Hollow
- In NW corner homes face onto courtyard/green space/landscaping
- Does not connect directly with Whispering Hollow. Gates stay. Turn around stays.
- Anticipates 10' dedication to Old Black Colony Road (OBCR) widening
- Significant open space/park contribution as a context sensitive solution to OBCR



LOT WIDTH: FRONT LOADED AND ALLEY LOADED

FRONT LOADED PRODUCT **EXAMPLE** (55' WIDE LOT)

- 22' – 25' for garage
- 15' – 20' for porch/house facade
- Typically garage is more visible than front door
- Sidewalks are interrupted with each driveway

REAR LOADED PRODUCT **EXAMPLE** (45' WIDE LOT)

- 35' for porch/house facade
- Sidewalks are uninterrupted and safer
- Garage and services are in rear of lot



groundwork
MOMARK
MEMPHIS, TENNESSEE

CONCEPTUAL LAND PLAN : LOT SIZE VARIETY

Single Family Detached Lots:

- 40' to 45' wide lots = 28 lots
- 45.1' to 50' wide lots = 14 lots
- 50.1' to 55' wide lots = 4 lots
- 55.1' to 60' wide lots = 7 lots



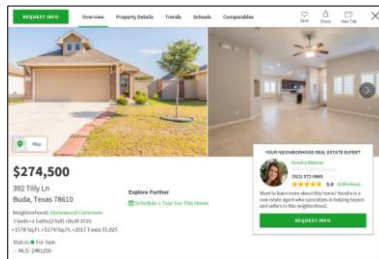
CONCEPTUAL LAND PLAN : LOT SIZE VARIETY

Single Family Attached Homes:

- Corner End Units = 78
- Interior Units = 8

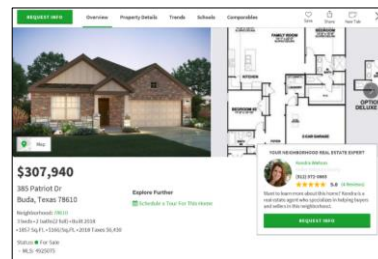


REAL ESTATE TREND STUDY



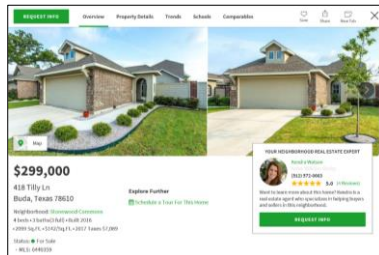
Stonewood Commons

1578 Square Feet
\$174 p/ square foot
R-3 Zoning



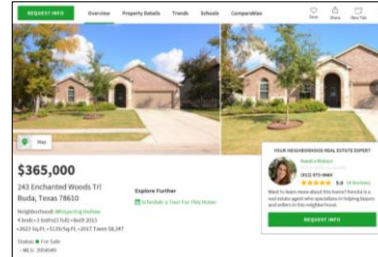
White Oak Preserve

1857 Square Feet
\$166 p/ square foot
R-2C Zoning (50' wide lot)



Stonewood Commons

2099 Square Feet
\$142 p/ square foot
R-3 Zoning



Whispering Hollow

2623 Square Feet
\$139 p/ square foot
R-2 Zoning (66' wide lot)



31

ROAD SECTION AND ON STREET PARKING

Whispering Hollow

- 50' ROW
- 27' of Pavement
- Parallel Parking allowed on both sides of street
- Gates will remain



Whispering Hollow: 27' of pavement. Parking allowed on both sides

Development Proposal (internal streets)

- 50' ROW
- 30' of Pavement (City local street standard)
- Chicane approach w/ parking only one side at a time
- Approximately 90-95 on-street parking spaces
- Each home will have minimum 2 off street parking spaces
- Alley loaded allows safer conditions for on street parking
- Alley loaded allows for more on street parking than front loaded

Old Black Colony Road

- Currently a 40' ROW
- City Transportation Plan: grow to 60' ROW and Create MNR2-Bike
- Development proposes to provide 10' of private property toward ROW
- Development proposes pro rata/rough proportionality share payment for City run TIA and associated improvements



CONCEPTUAL LAND PLAN - BUFFER

PROVIDING A BUFFER/SEPARATION ALONG 100% OF WHISPERING HOLLOW NEIGHBORHOOD

Comparison – **no other development adjacent to** Whispering Hollow has provided this level of separation

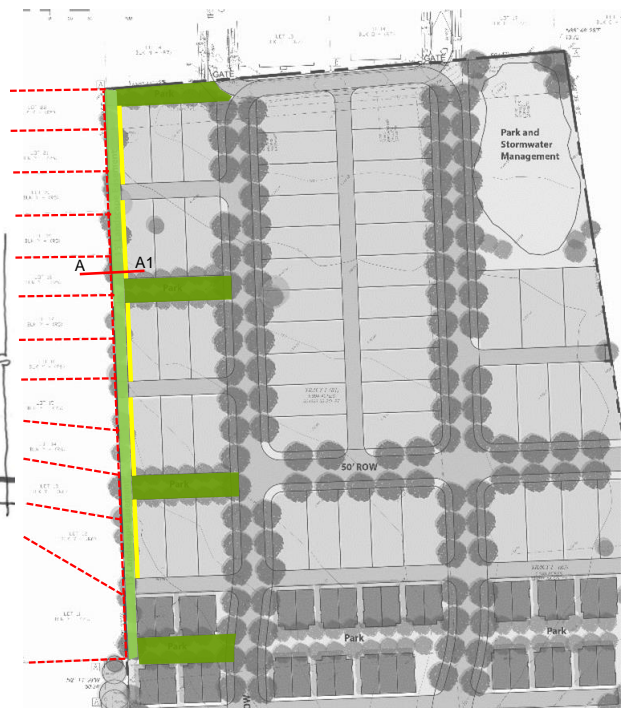
Western Boundary (20' buffer)

- 15' Landscape Easement
 - 1 evergreen shade tree (every 30' min)
 - 2 shrubs (every 30' min)
 - No buildings, sheds, parking, trail, etc. allowed
- 5' Sideyard Setback adjacent to Landscape Easement
- 6 lots (proposed) vs. 12 lots (existing)
- 4 parks/courtyards



CONCEPTUAL LAND PLAN - BUFFER

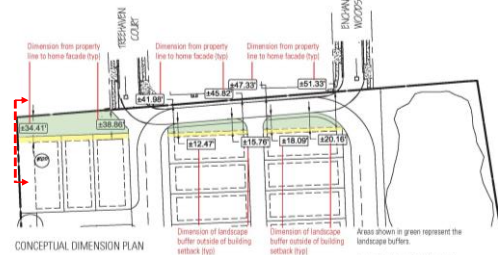
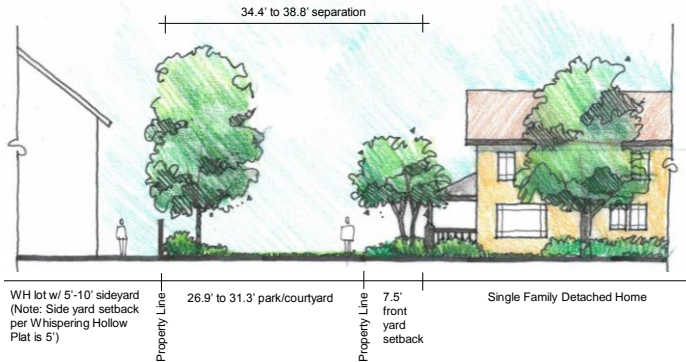
Section A



CONCEPTUAL LAND PLAN - BUFFER

Northwestern Boundary (+/- 34.4 to 38.8' buffer/separation)

- +29' more setback than typical side yard setback of Whispering Hollow
- 7.5' front yard setback
- 26.9'-31.3' Park/Courtyard
 - Shade trees and landscaping
 - Three front porches facing park/courtyard (instead of garages)



CONCEPTUAL LAND PLAN - BUFFER

East Boundary (Freiwald Property)

- +/-880' Linear Feet
 - +/-370' of development edge
 - 3 SF lots (w/ side yard setback)
 - 1 road ROW
 - 2 alleys
 - +/-510' of park/open space/landscape buffer edge
 - Agreement to have fence along development

East Boundary (Wine Property)

- +/-500' Linear Feet
 - +/-500' of park/open space/landscape buffer edge



CONCEPTUAL LAND PLAN – PARK AND OS

PARK, OPEN SPACE

- Approximately 3.5 acres of parks/courtyards/tree/stormwater
- Approximately 20% of the site

HOA MAINTAINED

- HOA maintenance vs. Individual maintenance



CONCEPTUAL LAND PLAN – DRAINAGE

TWO DRAINAGE AREAS

- Meeting City criteria for stormwater management
- Northern half of site drains to a dry detention pond
- Southern half of site drains to a dry detention pond
- Ponds includes water quality requirements





City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-25-

Contact: Micah Grau

Subject: Deliberation and possible action on a report updating the City Council on facility re-use options and discussions related to the former City Hall, City Hall Annex, and Library (Assistant City Manager Micah Grau)

1. Executive Summary

Staff will provide an update to the City Council on the latest discussions and options related to the re-use of the former city hall, city hall annex, and library. Also included with this report will be the results and draft report issued by consultant Ash + Lime on the facility re-use discussions they facilitated in November 2018.

2. Background/History

In March 2018, the City released two request for proposals (RFPs) for uses for the former City Hall and City Hall Annex. The solicitations were due back to the City in June 2018. In August, following review of the submittals, the City Council rejected the submittals and provided direction to staff to continue to evaluate options and to continue discussions with the veteran organizations that were looking for a temporary space to better establish a presence in Buda.

Former Assistant City Manager Chance Sparks connected the

City with Ash + Lime, a consulting group based in DFW that has helped other cities develop strategies to activate their downtown, along with a developer from DFW that has had success turning vacant structures in suburbs into bustling centers. The group facilitated discussions with downtown merchants, parties that may be interested in utilizing the facilities, and other stakeholders during their visit to Buda on November 29 - 30, 2018. The draft results and report will be presented to Council as part of the staff presentation.

3. Staff's review and analysis

In addition to the Ash + Lime report, the City has continued to receive feedback from interested groups looking for office space. The City has received two unsolicited proposals, one for the former city hall and one for the city hall annex, proposing different ideas to re-use the facilities. Additionally, staff has been contacted by others looking for office space including elected officials representing the Buda area.

Following the staff presentation, staff is seeking direction from the City Council. Some of the options for the former city hall include:

1. Work with partners to develop a mixed-use business incubation center.
2. Pursue a lease with Matthew Debow on his unsolicited proposal.
3. Seek tenants to rent office space directly.
4. Conduct another RFP.

Some of the options for the former city hall annex include:

1. Continue negotiations with veteran organizations to use facility.
2. Post notice requirements and attempt to sell the property to a buyer such as Inspired Minds for a private use. Inspired Minds submitted an unsolicited letter of interest to purchase the city hall annex.
3. Conduct another RFP for a specific use.

The Ash + Lime study confirmed the idea of utilizing the former library as a visitor's center due to its proximity to the historic downtown and the need for more event and meeting space.

4. Financial Impact

The financial impact may vary with each of the options identified in the previous sections. Ash + Lime provided a "walking pro forma" as part of their analysis to demonstrate the potential earnings and expenses that might be expected for market use of the spaces. According to their analysis, both the former city hall and the city hall annex were capable of generating income, especially since both structures have no outstanding debt. The debt shown on the pro forma is related to debt for renovations and improvements.

5. Summary/Conclusion

Staff seeks further direction and input from the City Council on the next steps. A subsequent item on the agenda is for Council to consider a license use agreement with the VFW for use of the city hall annex. Discussion and direction on this item may influence Council's action on that item.

6. Pros and Cons

Not applicable.

7. Alternatives

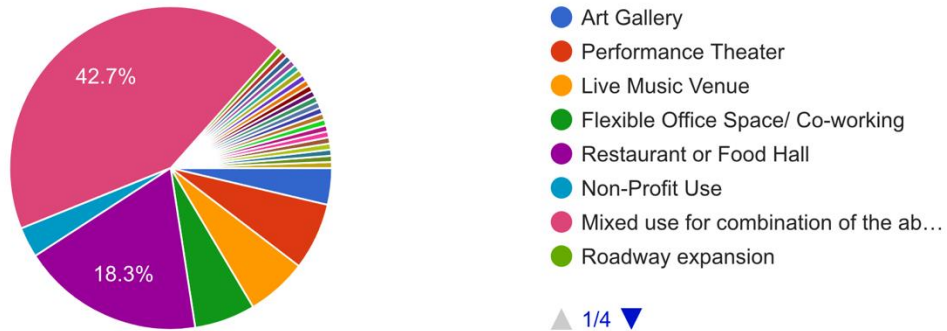
Please see the options presented in the Staff Analysis section.

8. Recommendation

Not applicable.

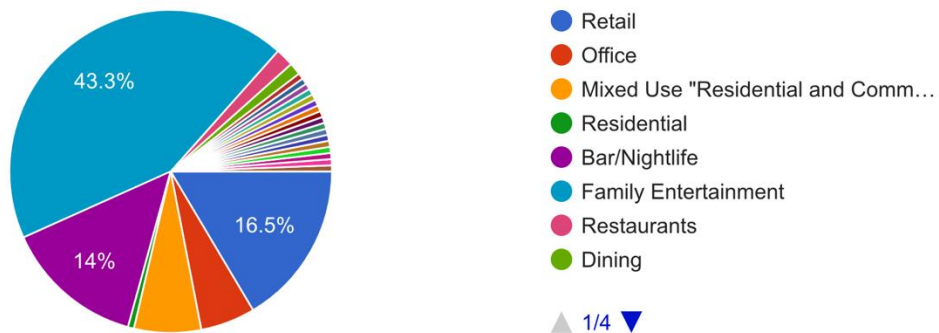
What should the old City Hall be used for now?

164 responses



What type of businesses/uses would you like to see more of downtown?

164 responses



Are there any specific businesses you would like to see in downtown Buda?

59 responses

Craft shop
 Sports Bar
 More retail that is not useless junk.
 A health foods restaurant or grocery store.
 Fuddruckers
 Torchys!!!
 A good bakery
 Chinese food; Jason's Deli; Hot Wings place, American/southern food type restaurants; Candy shop (e.g. like Big Top Candy store)
 healthy restaurants with style like Austin- Sway, Foreign & Domestic, Justine's, Chez Nous, Odd Duck, Uchi, Laundrette etc...,

Restaurants

Nice steak house

Sushi or ramen

Fire Bowl, The Blue Dahlia

Comedy club

More boutiques/gift-type stores

I would like to see the businesses on the other side of railroad tracks included in downtown events. NO FENCE SHUTTING THEM OUT!

Chueys

Panera

Rick's Dry Cleaners

Torchys

Live Music Venue or Dance Hall

Healthy food (not chains!)

Chick-fil-a

Restaraunt that's not Mexica

No, too many now!

Restaurant that is not a chain

Retail....JAMES AVERY

More Food Trucks

Children's museum.

Restaurant like 'Local Table' in Katy, TX healthy excellent food with variety

Wine bar, mini golf, nice bowling alley

Whole Foods

Western-wear store

Western wear

REI

Health/vitamin store (similar to Sprouts) or high-quality pet food store (similar to Healthy Pet or Tomilsons)

Locally owned and operated

Kneaders or Sonora Grill

Seafood Restaurant

Nicer restaurants for fine dining.

We need Grocery Stores or a bigger HEB.

family restaurant

Make Buda as amazing as Gruene Texas

The Connection Church

Businesses that bring jobs

healthy restaurants with an emphasis on fresh veggies.

Family Restaurants other than Tex-Mex as we already have 3 of those

Sit down restaurants, no chains, steakhouse, bagel shop, boutiques, shops.

Sit down restaurants.

Local artisans

Retail and restaurants

A nicer HEB.

Japanese/Chinese Restaurant but not from a chain company

Health Food Restaurants

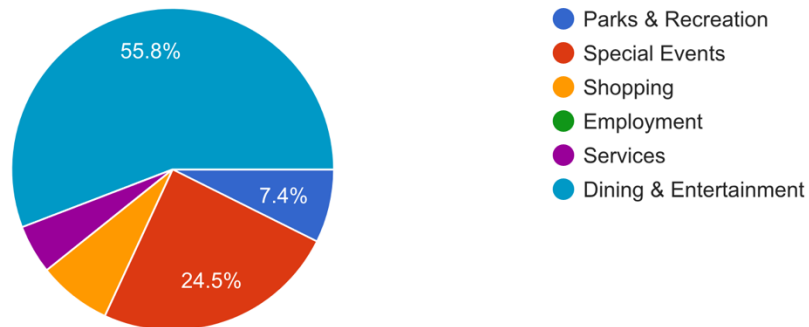
Local/ Non Franchised

Toy store, children friendly business, kids museum

In n' Out Burger
 Vietnamese coffee shop
 Bars restaurants

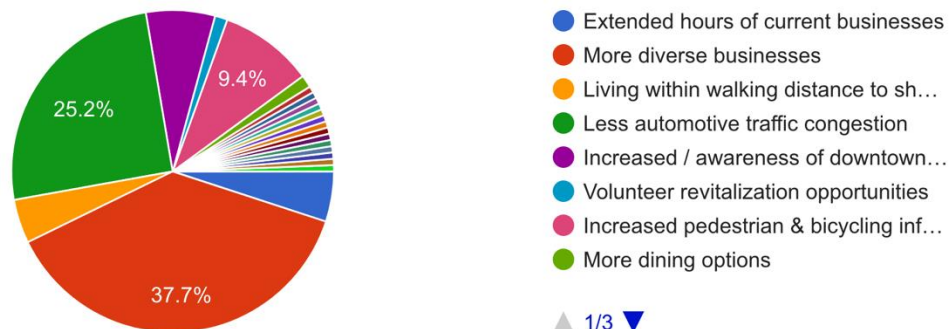
What brings you to downtown Buda most often now?

163 responses



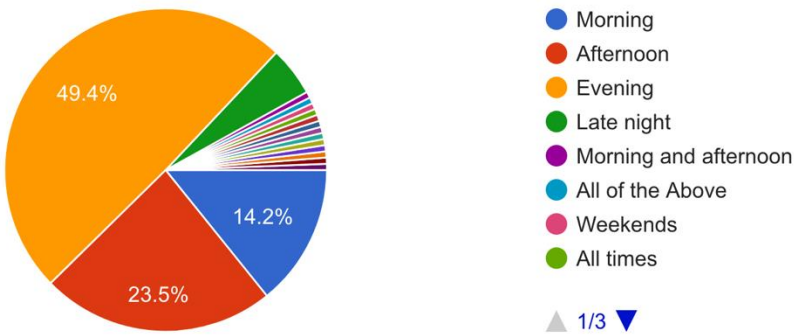
What would make you utilize downtown Buda more often?

159 responses



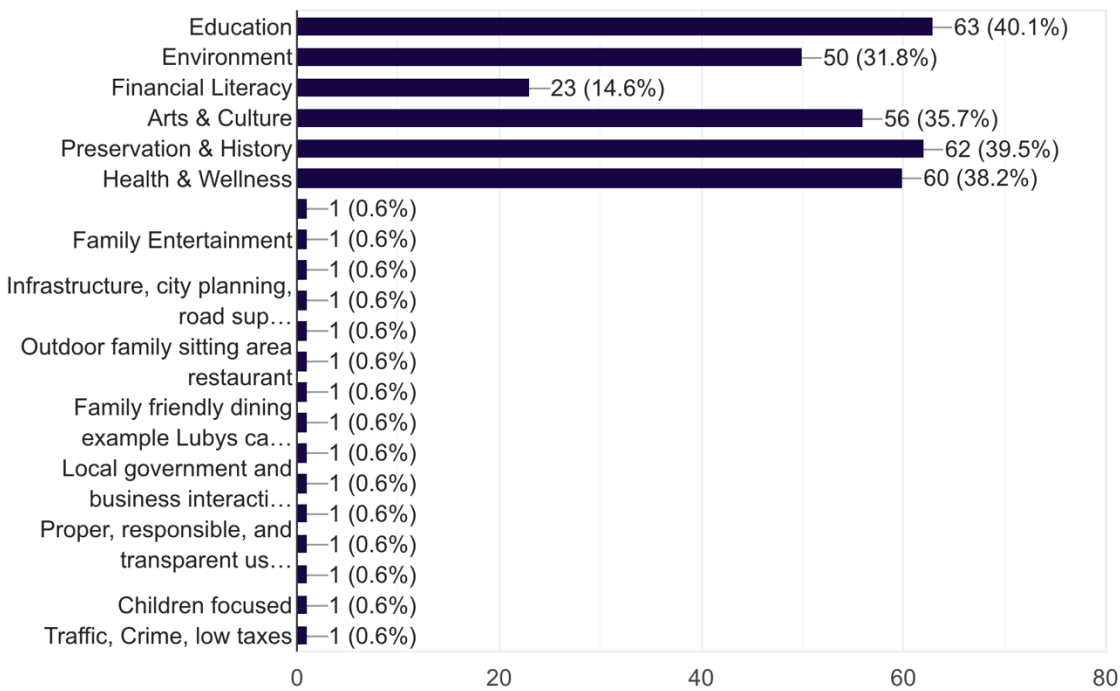
When are you most likely to use downtown?

162 responses



What community topics are most important to you?

157 responses







1

AGENDA

- Review of past activities
- Consultant report on re-use options
- Unsolicited proposals received by City
- Council options



The slide features a large, light gray watermark of the City of Buda seal on the right side. In the bottom left corner, there is a logo for 'BudaTx' with the tagline 'breathe easy here.' and a small graphic of a person running.

2

PAST ACTIVITIES

- Worked with Texas State University interior design students on programming and schematic design
- Request for Proposals released March 28 – June 15, 2018
- Council directed staff to continue discussions with veteran's groups



3

CONSULTANT REPORT

- Ash + Lime used to evaluate the spaces in context with downtown
- Facilitate discussions with stakeholders and interested parties
 - Discussions held on November 29-30
- Staff solicited feedback through survey posted during Budafest and on social media



4

304

CONSULTANT REPORT FINDINGS

- Negative effect of removing city offices from immediate downtown; slightly offset as municipal complex is still close to downtown
- Desire for more meeting and conference spaces
- Stakeholder Ideas: meeting spaces, classrooms, restaurant, retail, drop-in daycare, boutique hotel, office incubation, co-working space, fitness center, etc.
- Survey results¹: What should the old City Hall be used for?
 - Mixed-use (office, retail, restaurants) – 46.4%
 - Food & Dining – 18.4%
 - Performance Space – 12.3%
 - Flexible Office – 5.6%
 - Art Gallery – 3.9%
 - Other – 13.4%



¹ Survey results not statistically representative of population. Used to gauge general attitudes and opinions. Survey was released by City of Buda.

5

CONSULTANT REPORT RECOMMENDATIONS

- City Hall – Mixed Use Business Incubator
 - Possibly partner with Chamber and EDC
 - Offer low rent, entry-level space for business development and incubation
 - Drop-in office use and short term rental
 - Provide meeting and event space for community groups such as the VFW – also work with planned meeting space in the Visitor's Center



6

CONSULTANT REPORT RECOMMENDATIONS

- City Hall Annex – Art Hub
 - Conduct RFP to sell property for use as art space, galleries, studio space, and makers space for craftspeople and artists
 - Gateway to east downtown - Use visual cues (murals and design) to enhance visual appeal of building and draw people across to the east side of downtown
 - Turn 2nd floor into additional office spaces, classrooms, or downtown lofts for AirBNB (may require an elevator)
 - Veteran organizations could utilize space in the interim



7

CONSULTANT REPORT RECOMMENDATIONS

- Library – Visitor's Center
 - Create a visitor's center in downtown Buda
 - Office space for Main Street and Tourism Departments
 - Community meeting space – allow space to be an extension of meeting space in the former city hall



8

UNSOLICITED PROPOSALS

- Staff has received unsolicited proposals
 - City Hall – Matthew Debow
 - City Hall Annex – Inspired Minds



9

COUNCIL OPTIONS

- City Hall
 1. Work with partners to develop a mixed-use business incubation center.
 2. Pursue a lease with Matthew Debow on his unsolicited proposal.
 3. Seek tenants to rent office space directly.
 4. Conduct another RFP.



10

307

COUNCIL OPTIONS

- City Hall Annex
 1. Continue negotiations with veteran organizations to use facility.
 2. Post notice requirements and attempt to sell the property to a buyer such as Inspired Minds for a private use. Inspired Minds submitted an unsolicited letter of interest to purchase the city hall annex.
 3. Conduct another RFP for a specific use.





City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-15-

Contact: Micah Grau

Subject: Deliberation and possible action to authorize the City Manager to execute a license agreement with VFW Post #12161 for use of the former city hall annex located at 100 Houston Street (Assistant City Manager Micah Grau)

1. Executive Summary

Based on Council direction and input, staff has negotiated a license use agreement with VFW Post 12161 to utilize the former city hall annex located at 100 Houston Street.

2. Background/History

The veteran organizations submitted proposals for both the former city hall and the city hall annex Request for Proposals (RFPs) process last fiscal year. Both proposals, which included \$1 annually for use of the space, were rejected by the City Council. However, Council directed staff to continue negotiating with the veteran organizations on the possibility of using the former city hall annex.

Staff, with assistance from the City Attorney, negotiated the proposed license use agreement based on the initial terms provided by the City Council. The agreement terms are detailed in the Staff's Review and Analysis section.

