



NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
6:00 PM - Tuesday, April 20, 2021
Council Chambers Room 1098
405 E. Loop Street, Building 100
Buda, TX 78610

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

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. ITEMS OF COMMUNITY INTEREST

E. PROCLAMATIONS

- E.1. Economic Development Week, May 9-15, 2021 to be accepted by Traci Anderson, Executive Director of the Buda Economic Development Corporation.**

[f1 Eco Devo Week Resolution - Staff Report.pdf](#)

[f1 PROCLAMATION for Eco Devo Week 2021.pdf](#)

- E.2. National Travel and Tourism Week, May 2 - 8, to be accepted by Lysa Gonzalez, Tourism Director of the City of Buda.**

[NTTW Proclamation .pdf](#)

F. PUBLIC COMMENTS / PUBLIC TESTIMONY

Members of the public who wish to participate in Public Comment must complete a sign-in form and turn it into the City Clerk before the period provided for Public Comment is called for consideration by the presiding officer. Members of the public who wish to participate during the Public Testimony period provided for any item on the agenda must complete a sign-in form and turn it into the City Clerk before the item they wish to participate in is called for consideration by the presiding officer.

G. CONSENT AGENDA

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

G.1. Approval of the April 6, 2021, April 7, 2021, and April 13, 2021 City Council Minutes (City Clerk Alicia Ramirez)

[2021-0406 DRAFT Minutes.pdf](#)

[2021-0407 DRAFT Minutes.pdf](#)

[2021-0413 DRAFT Minutes.pdf](#)

G.2. Adoption of a Resolution to adopt the City of Buda Electronic Signature Policy

[g2 Res 2021-R- Electronic Signature Policy.pdf](#)

[g2 rev RES 2021-R Exhibit A Electronic Signature Policy 111220.pdf](#)

H. REGULAR AGENDA

H.1. Deliberation and possible action to adopt a Resolution expressing support for and identifying potential projects for consideration for funding through the Community Project Funding process submitted through the City of Buda's Congressional Representatives (Deputy City Manager Micah Grau)

[Guidance on Community Project Funding.pdf](#)

[FY22 Interior Community Project Request Guide.pdf](#)

[Guidance for Economic Development Initiatives.pdf](#)

[Guidance for Local Transportation Priorities.pdf](#)

[h1 Congressional Appropriations.pdf](#)

[h1 Resolution - Community Project Funding 2021.pdf](#)

H.2. Hold a public hearing, deliberation and possible action on second reading of an Ordinance amending rules and regulations for form Districts and Arterial Business (B-2) Districts; amending rules and regulations for residential uses, mixed use buildings, gasoline filling or service stations, car washes, grocery convenience stores, grocery markets, office uses, professional uses, and medical uses; amending rules and regulations for signs in Form District 4 (F4) Form District 4H (F4H) and Forum District 5H (F5H) and in the extraterritorial jurisdiction; amending rules and regulations for exempt signs; and correcting scrivener's errors; proposing text amendments to Subsections 2.05.05.A., 2.06.05, 2.06.06.A., 2.08.01., 2.08.03., 2.08.07., 2.09.10.B.1., 4.02.08.A., 4.02.08.C.2.d., 4.02.09. and 5.02 of The Buda Unified Development Code (Z 21-01) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]

[Recommended FBC text amendments--City Council 2nd reading SR.doc](#)

[2021.04.15 UDC Amendments Adoptive Ordinance.doc](#)

[Redline Ordinance Changes building types update--Changes update 4.20.21.docx](#)

[Citizen ordinance amendments- Comments.pdf](#)

H.3. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance amending the Fiscal Year 2021 Budget (Finance Director June Ellis) [PUBLIC TESTIMONY]

[h7 Ordinance Budget Amendment 4-20-2021.pdf](#)

[Exhibit A FY2021 Bud Amend #4.pdf](#)

[Exhibit B - Fiscal Year 2021 Fee Schedule 4-20-2021.pdf](#)

H.4. Deliberation and possible action to consider an Ordinance on first and final reading to repeal Ordinance No. 2020-21 suspending the solicitor permit process – Chapter 14, Article 14.02, Section 14.02.007, Peddlers and Solicitors; providing severance; providing an effective date (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]

- H.5. Deliberation and possible action on three City Boards, Commissions and Committee composition matters: 1) to nominate and appoint the 2021 members to the Construction Board of Adjustments, Dupre Local Government Corporation, Economic Development Corporation, Historic Preservation Commission, Library Commission, Main Street Advisory Board, Parks and Recreation Commission, Planning and Zoning Commission, Sustainability Commission, Zoning Board of Adjustment, and Task Force on Aging; 2) to accept a Sustainability Commission board member resignation; and 3) to consider Planning & Zoning and Sustainability Commission mid-term appointments using the 2021 pool of applicants (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]**

[2021 TOC BC Application Roster.pdf](#)

[Boards Commissions Descriptions 2021.pdf](#)

- H.6. Mayor's report on Emergency Management Director activities related to the declared state of disaster regarding COVID-19 and discuss and consider any action or direction considered appropriate and necessary by the City Council to respond to the current State of Disaster as renewed by the Texas Governor**

I. EXECUTIVE SESSION

- I.1. Council will recess regular session and convene into executive session pursuant Texas Government Code Chapter 551, to deliberate upon and seek legal advice on the following: 1) pursuant to 551.071 and 551.087, Economic Development Negotiations on an offer of financial or other incentive to a company or companies with whom the City and the City of Buda Economic Development Corporation is conducting economic development negotiations with and which the City of Buda seeks to have, locate, stay, or expand in Buda including projects "Herbal", "Sauce", and "Silo"; 2) pursuant to 551.071, the Vesting Rights Determination Appeal by the Hartford Group involving the Garlic Creek Commons development and The Barr Co. v. The City of Buda, Cause No. 21-0838 filed in Hays County District Court involving the construction of City Park; and; 3) pursuant to Section 551.071 and 551.072, regarding property acquisition related to: a) Proposition 4 -Project Area 1A Drainage Project involving property owned by Centex Materials; b) Proposition 3, project Cabela's Connector on property owned by Crestview RV; and c) the Wastewater Treatment Plant Phase III expansion project's force main extension.**

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

K. CITY MANAGER'S REPORT

COVID-19, 2014 & 2021 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)

L. CITY COUNCIL'S BOARD AND COMMITTEE REPORTS

Alliance Regional Water Authority (Urbanovsky)

Buda Economic Development Corporation (Bryant & Davidson)

Capital Area Council of Governments General Assembly (Urbanovsky)
Capital Area Council of Governments Clean Air Coalition (Ture)
Combined Emergency Communication Center (Urbanovsky)
Dupre Local Government Corporation (Davidson, Smith, & Urbanovsky)
Greater San Marcos Partnership (Urbanovsky)

City of Buda Audit Committee (Cummings, Davidson, & Ture)
City of Buda Information Technology Committee (Bryant, Daugereau, & Smith)
City of Buda Board & Commission Nomination Committee (Bryant, Cummings, & Daugereau)
City of Buda City Park Planning/Programming Ad-Hoc Committee (Daugereau, Smith, & Ture)
City of Buda Planning Mobile Food Vendor Ad-hoc Committee (Davidson)
City of Buda Water/Wastewater Committee (Davidson, Daugereau, & Urbanovsky)

M. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

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

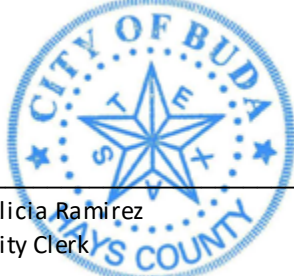
[Pending Items.pdf](#)

N. ADJOURNMENT

Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Clerk at (512) 523-1014, or FAX (512) 641-5817 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 April 16, 2021.

/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.)

A Public Comment period will be provided to allow for members of the public to participate and speak to the City Council on any topic that is not on the meeting agenda. At this time, comments will be taken from the audience on non-agenda related topics. A Public Testimony period will be provided at each meeting of the City Council to allow members of the public to participate and speak to the City Council on any topic that is on the meeting agenda, prior to any vote on the matter up for consideration. During these periods, the presiding officer shall routinely provide three (3) minutes to each person who desires to speak but may provide no less than one (1) minute and no more than five (5) minutes to each person addressing the City Council. The amount of time provided to each person, if altered by the presiding officer, shall be announced by the presiding officer prior to recognizing persons to speak and shall be objectively applied to all persons speaking during Public Comment or each Public Testimony period.

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

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

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



City Council Agenda Item Report

April 20, 2021

Contact – Traci Anderson, Executive Director
512-295-2022 / traci@budaedc.com

SUBJECT: PROCLAMATION – EDC WEEK – MAY 9-15

1. EXECUTIVE SUMMARY

ECONOMIC DEVELOPMENT WEEK IS AN EVENT CREATED BY THE INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL TO CELEBRATE THE ACHIEVEMENTS OF ECONOMIC DEVELOPERS. THE EVENT WILL OCCUR FOR THE THIRD TIME FROM MAY 9-15, 2021.

2. BACKGROUND/HISTORY

THE BEDC BOARD OF DIRECTORS APPROVED A RECOMMENDATION FOR THE BUDA CITY COUNCIL TO DECLARE MAY 9-15, 2021 AS ECONOMIC DEVELOPMENT WEEK.

THE BEDC EVENTS COMMITTEE IS WORKING ON EVENTS FOR THIS WEEK AS WELL AS THE PREVIOUS WEEK LEADING UP TO MAY 9. WE ARE ALSO CELEBRATING OUR 20TH ANNIVERSARY MAY 10. WE ARE CONDUCTING THE FOLLOWING EVENTS (THESE ARE STILL BEING REVIEWED FOR FINAL DETAILS):

- **REALTOR ROUNDTABLE EVENT**
- **TRAINING FOR SIZEUP** - ([HTTPS://BUDAEDC.COM/SIZEUP-BUDA](https://budaedc.com/sizeup-buda)) SIZEUP IS A SMALL BUSINESS INTELLIGENCE WEBSITE THAT HELPS SMALL BUSINESSES BECOME SMARTER, MORE PROFITABLE, AND MORE COMPETITIVE. IT ENABLES SMALL BUSINESS OWNERS TO BENCHMARK THEMSELVES AGAINST COMPETITORS, FIND THE BEST PLACES TO ADVERTISE, AND MAP THEIR COMPETITORS, CUSTOMERS, AND SUPPLIERS.
- **ONLINE SCAVENGER HUNT** – THIS WOULD HAVE 5-10 BUSINESSES EACH DAY AND TO EARN POINTS THEY WOULD CLICK ON THEIR WEBSITE AND SOCIAL MEDIA PAGES. THEY CAN ALSO PROVIDE RECEIPTS OF PURCHASES AT BUDA BUSINESSES TO EARN ADDITIONAL POINTS. AT THE END OF EACH DAY, MAY 10-14, THE PERSON WITH THE HIGHEST POINTS WILL BE ANNOUNCED AND GET A \$100 GIFT CARD TO A BUDA BUSINESS OF THEIR CHOICE.
- **#SPREADBUDAFULLOVE** - WE WILL PROVIDE BREAKFAST AND COOKIES TO SELECT BUSINESSES ALL WEEK LONG.
- **SOCIAL MEDIA CAMPAIGN**
- **PRESS RELEASE WILL BE SENT OUT ACKNOWLEDGING THE EFFORTS**
- **AND MORE TO COME...**

3. STAFF'S REVIEW AND ANALYSIS

STAFF HAS REVIEWED THE INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL RECOMMENDATIONS FOR INTERNATIONAL ECONOMIC DEVELOPMENT WEEK AND THE DECLARATION FROM CITY COUNCIL IS ONE OF THE RECOMMENDATIONS.

4. FINANCIAL IMPACT

N/A

5. SUMMARY/CONCLUSION

THIS WOULD OFFICIALLY DECLARE ECONOMIC DEVELOPMENT WEEK IN THE CITY OF BUDA.

6. PROS AND CONS

N/A

7. ALTERNATIVES

N/A

8. RECOMMENDATION

BEDC STAFF AND BOARD RECOMMEND APPROVAL OF THE RESOLUTION DECLARING MAY 9-15, 2021 ECONOMIC DEVELOPMENT WEEK.

Proclamation

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program and the Certified Economic Developer designation; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work in the City of Buda within the State of Texas; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Buda do hereby recognize May 9-15, 2021 as

“National Economic Development Week”

in the City of Buda and remind individuals of the importance of this community celebration which supports expanding career opportunities and improving quality of life.

BE IT FURTHER RESOLVED that the City Council is authorized and directed to transmit an appropriate copy of this proclamation to the Buda Economic Development Corporation and the International Economic Development Council.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Buda, Texas, this 20th day of April, 2021.

Attest:

Lee Urbanovsky, Mayor

Alicia Ramirez, City Clerk



PROCLAMATION

National Travel and Tourism Week in Buda, Texas

WHEREAS the Power of Travel has been a consistent driver of Buda, Texas' economy and workforce.

WHEREAS a robust travel industry provides significant economic benefits for the nation, generating more than \$2.6 trillion in economic output in 2019, with \$1.1 trillion spent directly by travelers in the U.S.

WHEREAS travel has been the foundation of a healthy workforce, serving as one of the largest private-sector employers in the U.S., supporting 17 million jobs in 2019.

WHEREAS spending by travelers has aided state and local governments alike, generating over \$800,000 in Hotel Occupancy Tax revenue in 2019 to support local services and programs.

WHEREAS travel and tourism-dependent businesses and organizations, 83% of which are small businesses, are responsible for welcoming visitors from all around the world to explore Buda, Texas and all our community has to offer.

WHEREAS last year, the coronavirus pandemic devastated every sector of the travel industry with staggering declines in 2020 compared to 2019, affecting every community in the country, including Buda, Texas.

WHEREAS the travel industry cannot recover without the full return of leisure and business travel, as well as meetings and events, by both domestic and international visitors.

WHEREAS the rebound of travel will drive the rebuilding of the U.S. economy and American workforce.

WHEREAS the Power of Travel will revive the tourism industry in Buda, Texas and the United States and drive us forward to a more prosperous future.

Therefore, I, Mayor Lee Urbanovsky, do hereby proclaim May 2-8, 2021 as National Travel and Tourism Week in Buda, Texas, and urge our citizens to join me in recognizing the critical role the travel and tourism industry plays in Buda, Texas.

DECLARED this ____ day of April 2021

Lee Urbanovsky, Mayor
City of Buda, Texas

Attest:

Alicia Ramirez, City Clerk

CALL TO ORDER

Mayor Urbanovsky called the meeting to order at 6:00 p.m.

ROLL CALL

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

Mayor Lee Urbanovsky
Councilmember, SMD A Paul Daugereau
Councilmember, SMD C Terry Cummings
Councilmember At-Large, Position 1 Matt Smith
Councilmember At-Large, Position 2 Monica Davidson
Councilmember At-Large, Position 3 Ray Bryant
City Manager Kenneth Williams

Mayor Pro Tem (SMD B) Evan Ture was absent and excused from the meeting.

City Staff in attendance: Deputy City Manager Micah Grau, Assistant City Manager Lauren Middleton-Pratt, City Clerk Alicia Ramirez, Chief of Police Bo Kidd, City Engineer John Nett, Senior Project Engineer Angela Kennedy, Parks & Recreation Director Greg Olmer, Public Works Director Mike Beggs, and Tourism Director Lysa Gonzales

ITEMS OF COMMUNITY INTEREST

- Human Services Grants application – deadline 6/2/21
- Municipal Court Warrant Forgiveness Program – 4/1 – 4/15
- Jackson Tyler Norris Skate Park closed 4/11
- Virtual Buda Trash-Off – 4/22-25
- Library Events: Financial Planning & Investing
- Autism Acceptance
- Hays County Master Gardeners Class: Nurturing the Monarch
- Social Media: Visit Buda – now on TikTok
- City of Buda Human Resources – Facebook page
- Hays County Vaccine Information
- Free COVID-19 Testing with Curative

PROCLAMATIONS

SEXUAL ASSAULT PREVENTION AND AWARENESS MONTH WAS ACCEPTED BY SHAWNA ANDERSON, DATING VIOLENCE COUNSELOR WITH THE HAYS-CALDWELL WOMEN'S CENTER AND TRICIA SCHNEIDER OF CASA

CHILD ABUSE PREVENTION AND AWARENESS MONTH WAS ACCEPTED BY SHAWNA ANDERSON, DATING VIOLENCE COUNSELOR WITH THE HAYS-CALDWELL WOMEN'S CENTER AND TRICIA SCHNEIDER OF CASA

PUBLIC COMMENTS

Public comments were made by Central Texas Refuse representative Alfonso Sifuentes and TDS representative Jamar Smith regarding the solid waste services impending services contract.

CONSENT AGENDA

APPROVAL OF THE MARCH 23, 2021, MARCH 25, 2021, AND MARCH 26, 2021 CITY COUNCIL MINUTES

Motion, to approve the Consent Agenda, as presented, with the exception of AARP Grant Application Res. #2021-R-14, was made by Mayor Urbanovsky and seconded by Councilmember Smith. Motion carried unanimously.

ADOPTION OF RESOLUTION #2021-R-14 OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS PROVIDING FOR THE SUBMISSION OF A GRANT APPLICATION TO THE AARP COMMUNITY CHALLENGE TO SUPPORT THE TRANSFORMATION OF 100 HOUSTON STREET INTO A VIBRANT PUBLIC PLACE FOR PEOPLE OF ALL AGES AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS, IF AWARDED

Main Street Manager Maggie Gillespie presented background information.

Councilmember Cummings inquired staff invited the Task Force on Aging (TFA) to participate in the application process; thereby, providing additional support for the grant approval. Ms. Gillespie informed due to the application deadline, TFA would not be part of the application process; however, future grant opportunities would be shared with the committee.

Motion, to adopt the Resolution, as presented, was made by Councilmember Daugereau and seconded by Councilmember Bryant. Motion carried unanimously.

REGULAR AGENDA

AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE A CONTRACT WITH WHIRLIX, INC. VIA BUYBOARD PURCHASING CO-OP FOR THE PURCHASE AND INSTALLATION OF NEW PLAYGROUND EQUIPMENT IN BRADFIELD PARK AS RECOMMENDED BY PARKS COMMISSION

Parks and Recreation Director Greg Olmer presented background information. A copy of the presentation is part of the supplemental information.

General discussion was held on the shade structure, the warranty of the equipment, the maintenance costs, and the City's assumption of responsibility. Councilmember Davidson noted since the Homeowners' Association submitted the request, their role in requesting such should include financial interest and cost-sharing. Councilmember Bryant informed the \$75K funding source was approved and provided by the Economic Development Corporation.

Further discussion was held on repurposing the City Park swings. Mr. Olmer informed the equipment might be added to the Sportsplex or Stagecoach Park.

Motion, to authorize the City Manager to execute a contract with Whirlix, Inc., as presented, was made by Mayor Urbanovsky and seconded by Councilmember Cummings. Motion carried unanimously.

AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH KSA ENGINEERS INC. (KSA) FOR DESIGN SERVICES FOR THE RM 967 SIDEWALK FROM OLD BUDA ELEMENTARY TO DOWNTOWN BUDA CAPITAL IMPROVEMENT PROJECT

City Engineer John Nett provided a general overview of the project and introduced Grayson Cox of KSA. Mr. Cox presented background information. *A copy of the presentation is part of the supplemental information.*

Mr. Nett explained the following options:

Option 1: The City anticipates receiving a refund from TxDOT for the Main and RM 967 Intersection Improvement Project from that project coming in under budget. Those proceeds would return to the Proposition 3 project coffers and would be eligible to be used to complete this sidewalk.

Option 2: The City Council could wait to construct the project in FY22 and allocate the shortfall as part of the FY22 Budget. Under options 1 and 2, City Council may approve this item and proceed with the design.

Option 3: The City Council may delay this project until the transfer of RM 967 is complete (after the completion of Robert S. Light). This would delay the project another 2 - 3 years but could decrease the overall project cost. However, some of the savings generated by waiting could be canceled out by rising material and construction costs. Under this option, the City Council would take no action on this item.

General discussion was held on the funding options, the financial impacts to complete the project in FY '21 or FY '22, the project costs in relation to size and design, the road conveyance by TxDOT to the City and related steps before the City assumes ownership, and the importance of sidewalks to improve pedestrian traffic to downtown, City Park, and the amphitheater.

Motion, to authorize Option 1 to complete the project sooner than later, as presented, was made by Councilmember Bryant and seconded by Councilmember Cummings. Motion carried unanimously.

PUBLIC HEARING HELD AND APPROVAL OF FIRST READING OF AN ORDINANCE AMENDING RULES AND REGULATIONS FOR FORM DISTRICTS AND ARTERIAL BUSINESS (B-2) DISTRICTS; AMENDING RULES AND REGULATIONS FOR RESIDENTIAL USES, MIXED USE BUILDINGS, GASOLINE FILLING OR SERVICE STATIONS, CAR WASHES, GROCERY CONVENIENCE STORES, GROCERY MARKETS, OFFICE USES, PROFESSIONAL USES, AND MEDICAL USES; AMENDING RULES AND REGULATIONS FOR SIGNS IN FORM DISTRICT 4 (F4) FORM DISTRICT 4H (F4H) AND FORM DISTRICT 5H (F5H) AND IN THE EXTRATERRITORIAL JURISDICTION; AMENDING RULES AND REGULATIONS FOR EXEMPT SIGNS; AND CORRECTING SCRIVENER'S ERRORS; PROPOSING TEXT AMENDMENTS TO SUBSECTIONS 2.05.05,

2.06.05, 2.06.06, 2.08.01, 2.08.03, 2.08.07, 2.09.10, 4.02.08, 4.02.09 AND 5.02 OF THE BUDA UNIFIED DEVELOPMENT CODE (Z 21-01)

Planning Director Melissa McCollum presented background information. *A copy of the presentation is part of the supplemental information.*

Ms. Ramirez read the submitted comment into the record from Mr. David Patterson.

Mayor Urbanovsky opened the public comment period at 7:24 p.m. No other comments were submitted. Mayor Urbanovsky closed the public comment period at 7:25 p.m.

General discussion was held on the accessory building guidelines and related matters.

In conclusion, Council extracted 2.09.04 Accessory Structures from the first reading consideration to allow for further review and approval separately.

Motion, to approve the Ordinance on first reading, as presented, with the exception of 2.09.04 Accessory Structures to be considered a separate item, was made by Councilmember Daugereau and seconded by Councilmember Smith. Motion carried unanimously.

MAYOR'S REPORT ON EMERGENCY MANAGEMENT DIRECTOR ACTIVITIES RELATED TO THE DECLARED STATE OF DISASTER REGARDING COVID-19 AND DISCUSS AND CONSIDER ANY ACTION OR DIRECTION CONSIDERED APPROPRIATE AND NECESSARY BY THE CITY COUNCIL TO RESPOND TO THE CURRENT STATE OF DISASTER AS RENEWED BY THE TEXAS GOVERNOR; AND THE LOCAL DISASTER DECLARATION REGARDING THE FEBRUARY 2021 WINTER STORM URI AND DISCUSS AND CONSIDER ANY ACTION OR DIRECTION CONSIDERED APPROPRIATE AND NECESSARY BY THE CITY COUNCIL TO RESPOND TO THE CURRENT STATE OF DISASTER

COVID: Mayor Urbanovsky informed the County conducts report updates on Monday, Wednesday, and Friday. He noted elected officials receive biweekly updates.

URI Winter Storm: City Manager Kenneth Williams noted staff continues to monitor legislation regarding funding alternatives and bills, and staff is waiting on after-action report from County to share with Council.

RECESS

At 7:46 p.m., Mayor Urbanovsky called for a recess.

RECONVENE

At 7:52 p.m., Council reconvened, and the following business was transacted:

EXECUTIVE SESSION

At 7:52 p.m., Council convened in executive session pursuant to the Texas Government Code Chapter 551 Section 551.071 to deliberate, seek legal advice: 1) regarding contract and proposals for solid waste services, and 2) 551.071 and 551.072 to deliberate upon the acquisition of real property and seek legal advice from the City Attorney regarding acquisition of property interests to carry out Proposition 3 -

Streets Cabela's Road Improvements Project, 3) Section 551.071 to deliberate, seek legal advice, and direct the City Manager and City Attorney regarding the Garlic Creek Commons Administrative Vesting Rights Appeal and alternative dispute resolution options, 4) 551.071, deliberate upon, seek legal advice and direct the City Attorney regarding the application of city land use regulations on 824 Main Street. and 5) Section 551.071 and §551.072 to deliberate upon, seek the advice of and direct the City Attorney regarding property acquisition related to the property to be acquired from Whispering Hollow Homeowners Association, Inc. described as Lot 32, Block H, Whispering Hollow Subdivision, Phase 1, Section 8, according to the map or plat thereof recorded at Vol. 17, Pages 60-61, Plat Records of Hays County, Texas for use in support of the City's water utility to increase the city's water supply in connection with the Alliance Regional Water Authority (ARWA) project.

RECONVENE

At 9:56 p.m., Council reconvened, and the following business was transacted and action taken on matters discussed in executive session.

Councilmember Smith recalled Item 1) regarding contract and proposals for solid waste services.