3. Staff's review and analysis

Under the terms of the agreement, the VFW Post 12161 will use the former city hall annex for office space and business center for the veteran's organizations, meeting space for the veteran's organizations, museum, and a short-term rental and business incubator space for veteran-owned businesses as well as others looking for short-term rental. The term of the agreement (defined in Section 2 of the agreement) is for four years with a one year automatic renewal unless terminated. After two years, the agreement may be terminated by either party with a written 90 day notice.

Maintenance and utility responsibilities of the facility are defined in Section 3.3. The VFW is responsible for the utilities including water, wastewater, garbage, electricity, and telecommunication. The VFW is responsible for maintenance and repair including landscaping, janitorial, routine preventative maintenance, interior painting, and repair or mechanical and plumbing. The VFW has requested a waiver of water and wastewater costs from the City for the first

year. This was not discussed with the Council when the original terms were discussed.

4. Financial Impact

The VFW will provide compensation (Section 4) at \$400 per month to the City for use of the space. Additionally, the VFW will pay 20% of rental fees collected by the VFW for non-veteran uses. Furthermore, the VFW will reimburse the City the cost for property insurance coverage, estimated at approximately \$2,500 annually.

5. Summary/Conclusion

The VFW is looking for a space from which they can expand their presence and serve both veterans and the community as a whole. The proposed agreement has been negotiated with the VFW based on terms initially outlined by the City Council.

6. Pros and Cons

Pros: provides a space for the VFW to establish a presence in Buda; VFW will use and maintain the facility;

Cons: rental rate falls below market;

7. Alternatives

The annex could be utilized by another user. The City could provide meeting space accommodations in other facilities instead of permanent space. However, this would not allow the VFW to execute their plans of establishing permanent and office space for veteran-owned businesses.

8. Recommendation

Not applicable.

This Facility Use License ("License") is made by and between the CITY OF BUDA, TEXAS (Licensor), a home rule municipal corporation ("City"), and the VFW POST 12161 (Licensee) ("Organization") (collectively, "Parties" and each individually, "Party").

WHEREAS, the City is the owner of the premises and improvements located in Buda, Texas, and hereinafter referred to as the "Premises;" and

WHEREAS, Organization desires to enter into this License with the City for the use of the Premises; and

WHEREAS, Organization intends to use the Premises as an office space and business center for the Veteran's organizations, a location for meetings of the Veteran's organizations, a display and museum space, a short-term rental space for special events and meetings, a business incubator space for veteran-owned businesses and start-ups, and for carrying out the normal business operations associated with the Organization; and

WHEREAS, the City believes the right and obligations contemplated herein would further the objectives of all Parties by enhancing the City's economy and by increasing the City's ability to provide a forum for the Organization.

NOW, THEREFORE, for and in consideration of the covenants and agreements set forth herein, and other good and valuable consideration, the City hereby grants Organization a non-assignable License to use the Premises.

1. INCORPORATION OF RECITALS

The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. Capitalized terms used herein shall have the meaning assigned in the preamble hereof, unless otherwise defined.

2. TERM AND CONSIDERATION

2.1. Term of License. This License shall be for a four (4) year term, such term beginning on the effective date of this agreement and ending four (4) years from that date. At the conclusion of this term, the License shall have a one (1) year automatic renewal option for an additional annual term, unless terminated in accordance with other provisions contained herein. Such renewal will contain the same consideration, terms and conditions as set forth in this License unless otherwise amended by the Parties.

2.2. Consideration. Consideration by Organization is the furnishing of rent to the City for the use of the Premises. Consideration by the City is the provision of the non-assignable License to use the Premises by Organization.

3. PREMISES

3.1. Premises. The Premises are approximately 5,500 square feet of office space located on the lower floor of the former City Hall Annex building located at 100 Houston Street

Buda, Texas 78610, owned by the City. **Exhibit A** depicts such premises, the current condition, and describes the areas licensed for use under this License.

3.2. Use of Premises. The City owns and controls the Premises, while Organization will use the Premises for operation of Organization's Programs. It is understood, Organization directly or through qualified contractors will use the Premises exclusively to carry out its Programs. Organization expressly agrees not to use the Premises for any other purpose without first obtaining the City's consent in writing. Organization further agrees that Organization shall, at its own expense, acquire any permits required to modify or alter the Premises if City's consent is granted. The City reserves the right to use any portion of the Premises for such purposes or activities not incompatible with Organization's use of the Premises hereunder. Parking areas are to remain open and free to use by the public when not in use by the Licensee.

3.3. Premises Condition. Organization shall keep the Premises in good and clean condition. Organization shall be responsible for all utilities to the Premises, including: water, wastewater, garbage, recycling, electricity, and telecommunications, including but not limited to internet services. Organization shall be responsible for maintenance, or repair of the Premises, including: any and all maintenance expenses of the Premises, landscaping, janitorial services, routine preventative maintenance and repair of mechanical and plumbing systems, and interior painting of the Premises. Organization shall promptly notify the City of any repair, defect, hazard, or problem with the Premises that may require the City's attention.

3.4. Furnishing Standards. Organization shall furnish the Premises with furniture and other furnishings suitable for a professional office setting.

3.5. Improvements and Fixtures. Organization shall not, without first obtaining the written consent of the City and any applicable permits, or its designee, make any alterations, additions or improvements in, to, or about the Premises. All such alterations, if any, shall be made at Organization's expense and may, at the City's option, become the property of the City at the end of the License without reimbursement by the City. Depending on the circumstances, Organization and the City may agree in writing to share or appropriately allocate responsibility for the construction, repair or maintenance of an alteration, addition, or improvement installed for use in Organization's Programs under this License.

3.6. Improper Use. Organization shall not engage in or bring onto the Premises any use or activity that violates any federal, state, or local law.

4. COMPENSATION

4.1. The City will provide the Premises to Organization at the rate of FOUR HUNDRED DOLLARS AND 00/100 (\$400.00) per month from the Effective Date. The first three (3) months of rental obligations to be paid to the City by Organization are waived. Payment shall be made no later than the 5th day of each month for the upcoming month.

4.2. The Licensee shall remit to the City TWENTY PERCENT (20%) of gross rental fees collected by the Licensee for rental of the Premises for non-veteran uses. Along with the monthly payment, the Licensee shall provide a report and payment from the

previous month that identifies the non-veteran associated uses of the facility and the fees assessed.

4.3. Should the Parties decide it is in their best interests to renegotiate the compensation amount provided under this Agreement, the Parties are permitted to renegotiate in writing the compensation amount. Such renegotiation will contain the same terms and conditions as set forth in this License unless otherwise amended by the Parties.

5. CONTRACTUAL RELATIONSHIP

5.1. Organization and the City are contracting parties under this License. This License does not create a partnership or joint venture nor any principal-agent or employer-employee relationship between the Parties or any of their officials, employees, agents, representatives or contractors.

5.1.1. The Parties understand and agree each Party shall be responsible for its respective acts or omissions and shall in no way be responsible to or for the other Party or the other Party's officials, officers, employees, agents, representatives, or contractors.

5.1.2. Organization shall use its own employees or qualified contractors. Organization employees or contractors shall be under the exclusive supervision and control of Organization.

6. LIABILITY AND INSURANCE

6.1. Insurance. For the term(s) of this License, the City shall maintain adequate insurance coverage for the Premises at all times.

6.1.1. The City shall be responsible for maintaining insurance for the Premises;

6.1.2. The Organization agrees to reimburse the City the whole cost associated with insuring the Premises. Costs include: general liability insurance, bodily injury, property damage with respect to Premises, and deductible costs associated with maintaining insurance coverage on the Premises;

6.1.3. The Organization shall be responsible for maintaining insurance for the contents and fixtures of the Premises. Additionally, the Organization shall maintain a renter's policy;

6.1.4. In the event there is a claim filed on the insurance coverage for the Premises, the Organization will reimburse the City for ANY FEES associated with the claim filed on the insurance for the Premises;

6.1.5. Organization hereby agrees and consents to name City as additionally insured for the Premises for up to ONE MILLION DOLLARS AND 00/100 (\$1,000,000.00).

6.2. No Waiver of Governmental Immunity. Nothing in this License shall be construed to waive any immunities from suit or liability enjoyed by either Organization, the City, or their officials, officers, employees, representatives or agents. Nothing herein shall be construed as consent to suit by either Party.

7. CLAIMS

7.1. The Parties shall promptly advise each other in writing of any claim or demand against the City and/or Organization related to or arising from Organization's use of the Premises or from a condition, activity, or hazard on the portion of the Premises for Organization's use under this License.

7.2. The Parties understand and agree they will cooperate with the other Party in any investigation, as applicable and appropriate, of any accidents, claims, or occurrences involving use of the Premises by Organization, or any activity on or condition of the Premises.

8. TERMINATION AND RIGHT TO EXCLUDE

8.1. Termination by Either Party. It is understood and agreed that either Party may terminate this License for any reason at the end of the initial two (2) year term by providing the other Party written notice ninety (90) days prior to the effective termination.

8.2. Right to Exclude from the Premises. The Parties understand and agree that by the terms of this Agreement, the City has the ability to exclude or revoke the license of any individual employee or representative of Organization. The City may elect to exclude or revoke the license of an individual or representative of Organization if in the discretion of the City, the employee or representative: engages in acts that are harmful to the City, if there has been a complaint of misconduct against the employee or representative of Organization, or if there has been a misuse of the Premises by the employee or representative of Organization.

9. GENERAL PROVISIONS

9.1. Assignments and Subletting. Organization shall not assign this License nor rent the Premises or any part thereof without the prior written consent of the City, except Organization may grant permission to the use of the Premises consistent with the purpose of this License and in furtherance of Organization Programs. The City shall have the right to refuse any such permission if Organization authorizes a use that is not contemplated by this License. Whether a use is contemplated by this License or is consistent with a Organization Program shall be an exclusive determination made by the City.

9.2. Liens and Encumbrances. Organization shall not give nor permit any liens or encumbrances on the Premises, including but not limited to the facilities, buildings and improvements. Upon termination of this License, Organization shall peacefully surrender the Premises to the City free of any liens or encumbrances.

9.3. Inspections. The City and its agents shall have the right to enter the Premises at all reasonable times, for the purpose of inspecting, maintaining and providing general upkeep of same and determining compliance with the provisions of this License.

9.4. Compliance with Laws. The Parties shall observe and comply with all applicable federal, state, local laws, codes, and ordinances.

9.5. Survival. Each Party shall remain obligated to the other under all clauses of this License that expressly, or by their nature, extend beyond the expiration or termination of this License.

9.6. Amendment. The Parties may amend this License or **Exhibit A** at any time by mutual consent. Unless otherwise provided herein, this License may be amended only by written instrument duly executed on behalf of each Party.

9.7. Complete License. This License constitutes the entire understanding between the Parties relating to the provisions and conditions of the License. The Parties expressly acknowledge and warrant that each has the legal authority to enter into and perform this License. The Parties expressly acknowledge and warrant there exists no other written or oral understanding, agreements or assurances with respect to such matters except as are set forth herein. Unless expressly stated, this License confers no rights on any person(s) or business entity(ies) not a Party hereto. This License shall not be construed against or unfavorable to any Party because of such Party's involvement in the preparation or drafting of this License.

9.8. Governing Law. This License shall be governed by the laws of the State of Texas, its conflicts or choice of law provisions notwithstanding.

9.9. Severability. All Licenses and covenants contained in this License are severable. Should any term or provision herein be declared invalid by a court of competent jurisdiction, the Parties intend that all other terms and provisions of this License should be valid and binding and have their full force and effect, to the extent practicable, as if the invalid portion was not included.

9.10. Notices. All notices required between the Parties shall be in writing and sent to the address listed below. The initial address of the Parties, which one Party may change by giving written notice of its changed address to the other Party, are as follows:

CITY:

CITY OF BUDA
Attention: City Manager
405 E. Loop Street
Buda, Texas 78610

Organization:

VFW POST 12161
Attention: _____

By signing below, the Parties expressly agree to be bound by the terms and conditions listed in this License. The undersigned signatories have full authority to enter into this License on behalf of the respective Parties.

EFFECTIVE DATE: Executed this _____ day of _____, 2019.

CITY OF BUDA

BY: _____

TITLE: _____

DATE: _____

VFW POST 12161

BY: _____

TITLE: _____

DATE: _____

DRAFT

EXHIBIT A – PREMISES

The Premises comprise of the land, parking areas, buildings, and improvements located at 100 Houston Street, Buda, Texas 78610.





**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**0.567 ACRES
W. A. McELROY ADDITION**

A DESCRIPTION OF 0.567 ACRES OUT OF BLOCK 5, W. A. McELROY ADDITION TO THE TOWN OF BUDA, TEXAS, A SUBDIVISION OF RECORD IN VOLUME 57, PAGE 52 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, FURTHER DESCRIBED AS A PORTION OF A 0.147 ACRE TRACT AND A PORTION OF A 0.441 ACRE TRACT, BOTH DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO CAMPBELL CORNER, LTD., DATED JULY 12, 2006 AND RECORDED IN VOLUME 2965, PAGE 789 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 0.567 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Mag nail with shiner set for the southwest corner of said Block 5, same being in the east right-of-way line of Railroad Street (40' right-of-way), also being in the north right-of-way line of Houston Street (50' right-of-way), from which a 1/2" iron pipe found in the south right-of-way line of Houston Street bears South 71°37'34" East, a distance of 148.50 feet and South 18°22'26" West, a distance of 50.00 feet;

THENCE with the east right-of-way line of said Railroad Street, same being the west line of Block 5, the following two (2) courses and distances:

1. North 30°01'09" East, a distance of 94.13 feet to a calculated point which falls within an existing building;
2. With a curve to the left, having a radius of 5819.65 feet, a delta angle of 0°57'34", an arc length of 97.46 feet, and a chord which bears North 29°42'15" East, a distance of 97.46 feet to a 1/2" rebar with cap set in the south right-of-way line of Rose Street (40' right-of-way) for the northwest corner of Block 5, from which a Mag nail with shiner found in the north right-of-way line of Rose Street bears South 88°55'56" East, a distance of 21.49 feet and North 1°04'04" East, a distance of 40.00 feet;

THENCE South 88°55'56" East, with the south right-of-way line of Rose Street, same being the north line of Block 5, a distance of 82.20 feet to a 1/2" rebar with cap set for the northeast corner of Block 5, same being the west line of a 15 foot wide alley as shown on the said plat of W. A. McElroy Addition, also being in the east line of the said 0.147 acre tract, from which a 1/2" rebar found bears North 1°10'46" East, a distance of 4.79 feet;

THENCE South 1°10'46" West, with the west line of the said alley, same being the east

104 of the deed records of Hays County, Texas, from which a Mag nail found bears South $1^{\circ}10'46''$ West, a distance of 98.97 feet and South $1^{\circ}10'46''$ West, a distance of 0.14 feet;

THENCE crossing Block 5, with the west line of the said 0.32 acre tract, same being the east line of the 0.441 acre tract, the following two (2) courses and distances:

1. South $20^{\circ}04'54''$ West, a distance of 71.25 feet to an "X" in concrete found;
2. South $17^{\circ}43'47''$ West, a distance of 23.32 feet to a calculated point which falls under a chain link fence in the north right-of-way line of Houston Street, for the southwest corner of the 0.32 acre tract, same being the southeast corner of the 0.441 acre tract, and also being in the south line of Block 5, from which a calculated point for the southeast corner of Block 5 bears South $71^{\circ}37'34''$ East, a distance of 31.12 feet;

THENCE North $71^{\circ}37'34''$ West, with the north right-of-way line of Houston Street, same being the south line of Block 5, a distance of 151.17 feet to the **POINT OF BEGINNING**, containing 0.567 acres of land, more or less.

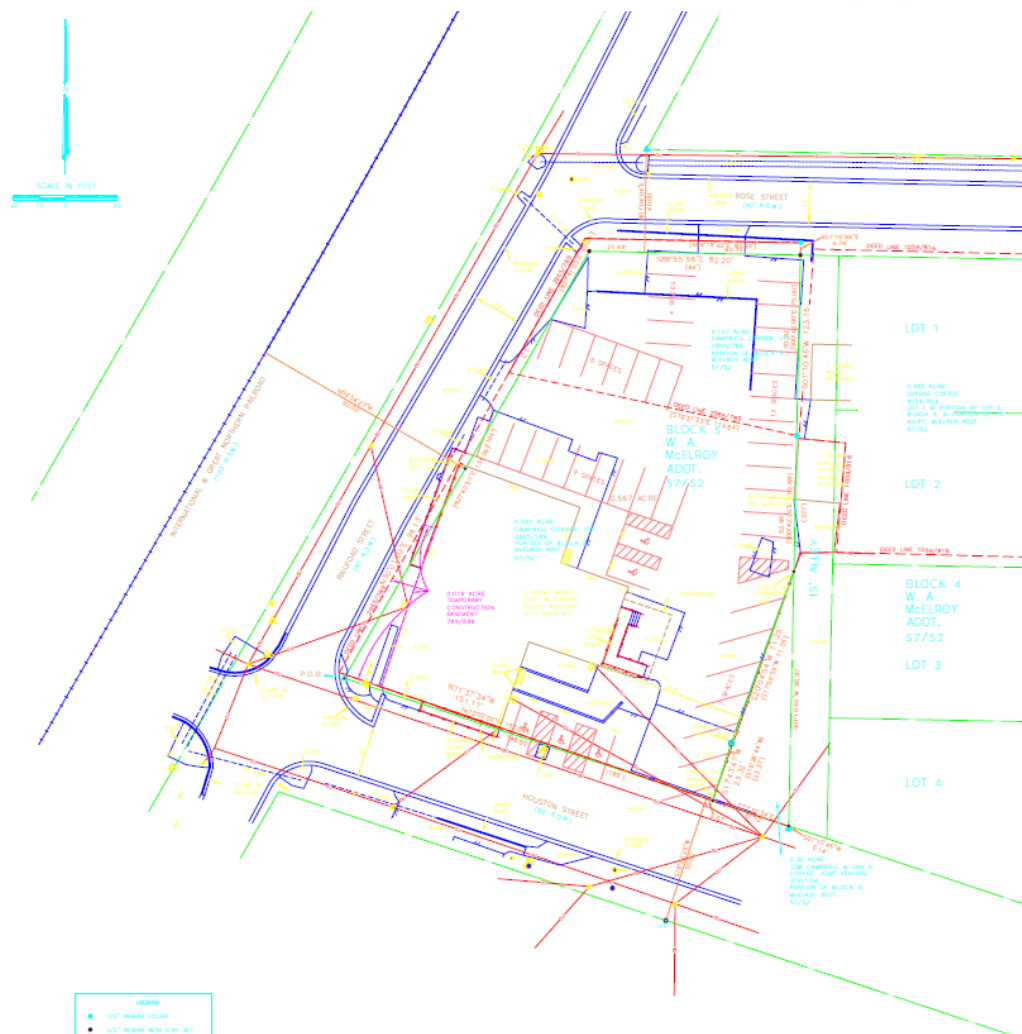
Surveyed on the ground January 30, 2008. Bearing Basis: Record north portion of the southwest line of the 0.447 acre tract described in Volume 1192, Page 849, Deed Records of Hays County, Texas. Caps placed on set rebars are plastic, stamped "Chaparral Boundary". Attachments: Drawing 521-002-BD1.

Clark O. Daniel 02.15.2008

Clark O. Daniel, Jr.
Registered Professional Land Surveyor
State of Texas No. 5861



The map shows the study area in the northwestern part of the Dominican Republic. It highlights the location of the study site (P.004) in relation to the city of Pinar del Rio and the highway network. Key features include the city of Pinar del Rio, the highway network (PR-1, PR-2, PR-3, PR-4, PR-5, PR-6, PR-7, PR-8, PR-9, PR-10, PR-11, PR-12, PR-13, PR-14, PR-15, PR-16, PR-17, PR-18, PR-19, PR-20, PR-21, PR-22, PR-23, PR-24, PR-25, PR-26, PR-27, PR-28, PR-29, PR-30, PR-31, PR-32, PR-33, PR-34, PR-35, PR-36, PR-37, PR-38, PR-39, PR-40, PR-41, PR-42, PR-43, PR-44, PR-45, PR-46, PR-47, PR-48, PR-49, PR-50, PR-51, PR-52, PR-53, PR-54, PR-55, PR-56, PR-57, PR-58, PR-59, PR-60, PR-61, PR-62, PR-63, PR-64, PR-65, PR-66, PR-67, PR-68, PR-69, PR-70, PR-71, PR-72, PR-73, PR-74, PR-75, PR-76, PR-77, PR-78, PR-79, PR-80, PR-81, PR-82, PR-83, PR-84, PR-85, PR-86, PR-87, PR-88, PR-89, PR-90, PR-91, PR-92, PR-93, PR-94, PR-95, PR-96, PR-97, PR-98, PR-99, PR-100), and the location of the study site (P.004) relative to the city of Pinar del Rio and the highway network.

[illegible]

CURVE TABLE						
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C1	052°34'	5819.85'	48.73'	97.48'	97.48'	N28°42'15"

The tract shown herein lies within Zone "X" (area determined to be outside the 0.2% annual chance floodplain), as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48200C0289, dated September 2, 2005, for Hays County, Texas, and incorporated areas. If this site is not sited on an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

Clark D. Daniel, Jr. Date _____
Registered Professional Land Surveyor
State of Texas No. 54861

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
2007 Manchaca Road, Building 1
Austin, Texas 78704
512-463-1722

PROJECT NO:
521-1002
DRAWING NO:
521-1002-001
PLOT DATE:
2/14/2008
PLOT SCALE:
1"=20'
DRAWN BY:
GJD
SHEET

Client: G. Danner, Jr.
Plot: 3



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-29-

Contact: Micah Grau

Subject: Deliberation and possible action to authorize the City Manager to execute Amendment #3 to the Consent and Development Agreement with South Buda WCID No. 1 (Assistant City Manager Micah Grau and City Engineer John Nett)

1. Executive Summary

This item concerns the construction and legal obligations associated with the Phase II Meadows at Buda Lift Station project in partnership with the South Buda Water Control and Improvement District (WCID) No. 1 (the "District"). The South Buda WCID provides utility services to a service area with S. Loop 4 to the west, Robert S. Light Blvd. to the north, and the I-H 35 corridor to the east.

2. Background/History

In 2005, the City of Buda entered into a contract with the South Buda WCID No. 1 and several land development partners to provide utility services to a growing service area known as the Meadows Tract. While the area was outside of Buda's corporate city limits, Buda was best positioned to provide wastewater service to the new WCID.

The original agreement specified the construction of a phase I lift station (now known as the Meadows of Buda lift station and force main that would connect to the City's wastewater treatment plant. The City of Buda is the retail wastewater service provider to these customers. The lift station and force main were dedicated to the City once constructed and are operated and maintained by the City of Buda. The Phase I lift station includes capacity for approximately 984 living unit equivalents (LUEs) of service. That lift station was constructed by the District and donated to the City of Buda for operation. Wastewater flow from properties developed within the district, as well as pass-thru flow from other areas, flows to and through the Meadows at Buda lift station. In exchange for the donation of the wastewater assets, the City provided LUE service credits for wastewater impact fees that developed within the District.

The original Consent and Development Agreement called for the District to construct additional lift station capacity once the Phase I lift station was serving 836 LUEs. The District Board of Directors has retained the District's Engineer Gray Engineering to design a Phase II lift station. The project is now ready for bid and construction. The Phase II improvements will included a 1,291 LUE lift station

and a new force main that will connect directly to the City of Buda's wastewater treatment plant. Under the original agreement, the City made a one-time payment of \$750,000 to the District to pay for the City's future pass-thru capacity in the Phase II improvements.

While the terms of the District's Phase II improvements are stipulated in the original agreement, changes in development occurring within the District and rising costs have prompted the development of this Amendment #3. The changes resulting from the amendment are specified in the Staff Review and Analysis section.

3. Staff's review and analysis

The original agreement envisioned the development of a Meadows at Buda larger lift station to meet growing wastewater collection needs. The original agreement envisioned a lift station designed to serve 2,790 LUEs along with a 14,025 linear-foot force main. The estimated cost to develop the lift station in 2005 was \$981,750. Due to rising costs and changes in development patterns, the District is now proposing to build a second lift station serving 1,291 LUEs west of IH-35 and leaving the Phase I lift station operating largely to serve existing and future development east of IH-35.

4. Financial Impact

The estimated cost to construct the Phase II improvements is \$1,183,976.20 for the 1,291 LUE lift station and \$2,747,439.40 for a 14,172 linear-foot 10" diameter force main. These updated construction costs are significantly higher than the original 2005 estimate of \$981,750. The City of Buda has previously met its financial contribution of \$750,000 related to the Phase II improvements identified in the original agreement.

Under the proposed amendment, the development partners of the District will cover the additional construction costs with a future reimbursement from the District. No additional funds are being requested from the City of Buda. Like with the Phase I improvements, the assets constructed under Phase II will be donated to the City of Buda to operate and maintain.

Additionally with Amendment #3, the City will be able to assess the full current wastewater impact fee instead of the \$1,362 impact fee amount that was credited in the former agreement for all new properties platted after November 1, 2018. The current wastewater impact fee is \$3,515 per LUE.

5. Summary/Conclusion

Approval of this item will enable the District to move forward with the bidding and construction of the new lift station and force main. This will allow additional planned development to occur within the area served by the lift station, including areas outside of the District whose wastewater will pass-thru the District. The City Attorney has approved the attached agreement to form.

6. Pros and Cons

Pros: Enables the District to move forward with construction of wastewater facilities to serve the growing area, enabling expansion of the City's tax base for areas within the city limits; fulfills requirements of original agreement to which the City of Buda has already contributed funds; enables the City to collect the current wastewater impact fee for new connections platted after November 1, 2018.

Cons: Project will be turned over to the City to operate and maintain after constructed; adds another lift station to the City's system; long term operation and maintenance costs.

7. Alternatives

None.

8. Recommendation

Staff recommends approval authorizing the City Manager to execute Amendment #3 to the Consent and Development Agreement with South Buda WCID No. 1

CONSENT AND DEVELOPMENT AGREEMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF HAYS §

THIS CONSENT AND DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into by and between the City of Buda, Texas (the "City"), South Buda Water Control and Improvement District No. 1 (the "District"), The Meadows at Buda, Ltd., a Texas limited partnership ("Meadows"), Lennar Buffington Horton, L.P., also a Texas limited partnership ("Len-Buf") and NewStand Buda, Ltd. ("NewStand"), a Texas Limited Partnership.

RECITALS

A. City and Gunn & Whittington Development II, L.L.C. entered the Agreement Concerning Creation and Operation of South Buda Water Control and Improvement District No. 1 with effective date April 9, 2004, following which City and Gunn & Whittington entered into the First Amendment of Agreement Concerning Creation and Operation of South Buda Water Control and Improvement District No. 1 with effective date October 19, 2004, and City and Gunn & Whittington entered into the Second Amendment of Agreement Concerning Creation and Operation of South Buda Water Control and Improvement District No. 1, also with effective date October 19, 2004, and Gunn & Whittington assigned all of its right, title, and interest to the Previous Agreement to Meadows with effective date October 19, 2004. The foregoing agreement and the two amendments are hereafter referred to as the Previous Agreement.

B. The District has been created by order of the Hays County Commissioner's Court and has been granted additional powers by special act of the 79th Legislature of the State of Texas, Regular Session, Chapter 1323. The current boundaries of the District are described in Exhibit "A" attached hereto.

C. Len-Buf has contracted to purchase and intends to develop the property described in Exhibit "B" attached hereto (the "Len-Buf Tract") and may purchase an additional tract shown on Exhibit "L" hereto and referred to as the "Green Meadows Tract."

D. The parties want to revise and restate the Previous Agreement, so that the Previous Agreement will be replaced by this Agreement.

AGREEMENT

For and in consideration of the mutual agreements, covenants, and conditions in this Agreement the parties hereto contract and agree as follows:

SECTION ONE
REVISION AND RESTATEMENT OF PREVIOUS AGREEMENT

Section 1.1. The Previous Agreement is hereby revised, restated in its entirety, and amended, and is replaced by this Agreement.

SECTION TWO
SPECIAL IMPACT FEE

Section 2.1. Meadows. It is agreed that development within the District will have a special impact on the City and its amenities. Meadows will contribute \$750,000 to the City to offset the impact on the City's roads, library, parks and other amenities offered by the City to the public. Meadows shall pay, or cause to be paid, this \$750,000 to the City on the date on which its first final plat of a subdivision within the District is filed of record with the Hays County Clerk, or on December 31, 2005, whichever occurs first.

Section 2.2. Len-Buf. If Len-Buf desires to continue its rights under this Agreement, it must pay \$750,000 to the City, on or before December 31, 2005, to offset the impact on the City's roads, library, parks and other amenities offered by the City to the public, which payment shall be non-refundable. If Len-Buf does not make the foregoing \$750,000 payment, Len-Buf shall have no further rights or obligations under this Agreement and the other parties shall have no further rights or obligations under this Agreement regarding Len-Buf.

SECTION THREE
RELOCATION OF CR 132, AND ROAD POWERS

Section 3.1. Relocation of CR 132. The City consents to the purposes of the District being the acquisition, construction and improvement of water, wastewater, drainage, fire protection, park and road facilities, as authorized by Chapters 49 and 51, Texas Water Code; Chapter 1323, Acts of the 79th Legislature of the State of Texas, Regular Session; and Chapter 441, Transportation Code, and to the issuance of bonds and the levy of taxes by the District in furtherance thereof. The City, the District, acting pursuant to its powers as a road utility district, and Hays County Commissioner's Court intend to enter into a Interlocal Cooperation Agreement, pursuant to the authority granted by Chapter 791, Government Code and Chapter 441, Transportation Code, pursuant to which CR 132 will be relocated generally as shown in Exhibit "C" attached hereto, pursuant to which Meadows will dedicate the portion of the right-of-way running through the District, and upon satisfactory assurance that Meadows can be reimbursed from bond proceeds, the District will construct that portion of CR 132 lying within the District. The City will provide engineered base for the relocated CR 132. The relocated CR 132 will be designed by the City. The City will construct that part of CR 132 lying outside the District. The City will construct needed improvements at the intersection of CR 132 and Loop 4, including but not limited to turn lanes and traffic signals. After completion of construction of the relocated CR 132, that portion of existing CR 132 traversing the Meadows at Buda, Ltd. tract will be vacated and abandoned by Hays County Commissioner's Court, following which title to the vacated and

abandoned roadway will revert to the owners of the adjacent land, each to the center line of the abandoned and vacated CR 132.

SECTION FOUR CONSENT TO ANNEXATION OF ADDITIONAL TERRITORY TO DISTRICT

Section 4.1. Consent to Annexation of Territory to the District. Within 30 days of the filing with the City Secretary of a petition substantially in the form of that attached hereto as Exhibit "D," requesting annexation of the Len-Buf Tract to the District, signed by a majority of the owners of the Len-Buf Tract, the City Council shall adopt a consent resolution substantially in the form of that attached hereto as Exhibit "E."

SECTION FIVE STRATEGIC PARTNERSHIP AGREEMENT AND CONSENT TO LIMITED PURPOSE ANNEXATION

Section 5.1. Strategic Partnership Agreement. The City and the District agree to use reasonable efforts to enter into a strategic partnership agreement, substantially in the form attached hereto as Exhibit "F." If Len-Buf does not close on the purchase of the residential portion of the Len-Buf Tract before December 31, 2006, Exhibit "D" to the attached Strategic Partnership Agreement shall be revised to remove all land within the Len-Buf Tract.

Section 5.2. Limited Purpose Annexation. Exhibit "D" to the Strategic Partnership Agreement attached hereto as Exhibit "F" describes a 62.304 acre tract of land and a 29.652 acre tract of land which are referred to in the Strategic Partnership Agreement as the Limited Purpose Property. Meadows hereby consents to limited purpose annexation by the City of the 62.304 acre tract described in that Exhibit "D" of Exhibit F. Len-Buf agrees that, if it closes on the purchase of the Len-Buf Tract before December 31, 2006, it will, within sixty (60) days of closing, file with the City a request that the City limited purpose annex the 29.652 acre tract described in that Exhibit "D" of Exhibit F. Len-Buf's request shall be in such form as may be reasonably required by the City Attorney.

SECTION SIX COMMERCIAL PROPERTY

Section 6.1. Chris A. Hale, Bryan M. Hale and Connie Hale Wise (the "Hales") own the 4.731 acre tract, 5.498 acre tract, 6.728 acre tract and the 6.281 acre tract described in Exhibit "G" attached hereto (the "Hale Property"). Meadows owns the 6.128 acre tract, 5.401 acre tract, 3.665 acre tract and the 1.615 acre tract described in Exhibit "G" attached hereto (the "Meadows Out-of-District Property"). The District and the City agree that the Hale Property and the Meadows Out-of-District Property will not now or later be included within the District. The Hale Property and the Meadows Out-of-District Property have been previously included within the City's

extraterritorial jurisdiction. Within 60 days after receiving a written request to do so from the City, Meadows will present to the City a petition substantially in the form attached hereto as Exhibit "H" requesting the City to annex the Meadows Out-of-District Property.

In a separate agreement, the Hales are likewise agreeing that, within 60 days after receiving a written request to do so from the City, the Hales will present a petition requesting the City to annex the Hale property. Following completion of the Phase I Lift Station and Force Main Improvements described in Section 7.1 of this Agreement the City shall provide continuous and adequate retail wastewater services to customers in the Hale Property and the Meadows Out-of-District Property in accordance with the City's rates and policies for service to its in-City retail customers.

SECTION SEVEN WASTEWATER SERVICE

Section 7.1. Wastewater Service to the Meadows Tract. Provision of wastewater service to the land within the current boundary of the District (the "Meadows Tract") requires construction of the Phase I Lift Station and Force Main Improvements shown on Exhibit "I" attached hereto. Following completion of those improvements, the City shall provide continuous and adequate retail wastewater service to customers within the boundaries of the Meadows Tract in accordance with the City's rates and policies for service to its out-of-City retail customers.

The City's obligation to provide continuous and adequate retail wastewater service pursuant to the foregoing paragraph is based on the recommendations stated in the Gray * Jansing & Associates, Inc. Engineering Study for Meadows at Buda Wastewater Lift Station and Force Main Project dated August 2005. That study concludes that the Phase I Lift Station and Force Main Improvements provide sufficient capacity to serve the Meadows Tract. If further experience shows that additional facilities, other than the wastewater collection facilities internal to the Meadows Tract, are required to serve the Meadows Tract, the parties will negotiate on how funding for those additional facilities will be provided.

The Phase I Lift Station and Force Main Improvements shown on Exhibit "I" attached hereto consist of a 650 GPM lift station and modification to the City's existing 8" effluent outpour line, to serve 984 LUEs. The estimated cost is \$675,910. An LUE is the amount of wastewater typically received from a single-family residence. LUE equivalences to be used for the purpose of this Agreement are set forth in Exhibit "J" attached to this Agreement.

The District shall be responsible for construction of Phase I Lift Station and Force Main Improvements. Design of these facilities shall be subject to approval by the City. These facilities shall be conveyed by the District to the City for ownership and operation upon completion of construction.

The District will receive credit for the number of impact fees calculated by dividing the costs of the Phase I Lift Station and Force Main Facilities by the impact fee in effect as of the date of this Agreement. The costs of the Phase I Lift Station and Force Main Facilities shall include all costs of design, engineering, materials, labor, construction and inspection arising in connection with the facilities; all payments arising under any contracts entered into for the construction of the facilities; all costs incurred in connection with obtaining governmental approvals, certificates, permits, easements, rights-of-way, or sites required as a part of construction of the facilities, and all out of pocket expenses incurred in connection with construction of the facilities. In recognition of the fact that the District will provide inspection of the construction of these facilities, the City agrees to waive its customary 5% inspection fee.

The cost of the Phase I Lift Station and Force Main Facility for which the District shall receive impact fee credits shall be limited to the above estimated cost of \$675,910 plus 10%. If the costs exceed that amount, the District reserves the right to reimburse the developers for such excess costs from bond proceeds.

If Len-Buf desires to continue its rights under this Agreement, on or before February 28, 2006, Len-Buf must pay to Meadows, 46.49% of the costs of the Phase I Lift Station and Force Main Facilities that have been paid as of that date, with interest at the rate paid by Meadows on money that it previously provided to the District to pay for the Phase I Lift Station and Force Main Facilities, which payment shall be non-refundable. If Len-Buf does not make the foregoing payment due by February 28, 2006, Len-Buf shall have no further rights or obligations under this Agreement and the other parties shall have no further rights or obligations under this Agreement regarding Len-Buf. If the costs of the Phase I Lift Station and Force Main Facilities are not fully paid when and if Len-Buf makes the payment on or before February 28, 2006, Len-Buf shall also pay 46.49% of the remaining costs of the Phase I Lift Station and Force Main Facilities to the District, as they come due, which payments shall be non-refundable.

Section 7.2. Wastewater Service to Len-Buf Tract. If Len-Buf does not close on the purchase of the residential portion of the Len-Buf Tract before December 31, 2006, Len-Buf shall have no further rights or obligations under this Agreement and the other parties shall have no further rights or obligations with respect to Len-Buf under this Agreement.

If Len-Buf does close on the purchase of the residential portion of the Len-Buf Tract before December 31, 2006 this Agreement shall continue between Len-Buf and the other parties pursuant to the following terms of this Section 7.2.

Provision of wastewater service to the Len-Buf Tract requires construction of the Phase I Lift Station and Force Main Facilities, the Len-Buf Improvements and ultimately the Phase II Lift Station and Force Main Facilities. The Phase II Lift Station and Force Main Facilities are shown on Exhibit "K" attached hereto. The Len-Buf Improvements are shown on Exhibit "L" attached hereto. Beginning upon completion of the Phase I Lift Station and Force Main Facilities and to the extent necessary, the Len-Buf Improvements, and subject to the provisions of

this Section 7.2 set forth below, the City shall provide continuous and adequate retail wastewater service to customers within the boundaries of the Len-Buf Tract in accordance with the City's rates and policies for service to its out-of-City retail customers.

The City's obligation to provide continuous and adequate retail wastewater service pursuant to the foregoing paragraph is based on the recommendations stated in the Gray * Jansing & Associates, Inc. Engineering Study for Meadows at Buda Wastewater Lift Station and Force Main Project dated August 2005. That study concludes that the Phase I and Phase II Lift Station and Force Main Improvements provide sufficient capacity to serve the Len-Buf Tract. If further experience shows that additional facilities, other than the wastewater collection facilities internal to the Len-Buf Tract, are required to serve the Len-Buf Tract, the parties will negotiate on how funding for those additional facilities will be provided.

The District, acting by and through Len-Buf, shall be responsible for construction of the Len-Buf Improvements. The Len-Buf Improvements consist of the lift stations and wastewater collection lines internal to the Len-Buf Tract, necessary to collect wastewater and deliver it to the Phase I and Phase II Lift Station and Force Main Facilities. The District intends to reimburse the developer for the cost of construction of the Len-Buf Improvements from bond proceeds.

After all impact fees credited to the District, pursuant to the foregoing terms of this Agreement have been used, any impact fees due from the District to the City shall be retained by the District and held in a separate account (the "Lift Station Fund") of the District in the District's depository until the contract for construction of the Phase II Lift Station and Force Main Facilities is ready to be awarded. Thereafter impact fees due from the District (over and above any available credits) shall be paid to the City. The funds in the Lift Station Fund shall be invested pursuant to the District's investment policy, which investments shall be subject to approval of the City.

When 738 LUEs have been connected to the Phase I Lift Station and Force Main Facilities, the District will begin design of the Phase II Lift Station and Force Main Facilities. The design shall be subject to approval of the City. At the time design begins, the City will pay \$750,000 into the Lift Station Fund.

When 836 LUEs have been connected to the Phase I Lift Station and Force Main Facilities, the District will begin construction of the Phase II Lift Station and Force Main Facilities.

The Phase II Lift Station and Force Main Facilities shown on Exhibit "K" attached hereto include an 1,800 GPM lift station designed to serve 2,790 LUEs, whose estimated cost is \$711,113 and a 14,025 linear-foot 14" force main, whose estimated cost is \$981,750.

All costs of the design and construction of the Phase II Lift Station and Force Main Facilities shall be paid from the Lift Station Fund. When the contract for construction of the Phase II Lift Station and Force Main Facilities is ready to be awarded, Meadows and Len-Buf

will pay money into the Lift Station Fund in the amount sufficient to bring the total amount on deposit in that fund equal to the contract price. If additional costs are incurred during the course of construction, Meadows and Len-Buf will pay an additional amount into the Lift Station Fund equal to these additional costs. The foregoing amounts of money shall be provided 53.51% by Meadows and 46.49% by Len-Buf. The District will receive credit for the number of impact fees calculated by dividing the foregoing amounts furnished by Meadows and Len-Buf by the impact fee in effect as of the date of this Agreement. The costs of the Phase II Lift Station and Force Main Facilities shall include all costs of design, engineering, materials, labor, construction and inspection arising in connection with the facilities; all payments arising under any contracts entered into for the construction of the facilities; all costs incurred in connection with obtaining governmental approvals, certificates, permits, easements, rights-of-way, or sites required as a part of construction of the facilities, and all out of pocket expenses incurred in connection with construction of the facilities.

The cost of the Phase II Lift Station and Force Main Facility for which the District shall receive impact fee credits shall be limited to the above estimated cost of \$1,692,863 plus 10%. If the costs exceed that amount, the District reserves the right to reimburse the developers for such excess costs from bond proceeds.

If the District receives credit for a number of impact fees that is greater than the number needed for full development within the District, the excess number of impact fees shall be multiplied by the amount of the impact fee and the product shall be the Excess Payment. The Excess Payment will bear interest at the interest rate paid by Meadows on funds used to construct the Phase II Lift Station and Force Main Facilities, or 5%, whichever is less. Interest shall only be accrued for two years. The City will pay to the District an amount equal to each impact fee collected by the City from outside the boundaries of the District, the Len-Buf Tract and the Green Meadows Tract, that is collected for wastewater service that flows into the Phase I or II Lift Station and Force Main until the District has received an amount equal to the Excess Payment plus accrued interest.

The Phase II Lift Station and Force Main Facilities will be conveyed by the District to the City for ownership and operation upon completion of construction.

The District will provide a monthly accounting regarding the deposits and withdrawals from the Lift Station Fund and the collection of impact fees.

When construction of the Phase II Lift Station and Force Main Improvements is complete, any remaining funds in the Lift Station Fund shall be paid to the City.

If houses within the District are ready for occupancy before completion of Phase I Lift Station and Force Main Facilities, then, upon completion of those facilities, the houses may be connected to the wastewater collection system within the District. The District shall be responsible for "pump and haul" of wastewater from the lift station to the City's sewage

treatment plant. The District will comply with all "pump and haul" regulatory requirements of the TCEQ. Each house connected to the wastewater collection system shall pay monthly retail sewer charges to the City pursuant to the terms of this Agreement.

Section 7.3. Wastewater Service to Green Meadows Tract. The parties agree that, at the City's sole option, the Len-Buf Improvements will be oversized to provide wastewater service to the Green Meadows Tract, such tract and facilities (the "Green Meadows Improvements") being further identified on Exhibit L hereto. If Len-Buf closes on the purchase of the Green Meadows Tract before December 31, 2006, then Len-Buf shall be responsible for paying the incremental costs to construct the Green Meadows Improvements. If Len-Buf pays for the oversizing costs of the Green Meadows Improvements, the District will receive credit for the number of impact fees calculated by dividing the costs of the Green Meadows Improvements by the impact fee in effect as of the date of this Agreement. The Green Meadows Improvements will be conveyed by the District to the City for ownership and operation upon completion of construction. If Len-Buf does not close on the purchase of the Green Meadows Tract before December 31, 2006, the City shall be responsible for paying the incremental costs to construct the Green Meadows Improvements. Whether or not Len-Buf closes on the purchase of the Green Meadows Tract, and provided that Len-Buf has closed on the purchase of the Len-Buf Tract, Len-Buf agrees to make available to the City at no cost an easement for the Green Meadows Improvements at a place mutually acceptable to the parties.

Section 7.4. Impact Fee. It is understood and acknowledged that the District's residents shall connect to the City's wastewater system. The City shall collect its wastewater impact fees pursuant to the terms of this Agreement. It is agreed that the impact fees specified in this Agreement shall be paid by District to the City as consideration for the rights granted District in the present and future capacity of the City's wastewater system and for the City's agreement to furnish, and make improvements necessary to furnish, wastewater service for the District in the time and manner provided in this Agreement.

The District shall not be required to pay any wastewater impact fees until the credited wastewater impact fees provided for in the foregoing Sections 7.1 and 7.2 have been fully depleted. After any wastewater impact fees credited to the District pursuant to the foregoing paragraph 7.1 and 7.2, if any, have been allocated to final plats of subdivisions within the District, the District shall prepay or cause to be prepaid the City's wastewater impact fees pursuant to its then effective ordinance at the time a final plat of a subdivision within the District is filed of record with the Hays County Clerk, in the amount equal to the City's applicable wastewater impact fee multiplied by the number of lots in that plat.

At the time the City collects or credits the impact fees, the District shall be entitled to an amount of wastewater capacity in the City's wastewater system for the amount of service for which the impact fees are collected or credited.

The District, The Meadows and Len-Buf agree that notwithstanding anything herein to the contrary, the District shall account separately, and monthly, to the Developers for the

payments by each of them into, and the credits to each of them from, the Lift Station Fund. Such accounting shall show whether such payments represent impact fees paid into or credited to a Developer from the Lift Station Fund or construction costs deposited into the Lift Station Fund by a Developer and shall account separately for the payments from, and credits to, each of the Developers. It is the intent of this Agreement that each Developer shall be obligated to pay for no more than its pro rata share of the costs of the construction costs of Phase I and Phase II Wastewater Improvements, and that each Developer shall likewise be entitled to receive impact fee credits for construction costs paid by him and not be the other Developer.

Section 7.5. Wastewater Rates and Billing. Basic rates charged to all City customers within the District for wastewater and procedures for the billing, payment and collection services therefor shall be set by the City. Each customer of the City within the District shall pay the City for wastewater services received at the applicable out-of-City retail wastewater rate.

SECTION EIGHT

INTERNAL FACILITIES, LEN-BUF FACILITIES AND DEVELOPMENT STANDARDS

Section 8.1. Construction and Conveyance of Internal Facilities. The District shall be responsible for the installation of all wastewater lines and facilities within the District necessary to provide wastewater service within the District, including the Len-Buf Facilities. Design and construction of those facilities, other than the Phase I Lift Station and Force Main Improvements, the Phase II Lift Station and Force Main Improvements, shall be pursuant to the terms of this paragraph 8.1. Design of these facilities shall be subject to approval by the City. These wastewater lines and facilities will be dedicated to the City in accordance with the terms set forth below.

The City shall not be obligated to reimburse the District for the cost of installing internal wastewater facilities within the District and the parties expressly acknowledge the District's intention to reimburse developers for funding or constructing the facilities from the proceeds of bonds of the District to be issued from time to time pursuant to reimbursement agreements between the developers and the District.

The dedication of internal wastewater facilities shall be accomplished in a manner that does not jeopardize the developers rights to be reimbursed for the construction costs of the facilities, in accordance with such reimbursement agreements and applicable TCEQ rules governing the manner, extent and conditions for such reimbursement.

Within 30 days of the completion, inspection and final acceptance thereof, the District agrees to dedicate or cause to be dedicated to the City for operation and maintenance, those internal wastewater facilities to be constructed by developers within the District together with all easements, warranties, bonds, guarantees of labor and materials and other assurances of performance and contract rights pertaining thereto. Concurrent with reimbursement of the

developer, by the District, for the construction of such internal wastewater facilities, ownership and clear title to such facilities shall be conveyed to the City by the District

Concurrent with the final platting of the subdivision in which such internal wastewater facilities ought to be installed, the District shall cause the developer to dedicate easements for same on the subdivision plat or by separate instrument. Such easements shall be acceptable in form and content to the City's Utility Director.

All dedications and conveyances to the City of the internal wastewater facilities for operation and maintenance, and for transfer of ownership and clear title to same, shall be in writing and evidenced by an instrument or instruments acceptable to the City's Utility Director and the City Attorney as to form and content. Such instruments of transfer shall include, without limitation, an appropriate warranty of title acceptable to the City and shall provide therein for transfer to the City of all bonds, warranties, guarantees, assurances of performance or other contract rights pertaining to the internal wastewater facilities transferred.

From and after the City's acceptance of the dedication of such internal wastewater facilities for operation and maintenance, the City shall own and have the sole responsibility for operation and maintenance thereof in accordance with the standards for operation and maintenance of such facilities elsewhere in the City, provided however, that the transfer of the facilities shall include all fiscal assurances required by Section 9-5 of the City's Uniform Development Code ("UDC").

Meadows, Len-Buf and NewStand agree that all development and construction within the Property and the Commercial Property, as that term is hereinafter defined, will comply with the requirements of the City's Uniform Development Code, except for any variances or waivers that may be granted by the City.

SECTION NINE ANNEXATION BY THE CITY

Within 60 days from the date of execution of this Agreement, Len-Buf will file with the City a petition substantially in the form attached hereto as Exhibit "M" requesting the City to annex the strip of property described in that petition. Except for that strip of property, the City agrees that it will not annex the territory within the District until the earlier of:

- (i) December 31, 2035, or
- (ii) the date when Meadows, NewStand and Len-Buf have been reimbursed by the District for the water, wastewater, drainage and road facilities within the District, from bond proceeds, in accordance with the rules of the TCEQ, or the City has expressly assumed the obligation to reimburse the parties under those rules.

SECTION TEN ISSUANCE OF BONDS BY THE DISTRICT

Section 10.1. General Statement. The City agrees the District may issue bonds and notes for any lawful purpose.

Section 10.2. District as Alter Ego. It is acknowledged and agreed that by execution of this Agreement, the District has contracted with the City, pursuant to Sec. 402.014, Local Government Code that the City shall assume the ownership, operation, and maintenance of the wastewater system financed by the District and that developer is entitled to reimbursement of its funds advanced on behalf of the District to the extent permitted by this Agreement and by law and the rules of the TCEQ.