Councilmember Daugereau and Councilmember Bryant recused themselves from the discussion.

Motion, to enter into negotiations with Texas Disposal Services for a 28-day period and request a report on such negotiations at the May 4 Council meeting, was made by Councilmember Smith and seconded by Councilmember Davidson. Motion carried unanimously.

Councilmember Daugereau and Councilmember Bryant returned to the meeting.

Motion, to authorize the City Attorney to negotiate the purchase of the easement to build the Cabela's connector in accordance with the direction provided in Executive Session and to present a contract for Council consideration, was made by Councilmember Daugereau and seconded Councilmember Smith. Motion carried unanimously.

CITY MANAGER'S REPORT

- COVID-19
- 2014 & 2021 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:

- A reminder of the special joint meeting on April 7
- Jackson Tyler Norris cleanup at the park by Girl Scout Troop #1482. Jackson's mother is purchasing supplies for this event on April 11
- Acknowledged City Clerk Alicia Ramirez for receiving the Texas Municipal Clerk's Office of Achievement of Excellence Award

CITY COUNCIL'S BOARD AND COMMITTEE REPORTS

Alliance Regional Water Authority (Urbanovsky)

Buda Economic Development Corporation (Bryant & Davidson)

Ms. Davidson reported: staff conducting interviews for the office manager, and hired by May; finalizing two weeks of events for EDC week; seeking players to play in the Chamber Golf Tournament on May 6 at Onion Creek; finalizing the marketing and accounting RFP; Incentive Task Force Policy review, updates, and training; Business Retention Expansion (BRE) round table held today for workforce development; Greater San Marcos Partnership event for six site consultants over a 3-day period with Buda hosting one of the events; Staff is working on finding 5 locations for business wanting to expand in Buda; Staff is working on an event to introduce Buda to Poland companies.

Capital Area Council of Governments General Assembly (Urbanovsky)

Capital Area Council of Governments Clean Air Coalition (Ture)

Combined Emergency Communication Center (Urbanovsky)

Dupre Local Government Corporation (Davidson, Smith, & Urbanovsky)

Greater San Marcos Partnership (Urbanovsky)

City of Buda Audit Committee (Cummings, Davidson, & Ture)

City of Buda Information Technology Committee (Bryant, Daugereau, & Smith)

City of Buda Board & Commission Nomination Committee (Bryant, Cummings, & Daugereau)

Ms. Cummings informed the committee would meet on April 15 to review and make their recommendations on April 20

City of Buda City Park Planning/Programming Ad-Hoc Committee (Daugereau, Smith, & Ture)

City of Buda Planning Mobile Food Vendor Ad-hoc Committee (Davidson)

City of Buda Water/Wastewater Committee (Urbanovsky, Davidson, & Daugereau)

Mayor Urbanovsky announced:

- Chamber of Commerce luncheon on April 14, noting Dr. Wright will be speaker.
- Greater San Marcos Partnership legislative update April 14

CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Motion, to adjourn the meeting, was made by Mayor Urbanovsky and seconded by Councilmember Cummings. Motion carried unanimously.

There being no further business, the meeting was adjourned at 10:05 p.m.

THE CITY OF BUDA, TEXAS

Lee Urbanovsky, 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.)

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CALL TO ORDER

Mayor Urbanovsky called the meeting to order at 5:32 p.m.

ROLL CALL

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

Mayor Lee Urbanovsky
Mayor Pro Tem (SMD B) Evan Ture
Councilmember, SMD A Paul Daugereau
Councilmember, SMD C Terry Cummings
Councilmember At-Large, Position 1 Matt Smith
Councilmember At-Large, Position 2 Monica Davidson
Councilmember At-Large, Position 3 Ray Bryant

City Manager Kenneth Williams

City Staff in attendance: Deputy City Manager Micah Grau, Assistant City Manager Lauren Middleton-Pratt, and City Clerk Alicia Ramirez

EDC President Jennifer Storm certified a quorum with the following Directors present:

President Jennifer Storm
Vice President Monica Davidson
Director Kelly Herbert
Director Ray Bryant
Director Amy Martin

Treasurer LaVonja Horne-Williams and Director Betsy Urban were absent and excused from the meeting.

Planning & Zoning Chair Colin Strother certified a quorum with the following Commissioners present:

Chair Colin Strother
Vice-Chair Meghan McCarthy
Commissioner Henry Altmiller
Commissioner Emily Jones
Commissioner David Nuckels

SPECIAL AGENDA

**JOINT MEETING WITH BUDA CITY COUNCIL, BUDA ECONOMIC DEVELOPMENT CORPORATION, AND
PLANNING & ZONING COMMISSION REGARDING THE CITY OF BUDA STRATEGIC PLAN AND GOAL
SETTING**

Facilitator Lyle Sumek presented background information.

ADJOURNMENT

Motion, to adjourn the meeting, was made by Councilmember Smith and seconded by Councilmember Daugereau. Motion carried unanimously.

There being no further business, the meeting was adjourned at 10:39 p.m.

THE CITY OF BUDA, TEXAS

Lee Urbanovsky, 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.)

CALL TO ORDER

Mayor Urbanovsky called the meeting to order at 5:36 p.m.

ROLL CALL

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

Mayor Lee Urbanovsky
Mayor Pro Tem (SMD B) Evan Ture
Councilmember, SMD A Paul Daugereau
Councilmember, SMD C Terry Cummings
Councilmember At-Large, Position 1 Matt Smith
Councilmember At-Large, Position 2 Monica Davidson
Councilmember At-Large, Position 3 Ray Bryant

City Manager Kenneth Williams

City Staff in attendance: Deputy City Manager Micah Grau, Assistant City Manager Lauren Middleton-Pratt, and City Clerk Alicia Ramirez

WORKSESSION

DISCUSSION AND FOLLOW UP REGARDING THE CITY OF BUDA STRATEGIC PLAN AND GOAL SETTING

Facilitator Lyle Sumek presented background information.

ADJOURNMENT

Motion, to adjourn the meeting, was made by Councilmember Smith and seconded by Councilmember Daugereau. Motion carried unanimously.

There being no further business, the meeting was adjourned at 10:39 p.m.

THE CITY OF BUDA, TEXAS

Lee Urbanovsky, 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, April 20, 2021

Agenda Item No. 2021-230- #G.2

Contact: Alicia Ramirez

Subject: Adoption of a Resolution to adopt the City of Buda Electronic Signature Policy

1. Executive Summary

The City of Buda utilizes electronic signatures as a means of signing documents and records to promote paperless processing, to reduce the reliance on and cost of paper transactions, and to allow quicker access to documents. This need was more evident during staff's remote work status.

This policy is designed to increase efficiency by adopting electronic signatures as an alternative to manual signatures on paper documents and to provide a process by which departments can be certified to incorporate electronic signature technology into their electronic business processes. The City recognizes electronic signatures are becoming a routine way of conducting business and that formal rules governing the use of electronic signatures by the City are necessary. This policy applies to all City departments and divisions that desire to use electronic signatures to conduct transactions both internal and external to the City.

2. Background/History

A digital signature guarantees the authenticity of an electronic document or message in digital communication and uses mathematical encryption techniques to provide proof of original and unmodified documentation. City of Buda personnel possess the public key certificates needed to digitally sign documents.

3. Staff's review and analysis

A department converting to an electronic signature system must work with the City's IT Department and the City Clerk's Office, as the City's Records Management Officer, to ensure the policy criteria are met.

4. Financial Impact

None. Staff will utilize the Adobe software for this function.

5. Summary/Conclusion

Staff requests Council's review and adoption of the Resolution authorizing the Electronic Signature Policy.

6. Pros and Cons

Pros:

Establishes an administrative policy and procedure for signing documents and records that promotes paperless processing, reduces the reliance and cost of paper transactions, and allows quicker access to documents.

Cons:

Continue with manual signatures.

7. Alternatives

N/A

8. Recommendation

Staff requests Council's review and adoption of the Resolution authorizing the Electronic Signature Policy.

RESOLUTION NO. 2021-R-__

ADOPTION OF THE CITY OF BUDA ELECTRONIC SIGNATURE POLICY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, ADOPTING AN ELECTRONIC SIGNATURE POLICY FOR THE CITY OF BUDA

WHEREAS, the City Council wishes to establish an administrative policy and procedure for signing documents and records that promotes paperless processing, reduces the reliance and cost of paper transactions, and allows quicker access to documents; and

WHEREAS, the City Council's goal is to increase efficiency, increase transparency, improve compliance and data integrity, and lower transaction costs; and

WHEREAS, the City Council recognizes that electronic signatures are becoming a routine way of conducting business and that formal rules for governing the use of electronic signatures are necessary; and

WHEREAS, Texas Government Code, Section 2054.060 requires that "a digital signature may be used to authenticate a written electronic communication sent to a local government if it complies with rules adopted by the governing body of the local government".

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Buda formally adopts an Electronic Signature Policy as shown on Exhibit "A" which is hereby attached and made part of this resolution.

PASSED, APPROVED, AND ADOPTED on by an affirmative vote of the City Council of the City of Buda, this _____ day of _____, 2021.

THE CITY OF BUDA, TEXAS

ATTEST:

Lee Urbanovsky, Mayor

Alicia Ramirez, City Clerk

EXHIBIT A

ELECTRONIC SIGNATURE POLICY

PURPOSE

The City of Buda, Texas (the “City”) adopts electronic signatures as a means of signing documents and records to promote paperless processing, to reduce the reliance on and cost of paper transactions, and to allow quicker access to documents.

This policy is designed to increase efficiency by adopting electronic signatures as an alternative to manual signatures on paper documents and to provide a process by which departments can be certified to incorporate electronic signature technology into their electronic business processes. The City recognizes electronic signatures are becoming a routine way of conducting business and that formal rules governing the use of electronic signatures by the City are necessary. This policy applies to all City departments and divisions that desire to use electronic signatures to conduct transactions both internal and external to the City.

POLICY/PROCEDURE

A department may use electronic signatures to conduct City business transactions and approvals in accordance with the following guidelines and the Texas Uniform Electronic Transactions Act, Tex. Bus. & Com. Code Ann. Section 322 et seq. (the “TUETA”).

Where policies, laws, regulations, and rules require a signature, that requirement is met if the document contains an electronic signature.

Each party to a transaction must agree to conduct the transaction electronically in order for the electronic transaction to be valid. Consent may be implied from the context and surrounding circumstances.

If a law prohibits a transaction from occurring electronically, the transaction must occur in the manner otherwise allowed by law.

If a law requires an electronic signature to contain specific elements, the electronic signature must contain the elements specified by law.

The manner and circumstances in which electronic signatures are acceptable is enumerated in the TUETA.

A department converting to an electronic signature system must work with the City's IT Department and the City Clerk's Office, as the City's Records Management Officer, to ensure the following have been met:

- The electronic records and signatures must be maintained in a manner that efficiently and reliably preserves and protects the information over time so that it may be used for recognized governmental and legal purposes. The City Attorney's Office should be consulted if the electronic signature system will involve procurement, contracts, real estate, or matters governed by specific statutes or regulations not routinely handled by the department, the City Clerk's Office, or the IT Department.
- Electronic signature systems for transactions involving transfer of funds or committing the City to actions or contracts should account for and minimize the City's financial and legal liability.
- Electronic signature systems for secured transactions or transactions involving sensitive information should protect the City and users in terms of legal liability (civil or criminal), privacy, and confidentiality.
- Both the record and the signature must be capable of long-term preservation in a format that will be supported for a duration consistent with adopted retention schedules. After documents are signed electronically, a signed version of the documents should be stored on a file storage system owned by the City so they can be preserved as needed. Any contracts signed electronically should be forwarded to the City Clerk in order to preserve them for the appropriate retention period.
- The technology must ensure that the signatory cannot reasonably deny signing or sending a document.
- The electronic signature technology must be reasonably compatible with relevant software applications.
- The cost and use of the electronic signature method must comport with the degree of transactional and systemic risk.
- The IT Department will evaluate the effectiveness of the electronic signature method in terms of verification and system security.

USE OF ELECTRONIC SIGNATURES

Once an electronic signature system has been approved, a department may use electronic signatures in lieu of manual signatures.

AUTHORITY AND EFFECT OF ELECTRONIC SIGNATURES

In accordance with Sections 322.005(b) and 322.007(d) of the TUETA, where policies, laws, regulations, and rules require a written document or signature, that requirement is met if the document or signature is, respectively, an electronic record or contains an electronic signature, as otherwise required by law.

Electronic signatures shall not be used, and shall have no binding authority or effect on City records, where electronic signatures are prohibited by law or other City policies or where a law prohibits a transaction from occurring electronically.

This policy shall not preclude the use of any other types of signatures, including without limitation, manual signatures or Facsimile Signatures. This policy shall not limit, alter, modify, or otherwise affect any requirement imposed by law relating to (a) authority, obligations, or procedures required for Facsimile Signatures; (b) the proper procedures and authorization necessary to execute City records; (c) requirements to legally bind or obligate the City under any contract or agreement; and, (d) the legal effectiveness, validity, or enforceability of any City record, including any contract or agreement, signed electronically in violation of any such laws. All laws regarding signing City records shall apply to electronic signatures and electronic records, and all laws regarding signing, adopting, entering in, or executing contracts, agreements, purchase orders, statements of work, ordinances, leases, licenses, and any other document purporting to be legally binding upon or otherwise obligating the City.

In the event that any electronic signature is found by the City Attorney to have been used or applied to a City record or certified in violation of this policy or any other law, the electronic signature shall be null and void and the City record signed electronically using the unlawful, fraudulent, unauthorized or otherwise improper electronic signature shall also be (a) null and void, (b) discontinued, and (c) unenforceable against the City.

CONFLICT AND REPEAL

If the provisions of this policy conflict with any law, that law shall prevail.



City Council Agenda Item Report

Date: Tuesday, April 20, 2021

Agenda Item No. 2021-231- #H.1

Contact: Micah Grau

Subject: Deliberation and possible action to adopt a Resolution expressing support for and identifying potential projects for consideration for funding through the Community Project Funding process submitted through the City of Buda's Congressional Representatives (Deputy City Manager Micah Grau)

1. Executive Summary

This item will seek the City Council's direction and input on submitting projects for consideration through the Community Project Funding program. Council will be asked to identify potential projects for submission to the Buda Congressional Representatives and to adopt a resolution demonstrating support for the submission.

2. Background/History

The House Appropriations Committee is accepting projects for consideration for direct Congressional earmarks and appropriations. House members may submit up to 10 projects for consideration through the Community Project Funding request process for consideration of appropriation in the Fiscal Year 2022 Budget.

In order for a project to be eligible, it must meet the following general criteria: 1) No "for-profit" recipients; 2) Local 20% project match; 3) Demonstrate community support; 4) Funds must be appropriated in Fiscal Year 2022 ("shovel ready"); 5) Non-recurring payment; and 6) Project located within the Congressional District of the sponsoring member. There is no expressed limit on the size of the request.

Projects may be funded to support the following categories:

- 1) Agriculture, Rural Development, Food and Drug Administration, and Related;
- 2) Commerce, Justice, Science, and Related Agencies;
- 3) Defense;
- 4) Energy and Water Development, and Related Agencies;
- 5) Financial Services and General Government;
- 6) Homeland Security;
- 7) Interior, Environment, and Related Agencies;
- 8) Labor, Health and Human Services, Education, and Related Agencies;

- 9) Legislative Branch;
- 10) Military Construction, Veterans Affairs, and Related Agencies;
- 11) State, Foreign Operations, and Related Programs; and
- 12) Transportation, and Housing and Urban Development, and Related Agencies

Of the listed categories, the City most readily falls within categories 2, 7, and 12.

There is no application to complete for consideration. Instead, an entity must provide project information directly to their elected House Representative. The House Representative can select up to 10 projects to submit for consideration from his/her district.

To learn more about this process, visit <https://appropriations.house.gov/appropriations-requests>.

3. Staff's review and analysis

Staff has engaged in several conversations with the district offices for Congressman Chip Roy (District 21) and Congressman Lloyd Doggett (District 35). Staff has discussed which projects will be prioritized and if they will consider a request on behalf of the City. Staff will share information on feedback from the Congressional District Offices as part of the staff presentation.

4. Financial Impact

There is no cost for the City to request direct appropriation funding. If a project is selected and funded, the City will be required to provide a 20% match and expend the funds within Fiscal Year 2022. Staff will present a few "shovel ready" projects that may be considered for submission by the City Council.

5. Summary/Conclusion

Staff seeks feedback from the City Council on if and which projects the City should submit for consideration to the local Congressional Representatives. Submission of a project does not guarantee that it will be selected by the Representative for consideration as one of the 10 projects that they can submit. The deadline for Representatives to submit projects is April 30th.

6. Pros and Cons

Pros: program provides direct federal funds to support local community needs.

Cons: a local entity must provide a 20% local match for project; funds must be expended in Fiscal Year 2022.

7. Alternatives

The City Council may elect to not submit any projects for consideration.

8. Recommendation

Staff recommends the City Council adopt the resolution and specify which projects they would like to be submitted for consideration for direct appropriation.

Committee on Appropriations

Guidelines for the FY2022 Community Project Funding Member Request Process

What is required for requesting Community Project Funding?

- **Limit of 10 Community Project Funding requests.** Given the limited scope for which the Committee will consider Community Project Funding requests, Members will be limited to no more than 10 requests (excluding programmatic and language requests) across all Subcommittees, though only a handful may actually be funded. Further, the request must be submitted to the Member database. Members will be required to prioritize their community project requests when they are submitted to the Member database.

Note: Members will have an opportunity to re-prioritize their requests in the Member database following the release of the full President's budget. This will allow Members to make conscientious decisions about their priorities when all information from the Administration is available, particularly if a Member's project appears on a list in the President's budget.

- **Community Support.** Community engagement and support is crucial in determining which projects are worthy of Federal funding. Only projects with demonstrated community support will be considered. This recommendation builds on past Committee reforms, and Members will be required to present to the Committee evidence of community support that were compelling factors in their decision to submit the request. Examples of these include, but are not limited to:
 - Letters of support from elected community leaders (e.g. mayors or other officials);
 - Press articles highlighting the need for the requested Community Project Funding;
 - Support from newspaper editorial boards;
 - Projects listed on State intended use plans, community development plans, or other publicly available planning documents; or
 - Resolutions passed by city councils or boards.

These are intended to be examples of the type of information that you may consider presenting to the Committee in conjunction with your project. It is not an exhaustive list. Please direct questions to the relevant Subcommittee.

Importantly, should Member #1 wish to sign onto a letter of Community Support that Member #2 intends to submit as part of a formal request, then the Appropriations Committee recommends that Member #1 also include with the letter a financial

disclosure statement to ensure the highest ethical standards in the process.

- **Financial Disclosure Statement.** Pursuant to House rule XXIII, clause 17, for each Community Project Funding request, Members are required to send the Chair and Ranking Member a letter stating that the Member does not have a financial interest in the proposed project. The Committee is expanding the requirement for the first time to certify that no one in their immediate family has a financial interest either. The Committee will not consider a requested project without this certification, and the template is included on the Committee's website. This is a separate letter from any programmatic or language- based requests. A summary of the elements required in the disclosure statement is below:
 - Any Member requesting funding for a community project is required to provide a written statement to the Chair and Ranking Member of the Committee on Appropriations that includes the requesting Member's name, the name and address of the intended recipient of the Community Project Funding (or, if there is no intended recipient, the intended location of the activity), the purpose, and a certification that the requesting Member does not have a financial interest in the project. An additional Committee requirement is to certify that no immediate family member has a financial interest.

This letter must accompany the submission in the Committee's electronic database system, and the Committee will post it online if the request is funded in a FY 2022 Appropriations Bill. Programmatic and language-based requests do not require a disclosure letter. All Community Project Funding requests and any language requests that name a specific recipient of Federal funds will require a disclosure letter. For clarification on whether a disclosure letter is required, please contact Jason Gray with the Full Committee or the Subcommittee of jurisdiction.

- **Member Requirement to Post All Requests and Certifications Online.** For transparency, Members are required to post Community Project Funding requests and associated certifications of no financial interest on their house.gov websites at the time the request is made to the Committee. The information posted must include:
 - the proposed recipient,
 - the address of the recipient,
 - the amount of the request,
 - an explanation of the request, including purpose, and a justification for why it is an appropriate use of taxpayer funds, and
 - the Member's signed certification letter stating there is no financial interest in the project.

Members will be asked to provide a link to the webpage containing this information

when they enter the request into the Members' Request database system. The Committee will use that link in its "one-stop" online database.

What criteria will be used to evaluate Community Project Funding requests?

Specific instructions will be provided in Dear Colleagues from each of the Subcommittee Chairs, including which accounts are eligible for such requests and the information Members must include for Subcommittees to properly evaluate such requests. This information must be provided in full in the database. More generally, Subcommittees will consider requests with the following in mind:

- **Ban on For-Profit recipients.** The Committee is imposing a ban on directing Community Project Funding to for-profit entities.
- **Matching requirements.** Several Federal programs eligible for Community Project Funding requests require a State or local match for projects either by statute or according to longstanding policy. The Committee will not waive these matching requirements for Community Project Funding requests, so it is important that Member offices discuss with their State and local officials the ability for localities to meet matching requirements prior to requesting a project. Note: This does not mean that matching funds must be in-hand prior to requesting a project, but that local officials must have a plan to meet such requirements in order for such a project to be viable.
- **One-year funding.** Each project request must be for fiscal year 2022 funds only and cannot include a request for multiyear funding. However, the performance period for a project funded with amounts provided in fiscal year 2022 will depend on the appropriations account from which it is funded, and may be longer than one year.
- **State, local or Tribal governmental entities as grantees.** Members are encouraged to consider public entities as primary grantees to oversee the completion of the project.
 - For infrastructure projects, many States have established lists or intended use plans with projects that have already been vetted by governmental officials (e.g. drinking water, wastewater and highways).
- **Non-profits as grantees.** If a Member requests that funding be directed to a non-profit organization, the Member will need to provide evidence that the recipient is a non-profit organization by either supplying the Employer Identification Number or an IRS determination letter. Further, many water projects often partner with non-profit entities to complete projects. Therefore, projects may also be directed to non-profits with an inherently governmental function.

What additional items should I be aware of related to Community Project Funding requests?

- **“Support” vs. “Request” for a project.** Only formal submissions to the Member database will qualify as a request from that Member office, and only those requesting Members will have their names listed in the Committee report if the project is funded. Anything short of a formal request to the database will not be considered for inclusion in a fiscal year 2022 appropriations bill.
- **Letters of Support.** For Committee purposes, signed letters of support for a project do not qualify as a formal “request” to the Committee to fund a project, and will not be handled as such. Further, please note that every time a Member signs on to a letter demonstrating support for a project the Member should append an accompanying disclosure certifying to the Chair and Ranking Member that there is no financial interest in the project. This suggestion is to ensure the highest ethical standards in the Community Project Funding process.
- **Signatures.** Electronic signatures affixed to documents submitted to the Committee are acceptable.
- **Lobbyists, donors and other affiliated parties.** While Members are required to certify to the Committee that neither they nor their immediate family have a financial interest in a proposed project, Members should also be fully aware of any other financial aspects or relationships associated with the proposed project that might raise ethical concerns. These include but are not limited to lobbyists, donors, or other affiliated parties that have an interest in the project.
- **“One-stop” webpage for the public.** The Appropriations Committee will maintain a website with links to all House Members’ appropriations project requests to help the public easily view them.
- **Transparency / Early Public Disclosure.** Per House rules, each bill’s Committee report will include a list identifying each community project that has been funded in the bill along with the name of the Member requesting it. Each Subcommittee will make such lists public at the time of their Subcommittee markup.

What is the definition of “Earmark”?

- The Appropriations Committee uses the definition of “earmark” found in House rule XXI.

A “Congressional earmark” is defined as “a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula driven or competitive award process.” (Clause 9 of House rule XXI)

SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

Fiscal Year 2022 Member Project Request Guide

Member Request deadline is 6pm on April 16, 2021

All project requests must meet eligibility requirements for the specific program in which the request is made.

General Guidance on Submitting Requests

Requests must be submitted through the online database. All requests must be entered electronically into the House Appropriations Committee's electronic database at <https://AppropriationsSubmissions.house.gov>. For the online submission of requests, please follow these instructions: All requests – projects, programmatic, and bill/report language – must be entered into the online database. Request forms must match the signed Member letter. Each office is responsible only for their requests and one office cannot enter requests into the database for another office. This includes all multiple-Member requests. When filling out the Supplemental Questions, for any question that does not apply to the account for which you are requesting a project, please enter "NA". It is important to include accurate contact information for the prospective grantee when filling out the online request. This includes a point of contact and an address. **The grantee name entered into the online database must match the grantee name on the signed disclosure of financial interest certification letter. Certification of no financial interest applies to Members and immediate family.**

Signed letters must be submitted electronically. Each Member must provide a single signed letter including a list of all project requests, program requests, and report language requests. No requests will be considered unless they are documented in a letter signed by the Member and entered into the online Member Request database. This letter should be converted to a PDF and uploaded to the online database. **NO HARD COPIES PLEASE.**

The letter must include a **bill-wide** priority ranking of all requests. This ranking must be consistent with what is included in the online submission.