SECTION ELEVEN ASSIGNMENT OF AGREEMENT

Section 11.1. Assignment to Other Land Owners. Meadows, Len-Buf and NewStand from time to time may transfer, convey or assign their interest in this Agreement with respect to the sale, conveyance or transfer of all or any part of the land owned by it within the District, and the assignee shall be bound by this Agreement. Upon prior written approval by the City of the assignment based on the City's satisfying itself as to the reasonable ability of the assignee to perform its obligations hereunder, and the assumption by the assignee or assignees of the liabilities, responsibilities and obligations of this Agreement, the party assigning this Agreement shall be released from the liabilities, responsibilities and obligations under this Agreement with respect to the land involved in the assignment or assignments, provided that the City shall have the right to require both the assignee and assignor define in detail what obligations each party still has to the City.

Section 11.2. Agreement Binding on Successors and Assigns. This Agreement shall be binding on and shall inure to the benefit of the parties hereto and their respective legal successors and assigns.

SECTION TWELVE PERFORMANCE OF DISTRICTS OBLIGATIONS BY DEVELOPERS

Section 12.1. Performance of District's Obligation by Developers. The obligations of the District under this Agreement, whether for payment, construction of facilities, or otherwise, may be performed on behalf of the District by a developer, pursuant to a contract between the developer and the District.

SECTION THIRTEEN
SEVERABILITY AND ENFORCEABILITY

Section 13.1. Severability. The provisions of this Agreement are severable and, in the event any word, phrase, clause, sentence, paragraph, section or other provision of this Agreement, or the application thereof to any person or circumstance, shall ever be held or determined to be invalid, illegal or unenforceable for any reason, the remainder of this Agreement shall remain in full force and effect and the application thereof to any other person or circumstance shall not be affected thereby.

Section 13.2. Enforceability. In the event that the TCEQ or its successor, or any court of competent jurisdiction determines that any provision of this Agreement is beyond the scope of the Texas Water Code, or reduces the District's ability to issue bonds to pay for its expenses in connection with the wastewater service made the subject of this Agreement, the City, the parties agree to immediately amend this agreement to conform to such ruling or decision as to the obligations of the District, but not as the other parties obligations to the City.

SECTION FOURTEEN
TERM OF AGREEMENT

This Agreement shall be effective from the date of execution hereof by the City and Developer, and shall continue in effect for a period of forty (40) years from the date of the execution hereof by the District.

SECTION FIFTEEN
NOTICES

Section 15.1. Notices. Any notice to be given hereunder by either party to the other party shall be in writing and may be delivered by personal delivery, by facsimile, or by sending said notices by registered or certified mail, return receipt requested, to the address set forth below. Notice shall be deemed given when received by facsimile or by personal delivery, or three days after deposited with the United States Postal Service with sufficient postage affixed.

Any notices shall be addressed as follows:

The Meadows at Buda, Ltd.
6836 Bee Cave Road, Suite 400
Austin, Texas 78746
Attn: William T. Gunn, III
Fax (512) 329-8828

NewStand Buda, Ltd.
6836 Bee Cave Road, Suite 400
Austin, Texas 78746

Attn: William T. Gunn, III
Fax (512) 329-8828

City of Buda
121 N. Main Street
Buda, Texas 78610
Attn: City Manager
Fax (512) 312-1889

South Buda WCID No. 1
c/o Willatt & Flickinger
2001 North Lamar
Austin, Texas 78705
Fax (512) 469-9148

Lennar Buffington Horton, L.P.
Attn: Buffington Capital Holdings
1710 West 6th Street
Austin, Texas 78703
Fax (512) 732-2826

Lennar Buffington Horton, L.P.
Attn: Lennar Homes of Texas Land and Construction
12301 Research Blvd.
Building IV, Suite 100
Austin, Texas 78759
Fax (512) 250-3691

Either party may change the address or facsimile number for notice to it by giving notice of such change in accordance with the provisions of this paragraph.

SECTION SIXTEEN APPROVALS

Section 16.1. Approvals. Whenever the term “approve” or “approval” is used in this Agreement, the Party whose approval is required will not unreasonably withhold or delay it. Where approval is necessary, the Party seeking approval may request approval in writing. If the matter has not been approved and the Parties are unable to agree on a modification, the Parties may mediate a resolution of the matter. If the Parties fail to attempt to mediate a resolution, or fail to agree on a resolution following mediation, the dispute will be settled by binding arbitration administered by the American Arbitration Association under its Construction Industry Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction.

Notwithstanding any provision(s) of the City's ordinances (whether nor or hereafter enacted by the City) to the contrary, the City hereby approves development of residential portions of the Len-Buf Property at a density of forty percent 60' wide lots and sixty percent 50' wide lots.

SECTION SEVENTEEN MISCELLANEOUS

Section 17.1. Waiver. The failure on the part of any party to require performance by the other of any portion of this Agreement shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision. Any waiver by any party or any provision of this Agreement shall not be a waiver of any other provision hereof.

Section 17.2. Attorney's Fees. In the event any party shall become a party to any litigation against the other to enforce or protect any rights or interest under this Agreement and shall prevail, the losing party shall reimburse the prevailing party for all investigative and court costs and attorney's fees incurred in such litigation.

Section 17.3. Governing Law. This Agreement shall be governed by the laws of the State of Texas and venue shall lie in Hays County, Texas.

Section 17.4. Time. Time is of the essence. Unless otherwise specified, all references to "days" means calendar days. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

Section 17.5. No Partnership, Agency or Third-Party Beneficiaries Intended Other than the District. Nothing in this Agreement will be construed as creating any form of partnership or joint venture relationship between the parties, nor shall either party be authorized to act as an agent for the other party. Nothing in this Agreement shall be construed to confer any right, privilege or benefit on, or to otherwise create any vested right or third-party beneficiary relationship with any person or entity that is not a party to the Agreement.

Section 17.6. Authority. Each of the persons signing on behalf of the parties hereby confirm that they have the authority to execute this Agreement on behalf of the party indicated by their signature and have the authority to bind such party hereto.

Section 17.7. Headings. The captions and headings appearing in this Agreement are inserted merely to facilitate reference and will have no bearing upon its interpretation.

Section 17.8. Further Assurances and Cooperation. The parties shall take all further actions and shall execute and deliver to the other any other document or instrument which is necessary to fully carry out the transactions evidenced by this Contact. The parties shall cooperate with each other and act in good faith to accomplish the purposes of this Agreement.

Section 17.9. Compliance with All Laws. The parties agree that each of them will comply with all applicable federal, state, and local laws and any applicable ordinances, rules, orders, and regulations of any of the authorities having jurisdiction in carrying out its duties and obligations hereunder. However, nothing contained in this Agreement shall be construed as a waiver of any right to question or contest any law, ordinance, order, rule, or regulation in any forum having jurisdiction.

Section 17.10. Entire Agreement. This Agreement contains all agreements between the parties hereto and any agreement not contained herein shall not be recognized by the parties. The captions used herein are for convenience only and shall not be used to construe this Agreement. Words of gender shall be construed to include any other gender, and words in the singular shall included the plural and vice versa unless the context requires otherwise.

SECTION EIGHTEEN COUNTERPARTS AND EFFECTIVE DATE

Section 18.1. Counterparts and Effective Date. This Agreement may be executed by the parties in any number of counterparts, each of which when so executed and delivered shall be deemed an original instrument, but all such counterparts together shall constitute but one and the same instrument. The Effective Date of this Agreement shall be the date on which it has been signed by the parties of this Agreement.

[SIGNATURES TO FOLLOW]

CITY OF BUDA, TEXAS

By: 
 Mayor


Date of Execution: 11-2-05

ATTEST:


 City Administrator

THE MEADOWS AT BUDA, LTD.,
 a Texas limited partnership


By: LA LUZ II, LLC,
 Its General Partner

By: 
 Bradley D. Whittington
 Manager

Date of Execution: 11/02/05

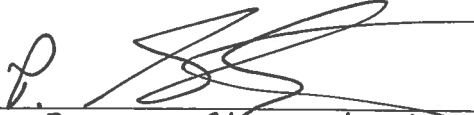
LENNAR BUFFINGTON HORTON, L.P.,
 a Texas limited partnership

By: Lennar Texas Holding Company,
 a TEXAS corporation,
 its General Partner

By: 
 Name: JAMES DRANEY
 Title: VICE PRESIDENT

Date of Execution: 11/02/05

By: Buffington Horton Management,
L.L.C.,
a Texas corporation,
Its General Partner

By: 
Name: Patrick J. Staley Vice President

Date of Execution: 11-02-2005

NEWSTAND BUDA, LTD.

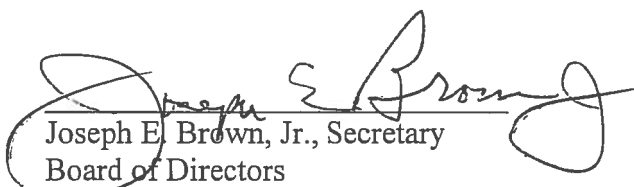
By: NewStand Development Co., LLC,
its general partner

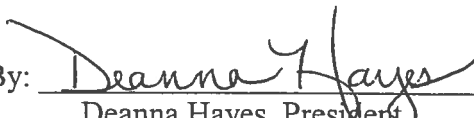
By: 
WARREN STIGALL, Manager

Date of Execution: 11/02/2005

SOUTH BUDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1

ATTEST:


Joseph E. Brown, Jr., Secretary
Board of Directors

By: 
Deanna Hayes, President
Board of Directors

Date of Execution: 11/2/05

[SEAL]

LIST OF EXHIBITS

- Exhibit "A" - Current Boundary of the District
- Exhibit "B" - Len-Buf Tract
- Exhibit "C" - Relocation of CR 132
- Exhibit "D" - Petition Requesting Annexation of Len-Buf Tract to the District
- Exhibit "E" - Consent Resolution to Petition Requesting Annexation of Len-Buf Tract to the District
- Exhibit "F" - Strategic Partnership Agreement
- Exhibit "G" - Commercial Property
- Exhibit "H" - Petition For Annexation of Commercial Property to City
- Exhibit "I" - Phase I Lift Station and force Main Improvements
- Exhibit "J" - LUE Equivalences
- Exhibit "K" - Phase II Lift Station and Force Main Improvements and Green Meadows Improvements
- Exhibit "L" - Len-Buf Improvements.
- Exhibit "M" - Len-Buf Petition for Annexation of Strip Fronting on CR 133

STRATEGIC PARTNERSHIP AGREEMENT BETWEEN
THE CITY OF BUDA, TEXAS AND

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HAYS §

This Strategic Partnership Agreement Between the City of Buda, Texas and South Buda Water Control and Improvement District No. 1 of Hays County, Texas ("Agreement") is made and entered into by and among the City of Buda, a municipal corporation, acting by and through its duly authorized Mayor ("City"); the South Buda Water Control and Improvement District No. 1 ("District"), acting by and through its duly authorized Board of Directors under the authority of Section 43.0751 of the Texas Local Government Code ("Local Government Code").

RECITALS

1. The District is a water control and improvement district created under Chapter 51 of the Texas Water Code, and confirmed by Acts 2005, Regular Session, Texas Legislature, Chapter 1323 (HB3479). All of the territory within the District is located within the extraterritorial jurisdiction of the City in Hays County, Texas. The original boundaries of the District encompassed approximately 195.47 acres, more or less, and the District has annexed a tract of approximately 216.33 acres more or less, such that the area presently included within the District's boundaries encompasses a total of approximately 411.602 acres, more or less, which boundaries are described in **Exhibit "A"** and depicted on **Exhibit "B"** attached to this Agreement.
2. The City is a general law municipal corporation.
3. The City desires to enter into an agreement with the District which would provide for eventual annexation and dissolution of the District by the City, and address issues related to administration of the district, provisions of services, and other regulatory and financial matters.
4. The District and its residents and property owners desire to postpone the City's annexation of the District in accordance with the terms of this Agreement.
5. The intent of this Agreement is to enter into a Strategic Partnership Agreement between the City and the District regarding the terms and conditions of annexation of the District by the City in accordance with Section 43.0751 of the Local Government Code.
6. Section 43.0751 of the Local Government Code allows a water control and improvement district and a city to provide for limited purpose annexation in a Strategic Partnership Agreement and provide for city collection of sales and use tax in the limited purpose area.
7. The District provided notice of two public hearings concerning the adoption of this Agreement in accordance with the procedural requirements of Section 43.0751 of the Local

Government Code.

8. The District conducted two public hearings regarding this Agreement in accordance with procedural requirements of Section 43.0751 of the Local Government Code on April 10, 2007, at 12:30 o'clock p.m., at 6836 Bee Caves Road, Suite 400, Austin, Texas 78746 and on May 21, 2007 at 12:30 o'clock p.m., at 6836 Bee Caves Road, Suite 400, Austin, Texas 78746

9. The City provided notice of two public hearings concerning the adoption of this Agreement in accordance with the procedural requirements of Section 43.0751 of the Local Government Code.

10. The City conducted two public hearings regarding this Agreement in accordance with procedural requirements of Section 43.0751 of the Local Government Code on May 1, 2007, at 7:00 o'clock p.m., at the City Council Chambers and on May 15, 2007 at 7:00 o'clock p.m., at the City Council Chambers.

11. The District has, by formal action, after public hearings approved this Agreement on May 21, 2007 in open session at a meeting held in accordance with the Open Meetings Act.

12. The City has, by formal action, after public hearings approved this Agreement on June 5, 2007 in open session at a meeting held in accordance with the Open Meetings Act.

13. All procedural requirements imposed by state law for the adoption of this Agreement have been met.

NOW THEREFORE, for and in consideration of the mutual agreements, covenants, and conditions contained in this Agreement, and other good and valuable consideration, the City and the District agree as follows:

ARTICLE I
DEFINITIONS, PURPOSE, AND LEGAL AUTHORITY

Section 1.01 Terms Defined in this Agreement.

In this Agreement, each of the following terms shall have the meaning indicated:

a. "Agreement" means the Strategic Partnership Agreement Between the City of Buda and the South Buda Water Control and Improvement District No.1.

b. "City" means the City of Buda, Texas.

- c. "Consent Agreement" means the agreement between the City and the original developers of the District, entitled "Consent and Development Agreement" executed November 2, 2005, by and among, the City, the District, The Meadows at Buda, Ltd., Lennar Buffington Horton, L.P., and NewStand Buda, Ltd., and any amendments thereto.
- d. "District" means South Buda Water Control and Improvement District No.1, Hays County, Texas.
- e. "District Boundaries" means the boundaries of the District as they now exist, including property that may hereafter be annexed by the City for limited purposes, as such boundaries are more particularly described in Exhibit "A" and depicted on Exhibit "B" attached to this Agreement.
- f. "District Facilities" means the water, wastewater, drainage and road facilities, or contract rights therefor, listed on Exhibit "C".
- g. "Limited Purpose Property" means the property area in a portion of the District to be annexed for limited purposes pursuant to this Agreement, which area is depicted in Exhibit "D" attached to this Agreement and which consists of a portion of the District.
- h. "Notice" means any formal notice or communication required or authorized to be given by one Party to another by this Agreement.
- i. "Parties" means the City and the District.
- j. "Party" means the City, or the District, as the case may be.
- k. "Period of Limited Purpose Annexation" means that period commencing on the effective date of the limited purpose annexation of the District, and ending upon the effective date of the conversion to full purpose jurisdiction of the City.

Section 1.02 Purpose of the Agreement.

The purpose of this Agreement is to define and clarify, through contractual agreement, the terms and conditions of the annexation of property in the District by the City and the relationship between the City and the District, including matters related to the issuance of debt by the District, and collection of sales and use tax by the City.

Section 1.03 General Location and Description of the District.

The District is a water control and improvement district created under Chapter 51 of the Texas Water Code. All of the territory within the District is located within the extraterritorial jurisdiction of the City in Hays County, Texas. The District encompasses approximately 411.602 acres, more or less. Its boundaries are described in Exhibit "A" and depicted in Exhibit "B" attached to this Agreement.

ARTICLE II
ADOPTION OF THE AGREEMENT AND ANNEXATION OF THE DISTRICT

Section 2.01 Conduct of Public Hearings.

The District and the City acknowledge and agree that prior to the execution of this Agreement, the District and the City have conducted public hearings for the purpose of considering the adoption of this Agreement and the annexation of the District in accordance with the terms of this Agreement, and applicable law.

Section 2.02 Effective Date of Agreement.

Under the provisions of Section 43.0751(c) of the Local Government Code, this Agreement shall become effective on June 5, 2007, the date of adoption of this Agreement by the City. Upon adoption, the Agreement shall be filed by the City in the Real Property Records of Hays County, Texas.

Section 2.03 Annexation of Portion of District for Limited Purposes.

a. The District and the City agree that the Limited Purpose Property shall be annexed by the City for limited purposes under Section 43.0751 of the Local Government Code. The Parties agree that all of the Limited Purpose Property upon limited purpose annexation shall continue to receive the same services from the District that it now receives. The District may levy an ad valorem tax in all of the areas within the District Boundaries as long as the District continues to exist.

b. The District on behalf of all present and future owners of land within the District boundaries hereby consents to the City's annexation of the Limited Purpose Property within the District for limited purposes as provided in this Agreement, and the imposition of sales and use tax by the City within the Limited Purpose Property; and consents to the further annexation and/or conversion of the property within the District to full purpose jurisdiction in accordance with this Agreement. It is the intent of the Parties that the consent granted in this Agreement shall bind the District and each owner and future owner of land within the District Boundaries.

Section 2.04 Taxation Authority of the City in the District During Limited Purpose Annexation.

a. The City may impose a Sales and Use Tax in the Limited Purpose Property, pursuant to Subsection (k) of the Act. The Sales and Use Tax shall be imposed on all eligible commercial activities at the rate of one and one-half percent or other rate allowed under future amendments to Chapter 321 of the Texas Tax Code and imposed by the City. The Sales and Use Tax shall take effect on the date described in Section 321.102 of the Texas Tax Code. The City shall have no authority to levy any other taxes within the Limited Purpose Property during the Limited Purpose Annexation Period, except as otherwise permitted by law.

b. The parties understand and agree that the City will not provide any municipal services to the Limited Purpose Property or any other areas within the boundaries of the District prior to full purpose annexation, except as required by law or as provided in other agreements between the City and the District.

Section 2.05 Conversion to Full Purpose Annexation of Limited Purpose Annexed Area.

In accordance with Sections 43.0751(f)(5) and 43.0751(h) of the Local Government Code, the District and the City agree that the Limited Purpose Annexation status of the District under this Agreement may be converted to full purpose annexation no sooner than the earlier of (i) December 31, 2035, or (ii) upon the completion and issuance of District bonds for 90% of road and utility infrastructure by the District pursuant to the Consent Agreement between the City and District. This full purpose annexation and/or conversion may be effected by City Council adoption of an ordinance including the area of the District within the full purpose City limits, and dissolving the District. Except as set out in this Agreement, no additional procedural or substantive requirements of state of local annexation law shall apply to such annexation, or to the annexation and dissolution ordinance.

Section 2.06 District Residents as Citizens of the City Upon Conversion to Full Purpose Jurisdiction of the District.

A resident of an area of the District that is converted to full purpose jurisdiction becomes a citizen of the City for all purposes and shall have all the rights, privileges, and responsibilities accorded to the citizens residing in all other areas that the City has annexed for full purposes.

Section 2.07 Notice of Landowners of Full Purpose and Limited Purpose Annexation of Land Within the District.

The District agrees to file the following notice concerning this Agreement in the Real Property Records of Hays County for the property within the District.

All of the property within the boundaries of South Buda Water Control and Improvement District No. 1 of Hays County, Texas (the "District"), as depicted on the map attached hereto, is subject to the terms and conditions of a Strategic Partnership Agreement ("Agreement") between the District and the City of Buda ("City"), dated June 5, 2007. The Agreement establishes a timetable for annexation by the City of Buda of the property of the District, which will be annexed initially for limited purposes and subsequently for full purposes. The City agrees that it will not annex the territory within the District until the earlier of:

- (i) December 31, 2035, or
- (ii) upon the completion and issuance of District bonds for 90% of all utility infrastructure by the District.

The City may annex the territory within the District any time thereafter at the sole discretion of the City.

A copy of the Strategic Partnership Agreement may be obtained by contacting the offices of the District, and questions concerning the Agreement may be directed to the District or the City of Buda.

This notice with appropriate modifications shall also be included in the notice to purchasers of real property in the District in each future edition of the District's Information Form required to be recorded in the Real Property Records of Hays County, Texas, pursuant to Section 49.455 of the Texas Water Code.

Section 2.08 Regulatory and Taxation Authority of the City and the District Upon Full Purpose Annexation of an Area of the District.

Upon full purpose annexation of an area of the District, the City shall have all the authority and power, including taxation authority, within the full-purpose annexed area that the City enjoys in all other areas that the City has annexed or does annex for full purposes. During the period of Limited Purpose Annexation, the District shall have all of the authority and power, including taxation authority, of a water control and improvement district so long as the District exists.

ARTICLE III
SERVICES TO THE DISTRICT

Section 3.01 Municipal Services During the Period of Limited Purpose Annexation.

- a. The Parties understand and agree that no City services will be provided in any area within the District Boundaries prior to the conversion of the District to full purpose jurisdiction, unless pursuant to any other agreements between the City and the District.
- b. City services not now being provided within the District Boundaries shall commence upon conversion of the District to full purpose jurisdiction, and dissolution of the District.

ARTICLE IV
DISTRICT ASSETS, LIABILITIES, OBLIGATIONS, DEBT
AND DEBT SERVICE AND THE CONSENT AGREEMENT

Section 4.01 Assets, Liabilities, Indebtedness, and Obligations During the Period of Limited Purpose Annexation.

- a. The Consent Agreement shall remain in full force and effect until, and shall expire upon, full purpose annexation of the District. The District shall be dissolved and abolished on or about the date of full purpose conversion, except to the extent that the parties agree that it may remain in existence for the purposes of winding down the District's business.

b. If there is a conflict between the Consent Agreement and this Agreement, the Consent Agreement shall control.

c. The District's contracts, assets, liabilities, indebtedness, and obligations will all remain the responsibility of the District until full purpose annexation. Prior to full purpose annexation, disposition or acquisition of additional contracts, assets, liabilities, indebtedness and obligations shall be governed by the Consent Agreement.

Section 4.02 Assumption of the District's Outstanding Obligations, Assets, Debts and Liabilities by the City.

a. The City shall assume none of the District's obligations or assets during the period preceding conversion to full purpose annexation jurisdiction, except as specifically provided in this Agreement.

b. Upon conversion to full purpose annexation jurisdiction of the District, and dissolution of the District, all of the obligations, liabilities, indebtedness, and assets of the District, including but not limited to the District's Bonds, shall be assumed by the City as provided by law.

Section 4.03 Capital Improvements During the Period of Limited Purpose Annexation.

During the Period of Limited Purpose Annexation the District shall be responsible for making all capital improvements to District Facilities, under the terms and conditions in effect under the Consent Agreement.

Section 4.04 District Bonds and Tax.

a. The District will levy a debt service tax to provide debt service to the District's Bonds in accordance with the terms thereof, and will continue to do so pending full purpose annexation of the District. Upon full annexation of the District by the City, the City will assume the District's outstanding bonds. Any funds in the District's debt service account which have not been applied toward the District's Bonds will be transferred to the City in full to be applied toward debt service of the District's Bonds being assumed by the City upon conversion to full purpose annexation jurisdiction of the District.

With regard to these funds, the District shall:

- i. Maintain separate accounts for its debt service fund and for its general fund reflecting the source of these funds; and
- ii. Provide the City with an annual accounting in due course after the close of the District's fiscal year for each year of this Agreement for the debt service fund account and the general fund account reflecting the status of each such account.

b. The District agrees to report the annual debt tax rate and operations and maintenance tax rate set by the District to the District's tax collector in Hays County, and to do and perform all acts required by law for the tax rates to be effective.

ARTICLE V

AUDIT

Section 5.01 Annual Audit.

The District shall conduct an annual audit each year, at its sole expense, to be performed by an independent certified public accountant. The District shall file a copy of the completed audit with the City's Director of Financial Services. The District shall make its financial records available to the City for inspection during normal business hours.

ARTICLE VI

MISCELLANEOUS PROVISIONS

Section 6.01 Effective date and Duplicate Counterparts.

This Agreement may be executed in duplicate counterparts but shall not be effective unless executed by the City and the District on or before June 5, 2007. The District agrees that, upon its execution of this Agreement, the District shall be bound by this Agreement; however, the obligations of the District under this Agreement are subject to the condition that the City will take the action necessary to authorize this Agreement and will execute and deliver the Agreement on or before June 5, 2007, failing which the District may withdraw from this Agreement.

Section 6.02 Entire Agreement.

a. Except as expressly set forth in this Agreement, this Agreement is not intended to waive or limit the applicability of laws, regulations and ordinances applicable to the District or the City, nor does it waive the jurisdiction or sovereignty of any governmental body with respect to the District or the City.

b. As if this date there are no agreements, oral or written, between the Parties which are in conflict with this Agreement. Except as expressly provided in this Agreement, this Agreement, together with all of the attachments to this Agreement, constitutes the entire agreement between the Parties with respect to the terms and conditions governing the annexation of the District. Except as expressly provided by this Agreement, no representations or agreements other than those specifically included in this Agreement shall be binding on either the City or the District.

Section 6.03 Notice.

a. It is contemplated that the Parties will contact each other concerning the subject matter of this Agreement. However, any Notice shall be given to the addresses below for each of the Parties.

b. Notice may be given by:

- i. Delivering the Notice to the Party to be notified;
- ii. By depositing the Notice in the United States Mail, certified or registered, return receipt requested, postage prepaid, addressed to the Party to be notified; or
- iii. By sending the Notice by telefax with confirming copy sent by mail to the Party to be notified.

c. Notice deposited in the United States mail in the manner hereinabove described shall be deemed effective from and after the earlier of the date of actual receipt or three days after the date of such deposit. Notice given in any other manner shall be effective only if and when received by the Party to be notified.

d. For purposes of Notice, the addresses of the Parties shall, until changed as provided in this Section, be as follows:

City of Buda
City Administrator
121 N. Main St.
Buda, Texas 78610

South Buda Water Control and Improvement District No. 1:
c/o Willatt & Flickinger
2001 North Lamar
Austin, Texas 78705

e. The Parties may change their addresses for Notice purposes by providing five days written notice of the changed address to the other Party.

f. If any date or period provided in this Agreement ends on a Saturday, Sunday, or legal holiday, the application period for calculating Notice is extended to the first business day following the Saturday, Sunday, or legal holiday.

Section 6.04 Time.

Time is of the essence in all matter pertaining to the performance of this Agreement.

Section 6.05 Waiver.

Any failure by a Party to the Agreement to insist upon strict performance by the other Party of any provision of this Agreement shall not be deemed a waiver of the provision or of any other provision of the Agreement. The Party has the right at any time to insist upon strict performance of any of the provisions of the Agreement.

Section 6.06 Applicable Law and Venue.

The construction and validity of the Agreement shall be governed by the laws of the State of Texas (without regard to conflict of laws principles). Venue shall be in Hays County, Texas.

Section 6.07 Reservation of Rights.

To the extent not inconsistent with this Agreement, each Party reserves all rights, privileges and immunities under applicable law.

Section 6.08 Further Agreement and Documents.

Both Parties agree that at any time after execution of this Agreement, they will, upon request of the other Party, exchange any other documents necessary to effectuate the terms of this Agreement. Both Parties also agree that they will do any further acts or things as the other Party may reasonably request to effectuate the terms of this Agreement.

Section 6.09 Incorporation of Exhibits and Other Documents by Reference.

All exhibits and other documents attached to or referred to in this Agreement are incorporated into this Agreement by reference for the purposes set forth in this Agreement.

Section 6.10 Assignability, Successors, and Assigns.

This Agreement shall not be assignable by the either Party without the prior written consent of the other Party, which consent shall not be unreasonably withheld, delayed or conditioned.

This Agreement shall be binding upon and inure to the benefit of the Parties and their respective representatives, successors and assigns.

Section 6.11 Amendment.

This Agreement may only be amended in writing upon the approval of the governing bodies of the City and the District.

Section 6.12 Severability.

If any section of this Agreement is declared invalid for any reason, the invalidity of that section shall not effect the validity of any other section of this Agreement, and all other sections shall remain in full force and effect. It is declared to be the intention of the Parties that they would have executed all other sections of this Agreement without including any such part, parts or portions that may, for any reason, be hereafter declared invalid.

ARTICLE VII
DEFAULT AND REMEDIES FOR DEFAULT

Section 7.01 Default.

a. Upon the occurrence, or alleged occurrence, of an event of default under or violation of this Agreement, the non-defaulting Party shall send the defaulting Party Notice of its default or violation or alleged default or violation. Except as otherwise specifically provided in this Agreement, the defaulting Party must cure its default or violation within seventy-five days following receipt of the Notice of default or violation.

b. If the default or violation is not cured within the seventy-five (75) day period, the non-defaulting Party shall have the right to enforce the terms and provisions of this Agreement by specific performance or by such other legal or equitable relief to which the non-defaulting Party maybe entitled. The non-defaulting Party shall also have the right to any other remedies and relief available at law or in equity.

Section 7.02 Dissolution of the District.

a. If the District is dissolved without the prior written approval of the City, this Agreement shall automatically terminate and the City shall have the right to annex all of the territory within the District for full purposes without restriction and this Agreement shall be treated as a request for annexation. This covenant shall survive termination of this Agreement.

b. If the District is dissolved, the Board of Directors for the District shall continue to exist after the dissolution for the sole purpose of doing any and all acts or things necessary to transfer the assets, obligations, indebtedness, and liabilities to the City. Upon completion of the transfer of all assets, obligations, indebtedness, and liabilities to the City, the District shall cease to exist.

IN WITNESS WHEREOF, this Agreement consisting of 14 pages and **Exhibits A-D** are executed in duplicate counterparts.

CITY OF BUDA, TEXAS

ATTEST:

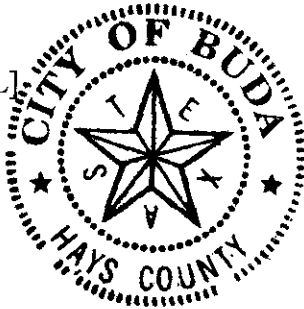
By: _____

Robert Camareno,
City Administrator

By: _____

John Trube, Mayor

[CITY SEAL]



ATTEST:

Joseph E. Brown, Jr.
Secretary

**SOUTH BUDA WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 1**

By: _____

Dustin McDaniel
Vice President

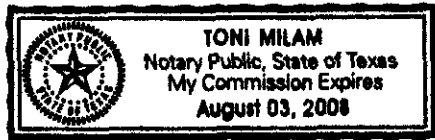
[DISTRICT SEAL]

ACKNOWLEDGMENTS

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on the 8th day of June, 2007, by John Trube, Mayor for the City of Buda, Texas, for and on behalf of the City of Buda, Texas.

[SEAL]



Toni Milam
Notary Public in and for the State of Texas
My Commission Expires: 8-3-08

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 21st day of May, 2007, by Dustin McDaniel, Vice President of South Buda Water Control and Improvement District No. 1, for and on behalf of South Buda Water Control and Improvement District No. 1.

[SEAL]



Jeniffer Conciennie
Notary Public in and for the State of Texas
My Commission Expires: 9-21-10

**STRATEGIC PARTNERSHIP AGREEMENT BETWEEN
THE CITY OF BUDA, TEXAS AND
SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1**

LIST OF EXHIBITS

The following are the Exhibits for this Agreement:

Exhibit A	Districts Boundaries-Legal Descriptions
Exhibit B	Map of District
Exhibit C	District Facilities
Exhibit D	Limited Purpose Property

EXHIBIT "A" TO STRATEGIC PARTNERSHIP AGREEMENT
(The District's Boundaries Include the 195.47 Acre Tract
And 213.897 Acre Tract Whose Descriptions are Attached Hereto)

BEING A 195.47 ACRE TRACT OF LAND SITUATED IN THE JACOB LENTZ SURVEY NO. 32, ABSTRACT NO. 284, AND THE D. D. BURNETT SURVEY NO. 5, ABSTRACT NO. 54, BOTH OF HAYS COUNTY, TEXAS, BEING A PART OF THAT CERTAIN 115.351 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO THE MEADOWS OF BUDA, LTD., OF RECORD IN VOLUME 2418, PAGE 79 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, BEING ALSO A PART OF THAT CERTAIN 85.24 ACRE TRACT OF LAND DESCRIBED AS EXHIBIT "A", A PART OF THAT CERTAIN 4.64 ACRE TRACT OF LAND DESCRIBED AS EXHIBIT "C" AND ALL OF THAT CERTAIN 6.86 ACRE TRACT OF LAND DESCRIBED AS EXHIBIT "B" ALL IN A DEED TO THE MEADOWS AT BUDA, LTD., OF RECORD IN VOLUME 2484, PAGE 696 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING A PART OF COUNTY ROAD 132, A NON-DEDICATED RIGHT-OF-WAY, SAID 195.47 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

20018055-0PR Vol 3192 Pg 36

BEGINNING at a ½ inch iron rod found for the northeast corner of said 115.351 acre tract of land, being also the northwest corner of Lot 8, Block A of Park South, Section 1 a subdivision of record in Cabinet 8, Slides 397-399 of the Plat Records of Hays County, Texas, being also a southeast corner of Lot 9, Block A of said Park South, Section 1 and being the northeast corner of the herein described tract;

THENCE S 02°31'36" E, with the east line of said 115.351 acre tract, the west line of said Park South, Section 1 and the east line of the herein described tract, for a distance of 1385.72 feet to a calculated angle point;

THENCE departing the west line of said Park South, Section 1 and over and across said 115.351 acre tract, with the east line of the herein described tract, the following four (4) courses and distances;

1. S 87°28'24" W for a distance of 271.77 feet to a calculated angle point,
2. S 21°35'33" W for a distance of 34.84 feet to a calculated angle point,
3. S 38°41'50" W for a distance of 601.56 feet to a calculated angle point, and
4. S 02°17'01" E for a distance of 328.93 feet to a calculated angle point being in the south line of said 115.351 acre tract and being in the north line of said County Road 132;

THENCE N 87°41'08" E, with the south line of said 115.351 acre tract and the north line of said County Road 132, for a distance of 108.72 feet to a calculated angle point for the southeast corner of said 115.351 acre tract and being in the west line of Interstate Highway 35, a varying width right-of-way;

THENCE S 20°57'28" W, departing the south line of said 115.351 acre tract and over and across said County Road 132, for a distance of 39.60 feet to a concrete monument found for the northeast corner of said 4.64 acre Exhibit "C" and being in the south line of said County Road 132;

THENCE S 87°32'17" W, with the south line of said County Road 132 and the north line of said 4.64 acre Exhibit "C", for a distance of 100.00 feet to a calculated angle point;

THENCE S 02°19'10" E, departing the south line of said County Road 132 and over and across said 4.64 acre tract of land described as Exhibit "C", for a distance of 703.41 feet to a

EXHIBIT "A"

Recorder's Memorandum: At the time of recording this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

calculated angle point in the south line of said 4.64 acre tract of land described as Exhibit "C" and being in the north line of a remainder parcel of that certain 122.05 acre tract of land as described in a deed to Cecil H. Hale of record in Volume 1691, Page 883 of the Deed Records of Hays County, Texas;

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THENCE S 87°36'55" W, with the south line of said 4.64 acre tract of land described as Exhibit "C" and the north line of a remainder parcel of said 122.05 acre tract, for a distance of 137.42 feet to a calculated angle point for the southwest corner of said 4.64 acre tract of land described as Exhibit "C", being also the northeast corner of a remainder parcel of said 122.05 acre tract, being also the southeast corner of said 6.86 acre tract of land described as Exhibit "B";

THENCE S 21°50'11" W, with the east line of said 6.86 acre tract of land described as Exhibit "B" and the west line of a remainder parcel of said 122.05 acre tract, for a distance of 696.78 feet to a calculated angle point for the southwest corner of a remainder parcel of said 122.05 acre tract and being in the east line of said 85.24 acre tract of land described as Exhibit "A";

THENCE S 26°39'48" W, departing the southwest corner of the remainder of said 122.05 acre tract and over and across said 85.24 acre tract of land described as Exhibit "A" for a distance of 60.21 feet to a calculated angle point for the northwest corner of a remainder parcel of said 122.05 acre tract;

THENCE S 21°50'11" W, with the east line of said 85.24 acre tract of land described as Exhibit "A" and the west line of a remainder parcel of said 122.05 acre tract, for a distance of 868.10 feet to a calculated angle point for the southeast corner of the herein described tract, being also the southeast corner of said 85.24 acre tract of land described as Exhibit "A", being also the southwest corner of a remainder parcel of said 122.05 acre tract and being in the north line of that certain 3.310 acre tract of land described as Tract One in a deed to J. A. Aquino Family Partnership, LTD., of record in Volume 13332, Page 57 of the Deed Records of Hays County, Texas;

THENCE S 87°59'00" W, with the south line of the herein described tract, the south line of said 85.24 acre tract of land described as Exhibit "A" and the north line of said 3.310 acre Tract One, for a distance of 1401.50 feet to a calculated angle point for the southwest corner of the herein described tract, being also the southwest corner of said 85.24 acre tract of land described as Exhibit "B", and being the southeast corner of that certain 0.23 acre tract of land described as Exhibit "D" in said deed to The Meadows at Buda, LTD.;

THENCE N 01°52'52" W, with the east line of said 0.23 acre tract of land described as Exhibit "D", the west line of the herein described tract and the west line of said 85.24 acre tract of land described as Exhibit "A", for a distance of 1070.12 feet to a calculated angle point for the northeast corner of a remainder parcel of said 122.05 acre tract;

THENCE N 01°53'08" W, departing the northeast corner of a remainder parcel of said 122.05 acre tract and over and across said 85.24 acre tract of land described as Exhibit "A", for a distance of 75.00 feet to a calculated angle point for the southeast corner of a remainder parcel of said 122.05 acre tract;

THENCE N 01°37'51" W, with the west line of said 85.24 acre tract of land described as Exhibit "A" and the east line of a remainder parcel of said 122.05 acre tract, for a distance of 1026.22 feet to a calculated point in the south line of said County Road 132 and being in the north line of said 85.24 acre tract of land described as Exhibit "A";

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THENCE S 87°32'17" W, with the south line of said County Road 132 and the north line of said 85.24 acre tract, for a distance of 182.05 feet to a calculated angle point for the northwest corner of said 85.24 acre tract and being at the intersection of the south line of said County Road 132 and the east line of Loop 4, an 80 foot wide right-of-way;

THENCE N 30°33'02" E, departing the north line of said 85.24 acre tract of land described as Exhibit "A" and with the east line of said Loop 4, for a distance of 50.53 feet to a calculated angle point at the intersection of the north line of said County Road 132 and the east line of said Loop 4 and being the southwest corner of the remainder parcel of that certain 320 acre tract of land as described in a deed to John Howe of record in Volume 2482, Page 79 of the Deed Records of Hays County, Texas;

THENCE N 87°32'17" E, with the north line of said County Road 132 and the south line of the remainder parcel of said 320 acre tract, for a distance of 114.35 feet to a calculated angle point for the southeast corner of the remainder parcel of said 320 acre tract and being the southwest corner of said 115.351 acre tract;

THENCE N 87°41'08" E, with the north line of said County Road 132 and the south line of said 115.351 acre tract, for a distance of 313.48 feet to a calculated angle point;

THENCE N 01°50'53" W, departing the north line of said County Road 132 and over and across said 115.351 acre tract, for a distance of 1426.35 feet to a calculated point for the most westerly corner of the herein described tract, being also in a north line of said 115.351 acre tract and being in the south line of that certain 1.50 acre tract of land as described in a deed to Jimmy R. Brewington of record in Volume 248, Page 763 of the Deed Records of Hays County, Texas;

THENCE N 87°26'16" E, with the north line of the herein described tract, a north line of said 115.351 acre tract and the south line of said 1.50 acre tract, for a distance of 1204.05 feet to a ½ inch iron rod found for the southeast corner of that certain 20.50 acre tract of land as described in a deed to Houston GBC, LTD., of record in Volume 2554, Page 256 of the Deed Records of Hays County, Texas;

THENCE N 02°28'52" W, with a west line of the herein described tract, a west line of said 115.351 acre tract and the east line of said 20.50 acre tract, for a distance of 767.88 feet to a ¼ inch iron rod found for the northeast corner of said 20.50 acre tract, being also the most northerly northwest corner of said 115.351 acre tract, being also the most northerly northwest corner of the herein described tract and being in the south line of that certain 198.26 acre tract of land as described in a deed to Penbur Farms, Inc., of record in Volume 1093, Page 278 of the Deed Records of Hays County, Texas;

THENCE N 87°33'08" E, with the north line of the herein described tract, the north line of said 115.351 acre tract and the south line of said 198.26 acre tract, for a distance of 1307.63 feet to an iron pipe found for the southeast corner of said 198.26 acre tract, being also the southwest corner of said Lot 9, Block A of said Park South, Section 1 and being an angle point in the north line of said 115.351 acre tract.

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THENCE N 88°27'00" E, continuing with the north line of said 115.351 acre tract and with the south line of said Lot 9, Block A, for a distance of 75.73 feet to the POINT OF BEGINNING and containing 195.47 acres, more or less.

Recorder's Memorandum: At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

2/South Side WCID L-2-a-log
2/8/05

DESCRIPTION

DESCRIPTION OF 213.897 ACRES OF LAND SITUATED IN THE GEORGE HERDER SURVEY NO. 537, ABSTRACT NO. 239 IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WILMOT ROBERDEAU HORTON AND JOHN COLEMAN HORTON OF RECORD IN VOLUME 1314, PAGE 375 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 213.897 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the west right-of-way line of County Road 119 also known as Old Goforth Road (R.O.W. varies), for the northeast corner of said Horton tract, the southeast corner of that certain tract of land described as Tract 3 in a deed to Keesee Partners, Ltd., of record in Volume 1795, Page 101 of the Official Public Records of Hays County, Texas, and for the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE with the west line of said County Road 119, the east line of said Horton tract, and the east line of the herein described tract, S01°56'06"E a distance of 1538.50 feet to a 1/2 inch iron rod with aluminum cap set for the northeast corner of that certain tract of land described in deed to Southwestern Bell Telephone Company of record in Volume 124, Page 258, of the Deed Records of Hays County, Texas, an exterior ell corner of said Horton tract, and an exterior ell corner of the herein described tract, from which 1/2 inch iron rod found bears N82°17'32"E a distance of 3.09 feet;

THENCE with the north line of said Southwestern Bell tract, S88°03'54"W a distance of 125.00 feet to a 1/2 inch iron rod with aluminum cap set for the northwest corner of said Southwestern Bell tract, an interior ell corner of said Horton tract, and an interior ell corner of the herein described tract;

THENCE with the west line of said Southwestern Bell tract, S01°56'06"E a distance of 100.00 feet to a 1/2 inch iron rod with aluminum cap set for the southwest corner of said Southwestern Bell tract, an interior ell corner of said Horton tract, and an interior ell corner of the herein described tract;

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

THENCE with the south line of said Southwestern Bell tract, N88°03'54"E passing at a distance of 3.54 feet 0.10 feet right a 1/2 inch iron rod found in all a total distance of 125.00 feet to a 1/2 inch iron rod with aluminum cap set in the west right-of-way line of said County Road 119 for the southeast corner of said Southwestern Bell tract, an exterior ell corner of said Horton tract and an exterior ell corner of the herein described tract;

THENCE with the west right of line of said County Road 119, an east line of said Horton tract, and a east line of the herein described tract, S01°56'06"E a distance of 1348.44 feet to a point for the southeast corner of the herein described tract, from which a 1/2 inch iron rod with Land Design cap found in the north right-of-way line of County Road 113 also known as Hillside Terrace (R.O.W. varies) for the southeast corner of said Horton tract bears, S01°56'06"E at a distance of 8.00 feet pass a 1/2 inch iron rod with Land Design cap found, in all a total distance of 27.99 feet;

THENCE over and across said Horton tract with a line 28.00 feet north of and parallel with the south line of said Horton tract and the north right-of-way line of said County Road 113, S88°12'26"W a distance of 3478.74 feet to a point in the east right-of-way line of Interstate Highway No. 35 (R.O.W. varies) for the southwest corner of the herein described tract, from which a Texas Department of Transportation Type 1 monument found (Station 158+73.74 559.38' Lt.) in the east right of way line of Interstate Highway No. 35 bears S08°49'43"E a distance of 28.21 feet;

THENCE with the east line of said Interstate Highway No. 35, the west line of said Horton tract, and the west line of the herein described tract, the following two (2) courses:

1. N08°49'43"W a distance of 642.02 feet to a Texas Department of Transportation Type 1 monument found (Station 153+00.34 210.50' Lt.), from which a 1/2 inch iron rod found (Station 153+00.34 180.00' Rt.) in the west right of way line of said Interstate Highway No. 35 bears N66°47'25"W a distance of 390.84 feet;
2. N22°38'36"E passing at a distance of 927.85 feet a Texas Department of Transportation Type 1 monument found 0.55 feet right in all a total distance of 2576.23 feet to a 1/2 inch iron rod found for the northwest corner of said Horton tract, the northwest corner of the herein described tract, and the southwest corner of Tract 1 of said Keesee tract from which a Texas Department of Transportation Type 1 monument found (Station 106+91.9 210.6' Lt.) bears N22°38'29"E a distance of 2032.80 feet;

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

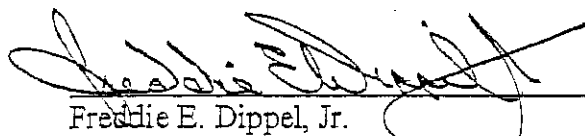
THENCE with the south line of said Keesee tract, the north line of said Horton tract, and the north line of the herein described tract N88°06'31"E passing at a distance of 1284.13 feet 0.11 feet right a 1/2 inch iron rod with KC ENG. cap found for the southeast corner of said Keesee Tract 1 and the southwest corner of said Keesee Tract 3, in all a total distance of 2484.25 feet the POINT OF BEGINNING, containing 213.897 acres of land, more or less, within these metes and bounds.

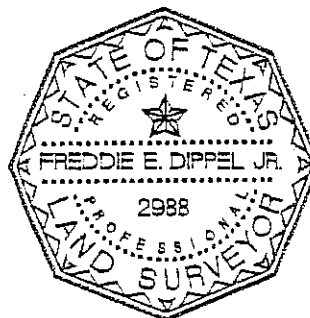
Reference is herein made to the sketch companying this metes and bounds description.

Bearing Reference: Grid North, Texas State Plane coordinate system NAD83 (CORS) Central Zone.

I hereby certify that this description was prepared from the results of a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.

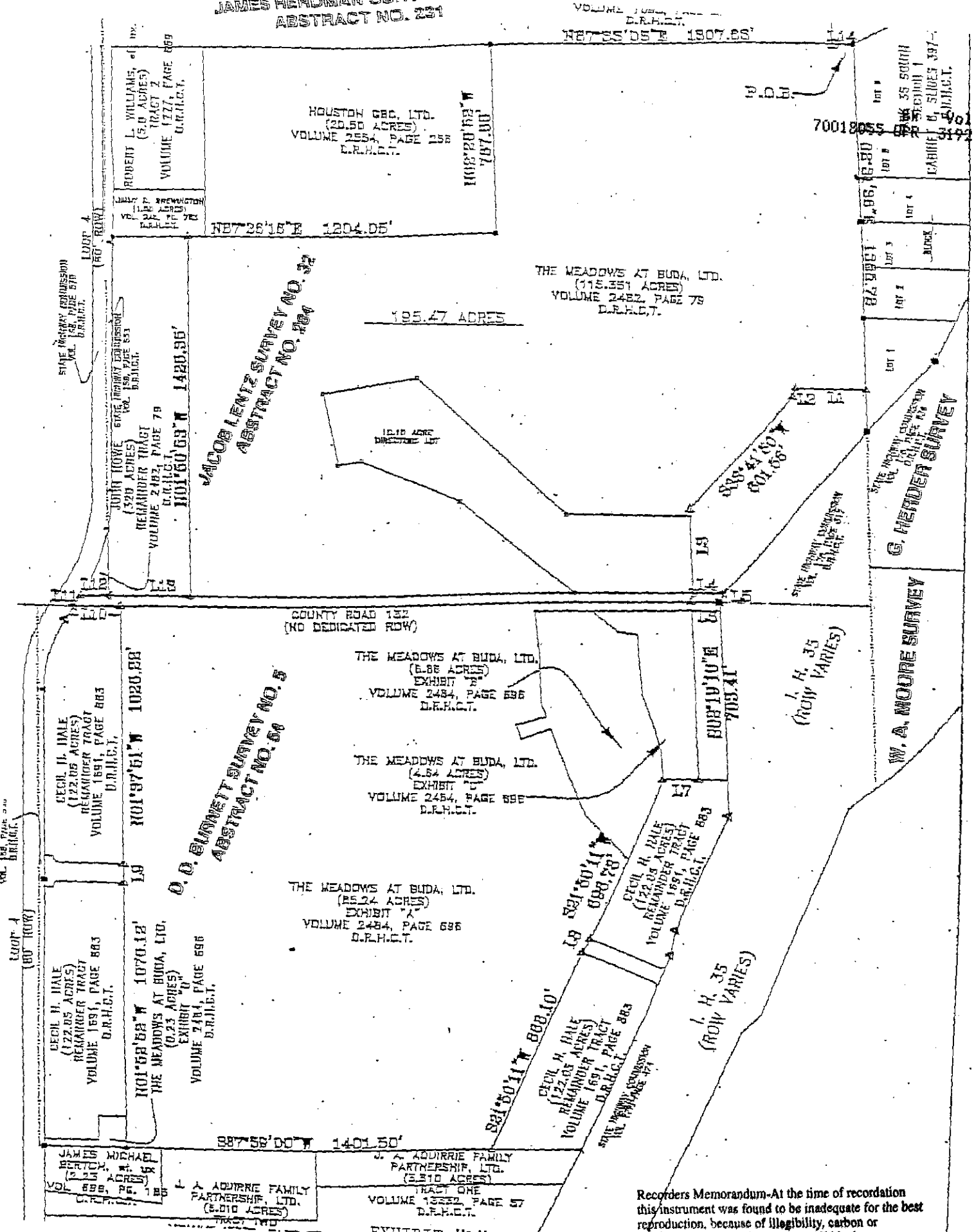

Freddie E. Dippel, Jr.
Registered Professional Land Surveyor No. 2988
Date: 8-16-08



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

EXHIBIT "B" TO STRATEGIC PARTNERSHIP AGREEMENT

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

EXHIBIT "B"
to Strategic Partnership Agreement

1 TO ACCOMPANY DESCRIPTION
97 ACRES TRACT

Vol 3192 Bk 8k
70018055 DPR

TRINIDAD VARGAS SURVEY NO. 0, ABSTRACT # 485

KEESSE PARTNERS, LTD.