Please only include information in the letter necessary to identify the request. All other details should be included with the online submission.

No hard copies please. The Subcommittee does not require hard copies of the signed letter, the individual project certification letters, or the project request forms.

If a Member signs a multi-Member or delegation request letter, that request **must be entered into the online database and included in the Member's signed letter to be considered.** This requirement applies to project, program, and bill/report language requests.

Guidance Specific to Community Projects

Community Support. Community engagement and support is crucial in determining which projects are worthy of Federal funding. Only projects with demonstrated community support will be considered. This recommendation builds on past Committee reforms, and Members will be required to present to the Committee evidence of community support that were compelling factors in their decision to submit the request. Examples of these include:

- Letters of support from elected community leaders (e.g. mayors or other officials).
- Press articles highlighting the need for the requested Community Project Funding.
- Support from newspaper editorial boards.
- Projects listed on State intended use plans, community development plans, or other publicly available planning documents.
- Resolutions passed by city councils or boards.

These are intended to be some examples of the type of information that you may consider presenting to the Committee in conjunction with your project. It is not an exhaustive list.

Member Requirement to Post All Requests Online. For transparency, Members are required to post Community Project Funding requests on their house.gov websites at the time the request is made to the Committee. The information posted must include:

- The proposed recipient.
- The address of the recipient.
- The amount of the request.
- An explanation of the request, including purpose, and a justification for why it is an appropriate use of taxpayer funds.

Members will be asked to provide a link to the webpage containing this information when they enter the request into the Members' Request database system. The Committee will use that link in its "one-stop" online database.

When is a financial disclosure required and Directions for Preparing Certifications?

A request for a project to a specific, named, non-governmental entity requires a disclosure. A request to fund a federal program or activity does not. Below are two examples to help you distinguish:

Example 1

A request for a specific land acquisition project, such as a parcel of land adjacent to a particular National Forest, requires a financial disclosure, which must be provided by every Member who signs on to any multiple-Member letter for this land acquisition. **This is a PROJECT request** because you are requesting funding for a specific project.

However, a request for overall support for land acquisition by the US Forest Service does not require a financial disclosure. Although an entry in the database is required for each cosponsor of multiple-Member letters for general support for US Forest Service land acquisition, they do not need to submit financial disclosures because **this is a PROGRAMMATIC request**. In this example, you are requesting funding for an activity or program with no specific recipient identified, and this does not count as a community-based project. However, please be aware that this type of request would not be considered a request to fund the acquisition of a particular property.

Example 2

- **Project Request (requires a disclosure):** Provide \$500,000 to Utility District/Township for wastewater treatment infrastructure improvements in City, State
- **Programmatic Request (does not require a disclosure):** Provide \$5,000,000,000 for the Clean Water State Revolving Fund.

Directions for Preparing Certifications.

Pursuant to House rule XXIII, clause 17, Members are required to send the Chair and Ranking Member a letter stating that the Member does not have a financial interest in certain proposed projects. To comply with the House rule and additional requirements established by the Chair of the Appropriations Committee, below please find suggested text for a certification to accompany a Community Project Funding request.

Dear Chair DeLauro and Ranking Member Granger:

I am requesting funding for _____[project] in fiscal year 2022. The entity to receive funding for this project is _____, located at ____ (address including street name, city, state and zip code). The funding would be used for _____. I certify that neither I nor my immediate family has any financial interest in this project.

Sincerely,

Member of Congress

The certifications must be on letterhead and must be signed by the Member. In accordance with House rules, certifications for projects included in any measures will be available for the public to see.

Please prepare the certification on letterhead and scan a copy for attachment the PDF document with each request to be uploaded to the database. For questions about individual requests please email IN.MemberRequests@mail.house.gov. For questions regarding the certification process please contact Jason Gray with the Full Committee.

Requirements for Community Project Certifications (“Certs”)

- Must be signed by Member and on Member letterhead.
- Must include:
 - The name of the Member of Congress requesting the Project.
 - Name and address of the intended recipient (if none, the location of the activity should be listed).
 - Purpose of the requested project – include a brief description of the intended use of funds.
 - Statement that the Member and immediate family has no financial interest in the requested project.
 - For the purposes of this certification the term “immediate family” means an individual who is related to the Member, Delegate, or Resident Commissioner, as father, mother, son, daughter, brother, sister, husband, wife, father-in-law, or mother-in-law.

General criteria used to evaluate Community Project Funding requests

- **Ban on For-Profit recipients.** The Committee is imposing a ban on directing Community Project Funding to for-profit entities.
- **Matching requirements.** Several Federal programs eligible for Community Project Funding requests require a State or local match for projects either by statute or according to longstanding policy. The Committee will not waive these matching

requirements for Community Project Funding requests, so it is important that Member offices discuss with their State and local officials the ability for localities to meet matching requirements prior to requesting a project. Note: This does not mean that matching funds must be in-hand prior to requesting a project, but that local officials must have a plan to meet such requirements in order for such a project to be viable.

- **One-year funding.** Each project request must be for fiscal year 2022 funds only and cannot include a request for multiyear funding.
- **State or local governmental entities as grantees.** Members are encouraged to consider public entities as primary grantees to oversee the completion of the project.
 - For infrastructure projects, many States have established lists or intended use plans with projects that have already been vetted by governmental officials (e.g. drinking water, wastewater and highways).
- **Non-profits as grantees.** If a Member requests that funding be directed to a non-profit organization, the Member will need to provide evidence that the recipient is a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986. Further, many water projects often partner with non-profit entities to complete projects. Therefore, projects may also be directed to non-profits with an inherently governmental function.

What additional items should I be aware of related to Community Project Funding requests?

- **Lobbyists, donors and other affiliated parties.** While Members are required to certify to the Committee that neither they nor their immediate family have a financial interest in a proposed project, Members should also be fully aware of any other financial aspects or relationships associated with the proposed project that might raise ethical concerns. These include but are not limited to lobbyists, donors, or other affiliated parties that have an interest in the project.
- **“One-stop” webpage for the public.** The Appropriations Committee will maintain a website with links to all House Members’ appropriations project requests to help the public easily view them.
- **Transparency / Early Public Disclosure.** Per House rules, each bill’s Committee report will include a list identifying each community project that has been funded in the bill along with the name of the Member requesting it. Each Subcommittee will make such lists public at the time of their Subcommittee markup.

What is the definition of “Earmark?”

- The Appropriations Committee uses the definition of “earmark” found in House rule XXI:

A “Congressional earmark” is defined as “a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula driven or competitive award process.” (Clause 9 of House rule XXI)

DEPARTMENT OF THE INTERIOR

Land Acquisition Through the Land and Water Conservation Fund

Federal acquisition of lands and water and interests therein must be for the purpose of land and habitat conservation and the encouragement of outdoor recreation, as established by the Land and Water Conservation Fund (LWCF) Act of 1965. Land acquisition project requests funded from the LWCF should be requested through the agency that would manage the land being acquired. The four land management agencies are: within the Department of the Interior, (1) the Bureau of Land Management, (2) the Fish and Wildlife Service, (3) the National Park Service; and within the Department of Agriculture, (4) the Forest Service.

Third party organizations (i.e. The Nature Conservancy, Trust for Public Land, etc.) frequently participate in the federal acquisition process by coordinating the negotiation and purchase of tracts. If the project you are requesting involves a third-party organization, please be mindful that funding for a land acquisition project goes to the agency that will manage the land.

The Great American Outdoors Act of (Public Law 116-152) and the Consolidated Appropriations Act, 2021 (Public Law 116-260) mandates that the president submit, along with the upcoming fiscal year’s budget request, proposed and supplemental project lists. The Committee will look favorably upon requests for projects that appear in either of these lists. When submitting your request, please indicate whether the project is on these lists.

ENVIRONMENTAL PROTECTION AGENCY

State and Tribal Assistance Grants (STAG)

The vast majority of requests made to the Interior Subcommittee are for STAG infrastructure grants. These grants fund local wastewater and drinking water infrastructure projects. This includes construction of and modifications to municipal sewage treatment plants and drinking water treatment plants. Similar to past practice, the Committee will be limiting STAG infrastructure grants only to projects that are publicly-owned or owned by a non-profit entity and that are otherwise eligible for the funding from that state's Clean Water or Drinking Water State Revolving Funds (SRF) loan programs. **Privately-owned projects are NOT eligible for infrastructure grants, even if they are otherwise eligible for assistance under a SRF program.** The Committee will look favorably upon requests for projects that are listed on a state's most recent Intended Use Plan.

There is a minimum 20% cost share requirement for any portion of a project funded through a STAG infrastructure grant. For example, a \$1 million project could receive a maximum of \$800,000 from the Federal government, with the remaining \$200,000 the responsibility of the grantee. In almost all cases, other federal funds cannot be used to meet this 20% cost share. **Ability to fund the 20% cost share is required before EPA can award a STAG grant.** Please note that only the non-federal portion of assistance provided by a SRF can be applied towards a project's matching requirement.

STAG projects have very specific eligibility requirements, and the Committee will not consider projects that do not meet those requirements. The following table lists some of the project types that are ineligible for STAG grant funding:

Projects that generally <u>ARE NOT</u> eligible for STAG Grants			
Clean Water / Waste Water		Drinking Water	
1.	Land, except for projects described in the subsequent table under eligibility #11	1.	Dams or rehabilitation of dams
2.	Operations and maintenance costs	2.	Operations and maintenance costs
3.	Non-municipal point source control	3.	Water rights, except if the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy or if the water rights purchase is covered by EPA's DWSRF Class Deviation for Water Rights 2019
4.	Acid rain drainage correction	4.	Reservoirs, except for finished water reservoirs and those reservoirs that are

			part of the treatment process and are located on the property where the treatment facility is located
5.	Ambient water quality monitoring	5.	Laboratory fees for monitoring
6.	Flood Control Projects , unless the project is otherwise managing, reducing, treating, or recapturing stormwater	6.	Projects needed mainly for fire protection
7.	Privately owned sewer pipes	7.	Projects for systems that lack adequate technical, managerial, and financial capability, unless assistance will ensure compliance
		8.	Projects for systems in significant noncompliance, unless funding will ensure compliance
		9.	Projects primarily intended to serve future growth

The following list provides some examples of the types of projects that are typically eligible for STAG grant funding and which are most frequently funded. This list is not intended to be exhaustive; for questions regarding project eligibility, please contact the subcommittee via email at IN.MemberRequests@mail.house.gov:

Projects That Generally <u>ARE</u> Eligible for STAG Grants			
Clean Water / Waste Water		Drinking Water	
1.	Wastewater treatment plants, including sludge handling facilities - new, upgraded (increase in treatment level) or expanded (increase in treatment capacity) facilities, including biological facilities, mechanical, a lagoon system, a land treatment system, or individual on-site systems.	1.	Facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e. PFAS).
2.	Collector Sewers - Small sewers that convey wastewater from residences, commercial establishments, and industrial sites to larger interceptor sewers.	2.	Rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources

3. Interceptor Sewers - Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility.	3.	Install or upgrade treatment facilities
4. Sewer Pipes - Rehabilitation is eligible only if pipes are publicly owned.	4.	Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system
5. Outfall Sewer - A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters (i.e., a river, stream, lake, ocean, etc.).	5.	Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or improve water pressure to safe levels
6. Storm Water Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e. storm sewers, green infrastructure, etc.).	6.	Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons – are eligible for DWSRF assistance.
7. Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control - Combined sewers are sewers that convey both wastewater and storm water and may overflow during periods of heavy rain. The costs to correct CSO and SSO overflow problems are eligible.	7.	Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection.
8. Infiltration/Inflow Correction - Construction activities that prevent surface water or groundwater from entering the sewer system	8.	Project planning, design and other related costs
9. Water Security -- These projects include installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment.		
10. Septic Tanks -- Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks where none had previously existed.		

11. Land - The leasing and fee-simple purchase of land, including surface and subsurface easements, needed to locate eligible municipal or tribal projects, and land integral to the treatment process (e.g., land for effluent application or recharge basins), and a place to store equipment and material during POTW construction. Municipal purchase of land and/or conservation easements for source water protection are also eligible.		
12. Water Reuse - Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water. This includes but is not limited to the purchase and installation of treatment equipment sufficient to meet reuse standards, distribution systems to support effluent reuse, recharge transmission lines, injection wells, and equipment to reuse effluent (e.g., gray water, condensate, and wastewater effluent reuse systems).		
13. Capital Nonpoint Source Pollution Control Projects – e.g., river or streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc.		

U.S. FOREST SERVICE

State and Private Forestry

The Forest Service is an agency within the Department of Agriculture. Requests that do not fit into the described categories below are unlikely to be eligible for funding under the Forest Service.

The State and Private Forestry account provides technical and financial assistance, usually through the network of State Foresters, to improve the management, protection, and utilization of the Nation's forests. Community projects are usually limited and include various specific urban and community forestry projects and specific forest disease or pest treatment areas. Members may also request specific State fire assistance projects or specific forestry

assistance projects in this account. The Committee will look favorably upon requests for projects that are listed on any federal or state ordinal list or are clearly demonstrated to meet the goals of a State Forest Action Plan(s).

Questions for Community Projects

For each community project funding request, Member offices will need to submit the following information:

- Amount requested
- Total project cost
- FY 2022 President's Budget Request (if applicable).
- FY 2021 enacted level (if applicable).
- Can the project obligate all of the appropriated funds within 12 months after enactment (yes/no)?
- Was this request submitted to another subcommittee this fiscal year, and if so, which one?
- Estimated start and completion dates for the project.

Additionally, depending on the type of community project funding request, Member offices should be prepared to answer the additional supplemental questions:

[Land and Water Conservation Fund project for BLM/FWS/NPS/USFS]

1. Is the requested project on either the president's proposed or supplemental LWCF project list submitted by the agency?

[Environmental Protection Agency, State and Tribal Assistance Grants, Clean Water/Drinking Water infrastructure projects]

1. Please indicate whether this is a Clean Water SRF project or a Drinking Water SRF project.
2. Does the project have (or expects to have within 12 months) its 20 percent matching fund requirement?
3. Is the project on your state's most recently finalized Clean Water/Drinking Water State Revolving Fund Intended Use Plan?
4. Has the project received federal funds previously? If so, please describe.

[Forest Service, State and Private Forestry]

1. Has the project received federal funds previously? If so, please describe.
2. Is the project ranked in a priority setting system/list? If so, please provide list name and rank.
3. (If landscape scale restoration) Does this project meet the eligibility requirements of the Landscape Scale Restoration program as listed in the instructions on the Forest Service website?
4. (If landscape scale restoration) How does this project meet the goals of the State Forest Action Plan(s)?
5. (If Forest Health Management) Is this project treating a specific insect, disease, or invasive plant infestation listed in the FY21 Forest Service Budget Justification?
6. (If Cooperative Fire Assistance) If a State project, how does this project meet the goals of the State Forest Action Plan? If a local project, how does this project support community mitigation efforts?
7. (If Forest Stewardship) How does this project meet the goals of the State Forest Action Plan?
8. (If Urban and Community Forestry) How does the project meet the goals outlined in the 2016-2026 Urban Forestry Action plan?
9. (If Urban and Community Forestry) Further, how does this project “Conserve working forest landscapes, protect forests from harm, and enhance benefits associated with trees and forests”?
10. (If Urban and Community Forestry) Does the project meet at least the 50-50 match requirement?

***SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES***

**Economic Development Initiative (EDI)
Department of Housing and Urban Development (HUD)
Guidelines and Requirements for Appropriations Submissions Database**

EDI community project requests may be used for economic and community development activities, including land or site acquisition, demolition or rehabilitation of housing or facilities, construction and capital improvements of public facilities (including water and sewer facilities), and public services. Requests may also include planning and other activities consistent with the underlying authorization for the Community Development Block Grant program within HUD. EDI community project requests are not eligible for the reimbursement of expenses for activities already undertaken (including debt service or debt retirement).

All projects must be:

- Supported broadly by local stakeholders, including residents, businesses, and elected officials.
- Administered by governmental or non-profit entities, including public housing agencies, as well as tribes and tribally designated housing entities.

For each EDI community project request, Members will need to provide specific information through the electronic submission process. The electronic online database will include the following questions to assist the Subcommittee in vetting and selecting projects. Several of them will require additional information from your office.

Community project questions in the database for EDI:

- **Project Name.**
EXAMPLE: *Main Street elderly services facility improvements, City, State, County, Congressional District.* A short name by which the project may be identified, including a very brief description of what the funds will be used for and the project's location (city, county, State, Congressional District).
- NOTE: This description may be used to list the project in the House report and should be as accurate as possible to ensure that the funding goes to the correct project and location.
- **General description of the project and why it is needed.**
EXAMPLE: *For capital improvements, including roof repairs, accessibility alterations (installation of ramps and handrails, restroom alterations) and related equipment, labor and materials, within the County's oldest senior services facility.*
- **What are the benefits of this project and why is it a priority?** NOTE: Benefits could include safety, environmental, economic, equity, mobility, etc. This description will not appear in the House report.

**SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES**

EXAMPLE: These improvements will improve the health and safety of more than 350 seniors that rely on services provided through the center for supplemental meals and health services, as well as to meet requirements under the Americans with Disabilities Act (ADA). As a result of a closure of a nearby community services facility within the County, improvements are necessary to address a recent increase in demand for elderly services and the need to expand the services available at this elderly services facility, which is in close proximity to County's largest elderly housing development.

- **Amount requested for the community project and the total project cost.**
- **Can the project obligate all appropriated funds within 12 months after enactment?**
If not, what would be the expected date of obligation?
- **Estimated start and completion dates.**
- **Has the request been submitted to another Subcommittee or Committee this fiscal year? If yes, which one(s)?**
- **Does the project have other public (federal, state, local) and/or private funds committed to meet match or cost-share requirements for costs related to construction, operations, and maintenance? If so, what is the source and amount of those funds?** NOTE: The match requirements are defined in statute. While EDI projects do not have a match requirement, other projects associated with a larger development effort may.
- **Does the project require an environmental review? If so, what is the status and/or outcome of the environmental review and NEPA category of action (if applicable)?**
- **Is the project primarily a service, new construction, rehabilitation, land or site acquisition, planning, or economic development project?**
- **Does the project primarily benefit persons of low-income or tribal communities?**
- **Does the project impact beneficiaries of HUD's rental assistance programs (owners, public housing agencies, service providers, or tenants)?**
- **Who are the community partners participating in this project?**
- **If the project includes new construction or land or site acquisition activities, does it comply with local zoning requirements?**

***SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES***

- **Is the project included or supported by an identified priority area within the community's HUD Consolidated Plan? If yes, please provide a link to the plan.**
- **Is the project intended to address issues related to climate change or resiliency, civil unrest, or inequities?**

Questions: If you have questions or require further information on EDI community project requests, please email the Subcommittee staff at TH.MemberRequests@mail.house.gov with "EDI" in the subject line.

***SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES***

**Local Transportation Priorities
Department of Transportation (DOT)
Guidelines and Requirements for Appropriations Submissions Database**

Local Transportation Priorities are highway and transit capital projects eligible under title 23 and title 49 of the United States Code. Eligible projects are described under Section 133(b) of title 23, United States Code. Tribal and territorial capital projects authorized under Chapter 2 of title 23, United States Code, are also eligible.

All projects must be:

- Capital projects or project-specific planning/design for a capital project.
- Supported by the state or local government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement.
- Administered by public entities.

The Subcommittee will not fund activities that are administrative in nature even if they are eligible expenses under the statutory citation. These include general operating expenses, and activities required under sections 134 and 135 of title 23, United States Code.

The database will include the following questions to assist the Subcommittee in vetting and selecting projects. Several of them will require additional information from your office. **For each community project request**, Members will be expected to submit the following information into the Appropriations Submissions database:

Community project questions in the database for Local Transportation Priorities:

- **Project Name.**
EXAMPLE: *Main Street widening and resurfacing, City, State, Congressional District.*
A short name by which the project may be identified, including a very brief description of what the funds will be used for and the project's location (city, county, State, Congressional District).
NOTE: This description may be used to list the project in the House report and should be as accurate as possible to ensure that the funding goes to the correct project and location.
- **General description of the project and why it is needed.**
- **What are the benefits of this project and why is it a priority?**

**SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES**

- NOTE: Benefits could include safety, environmental, economic, equity, mobility, etc. This description will not appear in the House report.
- EXAMPLE: *Widening and resurfacing Main Street will allow the local government to add a turn lane to reduce congestion. It will also allow for safety upgrades at Avenue D where there is a high level of accidents.*
- **Amount requested for the community project.**
- **Total project cost.**
 - Provide the amount of the total cost of the project as outlined in the STIP or TIP, if applicable.
- **Can the project obligate all appropriated funds within 12 months after enactment?**
If not, what would be the expected date of obligation?
- **Estimated start and completion dates.**
- **Has the request been submitted to another Subcommittee or Committee this fiscal year? If yes, which one(s)?**
 - Please note if this request has been or will be submitted to the Transportation and Infrastructure Committee as part of the surface transportation reauthorization process.
- **Does the project have other public (federal, state, local) and/or private funds committed to meet match or cost-share requirements for costs related to construction, operations, and maintenance? If so, what is the source and amount of those funds?**
 - NOTE: The cost-share requirements are defined in statute.
 - EXAMPLE: *CMAQ will provide 10 percent of the cost and local sales taxes are committed for 25 percent of the funds.*
- **Does the project require an environmental review? If so, what is the status and/or outcome of the environmental review and NEPA category of action (if applicable)?**
- **Type of project eligible under 23 USC 133(b):**
 - NOTE: Drop down options will include: Highway, Bridge, Transit, Bike/Pedestrian, and Other (please specify). CIG priorities must be submitted via program request, consistent with the fiscal year 2021 submission process.

**SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT,
AND RELATED AGENCIES**

- **Where is the project in the construction process?**
 - NOTE: Drop down options will include: Planning and Environmental Review, Final Design, Right of Way, Capital purchase or lease (including bus purchases), Construction, and Other (please specify).
- **Was the project on a State, tribal or territorial Transportation Improvement Plan (STIP) or a metropolitan transportation improvement plan (MTIP) as of 12/31/2020? If yes, please provide a link to the plan.**
- **Please provide the STIP or TIP ID Number and specify which plan (ex. North Carolina STIP, New York Metropolitan Transportation Council TIP) the ID number comes from.**
 - Example: See ID Number circled below. The STIP also can be used for the location/description of a project, the total project cost, and information about where funding comes from.

DIVISION 1

ROUTE/CITY COUNTY	ID NUMBER	LOCATION / DESCRIPTION	LENGTH (Miles)	TOTAL PROJ COST (THOU)	PRIOR YEARS COST (THOU)
RURAL PROJECTS					
NC 45	R-5809	HERTFORD COUNTY LINE TO	24.8	23589	2219
BERTIE	H141741	WASHINGTON COUNTY LINE. MODERNIZE ROADWAY.			

- **Please provide a history of federal funding for the project, if any. Include both formula funds and any discretionary grants.**
 - EXAMPLE: *FY19 TIGER/BUILD Grant: \$10 million; FHWA Formula Funds: \$5 million.*
- **If the request does not fully fund the project, describe where the remaining funding comes from to complete the project.**
 - EXAMPLE: *Unidentified State funds will compose 10 percent of the remaining cost and previously identified federal formula funds (STBG) will make up the rest.*

Questions: If you have any questions about community projects eligible for Local Transportation Priorities, please email TH.MemberRequests@mail.house.gov and include “Local Transportation Priorities” in the subject line.