KEESSE PARTNERS, LTD.

P.O.B.

369

S.T.A.
106191.9
210.6' LT.

VOL 1795, PG. 101 O.P.R.H.C.

VOL 1795, PG. 101 O.P.R.H.C.

APPROXIMATE
SURVEY LINE

1284.13'

O/S
SOUTH
0.11'

W/ "KC ENG." CAP

2484.25'

APPROXIMATE
SURVEY LINE

INTERSTATE HIGHWAY NO. 35
(R.O.W. VARIES)

WILMOT ROBERDEAU HORTON
JOHN COLEMAN HORTON
VOL. 1314, PG. 375 O.P.R.H.C.

213.897 ACRES

GEORGE HENDER SURVEY
ABSTRACT # 239

SEE
DETAIL
SHEET 2

SEE
DETAIL
SHEET 2

SOUTHWESTERN BELL
TELEPHONE COMPANY
VOL. 124, PAGE 258
D.R.H.C.

COUNTRY ROAD 119
(OLD GORCATH ROAD)

SEE
DETAIL
SHEET 2

APPROXIMATE
SURVEY LINE

28.00'

S88°12'26"W 3478.74'

S88°12'26"W 3450.36'

COUNTRY ROAD 133
(MILLSIDE TERRACE)

(MILLSIDE TERRACE)

3103 Bee Cave Road, Suite 202

Austin, Texas 78746-6819

MILLS A. MOORE SURVEY
ABSTRACT NO. 331

Cunningham Allen

Tel: (512) 377-2946

RIGHT 2005 CUNNINGHAM-ALLEN, INC.

CURTIS A. MOORE

Trinidad Vargass Survey

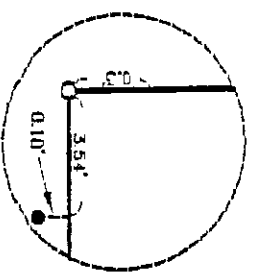
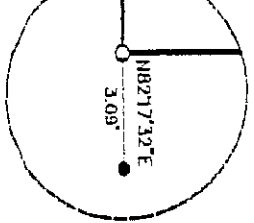
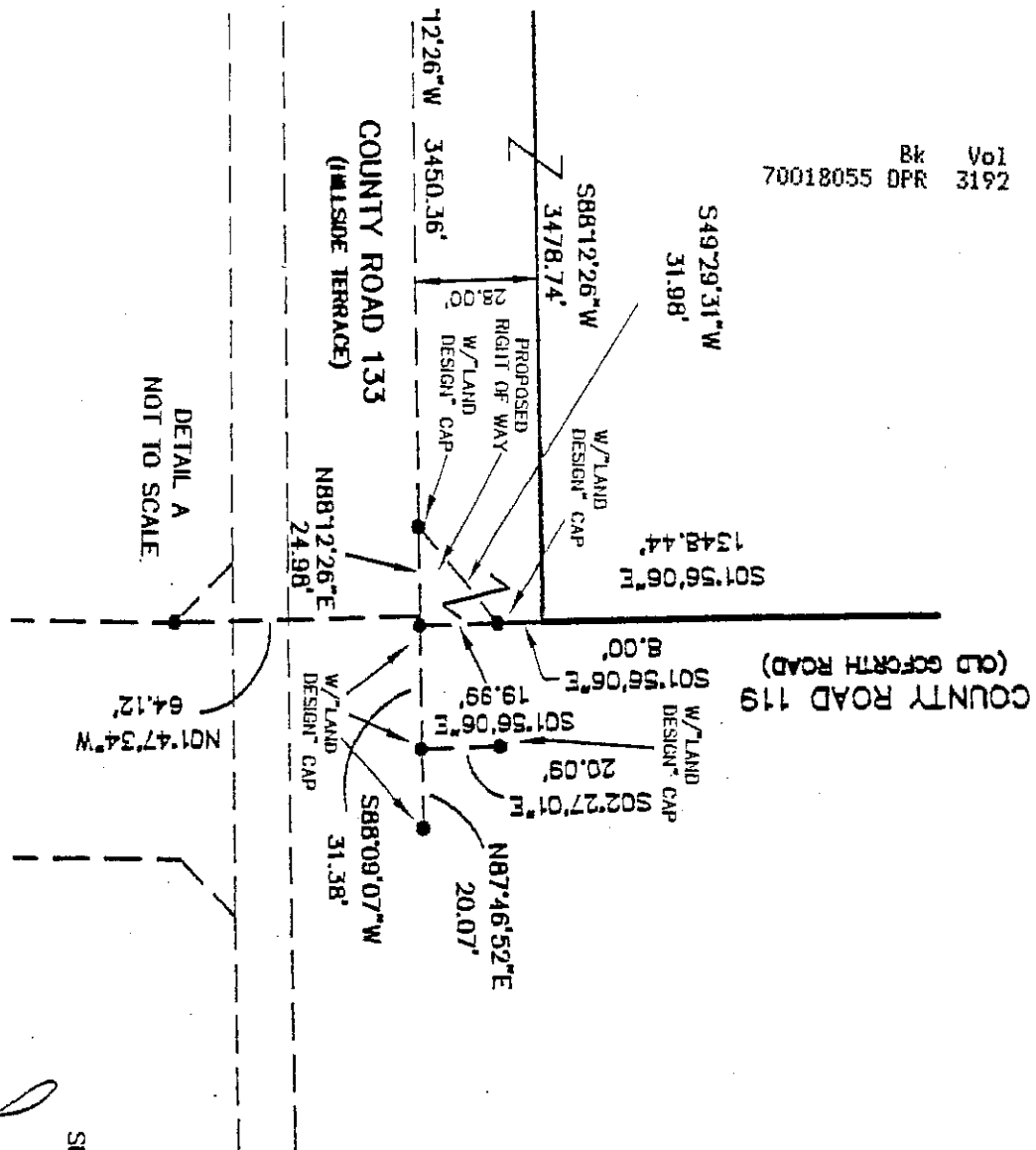
Page 1 of 10 977 7077

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

SCALE 1" = 500'

1 TO ACCOMPANY DESCRIPTION
97 ACRETRACT

Bk Vol
70018055 DPR 3192



LEGEND

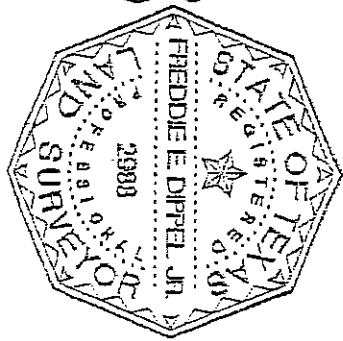
- 1/2" IRON ROD FOUND (UNLESS STATED)
- ⊙ 1/2" IRON PIPE FOUND (UNLESS STATED)
- CONCRETE HWY. MONUMENT FOUND (TYPE I)
- DR.H.C. DEED RECORDS OF HAYS COUNTY
- O.P.R.H.C. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY
- P.O.B. POINT OF BEGINNING

REFERENCE IS HEREIN MADE TO THE METES AND BOUNDS DESCRIPTION TO ACCOMPANY THIS SKETCH.

BEARING BASIS: GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM NAD83 (CORS) CENTRAL ZONE.

SURVEYED BY:

Freddie E. Dippel, Jr.
FREDDIE E. DIPPEL, JR.
REG. PROF. LAND SURVEYOR
NO. 2988
DATE: 8-18-02



DETAIL B
NOT TO SCALE

DETAIL C
NOT TO SCALE



Cunningham | Allen
Huntsville, Tennessee
3103 Bee Cave Road, Suite 202
Austin, Texas 78746-6819
Tel: (512) 327-2946

367
Recorders Memorandum-At the time of recordatio this instrument was found to be inadequate for the reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

EXHIBIT "C"

THE DISTRICT'S FACILITIES HAVE BEEN, OR WILL BE, CONSTRUCTED PURSUANT TO THE FOLLOWING CONTRACTS:

1. CONSENT AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BUDA, TEXAS (THE "CITY"), SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (THE "DISTRICT"), THE MEADOWS AT BUDA, LTD., A TEXAS LIMITED PARTNERSHIP ("THE MEADOWS"), LENNAR BUFFINGTON HORTON, L.P., ALSO A TEXAS LIMITED PARTNERSHIP ("LEN-BUF") AND NEWSTAND BUDA, LTD. ("NEWSTAND"), A TEXAS LIMITED PARTNERSHIP, WITH EFFECTIVE DATE NOVEMBER 2, 2005.
2. WATER SERVICES AGREEMENT BETWEEN MONARCH UTILITIES I, L.P. AND SOUTH BUDA WCID NO. 1, WITH EFFECTIVE DATE OCTOBER 25, 2006.
3. NON-STANDARD WATER UTILITY SERVICE AGREEMENT BY AND BETWEEN GOFORTH WATER SUPPLY CORPORATION AND SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, WITH EFFECTIVE DATE APRIL 7, 2006.
4. UTILITY CONSTRUCTION AGREEMENT BETWEEN SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND NEWSTAND BUDA, LTD., NEWMARK HOMES, L.P. AND STANDARD PACIFIC OF TEXAS, L.P., WITH EFFECTIVE DATE OCTOBER 27, 2005.
5. UTILITY CONSTRUCTION AGREEMENT BETWEEN SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, LEN-BUF LAND ACQUISITIONS OF TEXAS, L.P., AND THE MEADOWS AT BUDA, LTD., WITH EFFECTIVE DATE APRIL 3, 2006.
6. UTILITY CONSTRUCTION AGREEMENT BETWEEN SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND THE MEADOWS AT BUDA COMMERCIAL, LTD., WITH EFFECTIVE DATE FEBRUARY 13, 2006.
7. CONSTRUCTION AND REIMBURSEMENT AGREEMENT BETWEEN SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND THE MEADOWS AT BUDA COMMERCIAL, LTD., WITH EFFECTIVE DATE OCTOBER 25, 2006.
8. CR 132 AGREEMENT BY AND AMONG THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, THE CITY OF BUDA, TEXAS, SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND THE MEADOWS AT BUDA COMMERCIAL, LTD., WITH EFFECTIVE DATE MAY 8, 2007.

EXHIBIT "D" TO STRATEGIC PARTNERSHIP AGREEMENT

The Limited Purpose Property Consists of
The 29.652 Acre Tract of Land whose Description is attached hereto, and
The 62.304 Acre Tract of Land whose Description is attached hereto

DESCRIPTION

DESCRIPTION OF 29.652 ACRES OF LAND SITUATED IN THE GEORGE HERDER SURVEY NO. 537, ABSTRACT NO. 239 IN HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WILMOT ROBERDEAU HORTON AND JOHN COLEMAN HORTON OF RECORD IN VOLUME 1314, PAGE 375 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 29.652 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a Texas Department of Transportation Type 1 monument found (Station 158+73.74 559.38' Lt.) at the intersection of the east right-of-way line of Interstate Highway No. 35 (R.O.W. varies) and the north right-of-way line of County Road 133 also known as Hillside Terrace (R.O.W. varies) for the southwest corner of said Horton tract, from which a Texas Department of Transportation Type 1 monument found (Station 161+64.87 635.55' Lt.) in the east right-of-way line of said Interstate Highway No. 35 bears S08°26'52"W a distance of 298.36 feet;

THENCE with the east line of said Interstate Highway No. 35 and the west line of said Horton tract, N08°49'43"W a distance of 28.21 feet to a point for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE continuing with the east line of said Interstate Highway No. 35, the west line of said Horton tract, and with the west line of the herein described tract, the following two (2) courses:

1. N08°49'43"W a distance of 642.02 feet to a Texas Department of Transportation Type 1 monument found (Station 153+00.34 210.50' Lt.), from which a 1/2 inch iron rod found (Station 153+00.34 180.00' Rt.) in the west right-of-way line of said Interstate Highway No. 35 bears N66°47'25"W a distance of 390.84 feet;
2. N22°38'36"E passing at a distance of 927.85 feet a Texas Department of Transportation Type 1 monument found 0.55 feet right in all a total distance of 2576.23 feet to a 1/2 inch iron rod found for the northwest corner of said Horton tract, the northwest corner of the herein described tract, and the southwest corner of that certain tract of land described as Tract 1, in deed to Keesee Partners, Ltd., of record in Volume 1795, Page 101 of the Official Public Records of Hays County, Texas, from which a Texas Department of Transportation Type 1 monument found (Station 106+91.9 210.6' Lt.) bears N22°38'29"E a distance of 2032.80 feet;

THENCE with the south line said Keesee tract, the north line of said Horton tract, and the north line of the herein described tract N88°06'31"E a distance of 472.68 feet to a point for the northeast corner of the herein described tract, from which a 1/2 inch iron rod found in west right-

of-way line of County Road 119 also known as Old Goforth Road (R.O.W. varies), for the northeast corner of said Horton tract, and the southeast corner of Tract 3 of said Keesee Partners, Ltd., tract bears N88°06'31"E passing at a distance of 811.45 feet 0.11 feet right a 1/2 inch iron rod with KC ENG. cap found for the southeast corner of said Keesee Tract 1 and the southwest corner of said Keesee Tract 3, in all a total distance of 2011.57 feet;

THENCE over and across said Horton tract with the east line of the herein described tract, S22°38'36"W a distance of 3277.00 feet to a point for the southeast corner of the herein described tract;


THENCE continuing over and across said Horton tract, with a line 28.00 feet north of and parallel with the south line of said Horton tract and the north right-of-way line of said County Road 133, with the south line of the herein described tract, S88°12'26"W a distance of 104.14 feet to the POINT OF BEGINNING, containing 29.652 acres of land, more or less, within these metes and bounds.

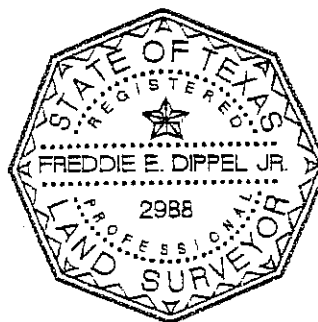
Reference is herein made to the sketch accompanying this metes and bounds description.

Bearing Reference: Grid North, Texas State Plane coordinate system NAD83 (CORS) Central Zone.

I hereby certify that this description was prepared from the results of a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.


Freddie E. Dippel, Jr.
Registered Professional Land Surveyor No. 2988
Date: 8-18-05



Bk Vol
70018055 DPR 3192

TRINIDAD VARGINAS SURVEY NO. 9, ABSTRACT # 485

KEESSE PARTNERS, LTD.
TRACT 1
VOL. 1795, PG. 101 O.P.R.H.C.

KEESSE PARTNERS, LTD.
TRACT 3
VOL. 1795, PG. 101 O.P.R.H.C.

APPROXIMATE
SURVEY LINE

INTERSTATE HIGHWAY NO. 35
(R.O.W. VARIES)

29.652
ACRES

WILMOT ROBERDEAU HORTON
JOHN COLEMAN HORTON
VOL. 1314, PG. 375 O.P.R.H.C.

GEORGE HERDER SURVEY
ABSTRACT # 239

COUNTY ROAD 133
(HILLSIDE TERRACE)

SEE
DETAIL A
SHEET 2

SEE
DETAIL C
SHEET 2

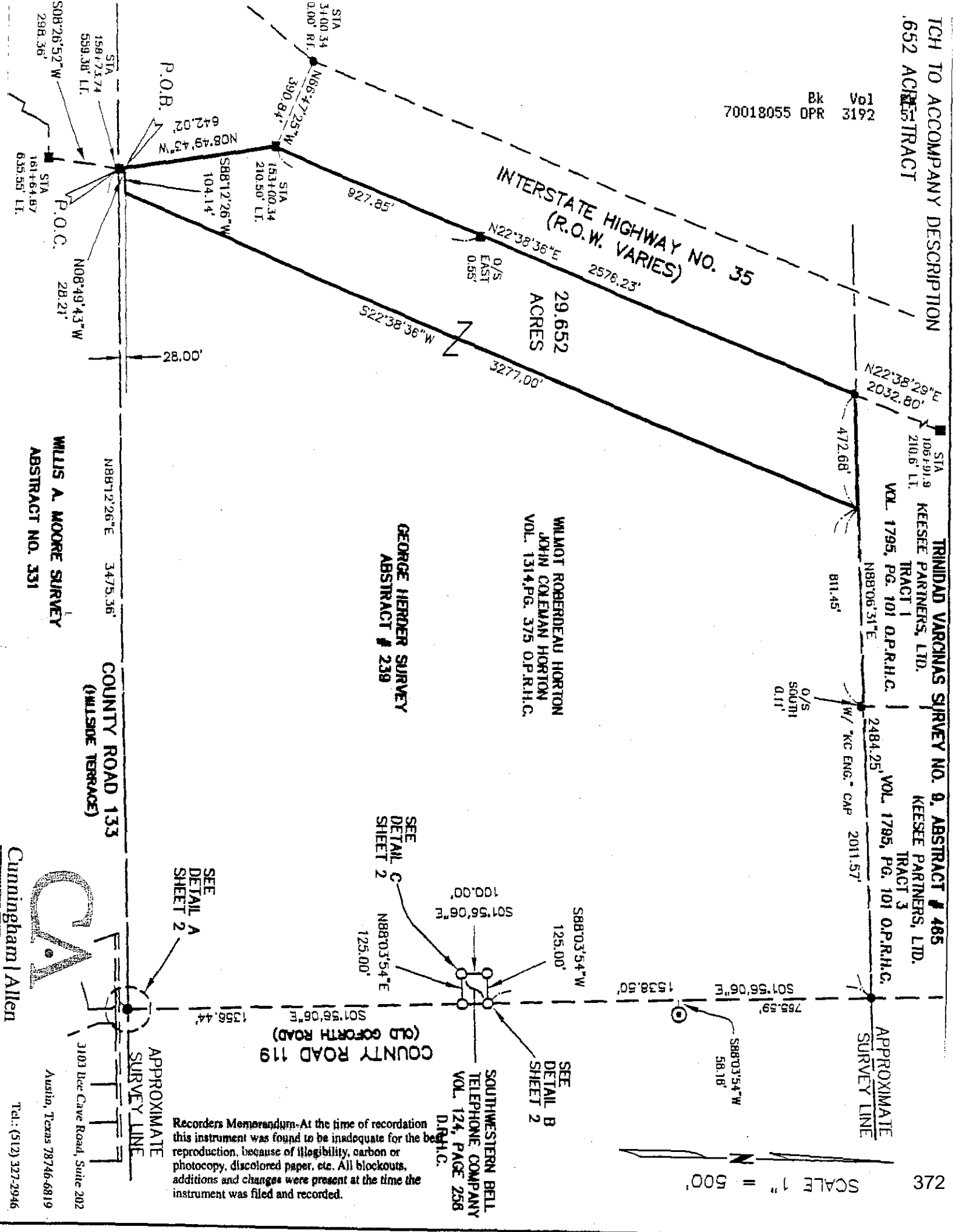
SEE
DETAIL B
SHEET 2

COUNTY ROAD 119
(OLD GOLFORTH ROAD)

SOUTHWESTERN BELL
TELEPHONE COMPANY
VOL. 124, PAGE 258
D.R.H.C.

Recorders Memorandum-At the time of recordation
this instrument was found to be inadequate for the be
reproduction, because of illegibility, carbon or
photocopy, discolored paper, etc. All blockouts,
additions and changes were present at the time the
instrument was filed and recorded.

SCALE 1" = 500'



Cunningham | Allen

Tel: (512) 327-2946

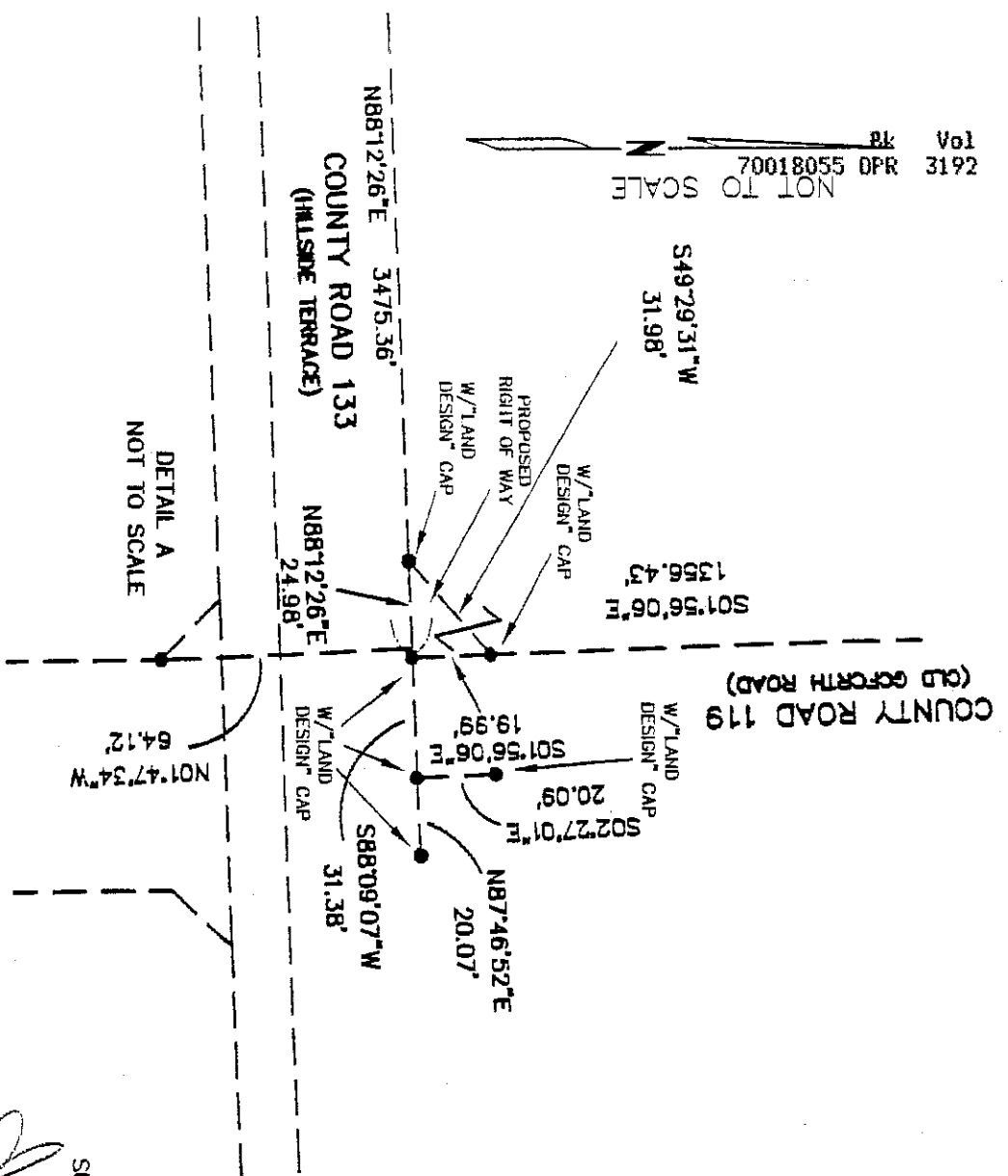
Austin, Texas 78746-6819



Vol 3192

Blk 70018055 DPR

NOT TO SCALE



LEGEND

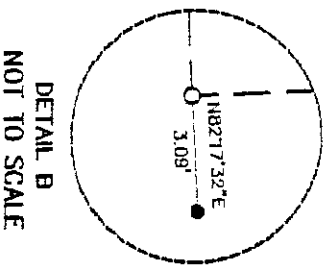
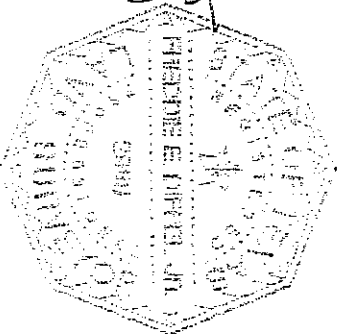
- 1/2" IRON ROD FOUND (UNLESS STATED)
- ⊙ 1/2" IRON PIPE FOUND (UNLESS STATED)
- CONCRETE HWY. MONUMENT FOUND (TYPE I)
- DEED RECORDS OF HAYS COUNTY
- OFFICIAL PUBLIC RECORDS OF HAYS COUNTY
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

REFERENCE IS HEREIN MADE TO THE METES AND BOUNDS DESCRIPTION TO ACCOMPANY THIS SKETCH.

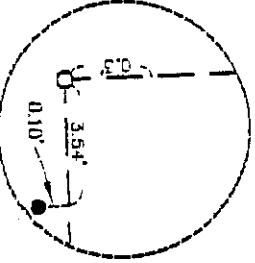
BEARING BASIS: GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM NAD83 (GCRS) CENTRAL ZONE.

SURVEYED BY:

FREDDIE E. DIPPEL, JR.
REG. PROF. LAND SURVEYOR
NO. 2988
DATE: 8-18-05



DETAIL B
NOT TO SCALE



DETAIL C
NOT TO SCALE

Cunningham | Allen

3103 Bee Cave Road, Suite 202

Austin, Texas 78746-6819

Tel.: (512) 327-2946

LEGAL DESCRIPTION

8k Vol Pg
70018055 DFR 3192 53

DESCRIPTION OF A 62.304 ACRE TRACT OF LAND
SITUATED IN THE JACOB G. LENTS SURVEY NO. 32,
ABSTRACT NO. 284, BEING A PORTION OF A 115.351 ACRE
TRACT CONVEYED TO THE MEADOWS AT BUDA, LTD.,
BY SPECIAL WARRANTY DEED DATED JUNE 14, 2004
AND RECORDED IN VOLUME 2482, PAGE 79, DEED
RECORDS OF HAYS COUNTY, TEXAS, SAID 62.304 ACRE
TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, IS
MORE PARTICULARLY DESCRIBED BY METES AND
BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found for the northeasterly corner of said 115.351 acre tract, being an angle point in the south line of Lot 9, Block A, Park 35 South Section 1, a subdivision of record in Book 8, Pages 397 thru 399 of the Plat Records of Hays County, Texas, being also in the approximate west line of the G. Herder Survey, being also in the approximate east line of said Jacob G. Lents Survey and being the northeast corner of the herein described tract;

THENCE S 02°31'36" E, with the east line of said 115.351 acre tract and the west line of said Park 35 South, for a distance of 1385.72 feet to a 1/2 inch iron rod with cap set stamped ZWA;

THENCE departing the west line of said Park 35 South and over and across said 115.351 acre tract, with the south and west lines of the herein described tract, the following seventeen (17) courses and distances;

1. S 87°28'24" W for a distance of 271.77 feet to a 1/2 inch iron rod with cap stamped ZWA set for an angle point,
2. S 21°35'33" W for a distance of 34.84 feet to a 1/2 inch iron rod with cap stamped ZWA set for an angle point,
3. S 38°41'50" W for a distance of 601.56 feet to a 1/2 inch iron rod with cap stamped ZWA set for an angle point,
4. S 02°17'01" E for a distance of 247.81 feet to a 1/2 inch iron rod with cap stamped ZWA set for an angle point,
5. N 80°00'45" W for a distance of 123.44 feet to a 1/2 inch iron rod with cap stamped ZWA set for an angle point,
6. N 79°12'41" W for a distance of 57.29 feet to a 1/2 inch iron rod with cap stamped ZWA set for an angle point,

7. N 61°24'01" W for a distance of 302.00 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

8. N 54°12'59" W for a distance of 214.74 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

Bk Vol Pg
70018055 OFR 3192 54

9. N 17°49'09" W for a distance of 129.55 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

10. N 53°14'00" W for a distance of 98.67 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

11. N 34°05'02" W for a distance of 199.44 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

12. N 72°34'06" W for a distance of 84.15 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

13. N 87°32'56" W for a distance of 129.11 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

14. N 45°07'47" W for a distance of 54.19 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

15. N 25°19'09" W for a distance of 253.71 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point,

16. N 11°50'32" W for a distance of 229.03 feet to a 1/2 inch iron rod with cap stamped
ZWA set for an angle point, and

17. N 00°01'32" W for a distance of 126.51 feet to a 1/2 inch iron rod with cap stamped
ZWA set for the most westerly northwest corner of the herein described tract, being
also in a north line of said 115.351 acre tract and being in the south line of that certain
20.50 acre tract of land as described in a deed to Houston GBC, LTD., of record in
Volume 2554, Page 256 of the Deed Records of Hays County, Texas;

THENCE N 87°26'16" E, with the south line of said 20.50 acre tract, the north line of said
115.351 acre tract and a north line of the herein described tract, for a distance of 491.96 feet to a
1/2 inch iron rod found for the southeast corner of said 20.50 acre tract and being an ell corner in
the north line of said 115.351 acre tract;

THENCE N 02°28'52" W, with the east line of said 20.50 acre tract, a west line of said 115.351
acre tract and a west line of the herein described tract, for a distance of 767.88 feet to a 1/2 inch
iron rod found for the northeast corner of said 20.50 acre tract, being also an interior corner of
said 115.351 acre tract, being also in the south line of that certain 198.26 acre tract of land as
described in a deed to Penbur Farms, Inc. of record in Volume 1093, Page 278 of the Deed
Records of Hays County, Texas;

THENCE N 87°33'08" E, with the north line of said 115.351 acre tract, the south line of said 198.26 acre tract and the north line of the herein described tract, for a distance of 1307.63 feet to a ½ inch iron pipe found for the southeast corner of said 198.26 acre tract, being also an angle point in the north line of said 115.351 acre tract, being also the southwest corner of said Lot 9, Block A, Park 35 South, Section 1 and being an angle point in the north line of the herein described tract;

Bk Vol Pg
0018055 8PR 3192 55

THENCE N 88°27'00" E, continuing with the north line of said 115.351 acre tract and the north line of the herein described tract and with the south line of said Lot 9, Block A, for a distance of 75.73 feet to the POINT OF BEGINNING and containing 62.304 acre of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN. THE BEARINGS SHOWN ARE GRID BEARINGS. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during August, 2005 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 27th day of September 2005, A.D.

Zamora-Warrick and Associates, L.L.C.
3737 Executive Center Dr., Suite 111
Austin, Texas 78731

G. Rene Zamora 9/27/05
G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 - State of Texas

REFERENCES

ZWA FIELD NOTE NO. FN-04-020-12-1



500' 400' 300' 200' 100' 0' 250' 500'

SCALE 1" = 500'
HAYS COUNTY, TEXAS
SEPTEMBER, 2005

NO. 31 ABSTRACT SURVEY
NO. 485

JOHN HOWE
(320 ACRES)
EMANDER TRACT
VOLUME 2482, PAGE 79
D.R.H.C.T.

STATE HIGHWAY COMMISSION
VOL. 158, PAGE 556
D.R.H.C.T.

NO. 7 ABSTRACT SURVEY
NO. 235

CECIL H. HALE
(122.05 ACRES)
REMAINDER TRACT
VOLUME 1691, PAGE 883
D.R.H.C.T.

CECIL H. HALE
(122.05 ACRES)
REMAINDER TRACT
VOLUME 1691, PAGE 883
D.R.H.C.T.

JIMMY R. BREWINGTON
(1.50 ACRES)
VOL. 248, PG. 763
D.R.H.C.T.

THE MEADOWS AT BUDA, LTD.
(115.351 ACRES)
VOLUME 2482, PAGE 79
D.R.H.C.T.

COUNTY ROAD 132
(NO DEDICATED ROW)

D.D. BURNETT SURVEY NO. 6
ABSTRACT NO. 53

THE MEADOWS AT BUDA, LTD.
(85.24 ACRES)
EXHIBIT "A"
VOLUME 2484, PAGE 696
D.R.H.C.T.

THE MEADOWS
AT BUDA, LTD.
(6.86 ACRES)
EXHIBIT "B"
VOLUME 2484, PAGE 696
D.R.H.C.T.

CECIL H. HALE
(122.05 ACRES)
REMAINDER TRACT
VOLUME 1691, PAGE 883
D.R.H.C.T.

STATE HIGHWAY COMMISSION
VOL. 177, PAGE 474
D.R.H.C.T.

JACOB G. LENTS SURVEY
NO. 32 ABSTRACT NO. 284

BLOCK "A"
PARK 35 SOUTH
SECTION 1
BOOK 8, PAGES 397-399
P.R.H.C.T.

62.804 ACRES

STATE HIGHWAY COMMISSION
VOL. 178, PAGE 317
D.R.H.C.T.

I. H. 35
(ROW VARIES)

D.D. BURNETT SURVEY NO. 54
ABSTRACT NO. 54

G. HERDER
SURVEY

W. A. MOORE
SURVEY



ZWA

Zamora-Warrick & Associates, L.L.C.
Professional Land Surveyors

3737 Executive Center Drive, Suite 10 Austin, Texas 78731
Tel: (512) 241-1078 • Fax: (512) 241-1362

PROJECT:	MEADOWS AT BUDA
JOB NUMBER:	04-020-12
DATE:	SEPTEMBER, 2005
SCALE:	1"=500'
SURVEYOR:	WARRICK
TECHNICIAN:	WARRICK
DRAWING:	FW-CZ-12-0.DWG
FIELD NOTES:	
PARTY CHIEF:	
FIELD BOOKS:	

SURVEY SKETCH OF
A 62.804 ACRE TRACT OF LAND
SITUATED IN THE JACOB G. LENTS
SURVEY NO. 32 AB. NO. 284377
HAYS COUNTY, TEXAS

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S87°28'24"W	271.77'
L2	S21°35'33"W	34.84'
L3	S02°17'01"E	247.81'
L4	N80°00'45"W	123.44'
L5	N79°12'41"W	57.29'
L6	N61°24'01"W	302.00'
L7	N54°12'59"W	214.74'
L8	N17°49'09"W	129.55'
L9	N53°14'00"W	98.57'
L10	N34°05'02"W	199.44'
L11	N72°34'06"W	84.15'
L12	N87°32'56"W	129.11'
L13	N45°07'47"W	54.19'
L14	N25°19'09"W	253.71'
L15	N11°50'32"W	229.03'
L16	N00°01'32"W	126.51'
L17	N88°27'00"E	75.73'

BEARING BASIS:
BEARING BASED ON THE TEXAS STATE PLANE
COORDINATE SYSTEM, TEXAS CENTRAL ZONE,
NAD83(93) HARN. BEARINGS SHOWN HEREON ARE
GRID BEARINGS. ALL DISTANCES SHOWN ARE
SURFACE DISTANCES. VALUES WERE ESTABLISHED
FROM REFERENCE POINTS AUSTIN TXAU AND
BASTROP TXBS.

LEGEND:

- CONCRETE MONUMENT FOUND
- 1/2" IRON ROD FOUND
(UNLESS NOTED)
- 1/2" IRON ROD SET WITH CAP
(ZWA)
- ⊙ IRON PIPE FOUND
- P.O.B. POINT OF BEGINNING
- D.R.H.C.T. DEED RECORDS HAYS
COUNTY, TEXAS
- P.R.H.C.T. PLAT RECORDS HAYS
COUNTY, TEXAS

I, G. RENE ZAMORA, DO HEREBY STATE THAT
THIS SURVEY WAS MADE ON THE GROUND UNDER
MY DIRECT SUPERVISION AND THAT IT IS TRUE
AND CORRECT TO THE BEST OF MY BELIEF.



G. Rene Zamora 9/27/05
G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682

PAGE 5 OF 5



ZWA

Zamora-Warrick & Associates, L.L.C.
Professional Land Surveyors

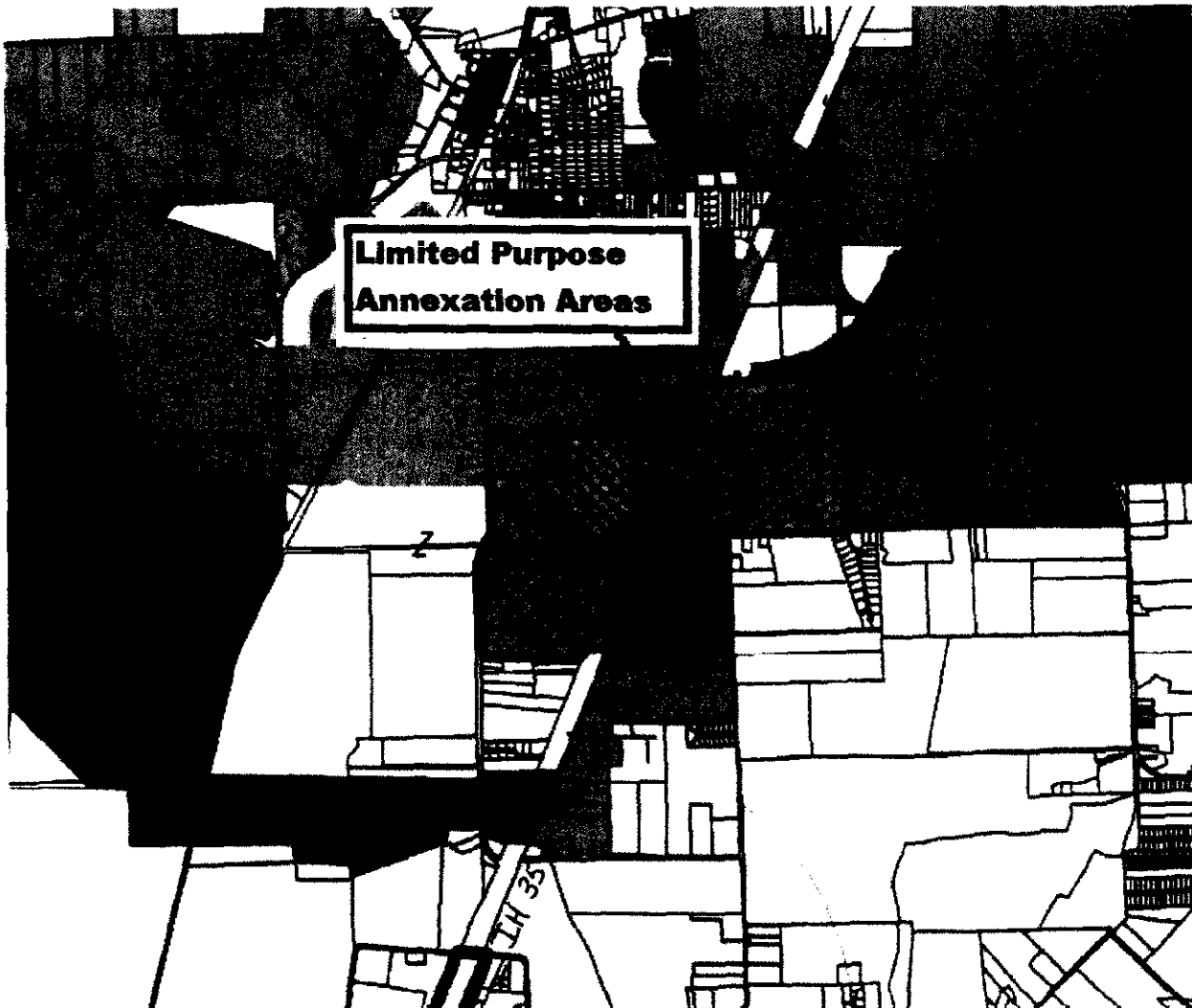
3737 Executive Center Drive, Suite 11 Austin, Texas 78731
Tel (512) 241-1078 • Fax (512) 241-1302

PROJECT: MEADOWS AT BUDA
JOB NUMBER: 04-020-12
DATE: SEPTEMBER 2005
SCALE: 1"=500'
SURVEYOR: WARRICK
TECHNICIAN: WARRICK
DRAWING: FW-CX-15-01.DWG
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

SURVEY SKETCH OF
A 62.304 ACRE TRACT OF LAND
SITUATED IN THE JACOB G. LENT'S
SURVEY NO. 32 AB. NO. 284 378
HAYS COUNTY, TEXAS

South Buda WCID #1 Strategic Partnership Agreement

Bk Vol Ps
70018055 OFR 3192 58



Filed for Record in:
Hays County
On: Jun 22, 2007 at 08:33A
Document Number: 70018055
Amount: 164.00
Receipt Number - 173502
By,
Rose Robinson, Deputy
Linda C. Fritscher, County Clerk
Hays County

**AMENDMENT NO. 1
TO
CONSENT AND DEVELOPMENT AGREEMENT**

THIS AMENDMENT NO. 1 TO CONSENT AND DEVELOPMENT AGREEMENT (Amendment No. 1") is made this 13th day of March, 2006, between the City of Buda, Texas ("Buda"), South Buda Water Control and Improvement District No. 1 (the "District"), The Meadows at Buda, Ltd. ("The Meadows"), Lennar Buffington Horton, L.P. ("Len-Buf") and NewStand Buda, Ltd. ("NewStand"), amending that certain "Consent and Development Agreement" among the parties dated November 2, 2005 (the "Original Agreement"). For and in consideration of the payment of ten dollars and other consideration by Len-Buf, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Original Agreement as follows:

ARTICLE I

GENERAL

Sec. 1.1 Relationship to Original Agreement. The purpose of this Amendment No. 1 is to amend the Original Agreement as herein provided. However, the parties reaffirm the Original Agreement in all respects, and it shall remain in full force and effect except as amended by this Amendment No. 1. If there is a conflict between the Original Agreement and this Amendment No. 1, this Amendment No. 1 shall prevail. Capitalized terms used in this Amendment No. 1 have the same meaning as provided in the Original Agreement, except as otherwise provided in the Recitals to this Amendment No. 1.

Sec. 1.2 Term. The term of this Amendment No. 1 is the same as the term of the Original Agreement, and any renewals thereof.

ARTICLE II

AMENDMENT TO THE ORIGINAL AGREEMENT

Sec. 2.1 Subdivision Development in Len-Buf Tract. Section 16.1 of the Original Agreement is amended to add an additional sentence at the end of the second paragraph of that section to read as follows:

"Further, notwithstanding any provision(s) of the City's ordinances (whether now or hereafter enacted by the City) to the contrary, Len-Buf shall be entitled to develop the Len-Buf Tract in the following manner:

1. the total length of an interior block face for residential development shall be permitted to extend up to 1,700 feet between street intersections;
2. the number of lots on each block face shall not be limited except that no more than twelve (12) consecutive lots may be located on a block face that does not have a pedestrian path or alley; and
3. non-residential development fronting Interstate Highway 35 shall be permitted to have a maximum block face length of 1,700 feet."

EXECUTED as of the dates set forth below.

CITY OF BUDA, TEXAS

By: 

Name: John Truse

Title: Mayor

Date of Execution: 3-13-, 2006

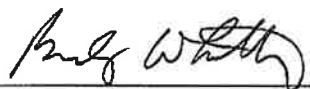
**SOUTH BUDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1**

By: 
Dustin McDaniel, Vice President
Board of Directors

Date of Execution: 2/27, 2006

**THE MEADOWS AT BUDA, LTD.,
a Texas limited partnership**

By: **LA LUZ II, LLC,
Its General Partner**

By: 
Bradley D. Whittington, Manager

Date of Execution: 02/27, 2006

NEWSTAND BUDA, LTD.

By: **NewStand Development Co., LLC,
its General Partner**


By: 
Warren Stigall, Manager

Date of Execution: 02/27, 2006

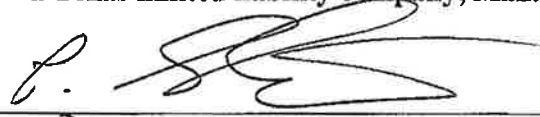
**LEN-BUF LAND ACQUISITIONS OF TEXAS, L.P.,
a Texas limited partnership**

**By: Len-Buf Development, L.L.C.
a Texas limited liability company,
its General Partner**

**By: Lennar Texas Holding Company,
a Texas corporation, Manager**

By: 
Name: JAMES DORNEY
Title: VICE PRESIDENT

**By: Buffington JV Fund II Management, L.L.C.,
a Texas limited liability company, Manager**

By: 
Name: Patrick J. Stanley
Title: Vice President

**AMENDMENT NO. 2
TO
CONSENT AND DEVELOPMENT AGREEMENT**

THIS AMENDMENT NO. 2 TO CONSENT AND DEVELOPMENT AGREEMENT ("Amendment No. 2") is made this 13th day of March, 2006, between the City of Buda, Texas ("Buda"), South Buda Water Control and Improvement No. 1 (the "District"), The Meadows at Buda, Ltd. ("The Meadows"), Len-Buf Land Acquisitions of Texas, L. P., successor in interest to Lennar Buffington Horton, L. P. ("Len-Buf") and NewStand Buda, Ltd. ("NewStand"), amending that certain "Consent and Development Agreement" among the parties dated November 2, 2005, as previously amended by Amendment No. 1 thereto (collectively, the "Original Agreement"). For and in consideration of the payment of ten dollars and other consideration by Len-Buf, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Original Agreement as follows:

ARTICLE I

GENERAL

Sec. 1.1 Relationship to Original Agreement. The purpose of this Amendment No. 2 is to further amend the Original Agreement as herein provided. However, the parties reaffirm the Original Agreement in all respects, and it shall remain in full force and effect except as amended by this Amendment No. 2. If there is a conflict between the Original Agreement and this Amendment No. 2, this Amendment No. 2 shall prevail. Capitalized terms used in this Amendment No. 2 have the same meaning as provided in the Original Agreement, except as otherwise provided in the Recitals to this Amendment No. 2.

Sec. 1.2 Term. The term of this Amendment No. 2 is the same as the term of the Original Agreement, and any renewals thereof.

ARTICLE II

AMENDMENT TO THE ORIGINAL AGREEMENT

Section 2.1 Amendment to Section 7.1 of the Original Agreement. Section 7.1 of the Original Agreement is hereby amended by revising the words "February 28, 2006" wherever they appear in the last paragraph of Section 7.1 to "March 15, 2006."

EXECUTED as of the dates set forth below.

CITY OF BUDA, TEXAS


By: _____

Name: _____

Title: _____

Date of Execution: 3-13-, 2006

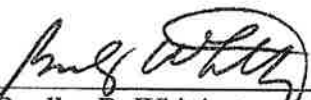
**SOUTH BUDA WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1**

By: 
Dustin McDaniel, Vice President
Board of Directors

Date of Execution: 2/28, 2006

**THE MEADOWS AT BUDA, LTD.,
a Texas limited partnership**

By: LA LUZ II, LLC,
Its General Partner

By: 
Bradley D. Whittington, Manager

Date of Execution: 2/28, 2006

NEWSTAND BUDA, LTD.

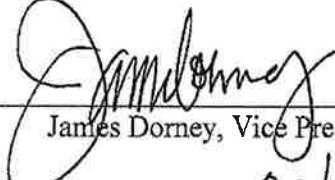
By: NewStand Development Co., LLC,
its General Partner

By: 
Warren Stigall, Manager

Date of Execution: 2/28, 2006


**LENNAR BUFFINGTON HORTON, L.P.,
a Texas limited partnership**

**By: Lennar Texas Holding Company,
a Texas corporation,
its General Partner**

By: 
James Dorney, Vice President

Date of Execution: 02/28, 2006

**By: Buffington Horton Management,
L.L.C., a Texas corporation,
its General Partner**

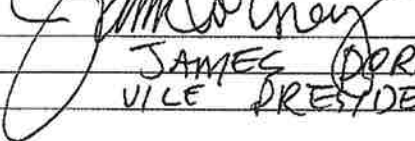
By: 
Patrick J. Starley, Vice President

Date of Execution: 2-28, 2006


**LEN-BUF LAND ACQUISITIONS OF TEXAS, L.P.,
a Texas limited partnership**

**By: Len-Buf Development, L.L.C.
a Texas limited liability company,
its General Partner**

**By: Lennar Texas Holding Company,
a Texas corporation, Manager**

By: 
Name: JAMES DORNEY
Title: VICE PRESIDENT

**By: Buffington JV Fund II Management, L.L.C.,
a Texas limited liability company, Manager**

By: 
Name: Patrick J. Starkey
Title: Vice President

**AMENDMENT NO. 3
TO
CONSENT AND DEVELOPMENT AGREEMENT**

THIS AMENDMENT NO. 3 TO CONSENT AND DEVELOPMENT AGREEMENT (“Amendment No. 3”) is made this _____ day of January 2019, between the City of Buda, Texas (“Buda”), South Buda Water Control and Improvement District No. 1 (the “District”), Meadows at Buda Commercial, Ltd. (“The Meadows”), co-assignee of the rights and obligations of the Meadows at Buda Ltd. and NewStand Buda, Ltd., Lennar Homes of Texas Land and Construction, Ltd. (“Len-Buf”), the Assignee of Len-Buf Land Acquisitions of Texas, L.P., and NewStand Buda, Ltd., an original party to the Original Agreement and also co-assignee of the rights and obligations of the Meadows at Buda, Ltd. (“NewStand”), amending that certain “Consent and Development Agreement” among the parties dated November 2, 2005, as previously amended by Amendment No. 1 and Amendment No. 2 thereto (collectively, the “Original Agreement”). For and in consideration of the payment of ten dollars, other valuable consideration and in consideration of the mutual covenants herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Original Agreement as follows:

ARTICLE I

GENERAL

Section 1.1 Relationship to Original Agreement. The purpose of this Amendment No. 3 is to further amend the Original Agreement as herein provided. However, the parties reaffirm the Original Agreement in all respects, and it shall remain in full force and effect except as amended by this Amendment No. 3. If there is a conflict between the Original Agreement and this Amendment No. 3, this Amendment No. 3 shall prevail. Capitalized terms used in this Amendment No. 3 have the same meaning as provided in the Original Agreement, except as

otherwise provided in the Recitals to this Amendment No. 3.

Section 1.2 Term. The term of this Amendment No. 3 is the same as the remaining term of the Original Agreement, and any renewals thereof.

ARTICLE II

AMENDMENT TO THE ORIGINAL AGREEMENT

Section 2.1 Amendment to Section 7.2 of the Original Agreement. Section 7.2 of the Original Agreement is hereby amended in its entirety to read as follows:

“Section 7.2. Wastewater Service to Len-Buf Tract. If Len-Buf does not close on the purchase of the residential portion of the Len-Buf Tract before December 31, 2006, Len-Buf shall have no further rights or obligations under this Agreement and the other parties shall have no further rights or obligations with respect to Len-Buf under this Agreement.

If Len-Buf does close on the purchase of the residential portion of the Len-Buf Tract before December 31, 2006 this Agreement shall continue between Len-Buf and the other parties pursuant to the following terms of this Section 7.2.