CONGRESSIONAL APPROPRIATIONS “EARMARKS”

- Each Representative able to submit 10 projects for consideration
- Project submittals due by April 30
- Requirements
 - No “for-profit” recipients
 - 20% local match
 - Local community support
 - Funds must be appropriated and used in FY 22 (“shovel ready”)
 - One-time payment, non-recurring
 - Project located within the Congressional District



1

CATEGORIES (<https://appropriations.house.gov/appropriations-requests>)

- Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
- Commerce, Justice, Science, and Related Agencies
- Defense
- Energy and Water Development, and Related Agencies
- Financial Services and General Government
- Homeland Security
- Interior, Environment, and Related Agencies
- Labor, Health and Human Services, Education, and Related Agencies
- Legislative Branch
- Military Construction, Veterans Affairs, and Related Agencies
- State, Foreign Operations, and Related Programs
- Transportation, and Housing and Urban Development, and Related Agencies

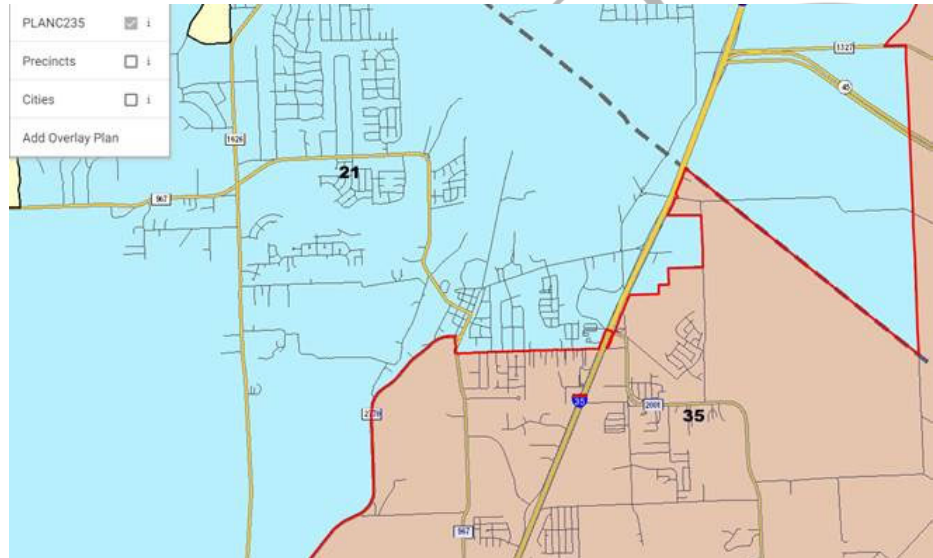


2

CONGRESSIONAL DISTRICTS

District 21 – Chip Roy

District 35 – Lloyd Doggett



3

PROCESS

- City must submit requests to Congressional District office by April 23rd
- Congressperson will review submitted projects and will select the 10 they submit for consideration



4

POTENTIAL PROJECTS – DISTRICT 35

- Interior, Environment, and Related Agencies
 - Hillside Terrace Sewer Project - \$8,000,000
 - S Loop 4 Wastewater Line Extension - \$2,045,455
 - Eastside Parkland Acquisition - \$7,000,000
- Transportation, and Housing and Urban Development, and Related Agencies (not a priority for Congressman Doggett)



5

REQUESTED ACTION

- Provide guidance on priority projects – what is Council ready to pledge a 20% match for?
- Adopt a Resolution demonstrating support and identifying project(s) for which we are seeking Congressional Appropriations



6

BudaTx breathe easy here.

- [illegible]

BudaTx breathe easy here.

N - \$2,045,455
ins to serve along S
C funding – EDC voted
21)
Container Corporation
ght Blvd. Extension.
o 4 from Windmill Way

- BudaTx** breathe easy here.

S LOOP 4 WASTEWATER EXTENSION



1/10/2020

9

EASTSIDE PARKLAND ACQUISITION - \$7,000,000

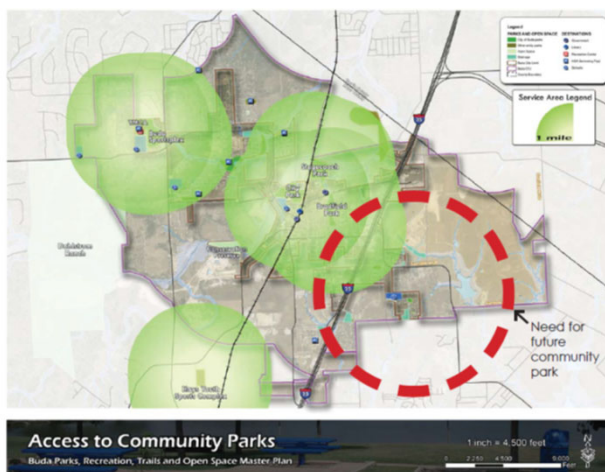
CHAPTER 6 - Prioritization of Needs and Recommendations

Community and Regional Parkland Acquisition

Buda's existing community and regional parks are meeting the needs of the current residents. However, all the existing community and regional parks are located on the west side of IH-35. The residents on the eastern side of Buda do not have easy access to a community park. A site for a future community park on the east side of IH-35 should be identified and acquired while land values remain relatively affordable. While land acquisition for a community park is a priority, development of the park might not be needed for another 5 to 10 years.

The site is intended to be used as an active park, and should include adequate land that can be converted into sports fields or other active uses. The ability to expand or reprogram this park site in the future should be considered, requiring approximately 20 to 50+ acres.

Community park needs in this area could be addressed by the Sunfield Development or by a public/private partnership between the City and the Sunfield Development.



Priority: High for identifying the park site;
Long-term for developing the park



10

S LOOP 4 RECONSTRUCTION - \$5,300,000

- Hays County/TxDOT Project
- Overview: Reconstruct S Loop 4 from Union Pacific Railroad to South IH-35 Frontage Road. 2 lane road with some center turn lanes and dedicated turn lanes, island medians.
- Local match:
 - TxDOT: \$1,600,000 already planned for pavement rehab



11

HILLSIDE TERRACE RECONSTRUCTION - \$6,750,000

- Hays County Project
- Overview: Reconstruct Hillside Terrace from the North IH-35 Frontage Road to FM 2001. Add shoulders and a continuous center turn lane.
- Local match: \$1,350,000 (City or Hays County)



12

RESOLUTION NO. 2021-R-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BUDA, TEXAS IDENTIFYING PROJECTS AND EXPRESSING
SUPPORT FOR PROJECTS FOR CONSIDERATION OF FUNDING
THROUGH THE COMMUNITY PROJECT FUNDING PROGRAM
THROUGH THE UNITED STATES HOUSE OF
REPRESENTATIVES.**

WHEREAS, the United States House of Representatives Appropriations Committee is considering requests for appropriations for community projects through the Community Project Funding program; and

WHEREAS, House of Representative members may submit up to ten ("10") projects for consideration through the program to support and meet local needs within their congressional districts; and

WHEREAS, the City of Buda, Texas is a home-rule municipality formed under statutes of the State of Texas; and

WHEREAS, the City of Buda is located in Hays County, one of the fastest growing counties in the United States; and

WHEREAS, the City of Buda is bisected by Congressional District 21 (Representative Chip Roy) and Congressional District 35 (Representative Lloyd Doggett); and

WHEREAS, the submitted projects are important to the success of the City of Buda and the surrounding community as they will address critical infrastructure and services needed to serve Buda's growing population.

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

Section 1. The City submits the following projects for consideration for funding through the Community Project Funding Program:

- a) _____
- b) _____
- c) _____

Section 2. The City Council authorizes the City Manager or his designee to coordinate submission of information for these projects through the appropriate Congressional District office.

Section 3. The Mayor of Buda is hereby authorized to sign this resolution and the

City Clerk to attest thereto on behalf of the City.

Section 4. This resolution shall be effective immediately upon adoption.

RESOLVED by the City Council of the City of Buda this 20th day of April 2021.

THE CITY OF BUDA, TEXAS

Attest:

Lee Urbanovsky, Mayor

Alicia Ramirez, City Clerk



City Council Agenda Item Report

Date: Tuesday, April 20, 2021

Agenda Item No. 2021-202- #H.2

Contact: Melissa McCollum

Subject: Hold a public hearing, deliberation and possible action on second reading of an Ordinance amending rules and regulations for form Districts and Arterial Business (B-2) Districts; amending rules and regulations for residential uses, mixed use buildings, gasoline filling or service stations, car washes, grocery convenience stores, grocery markets, office uses, professional uses, and medical uses; amending rules and regulations for signs in Form District 4 (F4) Form District 4H (F4H) and Forum District 5H (F5H) and in the extraterritorial jurisdiction; amending rules and regulations for exempt signs; and correcting scrivener's errors; proposing text amendments to Subsections 2.05.05.A., 2.06.05, 2.06.06.A., 2.08.01., 2.08.03., 2.08.07., 2.09.10.B.1., 4.02.08.A., 4.02.08.C.2.d., 4.02.09. and 5.02 of The Buda Unified Development Code (Z 21-01) (Planning Director Melissa McCollum) [PUBLIC TESTIMONY]

1. Executive Summary

This is the second reading of the ordinance with Section 2.09.04 removed as Council requested

This package of amendments to the Buda Unified Development Code is based on staff observations regarding inconsistencies or missing information in the UDC as it was adopted in 2017. Most of the changes in the package are related to the form-based code sections of the UDC, designed to foster a traditional development style in central Buda and other areas that have been designated as higher density mixed-use areas. The other topics covered are the accessory structures ordinance, mixed-use buildings in non-form based code districts, the sign code, and the regulation of gas stations.

2. Background/History

The Planning and Zoning Commission reviewed the proposed changes at two meetings and unanimously recommended approval of the amendments at their March 9, 2021 meeting. No members of the public spoke regarding the proposed changes.

3. Staff's review and analysis

The proposed changes should make the form-based section more intelligible while also clearing up omissions in the sign code. Additionally, the changes will strengthen restrictions on the location of gas stations as well as change the method by which the allowance residential accessory structures on lots over one acre.

4. Financial Impact

Unknown, as some provisions may negatively affect some proposed developments, while potentially enabling others.

5. Summary/Conclusion

Both city staff and Planning and the Zoning Commission recommend adoption of the proposed changes.

One comment has been received asking the Council to consider eliminating the limits of accessory buildings for large lots over one acre. See attached citizen comments.

6. Pros and Cons

Will update ordinance to eliminate inconsistencies and missing content. Will make the form-based code section more user-friendly.

7. Alternatives

8. Recommendation

Approve on 2nd reading.



City Council
Agenda Item Report
April 20, 2021

Contact – David Fowler, AICP, Senior Planner
512-312-5745 / dfowler@ci.buda.tx.us

SUBJECT: HOLD A PUBLIC HEARING, DELIBERATION AND POSSIBLE ACTION ON FIRST READING OF AN ORDINANCE AMENDING RULES AND REGULATIONS FOR FORM DISTRICTS AND ARTERIAL BUSINESS (B-2) DISTRICTS; AMENDING RULES AND REGULATIONS FOR RESIDENTIAL USES, MIXED USE BUILDINGS, GASOLINE FILLING OR SERVICE STATIONS, CAR WASHES, GROCERY CONVENIENCE STORES, GROCERY MARKETS, OFFICE USES, PROFESSIONAL USES, AND MEDICAL USES; AMENDING RULES AND REGULATIONS FOR SIGNS IN FORM DISTRICT 4 (F4) AND FORM DISTRICT 4H (F4H) AND IN THE EXTRATERRITORIAL JURISDICTION; AMENDING RULES AND REGULATIONS FOR EXEMPT SIGNS; AND CORRECTING SCRIVENER'S ERRORS; PROPOSING TEXT AMENDMENTS TO SUBSECTIONS 2.05.05.A., 2.06.05, 2.06.06.A., 2.08.01., 2.08.03., 2.08.07., 2.09.10.B.1., 4.02.08.A., 4.02.08.C.2.D., 4.02.09 AND 5.02 OF THE BUDA UNIFIED DEVELOPMENT CODE (Z 21-01) (PLANNING DIRECTOR MELISSA MCCOLLUM) [PUBLIC TESTIMONY]

1. SUMMARY

The Current format of the Buda Unified Development Code (UDC) was adopted on October 2, 2017 with amendments in 2020 to handle definitions/use changes as well as lighting and tree amendments. Recent application activity in form-based districts has led city staff to notice several inconsistencies or ambiguities in the sections of the code relating to form-based development. These edits are an attempt to remove inconsistencies and clarify the intent of the several sections of UDC Section 2, Zoning Regulations, mostly relating to form-based development. In addition, staff is requesting some clarification regarding uses in the Use Chart and amendments to Subsection 4.02 Sign Regulations to provide clarity. The attached Exhibit A (Redline) shows all the proposed amendments to the UDC.

2. UDC AMENDMENT/EDITS

a. EDITS TO SUBSECTION 2.05.05. Form Districts, and 2.08.03, Form District Standards

Discussion related to several projects presented at recent city council and Planning and Zoning Commission has highlighted the fact that the downtown-area form districts include substantial areas that are not in the Historic District. While the presence of these zoning districts outside of the historic district is intended to provide a buffer between the historic district and the city's more conventional zoning districts, some of the language in subsection 2.08.03 D, F, and H implies that the F3H, F4H, and F5H districts are only effective in the Historic Overlay district. The proposed revisions attempt to clear that

ambiguity by stating that the intended area for the zoning districts is the Downtown Node described in Subsection 2.08.02.B. This eliminates the perception that the form districts ending in “H” only apply within the historic district. Please see attached language modifications.

b. CHANGES TO SUBSECTION 2.06.05 USE CHART

This proposed change would eliminate mixed use building from the low-density F3 zoning district and clarify that in the remaining districts, the mixed use building type found in the form-based code section would be used. However, the uses of office, retail and residential are allowed within the F3 district, but must use the appropriate building types allowed in Section 2.08.07 that fit within the form of the districts. This difference between use and building type was confusing to many users, prompting the proposed change. Another change would be to change the mixed-use building type throughout F4H, subject to the condition that it would require an SUP if allowed within the Historic Overlay.

Other changes to the use chart will be to clarify the allowance of multifamily and multiplex in several form-based zoning districts. Based on comment at the February 9th meeting, missing development for 3- and 4-plexes in the F3 and F3H form-based zoning districts have been added. These changes will eliminate a confusing mismatch between the use chart and the form-based building standards for multifamily units as well as definitions. The proposed amendments fixed the inconsistency between Apartments (multifamily) that would require an SUP to be in F4 and F5 districts. However, this ordinance also shows the change of an SUP for F5H. Upon additional consideration, staff is proposing that F5H also require an SUP, as to provide consistency between the building types, and staff feels that multifamily use would be more appropriate for Mixed Use building types.

Other changes center around the allowance of gas sales within the form districts and the B-2 zoning district. Currently gas stations are allowed within the form districts, but convince stores are only allowed with a SUP. Gas stations are also a permitted use in B-2. This would change the SUP requirement to lie with the gasoline sales but potentially allow grocery convenience stores to be permitted. Additionally, retail stores are allowed in many of the form districts, but professional office and grocery stores require an SUP. The proposed amendments would permit these uses in many districts to be consistent and align with the already allowed retail store shop use.

c. CHANGES TO SUBSECTION 2.06.06 CONDITIONAL STANDARDS

This proposed change will clarify when mixed use building types can be allowed in R-4, R-5, B-1, B-2 and B-3 districts and where they would be allowed. Also, a new conditional standard #25 is proposed to highlight the building types allowed in subsection 2.08.07 to provided additional connection and clarity to 2.08.07

d. Corrections to captions on Form Based Code Building Type charts in 2.08.07.

There are several possible mismatches between the land use charts and the specification of which building types are permitted in several of the form-based districts. The following change would need to be made to the building type entries:

- C. Accessory Building (F3, F3H, F4, F4H, F5, F5H)
- E. Multiplex (F3, F3H, F4, F4H, F5)
- G. General Building (F4 F4H, F5, F5H)

I. Mixed-Use Building (F4, F4H, F5, F5H)

To ensure consistency, change Dwelling, Multi-Family, Apartments to S (for requires a Specific Use Permit) for the F4 and F5 zoning districts in the use chart in subsection. 2.06.05.

e. **CLARIFICATION OF SUBSECTION 2.09.10 APPROPRIATE MIXED USE BUILDING TYPES IN OTHER DISTRICTS.**

The UDC allows for mixed-use buildings in several zoning districts but does not specify which form-based district's which building standards are allowed in the other districts. To clarify this ambiguity the following language is proposed.

B. Building and Site Design

1. Mixed Use development shall comply with all regulations of 2.08.07. I. Mixed-Use Building (F4, F5, F5H) and the regulations below. The F5 Mixed Use Building standards must be employed in the B-3, R-4 and R-5 zoning districts. In the B-1 and B-2 zoning districts, F4 Mixed-Use Building standards must be used.

f. **CLARIFICATIONS IN SUBSECTION 4.02 SIGN REGULATIONS.**

Sign regulations apply within the City's jurisdictional area which includes our Extraterritorial Jurisdiction (ETJ). However, the ETJ sign type allowances were not identified in Table 38. Staff has identified that B-2 is the most applicable zoning district that applies in the ETJ and recommends using those standards for signs outside the City limits but within our jurisdictional boundaries. In addition Handy Signs are proposed to be an allowable sign type in F5-H.

Other sign amendments include adding additional clarification to area and height allowed for monument signs in Section 4.02.08.C, including adding applicability to the F4 and F4H zoning districts. Staff is also proposing the deletion of the extra reference to Incidental Signs, 4.02.09 Exempt signs.

g. **CLARIFY DEFINITION IN SUBSECTION 5.02 FOR BUILDING WIDTH IN BUILD-TO ZONE.**

The form-based building type regulations in Subsection 2.08.07. have a requirement called "Building Width in Build-to zone." A crucial element of form-based codes, this requirement is designed to require that buildings are built closer to the street to create a pedestrian-friendly environment that is relatively uninterrupted by driveways and large gaps between buildings. This requirement is especially important in areas such as Old Town, where a form-based code is used to maintain the established feel of older communities as they further develop or redevelop. This requirement is based upon two definitions:

Building Width in Build-to

The percentage of the width of the principal building required in the Build-to Zone.

And:

Build-to Zone

The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located.

The building width in build-to requirement ranges from 40 percent for single-family residences in the F3 district to 90 percent for Townhouses, General Building, Mixed-use buildings and apartments in the F5 and F5H districts. Prior to a recent challenge from an applicant, this provision had been enforced as requiring a minimum building width as a percentage of the lot width to be located within the minimum and maximum front setback lines for the particular building type. This recent challenge argued that this requirement as written should only apply to a minimum percentage of the building's overall width (without a minimum overall building width) that must be located in the build-to zone. Following this interpretation greatly reduces the impact of this requirement, as it could allow narrow buildings relative to lot width, making form-based areas much less walkable and more prone to having multiple driveway cuts. This interpretation also conflicts with the illustrations in the form-based building types section (Subsection 2.08.07), which shows buildings occupying more of a lot's width as the building width in build-to requirement increases. To clarify the requirement to get the intended result, the following change in definition is proposed:

Building Width in Build-to

The percentage of the lot width ~~of the~~ principal building is required to occupy in the Build-to Zone.

3. PLANNING AND ZONING COMMISSION REPORT

The Planning and Zoning Commission reviewed the proposed ordinance changes and unanimously recommended approval at its meeting held March 9, 2021. The Planning and Zoning Commission also held a workshop for these ordinance amendments at their February meeting.

One public comment has been received regarding accessory structures for larger lots, 2.09.04. They feel no limitation to size of accessory structures should be placed on larger lots (over one acre), other than prescribed building coverage. See attached email.

4. CITY COUNCIL MEETING

At the April 6, 2021 meeting, Council voted unanimously to recommend approval on first reading the ordinance with removing 2.09.04B, accessory buildings from consideration. Council seeks additional information regarding the lot sizes and accessory building limitations prior to consideration of UDC amendments to this section.

5. ATTACHMENTS

Exhibit A Redline Changes.
Ordinance

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE CITY OF BUDA, TEXAS, AMENDING THE CITY OF BUDA UNIFIED DEVELOPMENT CODE SUBSECTIONS 2.05.05.A., 2.06.06.A., 2.08.01., 2.08.03., 2.08.07., 2.09.10.B.1., 4.02.08.A., 4.02.08.C.2.d., 4.02.09. AND SECTION 5.02; AMENDING RULES AND REGULATIONS FOR FORM DISTRICTS AND ARTERIAL BUSINESS (B-2) DISTRICTS; AMENDING RULES AND REGULATIONS FOR RESIDENTIAL USES, MIXED USE BUILDINGS, GASOLINE FILLING OR SERVICE STATIONS, CAR WASHES, GROCERY CONVENIENCE STORES, GROCERY MARKETS, OFFICE USES, PROFESSIONAL USES, AND MEDICAL USES; AMENDING RULES AND REGULATIONS FOR SIGNS IN FORM DISTRICT 4 (F4) AND FORM DISTRICT 4H (F4H) DISTRICTS AND IN THE EXTRATERRITORIAL JURISDICTION; AMENDING RULES AND REGULATIONS FOR EXEMPT SIGNS; AND CORRECTING SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Buda, Texas (the "City") is a home rule municipality located in Hays County, Texas, created in accordance with the provisions of Chapter 9 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City has adopted a Unified Development Code, and since its adoption has made several amendments thereto; and

WHEREAS, city staff presented to the Planning and Zoning Commission certain proposed amendments to the Unified Development Code related to rules and regulations for Form districts and Arterial Business (B-2) districts; rules and regulations for residential uses, mixed use buildings, gasoline filling or service stations, car washes, grocery convenience stores, grocery markets, office uses, professional uses, and medical uses; rules and regulations for signs in Form District 4 (F4), Form District 4H (F4H) and in the extraterritorial jurisdiction; and rules and regulations for exempt signs; and related to the correction of scrivener's errors; and

WHEREAS, the City Council finds on _____, after notice required by law and the City of Buda Unified Development Code, the Planning and Zoning Commission of the City of Buda held a public hearing regarding said amendments to the Unified Development Code, and recommended that certain amendments be adopted by the City Council of the City of Buda; and

WHEREAS, the City Council finds on _____ , after notice required by law and the City of Buda Unified Development Code, the City Council of the City of Buda held a public hearing regarding said amendments; and

WHEREAS, the City Council finds all requirements of the City of Buda Unified Development Code pertaining to amendments of the Unified Development Code have been met; and

WHEREAS, the City Council finds certain amendments to the Unified Development Code are necessary to meeting changing conditions and are in the best interest of the City; and

WHEREAS, the City finds 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:

Section 1: The facts and recitations set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2: The Unified Development Code is hereby amended by deleting subsections 2.05.05.A., 2.06.06.A.19., 2.08.01., 2.08.03.C.4., 2.08.03.D.1., 2.08.03.D.4., 2.08.03.E.4., 2.08.03.F.1., 2.08.03.F.4., 2.08.03.G.4., 2.08.03.H.1., 2.08.03.H.4., 2.08.07.C., 2.08.07.E., 2.08.07.G., 2.08.07.H., 2.08.07.I., 2.09.10.B.1., 4.02.08.A., 4.02.08.C.2.d., and 4.02.09., thereof and substituting therefor new subsections 2.05.05.A., 2.06.06.A.19., 2.08.01., 2.08.03.C.4., 2.08.03.D.1., 2.08.03.D.4., 2.08.03.E.4., 2.08.03.F.1., 2.08.03.F.4., 2.08.03.G.4., 2.08.03.H.1., 2.08.03.H.4., 2.08.07.C., 2.08.07.E., 2.08.07.G., 2.08.07.H., 2.08.07.I., 2.09.10.B.1., 4.02.08.A., 4.02.08.C.2.d., and 4.02.09., to provide as set forth in Exhibit A, attached hereto and incorporated as though fully set forth herein.

Section 3: The Unified Development Code is hereby amended by adding new subsections 2.06.06.A.25. and 2.06.06.A.26. to provide as follows:

“City of Buda Unified Development Code

. . . .

Subsection 02.06. Zoning Use Regulations

. . . .

02.06.06. Conditional Standards

A. The following conditional development standards shall apply, as indicated in the Use Chart:

. . . .

25. Form District Building types and standards

Must follow lot building types and standards in 2.08.07

26. Multiplex standards

Must follow lot building types and standards in 2.08.07, no dwelling accessory units are allowed.”

Section 4: The Unified Development Code is hereby amended by deleting the rows for “Dwelling, Accessory”, “Dwelling, Multi-Family (Apartment)”, “Dwelling, Single Family (Attached – Duplex)”, “Dwelling, Single Family (Attached – Townhouse)”, “Dwelling, Single Family (Detached)”, “Gasoline Filling or Service Station/Car Wash”, “Grocery, Convenience Store”, “Grocery, Market”, and “Office, Professional, Medical, or Business” of subsection 02.06.05 Use Chart of Section 2.06 thereof and substituting therefor new rows for “Dwelling, Accessory”, “Dwelling, Multi-Family (Apartment)”, “Dwelling, Single Family (Attached – Duplex)”, “Dwelling, Single Family (Attached – Townhouse)”, “Dwelling, Single Family (Detached)”, “Gasoline Filling or Service Station/Car Wash”, “Grocery, Convenience Store”, “Grocery, Market”, and “Office, Professional, Medical, or Business” of subsection 02.06 .05 Use Chart of Section 2.06 to provide as set forth in Exhibit A, attached hereto and incorporated as though fully set forth herein.

Section 5: The Unified Development Code is hereby amended by deleting the row for “Dwelling, Multi-Family (3-Plex/4-Plex) of subsection 02.06.05 Use Chart of Section 2.06 thereof and substituting therefor a new row for “Dwelling, Multiplex (3-Plex/4-Plex)”, of subsection 02.06.05 Use Chart of Section 2.06 to provide as set forth in Exhibit A, attached hereto and incorporated as though fully set forth herein.

Section 6: The Unified Development Code is hereby amended by deleting the row “Mixed Use”, of subsection 02.06.05 Use Chart of Section 2.06 thereof and substituting therefor two new rows for “Mixed Use building not within Historic Overlay (O-H)”, “Mixed Use building-Historic Overlay (O-H)”, of subsection 02.06 .05 Use Chart of Section 2.06 to provide as set forth in Exhibit A, attached hereto and incorporated as though fully set forth herein.

Section 7: The Unified Development Code is hereby amended by deleting the definition of “Building Width in Build-to” of subsection 5.02 thereof and substituting therefor a new definition of “Building Width in Build-to” to provide as follows:

“City of Buda Unified Development Code

. . . .

Section 5. Definitions

. . . .

Subsection 05.02. Words and Terms Defined

For the purpose of this UDC, certain terms and words are herewith defined and shall have the meaning here applied.

. . . .

Building Width in Build-to

The percentage of the lot width the principal building is required to occupy in the Build-to Zone.”

Section 8: Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon second reading.

Section 9: 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 10: Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Buda, Texas and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances or Ordinances are hereby repealed.

Section 11: Penalty. Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2000.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate

offense.

Section 12: Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Buda and the laws of the State of Texas.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Buda, on this the ____ day of _____, 2021.

APPROVED:

Lee Urbanovsky, Mayor

ATTEST:

(CITY SEAL)

Alicia Ramirez, City Clerk
City of Buda, Texas

EXHIBIT A

SECTION 2. ZONING REGULATIONS

SUBSECTION 02.05. SPECIAL AND FORM BASED ZONING DISTRICTS

02.05.05. FORM DISTRICTS (F1, F2, F3, F3H, F4, F4H, F5, F5H)

A. Intent

The purpose of the form districts is to increase the range of options for development in select nodes within Buda while still preserving the character and appearance of Buda by regulating the form of the development. The form model is used to establish the intent and general scale of development. Each of the eight (8) form districts has corresponding regulations. There are eight (8) form districts:

1. Form District 1 (F1) contains minimal development aside from those functions related to recreation and community gathering. Form District 1 (F1) is intended to protect the most sensitive landscapes, ecosystems and habitats within Buda and ensure public access to Garlic Creek and Onion Creek.
2. Form District 2 (F2) - Reserved.
3. Form District 3 (F3) supports a mix of small-to-medium sized building types with predominantly residential uses on an interconnected street network.
4. Form District 3H (F3H) supports a mix of small-to-medium sized building types with predominantly residential uses within ~~Buda's Historic Downtown~~ the Downtown Node and Historic Overlay. Development in Form District 3H (F3H) must match the existing character and form of the existing fabric of Buda's ~~historic~~ downtown.
5. Form District 4 (F4) consists of a mixed-use urban fabric. It may have a wide range of building types, setbacks and street types and can be used to transition from higher to lower intensity development. The intent of Form District 4 (F4) is to reinforce appropriate scale development and encourage uses that are compatible with existing residential and provide a transition from a residential neighborhood to a mixed use core.
6. Form District 4H (F4H) consists of a mixed-use urban fabric within ~~Buda's Historic Downtown~~ the Downtown Node and Historic Overlay. Development in Form District 4H (F4H) may have a wide range of building types, setbacks and street types and can be used to transition from higher to lower intensity development but must match the existing character and form of the existing fabric of Buda's ~~historic~~ downtown.
7. Form District 5 (F5) consists of higher density mixed-use buildings that accommodate retail, offices, townhomes and apartments. It should have a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

8. Form District 5H (F5H) preserves the existing historic commercial buildings and new compatible infill to accommodate retail, offices, townhouses and apartments. It should have a tight network of streets, with wide sidewalks, steady street tree plantings and buildings set close to the sidewalks and must match the existing character and form of the existing fabric of Buda's historic downtown.



SUBSECTION 02.06. ZONING USE REGULATIONS

02.06.05. USE CHART

2.06.05 Use Chart	AG	R- 1	R- 2	R- 3	R- 4	R- 5	R- MH	B- 1	B- 2	B- 3	LI	HI	F1	F3	F3H	F4	F4H	F5	F5H	Parking Requirement (spaces : increment)
Residential Uses																				
Dwelling, Accessory	P- 2	P- 2	S- 2	S- 2	S- 2	S- 2								P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	1 : unit
Dwelling, Multi-Family (Apartment)						P										P <u>S- 25</u>		P <u>S- 25</u>	P <u>S- 25</u>	Studio 1 : unit
Dwelling, <u>Multi-Family Multiplex</u> (3- Plex/4-Plex)					P	P								P- <u>26</u>	P- <u>26</u>	P- <u>26</u>	P- <u>26</u>	P- <u>26</u>		1-2 BR 2 : unit 3+ BR 0.5 : add'l BR over 2 Guest 1 : 10 units
Dwelling, Single Family (Attached – Duplex)				P	P	P								P- <u>25</u>	P- <u>25</u>	S- <u>25</u>	P- <u>25</u>			2 : dwelling
Dwelling, Single Family (Attached – Townhouse)				P	P	P										P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	2 : dwelling

Dwelling, Single Family (Detached)	P	P	P	P											P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	P- <u>25</u>	P- <u>25</u>			2 : dwelling
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2.06.05 Use Chart	AG	R-1	R-2	R-3	R-4	R-5	R-MH	B-1	B-2	B-3	LI	HI	F1	F3	F3H	F4	F4H	F5	F5H	Parking Requirement (spaces : increment)
Non-residential																				
Mixed Use building not within Historic Overlay (O-H)					P-19	P-19		P-19	P-19	P-19				P		P- 25	P- 25	P- 25	P- 25	Based on use type
Mixed Use building- Historic Overlay (O-H)																	S-25	P- 25	P- 25	
Gasoline Filling or Service Station/Car Wash									S P -15	P-15	P-15	P-15				S P -15		S P -15	S P -15	Fueling bay spaces + Grocery, Convenience Store requirement
Grocery, Convenience Store				S	S	S		P	P	P	P			S P	S	S P	S P	S P	S P	1 : 300
Grocery, Market					P	P		P	P	P	P			S		S P	S	S P	S P	1 : 300
Office, Professional, Medical, or Business								P	P	P	P	P		S P		P	S P	P	P	1 : 400

02.06.06. CONDITIONAL STANDARDS

19. Mixed Use

See 2.09.10. Mixed Use Design for the required conditions. The F5 Mixed Use Building standards must be employed in the B-3, R-4 and R-5 zoning districts. In the B-1 and B-2 zoning districts, F4 Mixed-Use Building standards must be used.

25. Form District Building Types and Standards

Must follow lot building types and standards in 2.08.07

26. Multiplex Standards

Must follow lot building types and standards in 2.08.07, no dwelling accessory units are allowed.

SUBSECTION 02.08. FORM BASED CODE

02.08.01. General Provisions

A. Purpose

The purpose of the Form Based Code is to increase the range of options for development in select “Form Districts” within Buda while still preserving the character and appearance of Buda by regulating the form of the development.

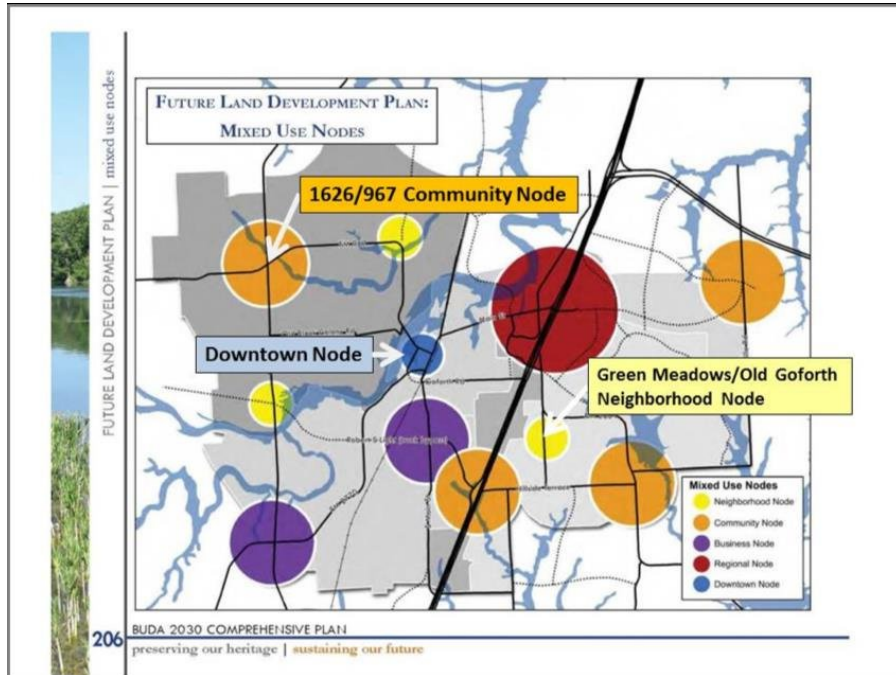
B. Intent

The intent and purpose of the Form Based Code is to enable, encourage and qualify the implementation of the following policies:

1. Encourage a mix of commercial, residential and office uses to lessen the tax burden on residential property owners;
2. Transition between higher intensity development and traditional residential neighborhoods
3. Increase pedestrian and bicycle linkages;
4. Preserve and enhance Buda's unique, small town character; and
5. Minimize impact of development within sensitive environmental areas.

The Buda 2030 Comprehensive Plan identifies key Mixed Use Nodes where mixed use developments are appropriate and encouraged. Three Mixed Use Nodes were selected for location of multiple as Form Districts: The 1626/967 Community Node, the Downtown Node and the Green Meadows/Old Goforth Neighborhood Node.

Figure 10. Buda 2030 Comprehensive Plan Future Land Development Plan



02.08.03. FORM DISTRICT STANDARDS

C. Form District 3 (F3)

4. Allowed Building Types

Allowed Building Types	Standards
Single Family Detached	2.08.07. B.
Accessory Building	2.08.07. C.
Duplex	2.08.07. D.
<u>Multiplex</u>	<u>2.08.07. E.</u>

D. Form District 3H (F3H)

1. Intent

Form District 3H (F3H) supports a mix of small-to-medium sized building types with predominantly residential uses within or adjacent to Buda's historic downtown. Development in Form District 3H (F3H) must match the existing character and form of the existing fabric of Buda's historic downtown. These standards apply to parcels zoned Form District 3H (F3H) within the boundaries of the Historic Overlay (O-H) District the Downtown Node.



4. Allowed Building Types

Allowed Building Types	Standards
Single Family Detached	2.08.07. B.
Accessory Building	2.08.07. C.
Duplex	2.08.07. D.
<u>Multiplex</u>	<u>2.08.07. E.</u>

E. Form District 4 (F4)

4. Allowed Building Types

Allowed Building Types	Standards
Single Family Detached	2.08.07. B.
Accessory Building	2.08.07. C.
Duplex	2.08.07. D.
Multiplex	2.08.07. E.
Townhouse	2.08.07. F.
General Building	2.08.07. G.
Apartment*	2.08.07. H.
Mixed Use Building	2.08.07. I.
*Apartments require an SUP when located in F4 or F5. Refer to 2.10.09.	

F. Form District 4H (F4H)

1. Intent

Form District 4H (F4H) consists of a mixed-use urban fabric within or adjacent to Buda's historic downtown. Development in Form District 4H (F4H) may have a wide range of building types, setbacks and street types and can be used to transition from higher to lower intensity development but must match the existing character and form of the existing fabric of Buda's historic downtown. These standards apply to parcels zoned Form District 4H (F4H) within the boundaries of the ~~Historic Overlay (O-H) District~~ the Downtown Node.

4. Allowed Building Types

Allowed Building Types	Standards
Single Family Detached	2.08.07. B.
Accessory Building	2.08.07. C.
Duplex	2.08.07. D.
Multiplex	2.08.07. E.
Townhouse	2.08.07. F.
General Building*	2.08.07. G.
Mixed Use Building**	2.08.07. I.
<p>* <u>General Building type allowed in F4H where not located within the Historic Overlay</u></p> <p>**<u>Mixed Use Building type permitted-allowed in F4H where not located within the Historic Overlay, if proposed within the Historic Overlay requires an SUP.</u></p>	

G. Form District 5 (F5)

4. Allowed Building Types

Allowed Building Types	Standards
<u>Accessory Building</u>	<u>2.08.07. C.</u>
<u>Multiplex</u>	<u>2.08.07. E.</u>
Townhouse	2.08.07. F.
General Building	2.08.07. G.
Apartment*	2.08.07. H.
Mixed Use Building	2.08.07. I.
<p>*Apartments require an SUP when located in F4 or F5. Refer to <u>2.10.09</u>.</p>	

H. Form District 5H (F5H)

1. Intent

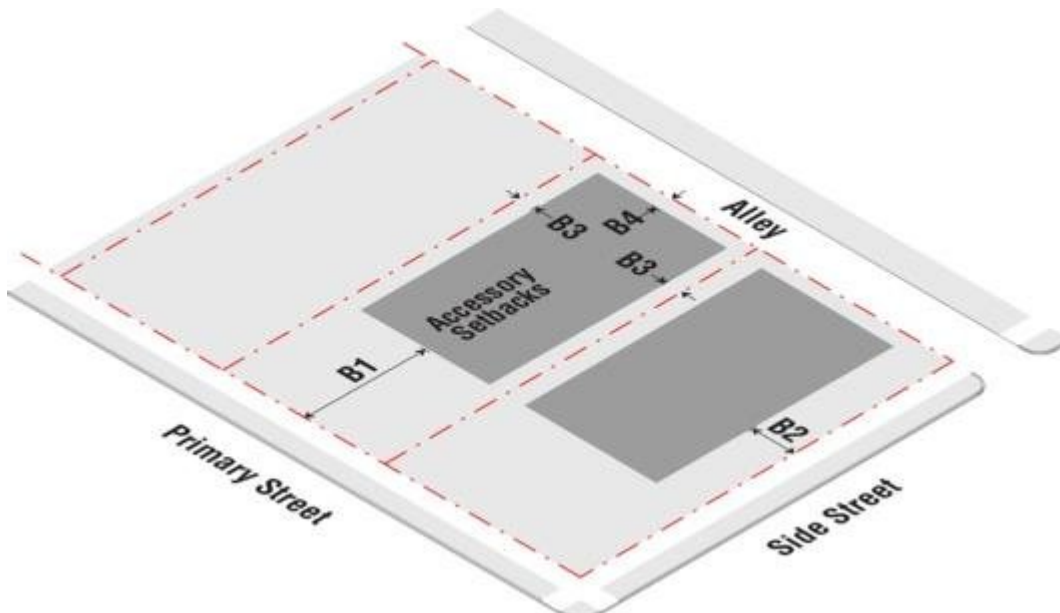
Form District 5H (F5H) preserves the existing historic commercial buildings and new compatible infill to accommodate retail, offices, townhouses and apartments. It should have a tight network of streets, with wide sidewalks, steady street tree plantings and buildings set close to the sidewalks and must match the existing character and form of the existing fabric of Buda's historic downtown. These standards apply to parcels zoned Form District 5H (F5H) within the boundaries of the ~~Historic Overlay (O-H) District~~ the Downtown Node.

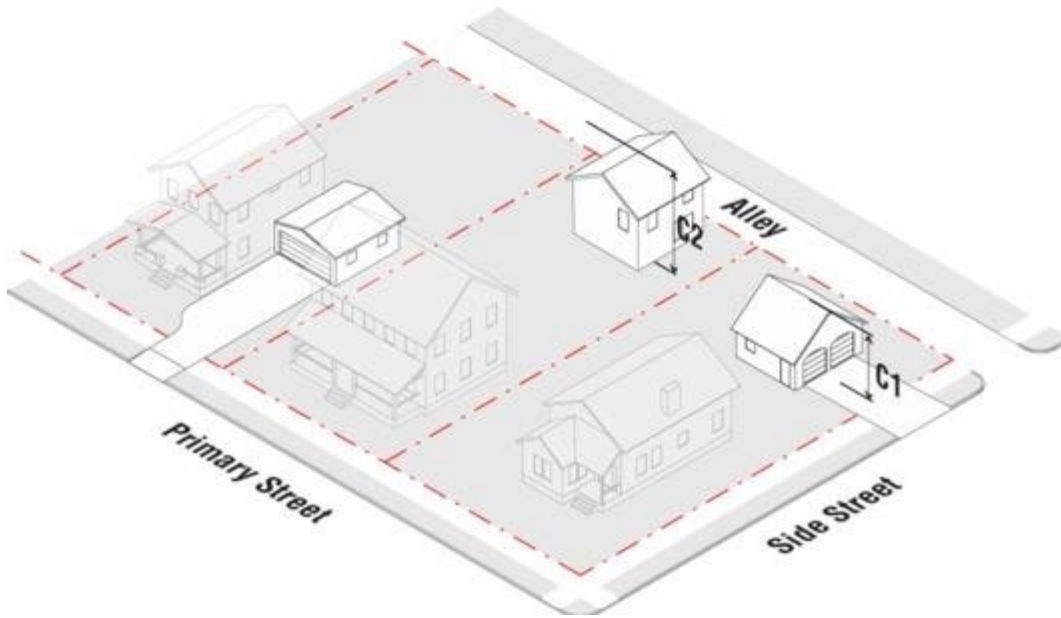
4. Allowed Building Types

Allowed Building Types	Standards
<u>Accessory Building</u>	<u>2.08.07. C.</u>
Townhouse	2.08.07. F.
General Building	2.08.07. G.
Apartment*	2.08.07. H.
Mixed Use Building	2.08.07. I.
<u>*Apartments require an SUP Refer to 2.10.09.</u>	

02.08.07. BUILDING TYPES

C. Accessory Building (F3, F3H, F4, F4H, F5, F5H)

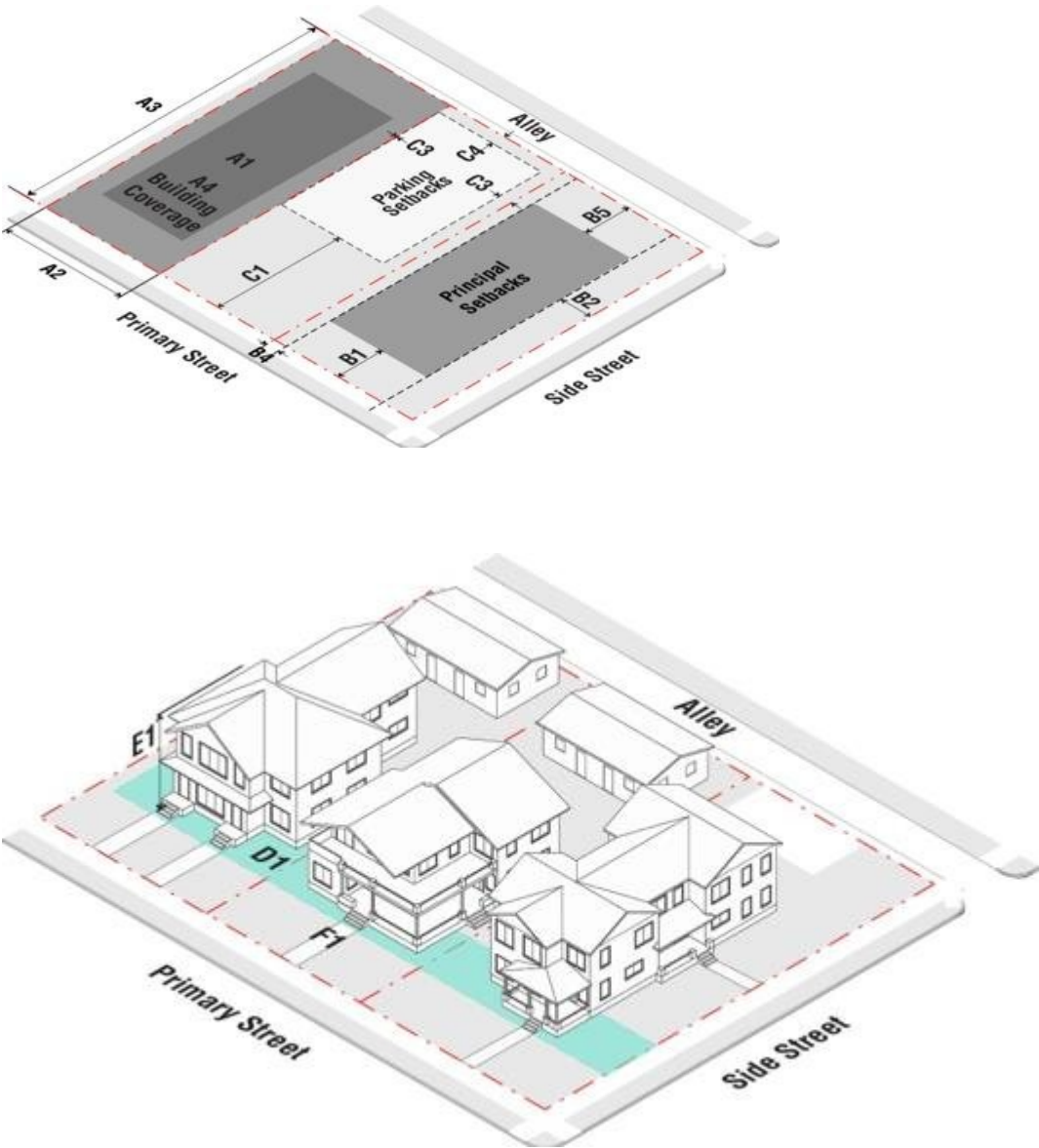




Lot Dimension	F3	F3H	F4	F4H	F5 /F5H
A1. Area (min)	Calculated according to Primary Building.				
A2. Width – interior lot (min)					
A2. Width – corner lot (min)					
A3. Depth (min)					
A4. Building Coverage	20% of the maximum allowed building coverage for the primary building. Building coverage counts toward the allowed coverage for the primary building.				
A5. Impervious Coverage	Impervious coverage counts towards the maximum allowed impervious coverage of the primary building.				
Building Setbacks	F3	F3H	F4	F4H	F5 /F5H
B1. From Primary Street (min)	50 ft*	50 ft*	50 ft*	50 ft*	50 ft*
B2. From Side Street (min)	10 ft	10 ft	10 ft	10 ft	10 ft
B3. From side lot line (min)	5 ft	5 ft	5 ft	5 ft	5 ft
B4. From rear lot line (min)	5 ft	5 ft	5 ft	5 ft	5 ft
*or 10 ft behind the primary building, whichever is greater					
Height	F3	F3H	F4	F4H	F5 /F5H
C1. Accessory Building (max)	25 ft				
C2. Accessory Building – alley access only (max)	30 ft				

E. Multiplex (F3, F3H, F4, F4H, F5)

A multiplex would typically take the form of a 3-plex or 4-plex, but would functionally look like a large single-family home. These are sometimes nicknamed a “houseplex.” These are often seen in historic areas where a large house/mansion is broken up internally and remodeled to have 2-4 living units.