Provision of wastewater service to the Len-Buf Tract requires construction of the Phase I Lift Station and Force Main Facilities, the Len-Buf Improvements and ultimately the Phase II Lift Station and Force Main Facilities. The Phase II Lift Station and Force Main Facilities are shown on Exhibit “K” attached hereto. The Len-Buf Improvements are shown on Exhibit “L” attached hereto. Beginning upon completion of the Phase I Lift Station and Force Main Facilities and to the extent necessary, the Len-Buf Improvements, and subject to the provisions of this Section 7.2 set forth below, the City shall provide continuous and adequate retail wastewater service to customers within the boundaries of the Len-Buf Tract in accordance with the City’s rates and policies for service to its out-of-City retail customers.

*The City’s obligation to provide continuous and adequate retail wastewater service pursuant to the foregoing paragraph is based on the recommendations stated in the Gray * Jansing & Associates, Inc. Engineering Study for Meadows at Buda Wastewater Lift Station and Force Main Project dated August 2005. That study concludes that the Phase I and Phase II Lift Station and Force Main Improvements provide sufficient capacity to serve the Len-Buf Tract. If further experience shows that additional facilities, other than the wastewater collection facilities internal to the Len-Buf Tract, are required to serve the Len-Buf Tract, the parties will negotiate on how funding for those additional facilities will be provided.*

The District, acting by and through Len-Buf, shall be responsible for construction of the Len-Buf Improvements. The Len-Buf Improvements consist of the lift stations and wastewater collection lines internal to the Len-Buf Tract, necessary to collect wastewater and deliver it to the Phase I and Phase II Lift Station and Force Main Facilities. The District intends to reimburse the developers for the funds they have contributed to the cost of construction of the Len-Buf Improvements from bond proceeds.

After all impact fees credited to the District, pursuant to the foregoing terms of this Agreement have been used, any impact fees due from the District to the City shall be retained by the District and held in a separate account (the "Lift Station Fund") of the District in the District's depository until the contract for construction of the Phase II Lift Station and Force Main Facilities is ready to be awarded. Thereafter impact fees due from the District (over and above any available credits) shall be paid to the City. The funds in the Lift Station Fund shall be invested pursuant to the District's investment policy, which investments shall be subject to approval of the City.

When 738 LUEs have been connected to the Phase I Lift Station and Force Main Facilities, the District will begin design of the Phase II Lift Station and Force Main Facilities. The design shall be subject to approval of the City. At the time design begins, the City will pay \$750,000 into the Lift Station Fund.

When 836 LUEs have been connected to the Phase I Lift Station and Force Main Facilities, the District will begin construction of the Phase II Lift Station and Force Main Facilities.

The Phase II Lift Station and Force Main Facilities shown on Exhibit "K" attached hereto include a 1,032 GPM lift station designed to serve 1,291 LUEs, whose estimated cost according to the Engineer's Opinion of Probable Construction Costs Funding Estimate dated September 26, 2018 and prepared by Gray Engineering, Inc. is \$1,183,976.20 and a 14,172 linear-foot 10" force main, whose estimated cost according to the Engineer's Opinion of Probable Construction Costs Funding Estimate dated November 8, 2018 and prepared by Gray Engineering, Inc. is \$2,747,439.40.

All costs of the design and construction of the Phase II Lift Station and Force Main Facilities shall be paid from the Lift Station Fund. When the contract for construction of the Phase II Lift Station and Force Main Facilities is ready to be bid, NewStand and Len-Buf will pay money into the Lift Station Fund in the amount sufficient to bring the total amount on deposit in that fund equal to the Engineer's Opinions of Probable Construction Costs Funding Estimates referenced in the preceding paragraph minus the amounts previously expended for applicable costs as detailed in Exhibit "O" attached hereto. If the contract price of the contract to be awarded exceeds the amount in the Lift Station Fund at that time, NewStand and Len-Buf will pay additional funds into the Lift Station Fund in the amount sufficient to bring the total amount on deposit in that fund to the amount of the

contract price prior to the District's award of the contract. If additional costs are incurred during the course of construction, NewStand and Len-Buf will pay an additional amount into the Lift Station Fund equal to these additional costs. The foregoing amounts of money shall be provided 53.51% by NewStand and 46.49% by Len-Buf. The District will receive credit for the number of impact fees calculated by dividing the foregoing amounts furnished by NewStand and Len-Buf by \$1,362, being the impact fee in effect as of the date of this Agreement. Notwithstanding the foregoing, the maximum number of impact fee credits that the District will receive from the construction of the Phase II Lift Station and Force Main Facilities shall be 847. The maximum number of impact fee credits that the District has received from the Phase I Lift Station and Force Main Facility referenced in Section 7.1 is 544. The total impact fee credits provided by this agreement is 1391, which is the total number of LUEs required by the subdivisions in the District for which plats were recorded prior to November 1, 2018. The costs of the Phase II Lift Station and Force Main Facilities shall include all costs of design, engineering, materials, labor, construction and inspection arising in connection with the facilities; all payments arising under any contracts entered into for the construction of the facilities; all costs incurred in connection with obtaining governmental approvals, certificates, permits, easements, rights-of-way, or sites required as a part of construction of the facilities, and all out of pocket expenses incurred in connection with construction of the facilities.

As to all portions of the District that have yet to be platted and for which a plat has not been recorded prior to November 1, 2018, the District shall pay or cause to be paid to the City wastewater impact fees equal to the number of LUEs required by such plat when the plat is recorded. The wastewater impact fees paid in such instance shall be based on the then-current City wastewater impact fee in effect at the time of platting. As of November 1, 2018, such fee was \$3,515.

All impact fees collected by the City from outside the boundaries of the District shall be retained by the City. The City shall determine the impact fees due from such pass-through tracts. Exhibit "N" attached hereto depicts the tracts outside of the District that have approved wastewater pass-through arrangements as of November 1, 2018 or are anticipated to request wastewater pass-through arrangements after such date to pass wastewater through the District.

The Phase II Lift Station and Force Main Facilities will be conveyed by the District to the City for ownership and operation upon completion of construction.

The District will provide a monthly accounting regarding the deposits and withdrawals from the Lift Station Fund and the collection of impact fees.

When construction of the Phase II Lift Station and Force Main Improvements is complete, any remaining funds in the Lift Station Fund shall be paid to the developers at a rate 53.51% to NewStand and 46.49% to Len-Buf.

If houses within the District are ready for occupancy before completion of Phase I

Lift Station and Force Main Facilities, then, upon completion of those facilities, the houses may be connected to the wastewater collection system within the District. The District shall be responsible for “pump and haul” of wastewater from the lift station to the City’s sewage treatment plant. The District will comply with all “pump and haul” regulatory requirements of the TCEQ. Each house connected to the wastewater collection system shall pay monthly retail sewer charges to the City pursuant to the terms of this Agreement.”

Section 2.2 Amendment to Section 7.3 of the Original Agreement. Section 7.3 of the Original Agreement is deleted in its entirety. The Agreement is hereby amended by renumbering Sections 7.4 and 7.5, and all references thereto, as Sections 7.3 and 7.4, respectively.

Section 2.3 Amendment to Section 15.1 of the Original Agreement. Section 15.1 of the Original Agreement is hereby amended to read as follows:

“Section 15.1. Notices. Any notice to be given hereunder by either party to the other party shall be in writing and may be delivered by personal delivery, by facsimile, or by sending said notices by registered or certified mail, return receipt requested, to the address set forth below. Notice shall be deemed given when received by facsimile or by personal delivery, or three days after deposited with the United States Postal Service with sufficient postage affixed.

Any notices shall be addressed as follows:

*NewStand Buda, Ltd.
P.O. Box 42169
Austin, Texas 78704
Attn: Grant E. Gist
Fax: (512) 383-1226*

*The Meadows at Buda Commercial, Ltd.
P.O. Box 42169
Austin, Texas 78704
Attn: Grant E. Gist
Fax: (512) 383-1226
City of Buda
405 E. Loop Street
Buda, Texas 78610
Attn: City Manager
Fax: (512) 312-0084*

*South Buda WCID No. 1
c/o Willatt & Flickinger, PLLC
12912 Hill Country Blvd., Ste. F-232
Austin, Texas 78738
Fax: (512) 469-9148*

*Lennar Homes of Texas Land and Construction, Ltd.
13650 N. FM 620 Bldg. B, Suite 150
Austin, Texas 78717
Attn: Kevin Pape
Fax: (512) 418-0478*

w/ copy to:

*Mr. John Bartram
Armbrust & Brown, PLLC
100 Congress Avenue, Suite 1300
Austin, Texas 78701
Fax: (512) 435-2600"*

Section 2.4 Amendment to Exhibit "K" of the Original Agreement. Exhibit "K" of the Original Agreement shall be replaced in its entirety with the revised Exhibit "K" attached hereto.

Section 2.5 Addition of Exhibit "N" to the Original Agreement. The attached Exhibit "N" is hereby added to the Original Agreement.

Section 2.6 Addition of Exhibit "O" to the Original Agreement. The attached Exhibit "O" is hereby added to the Original Agreement.

EXECUTED as of the dates set forth below.

CITY OF BUDA, TEXAS

By: _____

Printed Name: _____
Title: _____

Date of Execution: January __, 2019

**SOUTH BUDA WATER CONTROL
AND IMPROVEMENT DISTRICT
NO. 1**

By: _____
Marvin B. Morgan, President
Board of Directors

Date of Execution: January __, 2019

**NEWSTAND BUDA, LTD., a Texas
limited partnership**

By: NewStand Development Co., LLC
a Texas limited liability company, its
general partner

By: _____
Grant Gist, Manager

Date of Execution: January __, 2019

**MEADOWS AT BUDA COMMERCIAL,
LTD., a Texas limited partnership**

By: The Meadows at Buda Commercial
Development, LLC, a Texas limited
liability company, its general partner

By: _____
Grant Gist, Manager

Date of Execution: January __, 2019

**LENNAR HOMES OF TEXAS LAND
AND CONSTRUCTION, LTD., a Texas
limited partnership**

By: Lennar Texas Holding Company,
a Texas corporation,
its general partner

By: _____
Printed Name: _____
Title: _____

Date of Execution: January __, 2019



City Council Agenda Item Report

Date: Tuesday, January 15, 2019

Agenda Item No. 2019-28-

Contact: Alicia Ramirez

Subject: Discussion and consideration to review and authorize the City of Buda Board and Commission Appointment Procedure (City Clerk Alicia Ramirez)

1. Executive Summary

The City Council encourages citizens to participate in their city government through the various boards and commissions. The work done by citizens who serve is a vital part of our city government.

The review of the procedure is normally scheduled for the 1st meeting in January, however, since that meeting is cancelled, staff presented in December for Council review. Council suggested any changes to the policy be forwarded to the City Manager or City Clerk for consideration at the next meeting on January 15th. No suggestions were submitted. Therefore at this regular City Council meeting, the City Council will consider the appointment process and either approve or may make any necessary changes to the process. The City Council shall direct any amendments to this process and shall direct the City Clerk to make any changes to the process and to advertise for applicants.

2. Background/History

June 7, 2016: Council Members expressed the need to develop and establish an appointment process policy and procedure in order to provide consistency in the appointment process. Council also expressed the desire to advertise the various board vacancies utilizing various mediums.

July 5, 2016: Staff presented goals and strategies to accomplish those expressed needs. By unanimous vote, Council directed staff to move forward with their recommendations (see attachment).

October 11, 2017: Council approved an ordinance placing all boards and commissions on the same appointment schedule in April, with the exception of the Economic Development Board and the Dupre Local Government Corporation/Tax Increment Reinvestment Zone.

April 3, 2018: Council approved amendments to the Appointment Procedure to include the Economic Development Board and the Dupre Local Government Corporation/Tax Increment Reinvestment Zone on the same appointment schedule.

The Appointment Procedure is the final step in meeting the strategies approved by Council. The

procedure accomplishes the following goals:

Goal 1: Better advertise & improve citizen interest in serving on a Board or Commission

Goal 2: Make City Council aware of openings and new members aware of Board & Commission roles

Goal 3: Enable Staff to work efficiently in filling appointments

3. Staff's review and analysis

The procedure consolidates the goals and strategies expressed by Council. The procedure address various key steps and task throughout the Appointment Procedure from initial application to final disposition. The procedure also addresses mid-term and emergency appointments.

The procedure allows staff to improve efficiency and to provide a consistent appointment process moving forward. Additionally, the procedure allows citizens to be aware of the uniform appointment process in that appointments are made in April.

4. Financial Impact

Staff time to coordinate the appointments and advertisement costs at approximately \$1,500 per year.

5. Summary/Conclusion

The City Council and staff benefit from the established policy. The procedure outlines the process for the recruitment, selection, and appointment of all Board and Commission members.

6. Pros and Cons

Pros: The procedure offers a consistent process to follow. Additionally, the procedure consolidates the goals and strategies expressed by Council as well as mid-term vacancies. Mid-term vacancies have been handled on a case by case basis.

Cons: If not reviewed and authorized annually as allowed by the procedure, changes or a consistent process will not be available.

7. Alternatives

Council may modify or revise various parts of the policy.

8. Recommendation

Staff recommends approval of the Appointment Procedure. Solicitation for Applications will begin once the procedure is approved.

City of Buda
Board and Commission Appointment Procedure
Effective April 3, 2018

PURPOSE

Provide the City Council and staff with a consistent appointment procedure for the appointment of volunteers to serve on all the City's boards and commissions.

ANNUAL APPOINTMENT APPLICATION PROCESS

- (1) The City Clerk shall advertise the city is accepting applications for persons to be considered for appointment to boards and commissions upon approval of the application process by the City Council in January of each year. Advertisements shall be made in the Hays Free Press, Community Impact and made available on the city's website and through available social media.
 - (a) Any person interested in being appointed or reappointed to a board or commission must submit a completed application and meet the following qualifications:
 - 1) Maintain residency within the city limits, except as otherwise provided in the respective board or commission ordinance; and
 - 2) Be a qualified voter.
 - (b) The completed application and supplementary materials must consist of:
 - 1) Completed application form (Attachment 1) ranking in numeric order the top five (5) boards and commissions the citizen wishes to serve on; and
 - 2) An up-to-date resume, if applicable for consideration for the boards or commissions selected for consideration.
- (2) Completed application packets shall be accepted by the City Clerk's office beginning the first business day of January through the last business day of March at 5:00 p.m. The City Clerk may designate a specific date to allow for administrative process and procedure.
- (3) All application packets submitted to the City Clerk shall be date-stamped received. Qualified applicants shall remain eligible for appointment for one (1) year and shall be considered in making mid-term appointments as vacancies occur.
- (4) After appointment or reappointment, each board/commission member must submit a completed acknowledgment of reading and understanding the Responsibilities of Board and Commission Members (Attachment 1), and acknowledgement of reading and understanding the Code of Ethics not later than the first meeting of the board or commission to which each such board/commission member was appointed or reappointed (Attachment 2).
- (5) The City Clerk shall send a letter or email to each board or commission member with an expiring term of office in January to determine if the member wants to be considered for reappointment. If he or she desires reappointment, the board/commission member must update the information on file by filing a new application. A board/commission member may serve on the same board or commission or a different board/commission depending on the selection(s) made in their application packet.

APPOINTMENT PROCESS AND TIMELINE

(1) January.

- (a) At the first regular City Council meeting the City Council will consider the appointment process and either approve or may make any necessary changes to the process. The City Council shall direct any amendments to this process and shall direct the City Clerk to make any changes to the process and to advertise for applicants.
 - (b) At the second regular City Council meeting, any amendments to the appointment process shall be presented to City Council for consideration and adoption.
 - (c) Unless directed otherwise by the City Council, the City Clerk will advertise positions/places on boards and commissions with expiring terms of office as provided by the procedure.
- (6) March. Applications will be accepted through the month of March. The City Clerk may designate a specific date to allow for administrative process and procedure.

(2) April.

- (a) Within the same week of the first regular city council meeting in April, the City Clerk will provide the city council with a list of the positions/places on the boards and commissions with vacancies or expiring terms of office, the names of the current incumbents, the dates of original appointments, the last appointment date, a list of new applicants, copies of the application packets, and a copy of the most current attendance report for each board and commission.
- (b) At the second regular city council meeting in April, the City Council will consider the appointment of applicants to fill available vacancies and expiring terms on each board/commission. The mayor shall open the floor for a motion and a second for either a slate of members for each board or commission or he may appoint on a person-by-person basis. Upon an appointment by the Mayor, he shall call for a vote of consent from the City Council. The city council may discuss the Mayor's call for a vote of consent, and then act upon the call as a Motion by the Mayor. The agenda shall list the board or commission appointments in the following order:
 - (1) Historic Preservation Commission
 - (2) Planning & Zoning Commission
 - (3) Zoning Board of Adjustment
 - (4) Library Commission
 - (5) Parks & Recreation Commission
 - (6) Dupre Local Government Corporation
 - (7) Economic Development Corporation
 - (8) The remaining boards and commissions shall be listed in alphabetical order.
- (c) The appointment of a new board or commission member to serve in a vacant position shall be effective immediately to fulfill any remaining unexpired term of appointment and shall continue for the term of appointment beginning May 1 of the year appointed.
- (d) The appointment of a new board or commission member to a currently occupied position on any board or commission shall operate to replace the current member for any remaining unexpired term of appointment and shall continue for the term of appointment beginning May 1 of the year appointed.

(3) TERM OF APPOINTMENT, METHOD,

- (a) All board and commission appointment terms are for two-years, unless otherwise provided by the by-laws of the board which the applicant is selected to serve. All terms of appointment shall begin May 1st and end April 30 annually or bi-annually as applicable to that board/commission.
- (b) Officers of each of the city's boards and commissions will be appointed in accordance with the ordinances, bylaws, and home rule charter. All newly elected officers shall be reported to the City Clerk for inclusion in the boards and commissions database and for public record.
- (c) The boards and commissions database will be maintained and updated by the City Clerk's office. City staff support to the boards and commissions will be responsible for providing updated information to the City Clerk's office.

MID-TERM APPOINTMENTS

- (1) Occasionally, a board or commission member may be unable to finish his or her term or will be removed by the city council prior to the term ending. In such cases, the vacant position may be filled by a "mid-term appointment". An applicant appointed to fill a vacant position appointed at any other time other than during the Annual Appointment Process, is appointed only to fulfill the remainder of the current term of appointment provided for the vacant position.
- (2) In the event of a resignation, the City Clerk shall notify the City Council and an item shall be placed on the next regular city council agenda to:
 - (a) Consider and act upon the resignation of a resigning board/commission member; and consider and act upon a mid-term appointment using the current pool of applicants.
 - (b) Should the current pool of applicants be found unsuitable to make an appointment from, for any reason, the City Council may direct the City Clerk to reopen the application process or take any other action appropriate on the item.

EMERGENCY APPOINTMENTS

The City Council shall retain the authority to suspend this procedure for any reason and appoint, remove or replace any member of any board/commission as necessary and in the interest of the City of Buda and its citizens, including for the health, safety and welfare of the citizens of Buda, should a majority of any board or commission become vacant, or for any other reason. Appointments may be made temporary or to fulfill unexpired terms.

ATTENDANCE RECORDS

All city staff providing support to the various city boards and commissions shall maintain attendance records of board/commission member attendance at board/commission meetings. Such records shall be provided to the City Clerk on a quarterly basis. The City Clerk or designee shall make the records available to the City Council. Potential board members and commissioners will be made aware of the attendance policy as outlined in the respective board by-laws.

ABSENCES

Board member absences shall be controlled by the respective board by-laws as it currently exists or may be amended.

RESIGNATIONS

Any member may resign at any time. Such resignation should be made in writing and shall take effect at the time specified therein, or, if no time being specified, at the time of its receipt by the City Clerk.

REMOVAL

Each board member serves at the pleasure of the city council and may be removed at the discretion of the city council.

COMPENSATION

Each member shall serve without compensation but may be reimbursed for actual expenses approved by the city.

COMMITTEES

The City Clerk shall be apprised of any and all committees that are created by various departments and or boards/commissions and the representatives on these committees, the dates and times of meetings, copies of agendas, and meeting minutes.

AD HOC AND STANDING COMMITTEES

Occasionally the need may arise for the appointment of an ad hoc committee, defined as a committee that will meet for a particular purpose, for a limited time. Or the need may arise for the appointment of a standing committee, defined as a committee which usually functions throughout the year and meets on a regularly scheduled basis. In these instances, the Mayor shall have the exclusive right, with input from other councilmembers, to appoint these committees, subject to consent of the City Council. Standing committee appointments shall otherwise be made at the time of the election of the Mayor Pro-Tem.

B&C Goals & Strategies

Authorized by Council 7/5/16

The goal of this procedure is to:

- Goal 1: Better advertise & improve citizen interest in serving on a Board or Commission
- Goal 2: Make City Council aware of openings and new members aware of Board & Commission roles
- Goal 3: Enable Staff to work efficiently in filling appointments

Strategies

- 1) **Strategy:** Place all boards & commissions on the same schedule, with appointments to occur in April **(completed 10/11/16)**
 - New Council Members, even after a runoff, will have had time to learn about the Board & Commission roles but appointment is far from city's regular election date (November) to avoid politicization
 - We are not trying to secure commitments from people in the middle of the holiday season for appointment in January
 - Would likely begin advertising for applications in January – could capitalize on New Year's Resolutions to be more active civically in the community
 - Would coincide with the end of the Fall Citizens Academy – can strike while iron is hot to recruit from it
 - Allows for consolidated advertising & outreach for Commissions
 - Creates consistent time periods for staff to reach out to interested parties – makes it easier to administer and also presents opportunity for someone not selected to end up on another
- 2) **Strategy:** Centralization of appointments through City Secretary following shift in appointment schedule **(Effective 10/11/16)**
 - Improves staff efficiency
 - Easier for citizens
- 3) **Strategy:** Consolidated advertising & outreach following shift in appointment schedule **(Effective 10/11/16, beginning w/Sustainability Commission)**
 - Social media
 - Newspaper advertising (Hays Free Press & Community Impact)
 - Council Member outreach

- 4) **Strategy:** Tailor to applicant interests by allowing them to rank their preferred board/commission if they are interested in multiple boards (**completed Application Revised Eff. 10/11/16**)
 - Helps to fill gaps
 - Ensures appointments are more consistent with applicant interests, making them more excited to participate

Actions Necessary to Implement Strategies

- 1) Action Needed by City Council:
 - Buy-in on direction on the four strategies listed (**authorized 7/5/16**)
 - 2) Amend Code of Ordinances Section 1.02.031(b) to change Zoning Board of Adjustment to an April appointment (**amended 10/11/16**)
 - HPC is already an April appointment; no action needed
 - 3) Amend Code of Ordinances Section 1.02.101(b) to change Planning & Zoning Commission to an April appointment (**amended 10/11/16**)
 - 4) Amend Code of Ordinances Section 1.02.121(b) to change Construction Board of Appeals to an April appointment (**amended 10/11/16**)
 - Parks & Recreation Commission is already an April appointment; no action needed
 - Library Commission is already an April appointment; no action needed
 - 5) Economic Development Corporation (EDC) appointments are in September. EDC appointments are managed by the Director.
 - 6) Dupre Local Government Corporation (LGC)/Tax Increment Reinvestment Zone (TIRZ) Boards appointments are in January. Appointments are set by the Articles of Incorporation and Master Contract.
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- 7) Actions Needed by Staff if City Council Takes Actions Listed Above: (**Effective 10/11/16, beginning w/Sustainability Commission**)
 - Liaisons need to ensure all necessary information is transferred to City Secretary
 - Revise Application to reflect the “ranking order” of the applicant’s preferred board/commission if they are interested in multiple boards
 - City Secretary and Public Information Officer (PIO) will coordinate and develop advertising strategy
 - City Secretary and PIO will establish a calendar to coordinate advertising & outreach
 - Develop attractive flyers/info sheets on each Board & Commission
 - Suggest a City Council item at last meeting in December letting them know appointments are scheduled for April... tell them to tell their neighbors that “getting more involved in the community” is a noble & achievable New Year’s Resolution
 - Place an ad in Community Impact since that gets mailed to every home – 100% exposure
 - Place an ad in Hays Free Press since it is official newspaper

- Schedule social media: Facebook, Twitter, NextDoor, etc.; coordinate with associate organizations such as Chamber of Commerce, Merchants Group, Friends of Library, Friends of Dog Park, Home Owners Association, maybe even school district
- Schedule press release to local media outlets
- City Secretary and liaisons coordinate on reappointment candidates that wish to renew
- Website updates with Board & Commission information

CITY COUNCIL
PENDING/FUTURE ITEM REQUEST

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	A	B	C	D
1	MEETING DATE	COUNCIL MEMBER	REQ#	REQUESTED ITEM
2				
3	12/18/2018	Ture	2)	Commissioner Mark Jones will present at the January 15th
4	12/18/2018	Ture	1)	staff to research which type of bids and/or project would qualify for the local preference option
5	11/7/2018	Nuckels	2)	Hays CISD - reinstate an elected official to represent city
6	11/7/2018	Hopkins	1)	consider Resolution - to support a No-Kill Shelter
7	10/16/2018	Nuckels	1)	suggested adding a position such as an efficiency auditor to review how departments conduct business and the efficiency of such processes.
8	9/18/2018	Haehn	1)	recommending changes to the UDC to resolve issues associated with certain developments regarding street width, construction requirements, and designated fire lanes.
9	9/4/2018	Ture	1)	suggested staff submit ideas for the Main Street improvements to add pedestrian friendly measures to make it safer for pedestrians, interface the ideas with the upcoming improvements, and possibly other lower cost options