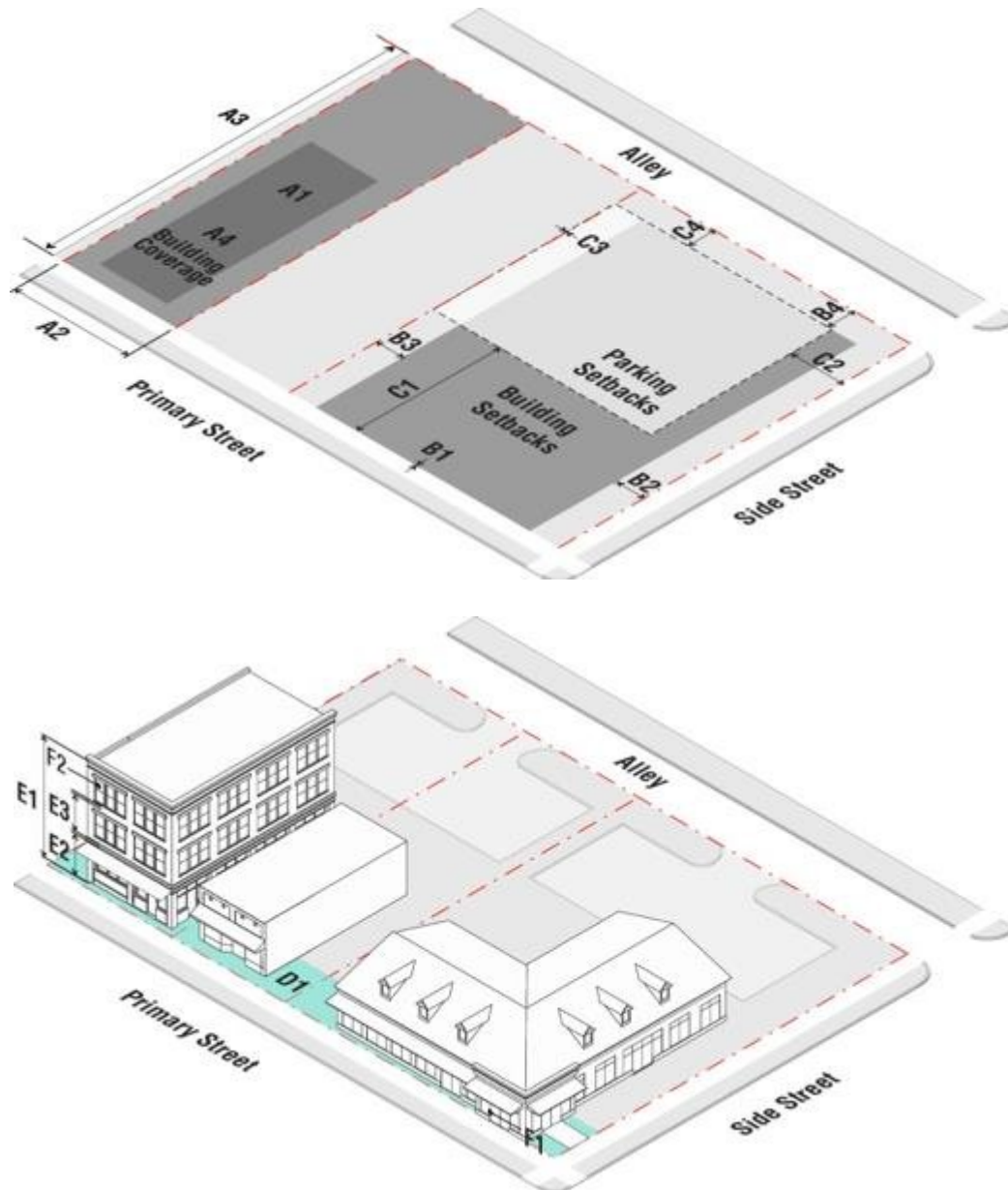


Lot Dimension	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
A1. Area (min)	<u>9000 sf</u>	<u>11000 sf</u>	8000 sf	9900 sf	<u>7000 sf</u>

A2. Width – interior lot (min)	<u>90 ft</u>	<u>100 ft</u>	80 ft	90 ft	<u>70 ft</u>
A2. Width – corner lot (min)	<u>100 ft</u>	<u>110 ft</u>	90 ft	100 ft	<u>100 ft</u>
A3. Depth (min)	<u>110 ft</u>	<u>110 ft</u>	100 ft	110 ft	<u>100 ft</u>
A4. Building Coverage	<u>55%</u>	<u>40%</u>	60%	55%	<u>70%</u>
A5. Impervious Coverage	<u>65%</u>	<u>50%</u>	70%	65%	<u>80%</u>
Building Setbacks	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
B1. From primary street (min)	<u>15ft*</u>	<u>15ft*</u>	15 ft	15 ft*	<u>15ft*</u>
B2. From side street (min)	<u>10ft*</u>	<u>10 ft*</u>	10 ft	10 ft*	<u>10 ft*</u>
B3. From side lot line (min)	<u>5ft*</u>	<u>5ft*</u>	5 ft	5 ft	<u>5ft*</u>
B4. From rear lot line (min)	<u>15 ft*</u>	<u>15ft*</u>	15 ft	15 ft	<u>15ft*</u>
*or the average of the setbacks on the block, whichever is greater					
Parking Setbacks	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
C1. From Primary Street (min)*	<u>50 ft</u>	<u>50 ft</u>	50 ft	50 ft	<u>50 ft</u>
C2. From Side Street (min)*	<u>15 ft</u>	<u>15 ft</u>	15 ft	15 ft	<u>15 ft</u>
C3. From side lot line (min)	5 ft, 0 ft if shared with adjacent lot.				
C4. From rear lot line (min)	<u>5 ft</u>	<u>5 ft</u>	5 ft	5 ft	<u>5 ft</u>
* Parking area must be setback a minimum of 30 ft from the wall of the home on the primary street or a minimum of 5 ft from the wall of the home on the side street.					
Build-to Zone	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
D1. Primary Street (min/max)	B1./B1. Plus 10 ft				
D2. Building Width in Build-to (min)	<u>50%</u>	<u>40%</u>	70%	60%	<u>80%</u>
Height	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
E1. All Buildings (max)	<u>35 ft</u>	<u>35 ft</u>	35 ft	35 ft	<u>35 ft</u>
Pedestrian Access	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
F1. One pedestrian entrance must front onto Primary Street.					
Frontage Types	<u>F3</u>	<u>F3H</u>	F4	F4H	<u>F5</u>
Common Yard, Porch and Fence					

Use note: Accessory dwellings are not ~~permitted~~ allowed on a lot containing a ~~in addition to~~ Multiplex.

G. General Building (F4 F4H, F5, F5H)

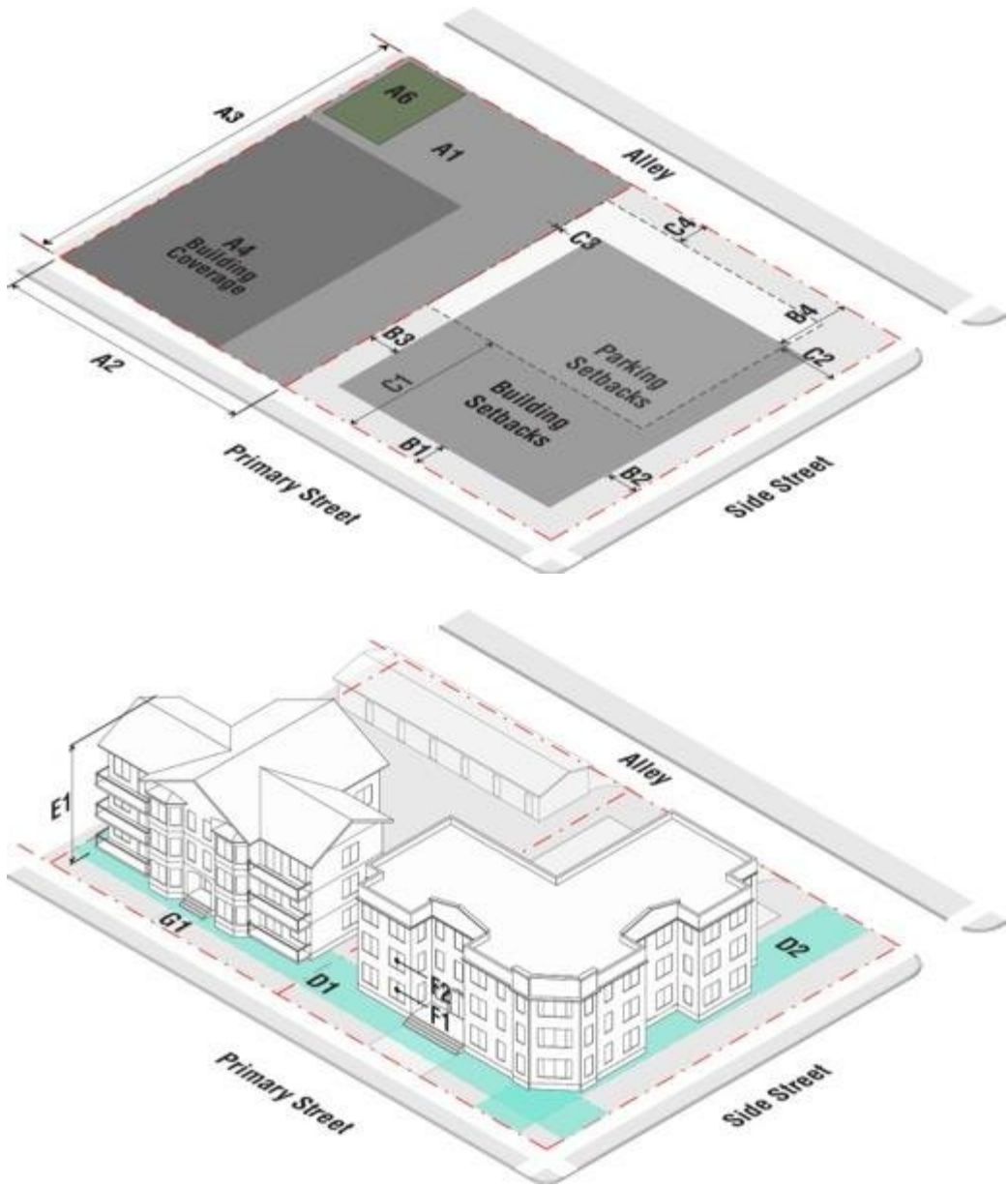


Lot Dimension	F4/F4H*	F5	F5H
A1. Area (min)	5000 ft	4500 ft	4000 ft
A2. Width – interior (min)	50 ft	45 ft	30 ft
A2. Width – corner (min)	55 ft	40 ft	35 ft
A3. Depth (min)	100 ft	100 ft	100 ft
A4. Building Coverage	60%	75%	60%
A5. Impervious Coverage	75%	90%	75%
Building Setbacks	F4/F4H*	F5	F5H
B1. From primary street (min)	0 ft	0 ft	0 ft
B2. From side street (min)	10 ft	5 ft	5 ft
B3. From side lot line (min)	0 or 5 ft	0 or 5 ft	0 or 5 ft
B4. From rear lot line (min)	15 ft	10 ft	10 ft
Parking Setbacks	F4/F4H*	F5	F5H
C1. From Primary Street (min)	50 ft	50 ft	50 ft
C2. From Side Street (min)	5 ft	5 ft	5 ft
C3. From side lot line (min)	0 ft	0 ft	0 ft
C4. From rear lot line (min)	5 ft	5 ft	5 ft
Build-to-Zone	F4/F4H*	F5	F5H
D1. Primary Street (min/max)	B1./B1. Plus 10 ft		
D2. Building Width in Build-to (min)	80%	90%	90%
Height	F4/F4H*	F5	F5H
E1. Primary Building (max)	45 ft	45 ft	35 ft
Transparency	F4/F4H*	F5	F5H
F1. Ground Story (min)	20%	30%	30%
F2. Upper Story (min)	15%	20%	20%
Pedestrian Access	F4/F4H*	F5	F5H
One pedestrian entrance must front onto Primary Street.			
Vehicular Access	F4/F4H*	F4	F4H
Vehicular access should be located off of the alley or secondary street. Vehicular access should be discouraged off of the primary street.			
Frontage Types	F4/F4H*	F5	F5H

Shopfront, Gallery, Arcade, Slip Road Parking

*Building type permitted in F4H where not located within the Historic Overlay

H. Apartment (F4, F5, F5H)



Lot Dimension	F4*	F5*	F5H*
A1. Area (min)	15,000 ft	10,000 ft	12,000 ft
A2. Width (min)	100 ft	100 ft	100 ft
A3. Depth (min)	150 ft	100 ft	120 ft

A4. Building Coverage	65%	75%	60%
A5. Impervious Coverage	75%	85%	75%
A6. Green Space	25%	15%	20%
Building Setbacks	F4*	F5*	F5H*
B1. From primary street (min)	10 ft	10 ft	10 ft
B2. From side street (min)	10 ft	5 ft	5 ft
B3. From side lot line (min)	0 or 5 ft	0 or 5 ft	0 or 5 ft
B4. From rear lot line (min)	15 ft	10 ft	10 ft
Parking Setbacks	F4*	F5*	F5H*
C1. From Primary Street (min)	20 ft	20 ft	20 ft
C2. From Side Street (min)	5 ft	5 ft	5 ft
C3. From side lot line (min)	0 ft	0 ft	0 ft
C4. From rear lot line (min)	5 ft	5 ft	5 ft
Build-to-Zone	F4*	F5*	F5H*
D1. Primary Street (min/max)	B1./B1. Plus 10 ft		
D2. Side Street (min/max)	10 ft/20 ft	5 ft/15 ft	5 ft/15 ft
D3. Building Width in Build-to (min)	80%	90%	90%
Height	F4*	F5*	F5H*
D1. Primary Building (max)	45 ft	45 ft	35 ft
Transparency	F4*	F5*	F5H*
F1. Ground Story (min)	15%	20%	20%
F2. Upper Story (min)	15%	15%	15%
Pedestrian Access	F4*	F5*	F5H*
G1. One pedestrian entrance must front onto Primary Street			
Vehicular Access	F4*	F5*	F5H*
Vehicular access should be located off of the alley or secondary street. Vehicular access should be discouraged off of the primary street.			
Frontage Types	F4*	F5*	F5H*
Porch and Fence, Forecourt, Stoop			

*Apartments require an SUP when located in F4, ~~F5~~ or F5H. Refer to [2.10.09](#).

Use note: Accessory dwelling not permitted in addition to Apartment

I. Mixed-Use Building (F4/F4H, F5, F5H)



Lot Dimension	F4/F4H*	F5	F5H
A1. Area (min)	15,000 ft	10,000 ft	12,000 ft
A2. Width (min)	100 ft	100 ft	100 ft
A3. Depth (min)	150 ft	125 ft	120 ft

A4. Building Coverage	65%	80%	60%
A5. Impervious Coverage	85%	90%	75%
A6. Green Space	25%	10%	10%
Building Setbacks	F4/F4H*	F5	F5H
B1. From primary street (min)	0 ft	0 ft	0 ft
B2. From side street (min)	5 ft	5 ft	5 ft
B3. From side lot line (min)	0 or 5 ft	0 or 5 ft	0 or 5 ft
B4. From rear lot line (min)	15 ft	10 ft	10 ft
Parking Setbacks	F4/F4H*	F5	F5H
C1. From Primary Street (min)	20 ft	20 ft	20 ft
C2. From Side Street (min)	5 ft	5 ft	5 ft
C3. From side lot line (min)	0 ft	0 ft	0 ft
C4. From rear lot line (min)	5 ft	5 ft	5 ft
Build-to-Zone	F4/F4H*	F5*	F5H
D1. Primary Street (min/max)	0 ft/10 ft	0 ft/10 ft	0 ft/10 ft
D2. Side Street (min/max)	5 ft/15 ft	5 ft/15 ft	5 ft/15 ft
D3. Building Width in Build-to (min)	80%	90%	90%
Height	F4/F4H*	F5	F5H
E1. Primary Building (max)	45 ft	45 ft	35 ft
Transparency	F4/F4H*	F5	F5H
F1. Ground Story (min)	50%	50%	50%
F2. Upper Stories (min)	15%	15%	15%
Ground Floor Retail	F4/F4H*	F5	F5H
% of ground floor retail use (min)	30%	50%	50%
Pedestrian Access	F4/F4H*	F5	F5H
One pedestrian entrance must front onto Primary Street			
Vehicular Access	F4/F4H*	F5	F5H
Vehicular access should be located off of the alley or secondary street. Vehicular access should be discouraged off of the primary street.			
Frontage Types	F4/F4H*	F5	F5H
Shopfront, Gallery, Arcade, Slip Road Parking			

*Building type permitted in F4H where not located within the Historic Overlay, if proposed within the Historic Overlay requires an SUP.

2.09.10 MIXED USE DESIGN

B. Building and Site Design

1. Mixed Use development shall comply with all regulations of 2.08.07.1. Mixed-Use Building (F4, F5, F5H) and the regulations below. The F5 Mixed Use Building standards must be employed in the B-3, R-4 and R-5 zoning districts. In the B-1 and B-2 zoning districts, F4 Mixed-Use Building standards must be used.

SECTION 4. SUPPLEMENTAL DEVELOPMENT REGULATIONS

SUBSECTION 04.02. SIGN REGULATIONS

04.02.08. TYPES OF SIGNS

A. Signs Permitted by Zoning District

Table 38. Signs Permitted by Zoning District identifies zoning districts within the City limits where each sign type is permitted.

1. Permitted (●) indicates that the sign type is permitted by right in the zoning district. If a cell is blank, this indicates the sign type is not permitted in the zoning district. For example, if a sign is seeking placement on a property in both the Interstate-35 Business (B-3) District and the Gateway Overlay (O-G) District, then the more restrictive standards and permitted sign limitations shall apply.
2. To preserve the character of residential zoning districts, commercial signs are not permitted in Estate Residential (R-1) District through Urban Residential (R-5) District.
 - a. Signs may be allowed in residential zoning districts for institutional uses such as religious assemblies, educational facilities, government administration and civic buildings, and public parks.
 - b. The sign standards for these uses shall be based on Neighborhood Business (B-1) District/Arterial Business (B-2) District/Interstate-35 Business (B-3) District standards applicable to the respective sign type.

Table 38. Signs Permitted by Zoning District

AG	R-1	R-2	R-3	R-4	R-5	R-MH	B-1	B-2 ETJ
Pole and Pylon Sign								
Monument Sign				•	•	•	•	•
Wall Sign				•	•	•	•	•
Projecting Sign				•	•		•	•
Hanging Sign							•	•
Marquee Sign								•
Awning Sign				•	•	•	•	•
Canopy Sign				•	•		•	•
Window Sign				•	•	•	•	•
Sidewalk Sign							•	•

AG	B-3	LI	HI	O-G	O-R	F3	F3-H	F4	F4-H	F5	F5-H
Pole and Pylon Sign	•	•	•								
Monument Sign	•	•	•	•	•	•	•	•	•		
Wall Sign	•	•	•	•	•			•	•	•	•
Projecting Sign	•	•	•	•	•			•		•	•
Hanging Sign	•				•		•	•	•	•	•
Marquee Sign	•			•						•	•
Awning Sign	•	•	•	•	•			•	•	•	•
Canopy Sign	•	•	•	•	•			•		•	•

Window Sign	•	•	•	•	•	•	•	•	•	•	•
Sidewalk Sign	•				•			•	•	•	•

C. Monument Sign

2. Special Standards

d. Changeable Copy Signs are permitted.

	Single	Multi
Area Max (sq ft)		
R-4, R-5, R-MH, B-1, O-H, O-R	35	35
B-2, <u>(ETJ)</u> , LI, HI, O-G <u>F4, F4H</u>	50	75
B-3	100	100
Height Max (ft)		
R-4, R-5, B-1, O-H, O-R, F3	12	12
B-2, <u>(ETJ)</u> , LI, HI, O-G, F4, <u>F4H</u>	12	12
B-3	12	12
Width Max (ft)		
	15	25
Number of Signs		
Signs per lot, max	1	1
Setbacks and Spacing		
Interior property lines, min. (ft)	10	10
Illumination		
Internal or External		
Vertical Clearance from Grade		

	N/A	N/A
Changeable Electronic Variable Message Signs		
See 4.02.06 .		

04.02.09. EXEMPT SIGNS

The following signs, if located on private real property with the consent of the property owner (unless otherwise stated) are exempt from regulation under this Subsection:

1. Public Signs

Any public notice, warning or traffic control device required by federal, state or local law, regulation, or ordinance, including those on public property;

2. Signs on Properties in a State of Being for Sale or Lease

Up to two (2) temporary signs not exceeding six square feet in area and three feet in height when posted in residential zoning districts, or temporary signs not exceeding 64 square feet in area and 12 feet in height when posted in other zoning districts, when posted during time periods when the property on which the signs are located is for sale or lease, and such signs do not remain more than seven (7) days after the property is sold or leased;

3. Signs on Properties in a State of Construction

Up to two (2) temporary signs placed on construction sites not exceeding 64 square feet in area after approval of a site plan, and which do not remain erected for more than seven (7) days after the completion of the construction project;

4. Works of Art

Works of art that do not include a commercial message, including painted or applied wall accents and decorations;

5. Holiday Lights

Holiday lights and decorations with no commercial message;

6. Incidental Signs

Traffic-control signs on private property, such as stop, yield, and similar signs, the face of which meet Texas Manual on Uniform Traffic Control Devices standards and that contain no commercial message of any sort, and similar incidental signs related to internal traffic flow; ~~and that contain no commercial message of any sort;~~

7. Residential Signs

~~**8. Incidental Signs**~~

~~—Traffic control signs on private property, such as stop, yield, and similar signs, the face of which meet Texas Manual on Uniform Traffic Control Devices standards and that contain no commercial message of any sort, and similar incidental signs related to internal traffic flow;~~

SECTION 5. DEFINITIONS

SUBSECTION 05.02 WORDS AND TERMS DEFINED

Building Width in Build-to

The percentage of the lot width ~~of the~~ principal building is required to occupy in the Build-to Zone

From: [David Patterson](#)
To: [Comments](#); [Melissa McCollum](#)
Subject: ordinance amendments
Date: Thursday, April 1, 2021 10:01:03 AM

The ordinance amendments for accessory structures in Section 2.09.04 for larger lots (over 1 acre) should be limited to the building coverage of the zoning of the lot.

I purchased my lot in 1980 and built my house on one of the two acres. I have always planned to build a guest house on the other acre. In the meantime, I needed storage so I got two 12'x12' buildings to avoid the building inspection costs of buying one 288 sq.ft. building not knowing about the accessory structure limit. Those of us who bought two acre lots might have the need for a barn, a workshop, a greenhouse, chicken coops, and horse stalls. Limiting accessory buildings to only the square footage of the primary structures would severely limit the size of the accessory building, preventing the property owners from materializing their vision. Please increase the number of accessory buildings from 3 to 5.

Thank you for your consideration.

--

David Patterson
16220 Remuda Trl.
Buda TX. 78610
512-694-7360



City Council Agenda Item Report

Date: Tuesday, April 20, 2021

Agenda Item No. 2021-232- #H.3

Contact: June Ellis

Subject: Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance amending the Fiscal Year 2021 Budget (Finance Director June Ellis) [PUBLIC TESTIMONY]

1. Executive Summary

The Fiscal Year 2021 General Budget was originally adopted by City Council on September 15, 2020. Since the adoption of the budget there have been changes within the Water and Wastewater Funds that require a change in the appropriation of funds in the budget. City Council has approved three previous budget amendment requests. This budget amendment request is the fourth budget amendment of the fiscal year. This budget amendment request also amends the City's Fee Schedule to incorporate roll-off service fees associated with the Texas Disposal Services (TDS) exclusive franchise agreement approved by City Council on August 4, 2020.

2. Background/History

Various changes have occurred that have warranted a need for this budget amendment. Exhibit "A" lists the accounts, budget and expenditure amounts for each of the items in this budget amendment request. Upon approval, the budget for each account will be adjusted to reflect the amounts as shown on Exhibit "A". A description of each budget amendment request item is below:

Water Fund:

- The RM 967 project is needed as a result of Hays County's RM 967 Road Widening project. This project will replace 8" waterline crossings, extend the existing steel casing on three waterline crossings, extend the steel casing on one existing wastewater line crossing, and replace 1,300 linear feet of existing 8" waterline along the south side of RM 967. This project will require design, bid, and construction phase services for water and wastewater locations from the RM 967 West Safety Enhancements roadway improvements from west of Ruby Ranch Road to FM 1626. Funding will be split between the Water Fund and the Wastewater Fund. In addition to this budget amendment, a contract for professional services for engineering, design, and construction phase services for this project is being presented to City Council at the April 20th meeting for approval. This budget amendment allocates the Water Fund's portion of the proposed professional services contract totaling \$74,156. This budget amendment request also includes the anticipated construction cost for this project, which totals approximately \$526,000, based on the engineer's opinion of probable

construction cost. The Water Fund's portion will total \$394,500.

Wastewater Fund:

- The RM 967 project is needed as a result of Hays County's RM 967 Road Widening project. This project will replace 8" waterline crossings, extend the existing steel casing on three waterline crossings, extend the steel casing on one existing wastewater line crossing, and replace 1,300 linear feet of existing 8" waterline along the south side of RM 967. This project will require design, bid, and construction phase services for water and wastewater locations from the RM 967 West Safety Enhancements roadway improvements from west of Ruby Ranch Road to FM 1626. Funding will be split between the Water Fund and the Wastewater Fund. In addition to this budget amendment, a contract for professional services for engineering, design, and construction phase services for this project is being presented to City Council at the April 20th meeting for approval. This budget amendment allocates the Wastewater Fund's portion of the proposed professional services contract totaling \$24,719. This budget amendment request also includes the anticipated construction cost for this project, which totals approximately \$526,000, based on the engineer's opinion of probable construction cost. The Wastewater Fund's portion will total \$131,500.

- During the winter storm freezing event that occurred in mid-February, the Public Works Department experienced severe damage to two of its three pumps at the Night Hawk Lift Station. This damage was the result of the Electric Reliability Council of Texas, Inc. (ERCOT) forcing power suppliers to enact Rolling Blackouts statewide. The constant on and off power surges from the rolling blackouts caused the electric pumps to fail. Due to the nature of this emergency situation, the department had to immediately purchase two replacement pumps in order to provide continuous service and to prevent the third pump from being overused, which could have possibly caused a failure of that pump. The total cost of the two replacement pumps was \$24,000. The department had to utilize existing funds for the replacement. This budget amendment request restores the funds used for the purchase of the two pumps. An insurance claim with the City's insurance provider has been made. The City is currently awaiting a decision on the status of the claim.

- The City contracts with GBRA for maintenance and operation of the City's wastewater treatment facility. The contract requires GBRA to reconcile the budget to actual expense at the end of each fiscal year. For Fiscal Year 2020, the reconciliation of expenses resulted in GBRA's expenses exceeding the payments the City made to GBRA throughout the fiscal year by \$44,399. This required the City to make a payment to GBRA for the operating and maintenance expenses in excess of payments made throughout the year. The majority of the overages that the GBRA incurred was due to a 61% increase mid-year in biosolids disposal costs. A smaller portion of the overage was due to TCEQ fees exceeding budget, as well as overages in pump and motor maintenance. This budget amendment request will replenish funds that were used to pay the GBRA invoice for \$44,399.

- This budget amendment request is to amend the City's Fee Schedule. At the City Council's August 4, 2020 meeting, the City Council approved an amendment to the franchise agreement with Texas Disposal Systems and adopted an ordinance to grant exclusive franchise to Texas Disposal System for all temporary roll-off services to customers within the Buda City Limits. As part of the expanded scope of the franchise, there are roll-off service fees that the City wishes to incorporate into its Fee Schedule. The exclusive franchise awarded to TDS did not add any costs to the City, and these fees amended in the Fee Schedule are not charged by the City. The City receives a franchise payment of 10% of gross revenues from TDS under the Ordinance No. 2016-25 and agreement with TDS.

3. Staff's review and analysis

This is the fourth budget amendment of the 2021 fiscal year. Staff has reviewed this budget amendment request and has determined that these amendments are necessary in order to fund the RM 967 Water Utility Relocation project, as well as restore funds to the Public Works Department that have been used for the replacement of two lift station pumps and for payment to GBRA for

maintenance and operations costs, over the budgeted amount, for last fiscal year.

4. Financial Impact

The ending fund balance for the current fiscal year for the Water Fund was projected to be \$3,002,181. The total expenditure changes requested in the budget amendment is \$468,656, which results in a projected ending fund balance of \$2,533,525. This ending fund balance provides projected excess funds available over the 3-month policy requirement totaling \$1.582 million at fiscal year end.

The ending fund balance for the current fiscal year for the Wastewater Fund was projected to be \$2,046,655. The total expenditure changes requested in the budget amendment is \$224,618, which results in a projected ending fund balance of \$1,822,037. This ending fund balance provides projected excess funds available over the 3-month policy requirement totaling \$1.175 million at fiscal year end.

5. Summary/Conclusion

This budget amendment will allow for the proper allocation of funding for the RM 967 Water Utility Relocation project, and it will allow the City to appropriate the funding needed restore the budget in the Public Works Department for expenditures made out of the Wastewater Department's budget during the current fiscal year for expenses related to two emergency pump replacements and for GBRA-related expenses as a result of year-end reconciliation from Fiscal Year 2020.

6. Pros and Cons

Pros - This budget amendment allows for proper funding in various accounts in the Water and Wastewater Funds for ongoing utility operations and for capital project funding.

Cons - None.

7. Alternatives

None.

8. Recommendation

Staff recommends approval of the budget amendment for Fiscal Year 2021 on first and final reading.

ORDINANCE NO. 2021-____

AN ORDINANCE OF THE CITY OF BUDA, TEXAS, APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF BUDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING ON SEPTEMBER 30, 2021; AMENDING APPENDIX A OF THE CODE OF ORDINANCES ENTITLED FEE SCHEDULE PREVIOUSLY ADOPTED ON SEPTEMBER 15, 2020; PROVIDING FOR PUBLICATION; PROVIDING FOR PENALTY; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 2020-24, passed and approved on September 15, 2020, the City Council of the City of Buda approved and adopted the City of Buda, Texas budget for the fiscal year beginning October 1, 2020, and ending on September 30, 2021; and,

WHEREAS, Section 102.010 of the Local Government Code allows the City Council of the City of Buda to make changes in the Fiscal Year 2021 budget for municipal purposes; and

WHEREAS, Article 6.04 of the City Charter authorizes, upon the City Manager's certification of the availability of revenues in excess of those estimated in the budget, the City Council to make supplemental appropriations towards the intended purposes for which the same were made or designated; and

WHEREAS, the City Manager has certified the availability for appropriation revenues as a result of proceeds; and

WHEREAS, the City Council hereby finds that the supplemental appropriations as set forth in this ordinance fall within the intended purposes of the revenues as certified by the City Manager; and

WHEREAS, the City Council desires to amend the Exhibit "B" Fee Schedule, updating fees associated with the exclusive franchise for roll-off services for the City of Buda's solid waste services as provided by the City-approved service contractor for the remaining fiscal year October 1, 2020 to September 30, 2021; and,

WHEREAS, in accordance with state law and the City Charter, the City Council is of the opinion that the budget should be amended;

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

SECTION 1.

The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2.

The General Budget of the City of Buda, Texas, for Fiscal Year 2021 is hereby amended as set forth in Exhibit "A" which is attached hereto and incorporated herein for all purposes.

SECTION 3.

That the City Council of the City of Buda does hereby ratify, approve, and adopt the amendment to the budget considered for fiscal year of October 1, 2020 to September 30, 2021 as identified in Exhibit "B" (updated roll-off services fees), which is attached hereto and incorporated herein by reference.

SECTION 4.

This ordinance shall be and is hereby cumulative of all other ordinances of the City of Buda, Texas and this Ordinance shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which such event conflicting provisions of this Ordinance, in which such event conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 5.

If any section, subsection, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Buda, Texas, and upon application of law and in accordance with the Charter of the City of Buda, Texas.

PASSED, APPROVED and ADOPTED on the first and final reading on the 20th day of April, 2021 at a regular meeting of the City Council of the City of Buda, Texas.

CITY OF BUDA, TEXAS

Lee Urbanovsky, Mayor

ATTEST:

Alicia Ramirez, City Clerk

EXHIBIT "A"

BUDGET AMENDMENT - April 20, 2021

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>CURRENT BUDGET</u>	<u>INCREASE/ (DECREASE)</u>	<u>REVISED BUDGET</u>
WATER FUND - 500				
	BUDGETED ENDING FUND BALANCE	3,002,181		
<u>EXPENDITURES</u>				
500-4710.54004	PROFESSIONAL SERVICES <i>Design Services for RM967 Project</i>	156,102	74,156	230,258
500-4710.56001	CAPITAL OUTLAY - CONSTRUCTION <i>Construction cost for RM967 Project</i>	0	394,500	394,500
	TOTAL EXPENDITURES	156,102	468,656	624,758
	NET CHANGE		(468,656)	
	REVISED ENDING FUND BALANCE			2,533,525
WASTEWATER FUND - 600				
	BUDGETED ENDING FUND BALANCE	2,046,655		
<u>EXPENDITURES</u>				
600-4720.53026	REPAIR & MAINTENANCE OTHER INFRASTRUCTURE <i>Emergency Repair of Two Lift Station Pumps</i>	196,500	24,000	220,500
600-4720.54014	WASTEWATER TREATMENT <i>GBRA FY20 Year-End Reconciliation for O&M</i>	979,379	44,399	1,023,778
600-4720.54004	PROFESSIONAL SERVICES <i>Design Services for RM967 Project</i>	186,997	24,719	211,716
600-4720.56001	CAPITAL OUTLAY - CONSTRUCTION <i>Construction cost for RM967 Project</i>	216,285	131,500	347,785
	TOTAL EXPENDITURES	1,579,161	224,618	1,803,779
	NET CHANGE		(224,618)	
	REVISED ENDING FUND BALANCE			1,822,037

APPENDIX A

FY 2021 FEE SCHEDULE

EXHIBIT "B"

ARTICLE A1.00 GENERAL PROVISIONS

The city hereby adopts the fee schedule below and imposes the fees set forth therein upon the services, activities, events, materials, and supplies that are described therein. These rates shall be collected by the city in accordance with the various city ordinances that more particularly describe each of the fees.

ARTICLE A2.00 ANIMAL CONTROL

(a) Standard licensing fees.

- (1) Dog or cat lifetime registration (one-time fee).
 - (A) If microchipped: \$20.00.
 - (B) Registration + city microchip: \$25.00.
 - (C) Tag (no microchip): \$100.00.
- (2) Replacement tag: \$5.00.

(b) Permits.

- (1) Auction: \$100.00.
- (2) Aviary: \$50.00.
- (3) Circus: \$200.00.
- (4) Grooming shop: \$50.00.
- (5) Guard dog training center: \$200.00.
- (6) Kennel authorized to house:
 - (A) Fewer than 10 dogs or cats: \$50.00.
 - (B) 10 to 49 dogs or cats: \$100.00.
 - (C) 50 or more dogs or cats: \$150.00.
- (7) Obedience training center: \$50.00.
- (8) Performing animal exhibition: \$50.00.
- (9) Pet shop: \$100.00.
- (10) Petting zoo: \$150.00.
- (11) Riding stable: \$100.00.
- (12) Zoological park: \$200.00.

- (c) Impoundment fee (all animals). Impoundment fees shall be as set by the contracted shelter.

ARTICLE A3.00 ADMINISTRATIVE FEES

(a) Nondepartmental fees.

- (1) Returned checks fee: \$35.00.
- (2) NSF electronic draft fee: \$35.00.
- (3) Fee for credit card payment by phone or in person: \$2.75.

(b) Alcohol sales permit.

- (1) Sales permit. The fee for a permit to sell alcoholic beverages shall be equal to one-half of the fee charged by the state alcoholic beverage commission for each license the permit applicant is required to obtain from that agency.

(Ordinance 2017-10, ex. B, adopted 9/19/17)

- (2) Late hours permit; fees. No person shall sell mixed beverages or wine or beer under a retail dealer's on-premises late hours license between 1:00 a.m. and 2:00 a.m. on Sunday and on any other day between 12:00 a.m. and 2:00 a.m. within the corporate city limits of the city without first paying the appropriate fee to the city secretary and obtaining a city mixed beverage late hours permit or retail dealer's on-premises late hours license. The fee shall be equal to one-half of the fee charged by the state for a mixed beverage late hours permit or retail dealer's on-premises late hours license, except when said fee is waived according to the provisions of the state alcoholic beverage code. Following payment of the fee and approval of the late hours permit application, the city secretary shall issue a mixed beverage late hours permit or retail dealer's on-premises late hours license for that location for a period of two (2) years.
(Ordinance 2015-15, sec. III, adopted 12/15/15)

(c) Charges for providing copies of public information. The fee for charges in this section are in accordance with Govt. Code ch. 552 Public Information Act:

- (1) Paper copy, standard size 8-1/2 x 11 (per page): \$0.10.
- (2) Oversized paper copies 11 x 17 (per page): \$0.50.
- (3) Posting/shipping charges: Actual cost.
- (4) Hard copy map fee:
 - (A) 8-1/2 x 11 (per page): \$2.00.
 - (B) 11 x 17 (per page): \$5.00.
 - (C) Full plan size up to 32 x 42 (per page): \$40.00.
- (5) Specialty paper: Actual cost.

(e) Fax charges.

- (1) Local (per page): \$0.10.
- (2) Long distance/same area code (per page): \$0.50.

(3) Long distance/other area code (per page): \$1.00.

(4) Personnel (per hour): \$15.00.

ARTICLE A4.00 BUILDING AND DEVELOPMENT

(a) Escrow authorization: For any building and development related fee, the city may require escrow of funds to cover any third-party review expenses beyond normal and customary. Such escrow shall be based on estimated costs provided by the applicable third-party professional service provider.

(b) Accessory building (less than 200 sf): \$75.00

(c) Administrative exception or Appeal: \$250.00 per exception.

(d) Annexation petition: \$1,000.00 + publication fee

(e) Certificate of occupancy (Temporary or Permanent): \$150

(f) Comprehensive plan amendment.

Less than 5 acres	\$1,500.00
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5+ to 25 acres	\$2,000.00
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25+ to 50 acres	\$3,000.00
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50+ or more acres	\$4,000.00 + \$10.00 per acre
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*\$1,000.00 for policy change not affecting land.

(g) Contractor registration - \$75.00

(h) Cross-connection permit / Backflow Prevention Assembly Testing Permits

(1) Customer: \$25.00 per device.

(2) Test by city: \$200.00.

(3) Re-test by city: \$100.00.

(i) Demolition permit: \$150.00.

(j) Development Agreement / MUD Consent.

\$2,000.00 + publication fee + personal notification fee + escrow for consultant.

(k) Easement review and acceptance: \$300.00 + recording fee.

- (l) Single Trade Permits (Mechanical, Electrical, Plumbing, Flatwork, Roof etc.) .
 - (1) Residential: \$75.00
 - (2) Commercial: \$150.00
- (m) Electrical pole (temporary): \$25.00
- (n) Grease traps.
 - (1) Application fee: \$75.00
 - (2) Inspection fee: \$150.00
- (o) Building Inspections.
 - (1) Residential: \$100.00
 - (2) Commercial: \$125.00
 - (3) Reinspection fee: 1.5 times the original inspection fee
(Residential \$150.00 Commercial \$187.50)
- (p) Legal lot determination: \$100.00.
- (q) Moving structure permit: \$150.00 + escrow of costs associated with road closures, traffic control and other municipal expenses incurred.
- (r) Off-site infrastructure. \$500.00 + 0.035 x public infrastructure construction cost.
- (s) Infrastructure/ Site walk reinspection (per department visit)- 1.5 times the original inspection fee (Commercial \$187.50).
- (t) Parking fee in lieu: \$2,000.00 per parking space.
- (u) Building Plan Reviews.
 - (1) Commercial (includes 2 plan reviews; additional reviews new review fee \$0.30/sf.
 - (2) Residential: New Construction Review - \$150.00
 - (3) Residential Remodel Review - \$75.00
- (v) Plats.
 - (1) Preliminary plat/ plan (New or revised): \$1,000.00 + greater of \$20.00/lot or \$20.00/acre.
 - (2) Amending or administrative replat: \$500.00 + greater of \$20.00/lot or \$20.00/acre.
 - (3) Final Plat: \$750.00 + \$20.00/lot and \$20.00/acre.
 - (4) Replat—requires P&Z and/or city council approval: \$750.00 + greater of \$20.00/lot or \$20.00/acre + publication fee (subdivision) + personal notice fee.
 - (5) Vacation: \$500.00 + greater of \$20.00/lot or \$20.00/acre.
- (w) Pool permits (review).

- (1) Residential: \$80.00.
- (2) Commercial: \$120.00.
- (x) Publication fees /Sign postings for public hearings (single publication): \$300.00.
- (y) Personal notice fee for public hearings: \$5.00 per letter.
- (z) PD district or amendment: \$2,500.00 + \$100.00 per acre + publication fee + personal notice fee for public hearings + escrow.
- (aa) Red tag.
 - (1) Cease and desist order: \$100.00
 - (2) Reinspection: 1.5 times the original inspection fee \$187.50
- (bb) Right-of-way or easement abandonment application: \$250.00 + escrow for consultant review.
- (cc) Sidewalk fee in-lieu: \$8.00 per sq. ft.
- (dd) Short Term Rental (STR)- New Application and yearly permit- \$150
- (ee) Signs.
 - (1) \$100.00 + \$0.50 per sq. ft. per sign area.
 - (A) Electrical trade inspection \$150.00
 - (2) Electronic reader board; message on city sign for up to 30 days: \$20.00.
- (ff) Site/Construction inspection.
 - (1) Commercial.
 - (A) In city & Out of City: \$500.00 + 0.05 x public infrastructure construction cost.
 - (2) Residential.
 - (A) In city & Out of City: \$500.00 + 0.035 x public infrastructure construction cost.
- (gg) Site plan review (includes Completion review and 2 plan reviews. A 3rd plan review requires payment of a new review fee.)
 - (1) Inside city limits: \$1,000.00 + \$0.04/sf of impervious cover (minimum \$2,000.00 total).
 - (2) Outside city limits: \$1,000.00 + \$0.04/sf of impervious cover (minimum \$1,500.00 total).
- (hh) Site Plan Correction or Revision: \$500.00
- (ii) Specific Use Permit (SUP)
 - (1) \$500.00 + \$25.00 per acre + publication fee + personal notice fee for public hearings.

- (2) Minor amendment administrative: \$250.00.
- (3) Major amendment requiring hearings: \$500.00 + \$25.00 per acre + publication fee
+ personal notice fee for public hearings.
- (jj) Irrigation permits.
 - (1) Residential: \$100.00
 - (2) Commercial: \$125.00
- (kk) Start work without permit or without Board or Commission Approval: \$500.00 per trade and permit.
- (ll) Street closure:
 - (1) Short-Term (24 hours or less) Neighborhood/Non-Profit: \$100
 - (2) Short-Term (24 hours or less) Commercial and Construction: \$200
 - (3) Long-Term (more than 24 hours): \$100 plus \$100 per week or portion thereof/per lane/per block
- (mm) Online Permit Fee (MyPermitNow Fee): \$10.00.
- (nn) Technology/ GIS Fee (Applied to Annexation/ Zoning/ Plats/ SUP/ Site Plan): \$75.00
- (oo) Traffic impact analysis.
 - (1) Less than 2,000 trips per day: \$1,200.00.
 - (2) 2,000–5,000 trips per day: \$1,500.00.
 - (3) 5,001–10,000 trips per day: \$2,400.00.
 - (4) 10,001–15,000 trips per day: \$3,300.00.
 - (5) 15,001+ trips per day: \$3,700.00.
 - (6) Traffic impact analysis (TIA) revision: 1/2 current TIA fee.
- (pp) Tree removal.
 - Permit (including review, outside of a site development permit).
 - (1) Commercial: \$95.00.
 - (2) Residential: \$75.00.
- (rr) Tree mitigation fees (price per caliper inch mitigation required).
 - (1) Protected tree (8" to 20"): \$100.00.
 - (2) Signature tree (20" to 30"): \$200.00.
 - (3) Heritage tree (30"+): \$300.00.
- (ss) Variance / Special Exception / Alternative Compliance / Vested Rights Determination:

\$500.00 per request + publication fee + personal notice fee for public hearings as applicable.

- (tt) Zoning change: \$950.00 + \$100.00/ac + publication fee (zoning) + personal notice fee for public hearings.
- (uu) Zoning verification letter. \$100.00

ARTICLE A5.00 BUSINESS FEES

- (a) Sexually oriented business license fee: \$300.00.
- (b) Solicitors permit: \$250.00.
- (c) Temporary food event fee: \$300.00.
- (d) Mobile food vendor:
 - (1) Hot fee: \$55.00 (quarterly).
 - (2) Cold fee: \$45.00 (quarterly).
- (e) Temporary noise permit: \$50.00. (Ordinance 2017-10, ex. B, adopted 9/19/17)
- (f) Nondepository financial institution annual registration fee: \$100.00. (Ordinance 2014-09, sec. 2, adopted 3/18/14)
- (g) Short Term Rental (New and Renewal): \$150

ARTICLE A6.00 LIBRARY

- (a) User fees.
 - (1) Nonresident user fee (outside of county): \$15.00 per year.
 - (2) Replacement card: \$3.00.
- (b) Fines.
 - (1) Overdue books (per day): \$0.05.
 - (2) Overdue DVDs (per day): \$0.25.
 - (3) Late notice letter: \$0.50.
 - (4) Maximum fine limit.
 - (A) Per item: \$3.00.
 - (B) Per family: \$20.00.
 - (5) Lost/damaged items: Cost of item before discount + \$3.00 processing fee.
- (c) Interlibrary loan fee: \$2.00.

- (d) Returned check fee: \$35.00.
- (e) Blank CD: \$0.50.
- (f) Fax (per page): \$0.50 per page.
- (g) Copy or print.
 - (1) Black and white (per page): \$0.10.
 - (2) Color (per page): \$0.25.
- (h) Laminate (per letter-sized area): \$0.50.
- (i) Makerspace Supplies:
 - (1) Mayku forms (per page): \$1.50.
 - (2) 3D filament (per gram): \$0.05.
 - (3) Laser cut material – medium draftboard – 10” x 6”: \$1.00.
 - (4) Laser cut material – thick draftboard – 10” x 6”: \$1.50.
 - (5) Laser cut material – medium basswood plywood – 10” x 6”: \$2.75.
 - (6) Laser cut material – clear acrylic (black or clear) – 10” x 6”: \$2.50.
 - (7) Laser cut material – thick basswood plywood – 10” x 6”: \$3.75.
 - (8) Laser cut material – cardboard or bring your own: Free.

ARTICLE A7.00 FACILITIES, PARKS AND RECREATION

- (a) Small pavilions.
 - (1) Deposit (refundable): \$200.00
 - (2) Resident fee: \$45.00
 - (3) Nonresident fee: \$90.00
- (b) City Park.
 - (1) Large pavilion.
 - (A) Deposit (refundable): \$500.00.
 - (B) Nonprofit organization fee (per event): \$500.00
 - (C) For-profit organization fee (per event) \$750.00
 - (2) Amphitheater.
 - (A) Deposit (refundable): \$1,000.00
 - (B) Nonprofit organization fee (per event): \$500.00

(C) For-profit organization fee (per event): \$1,000.00

(3) City Park Amphitheater and Large Pavilion.

(A) Deposit (refundable): \$1,000.00

(B) Nonprofit organization fee (per event): \$1,000.00

(C) For-profit organization fee (per event): \$1,750.00*

*(D) Introductory-offer fee (valid until Jan. 1, 2022): \$1,000.00

(4) Special Event Staffing Assistance.

(A) Staff fee (per hour): \$30.00

(c) Stagecoach Park.

(1) Pavilion.

(A) Deposit (refundable): \$200.00

(B) Resident fee: \$65.00

(C) Nonresident fee: \$130.00

(2) Amphitheater.

(A) Deposit (refundable): \$200.00.

(B) Resident fee: \$65.00.

(C) Nonresident fee: \$130.00.

(3) All day.

(A) Deposit (refundable): \$500.00.

(B) Nonprofit organization fee (per day): \$250.00.

(C) For-profit organization fee (per day): \$500.00.

(d) Greenbelt area along Main Street and Railroad (all day).

(1) Deposit (refundable): \$500.00.

(2) Nonprofit organization fee (per day): \$150.00.

(3) For-profit organization fee (per day): \$300.00.

(e) Bradfield Park (all day).

(1) Deposit (refundable): \$500.00.

(2) Nonprofit organization fee (per day): \$150.00.

(3) For-profit organization fee (per day): \$300.00.

(f) Sportsplex.

- (1) Field rentals (per hour).
 - (A) Resident: \$15.00.
 - (B) Nonresident: \$30.00.
 - (C) With facility use agreements: \$15.00.
- (2) Tournament, any one field per day.
 - (A) Resident: \$125.00.
 - (B) Nonresident: \$200.00.
 - (C) Deposit for Tournaments:
 - (1) Resident: \$50.00
 - (2) Nonresident: \$100.00
- (3) Field Light Fee: \$15.00 per hour.
- (4) Percentage of gate sales: 20%.
- (5) Percentage of gross concession sales: 10%.

(g) Commercial use.*

- (1) Per hour at designated location: \$20.00.
- (2) Commercial permit (yearly): \$100.00.
- (3) Deposit (refundable): \$500.00.

* Commercial use fees will not be assessed for nonprofit organizations that do not charge a gate fee for their special event.

(h) Permit fees.

- (1) Nonutility types of permits: \$10.00.
- (2) On-site inspections for certain permits: \$15.00.

(i) Facility rental fees.

- (1) Cleaning fee (if applicable): Minimum of \$50 up to the City of Buda's cost to clean the facility.
- (2) Facility fees:

Facility	Public Use for Community Purpose Per Hour / All Day	For Profit or Private Uses Per Hour / All Day

(A) Library Classroom	\$0	\$25 / Not Available
(B) Library Craft Room	\$0	\$25 / Not Available
(C) Library Conference Room	\$0	\$25 / Not Available
(D) City Hall/Library Multi-Purpose Room	\$0	\$150 / \$750
(E) City Hall/Library Council Chambers	\$0	\$150 / \$750
(F) City Hall/Library Lobby (non-operating hours only)	\$0	\$200 / \$1,500
(G) Stagecoach House (880 Main Street)	N/A	N/A

ARTICLE A8.00 SPECIAL EVENT, BLOCK PARTY, PARADE AND FILM PRODUCTION FEES

(a) Special Event Fees

- (1) Special event permit fees are in addition to fees for use of parks and pavilions, street closures, costs to barricade and any other applicable city licenses and permits
- (2) Special Event Permit Application Fee:
 - (A) Non-Profit: \$100.00.
 - (B) For-Profit: \$250.00.

(b) Block Party Fees: \$50 (includes maximum 6 hr. short-term street closure) in addition to fees for use of parks and pavilions, costs to barricade and any other applicable city licenses and permits

(c) Parade Fees: \$50 in addition to fees for use of parks and pavilions, street closures, costs to barricade and any other applicable city licenses and permits

(d) Film Production Fees

- (1) Application processing fee: \$50.00.
- (2) Total or disruptive use (regular operating hours) of a public building, park, right-of-way or public area: \$500.00 per calendar day.
- (3) Partial nondisruptive use of a public building, park, right-of-way or public area: \$250.00 per calendar day.
- (4) Total closure or obstruction of public street or right-of-way including parking lots and on-street parking (for filming purposes): \$50.00 per block per calendar day.

- (5) Partial closure or obstruction of public street or right-of-way including parking lots and on-street parking (for filming purposes): \$25.00 per block per calendar day.
- (6) Use of city parking lots, parking areas and city streets (for the purpose of parking film trailers, buses, catering trucks and other large vehicles): \$50.00 per block or lot per calendar day.

ARTICLE A9.00 STREETS

(a) General.

- (1) Surface cut of any street or public way other than a curb or gutter.
 - (A) Up to 15LF: \$450.00.
 - (B) Anything above 15LF add \$30.00 per additional linear foot.
- (2) Bore under any street or other public way: \$200.00.
- (3) To cut into a curb and gutter (refunded less direct expenses incurred by city): \$500.00.

(b) Use and occupancy of public right-of-way.

- (1) Network node application fee (1 to 30): \$100.00.
- (2) Annual public right-of-way use fee (per node): Annual rate of \$250.00.
- (3) Network support pole application fee: \$100.00 each.
- (4) Transport facility application fee: \$100.00 each.
- (5) Transport facility right-of-way rental fee (per node): \$28.00 monthly rate.

ARTICLE A10.00 POLICE

- (a) Annual inspection fees for wrecker service: \$100.00.
- (b) Car Usage for Off Duty Assignments
 - (1) Travel: \$15 flat fee.
 - (2) Active Use (traffic control, escorts, races, etc.): \$10 per hour.
- (c) Fingerprinting:
 - (1) Residents: \$10.00.
 - (2) Nonresidents: \$20.00.
 - (3) Additional fingerprint cards: \$5.00.
- (d) Accident Report: \$6.00.
- (e) Certified Accident Report: \$8.00.

ARTICLE A11.00 UTILITIES

(a) Deposits.

(1) Residential customers.

- (A) Water/wastewater/trash: \$90.00.
- (B) Wastewater/trash: \$65.00.
- (C) Wastewater out of city: \$65.00.
- (D) Trash only: \$25.00.

(2) Commercial customers. Any combination of utilities: \$250.00.

- (b) Fire hydrant meter deposit: \$1,500.00.
- (c) Reread meter request: \$10.00.
- (d) Turn on fee (water customers): \$25.00.
- (e) Transfer fee: \$25.00.
- (f) Late charge: 10% of balance.
- (g) Pulled meter: \$25.00.
- (h) Meter accuracy check: \$75.00.
- (i) Reconnection fee: \$40.00.
- (j) Reconnection fee after hours: \$60.00.
- (k) Deferment plan fee: \$25.00.
- (l) Return check fee: \$35.00.
- (m) Fire hydrant meter monthly charge: \$50.00.
- (n) Unauthorized service: \$75.00.

(o) Water connection fee.

(1) 5/8 or 3/4 inch.

- (A) Inside city: \$400.00 + cost of meter.
- (B) Outside city: \$500.00 + cost of meter.

(2) 1 inch or larger.

- (A) Inside city: \$500.00 + cost of meter.
- (B) Outside city: \$625.00 + cost of meter.

(p) Wastewater connection fee.

(1) 4 inch.

(A) Inside city: \$450.00.

(B) Outside city: \$562.00.

(2) 6 inch.

(A) Inside city: \$550.00.

(B) Outside city: \$688.00.

(3) 8 inch.

(A) Inside city: \$1,050.00.

(B) Outside city: \$1,313.00.

(4) 10 inch or above.

(A) Inside city: \$1,300.00.

(B) Outside city: \$1,625.00.

(q) New meter cost.

(1) 5/8" or 3/4" meter: \$297.00.

(2) 1" meter: \$528.00.

(3) 1-1/2" meter: \$965.00.

(4) 2" meter: \$1,130.00.

(5) 3" Mag (formerly compound) meter: \$3,598.00.

(6) 4" Mag (formerly compound) meter: \$3,860.00.

(7) 8" compound meter: \$9,000.00.

(8) 2" turbine meter: \$1,260.00.

(9) 3" turbine meter: \$1,485.00.

(10) 4" turbine meter: \$2,005.00.

(11) Any other meter by size not noted: Call for cost.

(Ordinance 2017-10, ex. B, adopted 9/19/17)

(r) Water base monthly meter fee.

	Inside City	Outside City
(1) 5/8" or 3/4" meter	\$12.79	\$16.00
(2) 1" meter	\$19.28	\$24.01
(3) 1 1/2" meter	\$31.98	\$39.99

(4) 2" meter	\$63.97	\$79.94
(5) 3" meter	\$120.59	\$150.72
(6) 4" meter	\$204.70	\$255.88
(7) 6" meter	\$319.85	\$399.79
(8) 8" meter or larger	\$639.67	\$799.60

(s) Water consumption rates per 1,000 gallons.

Per 1,000 gallons.	Inside City	Outside City
(1) 1 to 6,000	\$3.50	\$4.91
(2) 6,001 to 12,000	\$5.50	\$7.19
(3) 12,001 to 18,000	\$8.23	\$10.29
(4) 18,001 to 24,000	\$9.69	\$11.93
(5) 24,001 to 30,000	\$11.75	\$14.23
(6) 30,001 to 40,000	\$15.37	\$18.40
(7) 40,000 and up	\$16.37	\$19.65
(8) Non-residential	\$8.26	\$10.81
(9) Irrigation meters	\$8.29	\$10.81
(10) Construction meters	\$9.60	\$12.53

(t) Recycled water consumption per 1,000 gallons.

Per 1,000 gallons.	Inside City	Outside City
(1) Non-residential	\$3.92	\$4.90
(2) Construction meter	\$4.55	\$5.69

(u) Wastewater rates

	Inside City	Outside City
(1) Flat fee.	\$34.23	\$42.79
(2) Per 1,000 gallons	\$4.16	\$5.20

(v) Sanitation services rates.

- (1) Residential: \$20.82 per month.
- (A) Additional cart: \$7.41.
- (B) Extra Bag – 30 gallon: \$7.41.
- (2) Residential – Senior Citizen (age 65+): \$18.74 per month.
- (A) Additional cart: \$6.76.
- (B) Extra Bag – 30 gallon: \$6.76.
- (3) Commercial Trash.

Service Type	Frequency Per Week	Monthly Price
(A) Cart – 96 gallon	1X	\$40.42
(B) 2 cu. yd. dumpster	1X	\$99.25
	2X	\$222.45
	3x	\$325.85
	Extra Pick-Up	\$69.55
(C) 3 cu. yd. dumpster	1X	\$112.45
	2X	\$256.55
	3x	\$376.45
	5x	\$611.85
	Extra Pick-Up	\$69.55
(D) 4 cu. yd. dumpster	1X	\$123.45
	2X	\$265.35
	3x	\$388.55
	5x	\$630.55
	Extra Pick-Up	\$78.35
(E) 6 cu. yd. dumpster	1X	\$161.95
	2X	\$308.25
	3x	\$452.35
	4X	\$598.65
	5X	\$743.85
	Extra Pick-Up	\$87.15

(F) 8 cu. yd. dumpster	1X	\$193.85
	2X	\$366.55
	3x	\$568.95
	4X	\$740.55
	5X	\$914.35
	6X	\$1,102.45
	Extra Pick-Up	\$104.75
(G) 10 cu. yd. dumpster (existing accounts only)	1X	\$258.75
	2X	\$500.75
	3x	\$743.85
	4X	\$985.85
	5X	\$1,227.85
	Extra Pick-Up	\$138.85

(4) Commercial Recycling.

Service Type	Frequency Per Week	Monthly Price
(A) Cart – 96 gallon	Every Other Week	\$16.57
	1X	\$37.32
(B) 4 cu. Yd. dumpster	Every Other Week	\$90.45
(C) 6 cu. yd. dumpster	1x	\$103.65
	Every Other Week	\$105.85
	1X	\$130.05
	2x	\$246.65
	Extra Pick-Up	\$87.15
(D) 8 cu. yd. dumpster	Every Other Week	\$125.65
	1X	\$154.25
	2X	\$292.87
	3X	\$420.45
	4X	\$546.95

	5X	\$674.55
	Extra Pick-Up	\$103.65

(5) Commercial Additional Services (Per Container):

(A) Lock bars: \$27.75.

(B) Casters: \$32.15.

(6) Roll-off Service*:

(A) Rental per day: \$6

(B) Container Delivery: \$203

(C) Haul Rates – Open Top:

Service Type	Monthly Price
1. 10 cu. Yd. roll-off open top	\$225.00
2. 14 cu. Yd. roll-off open top	\$240.00
3. 20 cu. Yd. roll-off open top	\$283.00
4. 30 cu. Yd. roll-off open top	\$341.00
5. 40 cu. Yd. roll-off open top	\$402.00

(D) Haul Rates – Compactors:

Service Type	Monthly Price
1. 25 cu. Yd. compactor	\$417.00
2. 30 cu. Yd. compactor	\$447.00
3. 35 cu. Yd. compactor	\$447.00
4. 40 cu. Yd. compactor	\$477.00

(E) Disposal Costs Per Ton: \$ 53.66

1. Minimum charge of 2 tons: \$107.33

2. Recycling Processing fee per ton: \$77.51

*Roll-off fees are billed at the included rates by the contractor under Ordinance No. 2016-25. Ordinance No. 2020-19 granted an exclusive franchise for temporary roll-off services with Texas Disposal Systems.

A12.00. ALARM SYSTEMS

(a) Alarm Permit Fee: (includes permit fees for conversions and takeovers)

(1) Residential Alarm Permit:	\$25.00*
(2) Commercial Alarm Permit:	\$50.00*
(3) Governmental (including school district) Alarm Permit	\$ 0.00
(4) Educational Alarm Permit	\$ 0.00

*Fees effective January 1, 2021

(b) Alarm Permit Reinstatement Fee: \$50.00

(c) Appeal Fee: \$25.00

(d) False Alarm Fees:

(1) \$50.00, if the alarm site has had more than three but fewer than six other false alarms in the preceding 12-month period.

(2) \$75.00, if the alarm site has had more than five but fewer than eight other false alarms in the preceding 12-month period.

(3) \$100.00, if the alarm site has had eight or more other false alarms in the preceding 12-month period.

(e) Unpermitted Alarm System Response Fee: \$250.00



City Council Agenda Item Report

Date: Tuesday, April 20, 2021

Agenda Item No. 2020-434- #H.4

Contact: Alicia Ramirez

Subject: Deliberation and possible action to consider an Ordinance on first and final reading to repeal Ordinance No. 2020-21 suspending the solicitor permit process – Chapter 14, Article 14.02, Section 14.02.007, Peddlers and Solicitors; providing severance; providing an effective date (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]

1. Executive Summary

During the Governor's Order and the City's disaster declaration, the door-to-door sales represented a unique challenge to the requirements of social distancing and the conduct of non-essential business. The Council agreed that such activity represented a threat to the health and safety of the community during this statewide public health disaster. On August 4, 2020, the City Council suspended the Ordinance permitting Solicitation Permits with passage of Ordinance No. 2020-21. On March 2, 2021, Governor Abbott issued Executive Order No. GA-34 relating to the opening of Texas in response to the COVID-19 disaster, wherein the Governor ordered there is no state-imposed requirement to wear a face covering but individuals were strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus. The City Council is being asked to consider whether additional hygiene measures suggested by DSHS should be adopted to adequately reduce the threat to public health and allow for door-to-door sales to resume within the City. If so, another ordinance is required to repeal the suspension contained in the August 4, 2020 ordinance.

2. Background/History

The practice of peddling/soliciting within the City of Buda is governed by Article 14.02 of the City's Code of Ordinances. It is unlawful for any peddler or solicitor to engage in business within the City without first obtaining a permit from the City Clerk. To report an unpermitted solicitor, the public should contact the Buda Police Department at 512-393-7896.

The cost for a peddling/soliciting permit is \$250 for a 90-day permit. The City has not received a complete application or issued a permit since April 1, 2020. The Council suspended the issuance of these permits on August 4, 2020.

3. Staff's review and analysis

Executive Order GA-34 supersedes certain city regulatory authority (e.g., the authority to require city residents or businesses to adhere to pandemic mitigation measures, such as business closures, occupancy limits, or mask mandates). However, as with previous orders, GA-34 provides that "Nothing in this executive order precludes businesses or other establishments from requiring employees or customers to follow additional hygiene measures, including the wearing of a face covering."

Therefore, the question remains should the Council repeal the suspension of the Solicitor Permit issuance, or does the Council wish to have additional hygiene measures, such as requiring solicitors to wear a mask when conducting door-to-door sales?

4. Financial Impact

Cost for Permit is \$250 for a 90-day permit. The financial impact is based on the applications received.

5. Summary/Conclusion

Council to consider approval and adoption of a new ordinance to repeal said suspension Ordinance No. 2020-21.

6. Pros and Cons

Pro: Such activity may no longer represent a threat to the health and safety of the community during this statewide public health disaster if permit holders follow additional hygiene measures. The intent of the new Ordinance would be the repeal of the suspension of permits for peddlers and solicitors during the remainder of the COVID-19 pandemic and declared state of public disaster so long as the threat posed to public health is mitigated with additional hygiene measures.

Cons: Staff will issue the permits and risk not being in compliance with the Governor's executive orders.

7. Alternatives

N/A

8. Recommendation

Council to consider approval and adoption of the new Ordinance repealing Ordinance No. 2020-21 which suspended the solicitor permit process.

ORDINANCE NO. 2021-____

**AN ORDINANCE OF THE CITY OF BUDA, TEXAS, TO
REPEALING THE SUSPENSION OF THE SOLICITOR PERMIT
PROCESS – CHAPTER 14, ARTICLE 14.02, SECTION
14.02.007, PEDDLERS AND SOLICITORS; PROVIDING
SEVERANCE; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan, China; and

WHEREAS, on the morning of March 13, 2020, Governor Greg Abbott declared that the COVID-19 pandemic is a statewide public disaster, and subsequently issued various other executive orders addressing the COVID-19 pandemic and state of public disaster in Texas; and

WHEREAS, on March 15, 2020, Mayor George Haehn proclaimed and declared a local state of disaster within the City of Buda, Texas; and,

WHEREAS, on March 20, 2020, the City Council of the City of Buda met, deliberated, supported, and ratified the disaster declaration signed by Mayor Haehn on March 15, 2020, and consented to its continuation consistent with the declared statewide public disaster; and

WHEREAS, pursuant to the City of Buda Code of Ordinances, Section 14.02.007, *Peddlers and solicitors*, the City of Buda, Texas issues permits to peddlers and solicitors who make door-to-door sales; and,

WHEREAS, the City Council found that door-to-door sales represented a unique challenge to the requirements of social distancing and the conduct of non-essential business under the Governor's various executive orders and the City's disaster declaration, and represented a threat to the health and safety of the community during this statewide public disaster; and,

WHEREAS, on August 4, 2020, the City Council adopted Ordinance No. 2020-21, suspending permits for peddlers and solicitors during the term of the COVID-19 pandemic and declared state of public disaster, in order to be in compliance with the Governor's executive orders; and,

WHEREAS, on March 2, 2021, Governor Abbott issued Executive Order No. GA-34 relating to the opening of Texas and lifting the state-imposed requirements to wear face coverings while encouraging the public to follow the health recommendations of the Texas Department of State Health Services (DSHS); and

WHEREAS, the City Council considered whether the threat to the health to the threat and safety of the community had been reduced so as to allow the resumption of door-to-door sales with the resumption of issuing peddling/soliciting permits previously suspended under Ordinance No. 2020-21; and

WHEREAS, the City finds that this Ordinance repealing Ordinance No. 2020-21 was passed and approved at a meeting of the City Council of the City of Buda, Texas held in compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

Section 1: The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2: Permit Suspension Repealed. The City Council of the City of Buda, Texas hereby adopts tis ordinance to repeal the suspension all peddler and solicitor permits issued under Ordinance No. 2020-21, which suspended Section 14.02.007 of the City of Buda Code of Ordinances during the term of the COVID-19 pandemic and declared state of public disaster in the State of Texas.

Section 3: Recommendations of Texas Department of State Health Services (DSHS). Every person resuming activities under a valid peddling/soliciting permit within the City of Buda is strongly encouraged to use good-faith efforts and available resources to follow the DSHS health recommendations while conducting peddling/soliciting activities.

Section 4: Severability. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or section s of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 5: Repeal. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

Section 6: Passage. Pursuant to Section 3.12 of the City Charter, if the Council determines that the first reading of this ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading

and the ordinance is passed by the affirmative vote of four or more of the City Council, this ordinance is adopted upon second reading.

Section 7: **Effective Date.** This Ordinance shall become effective in accordance with Section 3.12 of the Charter of the City of Buda, Texas, provided, prior to such date, the entirety of the Ordinance or a caption summarizing the purposes of this Ordinance and the penalty for violating this Ordinance is published in a newspaper designated as the official newspaper of the City.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Buda, Texas on this the ____ day of _____, 2021.

THE CITY OF BUDA, TEXAS

Attest:

Lee Urbanovsky, Mayor

Alicia Ramirez, City Clerk



City Council Agenda Item Report

Date: Tuesday, April 20, 2021

Agenda Item No. 2021-234- #H.5

Contact: Alicia Ramirez

Subject: Deliberation and possible action on three City Boards, Commissions and Committee composition matters: 1) to nominate and appoint the 2021 members to the Construction Board of Adjustments, Dupre Local Government Corporation, Economic Development Corporation, Historic Preservation Commission, Library Commission, Main Street Advisory Board, Parks and Recreation Commission, Planning and Zoning Commission, Sustainability Commission, Zoning Board of Adjustment, and Task Force on Aging; 2) to accept a Sustainability Commission board member resignation; and 3) to consider Planning & Zoning and Sustainability Commission mid-term appointments using the 2021 pool of applicants (City Clerk Alicia Ramirez) [PUBLIC TESTIMONY]

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.

2. Background/History

As part of the Council's initiative to develop and establish a consistent appointment process, the Board and Commission appointments were placed on the same appointment schedule.

Staff began the recruitment process in January 2021 advertising on social media, Hays Free Press, and the Community Impact. The deadline to apply was originally March 31, 2021. As a result, staff received a total of 48 applications.

The City Council appointed a Nomination Committee, consisting of Councilmembers Cummings, Daugereau, and Bryant, to review the applications and make their recommendations on the various vacancies.

Occasionally, a board or commission member may be unable to finish his or her term. 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.

On March 2nd, staff informed the Sam Ardekani resigned from the Planning & Zoning Commission. Council suggested selecting an other member from the 2021 application pool. Since then, Lisa LaPaso resigned from the Sustainability Commission. Council may also suggest selecting an other member from the 2021 application pool.

3. Staff's review and analysis

The duties of each board and commission are outlined in the supplemental report. Several applicants applied for one or more of the City's boards/commissions and committee. Applicant details are also outlined in the supplemental report.

4. Financial Impact

Staff time to coordinate the appointments and advertisement costs at approximately \$1,000 per year.

5. Summary/Conclusion

Staff seeks Council's direction on nominating and appointing members to the various boards and commissions.

6. Pros and Cons

Pros: Council may make their nominations and selections from the roster.

Cons: Council may direct staff to seek additional applications.

7. Alternatives

N/A

8. Recommendation

Staff seeks Council's direction on nominating and appointing a member or members to the various boards and commissions openings, including midterm appointments for Planning & Zoning and Sustainability Commission.

2021 BOARD/COMMISSION APPLICATIONS
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5	Tricia	Anderson	Summer Pointe
7	Sherel	Barcnas	Whispering Hollow
9	Sue	Bellows	Old Town
11	Linda	Burton Breazeale	Bradfield
13	John F.	Byous	Sodalis
15	Marc	Calderaro	Whispering Hollow
19	Ami	Chung	Summer Pointe
23	Allison	Cleland Depew	Garlic Creek
29	Rebecca	Cook	White Oak Preserve
33	Jeffrey	Cottrill	Garlic Creek
37	Jeremy	De Alcala	Creekside Park
41	Carman	DeLeon-Wissel	Whispering Hollow
43	Rex	Drake	Whispering Hollow
45	Belinda	Ellis	Old Town Historic District
47	Sandee	Ferman	White Oak Preserve
51	Kevin	Forsythe	Sequoia
53	Grace Ann	Fox	Meadows at Buda
57	Ricardo	Garay	Stoneridge
65	Cole	Harper	Historic
67	Kelly	Herbert	Whispering Hollow
71	Jon Marc	Hunter	Stone Ridge
73	Justin	Ivicic	Cullen Country
77	Virginia	Jurika	Whispering Hollow
85	Jeff	Kaufmann	Leisurewoods
91	Bret	Kiester	Summer Pointe
95	Theo	Kosub	Garlic Creek
99	Clark	Lyman	Bradfield Village
101	James	Miller	Garlic Creek
105	Michael	Miller	Harvest Meadows
107	Monica	Mills	Elm Grove
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121	Dorothea	Pitikas	Shady Grove/Oxbow
125	Jennifer	Porterfield	Meadows at Buda
127	Mathew	Putzi	Watson Hallow
129	Sarah	Rayburn	Creekside Park
135	Tamie	Sanchez	Plum Creek
137	Wendy	Scott	Bonita Vista
141	Jennifer	Storm	Whispering Hollow
149	Colin	strother	Creekside Park
14	Cristina	Tejeda	Meadows at Shadow Creek (ETJ)
155	Claire	Webb Sherrill	Whispering Hollow
159	Joe	Williams	Sunfield
161	Norma	Williams	Creekside Villas



**CITY OF BUDA ACCEPTING APPLICATIONS
FOR VOLUNTEERS TO SERVE ON VARIOUS
BOARDS/COMMISSIONS**

**MAKE 2021 THE YEAR YOU GET INVOLVED IN
YOUR COMMUNITY**

Construction Board of Appeals – This Board serves as an advisory body to the City Council that exhibits certain autonomous decision-making. Its powers and duties include hearing appeals of orders, decisions or determinations made by city officials relative to the application and interpretation of Chapter 6 (Building Regulations) of the Code of Ordinances. *This Board holds its meetings on an as-needed basis at City Hall.*

Dupre Local Government Corporation - The Corporation was established via the 2004 Interlocal Agreement between Hays County and the City. The Corporation is responsible for the receiving, investing and disbursing of all funds of the Corporation, accounting for reporting on all financial activity, coordinating the independent audit, budget development, and administration and project financing for projects on the Cabela's Tax Reinvestment Zone. *This Commission meets annually and as needed throughout the year.*

Economic Development Corporation Board - Established under Local Government Code Sections 501, 504, and 505 and is the governing body of the Buda Economic Development Corporation (a Type B corporation), which was established in 2001. The mission of the Buda Economic Development Corporation 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. Meetings are held monthly on the first Wednesday of each month and special meetings are called on as needed basis. Board members are required to sign confidentiality and non-disclosure agreements and serve two-year terms. *This Board holds its regular meetings on the 1st Wednesday of every month at City Hall.*

Historic Preservation Commission – This Commission serves as an advisory body to the City Council in matters relating to heritage and historic preservation in the City and extraterritorial jurisdiction. *This Commission holds its regular meetings on the 1st Thursday of every month at City Hall.*

Library Commission – This Board serves as an advisory Board to the City Council in matters relating to policies for the operation of the library facilities and services for the City of Buda. *This Commission holds its regular meetings on the second Thursday of each month at the Buda Library.*

Main Street Advisory Board - The Main Street Advisory Board is responsible for assisting in policy, review of the annual program budget and determining the goals of the new Buda Main Street Program. This is an exciting, hands-on board that is perfect for someone with a passion for historic preservation, downtown revitalization and small businesses. *This Board holds its regular meetings on the 2nd Wednesday of the month.*

Parks & Recreation Commission – This Board serves as an advisory Board to the City Council in matters relating to policies, rules and regulations of a public parks and recreation program. They provide oversight of playgrounds, athletic fields, trails, ponds, pavilions and other park facilities. *This Commission holds its regular meetings on the 3rd Wednesday of each month at City Hall.*

Planning and Zoning Commission – This Commission serves as an advisory body to the City Council in matters related to ensuring planned and purposeful development of the City of Buda and its extraterritorial jurisdiction, to protect the integrity of our natural resources and neighborhoods, and to enforce State and local statutes and Ordinances. *This Commission holds its regular meetings on the 2nd and 4th Tuesday of every month at City Hall.*

Sustainability Commission - Serves as an advisory board to the City Council in matters related to acting in the interest of sustainable practices, recognizing all three aspects of sustainability, including environmental stewardship, social responsibility and economic development; as well and makes advisory policy recommendations to the Council on issues relating to the environment, efforts or programs to address environmental issues such as air quality, water quality, and resource conservation relating to the protection and integrity of the natural environment. *This Commission holds its regular meetings on the 1st Thursday of the month.*

Task Force on Aging Committee - The Task Force was established as an ad-hoc committee in response to a citizen's survey to help prioritize critical issues and needs of older citizens and their families. The results of the survey identified: 1) the need for a resource hub, 2) the need for additional transportation resources, 3) volunteer opportunities for older citizens, and 4) program opportunities to enhance cultural, learning, and intergenerational opportunities. *This Committee holds its regular meetings on the 3rd Monday of the month.*

Zoning Board of Adjustment – This Board has the authority to hear and decide appeals where the applicant alleges that there is an error in any order, requirement, decision, or determination made by City staff or the City Council in the enforcement of the City's zoning regulations and ordinances, to hear and decide requests for special exceptions to the City's zoning regulations and ordinances, and to hear and decide judicial variances. *This Board holds its meetings on an as-needed basis at City Hall.*

<http://www.ci.buda.tx.us/BoardApplication>

City Hall, 405 E. Loop St., Building 100, Buda, Monday - Friday

Download the online form - www.ci.buda.tx.us

Request link by E-mail - cityclerk@ci.buda.tx.us

PENDING/FUTURE ITEM REQUEST

	A	B	C
1	MEETING DATE	COUNCIL MEMBER	REQUESTED ITEM
2			
3	4/6/2021	NONE	
4	3/23/2021	Ture	Review Hays County After Action Report pertaining to the winter storm, possibly a workshop on potential planning for different emergency events, e.g., temporary shelters, partner with other entities for large system events; long-term emergency plans – future presentation on existing plan with HC participating
5	3/23/2021	Cummings	transportation concerns STAR – structure, metrix and number that use the service, as well as the CARTS
6	10/7/2020	Urbanovsky	Comprehensive Plan Update last revised in 2011. Needs updated maps, vision, smart growth. Time to update.
7	4/7/2020	Ture	lessons learned from COVID-19
8		T.Anderson	BEDC Quarterly Updates